

**Madison County Zoning Board of Appeals Meeting Minutes**  
**Tuesday, January 24, 2023 at 5:00 p.m.**  
**County Board Room**

**Members Present:** Don Metzler, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Thomas Ambrose, Nicholas Cohan

**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 13, 2022. George Ellis made a motion to approve. Seconded by Mary Goode. Voice-vote. All ayes. Motion approved.

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

Noelle Maxey, Zoning Coordinator, gave a brief overview of the zoning petition 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 one agenda item.

*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 Z23-0007** – Petition of Daniel Eckhardt, owner of record with Leann Eckhardt, requesting a variance as per §93.025, Section F, Item 11, Subsection (a) of the Madison County Zoning Ordinance in order to construct a pond that will be 140 feet from a dwelling on an adjacent lot instead of the required 250 feet. This is located in an “R-1” Single-Family Residential District in Fort Russell Township at **5353 N State Route 159, Edwardsville**, Illinois, County Board District #14, PIN# 15-1-09-26-03-301-004.001. A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Daniel Eckhardt be as follows: **Approved**. Roll-call vote. All ayes. **Motion passes**.

**I. Zoning Coordinator’s Report**

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

**J. Adjournment**

Nicholas Cohan made a motion to adjourn the meeting. Seconded by Cedric Irby. Voice-vote. All ayes. Motion passes. Meeting adjourned.

## **Finding of Fact and Recommendations**

### **Hearing Z23-0007**

Petition of Daniel Eckhardt, owner of record with Leann Eckhardt, requesting a variance as per §93.025, Section F, Item 11, Subsection (a) of the Madison County Zoning Ordinance in order to construct a pond that will be 140 feet from a dwelling on an adjacent lot instead of the required 250 feet. This is located in an "R-1" Single-Family District in Fort Russell Township at **5353 N State Route 159, Edwardsville, Illinois**, County Board District #14, PIN# 15-1-09-26-03-301-004.001

**Members Present:** Don Metzler, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Thomas Ambrose, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Daniel Eckhardt 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.** Daniel Eckhardt, owner of the subject property, stated that he is just wanting to have a little pond, approximately 200 feet by 200 feet, and about 10 feet deep; **VI.** George Ellis, ZBA Member, asked what the purpose of this pond is. Mr. Eckhardt said it is for his grandkids and neighbors to go fishing; **VII.** Cedric Irby, ZBA Member, asked if he has a construction company that is doing the pond work for him. Mr. Eckhardt said yes, and that he also has a project engineer; **VIII.** Chris Doucleff, Building & Zoning Department Administrator, asked for the name of the company. Mr. Eckhardt said he doesn't have the information with him, but the man's name is Kevin and he's from Staunton, Illinois; **IX.** Mr. Irby asked if he has a contract with him, and Mr. Eckhardt said yes, he does. Mr. Irby asked what made him just start the project without getting a permit. Mr. Eckhardt said he didn't realize they needed a permit. Mr. Irby asked if there will be a fence around the pond. Mr. Eckhardt said yes, there is a fence on the north side of the property that will stay in place. Mr. Irby asked if it will circle the entire pond, and Mr. Eckhardt replied that it won't.

Roll-call vote.

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

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator