

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
March 11, 2019**

Members Present: Chairman Scott Penny, Alexa Edwards, George Meister & Kent Heberer

Members Absent: Steven Howell, Marcy Deitz & Patti Gregory

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

**County Board
Members Present:** Ed Cockrell, County Board Member - District #7
Kevin Dawson, County Board Member – District #20

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 by Heberer to approve Minutes of March 4, 2019. Second by Edwards.
Motion carried.

Public Comment

There were no comments from the public.

New Business – Case #1

Subject Case #2019-01-ABV – Angela Waeltz, 9307 Risdon School Road, Marissa, Illinois, owner and applicant. This is a request for an Area/Bulk Variance to allow the division of 7.06-acres instead of the 40-acres required in an “A” Agricultural Industry Zone District on property known as 9026 Waeltz Road, Marissa, Illinois in Lenzburg Township. (Parcel #20-26.0-200-005)

Angela Waeltz, Owner/Applicant

- Ms. Waeltz stated her father has owned the property in question for 25-plus years and currently farms the surrounding area.
- Ms. Waeltz stated she would like to build a home on the 7-acre tract to stay close the farm.
- Ms. Waeltz stated she assists her father in the farm operation.
- Ms. Waeltz stated there was an old farmstead on this particular property at one time and a few old sheds remain on the property.
- Ms. Waeltz stated she would like to build her home on the grassy area.
- Ms. Waeltz stated the property is odd-shaped to allow room for the aeration system per St. Clair County Health Department regulations.
- Ms. Waeltz stated she would like to build her home this year some time.

Discussion

- Chairman Penny asked the applicant if she participates in the farming operation. (The applicant stated she does assist in the farm operation.)
- Chairman Penny asked how long the property has been owned by the family. (The applicant stated her father has owned the property for over 25-years.)
- Mr. Meister confirmed Ms. Waeltz is involved in the farming operation and he is familiar with their farm.

Public Testimony

There were no persons present for public testimony in this matter.

Further Testimony

County Board Member, Ed Cockrell explained the Waeltz family is a large farming operation and Ms. Waeltz is involved in the farming operation. Mr. Cockrell stated he would appreciate approval by the board.

MOTION by Meister: The applicant is involved in the farming operation; the parcel is isolated with no adjacent neighbors; and the requirements are met for a division in an Agricultural use.

Second by Edwards.

A roll call vote:

Meister - -Aye
Heberer -Aye
Edwards -Aye
Chairman Penny -Aye

Chairman Penny stated this case has been approved by this board.

New Business - Case #2

Subject Case #2019-03-ABV – Verlan Laux, 11200 Pfeiffer Road, Trenton, Illinois, Owner and Michael Laux, 11151 Pfeiffer Road, Trenton, Illinois, applicant. This is a request for an Area/Bulk Variance to allow the division of 5-acres instead of the 40-acres required and 50 ft. of frontage instead of the 100 ft. required in an “A” Agricultural Industry Zone District on property known as 11151 Pfeiffer Road, Trenton, Illinois in Mascoutah Township. (Parcel #10-03.0-400-002)

Verlan Laux, Owner

- Mr. Laux stated he would like to divide off 5-acres for his son to build a home on his property.

Discussion

- Chairman Penny asked the owner if he is currently farming the property. (The owner stated this piece of property is pasture and is not farmland that was taken out of production. He explained years ago this property was a fenced in area where cattle would graze.)
- Chairman Penny asked if the 92-acres is farmed by the owner. (The owner stated he farms the remaining property.)
- Chairman Penny asked if the applicant assists in the farming operation. (The owner stated his son will be the next generation to take over the farming operation.)
- Mr. Heberer stated he is familiar with this property. He stated the building on the property is a seed business and the home will be on this parcel.)

- Mr. Schneidewind asked if the division will divide off any of the sheds to the North. (The owner stated the property line will not go through the buildings and the chicken house will remain on his property.)

Public Testimony

There were no persons present for public testimony.

Further Testimony

County Board Member, Kevin Dawson stated he is familiar with the Laux family and knows the applicant will be taking over the farm operation. He also stated he has not received any feedback from adjacent property owners. Mr. Dawson stated he is in support of the requested variance.

MOTION by Heberer: The property has public water and septic system; the applicant is the next generation to continue the farm operation; and the request is compatible with the Zoning Ordinance.

Second by Edwards.

A roll call vote:

Meister	-Aye
Heberer	-Aye
Edwards	-Aye
Chairman Penny	-Aye

This case has been approved by this board.

Old Business Case #3

Subject Case #2018-35-SP, Dan & Megan Flowers, 660 State Rte. 158, Columbia, Illinois, owners and applicants and Dan Flowers, 660 State Rte. 158, Columbia, 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 Pool Business Shop & Storage in an "A" Agricultural Industry Zone District on property known as 600 State Rte. 158, Columbia, Illinois in Sugarloaf (South) Township. (Parcel #11-24.0-100-012)

Chairman Penny stated this case was continued to allow the board members to do an on-site inspection of the property.

Discussion

- Mr. Heberer stated he visited the site today and there is a lot of disarray on the property. He stated he thinks the items should be condensed and organized and there definitely needs to be a fence around the property.
- Mr. Heberer stated he understands keeping the old stone that can be used on another job in the future, however there are also items stored on the property that have been there a while.
- Mr. Heberer stated the applicant needs to be aware of what the Zoning codes are as far as outside storage and designated parking for employees.
- Mr. Schneidewind explained to the applicant that he applied for a Planned Building Development for the business, since it is not listed as a permitted use. He explained that is why the Board Members are getting down to the details of the operation.
- Mr. Schneidewind confirmed Mr. Meister listened to the CD of the March 4, 2019 meeting, since he was not present at the meeting. (Mr. Meister stated he listened to the recording of the meeting and is confident he can vote on the case.)
- Ms. Edwards stated she visited the site around 5:30 PM or 6:00 PM and the property looks like a dump site. She stated there are things that have been stored on this property forever. She stated a Planned Building Development requires a site plan as to how everything will be laid out on the property.
- Ms. Edwards stated she drove by several landscaping companies in the County where the yards are neat and tidy and fit the landscape of agriculture and this one does not.
- Ms. Edwards stated she looked at the small engine repair shop across the street and while he has a lot going on there, it was nice and neat and tidy.
- Ms. Edwards feels the applicant needs a new site plan. She stated everything should be stored inside and if there are building materials that cannot be stored inside, then they need to be stored in bins or something and either the items are recycled in a timely manner or taken away so the property does not become a dump for excess materials. (Mr. Schneidewind stated the applicant did submit a site plan but at the last meeting the board requested a more detailed site plan.)
- Chairman Penny stated he is not ready to vote on this case until the applicant cleans some of the materials up and comes up with a plan on what can be moved inside and what can be consolidated behind a privacy screen.
- Chairman Penny stated the upcoming Zoning Board meetings are May 6th or June 3rd, 2019.

- The applicant stated he will get the property cleaned up but stated he is taken aback from board members calling the place a dump because it does not always look like this. He explained this is the worst possible time for the board to visit.
- Chairman Penny stated the board looks forward to figuring out how to get the property in compliance so the applicant can stay there and continue to run the business.
- Mr. Meister asked the applicant if the business is also ran out of the adjacent home. (The applicant stated he has a desk and his wife has a desk in their home.) (The applicant explained there is a bathroom that is in what they deem the office of the home, but no additional work there. He explained the workers are at the adjacent shop for short periods of time only.)
- Mr. Meister asked the name of the business. (The applicant stated he is incorporated as Outdoor Systems, Inc., however he has a DBA as Destination Pools because they started out as more of a landscaping company and have progressed into a pool company as well.)
- Mr. Meister asked the address of the business. (The applicant answered 660 State Rte. 158, Columbia. He stated he previously had a business in O'Fallon, MO that was closed last year.)
- Mr. Meister asked if the clients come to his home. (The applicant stated clients do not come to his home or this site.)
- Mr. Meister stated the applicant could possibly build an 8 ft. fence and put the landscaping material inside of it, and maybe a screened fence to keep landscaping rocks out of sight. (The applicant stated if he had his choice between the 8 ft. privacy fence or getting rid of the stone, he would get rid of the stone because he lives next door and does not want to look at a big gaudy fence. He explained he would much rather plant trees or something natural looking than a fence.)
- Mr. Heberer stated the applicant could build a fence and put evergreens around it and after 2-3 years he would not see the fence. (The applicant stated he would prefer a berm and trees over the fence if that is an option.)
- Chairman Penny suggested the applicant work out his ideas in a plan to submit to the board at the next meeting.
- Ms. Edwards stated the board should be fair and consistent with what has been required of other applicants and other people have been required to have bathroom facilities for the employees. (The applicant stated he is fine with a portable restroom.)
- Mr. Schneidewind asked the applicant if it is possible to get everything behind the shed. (The applicant stated he feels it would be almost impossible to get a full screen even behind the shed.)

- Mr. Schneidewind asked the applicant if he would be able to produce a detailed site plan by June and have the property cleaned up. (The applicant asked if he produces a site plan and cleans up the property and provides a portable bathroom, then will the board approve a Special Use Permit to continue to operate at this location.) (Chairman Penny stated the board will work with the applicant and explained they are trying to accommodate the applicant.)

Public Testimony

There were no persons present for public testimony.

Further Discussion

MOTION by Edwards to continue this case until June 3, 2019 at which time the applicant will provide the board a detailed site plan and will be towards the end of cleaning up the property.

Second by Heberer.

A roll call vote:

Meister	-	Aye
Heberer	-	Aye
Edwards	-	Aye
Penny	-	Aye

This case has been continued until June 3, 2019. There will be no further notice given for this meeting.

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