

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
May 11, 2015**

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

Members Absent: Patti Gregory

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

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 the May 4, 2015 meeting. Second by Rhoden. Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2015-03-ZA – Michael W. Muskopf, 11 N. Kossuth Street, Millstadt, Illinois, owner and Rosemary Mathis, 113 Longview Drive, Belleville, Illinois and Michael Muskopf, 11 N. Kossuth, Millstadt, Illinois, applicants. This is a request for a Zoning Amendment to change the zone district classification of a certain tract of land from “A” Agricultural Industry Zone District to “RR-3” Rural Residential Zone District, on property known as XXXX Urbana Road, Millstadt, Illinois in Millstadt Township. (Parcel#12-13.0-300-017)

Rosemary Mathis, Owner/Applicant

- Ms. Mathis explained they are asking to rezone 15-acres of their families land which is currently zoned Agricultural to be rezoned to Residential.
- Ms. Mathis explained they would like to break the parcel into three 5-acre tracts.

Discussion

- Chairman Meister asked if the applicant has a plan. (Mr. Schneidewind informed the Chairman the plan is part of his packet.)
- Mr. Schneidewind stated this property was part of a Planned Building Development years ago for the same family. The Zoning Board allowed a division of three 4.94 acre tracts and one lot of 14.81-acres. The Planned Building Development wasn't followed through on.
- Mr. Schneidewind stated one parcel is affected by the Gateway Connection Corridor and the applicant is aware of that. (The applicant stated she has a letter from the IDOT that states currently there are no restrictions on building in this area.)
- Chairman Meister asked to see an overlay of the Gateway Connection Corridor. (The Zoning Board examined this map.)
- Chairman Meister asked what year the Planned Unit Development was granted. (Mr. Schneidewind stated 2008.)
- Ms. Edwards quoted the letter from IDOT states “Please note that the law governing corridor protections does not require the department to approve or disapprove Zoning changes within the corridor of protection.”
- Ms. Edwards asked if the properties have public water. (The applicant stated they will be drilling a well on the properties.)

- County Board Member, Michael O'Donnell stated public water is approximately 1-mile away, but does not know if there is future expansion planned.
- Chairman Meister stated the LESA Rating on the property is 189, Moderate.
- Mr. Frederick asked if there was any correspondence received for or against from the neighbors. (Ms. Markezich stated she has received no correspondence from neighbors.)

Public Testimony

There were no persons present for public comment.

Further Discussion

- Michael O'Donnell, County Board Member stated he has no objection to rezoning the property. The property has been in the family for 60-70 years; there is no problem with wells in the area and Mr. O'Donnell stated he has not received any correspondence from neighbors.
- Ms. Edwards asked Mr. O'Donnell if he feels with the density increases in this area with rezoning does he feel there will be a problem with the environmental impact concerning water; and septic tanks throughout the area. (Mr. O'Donnell stated he does not believe there will be a problem; these tracts will be 5-acres a piece and will have plenty of room for septic systems.)
- Mr. Rhoden asked if there are plans for water and sewer expansion to this area. (Mr. O'Donnell stated he cannot answer that question for the Village of Millstadt.)

MOTION by Frederick to grant the request for a Zoning Amendment for the following reasons: There were no objectors present at the hearing; the County Board Member, Michael O'Donnell gave testimony in support of the request; and the applicant is aware that the property is in the Gateway Corridor Protection Area.

Second by Heberer.

Roll Call vote:	Rhoden -	Aye
	Heberer -	Aye
	Edwards -	Aye
	Frederick -	Aye
	Meister -	Aye

This Zoning Amendment has been approved by this board and will now go before the County Board for final consideration.

New Business – Case #2

Subject Case #2015-02-SP – Norbert M. Friederich, 8100 Summerfield South Road, Mascoutah, Illinois, owner and applicant. This is a request for a Special Use Permit for a Planned Building Development pursuant to Section 40-9-3(H)(3) of the St. Clair County Zoning Code to allow a Vacuum/Camera Truck Dealer, Storage and Repair Shop in an “A” Agricultural Industry Zone District, on property known as 7627 Richter Road, Mascoutah, Illinois in Mascoutah Township. (Parcel #10-28.0-300-005)

Norbert M. Friederich, Owner/Applicant

- Mr. Friederich stated this property was a trucking company for many years.
- Mr. Friederich stated he is currently running the proposed business but wanted to get the Zoning corrected on the property.
- Mr. Friederich stated his business services the State of Missouri and Iowa and Illinois.
- Mr. Friederich stated there will not be a heavy presence of equipment on the property.
- Mr. Friederich stated they take the equipment to the customers for demonstrations and a few local businesses bring their equipment to the site for repairs.
- Mr. Friederich stated in order to get his dealers license he needs to get the Zoning on the property corrected.

Discussion

- Mr. Frederick asked what is the closest neighbor. (The applicant stated he has a neighbor right next door to the property that has no objection to the zoning request.)
- Ms. Edwards asked how many employees. (The applicant stated he currently has four-five employees and could possibly add one salesperson.)
- Ms. Edwards asked the hours of operation. (The applicant stated the hours of operation will be from 7:30 AM to 4:30 PM, Monday – Friday.)
- Ms. Edwards asked the applicant what kind of business was on the property prior to this business. (The applicant explained there was a trucking company on the property that has been gone for over a year.)
- Mr. Schneidewind stated the prior business was there from 1982 – 2009. (Ms. Markezich added there was a zoning hearing in 1983 to allow the trucking business.)
- Mr. Frederick asked if we have received any correspondence. (Ms. Markezich stated she has not received any correspondence from neighbors.)
- Chairman Meister asked if this company also does boring. (The applicant stated his dad and uncle have a boring operation that is at a different location.)
- Mike Baker, County Board Member stated Debra Moll, Township Supervisor and Rob Hund, Hwy Commissioner are both in favor of this request.
- Ms. Edwards asked if there is anything stored outside on the property. (The applicant stated there are some vacuum trucks stored outside. The applicant stated he will build a structure in the future to store the trucks.)
- Ms. Edwards asked how many trucks are stored outside at one time. (The applicant stated no more than six trucks will be stored outside.)
- Mr. Schneidewind asked the applicant to explain to the board what a Mac truck is and size. (The applicant stated it is the size of a tandem dump truck, a little longer with a tank on the back of it.)
- Chairman Meister asked if there would be a repair shop on the property. (The applicant stated there are some local people that bring their trucks in for repairs.)
- Chairman Meister explained he would not like to see a graveyard of spare parts to pile up on the property. (The applicant stated they keep the property well maintained.)

- Mr. Frederick asked if the area is lighted and fenced. (The applicants stated the area is not fenced but has two lights on the property.)
- Ms. Edwards asked how many customers per week the business typically sees. (The applicant stated there are approximately 5 customers per week.)
- Ms. Edwards asked if there are bathroom facilities in the business. (The applicant stated there are two bathrooms in the office building that are hooked up to the septic system.)
- Ms. Markezich stated the Health Department has no issues with the existing septic tank.
- Mr. Frederick asked how big of an area does the business service. (The applicant stated they service Southern Illinois; Missouri and Iowa.

Public Testimony

Mike Baker, County Board Member stated he feels this request should be approved; he feels this business has been a good neighbor; and it a clean, quiet operation.

Further Discussion

Chairman Meister stated for the record the LESA evaluation is 235 – High.

Mr. Schneidewind pointed out to the Zoning Board Members the future construction of a 45 x 100 ft. storage building on the site plan.

MOTION by Edwards to approve the request for the following reasons: The utilities are well/septic tank; there has been a truck company operating at this location from 1982-2009; the applicant stated he will have no more than 6 employees; the hours of operation will be 7:30 -4:00 PM – Monday – Friday; there will be no more than 6 trucks stored outside; and all equipment will be stored inside; there are plans for a future building as his business expands that will allow him to facilitate his operations and services of his customer; the Special Use Permit would not have an adverse effect on the value of neighboring properties; or on the overall tax base; the proposed design, location, development and operation of the Special Use Permit would adequately protect the public's health, safety and welfare and physical environment; this would not have an affect on traffic; the request is consistent with the Comprehensive Plan and compatible to the previous use; and County Board representative, Mike Baker is in favor of the request.

Second by Frederick.

Ms. Edwards amended her motion to allow hours from 7:30 AM to 4:30 PM.

Second to Amendment by Frederick.

Motion and a second.

Roll Call vote:	Rhoden -	Aye
	Heberer -	Aye
	Edwards -	Aye
	Frederick -	Aye
	Meister -	Aye

This case has been approved by this board and will now go before the County Board for final consideration.

New Business – Case #3

Subject Case #2015-04-ABV – Rick Schmidt, 6360 Kaskaskia Road, Millstadt, Illinois, owner and applicant. This is a request for an Area/Bulk Variance to allow the construction of a greenhouse 15 ft. from the front property line instead of the 60 ft. required in an “A” Agricultural Industry Zone District on property known as 6360 Kaskaskia Road, Millstadt, Illinois in Millstadt Township. (Parcel #12-14.0-200-008)

Rick Schmidt – Owner/Applicant

- Mr. Schmidt stated he would like a variance to construct a 30' x 72' private greenhouse on his property
- Mr. Schmidt explained he is a part of network of veterans for sustainable agriculture.
- Mr. Schmidt stated he wants to build the greenhouse and see if he can make some produce to sell locally in St. Clair County.
- Mr. Schmidt stated he talked to several of his neighbors who are in favor of the Zoning request.
- Mr. Schmitt stated he is aware that if he ever decides to sell wholesale, he would have to get another variance.

- Mr. Schmitt stated the topography of his property on the other side of his parcel will not allow him to move it to that side.
- Mr. Schmitt stated through scientific research a greenhouse should be North and South to get maximum light penetration.
- Mr. Schmitt stated the average age of a farmer is 61 and he did training with the VA GI bill.

Discussion

- Mr. Rhoden asked what the greenhouse is made of. (The applicant stated it is stretched two-layer poly, which is a plastic film.)
- Chairman Meister asked if this is a hoop building. (The applicant stated this is a hoop-house.)
- Mr. Schneidewind informed the Zoning Board that the greenhouse is a permitted use in the zone district but the applicant is here because he does meet the 60 ft. setback from his front property line.

Public Testimony

- Charles Becker, 4320 Bingen St., Millstadt stated he owns the ground on three sides of this property. Mr. Becker stated he gave the easement to build on and stated Mr. Schmidt has an extra 25 ft. easement to his property. Mr. Becker stated this farm has always been agricultural.

Further Discussion

- County Board Member, Michael O'Donnell stated he is in favor of the request and he spoke with Mr. Powles an adjacent neighbor and he has no problem with the variance.
- Ms. Edwards stipulated that if the greenhouse is no longer in use; the applicant will tear it down.

MOTION by Frederick to approve the Zoning variance for the following reasons: The utilities are well/septic; there will be no objectors present at the hearing; and County Board Member, Mike O'Donnell is in favor of the request.

Second by Rhoden.

Motion and a second.

Roll Call vote:	Rhoden -	Aye
	Heberer -	Aye
	Edwards -	Aye
	Frederick -	Aye
	Meister -	Aye

This case is an Area/Bulk Variance and has been approved by this board.

Old Business

This case was taken under advisement on the April 6, 2015 Meeting.

Subject Case #2015-01-SP – Vernon & Susan Thacker, 4917 Stone Ledge Drive, Smithton, Illinois, Owners and STL Equities, LLC, 1415 Elbridge Payne Road – Ste. 285, Chesterfield, Missouri, applicants. This is a request for a Special Use Permit for a Planned Building Development to allow a Dollar General Store in a “HB” Highway Business Zone District, on property known as 101 Eiler Road, Belleville, Illinois in Stookey Township. (Parcel #07-11.0-302-001)

Mr. Schneidewind announced this hearing was taken under advisement to allow the County Highway Department to do a traffic study. This traffic study was done by Kaskaskia Engineering Group, LLC which was shared to the St. Clair County Highway Department. The ultimate conclusion from the Highway Department was that there will be no improvements needed to Eiler Road and the St. Clair County Highway Department agreed with the traffic study in finding that it will have no impact on Eiler Road and Illinois 13 via letter dated May 8, 2015 from St. Clair County Highway Department signed by Wayne Sandheinrich for James Fields.

Discussion

- Ms. Edwards stated she read through the traffic study and it stated there would be minimal impact and that a signal or turn lane would not be necessary.
- Ms. Edwards stated the applicants have met all requirements of the Planned Building Development.
- Ms. Edwards confirmed the hours of operation will be from 8:00 AM to 9:00 PM – 7 days a week. (The applicants agreed.)

- Mr. Schneidewind stated on page 8 of the Traffic Study it states if there is an improvement higher than 3.5 feet closest to the roadway; then that will be located 20 ft. back from the road, so there is no obstruction from the entrances. (The applicant stated the sign will be beyond the 20 feet.)

MOTION to approve the Special Use Permit for a Planned Building Development for the following reasons: The utilities are public water and the St. Clair County Health Department is requiring the applicants to hook up to public sewers; the proposed design, location, development and operation of this proposed SP adequately protects the public's health, safety and welfare and physical environment; the request is consistent with the Comprehensive Plan; and the request will not have an adverse effect on the value of the neighboring properties or on the County's overall tax base; the traffic study was performed by Kaskaskia Engineering Group, LLC and this will be part of evidence as far as affect on traffic; all public utilities are available; the nearby facilities such as hospitals have been considered and will have no affect; and the request is compatible to the adjacent uses in the vicinity. The following stipulations and conditions will be placed on the approval of this Planned Building Development: The Health Department requires the development connect to municipal sewers and properly abandon existing septic; applicant is to comply with Mr. Sandheinrich's letter of May 7, 2015 requirements for constructing entrance to Eiler Road; any obstructions close to the entrance; signs, parking that are higher than 3.5 feet must be 20 ft. from the nearest pavement edge (see page 8 of the Traffic Impact Study); there will be only two signs allowed, one on the building and one free-standing sign; applicant will adhere to the fencing requirements of 40-4-48 -Fencing of at least 6 ft. in height which will be vinyl fencing; all setbacks must be met for the "HB" district; lighting, parking lot and security must be down lighting so as not to go off site; the hours of operation are from 8:00 AM - 9:00 PM - seven days per week; applicant is to design adequate stormwater retention and drainage; and as long as those stipulations and conditions are met, the County Board representative has given his approval. It would be the recommendation of this board, this Planned Building Development be approved.

Frederick seconds.

Motion and a second.

Roll Call vote:	Rhoden -	Aye
	Heberer -	Aye
	Edwards -	Aye
	Frederick -	Aye
	Meister -	Aye

This case has been approved by this board and will go to the County Board for final consideration.

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