

**Planning and Development Committee
Meeting Minutes for September 6, 2018**

Members Present:

Mick Madison, Chairman
David Michael
Robert Pollard
Larry Trucano
Phillip Chapman
Ray Wesley

Members Absent:

Nick Petrillo
Dalton Gray

Others Present:

Matt Brandmeyer	Catherine Manning	Susan Smith	James Watson	Tonya Osborne
Andi Yancey	Sue Archer	Joe Smith	Susan Presswood	Terry Rollins
Chris Doucleff	Keri Archer	Dennis Bauer	Rosalie Watson	Dennis Schneider
Eve Druke	Jeff Bertch	Randall Presswood	Bill Hanfelder	
Helen Hawkins	Kaya Tarhan	Nick Cohan	Jeremy Eck	
Eddie Lee	Scott Lawson	Ramona Rollins	Bob Williams	

Call of Meeting to Order and Roll Call:

Chairman Madison called the regular meeting of the Planning and Development Committee to order at 5:05 p.m. and conducted roll call. Mr. Madison noted for the record that David Michael had contacted him and would arrive to the meeting shortly.

Approval of Minutes:

Ray Wesley made a motion to approve the minutes from August 16, 2018. Seconded by Phil Chapman. Voice vote. All ayes. Motion approved.

Zoning Petitions and Subdivision Overview:

Mrs. Yancey introduced Resolution Z18-0048, the petition of Beverly & Catherine Manning, owners of record requesting a special use permit to place a manufactured home on site for the sole occupancy of Beverly Manning and family for a period not to exceed five years. Mrs. Yancey said that the Zoning Board of Appeals recommended approval on the request in a 3-2 vote and that a petition of opposition was submitted at the hearing containing 87 signatures.

Mrs. Yancey presented Resolution Z18-0049, the petition of SolarStone Illinois, LLC, applicant, and James Mannhard and Kathleen Ttees, owners of record, requesting a special use permit to develop two (2) 2-megawatt solar farms. Mrs. Yancey stated that there was no opposition to the request, the zoning board recommended approved 3-2, and fielded questions from the Committee regarding the proposal.

Mrs. Yancey introduced Resolution Z18-0050, the petition of Teresa Hecker, owner of record, and June and Jimmy Hallowell, applicants and potential buyers, requesting a special use permit to operate a home photography studio in the existing dwelling. Mrs. Yancey indicated that the ZBA recommended denial of the request 3-2 and that there were several nearby and adjoining property owners that had expressed opposition to the request.

Mrs. Yancey introduced Resolution Z18-0051 – Petition of Teresa Hecker, owner of record, and June and Jimmy Hallowell, applicants and potential buyers, requesting a special use permit as per §93.023, Section D, Item 3 of the Madison County Zoning Ordinance in order to have a welding shop on site. Mrs. Yancey indicated that the ZBA

recommended denial of the request 4-1 and that there were several nearby and adjoining property owners that had expressed opposition to the request.

Mrs. Yancey introduced Resolution Z18-0056, the petition of Mike Barton, applicant and owner of record, requesting a special use permit and a variance to keep 15 chickens (hens only) on site. Mrs. Yancey stated that the ZBA had recommended approval with the condition that no chickens be replaced until the number of chickens is reduced to five and that the vote was unanimous.

Mrs. Yancey introduced Resolution Z18-0057, the petition of Larry L. Dunn, applicant and owner of record, requesting a variance as per Article 93.034, Section B, Item 6 of the Madison County Zoning Ordinance in order to construct a pole barn that will be 4 feet from the West property line instead of the required 25 feet. Mrs. Yancey stated that the ZBA recommended approval with the condition that the building not exceed 30 feet in height. Four ZBA members voted to approve the request, while one member voted "present".

Mrs. Yancey fielded question from the Committee regarding the zoning hearings.

Mrs. Yancey discussed County Line Estates, a 1-lot subdivision. Mrs. Yancey stated that the subdivision satisfies all the minimum standards for an agriculture lot. Mrs. Yancey stated that the homestead is being sold, which is the purpose of the proposed subdivision.

Lastly, Mrs. Yancey discussed Bakaitas Subdivision and said that it is a 2 lot minor subdivision being requested in order to separate two tracts of land that are currently under one parcel number. Mrs. Yancey indicated that the Committee had approved a variance request for the subdivision to reduce the property width and road frontage requirement to 25 feet and that the proposal satisfied all other zoning requirements. The Village of Maryville is within 1.5 miles of the request and opted not to review the subdivision.

Pre-Application Presentation:

None.

Citizens Wishing to Address the Committee:

Catherine Manning, 9 Widgeon Ct, spoke on behalf of her request for a special use permit to place a manufactured home on site at 5020 Lakeview Drive in Granite City. Ms. Manning stated that her mother is currently residing with her in Pontoon Beach, and that she was requesting the SUP to sever as her mother's home. Ms. Manning stated that her mother was 75 years old, mostly disabled, and doesn't leave the home or throw wild parties. Ms. Manning stated that she thought the opposition was mostly based on the fear that the property would be used as a rental unit after they leave. Ms. Manning stated that it would not be a rental property, her mother would live there, and that's it. Ms. Manning stated that she understood that the rental properties in the area are not very nice, but that she is proposing to place a brand new home – it hasn't even been built. Ms. Manning stated that they bought the property so that she could live there for the rest of her life, and that's what the request is about. Ms. Manning stated that she did not know what else to say other than it's not a rental property and will be well-maintained by her family and herself.

Eddie Lee, Chouteau Township Supervisor, spoke in opposition to the petition of Beverly & Catherine Manning requesting a special use permit to place a manufactured home at 5020 Lakeview Drive. Mr. Lee stated that he was speaking on behalf of the residents that signed the petition of opposition and to address the Township's concerns. Mr. Lee stated that it was his hope that in the future they could start moving these trailers out of the residential areas and into trailer parks where they can be regulated. Mr. Lee stated that they have ongoing problems with trailers being left and the skirting coming off and they don't have the same regulations as the homes, stating that was their objection to it.

Randy Presswood, Nameoki Township Supervisor, stated that the subdivision was very small and guessed that there were somewhere around 120 residents in the subdivision and 87 people signed the petition of opposition. Mr. Presswood stated that he listens to his people and 87 out of 120 is quite a bit.

Terry Rollins, adjoining property owner, stated that he lives next door to the proposal and that he's owned the property since 1990. Mr. Rollins stated that the house that had previously occupied the subject property was a foreclosure home, explaining that there have been 4 foreclosures in the neighborhood in the past 5 years. Mr. Rollins stated that they came together as neighbors and were able to work with Jeff Hurst with Madison County P&D to get the banks to clean up the properties and eventually the homes were torn down and the lots were sold and one of the houses were rebuilt. Mr. Rollins stated that their issue is – whether it's new or not – it's a mobile home. Mr. Rollins stated that mobile homes do not belong in their "R-3" Residential neighborhood. Mr. Rollins discussed the size of the subject property. Mr. Rollins stated that there are mobile homes in the neighborhood that were placed in the '80's. Mr. Rollins stated that those mobile homes were opposed as well and were still put in. Mr. Rollins stated that the 3 mobile homes are now rental properties and are not maintained. Mr. Rollins stated that it was hard to track the people down to do anything. Mr. Rollins addressed Ms. Manning's contention that the lot would be maintained stating that the grass has not been maintained since the property was purchased. Mr. Rollins stated that mobile home belongs in a mobile home park, not a regular residential area. Mr. Rollins stated that there is a mobile home park that's basically a mile or half-mile away that has open spots, stating that if they want to put her in a mobile home – move in there. Mr. Rollins said that he and those who signed the petition believe that they should have new construction. Mr. Rollins stated the new construction is a sustainable tax base whereas a mobile home isn't, stating that a mobile home's life was 20-40 years at the most which could be found on the internet. Mr. Rollins stated that a stick-built house built for a family could be there for however long and the home he has was built in 1931. Mr. Rollins stated that most of the homes in the area were built in the '30s, '40s, and '50s. Mr. Rollins stated that they are opposed to another mobile home being moved in there. Mr. Rollins stated that there or 2 or 3 more lots becoming available and they don't want mobile homes on those lots either. Mr. Rollins stated that once they allow the mobile home to be placed, they start setting a precedent to where more mobile homes can be moved in. Mr. Rollins stated that the reason they were only able to get 87 signatures is because some people weren't home when they walked the petition around. Mr. Rollins stated that he was unable to attend the ZBA meeting due to his work schedule, stating that his sister and sister-in-law had attended the hearing and spoke in opposition to the request.

Helen Hawkins, County Board member of District 16 since 2002, stated that she had received many calls on zoning file Z18-0048. Mrs. Hawkins stated that she served on the Planning and Development Committee most of the 15 years or so she's served. Mrs. Hawkins stated that one of her primary concerns were the flooding issues in the area. Mrs. Hawkins stated that the Metro East Sanitary District has worked very closely with them, stating her concern was that they were moving people in in harm's way, stating that they were working closely with MESD and the State to resolve the issues, but that she is very opposed to the request given the area's proneness to flooding. Mrs. Hawkins submitted two letters of opposition for the record.

Tonya Osborne, 2239 Steinkoenig School Rd, spoke in opposition to Z18-0050 and Z18-0051, a petition for an SUP for a photography studio and a petition for an SUP for a welding shop, respectively. Ms. Osborne stated that she owns the property directly next door to 2213 Steinkoenig Road, which the Hallowell's are wanting to buy. Ms. Osborne stated that she bought the property roughly 8 years ago and that her neighborhood is a quiet family area with home values between \$425K and \$500K. Ms. Osborne stated that it's really not a business district at all and is more of a family area. Ms. Osborne stated that the primary concern was safety and that she had outlined several important points at the ZBA meeting. Ms. Osborne stated that when Mrs. Hallowell spoke in regard to her photography studio she had indicated that she was not ok with the proposed hours of operation because she wanted to have evening hours and later weekend hours. Ms. Osborne stated that the hours Mrs. Hallowell was proposing would consume a lot of the evening and weekend hours, when she enjoys quiet, private time. Ms. Osborne talked about Mr. Hallowell's statements at the ZBA meeting stating that he said they had not had any violation. Ms. Osborne stated that she doesn't know whether or not the operation has grown since then or the characteristics of the site at which he had previously operated, but that the homes in the subject area are relatively close together. Ms. Osborne stated that the subject property is located in a gully where the noise vibrates out, explaining that she can clearly hear people from the roadway out, stating that the proposed welding shop would be very loud. Ms. Osborne expressed concerns with the scale of Mrs. Hallowell's photography studio, stating that the entire basement of her current home is dedicated to the use. Ms. Osborne stated that her niece had photos of her great-niece taken there, stating that a lot of Mrs. Hallowell's photos require large props.

Dennis Schneider, 2239 Steinkoenig School Rd, stated that he lives directly north of the subject property and that he's lived in St. Jacob Township his entire life. Mr. Schneider stated that they pay quite a bit of taxes there to live in a residential area. Mr. Schneider stated that if he wanted to live in a commercial or industrial area, he'd move to Granite City. Mr. Schneider addressed comments made at the ZBA hearing. Mr. Schneider spoke to the noise and nuisances created by a welding establishment. Mr. Schneider stated that, given their proximity to the subject property, if folks were walking around and taking picture at night it would be a nuisance.

Scott Lawson, 11200 Shade Tree Lane, stated that he lives approximately 356 feet from the subject property. Mr. Lawson stated that he does not know the sellers or the buyers, but that he know the neighbors and the neighborhood. Mr. Lawson stated that the neighborhood is full, and the traffic that goes in and out of the area is familiar with all the neighbors that walk with their babies and dogs, the children that play in the area, stating that there is a bit of traffic, but people are used to it. Mr. Lawson stated that there is a blind hill within 200 feet from where they would be backing trailers in and out, stating that with the other characteristics in the area it would be a safety issue and he's a safety guy. Mr. Lawson stated that the traffic that would be generated from the proposed businesses has no idea the amount of kids and strollers out on the street. Mr. Lawson stated that the folks in the area spent a lot of money on their lots, it's a tight-knit community, and he's here to support his neighbors and the safety of the children. Mr. Lawson stated that his wife and dog walk the road constantly. Mr. Lawson stated that we have zoning for a reason, there is a place for businesses, and unfortunately he does not think this is the place for these types of businesses. Mr. Lawson stated that he has been around racing his whole life, and it's loud. Mr. Lawson stated that they'd mentioned no violations, explaining that he's a building and zoning official and he deals with a lot of complaints where no violation is present. Mr. Lawson concluded his remarks by reiterating that safety is his primary concern.

Unfinished Business:

None.

New Business:

Committee Chairman Mick Madison stated that he was going to move agenda items H(1), H(3), and H(4) up in the agenda so that those in attendance could hear the decisions and leave if they wished to do so.

Philip Chapman made a motion to deny Z18-0048, the petition of Beverly & Catherine Manning, owners of record, requesting a special use permit to place a manufactured home on site for the sole occupancy of Beverly Manning and family for a period not to exceed five years. Seconded by David Michael.

Mr. Chapman stated that he sees a neighborhood struggling to survive and he sees an option for people who want to have mobile homes a half-mile away. Mr. Chapman stated that he's seen photos of the subject area thanks to the due diligence of another committee member. Mr. Chapman stated that he was concerned for the people who want to maintain their property value and neighborhood and individuals who are disappointed with some of the rental properties in the area.

Mr. Michael stated that he was initially inclined to approve the request, especially given the Zoning Board's recommendation. Mr. Michael stated that the testimony of Board Member Hawkins and the two township supervisors, all elected officials of the people, weighed heavily in his mind. Mr. Michael stated that the statements from the elected officials and surrounding homeowners against the proposals swayed him in the negative since a new mobile home in the area would not be the a good thing. Mr. Michael stated that agreed with Mr. Chapman's comment regarding the neighborhood's struggles and that he would be voting no.

Ray Wesley asked Matt Brandmeyer if there were legal implications they should be considering in approving or denying the mobile home. Mr. Brandmeyer stated the statutory requirements and ordinance requirement in regard to a special use permit have been fulfilled and there was no obligation to approve or deny any special use permit. Mr. Brandmeyer stated that as far as any characteristics or physical traits, mobile homes have been approved in some cases and denied in others and there are several characteristics board members have relied on to make that determination, including input

from the public and elected officials. Mr. Wesley stated that he typically believes that people can do what they want on their property, unless it impacts somebody else's property. Mr. Wesley stated that Mrs. Hawkins made a valid point about flooding, and he had a concern with allowing additional structures in an area prone to flooding. Mr. Wesley stated the fact that 87 out of roughly 100 residents in the area objected to the proposal was also meaningful.

Larry Trucano asked if there were sewers in the area. Staff indicated that there were public sanitary sewers servicing the area.

Chairman Mick Madison stated that the subject petition was an interesting one. Mr. Madison stated that he'd been on the Committee for roughly four years, and he's never seen a situation quite like this come up. Mr. Madison stated that it's unfortunate for Ms. Manning, who had already purchased the property, since it looked like there was a change going on in the area and with the townships to improve the area. Mr. Madison stated that mobile homes were a contentious subject and that the department should look into the mobile homes as a zoning issue to determine whether different regulations would be more appropriate in some instances. Mr. Madison stated that while we have zoning rules for a reason, variances and special use permits are the safety valve for liberty and zoning laws are designed to be flexible for that very reason.

Roll-call vote. All ayes. Motion approved. Petition denied.

David Michael made a motion to affirm the ZBA's denial of petition Z18-0050, requesting a special use permit to operate a home photography studio and petition Z18-0051, requesting a special use permit to have a welding shop on site. Seconded by Robert Pollard.

Mr. Michael stated that the request was in his district, and he knows the area well. Mr. Michael stated that he expected the request to be contentious given the characteristics of the surrounding area and the homes in the area. Mr. Michael stated that he worked with staff to confirm there were no active SUPs in the surrounding area north of Lake Road. Mr. Michael stated that his biggest surprise in conducting the site visit was just how close together the houses are despite the zoning designation and 5-acre lot sizes. Mr. Michael stated that if he were a neighbor, he would not want that going on next to him. Mr. Michael indicated that the Zoning Board has also recommended denial on both requests and no new evidence had been presented swaying him to deviate from that recommendation.

The committee recessed for 5 minutes due to an emergency.

Roll-call vote. All ayes. Motion approved. Petitions denied.

Robert Pollard made a motion to approve petitions Z18-0049, Z18-0056, and Z18-0057 as recommended by the ZBA, County Line Estates, Bakaitas Subdivision. Seconded by David Michael.

Roll-call vote. All ayes. Motion approved.

Phil Chapman called his fellow committee members' attention to the preamble clauses within the resolution and read the resolving clause.

Phil Chapman made a motion to approve Resolution in Support of the Designation of Route 66 as a National Historic Trail. Seconded by David Michael.

Voice vote. All ayes. Motion approved.

Chairman Mick Madison discussed Resolution Authorizing the Demolition of Unsafe Buildings and Structures, stating that it involved two structures in Cottage Hills and that due diligence had been done to get in touch with the property owners.

Phil Chapman made a motion to approve the Resolution Authorizing the Demolition of Unsafe Buildings and Structures. Seconded by Ray Wesley.

Roll-call vote. All ayes. Motion approved.

Matt Brandmeyer stated that the update on Resource Management and Education Programs would take place next month in October and that he would give a department update at the following meeting.

Robert Pollard made a motion to approve the purchase order report. Seconded by Phil Chapman.

Roll-call vote. All ayes. Motion approved.

Administrator's Report:

None.

Adjournment:

Ray Wesley made a motion to adjourn the meeting. Seconded by Phil Chapman.

Voice vote. All ayes. Motion approved. Meeting adjourned.