

**Madison County Zoning Board of Appeals Meeting Minutes**  
**Tuesday, April 27, 2021 at 5:00 p.m.**  
**Virtual Meeting via GoToMeeting & In-Person in the County Board Room**

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

**Members Absent:** Sharon Sherrill

**A. Call to Order**

George Ellis, Pro Tem Chairman, called the meeting to order at 5:00 p.m. and conducted roll call.

**B. Approval of Minutes**

Pro Tem Chairman Ellis asked for a motion to approve the meeting minutes from March 23, 2021. Mary Goode made a motion to approve. Seconded by Don Metzler. All ayes. Motion approved.

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

None.

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

George Ellis 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 Z21-0020**– Petition of Alexander Wilson, 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 double-wide mobile home on site for the occupancy of Alexander Wilson and family for a period not to exceed 5 years. This is located in an “R-3” Single-Family Residential District in Nameoki Township at 4257 Division Street, Granite City, Illinois, County Board District #19, PIN# 17-2-20-03-15-401-001. A motion was made by Nicholas Cohan and seconded by Don Metzler that the petition of Alexander Wilson be as follows: Approved with conditions. Roll-call vote. All Ayes. Motion passes.
2. **Hearing Z21-0021** – Petition of Gary Burns, owner of record with Melissa Burns, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a carport that would be 12 feet from a private roadway easement instead of the required 50 feet. This is located in an “A” Agricultural District in Moro Township at 7832 St. James Drive, Moro, Illinois, County Board District #5, PIN# 16-1-03-25-00-000-001.001. A motion was made by Mary Goode and seconded by Don Metzler that the petition of Gary & Melissa Burns be as follows: Approved. Roll-call vote. All Ayes. Motion passes.
3. **Hearing Z21-0022**- Petition of Codey and McKenzie Terry, owners of record, 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 would be 30 feet from the west property line instead of the required 50 feet. This is located in an “A” Agricultural District in Foster Township at 4401 Wild Flower Road, Bethalto, Illinois, County Board District #5,

PIN# 20-2-02-23-00-000-027. A motion was made by Mary Goode and seconded by Nicholas Cohan that the petition of Codey & McKenzie Terry be as follows: Approved. Roll-call vote. All Ayes. Motion Passes.

4. **Hearing Z21-0023-** Petition of Ashley Ernst Niemeier, 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 chickens on site. This is located in an "R-3" Single-Family Residential District in Alhambra Township at 6500 Dauderman Road, Alhambra, Illinois, County Board District #4, PIN# 07-1-11-12-00-000-007. A motion was made by Mary Goode and seconded by Don Metzler that the petition of Ashley Ernst Niemeier be as follows: Approved with conditions. Roll-call vote. All ayes. Motion passes.
5. **Hearing Z21-0024-** Petition of Herschel and Janet McDowell, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 20 of the Madison County Zoning Ordinance in order to continue placement of a double-wide mobile home on site for the occupancy of Herschel and Janet McDowell for a period not to exceed 5 years. This is located in an "A" Agricultural District in Olive Township at 11743 Libbra Road, New Douglas, Illinois, County Board District #4, PIN# 08-1-05-24-00-000-009. A motion was made by Mary Goode and seconded by Don Metzler that the petition of Herschel and Janet McDowell be as follows: Approved with condition. Roll-call vote. All ayes. Motion passes.

**I. Planning Coordinator's Report**

None.

**J. Adjournment**

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

## **Finding of Fact and Recommendations**

### **Hearing File Z21-0020**

Petition of Alexander Wilson, 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 double-wide mobile home on site for the occupancy of Alexander Wilson and family for a period not to exceed 5 years. This is located in an "R-3" Single-Family Residential District in Nameoki Township at **4257 Division Street, Granite City, Illinois**, County Board District #19, PIN# 17-2-20-03-15-401-001

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

**Members Absent:** Sharon Sherrill

A **motion** was made by Nicholas Cohan and **seconded** by Don Metzler that the petition of Alexander Wilson be as follows:  
**Approved with conditions.**

1. This Special Use Permit is granted for the sole usage of Alexander Wilson 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 Alexander Wilson 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 Alexander Wilson 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.** Noelle Maxey, Assistant Planner, stated that an adjacent property owner sent in a letter not of opposition, mostly of concern about drainage drainage. Patty Bade wrote the following comments; I have no objection to Mr. Wilson's request regarding placing a mobile home on his property as long as its placement will not dam up, block, reroute, impede, etc. in any way the natural flow of water off my farm ground as it flows from west to east to Long Lake through a ditch that sits north of Mr. Wilson's property line. My only request is that my farm field drainage remains untouched both along our adjoining property lines and as the water drains into and along the length of the ditch which sits to the north of Mr. Wilson's property. This ditch runs across Division Street to Breckenridge Lane, and eventually into Long Lake. This ditch has been in place 100+ years for farm field drainage prior to any development on Division Street and the ditch is still being used. As long as the natural flow of water off my field to the east is never blocked in any way I am fine with this variance request. Thanks to Mr. Wilson in advance for being a good neighbor in understanding my need for drainage to continue from my farm ground. It is appreciated; **VI.** George Ellis, ZBA member, asked if there was any concern and Chris Doucleff said that he would have to follow the Illinois Drainage Act, and Mr. Wilson said that they aren't changing any drainage.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, Don Metzler

**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 File Z21-0021**

Petition of Gary Burns, owner of record with Melissa Burns, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a carport that would be 12 feet from a private roadway easement instead of the required 50 feet. This is located in an "A" Agricultural District in Moro Township at **7832 St. James Drive, Moro**, Illinois, County Board District #5, PIN# 16-1-03-25-00-000-001.001

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

**Members Absent:** Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Don Metzler that the petition of Gary & Melissa Burns 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.** Gary Burns, applicant, said he is happy to answer any questions the ZBA might have, and that the top left picture where the concrete slab is where he had a structure for 25 years. Mr. Burns stated his neighbor has no problems with the placement, and he is not changing the visibility coming in and out of the private lane; **VI.** George Ellis asked if the structure would be placed where the previous building was, and Mr. Burns said that was the case and it will be on a rock slab.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Don Metzler

**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 File Z21-0022**

Petition of Codey and McKenzie Terry, owners of record, 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 would be 30 feet from the west property line instead of the required 50 feet. This is located in an “A” Agricultural District in Foster Township at **4401 Wild Flower Road, Bethalto**, Illinois, County Board District #5, PIN# 20-2-02-23-00-000-027

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

**Members Absent:** Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Nicholas Cohan that the petition of Codey & McKenzie Terry 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.** Codey Terry, applicant, said he wants to be just west of the tree line, and his neighbors don't have any issue with it; **VI.** Noelle Maxey, Assistant Planner, read aloud a comment received by a nearby property owner: The Cline household, of 4408 Wild Flower Rd is in favor of Z.B.A File number Z21-0022, allowing the change of 50ft to 30 ft, for 4401 Wild Flower Rd.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Don Metzler

**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 File Z21-0023**

Petition of Ashley Ernst Niemeier, 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 chickens on site. This is located in an "R-3" Single-Family Residential District in Alhambra Township at **6500 Dauderman Road, Alhambra**, Illinois, County Board District #4, PIN# 07-1-11-12-00-000-007

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

**Members Absent:** Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Don Metzler that the petition of Ashley Ernst Niemeier be as follows:

#### **Approved with conditions.**

1. This Special Use Permit is granted for the sole usage of Ashley Ernst Niemeier and family. Any change of tenant or ownership will void the Special Use Permit.
2. The owner/applicant shall keep the property in compliance with all Madison County Ordinances, including but not limited to §93.100 Domestic Farm Animals.
3. The owner's/applicant's failure to adhere to the conditions of the Special Use Permit will cause revocation of the same, and require immediate removal of the chickens, chicken coop, and chicken run.

**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.** Ashley Ernst Niemeier, applicant, said they are moving the chicken coop more towards the middle of the lawn by the big tree for a more convenient location, and they have added a fence around the coop.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Don Metzler

**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 File Z21-0024**

Petition of Herschel and Janet McDowell, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 20 of the Madison County Zoning Ordinance in order to continue placement of a double-wide mobile home on site for the occupancy of Herschel and Janet McDowell for a period not to exceed 5 years. This is located in an "A" Agricultural District in Olive Township at **11743 Libbra Road, New Douglas**, Illinois, County Board District #4, PIN# 08-1-05-24-00-000-009

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

**Members Absent:** Sharon Sherrill

A **motion** was made by Mary Goode and **seconded** by Don Metzler that the petition of Herschel & Janet McDowell be as follows: **Approved with conditions.**

1. This Special Use Permit is granted for the sole usage of Herschel & Janet McDowell 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 Herschel & Janet McDowell 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 Herschel & Janet McDowell 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.** Herschel McDowell, applicant, said that he did not have anything to say.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Nicholas Cohan, George Ellis, Mary Goode, and Don Metzler

**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