

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
November 9, 2015**

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

Members Absent: Patti Gregory

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 Rhoden to approve minutes of November 2, 2015 meeting. Second by Penny. Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2015-05-ZA – Cletus & Mary Zotz, 723 O'Fallon Troy Road, Lebanon, Illinois, Owners and Matthew Hoy & Andrew Olson, 718 Saybook Falls Drive, Fairview Heights, 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 to "RR-3" Rural Residential Zone District, on property known as 723 O'Fallon Troy Road, Lebanon, Illinois in O'Fallon Township. (Parcel #04-09.0-400-054)

Matt Hoy, Applicant

- Mr. Hoy stated the owners are selling 12.5-acres of the property. Mr. Hoy explained 3/4ths of the parcel is zoned Agricultural and the remainder of the property is zoned "RR-3" Rural Residential.
- Mr. Hoy explained he and Andrew Olson would like to purchase the property contingent upon the property being rezoned to "RR-3" Rural Residential.
- Mr. Hoy stated each applicant would like to build one single-family residence on the property.

Discussion

- Rev. Rhoden asked the applicant what utilities are on the property. (The applicant stated Caseyville water is available to the property and they will install aeration on the property.)
- Mr. Heberer asked the LESA Rating on the property. (Anne stated the LESA rating is 189 Moderate.)
- Chairman Meister asked if there will be two lots. (The applicant stated that is correct.)
- Mr. Schneidewind explained the first part of the parcel is zoned "RR-3" Rural Residential currently and the back part of the property is zoned "A" Agricultural.
- Ms. Edwards questioned if all the divisions came out of this one parcel. (Anne explained the front part where the divisions are all zoned Rural Residential.)
- Chairman Meister stated he feels rezoning the property to "RR-3" would be compatible with the area.

Public Testimony

There was no public present at the hearing.

Further Discussion

MOTION by Rhoden to approve the request for rezoning.

Second by Penny.

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

Motion carried.

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

New Business – Case #2

Subject Case #2015-14-ABV – John E. Ruth, 11525 Pfeiffer Road, New Baden, Illinois, Owner & Applicant. This is a request for an Area/Bulk Variance to allow the division of 6-acres instead of the 40-acres in an “A” Agricultural Industry Zone District, on property known as XXXX Korte Sewald Road, Lebanon, Illinois in Mascoutah Township. (Parcel #10-05.0-400-012)

John Ruth, Owner/Applicant

- Mr. Ruth explained he owns 46-acres in Section 5 of Mascoutah Township.
- Mr. Ruth explained this parcel is his share of a family inheritance.
- Mr. Ruth stated his son and his daughter-in-law would like to build a house on 6-acres of the parcel.
- Mr. Ruth stated his son would like to build on this property to remain close to the farming operation.

- Mr. Ruth stated there is a block building on the property his father and grandfather built in 1942, which is used to store farm machinery.
- Mr. Ruth explained the 3-acres adjoining this division was split out in his grandfather's estate. He approached the owners to see if they would be willing to sell it back to the family and they are considering the offer but have not responded to the offer.
- Mr. Ruth stated to the Northwest of this property is his great great grandfathers farm; a little further to the Northwest is his maternal grandparents farm; and just East of the property is his maternal great-grandfathers farm.
- Mrs. Ruth explained their son is a volunteer firefighter and would like to build a home and remain in this Fire District.
- Ms. Ruth stated they spoke with Tri-Township Water and they are willing to run water to the property.

Discussion

- Chairman Meister asked if the division will be due South of the existing tract on the property. (Mr. Ruth stated that is correct.)
- Ms. Edwards asked how many acres the applicant currently farms. (The applicant stated he farms and his son has a separate 52-acres he farms at a different location.)
- Ms. Markezich stated the LESA Rating is 221 which is high.
- Ms. Edwards asked if besides the 3-acre division of this property are there similar divisions in the area. (The applicant stated there are some divisions along Faust Road.)
- Ms. Edwards asked the applicant if his son's livelihood is from the Agricultural Industry. (The applicant stated his son is currently working as a boilermaker in addition to farming, but will eventually inherit all of the farming.)
- Ms. Edwards asked why the applicants are asking for 6-acres. (The applicants stated they gave their son-in-law a 6.5-acre tract that was an existing tract, so they are trying to be fair.)

Public Testimony

- John Knobloch stated he is a neighbor to the West. Mr. Knobloch stated the Ruth's are a good family and is highly in favor of this request.
- (Name inaudible) stated he is a 6th generation farmer himself and he is in favor of the request and fully supports a house being built on the property.

Further Discussion

MOTION by Rhoden to approve the request to allow the division of 6-acres instead of the 40-acres required in an "A" Agricultural Industry Zone District.

Heberer seconds.

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

Motion carried.

This case has been approved by this board.

New Business – Case #3

Subject Case #2015-10-SP - James Ford & Thomas Williams, 8676 US Highway 50, Lebanon, Illinois, owners and applicants and Tom Williams, 117 Brookside Drive, O'Fallon, Illinois, applicant. This is a request for a Special Use Permit for a Planned Building Development pursuant to Section 40-9-3(H)(3) to allow an 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)

Thomas Williams/James Ford

- Mr. Williams presented pictures of the current property to the board.
- Mr. Williams also presented pictures of storage facilities in St. Clair County.
- Mr. Williams stated he is surrounded by the City of O'Fallon.
- Mr. Williams stated he is adjacent to a storage facility and across the street is trailer sales and a trucking company. (Ms. Markezich stated all of these businesses are located in the City of O'Fallon.)
- Mr. Williams stated there has been a business on this property for over 20-years.
- Mr. Williams stated they purchased the property from A-1 Towing and prior to that was Prestige Pools.

- Mr. Williams stated he understood the property was zoned commercial because the property is being taxed for commercial.
- Mr. Ford stated he called the Zoning office and was told he could have any commercial business other than auto repair/sales.
- Mr. Ford stated both applicants have full-time jobs and this business will be part time only.

Discussion

- Chairman Meister asked the applicant to explain the site plan. (Mr. Williams pointed out the areas that he will have boat & RV storage and then where the sheds and carports will be on the property. Mr. Williams stated there is a small office in the building.)
- Chairman Meister asked if there is fencing around the property. (Mr. Williams stated the entire lot has a chain link fence with barbed-wire along the top.)
- Chairman Meister asked if there is an office in the building without water and sewer. (Mr. Williams stated there is no bathroom in the building, just a desk and a chair.) (Mr. Williams stated there will be no full-time employee at the site and there will be a combination lock on the gate for customers.)
- Chairman Meister asked how many units will be stored on the property. (The applicant stated approximately 20 boats/rv's will be stored on the property.)
- Mr. Penny asked if there will be a canopy or roof on the property. (The applicants stated there will be no canopy.)
- Mr. Heberer asked whether the business is required to have water/sewage. (The applicant stated he feels water/sewage is not required because there will be no full-time employees at the property.)
- Ms. Edwards stated the Zoning Board has denied other businesses in the past for not having access to water and sewer.
- Mr. Frederick asked how far away public water is from the property. (The applicant stated the next business over has public water.)
- Chairman Meister asked what is currently on the property. (The applicant stated there is currently boat and RV storage on the property.)
- Mr. Frederick stated if this is a business there will be someone in the office and that should require a bathroom. (The applicant stated the sales will be by appointment only.)
- Ms. Edwards stated she feels the applicant should connect to public water and public sewer.
- Chairman Meister stated he is not in favor of outside storage.

- Mr. Heberer stated he has a problem with no water or sewer on the property. (The applicant stated public water will cost thousands of dollars.)
- Mr. Rhoden stated he has no problem with the request because there has been businesses on the property in the past and they will not hurt anyone or cause anymore traffic than what is already there.
- Mr. Penny stated he feels there is an obligation to have sanitary sewers for the customers and feels he could approve the request with the addition of public water/public sewer.
- Mr. Frederick asked if the applicants have talked to the City of O'Fallon about the fee for tapping onto public water. (The applicant stated he has not spoken to the City of O'Fallon.)
- Chairman Meister asked the applicants to explain the sales of storage sheds. (The applicant stated the sheds are in the front of the fence at this time.)
- Mr. Schneidewind asked how many boats and RV's can be parked on the property. (The applicants stated 20 or 25 RV/boat spots on the outside total and four on the inside of the building.)

Discussion

Mr. Penny suggested the applicants talk to the City of O'Fallon regarding connecting to public water.

Public Testimony

There was no public present at this hearing.

Further Discussion

MOTION in the Case 2015-10-SP – James Ford & Thomas Williams that this case be taken under advisement to allow time to gather information regarding running water and sanitary sewer to the facility and the construction of an office with restrooms and to allow the applicant time to develop a sight plan committing to total number of parking spaces allocated for parking of boats and vehicles stored on the site.

Frederick seconds.

Roll call vote: **Rhoden - Aye**
 Penny - Aye
 Heberer - Aye
 Edwards - Aye
 Edwards - Aye
 Chairman Meister -Aye

Motion carried.

This case has been taken under advisement by this board.

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