

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
November 4, 2019**

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

Members Absent: Patti Gregory

Staff Present: Anne Markezich, Zoning Department
David Schneidewind, Zoning Attorney

**County Board
Members Present:** June Chartrand, County Board District 16

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 Meister to approve Minutes of October 7, 2019 and October 8, 2019.
Second by Howell. Motion carried.

Public Comment

There were no persons present for public comment.

Announcement

Chairman Penny announced Subject Case 2018-25-SP - Daphene Hoffman Living Trust scheduled for 7:40 PM has been withdrawn.

New Business – Case #1

Subject Case #2018-13-SP - Kenneth & Joely Landreth, 1 St. Andrew Drive, Belleville, Illinois, owners and David Young, 3204 Cedar Mountain Road, Belleville, 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 Firearms Training Facility in an "A" Agricultural Industry Zone District, on property known as 10000 Rieder Road, Lebanon, Illinois in O'Fallon Township. (Parcel #04-36.0-100-010)

David Young, Applicant

- Mr. Young explained he submitted the application for a Special Use Permit for the purposes of the live-fire exercise requirement for Conceal/Carry Training.
- Mr. Young stated he currently has a classroom in O'Fallon, Illinois but has to drive out to Highland, Illinois to conduct the live fire exercise.
- Mr. Young stated he has trained approximately 2,000 people to date.
- Mr. Young stated he feels this property is an ideal location to conduct the live fire exercise portion of his training.
- Mr. Young stated the live fire exercises will be conducted three to four times per month.
- Mr. Young stated legally the exercise can be done now, he stated there are several instructors that train on private property.
- Mr. Young stated he would prefer a gun range environment with baffles for sound, with ricochet protection and the earth berms as required for a gun range.
- Mr. Young stated he received preliminary approval from MidAmerica Airport and Scott Air Force Base.
- Mr. Young stated he would also use the facility for Sheriff's Deputies training.

Discussion

- Chairman Penny asked the applicant if the approval from MidAmerica and Scott Air Force Base is in writing. (Ms. Markezich stated she has been in communication with Scott Air Force Base and MidAmerican Airport. Both have asked the applicant to do certain things, which he has agreed to.)

- Chairman Penny asked how many acres this business would be on. (The applicant stated there is a ten-acre section that will be utilized. He explained the range will take up approximately 2-acres.)
- George Meister asked how far the range will be from the nearest property line. (The applicant stated the he is not sure of the distance.)
- Ms. Edwards asked why the shooting portion of the training could not be done at an indoor range such as the one in Belleville. (The applicant stated that facility in Belleville is the only indoor shooting range in the County and they do not allow any outside instructors to utilize their facility.)
- Ms. Edwards asked why the applicant does not want to build an indoor range. (The applicant stated an indoor range is cost prohibitive at this time.)
- Mr. Meister stated there is a facility in the City of Mascoutah. (The applicant stated the facility in Mascoutah is a private club that does not allow instruction.)
- Ms. Deitz asked how many employees the business would have. (The applicant stated he currently has five instructors and then there would be 3-range safety officers.)
- Ms. Deitz asked if there is currently a building on the property. (The applicant stated there is a building on the property.)
- Ms. Deitz asked if the building currently has bathrooms. (The applicant stated the building does have bathrooms.)
- Ms. Deitz asked how many students would be at the facility at one time. (The applicant stated the average class size is sixteen.)
- Ms. Deitz asked if there will be guns stored at the facility. (The applicant stated there will be no guns stored at the facility.)
- Ms. Markezich asked if the applicant is using johnny-on-the-spots for restroom facilities. (The applicant stated the Health Department came and inspected and said the facilities in the building are okay but if a classroom is added, the septic system would have to be revamped or installed new.)
- Ms. Edwards asked the hours of operation. (The applicant stated the current hours of operation are Saturday and Sunday, 8:00 AM to 4:30 PM. He explained the live fire exercises would be on Saturday and Sunday between 3:00 PM and 5:00 PM.)
- Ms. Edwards stated she first experienced the Sparta Shooting Range for the first time recently and stated she was stunned by the noise. (The applicant stated that was possibly shot guns which are significantly louder than pistols. The applicant stated they are looking to build berms with baffles and a covered shooting area for sound abatement and the berm would be 6 ft. with pine trees on it that will abate the sound as well.)

- Mr. Heberer asked where the berms will be located. (The applicant stated the berms will be on the West side of the property. He explained the shooting will be from West to East and down into the woods.)
- Chairman Penny asked the applicant to explain the baffle system. (The applicant stated it is a partial baffle system which will be approximately every 10-yards. He stated there is a 30-yard u-shape berm and then about 10-yards away elevated there is a baffle made out of wood and earth which will capture ricochets or errant shots that would go over the berm which will also reduce the sound.)
- Mr. Howell asked if the applicant opens the facility up to St. Clair County officers how many would train at the facility. (The applicant stated he is not sure at this time.)
- Mr. Meister stated speaking from personal experience he lives 7-miles from the Sparta Shooting Complex and he hears it when there is an event going on. He also stated the Sheriff's Department auxiliary has a shooting range a mile from his house where they do training for reserve deputies and he never hears them. He stated shotguns vs. pistols are a completely different sound.

Public Testimony

- Justin Schaeffer, 10012 Rieder Road stated he lives directly adjacent to the North of this property. He stated O'Fallon Township voted to reject this request. He also stated the applicant did not come to talk to any of the residents to ask what they could do to make this request more appealing to the neighbors. He stated there are two full rows of neighbors present at this meeting, that are opposed to this request. He stated their driveway crosses his property to get to their property. He stated they do not have a written ingress or egress in the deed to get back to this property, he stated it was always a gentlemen's agreement between families. He stated the road is very narrow and not maintained and will take a lot of work to allow the traffic they are expecting. He stated the driveway is not designed for a business and cannot handle business traffic. Mr. Schaeffer stated he farms the property where the facility will be located and he has not been given notice. Mr. Schaeffer stated he personally is all for people learning how to use guns correctly, but he is opposed to the noise. He stated there are a lot of small children in the area that he is concerned about. Mr. Schaeffer also stated he is also speaking on behalf of his parents, Don & Lynette Schaeffer who own farmground in the area.
- Mike Dietz, 9920 Rieder Road stated his property is just West of the proposed site. Mr. Dietz stated he has three small children and would be opposed to shooting on the property every weekend. He stated the

applicants do not live out there. Mr. Dietz stated he wants his children and neighbors safe.

- John McDonald, 9995 Rieder Road stated he has the trucking company across the street. He stated he went through the zoning process a year or so ago, so he knows what the applicant is going through. Mr. McDonald stated this gun club would be constructed in his neighbors back yard and he has a pool that is the neighborhood pool that all of the kids go to every weekend. He stated the berm would be in line of site from this pool. Mr. McDonald stated he is an avid gun lover and conceal and carry weapon holder. He stated there is a firing range a mile away. He also stated he is concerned about stray bullets because of accidents, he stated accidents happen.
- Michelle Ellet, 3195 Carlyle Avenue, Belleville stated she is a current conceal/carry license holder as well as a member of the USCCA that was trained by Keep Calm & Carry. She stated Keep Calm and Carry is by far one of the best in the area.
- Matt Gilbreath stated he is a resident of O'Fallon, Illinois. He is one of the instructors with Keep, Calm & Carry. He stated he would like to respond to some of the comments from the objectors. He stated the outdoor range is healthier for a human being vs. an indoor range because there are health concerns. He stated as far as being neighborly, they are new to the process and were told the County would contact the neighbors. He stated this area is slated and projected to be light industrial, and O'Fallon is actively annexing in this area to get the tax dollars. He explained all of the staff members of Keep, Calm & Carry have full-time jobs, so this is a passion for them. He stated they would like to run the business on land that they own and be good neighbors while doing it. He stated he hopes the board takes that into consideration.
- John McDonald stated he would like to reiterate that they are not challenging the good of the class, he stated there are plenty of other places they can pay to shoot, without having their own range. He stated this area is residential and they do not want it in their back yard. Mr. McDonald stated he is a member of the Highland Gun Club which is 15-minutes from this location.
- James Joseph, 10037 Rieder Road stated when this request was brought before the O'Fallon Township Board the first time, it was voted down and the second time was the same. Mr. Joseph stated he has his grandkids, nieces and nephews around this area. He also stated Rieder Road is in terrible shape. He stated this facility would be ½ mile from his house and he is opposed to this request.
- Matt Gilbreath stated there is annexed land and land already sold to the government that went through the City of O'Fallon last month and was approved for light industrial in that same area.

- Michelle Ellet stated this property is considered unincorporated St. Clair County, so legally if the owner of the property were to allow them to shoot on his property, there is nothing legally that can stop it. (Mr. Schneidewind stated the difference is there would be a business operated there.)

Further Testimony

- Ms. Edwards asked Chairman Penny where he teaches his CCW classes. (Chairman Penny stated he uses a range in Fairmont City.)
- Chairman Penny asked who the County Board Member from this area is. (Ms. Markezich stated the County Board Member is Nick Miller and she did not receive any correspondence from him.)

MOTION by Deitz:

The utilities are well and septic tank; the Comprehensive Plan designates this land for Agriculture; the proposed design, location, development and operation of the Special Use Permit cannot guarantee that such would adequately protect the public health, safety & welfare and the physical environment. Scott Air Force Base and MidAmerica are requiring the applicant to follow certain specifications, guidelines and code provisions, but such does not guarantee the protection of the public or to be harmonious or compatible with the adjacent properties. Further, the proposed Special Use is not consistent with the County's Comprehensive Plan; the proposed Special Use may have an adverse effect on the value of neighboring properties due to noise from live gunfire and the proposed Special Use is not compatible to adjacent uses in the general vicinity. Based on the information submitted, I would like to make a motion to deny this request.

Second by Edwards.

Meister -	Aye
Heberer -	Aye
Deitz -	Aye
Howell -	Aye
Edwards -	Aye
Chairman Penny-	No

This case has been denied and will now go to the County Board for final consideration on November 25, 2019.

Old Business - Case #2

Subject Case #2019-03-SP –Middendorf Industrial Group, PO Box 676, Columbia, Illinois, owners and SLD Enterprises (Steve Dill), 1945 Goose Lake Road, Sauget, Illinois, applicant. This is a request for a Special Use Permit to allow Commercial Truck Sales and Golf Cart Sales in a “HB” Highway Business Zone District on property known as 2635 Old State Rte. 3, East Carondelet, Illinois in Sugarloaf Township. (Parcel #06-33.0-302-009 & 014).

This case was continued from September 9, 2019.

Mr. Schneidewind stated this case was heard previously with a considerable amount of testimony taken. He explained the board requested additional time to make an on-site inspection.

Discussion

- Ms. Edwards, Ms. Markezich and Chairman Penny all testified they visited the site this afternoon. Ms. Edwards presented some pictures.
- Chairman Penny stated he noticed 2/10th of a mile away is a car dealership and washing station and the adjacent side is a heavily deteriorated farm shed.
- Ms. Edwards stated there are several nice houses in the area.
- Ms. Markezich reminded the board that the property is already zoned “HB” Highway Business.
- Chairman Penny asked what types of uses are permitted in a “HB” Highway Business District. (Mr. Schneidewind read some of the permitted uses - a bowling alley, a car wash, gasoline, filling stations, mini-warehouses, motels/hotels, public utility stations, self-service laundries, church and governmental buildings. He stated a Special Use Permit would allow automobile, truck, agricultural machinery, motorcycle, boat and bicycle equipment sales and repair, car rentals, bus stations, drive-in theatres, par-3 golf courses; professional business centers; professional service offices; recreational vehicle parks and schools.)
- Chairman Penny stated he feels the intended use does not seem to be disproportionate to the area and would not have as much of an impact as the former use which was a saloon and dance hall.
- Chairman Penny stated he feels some of the permitted uses would make more of an impact in the area than the proposed use.

Discussion

- Chairman Penny asked the applicant to re-state the discussion on the barrier between the business and the residential. (The applicant stated he would install a privacy fence and the green giant trees.)
- Chairman Penny asked what size the building will be. (The applicant stated the front of the building is 30' x 30' which is the showroom/office space and the garage portion is 45' x 60'.)
- Chairman Penny confirmed the display of vehicles will be North of the building. (The applicant stated that is correct and then to the West near I-255.)
- Ms. Edwards confirmed the applicant will not do service work at this location. (The applicant stated that is correct.)
- Chairman Penny asked if there will be any activity on the South side of the building toward the residential property. (The applicant stated there will be no activity outside the building.)
- Property owner, Allen Middendorf stated he owns 50-60 acres in this area and the interchange will happen in this area and this road will be very busy. He stated he has had several people contact him wanting other types of businesses such as bars, storage units, even apartment buildings on this property.

Public Testimony

- Cindy Hood, 2705 Old State Rte 3, stated she and her partner are the property owners of the adjacent property. Ms. Hood stated she has seven items to share with the board. First, Ms. Hood asked if a posted sign was protocol prior to a hearing. (Chairman Penny answered a sign is not required because this case was continued and it was announced at the previous hearing that no additional notices would be given regarding this meeting.)
- Ms. Hood stated she can appreciate commerce and business exchange but being the adjacent property owner, she believes this would be an immediate devaluation of their property. Ms. Hood stated she would much rather see an apartment building or the old Sports Page Bar that was previously on the property. Ms. Hood stated she visited the applicant's current business on several occasions and there are tires stacked up in back, wood pallets and numerous vehicles. She states she feels his current business is an eye-sore.
- Ms. Hood stated she does not see the fairness of an individual selling or buying a business that will impact numerous other property owners.
- Ms. Hood stated there is the Old Davis Street Ferry Road that runs down in between the two pieces of property on the South side which she believes is

a County Road. Ms. Hood stated she does not feel that this property will hold the number of vehicles that the buyer mentioned at the previous hearing. Ms. Hood stated the applicant is asking for 100-vehicles.

- Ms. Hood stated she is concerned about theft and cannot help but think that it will impact their property.
- Ms. Hood stated if the board votes to approve this request, she has some items she would like to request. Ms. Hood stated she would like a professional survey completed, not one done by a family member. (Chairman Penny stated it is not in the board's authority to order private landowners to survey the property.) (Mr. Schneidewind added it would be beneficial to the applicant to have the property surveyed to confirm where their property lines are prior to construction.)
- Ms. Hood stated she would prefer a fence taller than 6 ft. so she does not have to look at things stored behind the building.
- Ms. Hood stated she would like to see a paved lot to keep the dust down.
- Ms. Hood stated she would also like the lighting to be considerate to all of the residents in the area.
- Ms. Hood asked how the public will know what stipulations are put on the buyer. (Ms. Markezich stated the stipulations will be part of the vote by the Zoning Board.)
- Ms. Hood asked what their recourse is, if these requirements are not met. (Ms. Markezich stated Ms. Hood can contact her with any concerns.)
- Patricia Ann Thompson – 2709 Old State Route 3, Columbia stated she has a survey plat from 1950 that shows her grandmother Elizabeth Baltz as the owner and she is the fifth generation that lives at this property. Ms. Thompson stated this plat takes in the East St. Louis/Waterloo street car rail and wondered if this is part of the area. (Chairman Penny stated the Zoning Board cannot speak on a street car line.)
- Ms. Thompson stated there are easements on that property. (Chairman Penny stated the easements are up to the buyer and seller to discuss.)
- Ms. Thompson stated the notice she received was also sent to the Village of Dupon and the City of Columbia and she wondered why they were sent a notice. (Ms. Markezich stated all municipalities within 1 ½ mile are given notice of a Zoning meeting.)
- Ms. Thompson stated her survey shows this property is 1.34-acres and she cannot see a new building being constructed with 100-trucks. She stated possibly 20-trucks can fit on the property.
- Mr. Middendorf stated he spoke with the Township and as long as they have access to their pump station at the rear of the property, they have no concerns with parking vehicles on the property.
- Ms. Thompson stated there is an abandoned gas tank on the property that her father filled in with rock.

- Mr. Middendorf stated he is the one that demolished the old Sports Page Inn and he spoke with the State Fire Marshall and there is no gas tank on the property. (Chairman Penny stated there was a State program that existed for decades to remove old tanks.)
- Cindy Hood stated she feels her home is in a dead zone and asked what law enforcement office she would call if there is an issue on this property. (Chairman Penny answered the St. Clair County Sheriff's Department.)
- Debbie Schmidt asked why the applicants need a garage if there will be no maintenance. (The applicant stated he will use the garage for storage and for minor repairs such as replacing tires on golf carts and installing seat belts on golf carts to make them street legal. The applicant stated there will be no service work or painting on the property. There is some maintenance that will be done to these vehicles but all other work will be outsourced.)
- Mr. Schmidt stated the lighting will be distracting to the neighborhood. (The applicant stated he will have security lighting. He explained the lighting will be on the North side of the building facing where the vehicles will be parked. He stated there will be some lighting on the other side pointing down to the parking lot. He explained there will be a security light on the South side of the building over the main door.)
- Ms. Thompson stated this is a rezoning of the property. (Mr. Schneidewind stated this application is a Special Use Permit to allow commercial truck sales and golf cart sales in a "HB" district. He explained the property is already zoned Highway Business and there will be no change in Zoning.)
- Dennis Phelps stated he owns the adjacent barn property which is under Volpp Investment Group. He stated this property has been in his family for over 200-years. Mr. Phelps stated he is opposed to this request. He stated his brother is a diesel mechanic and has seen these types of businesses. He stated this is not a multi-million dollar building. He stated he feels by not asphaltting the entire parking lot there will be dust problems. That the fencing will be chain-link fence with slats in it, again because of cost, so this is not a multi-million dollar property like the dealership down the street. He also agreed that this is a very small piece of property and it does have easements. He explained Davis Street Ferry is a road the Township uses for access and he uses the road to get to his property. Mr. Phelps stated he is concerned with putting 100 vehicles on this property and is concerned with what will happen when this business outgrows the property. Mr. Phelps stated there was a tank on his parcel adjacent to this property that was removed by Texaco. He stated there was contamination on these parcels. Mr. Phelps stated he is concerned with the size of the property and is concerned about it being an eye-sore and a concern of Davis Street Ferry being obstructed.

Further Discussion

- Mr. Schneidewind stated all properties have easements. He stated the applicant needs to be aware of them, some can be built on and some cannot. He stated the applicant may find he cannot put 100-trucks, maybe he can only put 75 and that would be determined if there is an easement that cannot be built on. He stated the applicant will still own the ground, but will be subject to all easements.
- Chairman Penny stated he does not feel like a building and 100-trucks will fit on the property either and asked the applicant if he measured the property out. (Mr. Steve Dill stated he put on the business plan that he would love to have 100-trucks for sale, he stated he has ½ acre that he works on at this time and has 55-trucks, he agrees that his lot at this time is an eyesore and that is why he is trying to improve his business and build a building. He stated he rents an office trailer at this time that is 12'x56', he stated currently he has no storage and no garage and therefore, he has tires outside and pallets. He stated all of his outdoor storage would be inside the building if he had one. Mr. Dill stated his business is currently in the parking lot of a baseball stadium and that is why he is looking for land to build a nice building. Mr. Dill stated it is an absolute concern of his to have a nice place that is presentable.)
- Ms. Edwards asked the applicant if he will have a paved parking lot. (Mr. Dill stated the customer parking will be paved but the portion where the trucks will be parked will be not be paved.)
- Ms. Edwards asked what percentage of the lot will be paved. (Mr. Dill stated approximately 20% of the parking lot will be paved, he stated the paved parking lot will be in front of the building and a little bit to the North.)
- Ms. Edwards asked how far the fence will be from the adjacent house. (Mr. Dill stated the fence will be 15 or 20 ft.)
- Chairman Meister asked if the applicant would agree to 70-vehicles maximum on the site. (The applicant stated the business has to be functional and there will not be a cluster of vehicles, if he cannot put 100 trucks on the property, he will not put 100 trucks.)
- Chairman Meister confirmed the entire parcel will be fenced with a vinyl fence against the adjacent property owners home and none of the vehicles will be parked outside the fence. (The applicant stated that is correct.)
- Chairman Meister asked the applicant if the fence will go past the Davis Street Ferry easement. (The applicant stated he is not familiar with the Davis Street Ferry easement at this time. He stated if this easement is not part of his parcel, he will not park trucks on it, because it is not a part of his land.)

- Ms. Edwards asked if the applicant has an objection to an 8 ft. fence versus a 6 ft. fence along with the greenery. (The applicant answered he has no objection to an 8 ft. fence.)
- Ms. Edwards stated she is concerned the non-asphalted area will be loud and dusty for the adjacent neighbors. (Mr. Middendorf stated the applicant could put slag on the parking lot which will cut the dust down.) (The applicant stated there is so much highway noise on the property, he does not believe the neighbors will be affected by the noise of his property.)

County Board Member, June Chartrand stated at the last meeting she asked the Zoning Board Members go visit the site because of her concerns with the size of the property. Ms. Chartrand stated she hasn't heard anything at the meeting tonight to change her mind regarding the size of the property and their proposal. Ms. Chartrand stated she is opposed to granting this request.

MOTION by Deitz:

The utilities on this property are public water and public sewer; the proposed design, location, development and operation of the proposed Special Use adequately protects the public's health and welfare and the physical environment; the Special Use Permit is consistent with the Comprehensive Plan; public utilities are available to the property; the lighting should not intrude onto residential homes; and applicant has agreed to build a 6 ft. fence around the perimeter of the property with an 8 ft. tall around the residential side; also there should be a barrier of trees between the residential side and the proposed property; and therefore make a motion to approve.

Second by Heberer.

Meister -	Yes
Heberer -	Yes
Deitz -	Yes
Howell -	Yes
Edwards -	No
Chairman Penny-	Yes

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

Old Business – Case #3

Subject Case #2019-08-ABV – JC Auto Sales, Inc. (Charles Kolb), 518 S Illinois Street, Belleville, Illinois, owner and applicant. This is a request for an Area/Bulk Variance to allow the division of 8.42-acres instead of the 40-acres required in an “A” Agricultural Industry Zone District on property known as 1225 S. Jefferson Road, Millstadt, Illinois in Millstadt Township. (Parcel #12-16.0-200-080)

Mr. Schneidewind stated this case was continued to allow time for the Zoning Board to visit the site and for the applicant to submit an updated and detailed site plan.

Discussion

- Ms. Markezich asked the applicant the revised size of the building. (The applicant stated he reduced the building size to 50' x 80' and completely moved it to the center of the property.)
- Mr. Schneidewind explained this property was divided with less than 40-acres in an “A” Agricultural zone district and now the applicant would like to build on the property.
- Ms. Edwards asked if this is the case where the building will be for family to gather. (The applicant stated that is correct, the property will be for the grandchildren to visit.)
- Mr. Kolb stated he would like to build a home on this property in the next few years.
- Chairman Penny stated there was reservations from neighboring property owners about where the applicant will locate the building. Chairman Penny asked if this new location will resolve their issues. (The applicant stated he moved the barn to the middle of the property, he is not sure if it solves their problems 100%.)

Public Testimony

- Tammy Freese, 1125 S. Jefferson Road, Millstadt stated she feels the new site plan is acceptable and appreciates his effort.

MOTION by Deitz:

The utilities are well and septic system; the Comprehensive Plan calls for residential; the request would not be in harmony with the general purpose and intent of the zoning ordinance; the request could be injurious to the neighborhood due to the size of the building; the request is in conflict with the Comprehensive

Plan; and the property is a non-conforming lot, and therefore motion to deny this request.

Second by Heberer.

A roll call vote:

Meister -	No
Heberer -	Yes
Deitz -	Yes
Howell -	No
Edwards -	No
Chairman Penny-	No

Motion failed.

Ms. Edwards asked Ms. Deitz the reason she voted to deny this request. (Ms. Deitz stated one of the main reasons is the Zoning Board typically denies the construction of an accessory use without a residence.)

Mr. Heberer asked Mr. Mike Mitchell in the audience his opinion on the case. (Mr. Mitchell stated this property was a 31-acre tract and they divided 24-acres off of the back of the property which is also non-conforming; he stated that person has a building permit to construct a pole barn to live in. Mr. Mitchell also stated he feels this building is compatible with the area, he stated there are similar pole barns all over this area.)

Mr. Schneidewind explained to Ms. Deitz that in the Agricultural zone district, there is no restriction on building the accessory building prior to the residence. He explained the hearing is to allow building on less than 40-acres and explained the previous hearings were in a single-family zone district was involved.

MOTION by Meister:

The applicant stated he will construct a pole barn on this property for Agricultural Use, not for residential at this time. Therefore, motion to approve this case.

Second by Howell.

Meister -	Yes
Heberer -	No
Deitz -	No
Howell -	Yes

Edwards - Yes
Chairman Penny- Yes

This case has been granted by this board.

TEXT AMENDMENT – ANNE MARKEZICH

A request for a text amendment to amend Chapter 40 of the St. Clair County Zoning Ordinance, specifically to amend Article IV —Division I—§40-4-4, Article IV—Division IX—§40-4-47, Article IV—Division X—§40-4-54, Article IV—Division XI—§40-4-61, Article IV—Division XII—§40-4-68, and Article IV—Division XIII—§40-4-76 amending and modifying Medical Cannabis Facilities in certain zoning districts and amending and adding certain Adult-Use Cannabis Business Establishments to certain zoning districts. Further, to consider Text Amendments to Article V of Chapter 40—Supplementary Use, Area and Bulk Regulations, specifically to amend §40-5-29 to modify and add certain regulations pertaining to Medical Cannabis Facilities, and to amend Article V of Chapter 40 to add a new section—§40-5-31—governing Adult Use cannabis Business Establishments. Said request was made by Anne Markezich, Zoning Director, #10 Public Square, Belleville, Illinois.

Mr. Schneidewind stated the County Board Members requested a few changes at the public meeting held on October 8, 2019. He explained after further discussion they revised the ordinance as presented.

There was a brief discussion regarding the Ordinance.

MOTION by Deitz to amend Chapter 40 of the St. Clair County Zoning Ordinance, specifically to amend Article IV —Division I—§40-4-4, Article IV—Division IX—§40-4-47, Article IV—Division X—§40-4-54, Article IV—Division XI—§40-4-61, Article IV—Division XII—§40-4-68, and Article IV—Division XIII—§40-4-76 amending and modifying Medical Cannabis Facilities in certain zoning districts and amending and adding certain Adult-Use Cannabis Business Establishments to certain zoning districts. Further, to approve Text Amendments to Article V of Chapter 40—Supplementary Use, Area and Bulk Regulations, specifically to amend §40-5-29 to modify and add certain regulations pertaining to Medical Cannabis Facilities, and to amend Article V of Chapter 40 to add a new section—§40-5-31—governing Adult Use cannabis Business Establishments.

Second by Heberer. Motion carried.

Meister - Yes
Heberer - Yes

Deitz - Yes
Howell - Yes
Edwards - Yes
Chairman Penny- Yes

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

MOTION to adjourn by Howell, second by Deitz. Motion carried.