

**St. Clair County Zoning Board of Appeals  
Minutes for Meeting  
At the Courthouse – 7:00 P.M.  
February 8, 2016**

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

**Members Absent:** Scott Penny & Patti Gregory

**Staff Present:** Pamela Click, Zoning Department  
Mark Favazza, Zoning Attorney

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**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 January 11, 2016 meeting. Second by Rhoden. Motion carried.

**Public Comment**

There were no comments from the public.

**New Business – Case #1**

Subject Case #2015-16-ABV – Betty J. Kronemeyer TR and Kenneth and Susan Voss, 809 N. 10<sup>th</sup> Street, Mascoutah & 10440 Kruse Road, Mascoutah, Illinois Owners and Jason Voss, 211 Pineview Road, Carbondale, Illinois, Applicant. This is a request for an Area/Bulk Variance to allow the division of 10-acres with the house place with 50 ft. of frontage instead of the 100 ft. required in an “A” Agricultural Industry Zone District, on property known as 6800 Betty Jane Lane, Mascoutah, Illinois in Engelmann Township. (Parcel #15-09.0-100-010, 15-04.0-300-010 & 15-04.0-300-008)

**Jason Voss, Applicant**

- Mr. Voss stated his proposal would allow 50 ft. of frontage instead of the 100 ft. of frontage required per the St. Clair County Zoning code.
- Mr. Voss stated his reason for this request is the land that contains the frontage is prime farm ground and he would like to take the minimum amount of farm ground.
- Mr. Voss explained he will be moving the property line of the property owned by Kenneth & Susan Voss 50 ft. to the West in order to continue the ingress/egress route along Betty Jane Lane.

**Discussion**

- Ms. Edwards asked how many acres the property is currently. (The applicant stated the property is approximately 74-acres.
- Ms. Edwards asked the applicant if the home is currently being occupied. (The applicant stated the home was occupied and the tenants moved out a few weeks ago.)
- Ms. Edwards asked if the home is rental property. (The applicant stated the property was rental property.)
- Ms. Edwards asked the applicants if this parcel will remain rental property. (The applicant stated the property is in much disrepair at this time and would not pass codes to be rental property. He explained his plans are to eventually demolish the house and build a new residence on this parcel.)
- Ms. Edwards asked what the timeline for building a new home is. (The applicant stated it will be 4 to 5 years before he constructs a home.)
- Ms. Edwards asked if the existing home could become rental property again in the next 4 to 5 years. (The applicant stated the home would not meet code to become rental property.)

- Ms. Edwards asked the LESA rating on the property. (Ms. Click stated the LESA rating is 222 - High.)
- Ms. Edwards asked the applicant if he is involved in the farm operation. (The applicant stated his grandma currently rents the property to Ken Kruse for farming and the property will be continued to be farmed.)
- Ms. Edwards asked if the property is being purchased. (The applicant stated he is purchasing the property from his grandmother.)
- Chairman Meister asked if the Zoning Office received any correspondence. (Ms. Click submitted a letter from the Township Supervisor in favor of the request.)
- Ms. Click explained to the board this is the first division of this parcel and 5-acres with the house place is a permitted use. Ms. Click stated the variance request is only for 50 ft. of frontage instead of the 100 ft. required.
- Ms. Edwards stated the purpose of the Zoning Board is to protect prime farmland.

### **Public Testimony**

There were no persons present for public comment.

### **Further Discussion**

County Board Member, Mike Baker stated the applicant is fully intending on building a new home on the property and he feels like this will increase the value of the property and stated he has no objection to granting the variance.

**MOTION** by Rhoden to approve the request for the following reasons: There is no opposition to the request and the County Board Member has no objection to the request.

Frederick seconds.

|                        |                           |            |
|------------------------|---------------------------|------------|
| <b>Roll call vote:</b> | <b>Rhoden -</b>           | <b>Aye</b> |
|                        | <b>Heberer -</b>          | <b>Aye</b> |
|                        | <b>Edwards -</b>          | <b>Aye</b> |
|                        | <b>Frederick -</b>        | <b>Aye</b> |
|                        | <b>Chairman Meister -</b> | <b>Aye</b> |

Motion carried.

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

**New Business – Case #2**

Subject Case 2016-02-ABV – Matthew J. Heet, 10125 Marissa Township Line Road, Lenzburg, Illinois and Barbara Heet, 7991 Concordia Church Road, Belleville, Illinois, Owners and Matthew & Amy Heet, 10125 Marissa Township Line, Lenzburg, Illinois, applicants. This is a request for an Area/Bulk Variance to allow the division of 5-acres with the house place with 50 ft. of frontage instead of the 100 ft. required in an “A” Agricultural Industry Zone District on property known as 10125 Marissa Township Line Road, Lenzburg, Illinois in Fayetteville Township. (Parcel #19-32.0-400-010)

**Matthew Heet, Owner/Applicant**

- Mr. Heet stated he would like to break off 5-acres from the farmland for estate planning.
- Mr. Heet stated the bank will not offer a mortgage on the property because of the attached Agricultural land.
- Mr. Heet stated he built a new residence on this property last year.

**Discussion**

- Chairman Meister asked the applicant if the division will land lock the remaining farmland. (The applicant stated there is frontage to the remaining portion.)
- Mr. Heberer asked if the shed will be on the 5-acre tract. (The applicant stated that is correct.)
- Mr. Rhoden asked what is stored in the building. (The applicant stated he stores excavation equipment in the building.)
- Mr. Frederick asked if the business is run out of this location. (The applicant stated the business has a different address.)
- Ms. Edwards asked if there will be employees coming to this location. (The applicant stated employees could work in the shop.)
- Ms. Edwards asked what type of work the employees do in the shop. (The applicant stated maintenance on equipment.)
- Mr. Rhoden asked how many employees. (The applicant stated he has one part time employee plus him and his father.)

- Mr. Frederick asked if the Zoning Office received any correspondence regarding this variance. (Ms. Click stated she received no correspondence.)
- Ms. Edwards asked why the property is the shape it currently is. (The applicant stated the division is oddly shaped to get access to the property.)
- Ms. Edwards asked the LESA rating on the property. (Ms. Click stated the LESA rating is 171 – low.)
- Ms. Edwards stated the Zoning office needs to address the business being ran from the property.
- Ms. Edwards asked the applicant what type of equipment is stored in the shed. (The applicant stated when the equipment is not at a job; it is stored inside the building.)
- Mr. Frederick asked the applicant what type of business is on the property. (The applicant stated he does agricultural drainage work for farmers. He stated he has tiling equipment used for agricultural work.)
- Ms. Edwards asked if there is equipment stored outside. (The applicant stated on occasion, leftover pipe is stored outside on the property.)
- Mr. Heberer stated this property is in the middle of nowhere.
- Mr. Heberer explained the road being referring to is actually a path.
- Ms. Edwards stated the business should be addressed by the Zoning Department.

### **Further Discussion**

County Board Member, Ed Cockrell stated he has no objection to dividing off the 5-acres. Mr. Cockrell stated if the applicant wants to move his business to this address he needs to get approval from Zoning. Mr. Cockrell stated he feels the variance requested is compatible with the area.

**MOTION** by Rhoden to approve Zoning Hearing 2016-02-ABV.

Frederick seconds.

|                        |                           |            |
|------------------------|---------------------------|------------|
| <b>Roll call vote:</b> | <b>Rhoden -</b>           | <b>Aye</b> |
|                        | <b>Heberer -</b>          | <b>Aye</b> |
|                        | <b>Edwards -</b>          | <b>Aye</b> |
|                        | <b>Frederick -</b>        | <b>Aye</b> |
|                        | <b>Chairman Meister -</b> | <b>Aye</b> |

Motion carried.

This case has been approved by this board.

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