

Madison County Zoning Board of Appeals Meeting Minutes
Tuesday, February 21, 2023 at 5:00 p.m.
County Board Room

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

Members Absent: 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 January 24, 2023. Cedric Irby made a motion to approve. Seconded by George Ellis. Voice-vote. All ayes. Motion approved.

C. Overview of Zoning Petitions and Staff Review

Noelle Maxey, Zoning Coordinator, gave a brief overview of the five 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 five 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 Z23-0001** – Petition of Ana K. Flores Garcia, owner of record with Gloria Flores Garcia, 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 single-wide mobile home on site for the occupancy of Ana K. Flores Garcia and Gloria Flores Garcia for a period not to exceed 5 years. This is located in an “R-4” Single-Family Residential District in Nameoki Township at **3214 Yale Avenue, Collinsville**, Illinois, County Board District #16, PIN# 17-2-20-36-03-302-033. A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Ana K. Flores Garcia and Gloria Flores Garcia be as follows: **Approved with Conditions**. Roll-call vote. All ayes. **Motion passes**.
2. **Hearing Z23-0012** – Petition of Dustin Voegele, owner of record with Ann Corcoran, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a new single-family dwelling that will be 30 feet from the north property line instead of the required 50 feet. This is located in an “A” Agricultural District in Marine Township at **10247 Gilomen Road, Marine**, Illinois, County Board District #4, PIN# 06-1-17-08-00-000-007.002. A **motion** was made by Sharon Sherrill and **seconded** by Cedric Irby that the petition of Dustin Voegele be as follows: **Approved**. Roll-call vote. All ayes. **Motion passes**.
3. **Hearing Z23-0013** – Petition of Quentin Downing, applicant on behalf of Frances Shirrell, owner of record, requesting a variance as per §93.023, Section B, Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to subdivide the property into two lots, with one lot having only 25 feet of property width at the front yard setback line instead of the required 150 feet. This is located in an “A” Agricultural District in

Foster Township at **2258 Seiler Road, Alton**, Illinois, County Board District #5, PIN# 20-1-02-16-00-000-014.006. A **motion** was made by George Ellis and **seconded** by Sharon Sherrill that the petition of Quentin Downing and Frances Shirrell be as follows: **Approved**. Roll-call vote. All ayes. **Motion passes**.

4. **Hearing Z23-0014** – Petition of Nicole Peacher, owner of record, requesting a Special Use Permit as per §93.025, Section G, Item 20 of the Madison County Zoning Ordinance in order to keep goats and chickens on site and a variance in order to have 10 chickens instead of the maximum 5 allowed. This is located in an “R-3” Single-Family Residential District in Foster Township at **4767 Fosterburg Road, Alton**, Illinois, County Board District #5, PIN# 20-1-02-14-03-305-006. A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Nicole Peacher be as follows: **Approved with Conditions**. Roll-call vote. All ayes. **Motion passes**.

5. **Hearing Z23-0015** – Petition of Joshua Vaughan, owner of record with Sarah Vaughan, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a new single-family dwelling that will be 40 feet from the north and south property lines instead of the required 50 feet. This is located in an “A” Agricultural District in Helvetia Township at **13261 Lee Road, Trenton**, Illinois, County Board District #1, PIN# 01-2-24-34-00-000-031. A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Joshua Vaughan 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

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

Finding of Fact and Recommendations

Hearing Z23-0001

Petition of Ana K. Flores Garcia, owner of record with Gloria Flores Garcia, 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 single-wide mobile home on site for the occupancy of Ana K. Flores Garcia and Gloria Flores Garcia for a period not to exceed 5 years. This is located in an "R-4" Single-Family Residential District in Nameoki Township at **3214 Yale Avenue, Collinsville**, Illinois, County Board District #16, PIN# 17-2-20-36-03-302-033

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

Members Absent: Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Ana K. Flores Garcia and Gloria Flores Garcia be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Ana K. Flores Garcia and Gloria Flores Garcia 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 Ana K. Flores Garcia and Gloria Flores Garcia 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 Ana K. Flores Garcia and Gloria Flores Garcia vacate the structure.

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.** Gloria Flores Garcia, owner of the subject property, was present; **VI.** Mary Goode, ZBA Member, asked Ms. Garcia if she owns the lot and the mobile home. Ms. Garcia said yes, she and her sister are the owners. Ms. Goode asked if there are restrictions on the mobile home in that neighborhood. Chris Doucleff, Building & Zoning Department Administrator, said no, there are no restrictions in State Park.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, 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 Z23-0012

Petition of Dustin Voegele, owner of record with Ann Corcoran, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a new single-family dwelling that will be 30 feet from the north property line instead of the required 50 feet. This is located in an "A" Agricultural District in Marine Township at **10247 Gilomen Road, Marine**, Illinois, County Board District #4, PIN# 06-1-17-08-00-000-007.002

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

Members Absent: Nicholas Cohan

A **motion** was made by Sharon Sherrill and **seconded** by Cedric Irby that the petition of Dustin Voegele and Ann Corcoran 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.** Dustin Voegele, owner of the subject property, said they are asking for this variance so they can keep the original house until the new house is done and not affect their farming operation, which surrounds the entire house; **VI.** Thomas Ambrose, ZBA Member, asked Mr. Voegele how many acres he has. Mr. Voegele said he and his wife only own 5, but the LLC which he is part owner of owns 80.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, 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 Z23-0013

Petition of Quentin Downing, applicant on behalf of Frances Shirrell, owner of record, requesting a variance as per §93.023, Section B, Item 1, Subsection (a) of the Madison County Zoning Ordinance in order to subdivide the property into two lots, with one lot having only 25 feet of property width at the front yard setback line instead of the required 150 feet. This is located in an "A" Agricultural District in Foster Township at **2258 Seiler Road, Alton, Illinois**, County Board District #5, PIN# 20-1-02-16-00-000-014.006

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

Members Absent: Nicholas Cohan

A **motion** was made by George Ellis and **seconded** by Sharon Sherrill that the petition of Quentin Downing & Frances Shirrell 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.** Quentin Downing, applicant on behalf of land owner Frances Shirrell, stated that they are asking for this 25 foot frontage for the variance, as opposed to the required 150, due to the layout of the land. He stated that the location of the current utilities wouldn't allow for access to the back lot; **VI.** Cedric Irby, ZBA Member, asked Mr. Downing if he could go into a little more detail on the difference between the 25 and 150. Mr. Downing said that at 150, there's a lot of utilities as well as their sewer system that would have to be moved and relocated. He said the whole idea behind them dividing is to keep the land in the family. Mr. Downing said the landowner is elderly and is preparing for the future, and wants to ensure that her children get the property in two parts. He said the only way to get access is with this 25 foot variance. Chris Doucleff, Building & Zoning Department Administrator, said basically they are just creating a flag lot for access to the rear property.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, 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 Z23-0014

Petition of Nicole Peacher, owner of record, requesting a Special Use Permit as per §93.025, Section G, Item 20 of the Madison County Zoning Ordinance in order to keep goats and chickens on site and a variance in order to have 10 chickens instead of the maximum 5 allowed. This is located in an "R-3" Single-Family Residential District in Foster Township at **4767 Fosterburg Road, Alton**, Illinois, County Board District #5, PIN# 20-1-02-14-03-305-006

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

Members Absent: Nicholas Cohan

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

1. This Special Use Permit is granted for the sole usage of Nicole Peacher. Any change of tenant or ownership will void the Special Use Permit, and a new Special Use Permit will have to be obtained to keep domestic farm animals on the property.
2. A maximum of 10 chickens (hens only) and 2 goats are permitted on site. Roosters are prohibited, as are intact male goats older than 6 weeks.
3. The owner/applicant shall keep the property in compliance with all Madison County Ordinances, including but not limited to §93.100 Domestic Farm Animals.
4. Failure to comply with the conditions of the Special Use Permit will cause revocation, and immediate removal of the chickens, goats, run, and coop 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.** Nicole Peacher, owner of the subject property, said she basically wanted to set up a mini homestead for personal use, including goats and chickens; **VI.** Cedric Irby, ZBA Member, asked if there are any other animals like goats and chickens in the neighborhood. Ms. Peacher replied yes, and said she can actually hear somebody's donkey from her backyard. Mr. Irby asked Ms. Peacher why she is requesting 10 chickens instead of just 5. Ms. Peacher said she wants to keep 5 for laying purposes and 5 for meat purposes. Mr. Irby asked what happens beyond that, or how she will control it if she decides that 10 isn't enough. Ms. Peacher said 10 will be enough, and said it is just for herself. Mr. Irby asked why she picked the number 10. Ms. Peacher said 5 would be the continual laying hens, so they would be on-site for the duration of their lifetime, whereas she would have 5 in the rotation for meat purposes. Mr. Irby asked Ms. Peacher if any of her neighbors have had a conversation with her or have been uncomfortable with that. Ms. Peacher said no, she only has 2 neighbors, and there's pretty significant distance between her and one neighbor. She said she has not talked to them about it, but the one behind her has no problems and is very supportive; **IX.** Thomas Ambrose, ZBA Member, asked Ms. Peacher how close she is to Fosterburg. Ms. Peacher said she is right within the city district, right on the corner of Seiler; **X.** Mary Goode, ZBA Member, said someone who lives out there had called her about this, and said that in their opinion, Ms. Peacher takes care of her property and they are in support of Ms. Peacher having chickens; **XI.** George Ellis, ZBA Member, asked Ms. Peacher what she will do with a dwarf goat. Ms. Peacher said it is for dairy purposes.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, 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 Z23-0015

Petition of Joshua Vaughan, owner of record with Sarah Vaughan, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a new single-family dwelling that will be 40 feet from the north and south property lines instead of the required 50 feet. This is located in an "A" Agricultural District in Helvetia Township at **13261 Lee Road, Trenton**, Illinois, County Board District #1, PIN# 01-2-24-34-00-000-031

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

Members Absent: Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Joshua Vaughan and Sarah Vaughan 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.** Josh Vaughan, owner of the subject property, spoke on behalf of himself and his wife, Sarah. He stated that they are requesting this variance due to the unique shape of their lot. He said it is significantly deep, but also narrow. Mr. Vaughan said they would like to build their forever home on this lot, and due to the narrow shape, they are unable to fit it where they would like to fit it. He said if they were to follow the 50-foot setback guidelines, their back porch would be 80-100 feet in front of all of the other homes' front porches; **VI.** Cedric Irby, ZBA Member, asked Mr. Vaughan if he is a contractor himself, or if he is hiring a contractor. Mr. Vaughan said he will be hiring a contractor.

Roll-call vote.

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