Madison County Zoning Board of Appeals Meeting Minutes
Tuesday, March 22, 2022 at 5:00 p.m.
County Board Room

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

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 February 22, 2022. George Ellis made a motion to approve. Seconded by Cedric Irby. 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 hearings 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 Z22-0015** – Petition of Larry Taylor, owner of record with Dina Taylor, requesting a variance as per §93.051, Section A, Item C of the Madison County Zoning Ordinance in order to construct an accessory structure in the front yard setback area. This is located in an "R-1" Single-Family Residential District in Omphghent Township at **7303 Prairietown Road, Worden**, Illinois, County Board District #3, PIN# 12-2-04-31-03-301-039. A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Larry Taylor be as follows: **Approved**. Roll-call vote. All Ayes. Motion passes.

2. **Hearing Z22-0016** – Petition of Anne Mordis, owner of record, requesting a zoning map amendment to rezone three tracts of land totaling approximately 0.7 acres from "R-4" Single-Family Residential District to "B-1" Limited Business District. This is located in Nameoki Township at **100 Joe Street, Collinsville**, Illinois, County Board District #16, PIN#s 17-2-20-36-04-405-016, 17-2-20-36-04-405-015, and 17-2-20-36-04-405-014. A **motion** was made by Sharon Sherrill and **seconded** by Cedric Irby that the petition of Anne Mordis be as follows: **Approved.** Roll-call vote. All Ayes. Motion passes.

3. **Hearing Z22-0017** – Petition of Mark Dowdy of Sandmark Properties, LLC, owner of record, requesting to rezone the approximately 0.7 acre tract from "B-4" Wholesale Business District to "B-2" General Business District. Also requesting Special Use Permits as per §93.030, Section D, Items 1 and 11 of the Madison County Zoning Ordinance in order to operate a coffee shop with drive-up window on site. This is located in Moro Township at **7301 Saint James Drive, Edwardsville**, Illinois, County Board District #5, PIN# 16-2-03-35-20-401-

010. A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Mark Dowdy be **Approved with Conditions.** Roll-call vote. All Ayes. Motion passes.

4. **Hearing Z22-0018** – Petition of Shannon O'Guinn, 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 place a single-wide mobile home on site for the occupancy of Shannon O'Guinn and Joseph Yon for a period not to exceed 5 years. This is located in an "R-3" Single-Family Residential District in Wood River Township at **201 Edwards Street, Cottage Hills**, Illinois, County Board District #13, PIN# 19-2-08-11-03-305-002. A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Shannon O'Guinn be **Approved with Conditions.** Roll-call vote. All ayes. Motion passes.

5. **Hearing Z22-0020** – Petition of Travis Isreal, owner of record with Shelley Isreal, requesting a Special Use Permit as per §93.025, Section G, Item 20 of the Madison County Zoning Ordinance in order to have goats and chickens on site and a variance in order to have 20 chickens instead of the maximum 5 allowed. Also requesting a variance as per §93.080, Section E of the Madison County Zoning Ordinance for an existing 6 foot tall solid-type fence located in the front yard setback area, where fences are required to be 50% open and a maximum of 4 feet tall. This is located in an "R-3" Single-Family Residential District in Chouteau Township at **5623 Old Alton Road, Granite City**, Illinois, County Board District #21, PIN# 18-1-14-27-00-000-009. A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Travis Isreal be **Approved with Conditions** as follows**.** 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

Mary Goode 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 Z22-0015

Petition of Larry Taylor, owner of record with Dina Taylor, requesting a variance as per §93.051, Section A, Item C of the Madison County Zoning Ordinance in order to construct an accessory structure in the front yard setback area. This is located in an "R-1" Single-Family Residential District in Omphghent Township at **7303 Prairietown Road, Worden**, Illinois, County Board District #3, PIN# 12-2-04-31-03-301-039

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

A **motion** was made by Mary Goode and **seconded** by George Ellis that the petition of Larry Taylor 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.** Larry Taylor, applicant, stated that he built his house at the back of the property, not knowing that would be an issue down the road. He stated that he considered putting the accessory structure further back on the property, but it would block his neighbor's lake view. He said that he discussed the building placement with his neighbors, and everyone agreed that the proposed location is the best place for it, as it doesn't block anyone's view; **VI.** Cedric Irby, ZBA member, asked who will be putting the building up. Mr. Taylor responded that it will be a 45x80 steel I-beam type building. He stated that he has talked to a gentleman in Breese, but he can't commit until he secures the permit.

Roll-call vote.

Ayes to the motion: Nicholas Cohan, 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

Finding of Fact and Recommendations
Hearing Z22-0016

Petition of Anne Mordis, owner of record, requesting a zoning map amendment to rezone three tracts of land totaling approximately 0.7 acres from "R-4" Single-Family Residential District to "B-1" Limited Business District. This is located in Nameoki Township at **100 Joe Street, Collinsville**, Illinois, County Board District #16, PIN#s 17-2-20-36-04-405-016, 17-2-20-36-04-405-015, and 17-2-20-36-04-405-014

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

A **motion** was made by Sharon Sherrill and **seconded** by Cedric Irby that the petition of Anne Mordis 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.** Anne Mordis, applicant, stated that she is requesting to have the subject parcels rezoned. She said when they originally bought the business (Trackside Bar and Grill), she thought all of the parcels had already been rezoned. She stated that when she tried to obtain a building permit for an addition onto the business, she was informed that these parcels were still zoned as residential; **VI.** Cedric Irby, ZBA member, asked if the new structure would be connected to the existing structure that is there now. Ms. Mordis responded yes, it would.

Roll-call vote.

Ayes to the motion: Nicholas Cohan, 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

Finding of Fact and Recommendations
Hearing Z22-0017

Petition of Mark Dowdy of Sandmark Properties, LLC, owner of record, requesting to rezone the approximately 0.7 acre tract from "B-4" Wholesale Business District to "B-2" General Business District. Also requesting Special Use Permits as per §93.030, Section D, Items 1 and 11 of the Madison County Zoning Ordinance in order to operate a coffee shop with drive-up window on site. This is located in Moro Township at **7301 Saint James Drive, Edwardsville**, Illinois, County Board District #5, PIN# 16-2-03-35-20-401-010

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

A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Mark Dowdy be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Mark Dowdy and Sandmark Properties, LLC, and is not transferable to future owners/tenants. Any change of owner/tenant of the property will require a new Special Use Permit to operate an Eating and Drinking Establishment with or without a drive-up window.
2. The owner/tenant/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.

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.** Sandra Dowdy, co-owner of the subject property, stated that they would like to put a coffee shop in the former bank building on the property, with a window for drive-up coffee.

Roll-call vote.

Ayes to the motion: Nicholas Cohan, 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

Finding of Fact and Recommendations
Hearing Z22-0018

Petition of Shannon O'Guinn, 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 place a single-wide mobile home on site for the occupancy of Shannon O'Guinn and Joseph Yon for a period not to exceed 5 years. This is located in an "R-3" Single-Family Residential District in Wood River Township at **201 Edwards Street, Cottage Hills**, Illinois, County Board District #13, PIN# 19-2-08-11-03-305-002

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

A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Shannon O'Guinn be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Shannon O'Guinn and Joseph Yon for a period not to exceed 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 Shannon O'Guinn and Joseph Yon 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 Shannon O'Guinn and Joseph Yon 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.** Shannon O'Guinn, applicant, stated that she had a petition signed by multiple neighbors in support of her placing a mobile home on the subject property; **VI.** Cedric Irby, ZBA member, asked who would be installing the mobile home. Ms. O'Guinn responded that she purchased the mobile home from Harmony Homes, and that they would be installing it; **VII.** Nicholas Cohan, ZBA member, asked if there was any opposition. Noelle Maxey, Zoning Coordinator, stated yes, and read aloud the following letters of public opposition that were submitted for the record via email: (1) "Dear Ms. Maxey, this is in reference to the zoning hearing near me, at 201 Edwards. I have lived here since 1950 at 190 Edwards St. and it is a residential neighborhood and not a Trailer Court so I wish to Strongly Object to the approval of the request to move a single wide in to the spot. Please do not rezone it. Sincerely, Helen Cook." (2) "My wife and I are strongly opposed to the placing of a mobile home at 201 Edwards Street, Cottage Hills. We reside at 210 Edwards Street in Cottage Hills. Sincerely, David R. Calvin." **VIII.** Matt King, County Board Member, stated that he received a letter from Judith Sutter at 219 Edwards Street. She was unable to attend the hearing, and asked Mr. King to read the letter on her behalf. Mr. King read aloud the following letter of opposition: "I am writing this letter in regards to a notice received from Madison County Building and Zoning Department. In the notice, it informs me of a hearing for a mobile home to be placed at 201 Edwards Street, next door to me. I certainly do not want this. Shannon O'Guinn is not a responsible property owner. She owns multiple trailer homes on un-cared-for lots and trailers. It said she would live in it not to exceed 5 years. I know this woman firsthand. A friend lives in her property now in South Roxana. Please revoke this petition concerning ZBA file Z22-0018."; **IX.** Nicholas Cohan, ZBA member, asked if Ms. O'Guinn was going to live there. Ms. O'Guinn responded yes, she plans on living there for the rest of her life. She also stated that she only met Ms. Sutter the day she knocked on her door. She said she explained to her that she does have mobile homes in South Roxana, and that is where she currently lives. She stated that she explained to Ms. Sutter that she is going to rent out her existing home and put a new mobile home on this property; **X.** Mary Goode, ZBA member, asked Ms. O'Guinn if she only owns the one mobile home in Roxana that she is currently living in. Ms. O'Guinn responded that she owns that one, and she also owns another one on the same street. She said she rents out one, and will also rent out the one she currently lives in once she moves to Cottage Hills; **XI.** Mr. Cohan asked, if she is approved, could she ever make it a rental without coming back in front of the Board. Ms. Maxey responded that the Special Use Permit would be under her name as the occupant, so if she rented it out or sold it and someone else moved into it, they would have to get a new Special Use Permit. Mr. Cohan asked if this is going to sit on a foundation or if it will have a skirt. Ms. O'Guinn responded that the mobile home will be sitting on concrete piers and will have skirting; **XII.** Mr. Irby stated that he drove by the property and noted that it appears to need grading. Ms. O'Guinn responded that Harmony Homes looked at the site and said it will definitely have to be graded and leveled out before they

can do the work. Ms. O'Guinn said they are going to get a bobcat and do the grading, and then Harmony Homes will come in and do the electrical work and the piers before the home gets brought in. She said that Harmony Homes will also be putting the skirting on. Mr. Irby asked if there were other mobile homes on the block. Ms. O'Guinn replied yes, that there is one across the street, as well as another single wide on the next street. Mr. Irby asked Ms. O'Guinn if it is a new mobile home. Ms. O'Guinn stated that it is a brand new 2022 mobile home.

Roll-call vote.

Ayes to the motion: Nicholas Cohan, 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

Finding of Fact and Recommendations
Hearing Z22-0020

Petition of Travis Isreal, owner of record with Shelley Isreal, requesting a Special Use Permit as per §93.025, Section G, Item 20 of the Madison County Zoning Ordinance in order to have goats and chickens on site and a variance in order to have 20 chickens instead of the maximum 5 allowed. Also requesting a variance as per §93.080, Section E of the Madison County Zoning Ordinance for an existing 6 foot tall solid-type fence located in the front yard setback area, where fences are required to be 50% open and a maximum of 4 feet tall. This is located in an "R-3" Single-Family Residential District in Chouteau Township at **5623 Old Alton Road, Granite City**, Illinois, County Board District #21, PIN# 18-1-14-27-00-000-009

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

A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Travis Isreal be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Travis Isreal and family. 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 20 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.** Travis Isreal, applicant, stated that they are requesting to have chickens and goats so they can teach their children how to be more sustainable. He said that the high number of chickens would allow them to share eggs with friends and family. Mr. Isreal said that in regards to the fence, they installed it because one of their children has a sensory integration disorder, and the loud noises from Old Alton Road made him not want to go outside and play; **VI.** Cedric Irby, ZBA member, asked Mr. Isreal how he plans on containing 20 chickens. Mr. Isreal stated that they have a chicken coop and a chicken run. Mr. Irby asked if there is any concern about odor with that many animals. Mr. Isreal responded no, that they will be putting down fresh straw and hay and changing it out; **VII.** Noelle Maxey, Zoning Coordinator, read aloud the following letter of public opposition that was submitted for the record via email: "I'm writing a letter of opposition to vote no to the Madison County Zoning Board of Appeals for the file Z22-0020. Address 5623 Old Alton Road. Rosemary"

Roll-call vote.

Ayes to the motion: Nicholas Cohan, 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