

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
August 6, 2018**

Members Present: Chairman Scott Penny, George Meister,
Alexa Edwards, Steven Howell & Marcy Deitz

Members Absent: Patti Gregory

Staff Present: Stephanie Allen, Zoning Department
Dave Schneidewind, Zoning Attorney

**County Board
Members Present:** Scott Tiemann, County Board District #26

Pledge of Allegiance

Call to Order

The meeting was called to order by Chairman, Scott Penny.

Roll Call and Declaration of Quorum

The roll was called and a quorum declared present.

Approval of Minutes

MOTION to approve Minutes of July 9, 2018. Second by Howell. Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2018-12-SP – Rowden Enterprises, 1224 Henry Street, Alton, Illinois, Owner and Rachael Coleman, 108 Greenbriar Drive, Belleville, Illinois, Applicant. This is a request for a Special Use Permit to allow a business establishment licensed to sell liquor and/or alcoholic beverages by the drink in a “B-2” General Business Zone District, on property known as 817 S. Belt West, Belleville, Illinois in St. Clair Township. (Parcel #08-28.0-146-007)

Rachael Coleman, Applicant

- Ms. Coleman, 108 Greenbriar Drive, Belleville, Illinois stated she is the applicant and will present the case to the board.
- Ms. Coleman explained she would like open a lounge at this location called Lucky Jacks. She explained Lucky Jacks is a premier lounge and video gaming establishment which provides a fun, quiet, safe and private atmosphere for adults 21 and over.
- Ms. Coleman stated there will be five video slot machines on site as well as one attendant present to assist customers with all of their needs during the posted business hours of 8:00 AM to 1:00 AM – Monday – Saturday & Sunday.
- Ms. Coleman projects there will be between 3 to 5 customers present at the property at one time.
- Ms. Coleman stated there will be beer and wine by the drink for purchase and water, soda, coffee and chips are provided free of charge. She stated there will also be a light bar food available for purchase.
- Ms. Coleman explained customers will have a chance to win monthly prize giveaways for items such as a big screen TV, tickets to sporting events, and gift cards to local businesses.
- Ms. Coleman stated there are 45 available parking spaces in the vicinity of the business.
- Ms. Coleman stated the projected number of employees will be three or four, with one person working per shift.
- Ms. Coleman stated she currently owns a building and establishment in East Alton and has been open for over one-year with no complaints and remains in good standing in East Alton and the surrounding communities.

Discussion

- Ms. Edwards asked the hours of operation on Sundays. (The applicant stated the hours on Sunday will be from 12:00 PM to 1:00 AM.)

- Mr. Meister asked what is currently in the other building on the property. (Mr. Rowden stated there was a gym in that building until last month, it is currently vacant.)
- Mr. Meister asked if this business will only be located in the address of 817 S. Belt West. (Mr. Rowden stated that is correct.)
- Mr. Howell asked if there will be hard liquor served. (The applicant stated there will be no hard liquor served.)
- Ms. Deitz asked if there is a kitchen in the building. (The applicant stated there will be toaster oven to cook quick snacks such as chicken fingers, toasted ravioli's etc.)
- Mr. Howell asked if the applicant foresees any conflict with running two businesses such a distance from each other. (The applicant stated she lives in Belleville and does not foresee any conflict with this location being closer than the East Alton location.)

Public Testimony

- Leon Sauget, 1029 Vicksburg Drive, Belleville stated he has been to the business in East Alton and it is a clean operation and well run with a nice atmosphere. He also stated Ms. Coleman is a Veteran that served time in Kuwait and has proven she can run a good business.
- Jay Rowden, Rowden Enterprises, 1224 Henry Street, Alton, Illinois stated he is the property owner. He also visited the location in East Alton and is impressed with her operation. Mr. Rowden explained she did an exterior renovation on the East Alton location and will do the same at this location.
- Pat Sauget stated she is an Officer of the LLC and brings to the business years of experience and this business is a hybrid, she explained they are not casinos or bars just a new type of business that is very quiet and she feels this will be a good business just like the one in East Alton.

Further Testimony

County Board Member, Scott Tiemann stated he feels this business would be a great idea; and states it is better to have a business than a vacant store-front. He explained the business will raise revenue and create jobs. He also stated he has not heard any negative feedback from neighbors.

MOTION by Edwards to approve the request for the following reasons: This property has public water and public sewers; the Comprehensive Plan calls for residential but this is an erroneous designation because this is a multi-use area; the proposed design, location, development and operation of the proposed Special Use adequately protects the public's health, safety and welfare and the physical environment; the use is consistent with the Comprehensive Plan; the request will not have an adverse effect on the value of the neighboring property and on the

County's overall tax base; County Board Member, Scott Tiemann stated this request would fill a vacant building and create employment opportunities; the proposed Special Use Permit will not have an adverse effect on the traffic circulation because this is not a high intense business; there are public utilities available; the nearby facilities such as schools and hospitals will not be impacted; the request is compatible to the adjacent uses in the general vicinity; the applicant has stated hours will be Monday – Saturday from 8:00 AM to 1:00 AM and Sunday from 12:00 PM to 1:00 AM; there will be wine and beer served as well as bar food.

Second by Deitz.

A roll call vote:

Heberer - Aye
Meister - Aye
Howell - Aye
Edwards - Aye
Deitz - Aye
Penny - Aye

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

New Business - Case #2

Subject Case #2018-09-ABV – Corey & Jennifer Jasper, 11879 Luettinger Road, Trenton, Illinois, owners and applicants. This is a request for an Area/Bulk Variance to allow the division of 2-acres instead of the 40-acres required in an "A" Agricultural Industry zone District on property known as 11879 Luettinger Road, Trenton, Illinois in Lebanon Township. (Parcel #05-36.0-400-013)

Corey Jasper, Owner/Applicant

- Mr. Jasper explained he currently has a 4-acre tract and would like to cut that parcel into two 2-acre tracts.
- Mr. Jasper explained they would like to sell their home off with 2-acres and the rest of the ground would go to the farmer who would continue to farm the property.
- Mr. Jasper stated he has owned the property since 1998, he owned the single-lot where the trailer sits and then in 2002 they divided the 4-acres and built their house.

- Mr. Jasper stated the reason for the request is because he is looking to move to the Breese/Carlyle area.

Discussion

- Chairman Penny asked if the one-acre tract has the mobile home on it. (The applicant stated that is correct.)
- Mr. Schneidewind stated the mobile home is on its own separate parcel and is not part of the request before the board.
- Mr. Meister asked what the story is with the home across the street. (The applicant stated his brother-in-law used to own the home and sold it and they recently sold it to a couple from Nebraska.)
- Mr. Meister stated he is hesitant based on the fact that there are similar tracts in the neighborhood and feels like granting this request would set precedence.
- Ms. Edwards agreed if the board granted this request it would be precedent setting and board should be fair and consistent.
- Mr. Schneidewind stated the applicant was before the board in 2002 and Mr. Penny, Ms. Edwards and Mr. Meister were all on the board and granted the 4-acre tract.
- Chairman Penny stated the board had a similar request at last month's meeting the hearing was denied.
- Ms. Edwards stated the board will typically grant a 5-acre division for someone that is agriculturally related and works on the farm but to start dividing a divided parcel is not consistent with the Comprehensive Plan. The Comp Plan is quite clear about Agricultural preservation.
- Ms. Deitz asked who owns the 1-acre parcel with the mobile home. (The applicant stated he owns that parcel as well.)
- Ms. Deitz asked the applicant if he will keep the 1-acre tract with the mobile home on it. (The applicant stated he is also selling that parcel for a total of 3-acres.)
- Mr. Meister asked if the applicant will keep the mobile home on the property. (The applicant does not know what the buyer intentions are with the mobile home. He explained he owns the dairy farm adjacent and may use it to house an employee or remove it.)

Public Testimony

There were no persons present for public testimony.

Further Discussion

MOTION by Deitz regarding Case #2018-09-ABV to deny this case for the following reasons: The property already had an approval back in 2002 for a Special Use Permit to allow 4-acres in an "A" Zone District; the variance will not be in harmony with the general purpose and intent of the Zoning Ordinance; the variance is in conflict with the Comprehensive Plan; the said property does not have a hardship or decrease on financial return; the reasonable alternative solution would be leaving the property as is and continue farming the back 2-acres.

Second by Heberer.

Roll call vote:	Heberer -	Aye
	Meister -	Aye
	Howell -	Aye
	Deitz -	Aye
	Edwards -	Aye
	Chairman Penny	Aye

This case has been denied by this board.

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