

WHEATON PLANNING AND ZONING BOARD

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Weller called the January 26, 2021 Wheaton Planning and Zoning Board meeting to order at 7:00 p.m. via Zoom. Upon roll call, the following were:

Roll Call Vote

Present: Nicole Aranas
Christopher Dabovich
Bob Gudmundson
Cecilia Horejs
Mark Plunkett
Dan Wanzung
Scott Weller

Absent: None

City Staff Present: Tracy Jones, Staff Planner

II. APPROVAL OF MINUTES - DECEMBER 8, 2020

The minutes were approved as presented.

III. PUBLIC COMMENT

There was none.

IV. NEW BUSINESS

ZA #21-01/ SPECIAL USE PERMIT/ 719 S. NAPERVILLE ROAD/ CORRY

Pursuant to notice duly published on January 8, 2021 and letters mailed to neighboring property owners on January 6, 2021, Chair Weller called to order the January 26, 2021 public hearing requesting a special use permit to allow two home occupations to be conducted in an existing detached garage located at 719 S. Naperville Road (the main level of the garage would be used as an artist's studio and the upper level of the garage would be used as a short-term home sharing rental).

Chair Weller incorporated a letter of support from Deborah Bolt and Pamela Zitelo at 723 S. Naperville Road, Wheaton into the record at the public hearing.

Liz Corry, 719 S. Naperville Road, Wheaton was sworn in. Ms. Corry stated that the subject property is located on the east side of Naperville Road between Roosevelt Road and Pershing Avenue. She stated that the subject property is improved with a two-story single-family residence and a two-story historic detached garage that was constructed in 1919. She further stated that based on the research she has done on the property; the garage was built prior to the existing house and the garage was originally used as an artist's studio.

Ms. Corry stated that she is proposing to conduct two home occupations in an existing detached garage located at 719 S. Naperville Road (the main level of the garage would be used as an artist's studio and the upper level of the garage would be used as a short-term home sharing rental). Article 24.10 of the Wheaton Zoning Ordinance lists both artist's studios and short-term home sharing rentals as permitted home

occupations, however Article 24.9.5 of the Wheaton Zoning Ordinance requires a special use permit for any home occupation conducted in an accessory building. Thus, Ms. Corry has submitted a special use permit to conduct both uses in the existing detached garage.

Staff Planner Jones stated that special use approval was previously granted, in 1998, to allow the upper floor of the garage to be used as an artist's studio. Since the artist's studio was permitted, no complaints have been received by the City to date.

Staff Planner Jones stated that on September 19, 2020, the City adopted Ordinance O-2020-13 granting a text amendment to Articles 2 and 24 of the Wheaton Zoning Ordinance to allow short-term home sharing rentals.

Ms. Corry addressed the special use factors as required by the Zoning Ordinance. She stated that the proposed special use would not be detrimental to the public health, safety, morals, comfort, convenience, or general welfare of the neighboring property owners. She further stated that the two home occupations would not generate any noise, parking, or traffic problems on the subject property or in the general area.

Mr. Gudmundson questioned how and when the short-term home sharing rental use of the upper floor came to be.

Ms. Corry stated that she originally used the space for extended family. Then her brother suggested listing it on a home sharing platform. Once she listed it in 2016, she realized there was a tremendous demand for such a use. She stated that in 2019, the space was rented between 200 and 250 nights and that they only allow one vehicle for each rental. She further stated that her customers are a mix of individuals with family ties to the Wheaton area, business travelers, and Wheaton residents that need to move out of their homes for a short period of time.

Mr. Wanzung questioned why she did not obtain approval prior to using the upper floor as a home sharing rental. He further questioned whether an inspection of the space was required for life safety purposes.

Staff Planner Jones stated that the Zoning Ordinance was silent on home sharing rentals until the text amendment was approved in September 2020. While the City was aware of the rental, there was no way to legalize it until the text amendment was approved. Once the text amendment was approved, Ms. Corry submitted her special use permit request shortly after. Staff Planner Jones added that once special use permit approval is granted, an inspection of the space would be done by a city building inspector for life safety purposes.

Ms. Aranas questioned the amount of traffic that is generated by the artist's studio.

Ms. Corry stated that the artist's studio generates no traffic and is more of a hobby now, but she still has a small commercial component.

Mr. Plunkett stated that the subject property was large for Wheaton standards at approximately one acre and could better accommodate the mix of uses than a typical lot.

Mr. Wanzung moved and then Ms. Horejs seconded the motion to close the public hearing. On a voice vote, all voted aye.

The Board decided to vote this evening.

Ms. Aranas moved and then Mr. Wanzung seconded the motion to approve ZA #21-01 requesting a special use permit to allow two home occupations to be conducted in an existing detached garage located at 719 S. Naperville Road (the main level of the garage would be used as an artist's studio and the upper level of the garage would be used as a short-term home sharing rental) as presented.

Roll Call Vote

Ayes: Nicole Aranas
Christopher Dabovich
Bob Gudmundson
Cecilia Horejs
Mark Plunkett
Dan Wanzung
Scott Weller

Nays: None

Absent: None

Motion Passed Unanimously

V. MISCELLANEOUS

There was none.

VI. ADJOURNMENT

The Board adjourned the meeting at 7:40 p.m. On a voice vote, all voted aye.

Respectfully submitted,
Tracy L. Jones, Staff Planner