

St. Clair County Zoning Board of Appeals Meeting Minutes
Tuesday, January 4, 2022 at 6:00 P.M.

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

Members Absent: Marcy Deitz

A. Call to Order

Chairman Scott Penny called the meeting to order at 6:00 p.m. and conducted roll call.

B. Explanation of Zoning Hearing Procedures

Chairman Penny explained the hearing procedures to meeting attendees.

C. Approval of Minutes

1. Chairman Scott Penny asked for a motion to approve the meeting minutes from December 7, 2021. Steven Howell made a motion to approve. Seconded by Steven Lindauer. Motion approved.

D. Public Comment

There were no persons present for public comment.

E. New Business

1. **Hearing 2021-13-ABV** – Petition of Richard & Mary Kwentus, owners of record and applicants, requesting an Area/Bulk Variance to allow the division of 17.73-acres creating two 5-acre tracts and a 7-acre tract instead of the 40-acres required in an "A" Agricultural Industrial Zone District, on property known as 4680 Eyman Road, Belleville, Illinois in Millstadt Township, County Board District #22, PIN#12-01.0-100-021. Richard Kwentus appeared and presented the case to the board. County Board Member, Michael O'Donnell contacted the Zoning Administrator prior to the hearing and advised he is in favor of the application as long as the additional parcels will have municipal water supply. Matt Warnecke (neighbor) testified in support of the application. After considering all the testimony and evidence, a motion was made by Steven Lindauer and seconded by Kent Heberer to approve the request. Roll call vote. All Ayes. Motion passes. (See attached Decision Report.)

F. Adjournment

Alexa Edwards made a motion to adjourn the meeting. Seconded by George Meister. Roll call vote. Motion approved.

Meeting adjourned.



St. Clair County Zoning Board of Appeals' DECISION IN 2021-13-ABV

DECISION

Application By: Richard & Mary Kwentus, 4680 Eyman Road, Belleville, IL (Applicants/Owners)

Application Filed: 11/15/21

Publication Date: 12/16/2021

Hearing Date & Time: 01/04/22 @ 6:00 p.m.

Request: An Area/Bulk variance to allow the division of a 17.73-acre tract creating two 5-acre tracts and a 7.73-acre tract instead of the required 40 acres in an Agricultural Industry Zoned District on property known as 4680 Eyman Road, Belleville, Millstadt Township, Illinois PPN: 12-01.0-100-021.

Zoning Board of Appeals Members Present: S. Penny, G. Meister, K. Heberer, A. Edwards, S. Lindauer & S. Howell

County Board Members Present at Hearing: None

Testimony: Applicant Richard Kwentus presented the application. He and his wife, Mary, would like to subdivide their property into three lots/parcels total—two 5-acre tracts (one of the 5-acre tract will contain their existing residence) and one 7.73-acre tract. The additional 5-acre tract will be used to build a residence for their disabled daughter to assist in allowing her to live more independently but at the same time close to home. The 7.73-acre tract will continue to be farmed, as well as the balance of the unused portion of the second 5-acre tract. All tracts will have access to public water.

Matt Warnecke (neighbor) testified in support of the application.

County Board Member Michael O'Donnell contacted the Zoning Administrator prior to the hearing and advised that constituents in area contacted him in favor of the application, and he is in favor of the application so long as the additional parcels will have a municipal water supply.

Witnesses having been sworn, testimony and evidence presented, and the Zoning Board of Appeals being fully advised in the premises, and the Board having considered the following in conjunction therewith, and found:

The Applicants are seeking a division of "A" Agricultural land that is less than the minimum requirement of 40 acres. The division of the current parcel into two five-acre tracts and one 7.73-acre tract, with one five-acre tract containing an existing residence and the second five-acre tract to be used for single-family residential purposes will not negatively impact the area, and there exists similar small divisions of property in proximity to the property in question.

Granting the ABV will not increase hazards from fire or other dangers to the subject properties. The value of adjacent properties will not diminish as a result of the ABV. The ABV will not increase traffic congestion or otherwise impair the public's health, safety, comfort, morals, or general welfare. The division will not negatively impact those persons or property in the general vicinity of the subject properties. This division will not increase the potential for flood damage, nor will it require additional public expense for flood protection, rescue, or relief. The Health Department has no objection to the division.

A motion was made by S. Lindauer to **GRANT** the request. The motion was seconded by K. Heberer. The members of the Board voted as follows: S. Penny-Yes, G. Meister-Yes, K. Heberer-Yes, S. Howell-Yes, A. Edwards-Yes, and S. Lindauer-Yes. The motion carried 6 to 0.

Anne Markezich
Secretary, St. Clair County Zoning Board of Appeals

01/13/2022
Date