

Madison County Zoning Board of Appeals Meeting Minutes
Tuesday, December 8, 2020 at 5:00 p.m.
Virtual Meeting via GoToMeeting & In-Person in the County Board Room

Members Present: Don Metzler, Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Sharon Sherrill

Members Absent: None.

A. Call to Order

Don Metzler called the meeting to order at 5:00 p.m. and conducted roll call.

B. Approval of Minutes

Chairman Metzler asked for a voice vote approving the meeting minutes from November 24, 2020. All ayes. Motion approved.

C. Overview of Zoning Petitions and Staff Review

Breana Buncher, Planning Coordinator, gave a brief overview of the three zoning petitions and provided staff review.

D. Explanation of Zoning Hearing Procedures and Swearing in of All Parties

Don Metzler explained hearing procedures to meeting attendees and swore in staff members and all parties wishing to address the Board.

E. Zoning Hearings

The Zoning Board of Appeals conducted the zoning hearings on the three 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 Z20-0068– Petition of Donald and Sharon Albrecht, owners of record, 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 Omphgent Township at 8307 Albrecht Road, Staunton, Illinois, County Board District #3, PIN# 12-1-04-23-00-000-004. A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of Donald and Sharon Albrecht be as follows: **Approved with conditions**. Roll-call vote. **Ayes** to the motion: Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Sharon Sherrill. **Nays** to the motion: None. Motion passes.
2. Hearing Z20-0070 – Petition of Kyle Marsh, owner 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 an existing single-family dwelling that will be 13 feet from the east property line instead of the required 50 feet. This is located in an “A” Agricultural District in Foster Township at 3345 Seiler Road, Bethalto, Illinois, County Board District #5, PIN# 20-2-02-14-00-000-017. A **motion** was made by George Ellis and **seconded** by Thomas Ambrose that the petition of Kyle Marsh be as follows: **Approved**. Roll-call vote. **Ayes** to the motion: Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Sharon Sherrill. **Nays** to the motion: None. Motion passes.
3. Hearing Z20-0071– Petition of Roger Yon, owner of record, requesting a Special Use Permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue placement of a double-wide mobile home on site for the occupancy of Roger Yon for a period not to exceed 5 years. This voids SUP Z15-0067. This is located in an “R-4” Single-Family Residential District in Wood River Township at 1337 2nd Street, Cottage Hills, Illinois,

County Board District #13, PIN# 19-2-08-03-04-404-026. A **motion** was made by George Ellis and **seconded** by Sharon Sherrill that the petition of Roger Yon be as follows: **Approved**. Roll-call vote. **Ayes** to the motion: Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Sharon Sherrill. **Nays** to the motion: None. Motion passes.

I. Planning Coordinator's Report

None.

J. Adjournment

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

Finding of Fact and Recommendations

Hearing File Z20-0068

Petition of Donald and Sharon Albrecht, owners of record, 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 Omphgent Township at 8307 Albrecht Road, Staunton, Illinois, County Board District #3, PIN# 12-1-04-23-00-000-004

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

Members Absent: Nicholas Cohen

A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of Donald and Sharon Albrecht be as follows: **Approved with conditions.**

1. This Special Use Permit is granted for the sole usage of Donald and Sharon Albrecht.
2. The owner shall keep the property in compliance with all Madison County Ordinances, including but not limited to §93.105 Agritourism in the Madison County Zoning Ordinance.
3. The owner shall apply for an amendment to this Special Use Permit for any future alterations, modifications, or expansion of the use.
4. If the owner fails to comply with the conditions of the Special Use Permit, the Special Use Permit may be revoked and immediate removal of the use will be required.

The Finding of Fact of the Board of Appeals: **I.** The zoning file, Comprehensive Plan, 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.** Sharon Albrecht, applicant, stated that they submitted an application in order to have an agritourism business because they would like to put a small guest cabin on their farm for 2-3 people by reservation only. Mrs. Albrecht said they aren't planning anything major, but would like to have the cabin for the use; **VI.** George Ellis, ZBA member, asked if the cabin was purchased already or if they would build it, and Mrs. Albrecht stated that they had not, that they wanted the SUP to be approved first. Donald Albrecht said that the cabin will be prefabricated framework, and they will finish the inside of it with a small kitchen, plumbing, etc.; **VII.** Mr. Albrecht discussed research she conducted on leisure economy and that they wanted to do the cabin as a retirement project; **VIII.** Mary Goode, ZBA member, asked if they were wanting to do more cabins if it was successful, and Mrs. Albrecht said that it wasn't their plan. A discussion ensued about how much money is anticipated from the agritourism business.

Roll-call vote.

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

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 File Z20-0070

Petition of Kyle Marsh, owner 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 an existing single-family dwelling that will be 13 feet from the east property line instead of the required 50 feet. This is located in an "A" Agricultural District in Foster Township at 3345 Seiler Road, Bethalto, Illinois, County Board District #5, PIN# 20-2-02-14-00-000-017.

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

Members Absent: Nicholas Cohen

A **motion** was made by George Ellis and **seconded** by Thomas Ambrose that the petition of Kyle Marsh be as follows:
Approved.

The Finding of Fact of the Board of Appeals: **I.** The zoning file, Comprehensive Plan, 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.** Kyle Marsh, applicant, said they are planning to extend the eastern side of the house by 25' in order to incorporate a two car garage and it will leave 13' between the end of the garage and the property line. Mr. Marsh said that he submitted consent from his next door neighbor on the variance. Mr. Marsh said that he wants to convert the existing garage into a family room.

Roll-call vote.

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

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 File Z20-0071

Petition of Roger Yon, owner of record, requesting a Special Use Permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue placement of a double-wide mobile home on site for the occupancy of Roger Yon for a period not to exceed 5 years. This voids SUP Z15-0067. This is located in an “R-4” Single-Family Residential District in Wood River Township at 1337 2nd Street, Cottage Hills, Illinois, County Board District #13, PIN# 19-2-08-03-04-404-026

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

Members Absent: Nicholas Cohen

A **motion** was made by George Ellis and **seconded** by Sharon Sherrill that the petition of Roger Yon be as follows: **Approved with conditions.**

1. This Special Use Permit is granted for the sole usage of Roger Yon and family for a period not to exceed five (5) years, but may be extended either through an amendment to this Special Use Permit or through an administrative review process, if qualified, as long as Roger Yon and family occupy the structure, notwithstanding any violations, nuisance, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new Special Use Permit once Roger Yon and family vacate the structure.

The Finding of Fact of the Board of Appeals: **I.** The zoning file, Comprehensive Plan, 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.** Roger Yon, applicant, said that the request has been summed up, and he doesn’t know what else to say; **VI.** George Ellis, ZBA member, asked how long he had been living in the mobile home, to which Roger Yon stated that he has lived there for about a year.

Roll-call vote.

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

Nays to the motion: None

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator