

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
January 11, 2016**

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 Heberer to approve minutes of December 7, 2015 meeting. Second by Rhoden. Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2015-16-SP - Ardell F. Going TR fbo Ramona Friederich, 10031 Grodeon Road, Mascoutah, Illinois, owners and Ramona Friederich, 10031 Grodeon Road, Mascoutah, 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 a Boring Construction Business in a “RR-3” Rural Residential Zone District on property known as 6927 State Rte 4, Mascoutah, Illinois in Engelmann Township. (Parcel #15-05.0-300-011)

Ramona Friederich, Owners/Applicants

- Ms. Frederick stated the property is a part of the family farm of which she is the Trustee.
- Ms. Frederick stated the property has an entrance off of State Rte 4.
- Ms. Frederick stated the property currently has a barn, silo’s and grain bins on the property. The grain bins will be removed.
- Ms. Frederick stated they would like to build two sheds on the property; one with a shop and office and the other will be a storage building.
- Ms. Frederick stated the boring business is currently located at a different farm and they would like to move it to this property.
- Ms. Frederick stated they have four employees that are on the jobsites most of the time. The trucks, equipment and pipe are prepared on-site and then loaded up. There will be someone working in the office on occasion.
- Ms. Frederick stated there will be no business sign on the property and no customers will come to the site.

Discussion

- Mr. Frederick asked if there will be outside storage on the property. (The applicant stated the shed will be for the storage of all trucks and equipment. She stated the only outside storage will be augers, which will be hidden by a privacy fence or a row of trees.)
- Mr. Frederick asked who is the closest neighbor. (The applicant stated they have spoken to their neighbors and they have no objections.)
- Ms. Markezich stated she received a letter from the Township in favor of the request.

- Chairman Meister asked how big the auger drills get. (The applicant stated the are 2 ft. to 3 ft. and are 20 ft. long and can be stacked like pipe.)
- Chairman Meister asked if casing will be stored on the property. (The applicant stated they do not stock casing.)
- Ms. Edwards asked about utilities. (The applicant stated there is a well on the property and they will install a new septic system.)
- Ms. Edwards asked if the equipment is cleaned or repaired on the property. (The applicant stated the oil changes will be done inside the shop, but most cleaning is done at the jobsite.)
- Mr. Schneidewind asked if the existing buildings on the property will be used for the business. (The applicant stated that is correct.)
- Ms. Edwards stated the summary lists four employees only. (The applicant stated she would like to revise the request to allow 6-employees, in case of future growth.)
- Mr. Heberer asked if the Zoning Ordinance allows trees to be used as a barrier. (Mr. Schneidewind stated there are provisions in the code that allow for evergreen hedging or trees to serve as a barrier. The board can make a recommendation for a barrier to hide that stockpile.)

Public Testimony

- Kathleen Floyd – 143 N 4th Street, New Memphis, Illinois asked if the barn will be torn down on the property. (Ms. Friederich stated the barn has so much historical value, they decided to put siding on it.)

Further Discussion

County Board Member, Mike Baker stated he feels allowing this business would be an improvement to the property and stated he is in favor of granting this request to allow the business.

MOTION by Heberer to grant the request with the following stipulations: The applicants agree to put in a privacy fence on three sides around the outside storage area; the applicants will have a maximum 6 employees; and there will be no business sign on the property.

Rhoden seconds.

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

Motion carried.

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

New Business – Case #2

Subject Case 2015-12-SP has been rescheduled to March 7, 2016.

New Business – Case #3

Subject Case #2015-17-SP – Kevin & Connie Kinder, 7338 Wirth Road, Millstadt, Illinois, Owners and Applicants. This is a request for a Special Use Permit to allow a Home Occupation (Firearms Dealer) in an “A” Agricultural Industry Zone District on property known as 7338 Wirth Road, Millstadt, Illinois, in Stookey Township. (Parcel #07-31.0-200-018)

Kevin Kinder – Owner/Applicant

- Mr. Kinder stated he has lived in Millstadt for 10-years and is attempting to move license to new residence located at 7338 Wirth Road, Millstadt.
- Mr. Kinder presented letters of support from Sheriff Watson, Millstadt Chief of Police, Ed Wilkerson, and a Special Agent from the IRS.
- Mr. Kinder stated his business caters to law enforcement officers or referrals from friends and is not open to the general public.

Discussion

- Ms. Edwards asked if the applicant is currently running the business in Millstadt. (The applicant stated the business has been run from his residence for the past 6-years.)
- Chairman Meister asked if there is a shooting range on the property. (The applicant stated he will not have a shooting range on the property.)

- Mr. Frederick asked if there was any correspondence from neighbors. (Ms. Markezich stated she received no correspondence.)
- Chairman Meister asked the scope of business. (The applicant stated he will have 5-10 transactions per month and all deliveries are held at UPS for pickup. The transaction legally has to take place at his location.)\
- Mr. Schneidewind confirmed there will be no gun range on the property. (The applicant stated that is correct.)
- Ms. Gregory asked if there will be a business sign. (The applicant stated there will be no business sign.)

Further Discussion

County Board Member, Larry Stammer stated he received no correspondence from surrounding property owners regarding this request. Mr. Stammer stated he has no objection to the request.

MOTION by Edwards to approve the request for the following reasons: Mr. Kinder has sold firearms in his home for past 6-years within the city limits of Millstadt; the applicant is relocating and is requesting to be a firearms dealer in his new home; the applicant provided letters of recommendation from the Police Chief of Millstadt, St. Clair County Sheriff, Rick Watson and IRS Criminal Investigator; County Board Member, Larry Stammer gave testimony in favor of the request; there was no opposition from neighbors; the proposed design location, development and operation of this Special Use adequately protects the health, safety and welfare and the physical environment of the property; the request is consistent with the Comprehensive Plan; there will be no adverse affect on neighboring properties or county's overall tax base; the applicant submitted a summary of the proposed business; there will be no business sign on the property; there will be no employees; and gun sales will be by appointment only.

Frederick seconds.

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

Motion carried.

This case has been approved by this board.

New Business – Case #4

Subject Case #2015-18-ABV – Noeth Development, 47 Carnation Drive, Collinsville, Illinois, owners and applicants. This is a request for an Area/Bulk Variance to allow the construction of a building addition and the construction of future buildings/additions 50 ft. from the front property line instead of the 75 ft. required in a “HB” Highway Business Zone District on property known as 1946 S. Morrison Avenue, Caseyville, Illinois in Caseyville Township. (Parcel #03-04.0-300-014)

Matt Noeth, Owner/Applicant

- Mr. Noeth explained he came before the Zoning Board approximately one year ago to allow construction of a building 50 ft. from the front property line instead of the 75 ft. required.
- Mr. Noeth stated he would like to expand the mini-warehouse business and build an exact mirror of the building currently on the property.
- Mr. Noeth stated he also would like to request for future storage buildings with the 50 ft. setback line.
- Mr. Noeth stated the buildings will be the same color and size as the existing building.

Discussion

- Mr. Schneidewind stated the Zoning Board granted this property an Area/Bulk Variance for 50 ft. from the front property line instead of the 75 ft. required for the existing building. Mr. Schneidewind stated applicants thought the 50 ft setback applied to the entire property but it was clear at the last hearing that for any new buildings would have to come back before this board. Mr. Schneidewind explained the applicant would like to add on to the existing building and is proposing two additional buildings. Mr. Schneidewind stated the board may want to consider granting a 50 ft. setback for the proposed buildings and any future buildings.
- Chairman Meister asked if the Zoning office has received any concerns since the last hearing was granted. (Ms. Markezich stated she has received no complaints or concerns from neighbors regarding the current building.)
- Chairman Meister read a letter from the Illinois Department of Transportation stating they have no plans to expand the roadway.

Public Testimony

- Name Unknown – stated he is a neighbor from across street and that he has no objections to the request.

Further Testimony

County Board Member, Carol Clark stated she recommends the Zoning Board approve the request to include the variance for the entire length of the property.

MOTION by Rhoden to approve the request for the following reasons: The St. Clair County Board Member is present at the hearing and has no objection to the request; and the variance will be granted for a 50 ft. setback across the entire front parcel.

Frederick seconds.

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

Old Business – Case #1

Subject Case #2015-05-SP – Roger V. Davis & Carol J. Davis, 8162 Red Ray Mine Road, Freeburg, Illinois, owners and applicants. This is a request for a Special Use Permit for a Planned Single-Family Residential Development with 6-lots in an “A” Agricultural Industry Zone District, on property known as 8162 Red Ray Mine Road, Freeburg, Illinois, in New Athens Township. (Parcel #18-04.0-400-018)

Mr. Schneidewind stated the above referenced case has been withdrawn. Mr. Roger Davis submitted a letter of withdrawal to the Zoning office on January 5, 2016.

Old Business Case #2

Subject Case #2013-08-SP – Michelle S. Bauer, 423 West Main Street, Mascoutah, Illinois, owner and applicant. This is a request for an amendment to a Special Use Permit for a Planned Building Development to include the sale of carports & garages; to allow automotive repair; to allow tire sales; and to allow produce sales in a “RR-1” Rural Residential Zone District on property known as 10035 & 10037 US Highway 50, Lebanon, Illinois in Lebanon Township. (Parcel #05-20.0-300-026 & 027 and 05-20.0-300-003 & 013)

Mr. Schneidewind explained the above referenced property has been foreclosed upon, therefore this case is being withdrawn.

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