

Madison County Zoning Board of Appeals Meeting Minutes
Tuesday, July 27, 2021 at 5:00 p.m.
Virtual Meeting via GoToMeeting & In-Person in the County Board Room

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

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 June 22, 2021. George Ellis made a motion to approve. Seconded by Mary Goode. Voice-vote. All ayes. Motion approved.

C. Overview of Zoning Petitions and Staff Review

Noelle Maxey, Zoning Coordinator, gave a brief overview of the six 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 six 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 Z21-0029** – Petition of Steve Martin, owner of record with Monica Martin, requesting a variance as per §93.023, Section B, Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to create a new tract of land that would leave the parent parcel with only 75 feet of property width at the front yard setback instead of the required 150 feet of width. This is located in an “A” Agricultural District in Alhambra Township **along Conrad Road, Alhambra**, Illinois, County Board District #4, PIN# 07-1-11-30-00-000-011. A motion was made by George Ellis and seconded by Mary Goode that the petition of Steve Martin be as follows: **Approved.** Roll-call vote. All Ayes. Motion passes.
2. **Hearing Z21-0039** – Petition of Darrell and Kimberly Goacher, owners of record, requesting a Special Use Permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to place a double-wide mobile home on site for the occupancy of Darrell and Kimberly Goacher and family for a period not to exceed 5 years. This is located in an “R-4” Single-Family Residential District in Wood River Township at **1317 9th Street, Cottage Hills**, Illinois, County Board District #13, PIN# 19-2-08-03-02-205-029. A motion was made by Mary Goode and seconded by George Ellis that the petition of Darrell and Kimberly Goacher be as follows: **Approved with Conditions.** Roll-call vote. All Ayes. Motion passes.
3. **Hearing Z21-0044** – Petition of Nic Frey, owner of record, requesting a zoning map amendment to rezone the approximately 2.8 acre tract of land from “B-3” Highway Business District to “M-2” General Manufacturing District in order to operate a motor freight terminal on site. This is located in Marine Township at the **intersection of Lower Marine Road and State Route 4, Marine**, Illinois, County Board District #4, PIN# 06-2-

17-29-00-000-012.004. A motion was made by Mary Goode and seconded by George Ellis that the petition of Nic Frey be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.

4. **Hearing Z21-0046** – Petition of Rusty Redman, on behalf of International Union of Operating Engineers, Local 520 JATC, owner of record, requesting two variances as per §93.030, Section B, Items 7 and 9 in order to construct a new training building that will be located on the existing property line, with 50 feet of the structure extending to the west over the property line and 305 feet of the structure extending to the east over the property line. This is located in a “B-2” General Business District in St. Jacob and Jarvis Townships at **1969 Triad Road, St. Jacob**, Illinois, County Board Districts #4 and #11, PIN#s 05-1-23-07-00-000-001 and 09-1-22-12-00-000-004. A motion was made by Mary Goode and seconded by George Ellis that the petition of Rusty Redman and International Union of Operating Engineers, Local 520 JATC be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.
5. **Hearing Z21-0048** – Petition of Three Guys, LLC, d/b/a Foundry Public House, on behalf of Holishor Association, Inc., owner of record, requesting a Special Use Permit as per §93.031, Section D, Item 1 of the Madison County Zoning Ordinance in order to operate an eating and drinking establishment in the existing structure on site. This is located in a “B-3” Highway Business District in Moro Township at **2 Holiday Point Parkway, Edwardsville**, Illinois, County Board District #5, PIN# 16-2-03-36-04-402-017. A motion was made by Mary Goode and seconded by Thomas Ambrose that the petition of Three Guys, LLC, and Holishor Association, Inc. be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.
6. **Hearing Z21-0049** – Petition of John and Christina Geiler, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 20 of the Madison County Zoning Ordinance in order to place a mobile home on site for the occupancy of John and Christina Geiler and family for a period not to exceed 5 years and a variance as per §93.023, Section B, Item 2 in order for the mobile home to be 12 feet from the north property line instead of the required 50 feet. This is located in an “A” Agricultural District in Jarvis Township at the **intersection of Longhi Road and Lebanon Road, Collinsville**, Illinois, County Board District #2, PIN# 09-1-22-31-00-000-002. A motion was made by Mary Goode and seconded by George Ellis that the petition of John and Christina Geiler be as follows: **Approved with Conditions**. Roll-call vote. All Ayes. Motion passes.

I. Zoning Coordinator’s Report

None

J. Adjournment

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

Finding of Fact and Recommendations

Hearing Z21-0029

Petition of Steve Martin, owner of record with Monica Martin, requesting a variance as per §93.023, Section B, Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to create a new tract of land that would leave the parent parcel with only 75 feet of property width at the front yard setback instead of the required 150 feet of width. This is located in an "A" Agricultural District in Alhambra Township **along Conrad Road, Alhambra**, Illinois, County Board District #4, PIN# 07-1-11-30-00-000-011

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

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

The Finding of Fact of the Board of Appeals: **I.** The zoning file, staff report, 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.** Steve Martin, applicant, stated that they own 172 acres and have someone who wants to buy about 2 acres along Conrad Road, and he wants to keep 75 feet of access there to get back to that part of the farm; **VI.** Mary Goode, ZBA member, asked how many acres the guy is buying from him, to which Mr. Martin responded just over 2 acres.

Roll-call vote.

Ayes to the motion: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z21-0039

Petition of Darrell and Kimberly Goacher, owners of record, requesting a Special Use Permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to place a double-wide mobile home on site for the occupancy of Darrell and Kimberly Goacher and family for a period not to exceed 5 years. This is located in an "R-4" Single-Family Residential District in Wood River Township at **1317 9th Street, Cottage Hills**, Illinois, County Board District #13, PIN# 19-2-08-03-02-205-029

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Darrell and Kimberly Goacher be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Darrell and Kimberly Goacher 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 Darrell and Kimberly Goacher 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 Darrell and Kimberly Goacher and family vacate the structure.

The Finding of Fact of the Board of Appeals: **I.** The zoning file, staff report, 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.** Kimberly Goacher, applicant, stated they want to put a 2021 double-wide mobile home on the property to raise their son in the area; **VI.** Noelle Maxey, Zoning Coordinator, read aloud public opposition that was submitted for the record via email: "Our property is adjoining the property that would have the mobile home on it. We don't want a mobile home bringing down are property value. There is currently a pole barn on this property. That has people living in the pole barn that was built on the property since it was built. An the property has not been well maintained. We have worked hard to maintain our property an improve our home an do not want a mobile home next to our property bringing down our home value. there is a mobile home park on Stanley road. Sincerely Danny MICHEL & Sandy Brown Michel. our property address is 1320 10th STREET COTTAGE HILL'S IL 62018"; **VII.** Mrs. Goacher responded that there is no one living in the garage on the property, and they have been out there to clean things up, but no one has ever lived in the garage. Mrs. Goacher stated there is a single-wide a few properties down on the same street, but they are wanting to put in a new double-wide; **VIII.** Chris Doucleff, Department Administrator, stated that the Department has not received any complaints about anyone living in the garage, nor are there any violations for someone living in the garage; **IX.** Mary Goode, ZBA member, asked where they are currently living, to which Mrs. Goacher responded they are living in an apartment in Jerseyville; **X.** Mr. Doucleff asked if there was a home on the property in the past, to which Mrs. Goacher responded there used to be a mobile home there in the 80s; **XI.** Ms. Goode asked how long they have owned the property, to which Mrs. Goacher responded her husband's family has owned it over 30 years; **XII.** Thomas Ambrose, ZBA member, noted a large stack of tires on the property, to which Mrs. Goacher responded that someone dumped them on the property, and they will be removed. Mr. Doucleff stated that they will have to be removed because that is an EPA and code violation.

Roll-call vote.

Ayes to the motion: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z21-0044

Petition of Nic Frey, owner of record, requesting a zoning map amendment to rezone the approximately 2.8 acre tract of land from "B-3" Highway Business District to "M-2" General Manufacturing District in order to operate a motor freight terminal on site. This is located in Marine Township at the **intersection of Lower Marine Road and State Route 4, Marine, Illinois, County Board District #4, PIN# 06-2-17-29-00-000-012.004**

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

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

The Finding of Fact of the Board of Appeals: **I.** The zoning file, staff report, 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.** Justin Venvertloh, representative for Nic Frey, stated the surrounding properties are zoned manufacturing, and to run his shipping business from the property, they had to rezone to "M-2." Mr. Venvertloh stated Mr. Frey is proposing a 20,000 square foot pre-engineered building with a concrete apron, gravel storage yard, and fence around the property. Mr. Venvertloh stated they have gone through the permitting process for site development and have been approved for their entrance permit from the State of Illinois; **VI.** Mary Goode, ZBA member, asked if everything would be stored inside, to which Mr. Frey responded that it would be, and he only has 5 semis. Ms. Goode asked how long he has owned the business and where he is currently located, to which Mr. Frey responded he's had the business 11 years and is currently operating out of Collinsville.

Roll-call vote.

Ayes to the motion: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z21-0046

Petition of Rusty Redman, on behalf of International Union of Operating Engineers, Local 520 JATC, owner of record, requesting two variances as per §93.030, Section B, Items 7 and 9 in order to construct a new training building that will be located on the existing property line, with 50 feet of the structure extending to the west over the property line and 305 feet of the structure extending to the east over the property line. This is located in a "B-2" General Business District in St. Jacob and Jarvis Townships at **1969 Triad Road, St. Jacob**, Illinois, County Board Districts #4 and #11, PIN#s 05-1-23-07-00-000-001 and 09-1-22-12-00-000-004

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Rusty Redman and International Union of Operating Engineers, Local 520 JATC be as follows: **Approved.**

The Finding of Fact of the Board of Appeals: **I.** The zoning file, staff report, 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.** Rusty Redman, applicant, stated site utilities, site access, and the location in relation to neighbors are the biggest reasons they have proposed this building location; **VI.** Don Metzler, ZBA chairman, asked if they own both pieces of land, to which Mr. Redman stated they do; **VII.** Mary Goode, ZBA member, asked who will own the building, to which the general contractor stated that they bought both properties together, there is a training facility in the front part of the property, and they want to build a new training structure behind the existing one, but the township line is causing them problems. He stated that they think the neighbors would prefer the new structure to be built behind the existing one, and they currently are out there digging in the open, but this structure would allow them to do it indoors.

Roll-call vote.

Ayes to the motion: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z21-0048

Petition of Three Guys, LLC, d/b/a Foundry Public House, on behalf of Holishor Association, Inc., owner of record, requesting a Special Use Permit as per §93.031, Section D, Item 1 of the Madison County Zoning Ordinance in order to operate an eating and drinking establishment in the existing structure on site. This is located in a “B-3” Highway Business District in Moro Township at **2 Holiday Point Parkway, Edwardsville, Illinois, County Board District #5, PIN# 16-2-03-36-04-402-017**

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of Three Guys, LLC, and Holishor Association, Inc. be as follows: **Approved.**

The Finding of Fact of the Board of Appeals: **I.** The zoning file, staff report, 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.** Rodney Lanham, applicant, stated they are wanting to put in a bar and restaurant in the same location as Ginger’s before them, and Beacon Inn was before them; **VI.** Mary Goode, ZBA member, asked if they had liquor on site before, to which Mr. Lanham stated they did, and they still have a liquor license for catering on site. Ms. Goode asked if they were able to take over the liquor license, to which Mr. Lanham stated they would have to get their own, and they have to be approved for the zoning before applying for the liquor license; **VII.** Thomas Ambrose, ZBA member, asked if the people before them had to get a Special Use Permit, to which Mr. Doucleff stated it was prior to the text amendment passed in 2019 that required new eating and drinking establishments to get a Special Use Permit; **VIII.** George Ellis, ZBA member, asked if they would have the video game gambling machines, to which Mr. Lanham responded it is in their lease that they cannot have video gaming machines in the restaurant.

Roll-call vote.

Ayes to the motion: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z21-0049

Petition of John and Christina Geiler, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 20 of the Madison County Zoning Ordinance in order to place a mobile home on site for the occupancy of John and Christina Geiler and family for a period not to exceed 5 years and a variance as per §93.023, Section B, Item 2 in order for the mobile home to be 12 feet from the north property line instead of the required 50 feet. This is located in an "A" Agricultural District in Jarvis Township at the **intersection of Longhi Road and Lebanon Road, Collinsville, Illinois**, County Board District #2, PIN# 09-1-22-31-00-000-002

Members Present: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of John and Christina Geiler be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of John and Christina Geiler 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 John and Christina Geiler 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 John and Christina Geiler and family vacate the structure.

The Finding of Fact of the Board of Appeals: **I.** The zoning file, staff report, 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.** Christina Geiler, applicant, stated they are wanting to place a 2021 double-wide mobile home on one of the parcels they own, they own the parcels around the subject parcel, and will be combining them all into one large parcel at the end of the year, so the 12 feet to the north property line would not be a problem anymore.

Roll-call vote.

Ayes to the motion: Don Metzler, Thomas Ambrose, George Ellis, Mary Goode

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator