

MINUTES

Zoning Board of Appeals

Thursday June 30, 2016

8:30 a.m.

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

Present were Misters Dauderman, Davis, Janek, and Sedlacek.

Absent were Misters Campbell, Koeller and St. Peters.

1. **Call to Order – The pro tem Chairman, John Sedlacek, 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 12:05 p.m. for motions and votes. See Findings of Fact for on-site summary.
3. **Motions and Votes**
 - a. Approval of June 02, 2016 minutes. Motion made by John Janek and seconded by Loren Davis to approve the minutes. Voice Vote. All Ayes. Motion approved.
 - b. Old Business
 - i. Z15-0013 – Planning and Development Committee (Revocation of S&K Repair Service SUP) remained tabled.
 - c. New Business
 - i. Z16-0054 – Douglas & Joy Roberson. Motion made by John Janek and seconded by Bob Dauderman to approve. Voice Vote. All Ayes. Motion approved.
 - ii. Z16-0055 – David Sanders. Motion made by Bob Dauderman and seconded by Loren Davis to approve. Voice Vote. All ayes. Motion approved.
 - iii. Z16-0045 – Melanie Doelling. Motion made by Loren Davis and seconded by John Janek to approve with conditions. Voice Vote. All ayes. Motion approved.
 - iv. Z16-0050 – Robert Bettorf. Motion made by John Janek and seconded by Bob Dauderman to approve with conditions. Voice Vote. All ayes. Motion approved.
 - v. Z16-0048 – Buddy Watkins. Motion made by Loren Davis and seconded by Bob Dauderman to approve with conditions. Voice Vote. All ayes. Motion approved.
 - vi. Z16-0043 – Manuel Del Rio. Motion made by Bob Dauderman and seconded by John Janek to approve with conditions. Voice Vote. All Ayes. Motion approved.
4. **Public Comment**
 - a. Dave Fulbright, property owner of 6077 Old Alton Edwardsville Road, Edwardsville, IL, spoke to the ZBA regarding Z15-0013, S&K Repair Service. Mr. Fulbright stated that S&K has not been responsive. Mr. Fulbright stated that S&K's engineer is a former employee of the Illinois Department of Natural Resources (IDNR). Mr. Fulbright stated that the IDNR has rejected the permit. Mr. Fulbright requested that the ZBA remove Z15-0013 from the table to be voted on.
 - b. Renee Seitz, property owner of 4518 Drda Lane, Edwardsville, IL, spoke to the ZBA regarding Z15-0013, S&K Repair Service. Ms. Seitz stated that the fence is not complete and that some of the trees for the screening have died and were not replaced.
 - c. Steve Brendel, Stormwater Coordinator, informed the ZBA that S&K has submitted an application to the IDNR. Mr. Brendel discussed with Mr. Fulbright that IDNR has not rejected the application but is currently waiting for payment of the permit fee from the applicants.

5. Planning Coordinator's Report

- a. Derek Jackson informed the Zoning Board of Appeals that the next set of hearings will be either July 28, 2016 or August 4, 2016 depending on the volume of hearings.

6. Adjournment

- a. Motion made by John Janek and seconded by Loren Davis to adjourn. Voice Vote. All ayes. Motion approved.

June 30, 2016

Finding Of Fact and Recommendations

Mr. John Sedlacek, pro tem Chairman, called the meeting to order at 8:30 AM in the office of the Madison County Planning and Development Department.

Present were Misters Dauderman, Davis, Janek, and Sedlacek.

Absent were Misters Campbell, Koeller, 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 #Z16-0054 – Douglas & Joy Roberson

File #Z16-0055 – David Sanders

File #Z16-0045 – Melanie Doelling

File #Z16-0050 – Robert Bettorf

File #Z16-0048 – Buddy Watkins

File #Z16-0043 – Manuel Del Rio

(Foster Township)

(Foster Township)

(Wood River Township)

(Wood River Township)

(Chouteau Township)

(Nameoki Township)

Finding Of Fact and Recommendations

Z16-0054 - Petition of Douglas and Joy Roberson, owners of record, requesting a variance as per Article 93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to locate a new single-family dwelling 40 feet from the south property line instead of the required 50 feet. This is located in an Agriculture District in Foster Township, at **7663 Bethalto Road, Bethalto**, Illinois PPN#20-2-02-36-02-201-018 **(05)**

A **motion** was made by Mr. Janek and seconded by Mr. Dauderman that the petition of Douglas and Joy Roberson be as follows: "Granted."

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. Douglas Roberson, applicant and property owner, stated that they he is seeking a variance in order to have a reduced building setback from the south property line for a new dwelling. Mr. Roberson stated that the proposed dwelling is ninety (90) feet wide, and that he is seeking a ten foot setback reduction from the south property line; V. Stan Cisler, property owner of 328 Whispering Oaks Drive, Bethalto, Illinois, spoke in opposition to the request stating that the variance sets a precedent for future setback reductions; VI. Garry Neilson, adjoining property located at 4648 McCoy Road, spoke in favor of the request; VII. The Board of Appeals notes for the record that the proposed variance request would be compatible with the surrounding area; VIII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; IX. 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 Dauderman, Davis, Janek, and Sedlacek.

Nays to the motion: None.

Absent: Misters Campbell, Koeller, and St. Peters.

Where upon the pro tem Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0055 - Petition of David Sanders, owner of record, requesting a variance as per Article 93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to locate a new single-family dwelling 35 feet from the south and north property lines instead of the required 50 feet. This is located in an Agriculture District in Foster Township, at **7675 Bethalto Road, Bethalto**, Illinois PPN#20-2-02-25-00-000-017 **(05)**

A **motion** was made by Mr. Dauderman and seconded by Mr. Davis that the petition of David Sanders be as follows: "Granted."

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. David Sanders, applicant and property owner, stated that they he is seeking a variance in order to have a reduced building setback from the north and south property lines for a new dwelling. Mr. Sanders stated that the proposed dwelling is eight (80) feet wide, and due to the lot being narrow, he is seeking relief from the fifty (50) foot setback requirement in order to accommodate the new dwelling; V. Stan Cisler, property owner of 328 Whispering Oaks Drive, Bethalto, Illinois, spoke in opposition to the request stating that the variance sets a precedent for future setback reductions; VI. Garry Neilson, adjoining property located at 4648 McCoy Road, spoke in favor of the request; VII. The Board of Appeals notes for the record that the proposed variance requests would be compatible with the surrounding area; VIII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; IX. 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 Dauderman, Davis, Janek, and Sedlacek.

Nays to the motion: None.

Absent: Misters Campbell, Koeller, and St. Peters.

Where upon the pro tem Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0045 - Petition of Melanie Doelling, owner of record, and occupant of manufactured home, requesting a special use permit as per Article 93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to replace an existing single-wide manufactured home on the site with a new single-wide manufactured home on site for the sole occupancy of Melanie Doelling for a period not to exceed five years. This voids SUP #Z11-0016. This is located in an "R-4" Single-Family Residential District in Wood River Township, at **1451 11th Street, Cottage Hills, Illinois** PPN#19-2-08-03-02-203-053.001
(13)

A **motion** was made by Mr. Davis and seconded by Mr. Janek that the petition of Melanie Doelling be as follows: I. That the special use permit is granted for the sole usage of Melanie Doelling 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 Melanie Doelling occupies the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the manufactured home from the site when the above stated occupant 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; IV. Melanie Doelling, applicant and property owner, stated that she is seeking a special use permit in order to remove the existing single-wide manufactured home and replace it with a new single-wide manufactured home to be used as her residence; V. Larry Corrington, adjoining property owner of 1105 N. Stanley Road, Cottage Hills, Illinois, spoke in favor of the request; VI. Dixie Bettorf, adjoining property owner of 1440 11th Street, Cottage Hills, Illinois, spoke in favor of the request; VII. The Board of Appeals notes for the record that the proposed special use permit request would be compatible with the surrounding area; VIII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; IX. 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 Dauderman, Davis, Janek, and Sedlacek.

Nays to the motion: None.

Absent: Misters Campbell, Koeller, and St. Peters.

Where upon the pro tem Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0050 - Petition of Robert Bettorf, 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 the placement of a single-wide manufactured home on site for the sole occupancy of Kile Moore for a period not to exceed five years. This voids SUP #Z10-0126. This is located in an "R-4" Single Family Residential District, at **1413 8th Street, Cottage Hills, Illinois PPN#19-2-08-03-02-206-032 (13)**

A **motion** was made by Mr. Janek and seconded by Mr. Dauderman that the petition of Robert Bettorf be as follows: I. That the special use permit is granted for the sole usage of Kile Moore 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 Kile Moore occupies the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the manufactured home from the site when the above stated occupant 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; IV. Kile Moore, proposed occupant, spoke on behalf of the applicant. Mr. Moore stated that he is seeking a special use permit to continue the placement of the single-wide manufactured home for his residency; V. James Cox, adjacent property owner of 1405 8th Street, Cottage Hills, Illinois, inquired if Kile Moore was the owner of the property. Mr. Moore stated that he is a renter and that Robert Bettorf is the property owner. Derek Jackson, Madison County Planning Coordinator, stated that Robert Bettorf is applying for the special use permit for the continued placement of the manufactured home to be occupied by Kile More. Mr. Jackson stated that the special use permit is tied to both the property owner and the occupant. Mr. Jackson stated that once the occupant vacates the premise, the property owner is responsible for renewing the special use permit with new occupants or removing the manufactured home; VI. Omer Williams, nearby property owner of 1400 8th Street, Cottage Hills, Illinois, spoke in opposition to the request. Mr. Williams stated that Kile Moore has done a good job of cleaning the property up, but there have been multiple occupants within the manufactured home without the special use permit being updated; VII. Keith Belcher, adjacent property owner of 1414 8th Street, spoke in opposition to the request stating that the manufactured home brings down all surrounding property values; VIII. The Board of Appeals notes for the record that the proposed special use permit request would be compatible with the surrounding area; IX. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; X. 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 Dauderman, Davis, Janek, and Sedlacek.

Nays to the motion: None.

Absent: Misters Campbell, Koeller, and St. Peters.

Where upon the pro tem Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0048 - Petition of Buddy Watkins, owner of record, and occupant of manufactured home, requesting a special use permit as per Article 93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue the placement of a single-wide manufactured home on site for the sole occupancy of Buddy Watkins for a period not to exceed five years. This is located in an "R-3" Single Family Residential District in Chouteau Township, at **4913 Mueller Ave, Granite City, Illinois PPN#18-2-14-33-03-302-020.001 (21)**

A **motion** was made by Mr. Davis and seconded by Mr. Dauderman that the petition of Buddy Watkins be as follows: I. That the special use permit is granted for the sole usage of Buddy Watkins 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 Buddy Watkins occupies the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the manufactured home from the site when the above stated occupant 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. Buddy Watkins, applicant and property owner, stated that he is seeking a special use permit in order to continue the placement of the single-wide manufactured home with himself as the new occupant; V. The Board of Appeals notes for the record that the proposed special use permit request 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 Dauderman, Davis, Janek, and Sedlacek.

Nays to the motion: None.

Absent: Misters Campbell, Koeller, and St. Peters.

Where upon the pro tem Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0043 - Petition of Manuel Del Rio, 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 the placement of a single-wide manufactured home on site for the occupancy of Felix Diego Fracisco, Ramona Andres Jose, Fracisco Diego Felipe Fracisco, and Diego Felipe Andres, for a period not to exceed five years. This voids SUP #Z10-0115. This is located in an "R-4" Single Family Residential District in Nameoki Township, at **3212 Yale, Collinsville**, Illinois PPN#17-2-20-36-03-302-032 **(23)**

A **motion** was made by Mr. Dauderman and seconded by Mr. Janek that the petition of Manuel Del Rio be as follows: I. That the special use permit is granted for the sole usage of Felix Diego Francisco, Ramona Andres Jose, Francisco Diego, Felipe Francisco, and Diego Felipe Andres 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 Felix Diego Francisco, Ramona Andres Jose, Francisco Diego, Felipe Francisco, and Diego Felipe Andres occupies the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the manufactured home from the site when the above stated occupants 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. Manual Del Rio, applicant and property owner, stated that he is seeking a special use permit in order to continue the placement of the single-wide manufactured home with new occupants. Mr. Del Rio stated that the intended occupants are all related family members; V. The Board of Appeals notes for the record that the proposed special use permit request 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: Mistery Dauderman, Davis, Janek, and Sedlacek.

Nays to the motion: None.

Absent: Mistery Campbell, Koeller, and St. Peters.

Where upon the pro tem Chairman declared the motion duly adopted.