

**Zoning Board of Appeals Meeting Minutes
Tuesday June 27, 2017 at 8:30 a.m.
157 N. Main Street, Suite 254, Edwardsville, IL**

Present were Misters Campbell, Sedlacek, Davis, St. Peters and Metzler.

Absent were Misters Koeller, and Janek.

1. Call to Order

- a. Chairman Mike 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 11:45 a.m. to conduct the final public hearing, take public comment, and complete motions and votes. Please see the Findings of Fact for the hearing summaries and public comment.

3. Approval of Minutes

- a. Loren Davis made a motion to approve the minutes from May 9, 2017. Seconded by Don Metzler. Voice Vote. All Ayes. Motion approved.

4. Unfinished Business

- 5. Text Amendment – Petition requesting a text amendment to Chapter 93 of the Madison County Code of Ordinances. No action was taken.

6. New Business

- a. Z17-0033 – Petition of Phyllis Oster-Benton and Tracy Wallace. John Janek made a motion to approve the request. Seconded by Don Metzler. Voice vote. All ayes. Motion approved.
- b. Z17-0034 – Petition of Lynn and David Grotefendt. John Sedlacek made a motion to approve the request. Seconded by Pat St. Peters. Voice vote. All ayes. Motion approved.
- c. Z17-0035 – Petition of Allen D. Belt and Ona Mae Witthoft. Don Metzler made a motion to approve the request. Seconded by John Sedlacek. Voice vote. All ayes. Motion approved.
- d. Z17-0031 – Petition of Jeffrey Bartels. John Sedlacek made a motion to approve the request. Seconded by Steve Koeller. Voice vote. All ayes. Motion approved.

7. Planning Coordinator's Report

- a. Andi Yancey informed the Zoning Board of Appeals that the July 11, 2017 hearing will be canceled due to a lack of agenda items at the notification deadline, and the next meeting will likely be July 25, 2017.

8. Adjournment

- a. John Janek made a motion to adjourn. Seconded by Pat St. Peters. Voice vote. All ayes. Motion approved.

June 27, 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, Koeller, Janek, Sedlacek, 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 #Z17-0033 – Petition of Phyllis Oster-Benton and Tracy Wallace	(Wood River Township)
File #Z17-0034 – Petition of Lynn and David Grotefendt	(Hamel Township)
File #Z17-0035 – Petition of Allen D. Belt and Ona Mae Witthoft	(Jarvis Township)
File #Z17-0031 – Petition of Jeffrey Bartels	(Pin Oak Township)

Finding of Fact and Recommendations

Z17-0033 - Petition of Phyllis Oster-Benton, owner of record, and Tracy Wallace, occupant of manufactured home, requesting a special use permit as per §93.025, Section (G), Item 9 of the Madison County Zoning Ordinance in order to continue the placement of a double-wide manufactured home for the occupancy of Tracy Wallace and family for a period not to exceed five years. This voids SUP #Z08-0161. This is located in an “R-3” Single-Family Residential District in Wood River Township, at **45 Thelma Avenue, Cottage Hills, Illinois.** PPN#19-2-08-10-02-202-041.001 **(15)**

A **motion** was made by Mr. Janek and seconded by Mr. Metzler that the petition of Phyllis Oster-Benton and Tracy Wallace be as follows: I. This special use permit is granted for the sole usage of Tracy Wallace 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 Tracy Wallace occupies 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 Tracy Wallace 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. Tracy Wallace, applicant and proposed occupant of mobile home, stated that she is seeking a special use permit in order to continue the placement of a double-wide mobile home on the site for her occupancy; V. The Board of Appeals notes for the record that the proposed special use is 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 for the record that there was not 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 Koeller, Davis, Sedlacek, St. Peters, Janek, and Metzler.

Nays to the motion: None.

Absent: None.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z17-0034 - Petition of Lynn & David Grotefendt, owners of record, requesting variances as per §93.023, Section (B), Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to create a tract of land (parcel 1) that is 1.22 acres in size instead of the required 2 acres and a tract of land (parcel 2) that is 100 feet wide at the front yard setback instead of the required 150 feet and variances as per §93.051, Section (A), Item 3, Subsection (b) in order for a grain silo to be 5 feet from east property line of parcel 2, a carport to be 12 feet from the east property line of parcel 2, and a pole building to be 5 and 8 feet from the west and north property lines of parcel 1 instead of the required 15 feet. This is located in an Agricultural District in Hamel Township, at **8669 Fruit Road, Edwardsville**, Illinois. PPN#11-1-10-34-00-000-005.003 **(3)**

A **motion** was made by Mr. Sedlacek and seconded by Mr. St. Peters that the petition of Lynn and David Grotefendt 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. David Grotefendt, owner of record, stated that he is seeking the variances in order to split the farmhouse and out building from the remaining farm buildings and farm ground; V. The Board of Appeals notes for the record that the proposed variances would not cause a detrimental effect on adjoining properties; 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 Koeller, Davis, Sedlacek, St. Peters, Janek, and Metzler.

Nays to the motion: None.

Absent: None.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z17-0035 - Petition of Allen D. Belt, applicant and owner of 1801 Gilbreath Road, and Ona Mae Witthoft, owner of 1800 Gilbreath Road, requesting a variance as per §93.025, Section (D), Item 1 in order to create a tract of land that is 25 feet wide at the front yard setback instead of the required 70 feet and variances as per §93.053, Section (D), in order to create a tract of land with 14 feet of road frontage and a tract of land with 25 feet of road frontage instead of the required 40 feet. This is located in an "R-3" Single-Family Residential District in Jarvis Township, at **1800 and 1801 Gilbreath Road, Troy, Illinois**. PPNs#09-1-22-10-00-000-008.001 & 09-1-22-10-00-000-008.002 **(11)**

A **motion** was made by Mr. Metzler and seconded by Mr. Sedlacek that the petition of Allen D. Belt and Ona Mae Witthoft 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 one (1) was in attendance; IV. Allen Belt, owner of record, stated that he is seeking the variances in order to reconfigure the private roadway and place it under his ownership so that he can maintain it for himself and his aunt, Ona Mae Witthoft; V. The Board of Appeals notes for the record that the proposed variances would not cause a detrimental effect on adjoining properties; VI. The Board of Appeals notes for the record that the proposed variances will create a shorter, safer private access arrangement and all nearby owners in attendance were in support of the proposal; 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 Koeller, Davis, Sedlacek, St. Peters, Janek, and Metzler.

Nays to the motion: None.

Absent: None.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z17-0031 - Petition of Jeffrey Bartels, owner of record, requesting a variance as per §93.023, Section (B), Item 2 of the Madison County Zoning Ordinance in order to construct an attached garage addition to an existing home that will be 11 feet from the east property line instead of the required 50 feet. This is located in an Agricultural District in Pin Oak Township, at **8621 Maple Grove Road, Edwardsville, Illinois.** PPN#10-2-16-27-00-000-027 **(11)**

A **motion** was made by Mr. Sedlacek and seconded by Mr. Koeller that the petition of Jeffrey Bartels 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 one (1) was in attendance; IV. Jeffrey Bartels, owner of record, stated that he is seeking a variance due to the narrow shape of the lot in order to locate an attached garage addition 11 feet from the east property line; V. The Board of Appeals notes for the record that the proposed variance would not cause a detrimental effect on adjoining properties; VI. The Board of Appeals notes for the record the nearby property owner in attendance was in support of the proposal, and there was no opposition expressed; 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 Koeller, Sedlacek, St. Peters, Janek, and Metzler.

Nays to the motion: None.

Absent: Mr. Davis

Where upon the Chairman declared the motion duly adopted.