

Madison County Zoning Board of Appeals Meeting Minutes
Tuesday, June 28, 2022 at 5:00 p.m.
County Board Room

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

Members Absent: Don Metzler, Nicholas Cohan

A. Call to Order

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

B. Approval of Minutes

Chairman Pro Tem Ellis asked for a motion to approve the meeting minutes from May 24, 2022. Sharon Sherrill 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 10 zoning petitions and provided staff review. Ms. Maxey stated that some issues had arisen with Hearing Z22-0045, and the Department is requesting to postpone the hearing to the July meeting date.

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

Chairman Pro Tem 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 10 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

Andrew Calloway, property owner at 4581 Zika Lane, spoke regarding Hearing Z22-0045, petition of I-55 RV Park & Campground. Mr. Calloway explained he used to bale alfalfa on the property where the campground is being proposed. Mr. Calloway said that his children are friends with Dex Wherle's children, who live adjacent to this property, and they hang out on the property a lot. He stated he doesn't know if there's much of a need for an RV park in Pin Oak Township, and he is also concerned about the safety of his children swimming and playing at Dex's property because a predator could pull into the RV park, pull one of the kids into the RV, and drive away. He said this is a rural area, and there's a big push from Edwardsville and the County to develop this area. Mr. Calloway said no one wants an RV park next to their house, and they probably didn't need the storage unit place on Blackburn either.

G. Unfinished Business

None

H. New Business

1. **Hearing Z22-0036** – Petition of Ronald and Rita Christlieb, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order to operate an overnight campground on site. This is located in Omphgent Township at **7645 Possum Hill Rd, Worden**, Illinois, County Board District #3, PIN# 12-1-04-32-00-000-005.003. A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Ronald and Rita Christlieb be as follows: **Approved with Conditions.** Roll-call vote. Ayes: Thomas Ambrose, George Ellis, Sharon Sherrill. Nays: Cedric Irby, Mary Goode. **Motion passes.**
2. **Hearing Z22-0038** – Petition of SBK Group, LLC, applicant on behalf of Ronald and Larry Blake, owners of record, requesting a Special Use Permit as per §93.032, Section D, Item 7 of the Madison County Zoning Ordinance in order to operate an Eating and Drinking Establishment in the existing structure on site. This is located in a "B-4" Wholesale Business District in Chouteau Township at **5528 Maryville Road, Granite City**,

Illinois, County Board District #21, PIN# 18-1-14-33-02-201-001. A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of SBK Group, LLC, and Ronald and Larry Blake be as follows: **Approved with Conditions**. Roll-call vote. All ayes. **Motion passes**.

3. **Hearing Z22-0039** – Petition of Kent and Margaret Barnett, owners of record, requesting a variance as per §93.051, Section A, Item 2, Subsection (b) of the Madison County Zoning Ordinance in order to construct an accessory structure that would be 25 feet tall instead of the maximum 20 feet allowed. This is located in an “R-3” Single-Family Residential District in Wood River Township at **758 Birch Street, East Alton**, Illinois, County Board District #13, PIN# 19-2-08-14-04-402-018. A **motion** was made by Thomas Ambrose and **seconded** by Sharon Sherrill that the petition of Kent and Margaret Barnett be as follows: **Approved**. Roll-call vote. All Ayes. **Motion passes**.
4. **Hearing Z22-0040** – Petition of Mike Riffel, owner of record with Michele Riffel, 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 that will be 25 feet from the east property line instead of the required 50 feet. This is located in an “A” Agricultural District in Saline Township at **12157 Cedar Hills Drive, Highland**, Illinois, County Board District #1, PIN# 02-2-18-31-00-000-041. A **motion** was made by Cedric Irby and **seconded** by Sharon Sherrill that the petition of Mike Riffel be as follows: **Approved**. Roll-call vote. All ayes. **Motion passes**.
5. **Hearing Z22-0042** – Petition of Jill Bertels, applicant on behalf of Bertels Land Incorporated, owner of record, requesting a zoning map amendment to rezone approximately 0.5 acres of a dual-zoned lot from “A” Agricultural District to “R-3” Single-Family Residential District. This is located in Moro Township at **4568 Seiler Road, Dorsey**, Illinois, County Board District #5, PIN# 16-2-03-17-00-000-025. A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Jill Bertels and Bertels Land Incorporated be as follows: **Approved**. Roll-call vote. All ayes. **Motion passes**.
6. **Hearing Z22-0043** – Petition of Blake Tourville, owner of record, requesting a variance as per §93.051, Section A, Item 3, Subsection (b) of the Madison County Zoning Ordinance in order to construct an accessory building that would be 4 feet from the south property line instead of the required 15 feet. This is located in an “A” Agricultural District in Moro Township at **8702 North State Route 159, Dorsey**, Illinois, County Board District #5, PIN# 16-1-03-15-00-000-006. A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Blake Tourville be as follows: **Postponed until the July Meeting**. Roll-call vote. All ayes. **Motion passes**.
7. **Hearing Z22-0044** – Petition of Billy Marquez, owner of record, requesting Special Use Permits as per §93.025, Section G, Items 4 and 6 of the Madison County Zoning Ordinance in order to have a private parking lot and a Type “B” Home Occupation to operate a cleaning company from the home on site. Also requesting a variance as per §93.083, Section C, Item 2 in order to have 6 employees instead of the 1 allowed with the Type “B” Home Occupation. This is located in an “R-4” Single-Family Residential District in Nameoki Township at **3122 Harvard Place, Collinsville**, Illinois, County Board District #16, PIN# 17-2-20-36-03-309-003. A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Billy Marquez be as follows: **Approved with Conditions**. Roll-call vote. Ayes: Thomas Ambrose, Mary Goode, Sharon Sherrill. Nays: Cedric Irby. **Motion passes**.
8. **Hearing Z22-0045** – Petition of I-55 RV Park & Campground, LLC, applicant on behalf of Jeffrey and Pamela Bladdick, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 31 of the Madison County Zoning Ordinance in order to operate a travel trailer/RV park on site. This is located in an “A” Agricultural District in Pin Oak Township at **4260 Blackburn Road, Edwardsville**, Illinois, County Board District #11, PIN# 10-1-16-09-00-000-004.001. A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of I-55 RV Park & Campground, LLC, and Jeffrey and Pamela Bladdick be as follows: **Postponed until the July Meeting**. Roll-call vote. Ayes: Thomas Ambrose, Mary Goode, Cedric Irby. Recused: Sharon Sherrill. **Motion passes**.

9. **Hearing Z22-0046** – Petition of Joshua Kirbach, applicant on behalf of Weber Living Trust, owner of record, requesting a zoning map amendment to rezone a 2.88 acre tract of land from “B-3” Highway Business District to “PD” Planned Development District. This is located in Edwardsville Township at **5446 Chain of Rocks Road, Edwardsville, Illinois**, County Board District #26, PIN# 14-1-15-32-00-000-004. A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Joshua Kirbach and Weber Living Trust be as follows: **Approved with Attachment “A”**. Roll-call vote. All ayes. **Motion passes.**

10. **Hearing Z22-0047** – Petition of Mark Frey, owner of record with Gail Frey, requesting a zoning map amendment to rezone a 1.62 acre tract of land from “R-2” Single-Family Residential District to “PD” Planned Development District. This is located in Saline Township at **4164 State Route 160, Highland, Illinois**, County Board District #4, PIN# 02-2-18-09-00-000-031. A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Mark Frey be as follows: **Approved with Attachment “A”**. 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

Cedric Irby 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 Z22-0036

Petition of Ronald and Rita Christlieb, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order to operate an overnight campground on site. This is located in Omphgent Township at **7645 Possum Hill Rd, Worden**, Illinois, County Board District #3, PIN# 12-1-04-32-00-000-005.003

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

Members Absent: Don Metzler, Nicholas Cohan

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

1. This Special Use Permit is granted for the sole usage of Ronald and Rita Christlieb. Any change of ownership or occupant of the property will require a new Special Use Permit to continue operating the overnight campground.
2. There shall be no more than 4 camping sites on the property for tent camping only. Camping trailers and RVs are not permitted.
3. The applicant/owner/operator 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 Permit 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.** Ronald Christlieb, applicant, stated that they are requesting to have primitive tent camping on the property. He said they have slightly under 5 acres with a pond, and they have 4 camping sites. He said they've been operating for about 4-5 years. He said people book through Hip Camp, and they don't advertise any other way; **VI.** Thomas Ambrose, ZBA member, asked if they plan to expand to more than 4 camp sites, and Mr. Christlieb said they are not and 4 is more than enough; **VII.** George Ellis, Chairman Pro Tem, asking if they have restroom facilities on site, to which Mr. Christlieb responded they let the campers use the bathroom in their home if needed; **VIII.** Sharon Sherrill, ZBA member, asked if they have fencing, to which Mr. Christlieb stated there is fencing around the whole property; **IX.** Cedric Irby, ZBA member, asked if they do background checks on the campers, and Mr. Christlieb responded that Hip Camp does the checks, and the campers are required to provide all their information when they book. Mr. Irby asked if these are younger people, and Mr. Christlieb said they mostly have 20-30 year olds but have had seniors and families. Mr. Irby asked if any neighbors have complained, to which Mr. Christlieb responded that they hadn't but someone must have recently because that's how all this came about; **X.** Ms. Sherrill asked about the opposition letter that mentions a cattle operation and electric fence. Mr. Christlieb said he's not aware of any cattle operation or electric fences, and the farm next door has cattle but not an electric fence on that side. He stated that side is all wooded on his property, and he can't see the cattle from his property; **XI.** Mr. Irby asked what the maximum number of campers he'd have, and Mr. Christlieb responded 6 per site. He said that so far this year they have had only 17 bookings since January, so that's only 17 days that they've had people staying there. Mr. Irby asked if it's seasonal, and Mr. Christlieb said they will let people camp in the winter if they want to. Mr. Christlieb said the campers are usually only on the property at night; **XII.** Chairman Pro Tem Ellis asked if any neighbors have complained about noise, and Mr. Christlieb said they haven't. Chairman Pro Tem Ellis asked if there has been any illegal activity from the campers, to which Mr. Christlieb said not that he is aware of, and they've never had the sheriffs called out. Chairman Pro Tem Ellis asked how they contain the campfires. Mr. Christlieb said he monitors it, and if it's dry and close to harvest time, they don't allow fires; **XIII.** Ms. Sherrill asked if there is a limit placed on the number of sites they can have, to which Noelle Maxey, Zoning Coordinator, stated that the ZBA can add that as a condition of approval when the motion is made; **XIV.** Mr. Irby asked where the campers park, to which Mr. Christlieb responded that they park on the lawn near the campsites, but if it's been rainy, they will park on the driveway which has plenty of parking space; **XV.** John Goldsmith, adjacent neighbor, asked Mr. Christlieb if it would be 24 for their maximum capacity since it's 6 per site, and Mr. Christlieb responded yes, if they had 6 campers at each site. Mr. Goldsmith asked if there is a cap on the number of cars, and Mr. Christlieb stated they would have 1 vehicle per site; **XVI.** Ms. Maxey read aloud the following two letters of opposition that were submitted for the record via email: (1) "I am adjacent landowner (12-1-04-32-00-000-008.001) and have a 40

year cattle operation. I object to the special use permit for overnight camping in referenced file. My concerns are -Dogs-Children-Electric Fence-Cattle Welfare-Increased Liability Exposure. Please register my objection. Martin Siglock, 7735 Possum Hill Road, Worden, IL” (2) “We are objecting to this rezoning request for the following reasons: 1. Having a business in a residential and farming area. 2. Having transient people with no ties to the community not knowing what type of people would be staying there. 3. Possible trespassing and damage to homes and crops in the surrounding areas. 4. Possible illegal activity. 5. Building fires and using fireworks during dry season around crop lands. 6. These campers would bare no responsibility in maintaining this area and surrounding areas. ex: trash, noise, etc. Sincerely, Dennis and Gail Mueller, 7667 Goshen Road, Edwardsville, Illinois”

Roll-call vote.

Ayes to the motion: Thomas Ambrose, George Ellis, Sharon Sherrill

Nays to the motion: Cedric Irby, Mary Goode

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z22-0038

Petition of SBK Group, LLC, applicant on behalf of Ronald and Larry Blake, owners of record, requesting a Special Use Permit as per §93.032, Section D, Item 7 of the Madison County Zoning Ordinance in order to operate an Eating and Drinking Establishment in the existing structure on site. This is located in a "B-4" Wholesale Business District in Chouteau Township at **5528 Maryville Road, Granite City**, Illinois, County Board District #21, PIN# 18-1-14-33-02-201-001

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of SBK Group, LLC, and Ronald and Larry Blake be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of SBK Group, LLC, and is not transferable to future owners/tenants. Any change of owner/tenant of the property will require a new Special Use Permit.
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.** The realtor involved in the sale of the property to SBK Group, LLC, introduced Jerry McDonald, one of the owners of record; **VI.** Cedric Irby, ZBA member, asked what they are wanting to do with the property, to which the realtor responded that the new bar and grill will be run like it is now and try to improve on it. Mr. McDonald stated that it was built as a bar in 1955 and has been a bar since; **VII.** Thomas Ambrose, ZBA member, asked if they are in operation now, and they said that they are. The realtor stated he had just eaten there two days prior; **VIII.** The realtor stated that it was time for Mr. McDonald to retire, and they found someone to buy the property. Mr. McDonald stated he was in the military for 28 years, then ran the bar for 27 years.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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 Z22-0039

Petition of Kent and Margaret Barnett, owners of record, requesting a variance as per §93.051, Section A, Item 2, Subsection (b) of the Madison County Zoning Ordinance in order to construct an accessory structure that would be 25 feet tall instead of the maximum 20 feet allowed. This is located in an "R-3" Single-Family Residential District in Wood River Township at **758 Birch Street, East Alton**, Illinois, County Board District #13, PIN# 19-2-08-14-04-402-018

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Thomas Ambrose and **seconded** by Sharon Sherrill that the petition of Kent and Margaret Barnett 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.** Margaret Barnett, applicant, stated they are requesting a variance for extra height to have taller doors for camper storage; **VI.** Cedric Irby, ZBA member, asked if they were tearing down the existing garage or adding on to it, to which Mrs. Barnett stated this is a detached accessory structure that would be behind the house. Mr. Irby asked if there would be an apartment in it, and Mrs. Barnett said no, they have 4 vehicles, a trailer, and camper that they want to be able to store inside; **VII.** Noelle Maxey, Zoning Coordinator, read aloud the following two letters of support that were submitted for the record via email: (1) "I recently met Mr. And Mrs. Barnett and I have no problem with them going an extra 5 ft in height. Marc Waters (Madison county taxpayer), 759 East Rosedale" (2) "I will not be at the scheduled meeting. I **do not** oppose the request from the above owners of record to construct 25' tall out building. Sincerely John Carter, 749 E Rosedale Dr."

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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 Z22-0040

Petition of Mike Riffel, owner of record with Michele Riffel, 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 that will be 25 feet from the east property line instead of the required 50 feet. This is located in an "A" Agricultural District in Saline Township at **12157 Cedar Hills Drive, Highland, Illinois, County Board District #1, PIN# 02-2-18-31-00-000-041**

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Cedric Irby and **seconded** by Sharon Sherrill that the petition of Mike Riffel 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.** Mike Riffel, applicant, said they have a small frontage, and there is an existing two-car attached garage, and they want to add another two-car attached garage. He stated the small frontage doesn't allow for them to build the addition and stay within setback requirements; **VI.** Thomas Ambrose, ZBA member, asked how much land they have, to which Mr. Riffel stated that he thinks it's about 1.25 acres, less than the 2 acre requirement; **VII.** Noelle Maxey, Zoning Coordinator, read aloud the following statement of support that was submitted for the record via email: "By signing this personal approval statement we, the undersigned neighbors, are in favor of Madison County approving a variance to reduce the side lot setbacks at 12157 Cedar Hills Dr., Highland, Illinois, down to 25 feet from 50 feet. We have seen the plans for the site addition, as attached to this statement. Steven & Linda Kessmann, 2679 Vulliet Rd.; Curtis & Charlotte Nungesser, 12143 Cedar Hills Dr.; Scott & Tracy Wellen, 2737 Vulliet Rd.; Terry & Pam Lambert, 2713 Vulliet Rd.; Kevin Connelly, 5 Glory Dr."

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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 Z22-0042

Petition of Jill Bertels, applicant on behalf of Bertels Land Incorporated, owner of record, requesting a zoning map amendment to rezone approximately 0.5 acres of a dual-zoned lot from "A" Agricultural District to "R-3" Single-Family Residential District. This is located in Moro Township at **4568 Seiler Road, Dorsey, Illinois**, County Board District #5, PIN# 16-2-03-17-00-000-025

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Jill Bertels and Bertels Land Incorporated 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.** Jill Bertels, applicant, stated they have a person who wants to buy this lot and build a home, probably later rather than sooner, and it had been suggested to have the whole property the same zoning district so not to have issues when building the home; **VI.** Sharon Sherrill, ZBA member, noted the number of buildings on the property and the location of one of the buildings in relation to the property line. Noelle Maxey, Zoning Coordinator, stated the building and property line are already existing. Ms. Bertels stated the property line to the north of the building was already existing, and the only new line was on the south side. Ms. Bertels also noted that the buyer intends to take down some of the buildings when they decide to build the new home; **VII.** Karen Hickerson, adjacent property owner, asked Ms. Bertels to clarify exactly where the half acre is that is being proposed to be rezoned. Ms. Bertels explained that the southern approximately half acre of the lot is zoned "A" Agricultural, and they want to rezone that part so the whole property will be zoned Residential. Mrs. Hickerson asked who was buying it and planning to build a house, and Ms. Bertels replied that Pat's (adjacent neighbor) daughter and husband are going to buy it; **VIII.** David Hickerson, adjacent neighbor, asked where the house is going to be on the property, to which Ms. Bertels replied that she didn't know. She also said she wasn't sure when the buyers would even be building the home because they live in Bethalto and have kids in the school district, so she think the intent is to not build the home for a while. Mr. Hickerson stated he does not believe the markers in their yard when Ms. Bertels had a survey done are accurate. Ms. Bertels replied that she had CMT survey the property, and the markers on the survey are what they had found.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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 Z22-0043

Petition of Blake Tourville, owner of record, requesting a variance as per §93.051, Section A, Item 3, Subsection (b) of the Madison County Zoning Ordinance in order to construct an accessory building that would be 4 feet from the south property line instead of the required 15 feet. This is located in an "A" Agricultural District in Moro Township at **8702 North State Route 159, Dorsey**, Illinois, County Board District #5, PIN# 16-1-03-15-00-000-006

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Blake Tourville be as follows:
Postponed until the July Meeting.

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.** The adjacent property owner to the south stated that he is planning to sell his property, but they don't know where the boundary lines are for sure so they are having a surveyor come out to mark the lines and asked for this request to be postponed until they know where they property lines are for sure; **VI.** Blake Tourville, applicant, agreed with his neighbor and requested to postpone his hearing until the July meeting so they can know for sure where the property line is and how far this building would be from it.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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 Z22-0044

Petition of Billy Marquez, owner of record, requesting Special Use Permits as per §93.025, Section G, Items 4 and 6 of the Madison County Zoning Ordinance in order to have a private parking lot and a Type “B” Home Occupation to operate a cleaning company from the home on site. Also requesting a variance as per §93.083, Section C, Item 2 in order to have 6 employees instead of the 1 allowed with the Type “B” Home Occupation. This is located in an “R-4” Single-Family Residential District in Nameoki Township at **3122 Harvard Place, Collinsville**, Illinois, County Board District #16, PIN# 17-2-20-36-03-309-003

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Billy Marquez be **Approved with Conditions** as follows:

1. These Special Use Permits are granted for the sole usage of Billy Marquez. Any change of ownership/tenant will require new Special Use Permits.
2. The Type “B” Home Occupation must meet the requirements listed in §93.083 HOME OCCUPATIONS of the Madison County Zoning Ordinance, except the applicant is permitted to have a maximum of 6 non-resident employees instead of the 1 allowed.
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 uses 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.** There were no speakers for this hearing.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, Mary Goode, Sharon Sherrill

Nays to the motion: Cedric Irby

Whereupon the Chairman declared the motion duly adopted.

Chairman, Madison County Zoning Board of Appeals

Secretary, Zoning Administrator

Finding of Fact and Recommendations

Hearing Z22-0046

Petition of Joshua Kirbach, applicant on behalf of Weber Living Trust, owner of record, requesting a zoning map amendment to rezone a 2.88 acre tract of land from "B-3" Highway Business District to "PD" Planned Development District. This is located in Edwardsville Township at **5446 Chain of Rocks Road, Edwardsville, Illinois, County Board District #26, PIN# 14-1-15-32-00-000-004**

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Joshua Kirbach and Weber Living Trust be **Approved with Attachment "A"**.

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.** Joshua Kirbach, applicant, stated he is requesting use the building to store, sort, sift, and separate automotive parts that they collect from dealerships and repair shops. He said then they will decide if the parts should go to a remanufacturer or a scrap facility. Mr. Kirbach said that all storage would be inside the building except a couple luggers outside for some bulk materials. He said there would be no dismantling of vehicles on the property, and this is just a straightforward warehouse; **VI.** George Ellis, Chairman Pro Tem, asked if everything would be indoors, and Mr. Kirbach said there would be a couple dumpsters outside for bulk materials, but they will be behind the building so not visible from the highway. He said the majority will be indoors except the bulk material. Mr. Ellis asked if the property is fenced, to which Mr. Kirbach replied it is not, but there is a gate and fence along the driveway.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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

Attachment “A” – “PD” District Conditions of Use

(A) The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

(B) District Conditions of Use.

1. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
 - a. Front Yard Setback: 50 feet
 - b. Side Yard Setback: 15 feet
 - c. Rear Yard Setback: 50 feet
2. Additional Requirements: Signs §93.118, Parking §93.147, Fencing §93.080.

(C) Permitted Uses

1. Any production, process, cleaning, servicing, testing, repair, or storage of materials, goods, or products that can be operated without creating unreasonable noise, odor, dust, smoke, gas, fumes, or vapor
2. Warehouses and Storage
3. Any permitted use in the “B-2” General Business District

(D) Accessory Uses (See § 93.051 (B))

1. Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land
2. Off-street parking and loading
3. Outdoor storage of materials and equipment, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and eye-sore to the general area

(E) Prohibited uses.

1. Any uses not listed in the above Permitted and Accessory Uses sections.

Finding of Fact and Recommendations

Hearing Z22-0047

Petition of Mark Frey, owner of record with Gail Frey, requesting a zoning map amendment to rezone a 1.62 acre tract of land from "R-2" Single-Family Residential District to "PD" Planned Development District. This is located in Saline Township at **4164 State Route 160, Highland, Illinois, County Board District #4, PIN# 02-2-18-09-00-000-031**

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

Members Absent: Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Mark Frey be **Approved with Attachment "A"**.

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.** Erin Kennedy, representative of Mark Frey, stated Mr. Frey is the owner of Southwestern Construction, and he is asking for the 1.62 acres to be rezoned from Single-Family Residential to "PD" Planned Development. Ms. Kennedy said the property used to be 3.21 acres, it was subdivided into three pieces, and the middle piece with the shed and pole barn is where his business has been mainly operating from since 2003. She said the business is a nonconforming use, and the business is a small construction contractor business, where Mr. Frey's contractors would come to the property to pick up tools and the like. Ms. Kennedy said Mr. Frey is looking to add about 1300 sq ft to the existing pole barn to act as the new entranceway to his pole building with a restroom facility, extra storage, and a heated workshop. She stated no one is working full-time on the property; workers mostly just stop and go.

Roll-call vote.

Ayes to the motion: Thomas Ambrose, 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

Attachment "A" – "PD" District Conditions of Use

(F) The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

(G) District Conditions of Use.

1. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
 - a. Front Yard Setback: 50 feet
 - b. Side Yard Setback: 15 feet
 - c. Rear Yard Setback: 50 feet
2. Additional Requirements: Signs §93.118, Parking §93.147, Fencing §93.080.

(H) Permitted Uses

4. Contractors' offices and shops, where storage of materials and equipment is permitted on the outside of the building, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and an eye-sore to the general area
5. Contractor or construction shops, such as: Building, cement, electrical, excavation, refrigeration, air conditioning, masonry, painting, plumbing, roofing, heating, and ventilation

(I) Accessory Uses (See § 93.051 (B))

1. Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land.
2. Off-street parking and loading.
3. Outdoor storage of materials and equipment, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and eye-sore to the general area

(J) Prohibited uses.

1. Any uses not listed in the above Permitted and Accessory Uses sections.