

MINUTES

Zoning Board of Appeals
Thursday October 6, 2016
8:30 AM

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

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

Absent were Misters Koeller, Sedlacek and St. Peters.

1. **Call to Order – The Chairman, Michael Campbell, called the meeting to order at 8:30 a.m.**
2. **On-Site Meetings**
 - a. The ZBA conducted on-site public meetings at the location of the scheduled hearings. The ZBA reconvened in the Planning and Development Department Conference Room at 12:20 PM for motions and votes. See Findings of Fact for on-site summary.
3. **Motions and Votes**
 - a. Approval of August 4, 2016 minutes. Motion made by Loren Davis and seconded by Bob Dauderman to approve the minutes. Voice Vote. All Ayes. Motion approved.
 - b. New Business
 - i. Z16-0065 – Ethan Humbert. Motion made by John Janek and seconded by Bob Dauderman to approve. Voice Vote. All Ayes. Motion approved.
 - ii. Z16-0068 – Caine and Kara Kelso. Motion made by Bob Dauderman and seconded by Loren Davis to approve. Voice Vote. All ayes. Motion approved.
 - iii. Z16-0067 – Craig and Becky Furry. Motion made by Loren Davis and seconded by John Janek to approve with conditions. Voice Vote. All ayes. Motion approved.
 - iv. Z16-0069 – George and Vicky Ingram. Motion made by Michael Campbell and seconded by Bob Dauderman to approve. Voice Vote. All ayes. Motion approved.
 - v. Z16-0058 – Michael Murray. Motion made by John Janek and seconded by Loren Davis to approve. Voice Vote. All ayes. Motion approved.
 - vi. Z16-0070 – Charles Pomeroy. Motion made by Loren Davis and seconded by Bob Dauderman to approve. Voice Vote. All Ayes. Motion approved.
4. **Public Comment**
 - a. There was no public comment August 4, 2016.
5. **Planning Coordinator’s Report**
 - a. Derek Jackson informed the Zoning Board of Appeals that the next set of hearings will be November 3rd or December 1st depending on the volume of hearings.
6. **Adjournment**
 - a. Motion made by John Janek and seconded by Bob Dauderman to adjourn. Voice Vote. All ayes. Motion approved.

October 6, 2016

Finding of Fact and Recommendations

Mr. Michael Campbell, Chairman, called the meeting to order at 8:30 AM in the office of the Madison County Planning and Development Department.

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

Absent were Misters Koeller, Sedlacek and St. Peters.

The Board of Appeals, established by the Chairman and the Board of Supervisors and provided for under the terms of the Madison County Zoning Ordinance, 1963 and all subsequent amendments/revisions thereto does hereby submit the Reports and Recommendations on the following:

File #Z16-0065 – Ethan Humbert

File #Z16-0068 – Caine and Kara Kelso

File #Z16-0067 – Craig and Becky Furry

File #Z16-0069 – George and Vicky Ingraham

File #Z16-0070 – Charles Pomeroy

(Wood River Township)

(Alhambra Township)

(Pin Oak Township)

(Collinsville Township)

(Collinsville Township)

Finding of Fact and Recommendations

Z16-0065 - Petition of Ethan Humbert, applicant, and Steve Sweet, owner of record, requesting a Variance as per Article 93.031, Section (B), Item (7), of the Madison County Zoning Ordinance in order to build an addition to an existing building that will be 3 feet from the west property line instead of the required 10 feet. This is located in a B-3 Highway Business District in Wood River Township, more commonly known as **57 East Airline Drive, East Alton, Illinois PPN#19-2-08-15-16-401-005 (13)**

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

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing; IV. Ethan Humbert, applicant, stated that his auto body repair shop is seeking to expand by attaching a building addition to the existing structure. Mr. Humbert stated that the addition would be three (3) feet from the west property line instead of the required ten (10) feet. Mr. Humbert explained that the setback variance would allow him to use the east portion of the property to access behind the building. Mr. Hubert stated that he spoke to the adjoining property owner to the west, the the Rosewood Heights Fire District, and that they are in support of the request; V. Justin Wilkinson, Kyle Roverson, and Christopher White spoke on behalf of the Rosewood Heights Fire District, adjoining property owner to the west at 45 E. Airline Drive. The Fire District spoke in support of the request and submitted a letter of support for the record; VI. Wenona Gossett, adjoining property owner to the north at 82 E. Airline Drive, spoke in favor of the request; VII. The Board of Appeals notes for the record that the proposed variance request would be compatible with the surrounding area; VIII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; IX. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice Vote.

Ayes to the motion: Misters Campbell, Dauderman, Davis, and Janek.

Nays to the motion: None.

Absent: Misters Koeller, Sedlacek and St. Peters.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z16-0068 - Petition of Caine and Kara Kelso, owners of record, requesting a Variance, as per Article 93.052, Section (H) of the Madison County Zoning Ordinance in order to construct a metal accessory building on site. This is located in a "R-3" Single Family Residential District in Alhambra Township, more commonly known as **6527 Dauderman Rd. Alhambra,** Illinois PPN# 07-1-11-11-04-401-003.001 **(04)**

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

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing; IV. Caine Kelso, applicant and property owner, stated that he is seeking a variance in order to construct a metal accessory building in an "R-2" Single Family Residential District. Mr. Kelso stated that the subject property is three (3) acres in size, fitting the characteristics of the County's "A" Agriculture District which permits metal accessory structures; V. Roland Stoecklin, nearby property owner at 6512 Dauderman Road, spoke in favor of the request; VI. The Board of Appeals notes for the record that the proposed variance request would be compatible with the surrounding area; VII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; VIII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice Vote.

Ayes to the motion: Misters Campbell, Dauderman, Davis, and Janek.

Nays to the motion: None.

Absent: Misters Koeller, Sedlacek and St. Peters.

Where upon the Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0067 - Petition of Craig and Becky Furry, owners of record, requesting a Variance as per Article 92.023, Section (B), Item (2) of the Madison County Zoning Ordinance in order to construct an addition to an existing dwelling that will be 31 feet from the east property line instead of the required 50 feet. This is located in an Agricultural District in Pin Oak Township, more commonly known as **9256 Pin Oak Road, Edwardsville, Illinois PPN#10-1-16-15-00-000-017 (11)**

A **motion** was made by Mr. Davis and seconded by Mr. Janek that the petition of Craig and Becky Furry be as follows: I. That the variance request is granted; II. The applicant shall submit a 'Finished Construction' Flood Elevation Certificate within thirty (30) days after the new construction has been completed, confirming that the top of the Finished Floor (lowest) Elevation is a minimum of two (2) feet above the Base Flood Elevation (BFE).

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing; IV. Craig Furry, applicant and property owner, stated that he is seeking to construct an addition to his property that would be 31 feet from the east property line instead of the required 50. Mr. Furry stated that he and his wife moved to the property two years ago and have four children in a three bedroom home. Mr. Furry stated that his mother who is 88 years old will be moving in with the family in the near future, furthering their need for extra living space. Mr. Furry stated that he is seeking to build towards the east due to a physical restriction of the subject property being located entirely within floodplain. Mr. Furry stated that the addition would be located away from Silver Creek, which is located on the western portion of the property; V. Marvin Furry, adjoining property owner to the south at 9262 Pin Oak Road, spoke in support of the request; VI. Kay Weis, property owner to the east at 8926 State Route 143, spoke in support of the request; VII. The Board of Appeals notes for the record that the proposed variance request would be compatible with the surrounding area; VIII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; IX. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice Vote.

Ayes to the motion: Misters Campbell, Dauderman, Davis, and Janek.

Nays to the motion: None.

Absent: Misters Koeller, Sedlacek and St. Peters.

Where upon the Chairman declared the motion duly adopted.

Finding Of Fact and Recommendations

Z16-0069 - Petition of George and Vicky Ingraham, owners of record, requesting a variance as per Article 93.052, Section (H) of the Madison County Zoning Ordinance in order to construct a metal accessory building in an R-2 Single Family Residential District. This is located in Collinsville Township, more commonly known as **230 S. Wilson Heights, Collinsville, Illinois PPN#13-2-21-13-02-202-015 (29)**

A **motion** was made by Mr. Campbell and seconded by Mr. Dauderman that the petition of George and Vicky Ingraham be as follows: "Granted."

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing; IV. George Ingraham, applicant and property owner, stated that he is seeking a variance in order to locate a new metal accessory building in an "R-2" Single Family Residential District. Mr. Ingraham stated that the garage would be for personal use and storage in order to make space in the existing garage attached to the dwelling; V. Mark Leonard, nearby property owner of 119 David Drive, stated that he is an attorney representing himself and various clients. Mr. Leonard inquired about the design of the structure. Mr. Ingraham replied that the structure will be a Morton, steel-framed building with color and trim that match the dwelling and a brown roof. Mr. Leonard stated that there are multiple variances within the subdivision. Chairman Campbell asked Mr. Leonard to clarify his comment. Mr. Leonard stated that there are illegal businesses within the neighborhood in accessory structures. Chairman Campbell informed Mr. Leonard that he would need to call the Planning and Development Department to file a complaint regarding the business activity, and that the subject hearing is in regard to Mr. Ingraham having a metal structure in an "R-2" District for personal use only. Mr. Leonard inquired if the new garage would involve a new entrance along S. Wilson Heights Road. Mr. Ingraham stated that he will utilize his existing driveway entrance only; VI. The Board of Appeals notes for the record that the proposed variance request would be compatible with the surrounding area; VII. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; VIII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice Vote.

Ayes to the motion: Misters Campbell, Dauderman, Davis, and Janek.

Nays to the motion: None.

Absent: Misters Koeller, Sedlacek and St. Peters.

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z16-0070 - Petition of Charles Pomeroy, owner of record, requesting a Variance as per Article 93.051, Section (A), Item (3), Sub (c) of the Madison County Zoning Ordinance in order to construct an accessory building in a front yard setback area of a corner lot. Also, a Variance as per Article 93.096 in order to construct a swimming pool in the front yard setback area of a corner lot. Also, a Variance as per Article 93.080, Section (E) in order to construct a six (6) foot tall solid board fence in the front yard setback of a corner lot. This is located in an R-1 Single Family Residential District in Collinsville Township, more commonly known as **2203 Wildwood Drive, Glen Carbon, Illinois PPN#13-2-21-03-01-101-015 (25)**

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

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing; IV. Sherry Hackworth spoke on behalf of the applicant and property owner. Ms. Hackworth stated that Mr. Pomeroy installed an above ground swimming pool and accessory structure on the property not knowing the setback or permit requirements. Ms. Hackworth stated that both improvements are located behind the established building line, but because they are on a corner lot they are technically in the front yard setback area. Ms. Hackworth stated that she was informed by the swimming pool installers, Mr. B's, that all the permits were handled, which they later found out was not true; V. JoAnn Delaney, nearby property owner of 2236 Wildwood Drive, inquired if the applicants are proposing to add new structures or swimming pools to the property. Chairman Campbell explained to those in attendance that the subject variance is an administrative correction for the applicants and that no new improvements are proposed as the accessory structure and swimming pool are existing on site. Ms. Delaney stated that she has no opposition to the request; VI. Barbara Kinnison, adjoining property owner to the west at 6037 State Route 162, inquired if the accessory building would be used as a residence. Ms. Hackworth stated that the structure would be used for storage only. Ms. Kinnison stated no opposition to the request; VII. A letter of support was received from Kurt Graf, nearby property owner at 2211 Wildwood Drive; VIII. The Board of Appeals notes for the record that the proposed variance requests would be compatible with the surrounding area; IX. The Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; X. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice Vote.

Ayes to the motion: Misters Campbell, Dauderman, Davis, and Janek.

Nays to the motion: None.

Absent: Misters Koeller, Sedlacek and St. Peters.

Where upon the Chairman declared the motion duly adopted.