

Zoning Board of Appeals Meeting Minutes
Tuesday January 23, 2018 at 8:30 a.m.
157 N. Main Street, Suite 254, Edwardsville, IL

Present were Misters Campbell, Sedlacek, Janek, Koeller, and Metzler.

Absent were Misters St. Peters and Davis.

1. Call to Order

- a. Chairman Michael Campbell called the meeting to order at 8:30 a.m.

2. On-Site Hearings and Public Comment

- a. The ZBA conducted on-site public hearings at the times and locations indicated in the agenda schedule. The ZBA reconvened in the Planning and Development Department Conference Room at 12:10 p.m. to complete motions and votes. Please see the Findings of Fact for the hearing summaries and public comment.

3. Approval of Minutes

- a. John Janek made a motion to approve the minutes from January 9, 2018. Seconded by Pat St. Peters. Voice vote. All Ayes. Motion approved.

4. Unfinished Business

- a. Text Amendment – Petition requesting a text amendment to Chapter 93 of the Madison County Code of Ordinances. The petition remained tabled, and no action was taken.

5. New Business

- a. Z18-0002– Petition of Jason Mantle. John Janek made a motion to approve the request with conditions. Seconded by Don Metzler. Voice vote. All ayes. Motion approved.
- b. Z18-0007 – Petition of Stephen Edwards. John Sedlacek made a motion to table the request until more information is provided by the applicant. Seconded by John Janek. Roll-call. All ayes. Motion approved.
- c. Z18-0006 – Petition of Rick Muller. Steve Koeller made a motion to approve the request. Seconded by John Sedlacek. Voice vote. All ayes. Motion approved.
- d. Z18-0005– Petition of Randy and Mary Haynes. Don Metzler made a motion to approve the request with conditions. Seconded by John Janek. Voice vote. All ayes. Motion approved.

6. Planning Coordinator’s Report

- a. Andi Campbell Yancey informed the Zoning Board of Appeals that there will be a set of zoning hearings in February, but that it was still unclear whether it would be held on February 13th or February 27th at this point in time. She said she would reach out with specific information once the docket was set.

7. Adjournment

- a. John Janek made a motion to adjourn. Seconded by John Sedlacek. Voice vote. All ayes. Motion approved. Meeting adjourned.

January 23, 2018

Findings of Fact and Recommendations

Mr. Michael Campbell, Chairman, called the meeting to order at 8:30 a.m. in the office of the Madison County Planning and Development Department.

Present were Misters Sedlacek, Janek, Koeller, and Metzler.

Absent were Misters St. Peters and Davis.

The Board of Appeals, established by the Chairman and the Board of Supervisors and provided for under the terms of the Madison County Zoning Ordinance, 1963 and all subsequent amendments/revisions thereto does hereby submit the Reports and Recommendations on the following:

File Z18-0002 – Petition of Jason Mantle

File Z18-0006 – Petition of Rick Muller

File Z18-0005 – Petition of Randy and Mary Hanes

(Olive Township)

(Jarvis Township)

(Nameoki Township)

Finding of Fact and Recommendations

Z17-0002 – Petition of Jason Mantle, applicant and owner of record, requesting a special use permit as per §93.031, Section D, Item (14) of the Madison County Zoning Ordinance in order to locate shipping containers on the site accessory to the existing antique mall. This is located in a "B-3" Highway Business District in Olive Township at **7479 State Route 4, Worden**, Illinois PPN#08-1-05-31-00-000-003 **(04)**

A **motion** was made by Mr. Janek and **seconded** by Mr. Metzler that the petition of Jason Mantle be as follows:

- I. This special use permit is granted for the sole usage of Jason Mantle in conjunction with the Chirping Frog Antique Mall. Any change of ownership or land use will require a new special use permit.
- II. There shall be no off-site parking for any portion of the retail operation.
- III. The shipping containers shall be painted with a coordinated color scheme and maintained in good repair, free of prominent rust, dents, and other unsightly blemishes and shall adhere to general property maintenance standards.
- IV. All lighting on the property shall be arranged in such a manner as to direct the light away from neighboring properties.
- V. The owner shall keep the property in compliance with all Madison County Ordinances.
- VI. The owner's failure to adhere to the conditions of the special use permit will cause revocation of the same, and require immediate removal of the shipping containers from the site.

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing and none were in attendance; IV. Jason Mantle, applicant and property owner, stated that he is requesting the special use permit in order to place shipping containers at the site to be used as a storage area for existing dealers at the Chirping Frog Antique Mall as well as future outdoor market dealers that would store their product within the shipping containers and hold weekend outdoor markets; V. Mr. Campbell, Chairman of The Board of Appeals, asked Mr. Mantle if the shipping containers were to be used by vendors only. Mr. Mantle stated that that was correct. VI. The Board of Appeals notes for the record that the proposed special use permit would not cause a detrimental effect on adjoining properties and is consistent with the character of the surrounding area; VII. The Board of Appeals notes for the record that there was no opposition to the request; VIII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice vote.

Ayes to the motion: Mistery Sedlacek, Koeller, Janek, and Metzler.

Nays to the motion: None.

Absent: Mistery St. Peters and Davis.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0006 - Petition of Rick Muller, owner of record, requesting a variance as per §93.051, Section A, Item (3), sub (d) of the Madison County Zoning Ordinance in order to construct an accessory structure in the front yard setback area. This is located in an "R-3" Single Family Residential District in Jarvis Township, at **8402 Steelecrest Ln, Troy, Illinois PPN#09-2-22-15-13-302-001 (02)**

A **motion** was made by Mr. Koeller and **seconded** by Mr. Sedlacek that the petition of Rick Muller be as follows: **Approved**.

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing and none were in attendance; IV. Rick Muller, applicant and property owner, stated that he is requesting a variance in order to locate an accessory structure in the front yard area. Mr. Muller stated that, due to uniqueness of his lot having three road frontages, he needs the requested variance; V. The Board of Appeals notes for the record that the proposed variance would not cause a detrimental effect on adjoining properties and is consistent with the character of the surrounding area; VI. The Board of Appeals notes for the record that there was no opposition to the request; VII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice vote.

Ayes to the motion: Misters Sedlacek, Koeller, Janek, and Metzler.

Nays to the motion: None.

Absent: Misters St. Peters and Davis.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0005 - Petition of Randy and Mary Haynes, owners of record, requesting a variance as per §93.080, Section E of the Madison County Zoning Ordinance in order to have a solid-board fence that is 5.50 feet tall in the front yard with the finished side of the fence facing inward. Also, a variance as per §93.023, Section E, Item (1) of the Madison County Zoning Ordinance in order to park a boat, trailer, and camper in front of the home. This is located in an Agricultural District in Nameoki Township, at **8307 Fairway Blvd., Collinsville, Illinois PPN#17-2-20-36-03-301-027 (23)**

A **motion** was made by Mr. Metzler and **seconded** by Mr. Janek that the petition of Randy and Mary Haynes be as follows:

- I. That the variances are granted provided that no more than 3 utility trailers, 1 recreational vehicle, and 1 boat shall be stored on the property at any given time and that all of the items must be parked within the existing privacy fence or the existing gravel parking area located directly east of the driveway and directly south of the privacy fence.

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing and none were in attendance; IV. Randy Haynes, applicant and property owner, stated that he was not aware of the ordinance pertaining to fencing and storage in the front yard. Mr. Haynes stated that the fence was erected to assist with directing the flow of water. Mr. Haynes stated that his home is setback further on his lot than most of his neighbors, limiting his ability to utilize the rear yard for storage; V. The Zoning Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties and that it is consistent with the character of the surrounding area; VI. The Board of Appeals notes for the record that there was no opposition to the request; VII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice vote.

Ayes to the motion: Mistery Sedlacek, Koeller, Janek, and Metzler.

Nays to the motion: None.

Absent: Mistery St. Peters and Davis.

Where upon the Chairman declared the motion duly adopted.