

**Zoning Board of Appeals Meeting Minutes
Tuesday February 27, 2018 at 8:30 a.m.
157 N. Main Street, Suite 254, Edwardsville, IL**

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

Absent was Mister Davis.

1. Call to Order

- a. Chairman Michael Campell 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 12:00 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 23, 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.
- b. Z18-0007 – Petition of Stephen Edwards. The petition remained tabled, and no action was taken.

5. New Business

- a. Z18-0009– Petition of Terry Miller. John Janek made a motion to approve the request. Seconded by Don Metzler. Voice vote. All ayes. Motion approved.
- b. Z18-0010 – Petition of Christopher Heaton. John Sedlacek made a motion to approve the request. Seconded by Pat St. Peters. Voice vote. All ayes. Motion approved.
- c. Z18-0011 – Petition of Amanda Card. Don Metzler made a motion to approve the request. Seconded by John Sedlacek. Voice vote. All ayes. Motion approved.
- d. Z18-0013 – Petition of Janet Cryder. John Janek made a motion to approve the request with conditions. Seconded by Don Metzler. Roll-call vote. All ayes. Motion approved.

6. Planning Coordinator’s Report

- a. Andi Campbell Yancey informed the Zoning Board of Appeals that the next set of hearings would be March 13, 2018.

7. Adjournment

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

February 27, 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 Campbell, Koeller, Sedlacek, Janek, St. Peters, and Metzler.

Absent was Mister 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 Z18-0009 – Petition of Terry Miller

File Z18-0010 – Petition of Christopher Heaton

File Z18-0011 – Petition of Amanda Card

File Z18-0013 – Petition of Janet Cryder

(Nameoki Township)

(Foster Township)

(Fort Russell Township)

(Alhambra Township)

Finding of Fact and Recommendations

Z18-0009 - Petition of Terry Miller, owner of record, requesting a special use permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue placement of a single-wide manufactured home on site for the sole occupancy of Craig Piquard for a period not to exceed five years. This voids SUP #Z09-0020. This is located in an "R-4" Single-Family Residential District in Nameoki Township, at **3221 Princeton Avenue, Collinsville, Illinois PPN#17-2-20-36-03-306-011 (23)**

A **motion** was made by Mr. Janek and **seconded** by Mr. Metzler that the petition of Terry Miller be as follows: I. This special use permit is **granted** for the sole usage of Craig Piquard and family for a period not to exceed five (5) years but may be extended either through an amendment to this special use permit or through an administrative review process, if qualified, as long as Craig Piquard and family occupy the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new special use permit when Craig Piquard vacates the structure.

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. Terry Miller, owner of record, stated that he is seeking a special use permit in order to continue placement of the existing single-wide manufactured home on the site for the occupancy of Craig Piquard; V. The Zoning Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties, that it is consistent with the character of the surrounding area, and that the site was maintained in good condition; 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, St. Peters, and Metzler.

Nays to the motion: None.

Absent: Mister Davis.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0010 - Petition of Christopher Heaton, applicant, on behalf of owner of record, Kathryn Heaton, deceased, requesting a zoning map amendment to rezone a 0.41 acre tract of land from Agricultural District to R-2 Single-Family Residential District. This is located in Foster Township, at **3463 Harris Lane, Bethalto**, Illinois PPN#20-1-02-33-02-201-009 **(05)**

A **motion** was made by Mr. Sedlacek and **seconded** by Mr. St. Peters that the petition of Christopher Heaton 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. Michael Campbell, Chairman, stated that the applicant was seeking a zoning map amendment to rezone the 0.41-acre tract of land from "A" Agriculture to "R-2" Single Family Residential; V. The Zoning Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties and that to approve the request is consistent with the character of the surrounding area as well as zoning laws; 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, St. Peters, and Metzler.

Nays to the motion: None.

Absent: Mister Davis.

Whereupon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0011 - Petition of Amanda Card, applicant, on behalf of owner of record, Steve Singleton, requesting a variance as per §93.023, Section B, Item 1, Sub (a) of the Madison County Zoning Ordinance in order to create a tract of land that is one acre in size instead of the required two acres. This is located in an Agricultural District in Fort Russell Township, at **7004 Kennedy Drive, Moro, Illinois** PPN#15-2-09-05-00-000-052 **(14)**

A **motion** was made by Mr. Metzler and **seconded** by Mr. Sedlacek that the petition of Amanda Card 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. Amanda Card, applicant, stated that she was seeking a variance to create a tract of land that was 1-acre instead of the required two acres in order to build her home on the property; V. The Zoning Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties and that the variance is consistent with the single-family 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, St. Peters, and Metzler.

Nays to the motion: None.

Absent: Mister Davis.

Whereupon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0013 - Petition of Janet Cryder, applicant, on behalf of Dick Newman, owner of record, requesting a special use permit as per §93.023, Section D, Item 38 of the Madison County Zoning Ordinance in order to operate a public horse-coaching facility. This is located in an Agricultural District in Alhambra Township, at **6815 Dauderman Road, Alhambra, Illinois PPN# 07-1-11-02-00-000-013.003 (04)**

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

I. This special use permit is **granted** for the sole usage of Janet M. Cryder and Dick Newman. Any change of ownership will require a new special use permit; II. The business shall operate between the hours of 8 a.m. to 9 p.m. Monday through Sunday; III. Adequate parking shall be provided to accommodate all clients of the operation at all times. No off-site parking will be allowed for the horse coaching therapy stable operation; IV. All lighting on the property shall be arranged in a manner to direct the light away from neighboring residential properties and away from the vision of passing motorist; V. The owner shall keep the property in compliance with all Madison County Ordinances; VI. The owner shall apply for an amendment to this Special Use Permit for any future alterations, modifications, or expansions of the use beyond those described within the applicant's narrative statement and site plan; VII. 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 stable operation from the property.

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; IV. Janet Cryder, applicant, stated that she was seeking a special use permit in order to operate horse-coaching therapy operation. Ms. Cryder stated that she had been a public school teacher for 30 years and is looking for another way to serve people because that is how she finds joy. Ms. Cryder stated that she had found a program called "Touched by a Horse" that allows her to combine her love for horses and helping others. Ms. Cryder stated that the 2-year program she completed was very intensive and was comparable to a graduate program. Ms. Cryder stated that her horses would be her partners in this endeavor because they have amazing healing power. Ms. Cryder stated that her target audience will be women who have emerged from unhealthy relationships, which strikes a personal note with her as she had to rebuild her life following a divorce. Ms. Cryder stated that she is hoping to run her business (weather permitting) from March through October. Ms. Cryder stated that if she had 2-4 sessions a week, she would consider that very successful, and that each session would last between 2 and 4 hours, depending on client needs. Ms. Cryder stated that she would occasionally have weekend events with 5-8 people present for a 1-day event. Ms. Cryder stated that she would also like to hold an open house once per year during which she could provide demonstrations to the public. Ms. Cryder pointed out her coaching building and indicated where clients would be working with horses. Ms. Cryder stated that she already had insurance in place and that client would be required to sign liability waivers. Ms. Cryder stated there would never be more than 4 horses on the site. Ms. Cryder concluded by stating that her goal in this endeavor was to help people live a more positive life; V. Sandra Albert, 6831 Dauderman Rd., stated that her big concern was that the proposed special use would lead to her well being contaminated. Mrs. Albert stated that her well was roughly 10 feet away from the property

line. Mrs. Albert stated that the horses would contaminate their water, which is their only source of water. 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. Junior Albert, 6831 Dauderman Road, stated that he builds dairy facilities and that any dairy or livestock facility he builds has to be 100 feet from a well; VII. Sandra Albert, 6831 Dauderman Road, stated that she had 21 questions, which she submitted for the record in written form; VIII. Fey Brown, friend of the applicant, stated that she had attended sessions through another facilitator other and that it's similar to having friends over for an afternoon. Ms. Brown stated that it didn't entail a crowd or anything. Ms. Brown stated that the horses go back to their pasture following the therapy sessions; IX. Junior Albert, 6831 Dauderman Road, stated that he had a book that he is required to abide by from the State of Illinois for livestock facilities and asked if the Board wanted a copy; X. Dick Newman, property owner, stated that the entire area used to be pasture when his uncle owned the ground, which would have been well within 100 feet of the well. Mr. Newman stated that he supported the request; XI. Sandra Albert, 6831 Dauderman Road, stated that the proposal would make their taxes go up and lower the value of their home [record inaudible due to high wind volume]; XII. Janet Cryder, applicant, closed by stating that her only purpose in asking for the special use permit was not to cause problems between neighbors, but to bring more positivity into the world by helping women get through the difficult situations they may be going through; XIII. Junior Albert, 6831 Dauderman Road, asked why the coaching circle could not be located somewhere else on the property; XIV. Janet Cryder, applicant, stated that the other building were not large enough for the coaching circle and that she could not afford to build an additional structure; XV. Andi Yancey, Madison County Planning and Development, asked Ms. Cryder if the horses would be stabled in a different area than the proposed horse coaching area. Ms. Cryder indicated which building the horses would be stabled within; XVI. The Board of Appeals notes for the record that the applicant is allowed to have 6 horses on the property by-right and that the comments of opposition pertained to the presence of horses and not the requested special use permit; XVII. The Board of Appeals notes for the record that the proposed special use permit is appropriate for the surrounding Agricultural area; XVIII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Roll-call vote.

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

Nays to the motion: None.

Absent: Mister Davis.

Whereupon the Chairman declared the motion duly adopted.