

Madison County Zoning Board of Appeals Meeting Minutes
Tuesday, January 23, 2024 at 5:00 p.m.
County Board Room

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

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 December 12, 2023. Thomas Ambrose made a motion to approve. Seconded by Cedric Irby. Voice-vote. All ayes. Motion approved.

C. Overview of Zoning Petitions and Staff Review

Jen Hurley, Zoning Coordinator, 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 hearing on the two 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 Z23-0079** – Petition of Joshua Cadenbach, applicant on behalf of Mark and Sharon Groh, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 17 of the Madison County Zoning Ordinance in order to operate a Gun Club on site. Also requesting a variance for the Gun Club to be nearer than 1,000 feet to a neighboring residence. This is located in an “A” Agricultural District in Hamel Township at **7240 Quercus Grove Road, Hamel, Illinois**, County Board District #3, PIN# 11-1-10-05-00-000-010. A **motion** was made by Cedric Irby and **seconded** by Mary Goode that the petition of Joshua Cadenbach be **Approved with Conditions**. Roll-call vote. Ayes: None. Nays: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby. **Motion fails.**
2. **Hearing Z23-0081** – Petition of Vernon and Monica Langreder, owners of record, requesting a variance as per §93.051, Section A, Item 3, Subsection (c) of the Madison County Zoning Ordinance in order to have an accessory structure in the front yard setback area. This is located in an “R-1” Single-Family Residential District in Edwardsville Township at **6760 Middlegate Lane, Glen Carbon, Illinois**, County Board District #24, PIN# 14-1-15-35-02-201-013.003. A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Vernon and Monica Langreder be as follows: **Approved**. Roll-call vote. All Ayes. **Motion passes.**
3. **Hearing Z23-0082** - Petition of Kenneth Noll, owner of record, requesting a zoning map amendment to rezone the approximately 3.75 acre tract of land from “B-3” Highway Business District and “A” Agricultural District to “PD” Planned Development District. This is located in Ft Russell Township at **3616 Edwardsville Road, Edwardsville, Illinois**, County Board District #14, PIN# 15-1-09-32-00-000-034.001. A **motion** was made by

Cedric Irby and **seconded** by Mary Goode that the petition of Kenneth Noll be **Approved with Attachment "A"**. Roll-call vote. Ayes: None. Nays: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby. **Motion fails.**

4. **Hearing Z24-0001** - Petition of Roy and Tonia Pickerill, applicants on behalf of Olive Investment Holdings LLC, owner of record, requesting a zoning map amendment to rezone approximately 1.15 acres of a dual-zoned lot from "R-2" Single-Family Residential District to "A" Agricultural District. Also requesting a Special Use Permit as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order to operate an Overnight Campground on site. This is located in Olive Township at **908 Veterans Memorial Drive, Livingston, Illinois, County Board District #3, PIN# 08-1-05-21-00-000-007.** A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of Roy and Tonia Pickerill be as follows: **Approved with Conditions.** Roll-call vote. All Ayes. **Motion passes.**
5. **Hearing Z24-0002** - Petition of Rob and Jennifer Birkenmeyer, owners of record, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a breezeway to attach the existing home to the existing accessory building, resulting in the primary structure being 16 feet from the east property line instead of the required 50 feet. This is located in an "A" Agricultural District in Hamel Township at **7800 Sun Ridge Court, Edwardsville, Illinois, County Board District #3, PIN# 11-2-10-32-00-000-015.** A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Rob and Jennifer Birkenmeyer be as follows: **Approved.** Roll-call vote. All Ayes. **Motion passes.**
6. **Hearing Z24-0003** - Petition of Brad and Jessica Brueckner, owners 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 a newly constructed home that would be 20 feet from the east property line instead of the required 50 feet. This is located in an "A" Agricultural District in Ft Russell Township at **560 East Roosevelt, Moro, Illinois, County Board District #5, PIN# 15-1-09-09-00-000-001.008.** A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Brad and Jessica Brueckner be as follows: **Approved.** Roll-call vote. All Ayes. **Motion passes.**
7. **Hearing Z24-0004** - Petition of Kinnarkumar Patel, applicant on behalf of Steven Vollmer and Bret Dixon, owners 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 building on site. This is located in a "B-3" Highway Business District in Wood River Township at **308 West MacArthur Drive, Cottage Hills, Illinois, County Board District #13, PIN#s 19-2-08-11-01-107-035, 19-2-08-11-01-107-035.001 and 19-2-08-11-01-107-035.002.** A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Kinnarkumar Patel, on behalf of Steven Vollmer and Bret Dixon, be **Approved with Conditions.** Roll-call vote. Ayes: George Ellis, Mary Goode, Cedric Irby. Nays: Thomas Ambrose. **Motion passes.**

I. Zoning Coordinator's Report

Jen Hurley, Zoning Coordinator, informed all applicants of the upcoming Building & Zoning Committee meeting, where their requests will be heard next.

J. Adjournment

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

Finding of Fact and Recommendations

Hearing Z23-0079

Petition of Joshua Cadenbach, applicant on behalf of Mark and Sharon Groh, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 17 of the Madison County Zoning Ordinance in order to operate a Gun Club on site. Also requesting a variance for the Gun Club to be nearer than 1,000 feet to a neighboring residence. This is located in an "A" Agricultural District in Hamel Township at 7240 Quercus Grove Road, Hamel, Illinois, County Board District #3, PIN# 11-1-10-05-00-000-010

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Cedric Irby and **seconded** by Mary Goode that the petition of Joshua Cadenbach be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Joshua Cadenbach. Any change of tenant or ownership will void the Special Use Permit.
2. The owner/applicant shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
3. The owner's/applicant's failure to adhere to the conditions of the Special Use Permit will cause revocation of the same, and require immediate removal of the private recreational area.

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.** Jen Hurley, Zoning Coordinator, read aloud the following petition and 18 letters of opposition that were submitted for the record: (1) "We, the undersigned, are opposed to the proposed special permit use as per 93.023 Section D, Item 17 of the Madison County Zoning Ordinance in order to operate a gun club on the site of 7240 Quercus Grove Road, Edwardsville, which is surrounded by the homes of many families and local farms. We call on the Madison County Zoning Board of Appeals to reject the proposal to allow a gun club on site, and fully consult with local residents on any further proposals. As residents of Madison County, we are deeply concerned about the proposed development of a gun club in our area. This is not just an issue that affects us on paper; it directly impacts our neighborhood, livelihoods, and the tranquility of our homes. The noise pollution generated by such a facility would be detrimental to local farms and scaring off wildlife that many families rely on for sustenance through hunting. The constant gunfire could disrupt peaceful rural life and potentially pose risks to the children and family pets living nearby. These types of facilities not only scare off animals that are hunted for food, but also our horses as we are peacefully riding through the area. Our safety, while enjoying the rural life we desire, is a vital priority. Moreover, studies have shown that exposure to frequent loud noises can lead to health issues such as stress-related illnesses and hearing loss. We cannot allow this potential harm to come up on our community. Studies through the American Veterinary Medical Association have also proven that loud constant noise can disrupt milk and meat production in our dairy livestock and egg production in our chickens which are prominent in this area. We urge local authorities to consider these implications seriously. Our county should prioritize the well-being and safety of its residents over commercial interests. Please reject the proposal for a gun club on 7240 Quercus Grove Road, Edwardsville"; (2) "Ms. Hurley, I have just received notice of a proposed "Gun Club" at 7240 Quercus Grove Rd. The city is listed as Edwardsville for the property address, but Hamel in the petition. If it matters, it is actually Edwardsville. As an adjoining property owner, I am expressing my opposition to this proposal. I have lived in this quiet rural area for many years. This gun club will bring an end to the quiet. My son lives just on the top of the hill. He, along with others in the area, work shift work, which means they sleep at non-conventional hours. My kids and grandkids hunt and ride recreational vehicles on my adjoining property. Their safety is a concern for me as well. Another safety concern is the increased traffic. There are always vehicles traveling too fast and in the middle of the road, up and down the steep hills. This extra traffic will increase the chances of accidents on this road. Also, this is not a business district and we would like it to remain that way. Thank you for the opportunity to voice my opinion on this matter. Harold Ellis 7721 Green Hedge Rd, Edwardsville"; (3) "I am in opposition to the proposed Gun Range on 7240 Quercus Grove Road. I currently reside in Holiday Shores, some of the adjoining property belongs to my father, Harold Ellis. The safety

of my children, family, and friends are of my main concern. My children hunt and ride ATVs on my father's adjoining property. We also travel on this road daily. Mr. Cadenbach is advertising a 360-degree shooting range. His 25 acres is not surrounded by a berm, which would protect others on adjoining property, as well as the road. According to the Chicago Tribune, December 11 2018, a Lake County ordinance limited target shooting and created a framework for ranges on private property. This ordinance regulates discharging firearms for target practice in unincorporated areas to only in agricultural areas, 300 feet from any property lines, a berm that meets state specifications, a "safety zone" behind the berm which is based on manufacturer's specifications or NRA rating, and a bullet cannot leave the property where the shooting range is. The Edwardsville Gun Club is located on 120 acres. It was established before the homes were built in that area. The Sheriff's Department range located on Fruit Road is surrounded on three sides by a berm higher than eight feet and has sandbags along the top of the berm. This property has been in my family since the 1960s. This proposed gun range will also take the peace and calm away from our quiet rural area. The increased traffic poses another hazard on this already busy, hilly road with numerous blind spots and hidden driveways. This proposed gun range will also threaten the wildlife population in the area. This includes the Bald Eagles, that have recently recovered from the Endangered species status in Illinois, which have been nesting close to this area. Dawn Calhoun"; (4) "Please be advised that I am the adjoining farm landowner west of this parcel, and that I received a letter from the Madison County Zoning Board of Appeals concerning a Special Use Permit to operate a gun club at 7240 Quercus Grove Rd. I will not be able to attend the meeting, but I wanted to make my thoughts known as an adjoining landowner who's lived on Possum Hill Rd for 20 years. First I want to be clear that there are *already* days when the amount of gunfire noise coming from this property is excessive and no one wants to listen to gunfire for hour after hour after hour. So it's *already* a nuisance as per Madison County ordinance § 53.04 NOISE PROHIBITIONS, and there is no question that the noise from a Gun Club *will be excessive* and extremely uncomfortable in what is now very much a residential area. My neighbors and I are the community of people that actually live here, and we are very concerned about this and all are opposed to this bad idea. Regards and thanks for your time, Henry Holt 7532 Possum Hill Rd, Worden"; (5) "I am writing to you regarding an application made to the Madison County Zoning Board of Appeals about a petition made on behalf of Joshua Cadenbach on behalf of Mark and Sharon Groh. Mr. Cadenbach is requesting to operate a gun club at the address 7240 Quercus Grove Road, Hamel Pin#11-1-10-05-00-000-010. I am AGAINST this request to allow a gun club on the property of 7240 Quercus Grove Road. If a gun club is allowed, this business will greatly disturb the wildlife and the serenity of the surrounding area. I chose to live in the country with my husband to raise a family not in town or near any business. I am fortunate to have been able to observe so many animals in their natural habitat that many people do not get to experience. Any business of this nature would disturb the quietness I have so dearly come to love. I do not want the added noise from this business. There are other businesses in the area like the one in which Mr. Cadenbach is petitioning on behalf of Mark and Sharon Grah. For example, the Edwardsville Gun Club, Olin Pistol Range, East Alton, Tri County Rod and Gun Club, Brighton which all could be utilized instead. A business means an increase in traffic and noise, and it would impact the quietness of my country living. More traffic means more noise and pollution. More traffic means more people. More people increase the chances of individuals breaking into our homes, cars, etc. The sound of gunfire could possibly impact those of us with animals such as dogs and horses. I ask you to not allow the special use permit to operate any business on the requested property. Thank you for reading my concerns. Jennifer Sparks, Green hedge, Edwardsville"; (6) "As landowners we are voicing our concerns and protest the approval to issue a Special Use Permit to property within one mile of our property. We feel that this will be detrimental and should not be issued for the following reasons. 1. A workshop offered by this group requires that workshop participants bring a MINIMUM of 500 rounds to be used on this less than 25 acre plot of land. This presents clear and present danger to ourselves, our family, our animals and the wild life that roam the 100's of acres that surrounds this particular property. 2. We have endangered species nesting/living on our property protected by the U.S. fish and wildlife. 3. We are in the forest management plan which is overseen by the Mark Koch and the United States Department of Agriculture and the Forest service. The purpose is to protect native species and their habitats 4. Sound pollution 5. Lead pollution to the lands surrounding from water runoff as this property is in a flood zone and the massive amounts of ammunition required to participate. 6. Lowered property value on property located in Madison County where the tax rate is very high and we choose to live in Madison County due to their strict zoning regulations. 7. Safety concerns for hunters whether it is for mushrooms, turkey, deer, etc. Less than 25 acres is not large enough to keep the bullets from flying from this small property onto the surrounding acreages. Thank you for your consideration in this matter that we strongly protest this approval for what is listed as a gun club but via the website for this business is not just a gun club but combat preparedness training for civilians. Cindy McGrew & Chris Smith 6996 Gushing Spgs, Edwardsville"; (7) "Hello, my name is Sherri Naughton and I live at 7523 Possum Hill Road, Worden, IL, in Madison County. I am emailing

to detail why I am opposed to the above special use permit. I had intended to attend the meeting on December 12th, 2023, but since was cancelled at the last minute and citizens were not able to voice their concerns, I am emailing now. There are a number of big issues with this proposal, the first being the fact that the property is situated in a valley that echoes to all surrounding properties on the hillsides in the area. And, it echoes loudly. Last summer, while dealing with my mother clinging to life in the ICU, I came home to 3 hours of shooting from that property. Had I not been so exhausted, I would have called the sheriff. Madison County Noise Pollution Act 53.02 would have been cited, as this was far too much shooting for any resident to have to put up with. People out here have guns, and we have guns. Ten or fifteen minutes should get anyone up to speed on their shooting. Anymore is a disrespect to residents of the area. The other obvious issue is that this proposal is for land in a Flood Way as defined by the Flood Plain Mgmt. of IL. Quick Guide. As a resident of our property for 17 years, that land has been severely flooded 5 times, with a foot or more of water draining off that parcel. The current owners, have only had the land for less than 2 years -while we have been in a drought. They must not know of how high, or how often that property floods. Since the prior owners finally gave up on growing crops on that parcel, and planted trees for CRP, that should be a big clue. I've lived in Illinois a long time. I've never seen anyone fence in a Flood Way. I've never seen anyone keep livestock in a Flood Way. I've never seen anyone store their junk in a Flood Way. The only thing I've ever seen in a Flood Way are the things that the land CAN support - which is a deer stand, nothing more. The reason is that the parcel is not a flood plain that floods every 50 or more years.. this parcel floods regularly. So, when that parcel floods, which will likely be within the next 3 years, and all that junk washes into the creek, who is responsible to pay for clean up? Will the EPA be notified of the junk tractor washed into the creek? Will the road be impassable for longer than normal? Other problems; the large mobile home on the property -not allowed in this county and the fencing around the flood way parcel prevents wildlife from accessing the creek to drink. Because of all the above, I am also informing the Illinois EPA of current Flood Way violations. In our 17 years here on Possum Hill, we have only ever had issues with recreational owners. It must be nice to make a lot of noise around other people, disturb their day and then go home as if it's all fine. Madison County is a populated county and our residents pay high taxes to live here. We deserve more consideration as residents. Thank you for your time and service to our county. Sherri Naughton, 7523 Possum Hill Road, Worden, IL"; (8) "This is William Schlueter property owner at 6950 gushing springs Edwardsville Il. The gun club that is proposing to be in the neighboring area is right below where I live. I moved where I did because it is peaceful and I'd like to keep it that way. I am an avid outdoorsmen myself. I have no problem with people shooting their firearms on their property by no means. I have lived in the country most of my life. But to have constant shooting right below me will take away the peace and quiet I enjoy on my property. Thank you for your time, Billy"; (9) "Hello, My name is Keith Kraner, I am 70 years old, and have resided in Madison County, my entire life. I built my house in 1990, raised two children here and continue to live here with my wife of 43 years. We have been blessed with three grandchildren that visit frequently. We live on about 8 acres of land, and when I bought this land almost 40 years ago, this was my dream, to retire and enjoy my home and my family. Now, I am very concerned, that my life plans are being upended due to a plan for a gun club to be zoned less than a half a mile from my house and land. My grandchildren are all under 8 years old. How could I, in good conscious, allow my young grandchildren to play openly and freely, when there are people shooting guns out into the air, trees, and wherever the bullets may land, in 2,500 feet from my property. We own a side by side, one my family's favorite activities is taking the side by side for rides, our frequent route is now going to be butting up to where the gun club will be, this terrifies me, and will now put restrictions on where I feel safe taking my grandkids. Bullets have no names, my grandchildren will not be statistics. The safety aspect of this gun club zoning, is one of my biggest concerns, but another is the noise and just overall nuisance. Again, I worked endless for 41 years in order to retire in peace, my wife and I choose to do so in Northern Madison County, a rural area. Now, I cannot fathom spending my days and nights listening to endless gunshots, instead of the peaceful rural environment we choose for ourselves. As previously stated, I am 70 years old, eventually I will be selling my house and land, for something smaller and more appropriate as I continue to age. I have no idea who would be interested in buying a home within 2500 feet of a gun club. If this gun club proposal is passed, my property and that of my neighbor's will decrease in value, and growth in this area will slow tremendously. I have personally spoken to my surrounding neighbors, no one wants this, no one asked for this, and everyone is willing to fight to support our community's safety and well-being. My hope is that you take this issue very seriously and understand are plight, hopefully this will not all be in vain. Thank you, Keith Kraner, 7865 Green Hedge Rd, Edwardsville"; (10) "I am writing this email to oppose the Special Use Permit to operate a gun club, as requested by Joshua Cadenbach for 7240 Quercus Grove Road, Edwardsville. My wife Erin and I recently purchased approximately five acres directly South-East of the above-mentioned property. After several years of actively seeking country property, we ran across 7901 Green Hedge Rd, and closed on it in September of 2023. My wife and I both grew up in the country and are looking forward to

raising our four young kids on an old farm. Part of the main attraction and selling point for us was that 7901 Green Hedge is several hundred feet off the roadway and offers much peace and quiet. Over the past several months, we've put a lot of time and energy into cleaning up the property, in preparation to build our forever home and throughout this process I've often said "The best part of being in the country is simply the stillness and quiet." A commercially operated gun club, approximately 1,500 feet from our property, will disrupt this environment and eliminate the stillness and quiet. Gun shots throughout the day will make it impossible for us to enjoy the peace and quietness of the property we've recently purchased and be a nuisance to others nearby. We do not oppose guns, hunting or shooting and would like to note that there are several other active gun clubs in Madison County including: Winchester Shooting Facilities in Alton, Edwardsville Gun Club in Edwardsville, and Town and Country Gun Club in Maryville. For the above-mentioned reasons, we strongly oppose granting a special use permit for a gun club to be operated at 7240 Quercus Grove Road. Thank you for your time and consideration, Ethan & Erin Steinacher"; (11) "I love this district and do not like the thought of someone coming in and offering a gun club near my home. High auxiliary guns do not need to be near my children. Please block file no. Z23-0079. Meghann Gibbons"; (12) "As a member of this community and a mother of children who go to the local school, I want to voice my concern about this club. The safety of our children and community is of utmost priority and I don't feel this club would be beneficial to our area, community or families. Thank you for taking the time to hear my concerns. Emily Buckingham"; (13) "We just wanted to let you know that we are very concerned about the proposed gun club near Worden, IL. As a Worden resident and parent, I am worried about the safety of my kids that play in the field with their friends directly in front of the proposed gun club. I am also concerned about how that will affect the wildlife in the area. It is a peaceful, country area with residents and shooting 500+ rounds would be very detrimental. Thank you for considering our concerns. Amy Delap, Resident of Worden"; (14) "We are firmly against this invasion into our neighborhood and say absolutely NO! to this idea! Here is Why NO!!!!!!!!. Currently this is a decent rural neighborhood with new and older homes with families as well as a good population of various wildlife. The traffic in this area is that of people that reside in the area. The last thing any of the people I've spoken with want is people from outside the area feeling it's now a free fire zone. There are more than enough shooting ranges within driving distance. Pulling people from Missouri and as far, or further than, Springfield would be nothing short of destructive to everything most people have taken up residence around us for. *No to your disturbance of peace for us and the entire neighborhood! *No to listening to gun fire and rapid fire from assault weapons for hours and hours on end where the only escape is to go indoors and shut everything up or leave ones own home to get away from this disturbance. *No to disturbance to wildlife in this neighborhood. *No to decreased safety for us, grandchildren and neighbors to walk in ones own neighborhood, woods and property. *No to the lowering property values for us and the whole surrounding neighborhood. *No to lowering numbers of any potential home buyers who would NOT want a live anywhere close to a neighborhood with, for all intents and purposes, a paramilitary training camp, assault weapons gun club/shooting range. Stay away from our area! None of our neighbors have any use for this invasion, assuming we could possibly need this! We deserve a peaceful place to call home. Sincerely, James and Sheryl Byrnes. Attached is a short video that exemplifies what it sounds like from what seemed to be just a single shooter on Jan 1, 2024. Which went on for hours."; (15) "My family and I recently heard of a proposed gun club to operate on farm land in our neighboring community. We are against having a gun club open up in our rural community. We love our community, and fear a gun club will bring so many outsiders with guns to our community. I have one child who attends Worden Elementary and we have friends who live near the proposed site of the gun club that have both young children and pets, including horses. A gun club would bring an increase in noise, traffic, and potentially both light and lead pollution. As horse owners ourselves, a gun club can cause a lot of unknowns for the horses. Many horses spook with gunshots, and if potential visitors could shoot off 500 rounds in one visit, this could be very dangerous for both the horses and anyone around the horses whether riding or not. I know I would not feel safe on any trails or roads nearby, whether for a horseback ride, family walk, or bike ride. I strongly urge you to oppose the gun club from opening in our community. Jennifer Henschen"; (16) "My Name is Katherine Carnahan, I am a land owner and Voter. I DO NOT want a gun club on Quercus Grove Road. I do not live far from the property and I do not want the noise, air, and light pollution that goes along with it. It would also be harmful to the wildlife in the area from the noise and possible stray bullet. Katherine Carnahan"; (17) "I am 100% against allowing for the permit allowing Mr cadenbach to pursue having gun training and guns fired at this location. I am just east of this property at the end of gushing springs. Any bullet from a firearm discharged from that location that would not end up in a tree or target has great potential of reaching my location at 6968 Gushing springs along with the other dozen families in this subdivision. No one and I mean no one on this road wants him to have a gun training facility in that area!!!!"; (18) "Madison County Board,

My name is Patty Miller(Fagan). I live at 7949 Green Hedge Road . My husband and I also own property of my parents 7937 Green Hedge road Edwardsville Illinois. I have lived in this area for over 46 years, first on Gushing Springs now on Green Hedge, Edwardsville Illinois. I do not think it is in the best interest of the land, and environment to allow a shooting range. The shooting range would destroy all the hunting and wildlife in the area. The proposed shooting range is in a known flood area and this could cause a great deal of contamination to the adjoining area and Cahokia creek. I am also concerned with the participants of the proposed shooting range trespassing on my family property. I have young grandchildren that often walk in the woods with their parents. I am also concerned with the type of guns and the amount of ammunition that the proposed shooting range will bring to the area. Please do not allow this special use permit to pass. Please do not allow a shooting range at this site. Respectfully. Patty Miller”; (19) “Regarding application number Z23-0079 for Gun Club Special Use Permit and Variance. Since this started in 2021, The Groh’s have never stopped by to discuss the gun club until Josh asked for our support in December after finding out the neighbors were all against this gun club. The shooting range is directly in line with our home. Not only is the shooting noise unbearable, we hear the ricocheting of bullets zinging over our house and towards us. When I finally met Josh at his property, I specifically asked Josh to shoot in a different direction away from our house, which he replied he has no money to change his shooting range. There was no willingness to work with us. We also have an easement that runs directly behind the gun range that allows us access to our property on that side of the creek which is being impacted. The six foot barrier is not tall enough to stop all ammunition from leaving the property (normal gun clubs have 20 to 30 foot dirt barriers). There is no ability to stop, control, or even know where the bullets will end up which we have heard going into trees on the Hitchens property and ricocheting towards us. This is especially concerning with holster shooting/running with guns which is extremely dangerous and not even allowed and most gun clubs. This also includes rifle shooting which can travel miles, again shooting towards my house. Shooting range is 435 feet to the public road and you can see the range from the road...in comparison Edwardsville Gun Club is 640 yards from pistol range to road. Shooting Range is 80 feet to Hitchens property. Shooting range is 885 feet to my house, which is in line with their shooting range. His website lists up to 10 people per class and students instructed to bring 500 rounds that equals 5000 shots per class which would also be 5000 in the morning and 5000 in the afternoon. 10,000 shots on a Saturday and 10,000 on Sunday only 885 feet from my home with bullets flying towards me. When the shooting starts, we lose the use of our land and our weekends. We bring our dogs inside as they are scared, and we fear they may get shot by a stray bullet as well as our own safety. We have the Edwardsville Gun Club 11 miles away, so this isn’t about public convenience. There is no design that would allow it to be operated safely or stop the noise/environmental pollution without significant changes that would ultimately make the floodplain worse. Our property values will absolutely suffer based upon a gun club being approved and the property value drop in surrounding homes/land will outweigh the small tax revenue this gun club would bring to Madison County. This property floods every year...the lead bullets, casings, trash, oil/grease/gas from equipment, the mobile offices, barrels, tires, etc. All will be flowing into the Cahokia Creek and will be an issue for the county along with others outside the area. We were also eight inches below normal rainfall in ‘23 and it still flooded this year. I am submitting the pictures of the flooded ground from June 2023 as well as pictures of the range to show when shooting starting and the low barrier. Please do not approve this variance or the special use permit for this gun club. Blake Schwalb.”; VI. Ms. Hurley read aloud the following 3 letters of support that were submitted for the record: (1) “Dear Board Members, I am submitting this letter to express my support for approving the special use permit allowing Josh Cadenbach to teach firearm safety courses at the above stated property. As an adjacent property owner of 135 acres, I regularly speak with Josh about his plans and property improvement progress. I have no problem with noise from shooting and have been on my property numerous times when Josh has been with friends shooting, and there are no concerns. I’ve also noticed no negative impact on hunting as that is the primary use of my property. Josh has acted in good faith and has proven to be a respectful neighbor. We have a written agreement and have jointly built a road that provides improved access to my property that avoids driving around the range. The property is locked and monitored by trail cams. Josh’s property is primarily used to caring for his horse and goats to improve the agricultural and conservation intent. He has repeatedly shared with me that gun safety and weapons training is not a full-time business for him, but rather is an additional training opportunity for his students from his Brazilian Jiu Jitsu Academies. Respectfully, Richard Carter, 326 Deer Run Ln, Glen Carbon.”; (2) “To Madison County Illinois Board. This memorandum is in support of the authorization of a tactical firing range constructed on private property for commercial use by Silent Dawn Tactical LLC located at 7240 Quercus Grove Road in Edwardsville. Josh Cadenbach, the owner and CEO of Silent Dawn Tactical, is an extremely competent, knowledgeable and responsible Combat Arms instructor. He is a former US Army Special Operations Airborne Ranger from the 2nd Battalion 75th Ranger Regiment. He has served in combat theaters in both Iraq and Afghanistan. He is a 1st degree black belt in Brazilian Jiu Jitsu, and he is also a level 8 instructor

(black belt equivalent) within the fighting system Commando Krav Maga. He is certified to teach Illinois Concealed Carry courses and has obtained multiple National Rifle Association's instructor certifications. He has trained with several elite industry-recognized tactical instructors: Craig Douglas, Tony Sentmanet, and John Lovell, to name a few. His professional resume can stand alone on its own merit, but I have individually benefited from his instruction. I am a former US Marine Infantryman from the 2nd Fleet Antiterrorism Security Team Company with three combat deployments to Iraq. I have worked for the Federal Bureau of Prisons for the last 15 years at three different institutions across the country, and I have been a member of the Special Operations Response Team for the last 11 years. I can personally say that Josh Cadenbach is a highly respected tactical training asset amongst my team. My peers and I have attended several of his training events, and we can attest that his approach to tactical instruction is of the highest quality. He has also customized training events for other members of law enforcement such as the Bond County Illinois High Risk Team. Several of his Brazilian Jiu Jitsu students (to include myself) are law enforcement officers within Madison County, and we greatly benefit professionally from his courses. It is my belief that the Madison County Board should not only grant his request for the authorization of a tactical firing range, but also review the possibility of a mutually beneficial working relationship with various emergency response teams operating within Madison County. This county's first responders would have access to new and current professional training from a local veteran-owned professional training company.”; (3) “This letter is written for the Madison County Zoning Board in support of the ability for Silent Dawn Tactical LLC to operate a tactical firing range for commercial use. Located at 7240 Quercus Grove Road in Edwardsville. My name is Jose Rosado, I am a Deputy with the Bond County Sheriff's Department. I have been a Deputy for over 4 years and have been involved in law enforcement for over 8 years. I've had the pleasure of leading the Bond County High Risk team, which currently consists of approximately nine members that work for both the Bond County Sheriff's Department, as well as the Greenville Police Department. I've been fortunate to attend numerous Southern Illinois Law Enforcement Commission approved training over the last few years. I've had the pleasure of creating and leading operations that led to the arrest of numerous criminals within the community of Bond County and have gotten to work alongside FBI tactical teams and US Marshals thus far. Over the past few months, Josh Cadenbach, the owner and operator of Silent Dawn Tactical LLC has been gracious enough to teach and assist the HRT team on a number of different occasions. Josh is easily one of the most knowledgeable individuals I've ever had the pleasure of being trained by within his areas of expertise. Those of which consist of hand-to-hand combat as well as weapons handling and training tactics. His resume speaks for itself, as his ability to lead and instruct others in these areas. The amount of time, effort and energy Josh has dedicated to assisting and improving myself and my team cannot be expressed in one letter. I believe Josh can be an asset to the community of Madison County given his knowledge and abilities. Josh understands the differences of tactics from everyday civilians, uniformed police officers, and soldiers fighting to defend our freedoms and how they differentiate. It is with my firm belief that not only Josh's Silent Dawn Tactical LLC tactical firing range should be approved, but that a partnership be formed between Madison County and Silent Dawn Tactical for civilians and uniformed officers. The trainings Josh can hold and create would be a major budget relief on any sized police/ sheriff's department or civilian. Nothing similar to the standard or level of training that Josh offers is remotely close to the St. Louis area. I know of two different SWAT teams that travel to Mississippi and Texas to receive similar trainings Josh can offer at a much more reasonable price. The ability for individuals to attend local trainings and return home to their friends and family is also a great benefit that should not go unnoticed. Respectfully, Deputy Jose Rosado.”; **VII.** Josh Cadenbach, applicant, said he is the owner and head instructor at Silent Dawn Tactical. He said in addition to that, he is also the owner and head instructor of Gracie Barra Collinsville, which is a Brazilian Jiu Jitsu school, as well as Gracie Barra Champaign. Mr. Cadenbach said what he's proposing to do is conduct very small, very independent trainings. He said this isn't a gun club, but rather very small groups for higher level training that isn't offered at Maryville Gun Club. He said he spoke with their Vice President, and they don't offer these types of trainings. He said that he has trained with very high, very elite level people. Mr. Cadenbach said when he has done these trainings, he has spent between \$3,000 to \$5,000, just for one person. He said he has this property primarily for his animals. He stated that when he first purchased it, he was told it was in the floodplain, not a floodway. He said he purchased it to build his own personal house on. He said the students he is pulling for his shooting courses aren't just random people, but people that he personally knows. Mr. Cadenbach said he has spoken with the other gun clubs in the area prior to this and they don't allow outside instructors, and if they do on the rare circumstance allow outside instructors, they don't allow the type of training that he does. He said the type of training that he offers is actual proper training. He said it's not standing and shooting training. He said it's very, very small courses that might have up to 10 people, but it's never had that. Mr. Cadenbach said he always has two instructors, so it's one instructor per five. He said the goal is not to be its own standalone business, but it's a secondary training opportunity for his students, because what he trains is life and death.

He said Brazilian Jiu Jitsu is his normal job, and this is one to two courses a month given that he already has two other businesses. He said he also does concealed carry courses as well. He said he has done the Illinois concealed carry, and it's 16 hours of sitting in a classroom and 30 minutes of actual shooting. He said his courses do include shooting, and that's why he only does maybe one a month, and he does that intentionally to keep things down. Mr. Cadenbach said his range really stopped developing in April of '23 when he got the notice that he needed a special use permit. He said once he got the notice that he needed a special use permit, he stopped operating and is just out there shooting with his friends. He said as far as the commercial enterprise goes, he hasn't been out there doing that. He said with that he stopped continuing to build but what he has is an eight foot wall with a six foot berm behind it. He said additionally, it is 30 feet from his property so it allows for the 15 foot easement that has been discussed even though that easement really isn't very accessible because the way across about a 50 foot long ditch and about 10 feet deep that they actually stopped farming that ground years ago because they couldn't get equipment through. Mr. Cadenbach said as he was speaking with Jake Carter (adjoining property owner), they built the road so they could actually farm that so they did farm that area back over this last year. He said additionally, everything he has on his property has been approved to be out there through FEMA, because it is a flood zone. He said anything that he's put out there has been approved, so things being out there that aren't supposed to be out there, that's not an issue. He said additionally, concerns about traffic, there's no more traffic than what's going on now. Mr. Cadenbach said he's out there every single day. He said he has his horses out there and has the property that he maintains. He said there's gunshots going on constantly all the way around. He said that someone said there's a video of January 1 of him shooting, but he was in Colombia (the country). He said he was out of the country January 1, so that wasn't him, and he feels like he is getting a lot of blame. Mr. Cadenbach said it's very unlikely that there's actually any ricocheting coming from his property, purely just because directly behind him, while he doesn't believe this is happening, say it does go through their railroad ties, and 6-foot berm, there's a 52 foot cliff on the other side of Cahokia Creek, that's probably 80 feet from his range. He said if the Special Use Permit does get permitted, he does intend to continue building up and making it more of a commercial style like what they have in the military, with two by six concrete blocks behind it so it would have to even go further. He said whenever the special use came up, he decided to stop putting so much money into a commercial project, if by some chance it wouldn't get approved. Mr. Cadenbach said that right now, he has just been using it as his own personal range for friends and family. He said when he heard that there was a petition, he spent two days just walking up to houses and knocking on doors and spoke with neighbors. He said after explaining the reality of what he's actually doing, he got pretty upset when he heard it was a gun club, because when he thinks of gun clubs, he thinks of Maryville gun club, night and day, nine to five, Monday through Sunday or something like that, and that's not what it is. He said he gets a small group of people out there, the most being maybe eight, and that wasn't even for a class that was just him and his friends out there having a barbecue. He said he spoke with them and told them what he was doing, and they didn't seem to have an issue. Mr. Cadenbach said the petition and stuff like that is news to him; **VIII.** Mary Goode, ZBA Member, asked Mr. Cadenbach if he purchased this property just to do this, and also asked how long he has owned the property. Mr. Cadenbach said his parents purchased the property three or four years ago. He said he was having to relocate from Champaign, down to the area for personal reasons. He said he grew up on a farm and is originally from Nebraska and has worked on cattle ranches. He said he has a horse and two goats down there, and it doesn't faze them. He said his horse was never around shooting prior to coming. He said he found a property that he was able to afford, and they purchased it. He said they were told it was in a floodplain, and then once he started looking at how to build on it, because it was on the conservation, the CRP, and he was talking to the IDNR about what all that exactly meant, they told him it was in a flood way and that he couldn't build on it. Mr. Cadenbach said there's different statutes and he had to build two feet above floodplain, which where his range is, that's the area that he plans on actually building a house, so it would be five feet; **IX.** Ms. Goode asked Mr. Cadenbach if he's ever been in a facility like he's referring to, and asked if there any facilities like he's doing that have been approved anywhere that he knows of. Mr. Cadenbach said there are no facilities like his that allow for training. He said there are actual gun clubs where you pay an annual membership and you have daily access from when they're open, whether it's nine to five, or they have special training events or something like that. He said most of the training and operations that do what he wants to do, they're mainly out in Texas, at those types of places where they are running them nine to five every single day and running big training events. Ms. Goode said they probably have lots of acreage, and that makes a difference. Mr. Cadenbach said that's why he's only doing this maybe once or twice a month, this isn't going to be non-stop. Ms. Goode said you get a zoning like this, and then where does it stop. She said she understands why people would wonder what happens next year and the year after that, and that it does kind of leave an open door for people. She said part of living in any neighborhood is that you want the people to respect you and you want to respect them. Mr. Cadenbach said absolutely, and that's why even

when he's out there shooting with his friends, he's only out there maybe once a month shooting. He said he hears shooting going on around him every single day on the weekends, and he's not even the one doing it. He said that's why whenever he heard that there was a petition of 36 signatures, he literally just started driving around knocking on doors, before he even saw the petition. He said he grew up in Nebraska on a 120 acre farm and he understands how it is. He said realistically, this property, because of being out there, he has actually cleaned it up and has actually worked to bring back wildlife, because that's what he did two different times in his life. Mr. Cadenbach said he has done controlled burns to get rid of all the invasive weeds and cleaned up the creek, because nobody touched that property for 10 years. He said cleaning up the creek allows for the water to flow out a lot more. He said the shooting range, and it's not a club, it's a range, is for a very specific purpose only to use directly when he needs to, and not a business, because his Silent Dawn Tactical was started as an LLC because he wanted to kind of separate it from his other two Gracie Barra schools; **X**. Cedric Irby, ZBA Member, asked Mr. Cadenbach what his thoughts are about how his neighbors feel about what he is attempting to do, being in basically a residential area. Mr. Cadenbach said he's a little surprised and honestly didn't realize there was this kind of pushback. He said he spoke with his surrounding neighbors, and yes, there was a petition that they had signed, but then after he spoke with them because what they were told when they were signing the petition isn't the same as what he told them. He said this is the first he's heard of it. He said he knew there was opposition, but after he spoke with them, people said they didn't mind once or twice a month, if safe and responsible; **XI**. Mr. Irby asked if he will be living on the property. Mr. Cadenbach said he intends to, but it is a floodway, so there's going to be barriers and stuff like that, but yes, he intends to; **XII**. Ms. Goode said typically, in a zoning situation like this, it would have been nice if he would have been coached by someone to actually reach out to his neighbors. She said the first thing when people ask her, What do you think about this situation, the first thing she tells them is go see your neighbors, tell your neighbors what you're doing, show them what you're doing, you've got to keep the temperature down so they understand. She said when people don't understand they think the worst, so maybe if he gives himself some time, gives his neighbors some time, has time to speak with them, show them more what he's doing, maybe down the road, it would be more acceptable. Mr. Cadenbach said he planned on going and speaking with the neighbors prior to this, but he got this notice in April, and he has actually only done a couple of courses. He said he started his business Silent Dawn Tactical in Champaign, so everything is licensed in Champaign, because he started in 2019, because he was getting a need from his students at his Champaign business, in addition to he was also working with the local SWAT teams up there. He said he actually started doing courses and teaching up there, and then whenever he found out he had to locate, he found this property, but he wasn't really building this business, because he was starting his other business that he has in Collinsville. He said this was just like a small thing and again, the development of the range and stuff like that, while it is safe, he doesn't believe anything is ricocheting. He said he does shoot still targets at times; **XIII**. Ms. Goode said she thinks he has a great idea and thinks he is probably a really good person, and thinks it's something that would benefit a lot of people, but maybe it's just not the right location. She said because it is a residential location, it is tough to put something like this in, so maybe he could find something that has a little bit more property, and maybe people would be more acceptable to it; **XIV**. Mr. Irby asked Mr. Cadenbach if he could maybe work with the local law enforcement agencies and move his business with those groups of people to kind of move around and do his specialized training on their facilities with his expertise. Mr. Cadenbach said he understands where Mr. Irby is coming from, and that has been tried and attempted, and what he found out especially with, say, county operated things, that has to be a department sanctioned training event. He said in order for that for it to be a department sanctioned training, it has to go through all of these red tapes and stuff like that. He said he has offered free training to law enforcement officers, like hand-to-hand stuff, just simple stuff, and just trying to get through the red tape, because they have to sponsor it by other departments, and then they have to pay people to come in. He said a lot of the law enforcement agencies that he's working with, they either have the full support to where he's coming, or a lot of times it's law enforcement officers on their own dime, coming in and doing the trainings and stuff like that. Mr. Cadenbach said if he could, he would, and there would be no need for him to build his own, but he's been trying to find places three years prior to finding this location. He said he didn't buy this location for a gun range, he bought this to build his house and to have his animals on, and he will take this acre or so and use it as a shooting range while he's developing the rest of the property; **XV**. Thomas Ambrose, ZBA Member, asked Mr. Cadenbach if he's asking to have a business that's not even in our ordinances. He said Mr. Cadenbach said this isn't a gun club, so this isn't even in our Madison County ordinance. Chris Doucleff, Madison County Building and Zoning Administrator, said "Gun Club" is the closest thing they had, and a gun club covers shooting ranges; **XVI**. Mike Babcock, County Board Member, said he wanted to say thank you to Mr. Cadenbach for serving in the military, and said he seems like a very, very reputable person. Mr. Babcock said he is handling himself so well in front of all this opposition, and he can understand their opposition because it's in the neighborhood, but he just wanted to

applaud Mr. Cadenbach, because he is exactly who we want in Madison County to protect our people. Mr. Babcock asked Mr. Doucleff if there is a model that we've ever had here like this. Mr. Doucleff said not like this exactly. He said there are other gun clubs in the county, but they are gun clubs, that have memberships, where they can come out as they want to shoot at the range. He said this is more going to be an auxiliary training site for his company to use, once or twice a month where he takes the class to go out there and teach them certain shooting techniques. He said it's a little different than anything we've done since he has been here with the county. Mr. Babcock asked if there has ever been a magnitude of opposition like this before. Mr. Doucleff said for any kind of shooting facilities, this is probably the most opposition we've had. Mr. Babcock said he doesn't see a way forward because there are a ton of people around. He said they are not opposed to Mr. Cadenbach. He said if he had children in his yard and grandkids around his home, he would be feeling the same thing. He said you've got to respect what they're feeling. Mr. Cadenbach said he does respect that, and has two children himself, a five and a three year old. He said that's why the safety standards that he does have, and if this does continue, the level and standard that he continues to build his brand. He said there are plans at a substantial cost to build the wings around the range, and that will keep it completely encapsulated, especially putting in the two by six concrete barrier. He said you're talking a six inch railroad tie, six feet of dirt and two feet of concrete. He said you're not getting through. Mr. Cadenbach said he was in special operations and he's literally been at the best training facilities in the world, and that's the standard that he puts on. He said the closest house to him, it goes up 52 feet, and then back down 26 feet and it's as it stands 975 feet from my range to the nearest house. He said he has never once on his range had a negligent discharge, and he doesn't know what ricocheting they are talking about. He said if you would look at the trajectory of a round, when it hits it goes straight, so it's physically impossible for it to bounce around. He said it's not a pinball, and he doesn't see how there have been any ricochets that would put anyone in danger. Mr. Cadenbach said he could understand if they hear shooting steel targets or something like that, how they may think it's a ricochet or something, but they've never had any. He said the people he works with are professionals, and even if he is doing an entry level class for beginners, they start super basic, very extreme safe, and he even has more complete oversight. He said he has been teaching Brazilian Jiu Jitsu for 12 years, so I'm very good with paying attention and being aware of multiple things, and he's also been teaching firearms training for about five years; **XVII.** Frank Dickerson, County Board member for District 3, said this is in his district. He said up until tonight, he's heard that there might be people supporting this, but there's only one in Illinois that's in Glen Carbon that's adjacent to this property, which is Richard Carter. He said and then there's Jose Rosado, from Bond County. He said he's sure everyone up there will tell you they don't want it in Bond County, they want it in Madison County for that reason, because they don't support it. Mr. Dickerson said he's struggling with it, and he's not questioning Mr. Cadenbach's service. He said everyone appreciates Mr. Cadenbach's service, and it's nothing personal against military. He said it's just the residents are voicing their opinion. He said the Madison County Sheriff's Department forwarded him the state statute pertaining to firearm ranges and liability, and in all areas from which a firearm may be properly discharged are at least 1000 yards from any occupied permanent dwelling on adjacent property, so it's already in violation of that. He said this is just not the place for it, and unless he can figure out a way to buy more land and add to it, and put it somewhere in the middle to ensure those things don't happen, he just doesn't support it; **XVIII.** Amy Ellis spoke and said the following: "My family's property adjoins the Groh property. In the beginning when a fence was going up on the Groh property, the fence was actually built onto our property. The fence has since been removed, but it was shocking that someone would disrespect the property lines and not own up to it by talking with the landowners. Another concern is the noise pollution. My uncle and my father-in-law are both disabled Vietnam veterans. Both have PTSD. My uncle has it severe enough that he needs his service animal with him most of the time. Coming out to our property is a comfort to him because of the lack of noise and city noises. Out of respect, I will have to let him know not to come to my house any longer, because the constant noise of rapid firing guns will not be healthy for him mentally or physically. I also worry about my father in law who lives close enough that this noise pollution will be a constant in his life again, and will impact his mental well being as well. It will be a nuisance if we are doing anything outside. Also my husband works shift work and the noise during the day would be disruptive. I walk along Quercus Grove Road with my dogs. If there's a 360 range put in, what is to keep a bullet from coming towards the road? There is no berm that is protecting the area around it. Not only am I worried about myself, but my children. My children hunt on the property that adjoins the Groh property. Their deer stand is close enough that if a stray bullet were to come through, they would be shot. I should not have to be scared to take my dogs for a walk or when my kids go hunting that any of us could be winged by a bullet when this could be prevented. The Groh property does not have enough space for a 360 range without protective measures for the safety of the property owners next to them. To do this without regard for the safety of the adjoining property owners makes me question how someone who was in the service, who swore to protect and serve, not to mention have integrity and

honor, would do so with such blatant disregard. In my research it is recommended to have an exterior berm that prevents bullets from leaving the range. It must be 12 feet tall with sidewall slopes. An interior berm keeps bullets from leaving the bay. It must be a minimum of eight feet tall with a slope and flat top that is 4 feet wide. The biggest safety factor is the backdrop; it should be big enough to prevent ricochet and bullets from flying past the target, typically 20-60 feet high. The parcel should be a minimum of 40 acres. If your goal is long range shooting, the acreage should be 500 acres. The Edwardsville Gun Club is on 120 acres of land and the shooting range for the sheriff's department is surrounded by a berm much greater than 8 feet and has sandbags on top of the berm to prevent ricochet. As reported by the Intelligencer, rifle cartridges can travel in excess of one mile or 1,760 feet. I believe this is not an unfounded concern. My family property is in conservation. I have a concern that this constant noise pollution will disrupt the current ecosystem of the animals that reside here. Not to mention, the water system that is around the property. If spent rounds and bullets are going into the water system or ground, it will pollute the environment. From research, one commonality is lead can reach water in the form of rain runoff and can contaminate soil. Lead contamination impacts wildlife as animals.”; **XIX.** Chad Bartels spoke and said the following: “I was born and raised here in Madison County. I’m a big hunter, and there’s nobody in this room that likes hunting more than I do. We own a dog training facility real close to this gentleman's ground, and it is a big distraction for my business. I train dogs for a living, and every time I’m out there, it distracts his dogs and has an effect on the way I train things. I was part of the Edwardsville Gun Club, whenever they got run off from the old Dunlap ground, and we bought another piece of ground to have the gun club. There are a lot of gun clubs, but the problem with this gentleman, is he’s doing things that gun clubs don’t allow. This is a militia training is what this is. I’m kind of against this kind of training in my county. I believe in the police force that we have here. I do have these types of guns, and I will use them, but I don't shoot 500 rounds a day. This is a neighborhood that we live in. We all enjoy it. I just wish that you could find a piece of ground like Waco, Texas or Oklahoma or something like that where this stuff is done. Not in Madison County. I pay \$11,000 of property taxes a year. This isn't fair to us. And I know the people in Madison County will not let this happen. I mean, I'm glad everybody showed up to voice their opinion, and I just don't see this happening.”; **XX.** Steve Woosley spoke and said “I’ve lived on that property since 1965, and my parents owned that property since 1959. We owned the whole property before we sold it to them. We own that 55 foot cliff he's talking about. It's a hillside right when you cross the bridge. The main problem here that I think everybody's forgetting and that the Board has to consider, is he’s doing this on a floodplain. You cannot build berms on a floodplain. The Corps of Engineers is going to come in and shut him down and tear the berms out. I've worked with the Corps of Engineer for several years on projects and you just can't go out there and do anything you want to in a floodplain. I’ve seen that property since 1965, and if it hasn’t flooded for 3 years, that's a miracle. I hope the board considers that stuff, as far as the legality of what he's doing, and the fact that he started it without any permits. You can't put a trailer anywhere in Madison County without a permit. I worked construction for 40 years, and you can't throw a trailer out in the middle of a field. I commend his service, but he didn't go about this right away. I think it should be shut down. I do not like the fact that he is shooting into my hill. We don't go out there a lot. My mom just passed, and it’s in her estate right now and all the paperwork is not done, but I've got kids that have been talking about possibly building on that hill. It's a beautiful site. I just ask that you consider all the legalities, and don't put the emotions into it. Thank you.”; **XXI.** Ron Crook spoke and said “I live Green Hedge, not too far where Josh’s property is at. I was presented with a petition about him opening a gun club and they were concerned about all the traffic. The whole petition, in my opinion, was a farce. He wasn't opening a commercial gun club to the public, so I'm in favor of Josh doing what he's doing. I’m an avid hunter, and I think I know how to handle guns, and he showed me things I never knew. I have ARs and I have lots of gun, but Josh has taught me things that I never even knew. And as far as the people in Madison County, needing this kind of training, maybe you don't, but your neighbor might. So I'm in favor of him doing this. Like I said, I live on Green Hedge, I’m only about a quarter mile from him. And the whole petition as far as I was concerned was presented wrong. I think if you’d take another look at it, I went to Josh's property, I've walked it, I've talked to him, I've seen what he's done. I don't think he would ever do anything that's unsafe. I shoot all the time. I hear shooting around me all the time. If you live out there you hear it. I hear it almost daily. Josh isn’t opening up something where Joe Blow down the road is shooting at a milk jug with an AR. I mean he's gonna be safe with it. Probably safer than what I am. For him to do it the way he's doing and the safety that he's putting into it, I support him. I know he has a lot opposition, and this is my opinion and he's trying to do this in the right way. So that's all I wanted to say. Thank you.”; **XXII.** Natalee Schwalb spoke and said “My property abuts the parcel in question. We have an easement that runs through that property to reach a part of our land. First of all, this is not something personal as far as Josh is concerned. He's a nice enough guy, I've met him. And this is also not a gun issue. My family and many of our neighbors own guns, hunt, shoot and have concealed carry permits. There are many reasons why a gun club or range should not be allowed to operate on

this parcel. Property values will be impacted. There's a direct negative impact to property values of those in close proximity. The Hitchens will not be able to do anything with their property. This is not conjecture. I've been a real estate appraiser for 20 years. This will in turn drive down our assessments and impact the property tax revenue collected by the county. As residents we are paying an incredible amount of property tax. The owners of this parcel are not. There are environmental impacts. The parcel floods in its entirety at least once a year and many times most years. There's a trailer, tires, and heavy machinery that sits in the floodwater. The ammo, metals, gun powder, oil and fuels then wash into the creek. There are adverse influences to the properties surrounding this parcel. It is incredibly loud. We have to go inside when they're shooting and it still can be heard from within the house. Residents of Holiday Shores have reported hearing the shooting and wondering what it was. Some of their names appear on that petition. Most importantly is safety. Our house is well within the 1,000 foot minimum distance outlined in the ordinance. Mr. Cadenbach has requested a variance to be able to shoot within 1000 feet of our home. The state of Illinois requires gun ranges to be 3000 feet from an occupied dwelling. The 1000 feet in the ordinance is too close, and certainly anything less should not be allowed. This is not a recreational property for us. It is our home. We live here every day. In addition, shoots directly toward our home into our easement and into the Hitchens property. This decision alone indicates he has no regard for us or our safety. No one with any sense of rights or responsibilities or safety would think that it's acceptable to shoot towards someone's home. Recently, a woefully inadequate berm was constructed. Prior to this, there was almost nothing protecting us. There's a change in elevation in this area, however, it is not very wide and ricocheting bullets can be heard at our house. The remainder of the property line is even with the parcel in question. There's no protection from gunfire. My son can easily hear and understand the conversations being had on that parcel while sitting in his deer stand. This is too close. Mr. Cadenbach has also shown no concern for his neighbors or the authority of the county. He's been operating for a significant amount of time. And by the way, he came to my house. I met with him and he lied to me on multiple occasions, not realizing that I knew the answers to the questions that I was asking. I don't think this should be allowed, and I hope you all decline.”; **XXIII.** Kathleen Vongsathorn spoke and said “I’m at 6932 Gushing Springs, perhaps the newest resident to this area. One of the very first things that happened this fall after I purchased the house was that I opened the mailbox and found the notice of this zoning permission. So, I'm not on a petition, and I haven't been involved in any way. I just came at it straight from the County notice. And particularly as a new property owner, I'm very concerned about the effect that this will have on property value. I've looked for a long time for a quiet sizable property in Madison County and especially in the Edwardsville School District, and it's not easy to find. And I'm very concerned about what would happen with the noise, and also in particular, the fact that if there is a permit for this to take place, although the plan now may be that it be once or twice and with these small groups, I wonder if that would still be the case down the road, because I hopefully plan to spend the rest of my life or at least until I retire on this property.”; **XXIV.** George Daube said “My family's probably got the most years out there. We've been out there 150 years. That is a serene bottom. Remember the farm on 7666 Green Hedge Road. I normally have no problem with shooting. But he did start shooting here last year. You could hear it in the bottoms. I'm going to tell you I farm right across the road. If a bullet ricochets, it only takes one. If somebody gets killed or harmed, there's going to be a heck of a lawsuit. It only takes one. When it comes through my combine window or comes through one of my cab windows when we're farming down there. I see babies with strollers, ladies are taking their kids through there, I see bicyclists from up north. I always wondered why they come through there but they love the challenge. Going through here we see wild turkey, deer, that's all gonna be ruined when they start shooting. I can tell you, Josh has come to my place. He told me what he wanted to do. And I'm not against any of the things he's done for our country. But I think he can find a better place. And as far as that road they built back to the back to some other landowners, he does not know what the creek will do when it goes out. It comes from Litchfield. And when it goes out, I can show you right now, they're funneling that closer together. When it gets down to that bridge, instead of following the old path, it's shooting a new path 50 feet underneath that bridge and one of these days the county is going to have put a new bridge in because it's not going to take the water. What they're doing, they're funneling it to a smaller spot, and it's gonna take the bridge out. If you don't believe me just go down there and see what it's doing right now. It's from here to that exit sign, it's shooting straight out and It's all because, and we haven't had the high water yet. The last high water we had was in 2017. And the end of April, we got eight inches, but like I said, I farm a lot of bottom ground, that whole bottom went out and we had do it all over again. But I'm just worried. He's not going to build a house down there. And if he builds a house, I don't know where he's gonna get the dirt to put it up high enough to keep him out of the water. Thank you.”; **XXV.** Willa Helmers spoke and said “I live on Green Hedge Road. I love where I live, because I'm able to ride my horses and go bike riding with my family, and beat my mom on jogs down the road. I'm here tonight to tell you that along with my neighbors, I do not want to have a gun club operating in our area. This scares me. It scares me to think that the gunfire could spook my

horse while I'm riding her. And I usually ride on the weekends, which is when the gun club will be going. It scares me to think that all the extra traffic on the roads that could hit me or my family while jogging or biking. And it scares me to think about all the stray bullets, and it scares me to think about the noise pollution that it will cost us. I also love nature, and we need to think of all the animals that would be disturbed with all of the gun noise, and the lead in the ground and water. Please vote no for this special permit. I know my voice may be small, but I hope it is heard. Thank you for your time.”; **XXVI.** Rebecca Nettleton spoke and said “I know everybody's in opposition to this. I met Josh about a year and a half ago. I became one of his Brazilian Jiu Jitsu students. I want you to understand the person that Josh is. I know you thank him for his service. I know you think that what he has done for our country has been very honorable. And I agree with that 100% as a person who has served in the Navy. The way our world is going these days, I became very worried for my safety just in general as a whole. I began to seek out different training and firearms and self-protection. As far as self-protection goes, I was like, well, I could buy a firearm, but I don't really know what to do with it. I was never properly trained. So when it came down to it, I was like, well, let's see if I can learn hand to hand combat or self-defense. I don't like getting hit in the face. I don't like being punched. Jiu Jitsu does that. It teaches the person to use the other person's body to defend themselves. You're not hitting anybody, you don't hit anybody. You don't inflict any violence. You defend yourself to neutralize the situation. The other hand on that was the firearm portion. When it came to the firearm portion, I had no idea. Josh being the Ranger that he is, and has the ability to teach people firearms instruction, I figured he was the perfect person to teach me this. Not only has he taught me to hold a firearm properly and to respect it, to properly use it etc, etc, etc, he can go on and on and on and on. The training that I've received is not, you guys are talking about this, like this is a militia and that we're doing this like tactical training and are running around and we're doing all this stuff. This is a very, very, very controlled firearm instruction. The targets you see are the targets that hit. Like Josh said, there's never been an accidental discharge. It is a one-on-one instructor. One person goes at a time. He follows you. He stands right by your side next to you. I have small children. I have a grandchild. I would 100% put my children. He has children. I will put my children near him anytime with a firearm. As far as the noise pollution and all that, I live near Edwardsville Gun Club, so I can understand the concern. I can understand the concern for the property values. I understand all that. I just want you to understand that Josh's main goal in all the training that he does, Jiu Jitsu, firearms training, is to teach people proper safety, and there is no compromise in any of the things that he's ever taught me, and I have never ever, ever felt in every time I've ever been around him unsafe, for the safety around me or other people. Thank you for your time.”; **XXVII.** Shane Nettleton spoke and said “I am Becky's husband. I have a little bit different outlook on life. I am a 22 year Marine veteran, six tours to Iraq. I came home and didn't really know where to find myself, didn't know where to put myself. It took a couple years, but I ran into Josh. Josh helped me. He put me in the right spot. He gave me a place where I can do what I learned what to do. He taught my children how to shoot properly. We all got our CCL's through him. And it was super safe, super controlled. He took care of us and I trust my grandchildren, whenever that time comes, to be trained by him as well. He takes a lot of pride and effort in what he does. He is super safe. And for that, I trust the man with my life. Thank you for your time.”; **XXVIII.** Ellen Helmers spoke and said “I live on Green Hedge Road and I'm here tonight to speak in opposition of the special permit. I'm a wife, a mother of three, and a Veterinarian. My husband and I moved out to this property over 10 years ago seeking tranquility and peacefulness from the everyday noise that we encounter at our jobs. By allowing a gun club, you take that away from us. The World Health Organization has statements published about the increased rise of people with anxiety and depression in our world, and one of the things they attribute it to is noise, especially loud noise. I'm pretty sure that rapid gunfire at any time of the day or week constitutes unnecessary noise. As stated, I am a mother of three and I'm very fearful for their safety as well. Not only do stray bullets not have a name, but neither does the increased traffic that can be generated on our roads. If you ask any one of these people that are in here tonight, we can sit at the end of our driveways and tell you who is a resident and who is not a resident by watching the speed of the people that drive on our road. Because we care about our children and we care about our neighbors, and we know what we're doing when we're driving out there carefully. As a veterinarian, I can attest from the American Veterinary Medical Association that studies on the effects of noise pollution on our animals have been conducted. We have families that rely on animals for hunting and sustainability for their food. We have production farmers with beef cattle, dairy cattle, egg laying chickens, and even honeybees that produce honey and contribute to pollination of native plants. We've also seen bald eagles and blue herons make habitats in this region, and all of these things become disrupted by the noise. Mr. Cadenbach may say what he wants us to hear, but his website actually shows that he's offering over 400 or 500 rounds per person. So 10 People in the morning and 10 people at night can equal over 10,000 rounds that can be offered out there two weekends a month, which equals 26 weeks out of the year that we're trying to enjoy our property and our families. He may be very well trained, but he's also showing disregard for our county rules and regulations by operating this and having this in place in

advertising without a legal permit. Our residence is not a place for profit of business. Our residence is here for us to live and to enjoy ourselves, not for somebody else to come in and train and make money off of it. If you grant this permit tonight, what is to stop him from developing the site and becoming more and more? When does 10,000 rounds become 20,000 rounds? When do 10 or five people down the road turn into 20 or 30 people driving down our road? I ask you tonight to hear us out. We are here. We are voting residents in this county community. We pay taxes, we spend our money in this county to support the economic growth. He is an out of state, taking his profits back upstate to where he's at and where he does his other training. This is our safety, our mental well-being, our property values, our wildlife and conservation. And this should be our decision. Please listen to the voters and vote no.”

Roll-call vote.

Ayes to the motion: None

Nays to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby

Whereupon the Chairman declared the motion to approve failed.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z23-0081

Petition of Vernon and Monica Langreder, owners of record, requesting a variance as per §93.051, Section A, Item 3, Subsection (c) of the Madison County Zoning Ordinance in order to have an accessory structure in the front yard setback area. This is located in an "R-1" Single-Family Residential District in Edwardsville Township at 6760 Middlegate Lane, Glen Carbon, Illinois, County Board District #24, PIN# 14-1-15-35-02-201-013.003

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Vernon and Monica Langreder 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.** Jen Hurley, Zoning Coordinator, read aloud the following letter of support that was submitted for the record: "My name is David Mueller, and I adjoin the Langreder's property on both the west and south side of their property. I wish to whole heartedly support them in their request for a variance. David Mueller, 101 Oaklawn Road, Glen Carbon"; **VI.** Vernon Langreder, applicant, said he is wanting to build a new garage for his lawnmowers. Monica Langreder, applicant's wife, said they have a shed already that exists in that spot, but they just want to replace that with a larger one with a concrete floor. She said it will be about 22x22 and will sit about 180 feet off the road in the exact spot as the current shed.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby

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 Z23-0082

Petition of Kenneth Noll, owner of record, requesting a zoning map amendment to rezone the approximately 3.75 acre tract of land from "B-3" Highway Business District and "A" Agricultural District to "PD" Planned Development District. This is located in Ft Russell Township at 3616 Edwardsville Road, Edwardsville, Illinois, County Board District #14, PIN# 15-1-09-32-00-000-034.001

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Cedric Irby and **seconded** by Mary Goode that the petition of Kenneth Noll be as follows: **Approved with Attachment "A"**.

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.** Kenneth Noll, applicant, said he recently purchased the property, which is the former home of the Red Barn Antiques. He said he is a Landscape Architect and has been running a landscaping business for the last 29 years in Glen Carbon. Mr. Noll said he intends to put a barn at the back of the property to move the landscaping company there. He said he likes things to be nice and tidy and contained in the barn, which is why he would like to build that barn. He said the landscaping company is a Monday through Friday operation, 8-5, pretty quiet, small operation, with about 5 employees right now. Mr. Noll said the current property has a red barn and he has an idea of restoring the barn and offering it for the possibility of small event/reception events, weddings, or that kind of thing. He said he does believe that the property improved would have a nice impact on the area. He said right along 143, he's noticed a high-traffic area at times, typically between 3 and 5 Monday through Friday, and 7 to 9 in the morning as people are taking that 143 cut-through to 255. He said other than that, it seems to be fairly sensible compared to some of the other areas in town. He said he is asking to have both the landscaping company and the possibility of the wedding venue on the property; **VI.** Mary Goode, ZBA Member, said she has purchased things from Mr. Noll in the past and can attest to the fact that he's very particular and everything she has seen that he's done in the past has been rated number one in her book. Ms. Goode asked Mr. Noll if the barn that he's adding will be used as a rental. Mr. Noll said the white farmhouse will be his residence; **VII.** Thomas Ambrose, ZBA Member, said he's driven by there many times, and 143 doesn't have any turn lanes. He said you come under a viaduct and you can't even see where you would turn in. He asked if one person got killed there, what would you do. Mr. Noll said he can't answer to that effect, but he said his business has been on 157 for almost 30 years, and there are no turn lanes. Mr. Ambrose said that is just a 2-lane highway. Mr. Noll said it is busier than 143. Mr. Noll said he thinks generally people are fairly cautious. Mr. Ambrose asked Mr. Noll what he does with his equipment now. Mr. Noll said it's on his current property in Glen Carbon. Mr. Ambrose said he is concerned about the highway. He said there are no turn lanes and traffic is not going 20 MPH. He said if you have a wedding venue there, there's going to be a lot of traffic; **VIII.** Cedric Irby, ZBA Member, asked Mr. Noll to give an idea of what kind of work he's going to do on the roads leading into the property, and what it's going to look like with a wedding venue, what's the maximum capacity, and what will parking look like. Mr. Noll said he has more parking than what's required. He said he took a maximum number of 250, which he thinks is a large wedding, but if that were the case he can park more than what's shown on the diagram. Mr. Irby asked Mr. Noll how he will get all of those people in and out of the property. Mr. Noll said it would be a Saturday night, the wedding would be over and people would be leaving the venue. He said he doesn't see it as an issue on that road; **IX.** Mike Babcock, Madison County Board Member, said he spoke to some people that are adjacent to Mr. Noll's property. He said their concerns aren't so much about the landscaping, but when you're thinking about building what will be a very large business for traffic. He said as soon as you pull out of that driveway, you're looking to the left, and that viaduct is a blinding moment. He said if you have 100 cars parked in your lot, coming out of a venue and could potentially have some alcohol-related drinking there, it's going to be a major problem for people to come out late at night making that left-hand turn or a right-hand turn, or come in making a left-hand turn coming from Edwardsville, or a right-hand turn from Wood River. Mr. Babcock said a venue that has a tremendous amount of cars going in, there's a concern there. He said the concern on his part is that he does believe it's going to be a problem traffic-wise. He said they could be pulling out at midnight, some of

them drinking. He said he just doesn't see it feasible because there really is no turn lane there. Mr. Babcock said he has seen it backed up with trucks pulling into Tinsley Steel across the street, and he has seen water pouring under that viaduct. He said it's a dangerous spot, and as much as he applauds Mr. Noll for wanting to put a business there, he is concerned for anyone pulling in, anyone pulling out, and all the other people that have nothing to do with the venue. He said it is just a difficult place to put a business of that magnitude. Mr. Babcock said landscaping is totally different with 5 people working for him, but as far as a permit to have 250 people on that property at one time could be very complicated; **X.** Sherri Barnes-Hickman said her uncle owns 3600 Edwardsville Road, and her mother and father own 3606 for over 40 years. She said she does applaud Mr. Noll for renovating the farmhouse and having big plans, and the area does need it, but she wants to reiterate Mr. Babcock's concerns with the traffic. She said that is a single-lane residential driveway. She said 2 cars cannot pass in that driveway, either there are people exiting, or there are people entering. Ms. Barnes-Hickman said as you're exiting the driveway, to the left is the viaduct, which dips down and comes back up. She said you have to watch for no bumpers under the viaduct before you turn. She said it's incredibly limited visibility. Ms. Barnes-Hickman said that road goes from a 2-lane to a 1-lane prior to that driveway, so you already have people converging. She said it's just a really hazardous place to be turning, and you have to be aware of people entering and leaving the highway. She said during low traffic it's questionable. She said in addition to that, it's a straight section, and people are not doing the speed limit. She said one side is 45 and the other is 55 and it changes right there. She said there's also a constant strand of trash trucks going both directions. Ms. Barnes-Hickman said if you haven't visualized it yet, that lane that runs in front of Mr. Noll's property is a private lane owned by 3600 (Carl Barnes), and the only access to their property is that residential driveway that Mr. Noll wants to use for up to 250 wedding guests. She said their only access to their residence is through that private lane, and it is already a challenge to enter and exit due to the limited visibility. She said she knows Mr. Noll has requested 50 spaces, but if he has a wedding venue for up to 250 people, the rule of thumb is 2 to 2.5 people per vehicle, which means he could have 100 to 125 cars, which is absolutely not possible with that property. She said she doesn't know where all these people are going to park and how he's going to control that; **XI.** Carl Barnes said he has lived there a long time, with probably 5 different neighbors move in and move out, but no one ever realizes that bottom ground is a flood area. He said he has seen water in his back yard 8 feet deep. He said when the creek overflows, and runs over 143, they have closed the road because of the water. Mr. Barnes said it was so deep it was almost running over their dam on their pond and was rushing from the neighbor's property like a roaring river. He said it was running into his pond and running out the high side. He said it washes logs, firewood, anything you have out there down to the fence, so Mr. Noll putting a big shed only 100 feet from the creek just doesn't work, unless you raise it up to keep it out of the water. He said there's another runoff on the west side of them where there's a 30-inch tube that runs in from 143 and the water from 143 runs across their property and backs the creek up. He said it's done that three times since they have been out there, and it's always wet. Mr. Barnes said they actually own 24 feet of Mr. Noll's property in the front yard. He said he can't get anybody to come out and survey it yet to find out where the road is, but 24 feet off of Mr. Noll's property line belongs to their brother, and they had never challenged anybody about using it, so they never bothered because they didn't need it. He said their road is actually on county property on the Right of Way. He said he talked to one of the highway guys and the best way to identify the property line is to look for the telephone poles and water meters and that's how they figure what to mow. He said that telephone post is the property line and they own 24 feet, which puts that line 50 feet from Mr. Noll's front door; **XII.** Stanley Barnes said this is his parents' property, and his biggest issue is public safety. He said that road can't handle that. He said it's a one lane driveway, it's not built for it, and the traffic is horrible. He said Mr. Noll has been there for 2 months and he hasn't seen it the traffic that comes through there, like the trucks coming through doing 70 MPH that blow the trash out the back of the dumpsters because they're going too fast. Mr. Barnes said if somebody gets hurt or killed right there at that intersection, they shut the road down and it ties up everything. He asked where the water is going to go when he puts in all these parking spots. He said it's going to go out onto the highway, it's going to go down into the pasture and flush out everything else, or into the creek bottom that's already in bad shape. He said this will be an environmental impact that you can't come back from. He said Madison County Transit has a bridge not too far down that's actually right across the creek from his mom and dad's house and it's not built for that water. He said it's just going to make it worse and will be an infringement on somebody else to rebuild and fix that. He said no matter if you put down asphalt, concrete, pressed gravel or whatever, you're still going to get the runoff. Mr. Barnes said Mr. Noll is going to need more parking spots in the future and it's just going to make the water even worse. He said it's nice, quiet, residential there, and not business. He said he has seen Mr. Noll's property in Glen Carbon, and "nice and tidy" is not what he would describe it as. He said there's stuff parked outside, and he doesn't want to see that when he comes into the driveway. He said he doesn't want to see all of his landscape material stacked up. He said it's not a business area, but rather a nice, quiet farm area. He said they already have a business next door that's not doing so well, and they don't need two; **XIII.** Mr. Babcock

said when you have a parking lot with that magnitude of blacktop, you're supposed to have a retention pond somewhere around, and he's not sure if that's being talked about. George Ellis, ZBA Member, asked if the Building and Zoning Department would require a water survey of some kind. Chris Doucleff, Building and Zoning Department Administrator, said if there were any floodplain there, they would have to get a flood elevation certificate to see what the base flood elevation is, and would have to build per FEMA specs. Mr. Ellis asked if, based on what is known so far, would that be required. Mr. Doucleff said not that he knows of. He said the residents know the history of what happens there with the creek, but that doesn't actually mean it's in a floodplain where you would have to get a flood elevation certificate to put a shed there for the landscaping business. Mr. Doucleff said you still have to get building permits, which have to be run through zoning and through the stormwater coordinator. He said as far as he knows, it is not in a floodplain; **XIV**. Ms. Goode asked who gets involved in the traffic situation. Mr. Doucleff said that is a state road, so that would be IDOT.

Roll-call vote.

Ayes to the motion: None

Nays to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby

Whereupon the Chairman declared the motion to approve failed.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Attachment “A” – “PD” District Conditions of Use

(A) The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

(B) District Conditions of Use.

1. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
 - a. Front Yard Setback: 30 feet
 - b. Side Yard Setback: 10 feet
 - c. Rear Yard Setback: 30 feet
2. Additional Requirements: Signs §93.118, Parking §93.147

(C) Permitted Uses.

1. Single-family dwelling.
2. Landscaping Services business with the following restrictions:
 - a. No fabrication shall take place on-site.
 - b. All equipment shall be stored within a fully enclosed structure.
 - c. All materials shall be stored in a well-kept and orderly fashion.
 - d. No retail or wholesale sales shall be permitted on-site.
 - e. No employees shall be permitted on-site except to pick-up or drop-off equipment.
 - f. Hours of Operation: Monday through Friday 6 AM to 9 PM, Saturday and Sunday 7 AM to 7 PM.
3. Reception Venue with the following regulations:
 - a. Adequate restroom facilities shall be provided.
 - b. Outdoor lighting shall be designed to minimize light from directly hitting adjacent property or any public right-of-way.
 - c. No off-site parking shall be permitted.
 - d. No outdoor music shall be permitted. All music and live entertainment shall occur within an enclosed structure.
 - e. All reception venues shall adhere to the Madison County Noise Pollution Act, Chapter 53.
 - f. Hours of Operation: Monday through Sunday 7 AM to 12 AM.
 - g. The sale of alcohol on-site shall be prohibited. Alcohol may be served on-site if the event is catered and the catering operation has a valid ‘Class C’ Caterer’s License.
 - h. No food preparation shall take place on-site. Food catering may occur at a reception venue in accordance with the Food Sanitation Program, Chapter 55 of the Madison County Code of Ordinances.
 - i. All reception venues shall be in accordance with Potable Water Supply, Chapter 113 of the Madison County Code of Ordinances.

(D) Accessory Uses (See § 93.051 (B))

1. Accessory structures.
2. Off-street parking and loading.

(E) Prohibited uses.

1. Any uses not listed in the above Permitted and Accessory Uses sections.

Finding of Fact and Recommendations

Hearing Z24-0001

Petition of Roy and Tonia Pickerill, applicants on behalf of Olive Investment Holdings LLC, owner of record, requesting a zoning map amendment to rezone approximately 1.15 acres of a dual-zoned lot from "R-2" Single-Family Residential District to "A" Agricultural District. Also requesting a Special Use Permit as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order to operate an Overnight Campground on site. This is located in Olive Township at 908 Veterans Memorial Drive, Livingston, Illinois, County Board District #3, PIN# 08-1-05-21-00-000-007

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of Roy and Tonia Pickerill 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.** Roy Pickerill, applicant, stated that he and his wife are the new owners of the Pink Elephant Antique Mall, which they purchased at the beginning of last year, and then in September they purchased the land behind the antique mall, which is the subject property for this hearing. He said their goal is to put a campground in that location for travelers on I-55 and Old Route 66. He said their stop is an Old Route 66 destination for those traveling that old roadway, and 2026 is the 100-year anniversary of Old Route 66. He said their goal is to have the campground up and running by the 100-year anniversary to provide those traveling with RVs a location to stay. Mr. Pickerill said they presume most people will stay 1 to 2 nights. He said they will have a max stay of 14 nights, not a situation where campers stay year on end and use it as a residence. He said 20 sites are being done, and they've been talking to Rivers & Routes, and the Tourism Bureau has been helping them out and hopefully getting some funding towards it. He said with it being a campground, it will also be under the guidance of the State of Illinois, and they will have to follow their guidelines and have a civil engineer make the drawings. He said prior to the campground being built, it will be drawn up by a civil engineer that will take care of grading, electric, water and how everything is going to be put in, that way it's done correctly; **VI.** Cedric Irby, ZBA Member, asked Mr. Pickerill to give him an idea about security. Mr. Pickerill said they will have fencing in the front along the roadway with a gate entrance to get into the campground area. He said it will be well lit, but it will be a controlled access so people can't just come in and drive around the campground. He said when they pull up, it will be almost like a kiosk when you go to a self-storage center, where they enter their information and what their vehicle is, the gate opens, and they go in and park in their camping site, so it won't be where people can just drive through that area, but they will have to pay to get into the campsite and then have a code to get into the campground area; **VII.** Mr. Irby asked if he has plans to expand beyond 20 sites. Mr. Pickerill said he doesn't know if they would see a need to go beyond that, because where they are wanting to do the campground is behind where the existing building is, and the front section toward Route 66 is a large green space area that they use for festivals, and they don't want to take away from what they use that property for.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby

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 Z24-0002

Petition of Rob and Jennifer Birkenmeyer, owners of record, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a breezeway to attach the existing home to the existing accessory building, resulting in the primary structure being 16 feet from the east property line instead of the required 50 feet. This is located in an "A" Agricultural District in Hamel Township at 7800 Sun Ridge Court, Edwardsville, Illinois, County Board District #3, PIN# 11-2-10-32-00-000-015

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Rob and Jennifer Birkenmeyer 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.** Rob Birkenmeyer, applicant, said they are just wanting to do two walls and a roofline, to make it a little safer to get from the house to the garage in inclement weather.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby

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 Z24-0003

Petition of Brad and Jessica Brueckner, owners 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 a newly constructed home that would be 20 feet from the east property line instead of the required 50 feet. This is located in an "A" Agricultural District in Ft Russell Township at 560 East Roosevelt, Moro, Illinois, County Board District #5, PIN# 15-1-09-09-00-000-001.008

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Brad and Jessica Brueckner 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.** Brad Brueckner, applicant, said he did get letters of support from his neighbors. He said the property is 14 acres but approximately 10 of it is in a flood easement. He said he had Sheppard, Morgan and Schwalb come out and survey it, and the only place to build a house is on that hill; **VI.** Mary Goode, ZBA Member, asked how close his neighbor is on the side where he's requesting the variance. Mr. Brueckner said it's about 150 feet to the back of the neighbor's garage and said he actually sits behind his property, and with the neighbor's garage, he can't see his house.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby

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 Z24-0004

Petition of Kinnarkumar Patel, applicant on behalf of Steven Vollmer and Bret Dixon, owners 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 building on site. This is located in a "B-3" Highway Business District in Wood River Township at 308 West MacArthur Drive, Cottage Hills, Illinois, County Board District #13, PIN#s 19-2-08-11-01-107-035, 19-2-08-11-01-107-035.001 and 19-2-08-11-01-107-035.002

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

Members Absent: Nicholas Cohan, Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Kinnarkumar Patel, on behalf of Steven Vollmer and Bret Dixon, be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Kinnarkumar Patel and is not transferable to future owners/tenants. Any change of owner/tenant of the property will require a new Special Use Permit.
2. The owner/tenant/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.

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.** No one was present to speak on behalf of the applicant. A short discussion ensued amongst the Zoning Board of Appeals members about the need for a new Special Use Permit for Doc Holliday's since there is a change in ownership of the business, as well as the retail/convenience section mentioned in the applicant's narrative statement.

Roll-call vote.

Ayes to the motion: George Ellis, Mary Goode, Cedric Irby

Nays to the motion: Thomas Ambrose

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator