

**Madison County Zoning Board of Appeals Meeting Minutes**  
**Tuesday, December 12, 2023 at 5:00 p.m.**  
**County Board Room**

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

**Members Absent:** 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 November 28, 2023. Mary Goode made a motion to approve. Seconded by George Ellis. Voice-vote. All ayes. Motion approved.

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

Jen Hurley, Zoning Coordinator, gave a brief overview of the two 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 Z23-0076** – Petition of Eric DeMange, owner of record with Amy DeMange, requesting a Special Use Permit as per §93.023, Section D, Item 40 of the Madison County Zoning Ordinance in order to have an Agritourism Operation on site. This is located in an “A” Agricultural District in St. Jacob Township **along Cypress Road, St. Jacob**, Illinois, County Board District #4, PIN#s 05-1-23-17-00-000-016 & 05-1-23-20-00-000-002. A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Eric DeMange be as follows: **Approved with Conditions.** Roll-call vote. All Ayes. **Motion passes.**
2. **Hearing Z23-0077** – Petition of 4 Your Stuff Storage, LLC, owner of record, requesting a zoning map amendment to rezone the approximately 6.25 and 1.00 acre tracts of land from “B-3” Highway Business District to “B-4” Wholesale Business District. This is located in Chouteau Township at **1 Essenpreis Lane & 11 Essenpreis Lane, Granite City**, Illinois, County Board District #21, PIN#s 18-2-14-33-01-101-009 & 18-2-14-33-01-101-007. A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of 4 Your Stuff Storage, LLC be as follows: **Approved.** Roll-call vote. All Ayes. **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 Z23-0076**

Petition of Eric DeMange, owner of record with Amy DeMange, requesting a Special Use Permit as per §93.023, Section D, Item 40 of the Madison County Zoning Ordinance in order to have an Agritourism Operation on site. This is located in an "A" Agricultural District in St. Jacob Township along Cypress Road, St. Jacob, Illinois, County Board District #4, PIN#s 05-1-23-17-00-000-016 & 05-1-23-20-00-000-002

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

**Members Absent:** Sharon Sherrill

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

1. This Special Use Permit is granted for the sole usage of Eric DeMange. Any change of ownership/tenant will require a new Special Use Permit to operate the same types of businesses.
2. The Agritourism Operation must meet the requirements listed in §93.105 AGRITOURISM of the Madison County Zoning Ordinance.
3. The owner shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permits will cause revocation and immediate removal of the use will be required.

**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.** Eric DeMange, applicant, stated that he currently operates a pumpkin patch and corn maze with a few festivities on the property, and has been doing it for about 5 years. He said he was unaware that he needed a Special Use Permit; **VI.** Cedric Irby, ZBA Member, asked Mr. DeMange to give him an idea of how large these events are. Mr. DeMange said he operates mainly on the weekends and the holiday in October. He said these are both 30-acre tracts, and about 30 acres of the total 60 are used for this. He said they have a parking lot off the road, a stand and area to display pumpkins, a pumpkin patch where people go out and pick their own pumpkins, and a corn maze on the back side of the property; **VII.** Mr. Irby asked how the traffic interferes with the other properties there. Mr. DeMange said most people would come in from the east on Cypress and pull in right at the corner, and the parking lot is right there. He said they probably have on average 10 cars an hour, so the roads are more than ample. He said they drive farming equipment up and down those roads so they are plenty wide to handle it; **VIII.** Nick Cohan, ZBA Member, asked how many parking spaces there are. Mr. DeMange said there is approximately 5-7 acres of grass in their parking area, so there's plenty. Mr. Cohan noted that Relleke Farms has something similar with a pumpkin patch; **IX.** Mr. Irby asked if there is alcohol served there, and if this is for families. Mr. DeMange said this is a family event. He said they are open from 10 till 6, and on Saturday evenings they do go later in the night for their night maze. Mr. DeMange said there are no alcohol sales, just soda and chips and food. Mr. Irby asked how late they are open. Mr. DeMange said on Saturday evenings the night maze stays open till 10; **X.** Mr. Irby asked if the neighbors have complained about too much noise or too much traffic. Mr. DeMange said this year they did not have any complaints. He said last year they had a dust issue because it was so dry, but they did all they could to deal with it; **XI.** Jen Hurley, Zoning Coordinator, read aloud the following two letters of opposition that were submitted for the record: (1) "I live directly across the road from these events at 1152 Cypress Road and I'm glad you ask! I would like to see the Special Use Permit denied at this location for the following reasons. Traffic out here in the country drastically increases during the pumpkin and sunflower events. The traffic, dust and noise generated by these events takes place 3 to 4 months out of the year. In addition to the daytime traffic, during the weekend night events we hear live bands playing, other loud music and shouting. After the events we always find bottles, cans and other trash when we mow the area across from the events. We moved out here 37 years ago to the country for peace and quiet. We no longer experience that for 3 to 4 months of the year because of these events. It's stressful, even more so for seniors. In addition to the noise and traffic, we get the rain

runoff from the owner's fields. The water flows across Cypress Road into our lake during heavy rainstorms. This results in pollution from pesticides and silt flowing into our lake continually. We have noticed the silt is building up in the lake much more quickly. We believe the cars and foot traffic from these events packs down the dirt in the field even more and results in even more polluted water flowing into our lake. Our poor neighbors across the street get the brunt of the noise, dust and traffic. Their property borders the events and is very close to the noise. They have expressed concern that their racehorses are going to spook during these events and break through the fences and hurt themselves and/or people at the events. These horses are expensive high strung racehorses and the noise is stressful for them. It would have been to everyone's advantage if the owners had talked to the neighbors and considered their concerns before they moved their events to the current location. These loud noisy events should be held in another location, far away from houses for the reasons stated above. Patricia Hutt 1152 Cypress Rd Saint Jacob IL 62281"; (2) "We have bred, raised, trained and raced Illinois thoroughbreds at our farm at 1165 Cypress Road for over 40 years. We are licensed by the Illinois Racing Board and participate in the Illinois Thoroughbred Breeders and Owners Foundation and are also members of the Illinois Horsemen's Benevolent and Protective Association and the Illinois Farm Bureau. We are opposed to this Agritourism permit which now borders the horse fence line of our property. This Agritourism business has been operating for the past several years in the general vicinity. In the past it was not as close to our fence line but due to the increased traffic we added solar fencing and tried to plant trees along the fence line to provide a barrier for the safety of our racehorses and their customers. There is also some runoff where trenches were dug to divert the water from their dirt road to our property and across Cypress Road and into the lake of the owner across the street. This year the fair-like business operated two or three days a week starting in July and ending in November. There were events with 15-50 cars most weekends with cars in and out during the day and evening. There were tents, inflatable slides, and bounce houses. At times, the traffic caused a good deal of dust and noise. The activities ranged from fair food, night-time movies, sunflower and pumpkin picking, tarot card reading, axe throwing, bonfire rentals, hay rides, glow mazes. There was screaming and yelling noise from the various events and music. Also, there was loud band music for Rocking the Corn Maze night. As a result of these activities, we did not feel comfortable bringing our race horses to the farm for layup and time off between their races. Sadly, our family does not want to visit and enjoy our property because of all of the activity going on along our fence line on two sides of our property. In addition to our farm operation concerns, we believe these types of activities reduce our neighborhood property values and our privacy as rural farm owners. Rural property owners and horse farmers like us live here because we value the privacy and quiet atmosphere and do not like the traffic and noise from these types of events. The numerous vehicles in and out significantly increase the traffic and safety on our quiet rural roads. We thank you for giving us a voice in this matter. In addition to the above concerns, we have attached a list of zoning questions so that we can assess our options. Should you have any questions, please contact us. Thank you very much for your time. Respectfully, Diane and Brian LaMew 1165 Cypress Road St. Jacob." Ms. Hurley also read aloud the list of questions that accompanied the letter and gave a brief response to each as follows: Question 1 "If the Zoning Board decides to grant the permit, can the business be moved farther away from our property line / horse farm fence line or perhaps to another location?" Ms. Hurley said all structures, buildings, storage areas, etc. just have to be setback a minimum of 50 feet from the property line; Question 2 "How far from the adjoining owner's property line/horse farm fence line must a business such as this be located?" Ms. Hurley reiterated that it's a 50-foot setback; Question 3 "What are the zoning rules relating to roads and parking? How far must roads be located from property lines/fence lines?" Ms. Hurley said that the Building and Zoning Department doesn't have restrictions on the traffic and roads as far as zoning rules go. She said the applicant has addressed the parking; Question 4 "What is the duration of the permit and are there any limits on how many months, days, or hours the business can operate?" Ms. Hurley said the Agritourism section of the Zoning Ordinance does address these. She said the duration of the permit, if granted, would be indefinite unless ownership would change. Ms. Hurley said the hours of operation for Agritourism are 7 a.m. to 7 p.m. Monday through Sunday; Question 5 "What are the rules for food, alcohol, music, and portable toilets?" Ms. Hurley said the same section of the Ordinance addresses the food. She said sale and preparation of the food onsite is permitted in accordance with the food sanitation program. Ms. Hurley said the sale of alcohol on site is permitted in conjunction with a restaurant or concessions with a valid Class A liquor license. She said outdoor music is permitted and must adhere to the Madison County Noise Pollution Act. She said that portable toilets would be permitted there on site;

**XII.** Thomas Ambrose, ZBA Member, asked Mr. DeMange if he has talked to the other property owners around him. Mr. DeMange said just briefly this summer there was a little bit of concern, but as of this fall there were no concerns brought to him about this; **XIII.** Mary Goode, ZBA Member, asked if this is a family-owned property. Mr. DeMange said his parents live in St. Jacob and his dad has farmed his whole life. Mr. DeMange said he went to school, graduated college, moved back to the farm, and in order to keep his spot on the farm, started raising a lot of produce. He said his dad,

grandparents and the rest of the family have had a produce stand at another location that they provide produce for, and they have had pick-your-own strawberries at the farm. Ms. Goode asked how many acres he has. Mr. DeMange said he owns 400 acres that they farm. Ms. Goode asked if he farms for other people also, and he said yes. Ms. Goode asked if he is just trying to make this portion of the farm profitable. Mr. DeMange said yes, he now has 2 kids and they have also expressed interest in the farm. He said this is an avenue here that is close to population, where people enjoy coming out to the farm. He said they are more than willing to share that experience and are more than happy to have the public come out and educate them and give this experience to their families. Ms. Goode asked how long they have had the strawberry patch. Mr. DeMange said they did that for about 10 years. Ms. Goode asked if he ever had any problems or if anyone ever said anything about that. Mr. DeMange said no. Ms. Goode said that this sounds like just a progression of what he's always been doing, but just expanding on it for his family's future. Mr. DeMange agreed; **XIV**. Mr. Ambrose asked if this is just a summertime operation. Mr. DeMange said they raise sunflowers out there for pictures starting in late August/September, and then it progresses into the pumpkins and corn maze; **XV**. Mr. Irby asked Mr. DeMange what his thoughts are on the neighbors' concerns. Mr. DeMange said they aren't there to make a big ruckus. He said they stay on their property and will make sure they respect the rules going forward. He said he has 60 acres there and he has to pay for the whole 60 acres, so he plans on using it; **XVI**. Mr. Irby asked Mr. DeMange if he can keep the music down and work on the dust. Mr. DeMange said yes, there was finally a little bit of moisture this fall and he couldn't have been happier with their dust control; **XVII**. Ms. Goode said that going forward, he will have to reduce his hours to 7:00. Mr. DeMange said yes, that had been discussed and he is aware; **XVIII**. Diane LaMew, neighboring property owner at 1165 Cypress said that Mr. DeMange has his business located on two sides of their fence line. Ms. LaMew said the 60 acres that he has talked about is down from where his parents' farm is. She said he recently purchased the 60 acres and this is something new, because they have been there 40 years and they've never had any problems. She said they love the farm and they don't want to cause any trouble, but it's just a little too much. Ms. LaMew said it's a lot of commotion and a lot of traffic, and decreases their property value as well as limiting them on what they want to do with their animals. She said they have raised horses there for 40 years, and now they are afraid to bring them home from the racetrack in between their races. She said they are high strung, and if they go through the fence or hurt somebody, they are liable for that. Ms. LaMew said they tried to put up solar fencing and they tried to grow trees for the past 3 years, because before it wasn't that close to them. She said that didn't work out because with their spraying and cutting, it didn't allow any of that to take place. She said it really is limiting them and they don't want to cause problems, but with him having so much property, they wonder why it has to be so close to their fence line. Ms. LaMew said they don't think he's doing anything bad, but there are so many homes there and their little road gets a lot of traffic and it's difficult sometimes. Ms. LaMew's husband said they have a small road right next to the fence that goes all the way north and south, and they've got the pumpkins right there, so you've got wagons coming by with kids and people loading and working. He said on the north side there is more parking area, and the northwest side is where the corn maze was. He said one day Mr. DeMange had a big sprayer out there spraying the field, and when he turned sideways he went right along the edge of his property. Mr. LaMew said he had planted some trees there, and it killed two of the pear trees immediately, and turned the apple trees black the next day. He said you can deal with wind and dust, but you can't deal with that kind of stuff; **XIX**. Ms. Goode asked if their tract for the horses is right next to the fence. Ms. LaMew said they go to Fairmount Park to train their horses, and what they have is just pasture land and places for them to run so that after they race, it gives them a chance to run and play. Ms. Goode asked how many acres they have for their horses, and how many horses they have that come out there at a time. Ms. LaMew said they have 10 acres and are down to just 4 horses. Ms. Goode said it seems like it's an issue that could be easily worked out. Ms. LaMew said they have all been there a long time and they don't wish any problems on anybody, but it is causing an issue; **XX**. Mr. Irby asked Ms. LaMew to describe what works for her. Mr. LaMew said if he could move it further back it would help a lot. Mr. LaMew said that Mr. DeMange planted pumpkins a couple months ago, and right now there are between 5,000 to 10,000 pumpkins out there just laying there. He said he doesn't know what's going on with it, but it's not a very pretty sight to see them rotting out there in the field; **XXI**. Mr. Cohan asked if they are asking that Mr. DeMange stops farming close to their property. Mr. LaMew said no. Ms. LaMew said they never had a problem with the farm itself and the equipment. She said when you're sitting out back and you've got people picking pumpkins and running around, it makes it tough. She said racehorses are sensitive and can react to that, but they've tried to counter it by adding some better fencing. Ms. Goode said it appears to her that 4 horses on ten acres have plenty of room to get away from that fence line. Ms. LaMew said she thinks for this little area they are in, there's a lot of houses and a lot of people out there that enjoy the quiet, peaceful countryside; **XXII**. Anne Matthews, Operations Manager for the pumpkin patch, said that Mr. DeMange is a fantastic farmer. She said that she deals with a lot of the data. Ms. Matthews said the pumpkin patch is open about 18 days out of the year. She

said overall the farm operation was open for 41 days this year out of the 365, which is about 9% of the year. Ms. Matthews said this is the most days they have ever been open, with last year being 37 days, and 34 days the year prior to that. She said an exception that may not be included in those numbers are the Ag Education with school kids and CEO kids and Farm Bureau and 4H kids that come out and take special field trips throughout the year. She said most of the 40-ish days they are open is just for 5 or 6 hours for the day. Ms. Matthews said they were open 5 Saturday nights the entire year until 10 p.m. She said they were certified by the Madison County Health Department after an inspection as far as having food. She said they have never had a license for alcohol sales and don't plan on doing that. Ms. Matthews said Mr. DeMange farms, they invite people out, and they want to educate people and continue this legacy for Mr. DeMange's children and for her children; **XXIII**. Mr. Cohan asked if the days they are open are spread out throughout the entire year or if there is a certain season. Ms. Matthews said it is certain seasons. She said sunflowers are a very short season, maybe 2 or 3 weeks of peak bloom. She said they are open maybe 10 of those days depending on weather. She said pumpkin season is typically from that last week in September until Halloween. Ms. Matthews said they were open a handful of days in August, the last part of September, and October, and that's it. She said the rest of the time it's corn or beans or whatever happens to be in that rotation at the time; **XXIV**. Mr. Irby asked if it would affect the business very much if they moved away from that property line. Ms. Matthews said it's a matter of how far do they want to invite people to drive through these farm fields. She said they have to be able to get people in and out of there in a logical manner. She said the pumpkin patch does go very close to their fence line, but that is not really the portion that is open to the public. Ms. Matthews said there are wagons that go through there occasionally because they do pick for selling out of there, but the majority of it is in the back part of that or next to other fields. She said they are well off the required space to be and will continue to make sure that they keep all of those setbacks in there. She said she's just not sure it's practical because they have to farm the rest of that ground. Ms. Matthews said the longer they are pushing people back in there is loss of yield; **XXV**. Paige Langenhorst, Manager for Madison County Farm Bureau, said she was here to represent Madison County Farm Bureau as well as Illinois Farm Bureau. She said the Madison County Farm Bureau Board of Directors has recently passed a policy in support of all agritourism in Madison County. She said agritourism is a huge economic development piece for Madison County, and they have the DeManges, Rinkels, Rellekes, and they want to support all of that. Ms. Langenhorst said Madison County Farm Bureau and Illinois Farm Bureau strongly supports consumer education and ag education. She said that is what DeMange Farms is offering here, which is an opportunity to get the education to the general consumer but also just to anybody and everybody that's interested in coming out and picking their Halloween pumpkins or whatever. Ms. Langenhorst said to address the comments about the pumpkins currently out there rotting in the field, those serve as a major fertilizer for the land. She said it's not out in the landfill producing methane or bad gasses, but it is fertilizing the soil, and it's her experience that those pumpkins will be worked into the soil eventually. She said addressing the pesticide issues, it sounds to her like this could be worked out neighbor to neighbor. Ms. Langenhorst said knowing the DeManges and how they farm, and knowing that the LaMews are also Farm Bureau members, it is her experience that this could be worked out neighbor to neighbor and hopefully this offers the opportunity for that avenue to be open and for that to be worked out so everybody is satisfied and both industries can continue profiting themselves and operating however they please; **XXVI**. Mr. Irby asked if pesticides are killing the neighbors' trees, what is the Farm Bureau's suggestion? Ms. Langenhorst said trees have to be planted so far off of property lines, and all the pesticides that farmers use are EPA regulated. She said there are certain setbacks for certain chemicals, but to her experience and knowledge, the DeManges are operating within those means. She said it would have to be externally investigated if it were a true issue.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, 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 Z23-0077**

Petition of 4 Your Stuff Storage, LLC, owner of record, requesting a zoning map amendment to rezone the approximately 6.25 and 1.00 acre tracts of land from "B-3" Highway Business District to "B-4" Wholesale Business District. This is located in Chouteau Township at 1 Essenpreis Lane & 11 Essenpreis Lane, Granite City, Illinois, County Board District #21, PIN#s 18-2-14-33-01-101-009 & 18-2-14-33-01-101-007

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

**Members Absent:** Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of 4 Your Stuff Storage, LLC 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.** Chris Korte, owner of 4 Your Stuff Storage, LLC, said that he and his wife own the property there and are trying to rezone. He said the only reason they are doing that is that right now, the vendors that are part of the flea market that operates there, are also storing their belongings there and on the weekends they open up their units and that's how they vend. Mr. Korte said in 2017 they sold the property next to it (which was also storage and flea market) as a storage facility, and built this one right next to it for just the flea market. He said now they would like to rezone that to the same zoning they had before when they were operating close to 15 years there; **VI.** Cedric Irby, ZBA Member, asked Mr. Korte if he has had any conversations with the neighbors about this. Mr. Korte said there's only one close residential neighbor, and they've been operating there since 2004 and never had anything opposing it from anybody; Mary Goode, ZBA Member, commented that she has been to the facility and it seems to always be well taken care of.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, 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