

**Madison County Zoning Board of Appeals Meeting Minutes**  
**Tuesday, June 22, 2021 at 5:00 p.m.**  
**Virtual Meeting via GoToMeeting & In-Person in the County Board Room**

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

**A. Call to Order**

Don Metzler, Chairman, called the meeting to order at 5:00 p.m. and conducted roll call.

**B. Approval of Minutes**

Chairman Metzler asked for a motion to approve the meeting minutes from May 25, 2021. Sharon Sherrill made a motion to approve. Seconded by Nicholas Cohan. Voice-vote. All ayes. Motion approved.

**C. Overview of Zoning Petitions and Staff Review**

Noelle Maxey, Assistant Planner, gave a brief overview of the seven zoning petitions and provided staff review.

**D. Explanation of Zoning Hearing Procedures and Swearing in of All Parties**

Chairman Metzler explained hearing procedures to meeting attendees and swore in staff members and all parties wishing to address the Board.

**E. Zoning Hearings**

The Zoning Board of Appeals conducted the zoning hearings on the seven agenda items. *Please see the attached Findings of Facts for a summary of each zoning hearing and public comment.*

**F. Citizens Wishing to Address the Zoning Board of Appeals**

*Please see the attached Findings of Facts for a summary of each zoning hearing and public comment.*

**G. Unfinished Business**

None

**H. New Business**

1. **Hearing Z21-0033** – Petition of Mark Frey, applicant on behalf of Andrew and Melanie Holthaus, owners of record, requesting a variance as per §93.025, Section B, Item 3 of the Madison County Zoning Ordinance in order to construct an attached garage addition that will be 40 feet from the west property line instead of the required 50 feet. This is located in an “R-1” Single-Family Residential District in Jarvis Township at **100 Yorkshire Court, Troy**, Illinois, County Board District #2, PIN# 09-2-22-28-20-401-006. A motion was made by Mary Goode and seconded by Nicholas Cohan that the petition of Mark Frey, on behalf of Andrew and Melanie Holthaus, be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.
2. **Hearing Z21-0034** – Petition of Jody and Darlene Pearman, owners of record, requesting a variance as per §93.025, Section D, Item 5 of the Madison County Zoning Ordinance in order to construct an addition to an existing single-family dwelling that will be 16 feet from the west property line instead of the required 30 feet. This is located in an “R-3” Single-Family Residential District in Chouteau Township at **756 Chouteau Avenue, Granite City**, Illinois, County Board District #16, PIN# 18-2-14-27-04-407-068. A motion was made by Mary Goode and seconded by George Ellis that the petition of Jody and Darlene Pearman be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.
3. **Hearing Z21-0035** – Petition of Kennan Fagan, applicant on behalf of Triad School District #2, owner of record, requesting a zoning map amendment to rezone a tract of land from “B-1” Limited Business District to “A” Agricultural District in order to have a school use on the property. This is located in Jarvis Township at **705 US Highway 40, Troy**, Illinois, County Board District #2, PIN# 09-1-22-11-03-301-012. A motion was made by

Sharon Sherrill and seconded by Mary Goode that the petition of Kennan Fagan and Triad School District #2 be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.

4. **Hearing Z21-0036** – Petition of Mark Bryant, owner of record with Janice Kubian-Bryant, requesting a variance as per §93.051, Section A, Item 3, Subsection (c) of the Madison County Zoning Ordinance in order to construct a detached garage that will extend 12 feet in front of the existing home. This is located in an “A” Agricultural District in Collinsville Township at **1368 Pleasant Ridge Road, Maryville**, Illinois, County Board District #27, PIN# 13-2-21-15-00-000-023. A motion was made by Nicholas Cohan and seconded by Sharon Sherrill that the petition of Mark Bryant be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.
5. **Hearing Z21-0037** – Petition of Darren Merkle, owner of record, requesting variances as per §93.023, Section B, Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to create two tracts of land that are 40 feet wide and 92.34 feet wide, respectively, at the 50 foot front yard setback instead of the required 150 feet. This is located in an “A” Agricultural District in Saline Township at **2653 Becker Road, Highland**, Illinois, County Board District #1, PIN# 02-2-18-34-00-000-049. A motion was made by Mary Goode and seconded by Nicholas Cohan that the petition of Darren Merkle be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.
6. **Hearing Z21-0038** – Petition of Affordable Homes, LLC, applicant on behalf of Lakeshore Estates, LLC, owner of record, requesting a zoning map amendment to rezone two tracts of land totaling 29.17 acres from “B-3” Highway Business District and “R-3” Single-Family Residential District to “PD” Planned Unit Development District to bring the existing mobile home park into compliance and continue its operation. These properties are located in Chouteau Township at **3120 and 3115 W Chain of Rocks Road, Granite City**, Illinois, County Board District #21, PIN#s 18-1-14-28-00-000-004 and 18-2-14-33-01-101-011. A motion was made by Mary Goode and seconded by Sharon Sherrill that the petition of Steven and Karen Bauer be as follows: **Approved with conditions as listed in Attachment “A”**. Roll-call vote. All Ayes. Motion passes.
7. **Hearing Z21-0040** – Petition of Portia Gordon, owner of record with Debbie McDonald, Crystal Potter, and Lisa Wojciechowski, 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 mobile home on site for the occupancy of Dorris and Tony Wrench and family for a period not to exceed 5 years. This is located in an “R-3” Single-Family Residential District in Fort Russell Township at **506 Fairway Drive, Moro**, Illinois, County Board District #14, PIN# 15-2-09-08-02-208-005. A motion was made by Mary Goode and seconded by Nicholas Cohan that the petition of Portia Gordon be as follows: **Approved with conditions**. Roll-call vote. All Ayes. Motion passes.
8. Petition requesting a text amendment to Chapter 93 of the Madison County Code of Ordinances. A motion was made by Mary Goode and seconded by Thomas Ambrose that the petition requesting a text amendment to Chapter 93 of the Madison County Code of Ordinances be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.

**I. Zoning Coordinator’s Report**

None

**J. Adjournment**

Mary Goode made a motion to adjourn the meeting. Seconded by George Ellis. Voice-vote. All ayes. Motion approved. Meeting adjourned.

**Madison County Zoning Board of Appeals**  
**June 22, 2021 Findings of Fact and Recommendations**

Don Metzler, Chairman, called the meeting to order at 5:00 p.m. on GoToMeeting Virtual Meeting & Madison County Board Room

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

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 and revisions thereto does hereby submit the Reports and Recommendations on the following:

**Hearing Z21-0033** – Petition of Mark Frey, on behalf of Andrew and Melanie Holthaus (Jarvis Township)

**Hearing Z21-0034** – Petition of Jody and Darlene Pearman (Chouteau Township)

**Hearing Z21-0035** – Petition of Kennan Fagan, on behalf of Triad School District #2 (Jarvis Township)

**Hearing Z21-0036** – Petition of Mark Bryant (Collinsville Township)

**Hearing Z21-0037** – Petition of Darren Merkle (Saline Township)

**Hearing Z21-0038** – Petition of Affordable Homes, LLC, on behalf of Lakeshore Estates, LLC (Chouteau Township)

**Hearing Z21-0040** – Petition of Portia Gordon (Fort Russell Township)

## **Finding of Fact and Recommendations**

### **Hearing Z21-0033**

Petition of Mark Frey, applicant on behalf of Andrew and Melanie Holthaus, owners of record, requesting a variance as per §93.025, Section B, Item 3 of the Madison County Zoning Ordinance in order to construct an attached garage addition that will be 40 feet from the west property line instead of the required 50 feet. This is located in an "R-1" Single-Family Residential District in Jarvis Township at **100 Yorkshire Court, Troy**, Illinois, County Board District #2, PIN# 09-2-22-28-20-401-006

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Mary Goode and **seconded** by Nicholas Cohan that the petition of Mark Frey, on behalf of Andrew and Melanie Holthaus, be as follows: **Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Mark Frey, applicant, stated the property owners have a small garage currently, and they need the extra space for more storage; **VI.** Mary Goode, ZBA member, asked if there has been any opposition from neighbors, to which Mr. Frey replied there has not.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## **Finding of Fact and Recommendations**

### **Hearing Z21-0034**

Petition of Jody and Darlene Pearman, owners of record, requesting a variance as per §93.025, Section D, Item 5 of the Madison County Zoning Ordinance in order to construct an addition to an existing single-family dwelling that will be 16 feet from the west property line instead of the required 30 feet. This is located in an "R-3" Single-Family Residential District in Chouteau Township at **756 Chouteau Avenue, Granite City, Illinois**, County Board District #16, PIN# 18-2-14-27-04-407-068

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Jody and Darlene Pearman be as follows: **Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Jody Pearman, applicant, stated they are adding an addition to the back of the house that will be 16 feet from the property line. Mr. Pearman stated the addition will give them more living space, a first floor laundry room, and full bathroom on the first floor.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## **Finding of Fact and Recommendations**

### **Hearing Z21-0035**

Petition of Kennan Fagan, applicant on behalf of Triad School District #2, owner of record, requesting a zoning map amendment to rezone a tract of land from "B-1" Limited Business District to "A" Agricultural District in order to have a school use on the property. This is located in Jarvis Township at **705 US Highway 40, Troy**, Illinois, County Board District #2, PIN# 09-1-22-11-03-301-012

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Kennan Fagan and Triad School District #2 be as follows: **Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Kennan Fagan, applicant, stated that the school acquired this property in front of the high school last year, and it was a lawnmower repair shop. Mr. Fagan stated they will use a couple of the existing building on the property for storage, and they want to build a life skills facility that replicates a house-like environment for special needs students transitioning from high school to regular life. Mr. Fagan stated it would look like a house and would include skills like doing laundry, making beds, gardening, and working in the kitchen; **VI.** Mary Goode, ZBA member, asked if it is privately or government funded, to which Mr. Fagan stated that the program is state funded and currently is held in two classrooms within the high school, but there is some local funding as well; **VII.** George Ellis, ZBA member, asked if there is anyone living on the property, to which Mr. Fagan stated that the person living there moved out when they acquired the property.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## **Finding of Fact and Recommendations**

### **Hearing Z21-0036**

Petition of Mark Bryant, owner of record with Janice Kubian-Bryant, requesting a variance as per §93.051, Section A, Item 3, Subsection (c) of the Madison County Zoning Ordinance in order to construct a detached garage that will extend 12 feet in front of the existing home. This is located in an "A" Agricultural District in Collinsville Township at **1368 Pleasant Ridge Road, Maryville**, Illinois, County Board District #27, PIN# 13-2-21-15-00-000-023

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Nicholas Cohan and **seconded** by Sharon Sherrill that the petition of Mark Bryant be as follows:  
**Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Mark Bryant, applicant, stated that he wants to build a detached garage for storage. Mr. Bryant stated they subdivided the property in the past, and that brought their lot under two acres, which is the requirement to have a garage in front of the house. Mr. Bryant stated having it extend in front of the house matches the aesthetic of the house and attached garage; **VI.** Thomas Ambrose, ZBA member, asked if any neighbors have opposed, to which Mr. Bryant responded that they have not, and they have a tight-knit neighborhood.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## **Finding of Fact and Recommendations**

### **Hearing Z21-0037**

Petition of Darren Merkle, owner of record, requesting variances as per §93.023, Section B, Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to create two tracts of land that are 40 feet wide and 92.34 feet wide, respectively, at the 50 foot front yard setback instead of the required 150 feet. This is located in an "A" Agricultural District in Saline Township at **2653 Becker Road, Highland**, Illinois, County Board District #1, PIN# 02-2-18-34-00-000-049

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Mary Goode and **seconded** by Nicholas Cohan that the petition of Darren Merkle be as follows:  
**Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Darren Merkle, applicant, stated that he wants to split his property to sell the other half for someone to build a new house; **VI.** Mary Goode, ZBA member, asked if this was originally part of a subdivision, to which Mr. Merkle stated that it was part of Plocher Family Farms subdivision. Ms. Goode asked if the subdivision adhered to County regulations at the time, to which Mr. Merkle responded that it was, and he acquired an additional 1.5 acres with it which brought him over the 2 acres to split the property in two; **VII.** Kenneth Krausz, adjacent property owner, stated the Plocher Family Farms subdivision had 3 acre lots, and he was told they had to be kept at 3 acres. Mr. Krausz stated that there are already enough homes on Becker Road for it being a country road. Mr. Krausz said that all of Plocher Family Farms is 3 acre lots; **VIII.** Ms. Goode asked if the 3 acre requirement was listed in the covenants and restrictions for the subdivision, and she thinks the County requirement is only 2 acres. Chris Doucleff, Department Administrator, confirmed that the County requirement is only 2 acres. Mr. Krausz stated there is not a homeowners association or any covenants and restrictions. Mr. Doucleff stated that we go by the County's requirement; **IX.** Martha Krausz, adjacent property owner, stated that water runs from that field onto their property, they get a lot of runoff during a heavy rain, and she is concerned that adding a home there will increase the runoff; **X.** Ms. Goode asked Mr. and Mrs. Krausz which property is theirs in relation to Mr. Merkle's property, and they stated that it is the property to the south.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator



## **Finding of Fact and Recommendations**

### **Hearing Z21-0038**

Petition of Affordable Homes, LLC, applicant on behalf of Lakeshore Estates, LLC, owner of record, requesting a zoning map amendment to rezone two tracts of land totaling 29.17 acres from "B-3" Highway Business District and "R-3" Single-Family Residential District to "PD" Planned Unit Development District to bring the existing mobile home park into compliance and continue its operation. These properties are located in Chouteau Township at **3120 and 3115 W Chain of Rocks Road, Granite City**, Illinois, County Board District #21, PIN#s 18-1-14-28-00-000-004 and 18-2-14-33-01-101-011

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Affordable Homes, LLC be as follows: **Approved with conditions as listed in Attachment "A"**.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Erin Kennedy, representative for the applicant, stated that the applicant is currently under contract to purchase the property and is hoping to get the "PD" zoning so he can improve all the homes in the park. Ms. Kennedy stated the applicant is submitting to stricter "PD" district requirements and rules and regulations for the park. Ms. Kennedy stated the applicant would bring in professional management to address the issues in the park, and the outstanding sewer fees would be included with closing on the property. Ms. Kennedy described the subdivision that the applicant is currently going through to split the larger parcel, keep the vacant part zoned "B-3", and sell it as commercial property for development. Ms. Kennedy stated that any new mobile homes brought in would have to meet the existing setbacks of the ones they are replacing; **VI.** Mary Goode, ZBA member, asked if the occupants currently pay their own water and sewer bills, to which Nick Najjar of Affordable Homes, LLC stated that the residents pay a flat fee for water and sewer. Ms. Goode asked if they are separately metered, to which Mr. Najjar stated there are meters on all the units currently, but they are outdated and will be replaced. Ms. Goode asked if they will be charging extra fees to replace the meters, to which Mr. Najjar stated ownership will be covering the cost to update the meters, then the occupants will be paying monthly water and sewer bills based on individual usage; **VII.** Thomas Ambrose, ZBA member, stated that he knows people who live in the Edwards Mobile Home Park that Mr. Najjar also purchased a couple years ago, and they say the roads haven't been improved. Mr. Najjar stated the roads were resurfaced right around the time he purchased the property, but there is a group of roads that are on the list of improvements to make this year; **VIII.** Gary Gaines, adjacent property owner, asked what the "PD" district is, and Noelle Maxey, Zoning Coordinator, explained what the district is. Mr. Gaines asked if the park will be expanded in any way, to which Mr. Doucleff stated that they will not be allowed to expand the park. Ms. Kennedy stated that part of the agreement is to not add any additional mobile home sites than what are already existing, and the western part of the property will be split off and sold commercially. Mr. Gaines stated that the properties west of the park have had problems with trespassing and theft, and Ms. Goode stated that is with the current ownership; **IX.** Cheryl Blamer, resident of Lakeshore Mobile Home Park, stated the current owner does not take care of things and does not hire the proper people to take care of it. Ms. Blamer stated that no one is screened before moving into the park, and they had to get background checks done before moving in back when she first started living there. Ms. Blamer stated that she's had neighbors that had to be evicted because it's so bad, and she put up cameras around her home. Ms. Blamer said that she owns her home, but she's about ready to move out because of everything happening there; **X.** Mr. Najjar stated that he is well aware of the almost non-existent management, and they will be doing background checks. Mr. Najjar said that they have been able to get most of the bad apples out of Edwards Park, but it is a process that takes some time; **XI.** Kerry Slaton, resident of Lakeshore Mobile Home Park, stated that the park floods badly, and the pumps are controlled by IDOT, but they don't turn them on high enough during heavy rains. Mr. Slaton stated he's contacted IDOT several times about this, and they don't do anything; **X.** Diane Slaton, resident, stated that they moved in to the park in 1993 and recently moved out because of the management; **XI.** Ms. Goode asked if there will be rentals or if the homes will only be owner-occupied, to which Mr. Najjar stated that the goal is to have people own their homes because it helps improve the community; **XII.** Stacy Smith, nearby property owner, stated there are always police, ambulances, drug overdoses in the park, and there are a lot of issues that are not being taken care of. Ms. Smith noted that it says "newer" trailers not "new,"

and asked what kind will be put in. Mr. Najjar stated that there isn't much difference in the mobile homes from year to year, it's more dependent on how they are upkept. Mr. Najjar stated if there is an old trailer, they will bring in a new one to improve the community; every once in a while it will be a used trailer, but it wouldn't be very old because the old ones don't transport very well; **XIII.** Mr. Najjar responded to an anonymous speaker from the audience that any new resident would be screened with a background check and to make sure they have a job and will be a good member of the community; **XIV.** Ms. Slaton asked if this is what he plans on doing when he purchases it, to which Ms. Kennedy stated that is the plan after the sale, and the sale is contingent on the rezoning being approved; **XV.** Mr. Slaton asked if anything will be done with IDOT and the flooding, to which Mr. Najjar stated they have a report from their surveyor on how to mitigate the flooding, and he does not want any mobile homes to flood.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## **Attachment "A" – District Requirements and Conditions of Use**

The "PD" Planned Unit Development District is approved for the 29.17 acres, addressed as 3120 and 3115 W Chain of Rocks Road (PINS: 18-1-14-28-00-000-004 and 18-2-14-33-01-101-011) in Granite City, contingent on the sale between Affordable Homes, LLC and Lakeshore Estates, LLC.

### **Permitted Uses**

1. Mobile Home Park

### **Special Uses**

The following uses may be allowed by Special Use Permits in accordance with provisions of §93.162 and §93.178.

1. Utilities, electrical substations, other public utility distribution facilities.

### **Accessory uses. (See §93.051 (B))**

Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land.

1. Off-street parking and loading.
2. Storage of merchandise or inventory usually carried in stock, provided that such storage shall be located on the lot with the retail, service or commercial use. There can be storage on the outside of the building, provided that it is kept in a neat and orderly condition, and not permitted to create a health hazard and an eyesore to the general area.

### **Prohibited uses.**

1. Neither junkyards, the dismantling of vehicles or the storage of dismantled vehicles, petroleum bulk plants, or outside storage of inflammable liquids or explosives, shall be permitted in this district.
2. Manufacturing of any kind.
3. Vehicles, such as automobiles, buses, and trucks that do not bear a current set of license plates; or are not in running condition; or are in such a condition that they are inoperable on public streets shall not be permitted.
4. Outside storage of goods or materials not in working condition or not intended for use or consumption.
5. Restaurants or bars that feature nude dancing in any form.
6. Railroad freight cars or large transport trailers.

### **Additional Requirements**

1. The Lakeshore Estates Mobile Home Park shall be exclusively used as a mobile home park and is limited to a maximum of 129 mobile home units.
2. The park shall be allowed to replace any of the existing homes with better quality new or used homes of a similar size on the existing pads and shall meet the existing mobile home setbacks of the specific lot where it is being replaced.
3. Each mobile home installed in the park after the Madison County Board's approval of the rezoning petition shall meet the following standards:
  - a) Each home must be equipped with fire resistant skirting which encloses the otherwise exposed area beneath the bottom of the home and the ground.
  - b) No permanent additions shall be built onto or become a part of any mobile home.
  - c) Each mobile home must be tied down in a safe and secure manner.

- d) Each home shall be manufactured after 1976 and meet the requirements of the United States of America Standards Institute/A119-1, as periodically revised.
  - e) Each home shall adhere to the minimum standards of the Madison County Zoning Ordinance, Mobile Home Park Code, and all applicable Building Codes.
4. Within 5 years of the Madison County Board's approval of the rezoning petition, all existing homes in the park shall meet the standards in Condition #3.
  5. The applicant, owner, and/or operator and their successors shall obtain a building permit from the Madison County Building & Zoning Department prior to the installation of any new home.
  6. Within 2 months following rezoning, the applicant, owner, and/or operator and their successors shall adopt a separate set of rules and regulations (see Attachment "B" for proposed Rules and Regulations) governing the use and maintenance of mobile home sites, so as to keep the park in good repair and in a safe, clean, and sanitary condition. These rules and regulations shall include the following subjects:
    - a) Control of pets.
    - b) Storage of refuse and garbage.
    - c) Design and construction of auxiliary structures and fixtures, including mini-pools, planters, trellises, and outdoor artwork.
    - d) Control of abandoned and unlicensed automobiles.
    - e) Control of growth of weeds and grass.
    - f) Control of insects and other pests.
    - g) Proper upkeep and maintenance of mobile homes, including doors, window, skirting, decks and porches.

The applicant, owner, and/or operator and their successors shall submit the park rules during the mobile home park license renewal and are responsible for enforcing the rules within the park.

7. The applicant, owner, and/or operator and their successors shall operate the park in compliance with the applicable state and local codes pertaining to operation of mobile home parks, including the Illinois Mobile Home Park Act (210 ILCS 115/1 *et seq.*).
8. The applicant, owner, and/or operator and their successors shall apply for an annual permit issued pursuant to the Madison County Mobile Home Park Code. As a part of the renewal process, substantial compliance with all terms of the agreement and the "PD" requirements will be necessary for the license renewal. In the event that the applicant, owner, and/or operator fails to substantially comply with the conditions established by the "PD" requirements, the applicant, owner, and/or operator and their successors shall discontinue operation of the park.

## **Finding of Fact and Recommendations**

### **Hearing Z21-0040**

Petition of Portia Gordon, owner of record with Debbie McDonald, Crystal Potter, and Lisa Wojciechowski, 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 mobile home on site for the occupancy of Doris and Tony Rench and family for a period not to exceed 5 years. This is located in an "R-3" Single-Family Residential District in Fort Russell Township at **506 Fairway Drive, Moro**, Illinois, County Board District #14, PIN# 15-2-09-08-02-208-005

**Members Present:** Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Members Absent:**

A **motion** was made by Mary Goode and **seconded** by Nicholas Cohan that the petition of Portia Gordon be **approved with conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Doris and Tony Rench and family for a period not to exceed 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 Doris and Tony Rench and family 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 once Doris and Tony Rench and family vacate the structure

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; **II.** The notice of public hearing was posted on the property in accordance with the terms of the ordinance **III.** The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; **IV.** The adjoining property owners were notified by mail of the time, date, and location of the public hearing; **V.** Portia Gordon, applicant, stated that she and her sisters own the property, and they are requesting a Special Use Permit to keep the mobile home on the property that their mother lived in before passing away recently. Ms. Gordon stated that they have a contract with someone who wants to buy the property, depending on if the SUP is approved or not; **VI.** Kevin Barbier, representative for the prospective buyers, stated the lender is requiring that they surrender the title to the state and make it real property. Mr. Barbier asked how this will affect the 5 year time period, and he stated that he has an engineering letter from Netemeyer stating that the mobile home was installed and tied down correctly. Mr. Barbier stated it is not mandatory by the state, but the lenders are requiring it; **VII.** Mary Goode, ZBA member, asked Mr. Doucleff how this will work with the 5 year limit. Mr. Doucleff stated that the 5 year renewal is what the County requires; **VIII.** Noelle Maxey, Zoning Coordinator, stated that after 5 years, if it is the same occupant and property owner, then the request would just be administratively reviewed, rather than having to go through the whole zoning hearing process again; **IX.** Mr. Barbier stated the title would get surrendered through the Department of Motor Vehicles, and through the state act, it becomes real property instead of personal property. Ms. Maxey stated that we will have to look into this act. Mr. Barbier stated that this will be showing up more and more, and he's had it happen several times.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator