

## **MINUTES**

**Zoning Board of Appeals**

**Tuesday March 28, 2017**

**8:30 a.m.**

**157 N. Main Street, Suite 254, Edwardsville, IL**

**Present were Misters Campbell, Davis, Koeller, and Janek**

**Absent were Misters Dauderman, Sedlacek, and St. Peters.**

- 1. Call to Order – The Chairman, Michael Campbell, called the meeting to order at 8:30 a.m.**
- 2. On-Site Meetings**
  - a. The ZBA conducted on-site public meetings at the location of the scheduled hearings. The ZBA reconvened in the Planning and Development Department Conference Room at 11:15 a.m. for motions and votes. See the Findings of Fact for on-site meeting summaries.
- 3. Motions and Votes**
  - a. Approval of February 28, 2017 minutes. Motion made by Loren Davis and seconded by Steve Koeller to approve the minutes. Voice Vote. All Ayes. Motion approved.
  - b. New Business
    - i. Z17-0005 – Petition of CJD Real Estate. Motion made by John Janek and seconded by Loren Davis to approve with conditions. Voice Vote. All Ayes. Motion approved.
    - ii. Z17-0008 – Petition of Lee and Susan Baruxen. Motion made by John Janek and seconded by Steve Koeller to approve with conditions. Voice Vote. All ayes. Motion approved.
    - iii. Z17-0009 – Petition of Retail Place, LLC. Motion made by Steve Koeller and seconded by John Janek to table the petition until the following Zoning Board of Appeals meeting in order to obtain additional information regarding proposed density and stormwater runoff. Roll-call Vote. All ayes. Motion approved.
- 4. Public Comment**
  - a. There was no public comment February 28, 2017.
- 5. Planning Coordinator’s Report**
  - a. Andi Yancey informed the Zoning Board of Appeals that the next set of hearings will be March 28, 2017.
- 6. Adjournment**
  - a. Motion made by Steve Koeller and seconded by John Janek to adjourn. Voice Vote. All ayes. Motion approved.

**February 28, 2017**

**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, Davis, Koeller, and Janek.**

**Absent were Misters Dauderman, Sedlacek, and St. Peters.**

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 #Z17-0005 – CJD Real Estate**

**(Wood River Township)**

**File #Z17-0008 – Lee and Susan Baruxen**

**(Wood River Township)**

**Finding of Fact and Recommendations**

**Z17-0005** – Petition of CJD Real Estate, Inc., owner of record, requesting a special use permit as per Article 93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue placement of a double-wide manufactured home for the occupancy of Kenna and LaVell Sumpter for a period not to exceed five years. This voids SUP #Z15-0077. This is located in an “R-4” Single-Family Residential District in Wood River Township, at **1313 1<sup>st</sup> Street, Cottage Hills, Illinois. PPN: 19-2-08-03-04-405-023 (13)**

A **motion** was made by Mr. Janek and seconded by Mr. Davis that the petition of CJD Real Estate be as follows: I. This special use permit is granted for the sole usage of Kenna and LaVell Sumpter 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 Kenna and LaVell Sumpter occupy the structure, notwithstanding any violations, nuisance, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new special use permit when Kenna and LaVell Sumpter vacate 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. Daniel Wolff, owner and representative of CJD Real Estate, Inc., stated that he is seeking a special use permit in order to continue the placement of the double-wide mobile home for rental clients Kenna and LaVell Sumpter, the proposed occupants of structure; V. The Board of Appeals notes for the record that the owner has made improvements to the property and that the proposed special use would be compatible with the surrounding area; VI. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; 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 Campbell, Davis, Koeller, and Janek.

Nays to the motion: None.

Absent: Misters Dauderman, Sedlacek, and St. Peters.

Where upon the Chairman declared the motion duly adopted.

## **Finding of Fact and Recommendations**

**Z17-0008** – Petition of Lee Baruxen, owner of record, requesting a special use permit as per Article 93.025, Section G, Item 9 of the Madison County Zoning 9 in order to replace the existing single-wide manufactured home on site with a new single-wide manufactured home for the occupancy of Lee and Susan Baruxen for a period not to exceed five year. This is located in an “R-4” Single-Family Residential District in Wood River Township, at **1304 3<sup>rd</sup> Street, Cottage Hills, Illinois.** PPN: 19-2-08-03-04-405-023 **(13)**

A **motion** was made by Mr. Janek and seconded by Mr. Koeller that the petition of Lee Baruxen be as follows: I. This special use permit is granted for the sole usage of Lee and Susan Baruxen 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 Lee and Susan Baruxen 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 Lee and Susan Baruxen vacate 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. Lee Baruxen, owner of record, stated that he is seeking a special use permit in order to place an updated mobile home on the parcel for the occupancy of him and his wife; V. The Board of Appeals notes for the record that the owner intends to replace the existing mobile home with an upgraded model, which will improve the community and that the proposed special use would be compatible with the surrounding area; VI. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; 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 Campbell, Davis, Koeller, and Janek.

Nays to the motion: None.

Absent: Misters Dauderman, Sedlacek, and St. Peters.

Where upon the Chairman declared the motion duly adopted.