

**St. Clair County Zoning Board of Appeals
Minutes for Meeting
At the Courthouse – 7:00 P.M.
August 3, 2020**

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 Dist #16 (via telephone)

Pledge of Allegiance

Call to Order

The meeting was called to order by Chairman, Scott Penny. Chairman Penny stated the Zoning Meeting is operating under special rules for the COVID-19 Pandemic which limits the number of individuals present in the room on behalf of the applicants and participants. Chairman Penny stated the meeting is also available for the public to listen but cannot give testimony due to the inability to swear them in or verify their identity.

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 March 2, 2020. Second by Edwards.
Motion carried.

MOTION by Deitz to approve Minutes of May 28, 2020. Second by Howell.
Motion carried.

Public Comment

There were no persons present for public comment. There were also no persons present for public comment via telephone.

New Business – Case #1

Subject Case 2020-02-SP – Gryzmala II LLC, 1411 Eiler Road, Belleville, Illinois, Owners and BJS Club LLC, 98 Julia Place, Belleville, Illinois, Applicant. This is a request for a Special Use Permit to allow a business establishment to sell liquor and/or alcoholic beverages by the drink in a “B-1” Retail & Service Business Zone District on property known as 2617 Frank Scott Parkway West, Belleville, Illinois in Stookey Township. (Parcel #07-13.0-204-018)

Smith – Representing Gryzmala II LLC

- Mr. Smith stated he is representing the property owners Gryzmala II LLC.
- Mr. Smith stated the property owners would like to start an upscale gaming café.
- Mr. Smith stated the establishment will feature video gaming terminals as well as an upscale lounge area featuring couches, televisions, tables, chairs, wifi internet access and a safe environment for people can relax and enjoy the gaming experience.
- Mr. Smith stated the Café will serve a limited amount of beer and wine as well as soft drinks and coffee. He stated there will also be pre-packaged foods such as chips available.
- Mr. Smith stated the gaming operation will follow all State of Illinois Gaming Board guidelines and restrictions.
- Mr. Smith stated the business will hire six employees from the local area.
- Mr. Smith stated the hours of operation will be from 8:00 AM to Midnight with 6 to 8 customers at one time.

Discussion

- Chairman Penny asked how many machines are allowed under the Illinois Gaming Act. (Mr. Smith stated there are 6-machines maximum.)
- Chairman Penny asked if the machines are situated differently now during COVID-19. (Mr. Smith stated there will be a plexi-glass divider in between each machine, masks are mandated and the area has to be sanitized after each player.)

- Chairman Penny asked if there will be a kitchen in this building. (Mr. Smith stated there will be no kitchen, but depending on the clients there may be frozen pizza or desserts. He stated alcohol consumption is very minimal and at some places they have a 2 or 3 drink limit.)
- Chairman Penny asked if there will be a conventional bar at this location with seats. (Mr. Smith stated there will be a counter with beer and wine behind the counter.)
- Chairman Penny asked if you have to be at a machine to get an alcoholic drink. (Mr. Smith stated you do not have to be seated at a machine to get a drink.)
- Chairman Penny asked what type of adjacent businesses are near this location. (Mr. Smith stated there is a NAPA Auto Parts Store to the North and across the street is Walgreens.)
- Mr. Schneidewind asked the relationship of Mr. Smith with the applicant. (Mr. Smith stated he is a Gaming Operator with the State and he supplies, installs and services the machines. He stated he will be the gaming operator that maintains the equipment at the location.)
- Mr. Schneidewind asked if there is anyone present from BJS Club LLC. (Joe Wheeler and Sean Martin are both present.)
- Chairman Penny asked the name of Mr. Smith's company. (Mr. Smith stated the business is called Accel Entertainment which currently has 2,200 locations.)
- Ms. Edwards asked if this is a residential looking home. (The applicant stated this was a residential home.)
- Ms. Edwards asked if the parking will be at the back of the property. (Mr. Gryzmala stated the parking will be at the side and some at the rear of the property. He stated there will be no parking in the front.)
- Ms. Edwards asked what is adjacent to the parking lot. (Mr. Gryzmala stated to the right is the Auto Parts Store and behind is residential. He stated, across the street is Walgreens and a car wash.)
- Ms. Edwards stated she is anxious to hear what the nearby homeowners have to say about the operation with the business being open until midnight. Ms. Edwards stated she would be concerned with the headlights coming in and out and the sound of the key fobs.
- Ms. Edwards asked if there will be outside cameras. (Mr. Gryzmala stated there is a camera system there on the property and he stated there is a vacant lot behind this property because he owns a double lot. He stated he bought this property as basically a foreclosure along with two other properties and he put a substantial amount of money in this house and the neighbors can testify to that. He stated he installed a professional parking lot that is ADA accessible. He took this property from residential property to a very nice high end looking place on a busy thoroughfare. He stated

Frank Scott Parkway is becoming a very commercial road. He stated as the street widens a lot of the houses are becoming commercial. The applicant stated he installed a new fence on the property to shield the lights from the parking lot.

- Ms. Edwards stated for the record there are two other gaming businesses right down the road and another is going in around the corner from the Firehouse called Lucky Day Laundry. (Mr. Gryzmala stated this is a safe place for gamblers to visit and there is obviously a demand.)
- Ms. Edwards stated she is also concerned with the alcohol being served in addition to the gaming facility and stated she feels something like an insurance company or office building would be better suited in this building rather than this operation open until midnight.
- Chairman Penny stated per the Walgreens website they are open 24-hours per day.
- Ms. Markezich noted to Ms. Edwards that this property is currently zoned "B-1" Retail & Service Business Zone District and asked her to look at the permitted uses in this zone district. Ms. Markezich stated the applicant could have a restaurant on this property currently without the board permission.
- Ms. Dietz asked who the actual applicant for the case is. (Sean Martin, 98 Julia Place, Belleville)
- Ms. Dietz asked Mr. Martin if the business will be open until Midnight or 1:00 AM because the paperwork submitted to the board says 1:00 AM. (Mr. Martin stated he the business will close at midnight.)
- Mr. Schneidewind asked how many gaming businesses the applicants own between them. (Mr. Martin stated he currently owns one site and he manages Big Daddy's in Belleville where they have gaming machines.)
- Mr. Meister asked where the 4' x 8' business sign will be located on the property. (Mr. Martin stated the sign will be on the road side facing Frank Scott Parkway. He stated the other sign will be on the side of the building.)

Public Testimony

- Susan Scannell, 5917 Wilson Drive, Belleville, stated she is confused regarding the purpose of the building. She questioned if this will be a lounge for internet use and if there an occupancy limit. She asked what type of staff will be at the building to regulate the sale of the alcoholic beverages. She stated with Crehans, Gems and Ruby's it just seems like the area is saturated with this type of business and questions whether another one is really needed especially given the fact that this was a residence in a residential area. She stated the building was redone nicely and the parking lot is beautiful, but this is a residence. She stated Wilson is a dead-end street with children and older homeowners and she is concerned with what

type of people will be coming down Wilson Drive. Ms. Scannell stated there have been multiple accidents at that intersection as well. (Mr. Martin stated all employees will be certified with alcohol training and everyone on the property will be 21-years old. He stated regarding occupancy there will be no more than 10-people in this building at one time including staff members. He stated there will be a two drink maximum and you can go into Walgreens at this time and buy a tall boy and drink it in your car.)

- Nancy Reifschneider, 5912 N. Belt West, Belleville stated she is on the other side of NAPA Auto Parts. She stated she is opposed to a business going in this residence, that will serve alcohol. She stated there is a school across the street, Queen of Peace. She stated this business would lower the value of the property surrounding it and will bring a negative element to the community with gambling and drinking and she feels this would create a danger for the area with intoxicated individuals coming out of that steep parking area. She stated this would be a very negative element to her neighborhood and wondered what the history of BJS Club LLC such as police reports and she feels gambling brings negative elements. (Mr. Martin stated there have been zero police reports for his businesses.) (Mr. Martin also stated there will not be mixed drinks or anything served that will get the customers intoxicated.)
- Patrick Moon, 5905 Wilson Drive, Belleville stated his property abuts the property to the West. He stated the parking lot is approximately 60 ft. from his bedroom window. He stated the applicant did put up a fence but he is not sure how much of a buffer than would be with traffic in and out until midnight. Mr. Moon stated their entrance and exit is off of Frank Scott Parkway and directly across the street from the entrance to the parking lot for Walgreens and Schnucks and there are accidents coming in and out of there all of the time. Mr. Moon stated he is opposed to adding additional traffic to Wilson Drive. He stated this is also a main school bus route and the city bus also has a stop right out front of the property, he feels an increase of traffic would not be good for the area.
- Brian Gryzmala stated he has heard several of the board members and residents say this is a residential house. Mr. Gryzmala stated this house was zoned commercial prior to him purchasing it, and so now it is not a residential house anymore, he stated he made it look as commercial as he could. He stated Frank Scott Parkway is a busy road and will get busier. He stated he put the fencing up and made it look as nice as he could. He stated this was a derelict property when he purchased it. He also explained that Queen of Peace is not across the street, Walgreens is. He stated next door is Napa Auto Parts then there is a 4-lane highway then there is Queen of Peace. Mr. Gryzmala stated there are several foreclosures in the area and he is only trying to bring up the area, not bring it down.

- Ms. Reifschneider stated it does not matter to her how nice the owner made the property look, the property still has never been used for commercial, it has always been a residential home.

Further Testimony

- Ms. Edwards stated she read all of the permitted uses in a “B-1” Zone District and feels the building would determine what type of business is allowed. She stated given the nature of the surrounding properties, she does not feel this is the correct location for this business.
- Mr. Schneidewind asked Mr. Smith how far a video gaming business has to be from a school. (Mr. Smith stated a video gaming business has to be at least 1,000 feet from a school or daycare. He explained the measurement is from corner of the building to corner of the building.)

MOTION by Edwards.

It is the recommendation of the Zoning Board that this request be denied for the following reasons: The design, location, development and operation of the proposed Special Use does not adequately protect the public’s health safety and welfare and the physical environment; the request is not consistent with the Comprehensive Plan designation; the request would have an adverse effect on the value of neighboring property and the County’s overall taxbase; the proposed Special Use Permit would have a negative effect on the traffic of the surrounding neighbors and on Frank Scott Parkway and circulation on nearby streets; the facility is within the 1,000 feet required by the Illinois Gaming regulation, but this area is a hybrid area and residential area and this business does not have the special consideration to be approved as a Special Use Permit. Motion to deny this request because it would not be in the best interest of the surrounding properties.

Second by Deitz.

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

This vote is tied with 3-ayes and 3-nayes. This case will be continued on November 9, 2020.

New Business - Case #2

Subject Case #2020-03-ABV – Barry & Karen Schuhardt, 6720 Union Cemetery Lane, Millstadt, Illinois, owners and Denise & Jolene Feazel, 6732 Union Cemetery Road, Millstadt, Illinois, Applicants. This is a request for an Area/Bulk Variance to allow the division of .19-acres creating two tracts with less than 40-acres in an “A” Agricultural Industry Zone District on property known as 6720 & 6732 Union Cemetery Road, Millstadt, Illinois in Millstadt Township. (Parcel #12-11.0-100-037 & 038)

Barry Schuhardt, Owner

- Mr. Schuhardt explained they are trying to square off the North end of parcel -037.
- Mr. Schuhardt explained the division will be for 102 ft. North and 79 ft. East on the Northeast end of the property.
- Mr. Schuhardt stated they would like to square up the property and build a garage in that space.

Discussion

- Mr. Meister asked if the division will affect access or easement or cross section lines. (Ms. Markezich stated the division will not affect access or easements or section lines.)

Public Testimony

There were no persons present for public testimony for this case.

Further Discussion

Motion by Meister:

The applicants are adding .19-acres from one parcel to another and are not creating any new parcels. The utilities are public water/septic and the applicant has provided a map of changing property; the request is reasonable and will straighten property lines and therefore recommend approval.

Second by Howell.

Meister -	Aye
Howell -	Aye
Edwards -	Aye

Heberer - Aye
Deitz - Aye
Chairman Penny- Aye

This case has been approved by this board.

Old Business – Case #3

Subject Case 2019-17-ABV – Stacy Barringer, 2105 Lebanon Avenue, Belleville, Illinois, Owner and Mic Barringer, 2105 Lebanon Avenue, Belleville, Illinois, Applicant., This is a request for an Area/Bulk Variance to allow the construction of a detached garage 4,800 square feet instead of the 900 square feet allowed in a “SR-3” Single-Family Residence Zone District on property known as 2105 Lebanon Avenue, Belleville, Illinois in St. Clair Township. (Parcel #08-11.0-405-029)

Mic Barringer - Applicant

- Mr. Barringer stated this is the 3rd time before the board and there has not been a decision made because of lack of board members being present.
- Mr. Barringer recapped that he was told to ask for more than what he wanted that is why the building was so big, he stated there was concern with his business being ran from this location which plays no part in this case.

Discussion

- Mr. Schneidewind stated the board met in February, 2020 and there was a tie vote at that time, so this case was continued.
- Mr. Schneidewind stated there was a discrepancy on what the request was revised to either a 3,600 square foot building or a 3,000 square foot building. (Mr. Barringer stated he would like to revise his application to a 1,200 square foot building.)
- Ms. Markezich asked if the building will be attached to the house. (The applicant stated the building would be to the West side of the house and sharing the same driveway.)
- Ms. Dietz asked if the applicant if he is proposing this building plus two 900 square foot buildings at the very back. (Ms. Markezich stated only three accessory buildings are allowed on a property and the pool is counted as an accessory structure.)
- Mr. Schneidewind asked the applicant if he would be willing to construct one 3,000 square foot building rather than these three buildings. (Mr.

Barringer stated that was his original thought but then he realized the kids will have to park all the way down at the bottom and walk up each time.)

- Mr. Barringer stated at the first meeting they kept bring up his company and he feels the company should never play into this; he brings his company vehicle home but equipment is not stored there.
- Mr. Schneidewind asked the applicant if he would be willing to have an 1,800 square foot building in the back and a 1,200 ft. building up front. (Mr. Barringer stated he would be open to that proposal.)

Public Testimony

There was no persons present for public testimony in this case.

Further Testimony

MOTION by Heberer to approve the request.

The request was revised to allow one building 1,800 square feet and one 1,200 square feet in a "SR-3" Single-Family Residence Zone District. This application has been before the board several times; the applicant stated these building will not be used for business and will be used for personal use only; except his personal vehicle that he drives to the business.

Second by Dietz.

A roll call vote:

Meister -	Aye
Howell -	Aye
Edwards -	Aye
Heberer -	Aye
Dietz-	Aye
Chairman Penny-	Aye

Motion carried.

This case has been granted by this board.

Old Business – Case #4

Subject Case #2020-01-ZA – M & M Auto Service LLC/Paul Langendorf/Jason Sinn/Mark Hutcheson, 3204 Camp Jackson Road, Cahokia, Illinois, Owners and Applicants and Paul Langendorf, 3204 Camp Jackson Road, Cahokia, Illinois, applicant. This is a request for a Zoning Amendment to change the zone district classification of certain tracts of land from “B-2” General Business to “I-2” General Industrial Zone District on property known as 3106 3108, 3114, 3118, 3201, 3204 3200 & 3228 Camp Jackson Road, Cahokia, Illinois, in Centreville Township. (Parcel #07-08.0-305-005, 008, 009, 010, 011 & 07-08.0-300-008, 009, 010 & 011)

Paul Langendorf, Owner/Applicant

- Mr. Langendorf stated since the last meeting he has spoken to the Army Corp of Engineers who is fine with the work he is doing on the property but he has to substitute .49-acres of wetlands with the .49-acres that was filled.
- Mr. Langendorf submitted a map of the area and submitted a petition signed from local neighbors in the area that are favor of his request.

Discussion

- Chairman Penny stated the fill was a concern at the last meeting as well as the dust problem. (Mr. Langendorf stated he is waiting to get the decision of the Zoning Board prior to addressing the dust concern because if he receives the Zoning, then the dust will be gone because the construction will be completed.)
- Chairman Penny stated some of the dust is on the property because the applicant brought dirt in on the property. (The applicant stated that is correct, he stated that will be covered with clean rock and will fenced-in with an 8 ft. fence.)
- Chairman Penny questioned the yellow cross-hatched area on the diagram. (The applicant stated the yellow cross-hatched area is wetlands that were mostly filled. He stated another foot may be required for filling, but it will be with rock to get the dirt down.)
- Mr. Heberer asked the applicant what he will store in that area. (The applicant stated shells of cars will be stored in that area that he will sell parts off of.)
- Mr. Heberer asked how long the vehicles will be stored on the property. (The applicant stated one-year at the longest.)
- Mr. Meister asked if the vehicles are stacked one high. (The applicant stated that is correct. He stated scrap yards have a bad rap but modern day scrap yards are not such, the inventory is turned and moved these days and the fluids are not on the premise, so it will not contaminate the soil. The

applicant asked the board to implore his vision for what it is not that it will just be a junk yard. The applicant stated he is okay with the board putting a stipulation on the Special Use Permit that the property can only be used to house those bodies of cars.)

- Mr. Meister asked if the property that was filled was ever under water from flooding. (The applicant stated the property was never under water. He stated the water rises but there was never any flooding. The applicant stated he is working with the IDNR. He stated if the fill is not allowed, he will remove it, he explained the fill is more for the looks of the business and safety of employees.)
- Mr. Schneidewind asked where the storage will occur on the property. (The applicant explained the storage will be behind the main building and on the North side of the property. He stated it will all be fenced as noted on the diagram.)
- Ms. Edwards asked how many cars will be stored on the property at one time. (The applicant stated he is hoping to get about 500-vehicles on the property.)

Public Testimony

- Georgia Shaw, 3232 Camp Jackson Road, Cahokia stated she lives next door to this property. She stated the applicant started this project on July 17, 2020 and they had a conversation and the project was stopped. She stated if he builds this property up, he will destroy her property with the water flooding her home. She stated she has no problem with the business but feels when the water comes, her property will be destroyed. Ms. Shaw stated these cars will be parked right next to her house and the water and the dust are enough to stop this. She stated the applicant is a very nice guy that has been very respectful, but he knows since he built up the water will be running right to her and that will be destruction. Ms. Shaw stated she replaced a door in her basement and has water-proofed her basement to keep the water from inside of her home.
- Patricia McCray, 3221 Camp Jackson Road, Cahokia stated she is speaking because the business will be directly across the street from her and that is a small residential area. She stated whether there is an 8 ft. fence or a 12 ft fence that will be a lot of traffic on Camp Jackson Road. Ms. McCray stated being directly across the street she sees everything and there are approximately 20-yellow busses over there parked now and a lot of weeds gathered over there. The lawns in this area look nice and they have pride in what they own. She stated there is already M & M Tire across the street and she knows she can't do anything about that, but does not want a yard full of cars with people in and out of the property.

- Lucille Jones, 3217 Camp Jackson Road, Cahokia stated this business is hard to visualize and she does not knock anyone from doing their business because she is in business herself. She stated her comment is about the existing business with the intercom all day long. Ms. Jones stated she cannot say yes or no on the junk yard because she cannot visualize the business and doesn't want to step on anyone else's dream. Ms. Jones stated she supports the business as long as it stays decent but is also concerned about the traffic and where they will park. She stated if the business works for him then she says for him to go ahead with it.
- George Shaw asked where the parking will be for this business, because the M & M Tire parking lot is basically full and there is no place to park but on Highway 157. Ms. Shaw stated thieves are also going to be drawn to this area and with her house right next door she is concerned. (Chairman Penny stated the applicant will have 500 auto salvaged cars on the property.)

Further Testimony

- Chairman Penny asked what steps have been taken eradicate the flooding of Ms. Shaw's property and asked how far from her home the fence line will be as noted on the diagram. (Mr. Langendorf stated the fence will be approximately 50 ft. from her home.)
- Chairman Penny asked what the elevation difference will be between the two properties. (Mr. Langendorf stated in some spots the property is not in a flood plain, it's already kind of high and other spots it is not. Mr. Langendorf said worst case scenario, he can add no more dirt and has to dredge out what he's put it in, it will be a couple foot above her property with an 8 ft. privacy fence.) (Mr. Langendorf addressed the parking issue by saying M & M Tires gets 2,500 customers in a year and it is busy and so is Camp Jackson Road, it's a busy road. He explained this business will be run during hours 9 to 5 PM and the applicant's box van is loaded up during business hours and then it runs its 150 mile radius around St. Louis, he explained M & M will dwarf the amount of traffic driven by an automotive recycler. He stated this is not a junk yard that most people think of. Mr. Langendorf stated he will be supplying more jobs in this area. Mr. Langendorf stated Mudd Duck is .6-miles away, All-Type is .6-miles away, Marty's is 1.9-miles away, Brand Street is 3.1-miles, American Auto is 5.2-miles, Rte. 3 Salvage is 5.4 miles, M & J Salvage is 7.9-miles, Black Lane Salvage is 8.4-miles, and LKQ is 9-miles away.)
- Chairman Penny stated the question is still what steps is he going to take to make sure Ms. Shaw has a way to get the water flowing away from her home. (Mr. Langendorf stated he has spoken to her and offered anywhere from buying her house to filling up behind her house, which I cannot do

because of IDNR, and even offered to tar and rubber-coat her foundation and then back fill it to help prevent. He stated whether he fills or doesn't fill it is the same result. He stated if that is the hold-up, he will dredge it out and lose the ½ acre, but it will sit back there and breed mosquitoes.)

- Mr. Howell stated he thought Mr. Langendorf spoke with IDNR and they are okay with what he is doing. He stated if they are okay with the potential problem of flooding the adjacent property. (Mr. Langendorf stated he is done with the Army Corp of Engineers but he is currently working with IDNR.)
- Mr. Howell asked what is the status between the applicant and IDNR and this time. (Mr. Langendorf stated he has to create a worse case analysis which will either be accepted or not because if he raised the flood level 0.1 of an inch across the body of water, then basically he has to remove all of the dirt.)
- Mr. Howell stated the Zoning Board could change the zone district classification and then it may be meaningless if the applicant and IDNR do not have an agreement. (The applicant stated if the "I-2" receives the rezoning the only different will be the cars will be setting up higher, the cars can set up lower and behind a fence, the IDNR issue is a totally separate issue it regarding raising the flood level 0.1 of an inch or if it raises 0.1 of an inch, then he just pulls the dirt back out.)
- Chairman Penny stated he understands the neighbor's complaints, he thinks the dust will attend to itself, the intercom should be easily corrected by just being a good neighbor, but a lot of these issues involved may not be his doing.
- Mr. Heberer asked if he owns M & M Auto Service. (Mr. Langendorf stated he does own M & M Auto Service. He stated he sells a ton of used tires with two mechanics on staff that do automotive work but the business which started in 1981 the backbone is off of tires. He stated for the past 5-years he has been selling automotive parts off the e-bay store. He stated that he employs three people and they pick parts from other salvage yards, bring them back to the shop, they clean the parts and post the parts for sale.)
- Mr. Heberer asked if the IDNR has a problem with the vehicles parking in the watershed with the residue coming off the vehicles. (Mr. Langendorf stated the vehicles would be shells of vehicles.) (Mr. Langendorf explained the cars come in and get tagged with a tablet or I-Pad and the tablet also computerizes and attaches to CarParts.Com and is inventoried and also for the Secretary of State you have to label and track all of these parts.)
- Chairman Penny stated County Board Member, June Chartrand is participating from home at this hearing and thanked her for participating. (Ms. Markezich stated Ms. Chartrand is in favor of the granting this request and feels it would be a good thing for this area.)

- Mr. Schneidewind asked how much public will come to the business to buy parts, or is it even open to the public to buy parts. (Mr. Langendorf stated the business is open to the public, but the only parts that will be sold over the counter are through the mechanics in-house. He stated the business is mostly internet based. He stated M & M Tire has 22-25,000 customers per year and this new business would be maybe five customers a week, the business is all internet based and business to business.)
- Mr. Schneidewind asked where the additional parking will be on the property. (Mr. Langendorf stated the customers and employees currently park in the front, and the employees will start parking in the rear of the building.)
- Chairman Penny asked what he does with the transmission and the motors of the salvage yard. (The applicant stated he sells them, he said that is where you make the money back for the car. The bad cores go to core buyers. He stated everything in a car is recyclable to re-usable.)
- Ms. Edwards asked how many parking spaces are available at this time. (The applicant stated he has about 16 parking spaces and will add an additional 10-spaces.)
- Ms. Edwards stated the applicant will rock everything and so there will be more water runoff into the wetlands and the surrounding property owners because the water will not penetrate the ground. (The applicant stated rock is very pourous and it actually holds more water than dirt, he stated all of that still absorbs.)
- Ms. Edwards stated she is concerned with what can be done to protect the neighbor from flooding.

MOTION by Meister to grant this applicant's request for a rezoning.
Second by Heberer.

A roll call vote:

Meister -	Aye
Howell -	Aye
Edwards -	Nay
Heberer -	Aye
Dietz-	Aye
Chairman Penny-	Aye

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

Old Business – Case #5

Subject Case 2018-03-SP – Request from Geronimo Energy to expand the Special Use Permit granted by the County Board on July 30, 2018 to allow 2-megawatt Solar Farm Energy Systems on 40-acres in an “A” Agricultural Industry Zone District.

Mr. Schneidewind stated due to Section 40-11-41 the board can grant a one-year extension on a Special Use Permit.

Ms. Deitz stated she feels the other sites that were granted are a better fit.

Mr. Heberer stated even though Ms. Dietz doesn't feel this was a better site, that doesn't mean the other sites are going to get picked in the lotto.

Mr. Schneidewind explained the code says the Zoning Board of Appeals may grant extensions not exceeding one year each upon request from the applicant if the proposed development and site plan will be substantially the same as the initial site plan.

Chairman Penny stated he feels it would be ill advised to not stay with what they approved. He stated the applicants have a lot invested in the project.

Mr. Heberer stated he feels everyone should get an extension if requested because southern Illinois really wasn't given any solar licenses. Mr. Heberer stated he feels the more sites that are viable, the better for our County.

MOTION by Meister to extend the Special Use Permit for Subject Case 2018-03-SP.

Second by Howell.

A roll call vote:

Meister -	Aye
Howell -	Aye
Edwards -	Aye
Heberer -	Aye
Dietz-	Aye
Chairman Penny-	Aye

This extension has been granted by this board.

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