

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
December 7, 2015**

Members Present: Chairman George Meister, Kent Heberer, Rev. Gene Rhoden, Charles Frederick, Alexa Edwards & Patti Gregory

Members Absent: Scott Penny

Staff Present: Anne Markezich, Zoning Department
Dave Schneidewind, Zoning Attorney

Pledge of Allegiance

Call to Order

The meeting was called to order at 7:00 p.m. by Chairman, George Meister.

Roll Call and Declaration of Quorum

The roll was called and a quorum declared present.

Approval of Minutes

MOTION by Frederick to approve minutes of November 9, 2015 meeting. Second by Heberer. Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2015-15-ABV – Bruce & Robin Reno, 1049 Weil Road, Lebanon, Illinois, owners and applicants. This is a request for an Area/Bulk Variance to allow the construction of an attached garage 5 ft. from the side property line instead of the 15 ft. required in an “A” Agricultural Industry Zone District on property known as 1049 Weil Road, Lebanon, Illinois in O’Fallon Township. (Parcel #04-08.0-400-011)

Bruce & Robin Reno, Owners/Applicants

- Mr. Reno stated he would like to build an attached garage on the property.
- Mr. Reno stated this side of the home, is the only place to attach the garage.
- Mr. Reno stated the existing garage will be renovated into a master bedroom.

Discussion

- Chairman Meister asked if the applicants own the adjacent property that the construction will be encroaching upon. (The applicant stated that is correct.)
- Chairman Meister asked if the applicants are aware of the ramifications of building on the adjacent lot.
- Ms. Markezich stated the applicant’s daughter will build a home on the adjacent lot.
- Mr. Frederick asked if the Zoning Office received any correspondence for or against this zoning variance. (Ms. Markezich stated he received no correspondence from neighbors.)
- Ms. Edwards stated generally, if the property that is affected does not have opposition to the variance, the board typically grants the request.

Public Testimony

There was no public present at the hearing.

Further Discussion

County Board Member, John West stated he has not received any calls from the neighbors and he fully supports the Variance.

MOTION by Edwards to approve the variance for the following reasons: The applicants stated they would like to turn the existing garage into a master bedroom and therefore would like to build an attached garage; the request is in harmony with the general purpose and intent of the Zoning Ordinance; the request will not be injurious to the neighborhood; the request will not affect an adjacent property owner because the applicants own the adjacent lot; the request will not be detrimental to the public welfare; and the request is not in conflict with the Comprehensive Plan.

Rhoden seconds.

Roll call vote:	Rhoden -	Aye
	Heberer -	Aye
	Gregory -	Aye
	Edwards -	Aye
	Frederick -	Aye
	Chairman Meister-	Aye

Motion carried.

This Area/Bulk Variance has been approved by this board.

Old Business – Case #1

Subject Case #2015-10-SP – James Ford & Thomas Williams, 8676 US Highway 50, Lebanon, Illinois, Owners & Applicants. This is a request for a Special Use Permit for a Planned Building Development pursuant to Section 40-9-3(H)(3) to allow outside Boat & RV storage lot with retail of small sheds in an “A” Agricultural Industry Zone District on property known as 8676 US Highway 50, Lebanon, Illinois in O’Fallon Township. (Parcel #04-27.0-401-012)

Chairman Meister stated this case was continued from November 9, 2015.

Discussion

- The applicants stated at the last meeting Mr. Penny requested a quote to install a bathroom on the property.
- The applicant stated the City of O’Fallon sewer tap is \$2,850 and Spengler Plumbing’s estimate was \$28,000.00. The applicant stated the total cost would exceed \$30,000 and would create a hardship on the business.

- The applicant stated he would prefer to rent a porta-potty for \$90.00/per month.
- The applicant stated he revised the site plan to include maximum 28 outside storage items and the plan is revised to allow customers by appointment only.
- Mr. Schneidewind asked if there will be an office in the building. (The applicants explained there will be a locked office that they will use if someone wants to come in and sign a contract.)
- Ms. Markezich asked if the storage sheds will be moved inside the lot. She stated the sheds are not currently on the owner's property. (The applicant stated if the sheds are not on their property, they will move them back. He stated he will have the property surveyed.)
- The applicant stated the property has been a business for 20-years. He stated there was a tow yard on the property and a Pool Company prior to that.)
- Chairman Meister stated the property is zoned Agricultural and stated the Zoning Board has never allowed outside storage of RV's. Chairman Meister stated he feels granting this request would be precedent setting.
- Ms. Markezich stated she spoke to the City of O'Fallon about annexing the business and they have a lot of restrictions the applicants would have to follow.
- Rev. Rhoden stated there is a similar business in the area and feels this request would cause no harm.

MOTION by Rhoden to approve this request for the following reasons: There are similar businesses in the area; the request would be compatible with the area; there will be no traffic congestion; or harm to any adjacent properties in the area; and will not have a negative affect on surrounding property values.

MOTION fails for a second.

MOTION by Edwards to deny the request for the following reasons: The property has no access to utilities; this case was taken under advisement to allow time for the applicants find out about access to water and sewer and the applicants provided that information to the board; the City of O'Fallon stated they would work with the applicants regarding annexation into their City; the proposed design, location, development and operation of the proposed Special Use does not adequately protect the public's health, safety and welfare and the physical environment; this Special Use Permit is not consistent with the Comprehensive Plan; the Special Use Permit would have an adverse affect on the value of

neighboring properties and on the County's overall tax base; the proposed Special Use Permit would have a negative affect on the traffic circulation on nearby streets; public utilities currently are not on the property but are available through the City; the applicant stated at this time it would not be financially feasible for him to bring utilities to the property; the nearby facilities such as schools or hospitals near the Special Use Permit would have an adverse affect; and the request is not compatible to the adjacent uses in the general vicinity.

Frederick seconds.

Roll call vote:	Rhoden -	Nay
	Heberer -	Aye
	Gregory -	Present
	Edwards -	Aye
	Frederick -	Aye
	Chairman Meister	Aye

Motion carried.

This case has been denied by this board.

MOTION to adjourn by Heberer, second by Frederick. Motion carried.