

Zoning Board of Appeals Meeting Minutes
Tuesday April 10, 2018 at 8:30 a.m.
157 N. Main Street, Suite 254, Edwardsville, IL

Present were Misters Campbell, Sedlacek, Janek, Koeller and Metzler.

Absent were Misters St. Peters and Davis.

1. Call to Order

- a. Chairman Michael Campell called the meeting to order at 8:30 a.m.

2. On-Site Hearings and Public Comment

- a. The ZBA conducted on-site public hearings at the times and locations indicated on the agenda schedule. The ZBA reconvened in the Planning and Development Department Conference Room at 12:00 p.m. to complete motions and votes. Please see the Findings of Fact for the hearing summaries and public comment.

3. Approval of Minutes

- a. John Janek made a motion to approve the minutes from March 13, 2018. Seconded by Don Metzler. Voice vote. All Ayes. Motion approved.

4. Unfinished Business

- a. Text Amendment – Petition requesting a text amendment to Chapter 93 of the Madison County Code of Ordinances. The petition remained tabled, and no action was taken.
- b. Z18-0007 – Petition of Stephen Edwards. The petition remained tabled, and no action was taken.

5. New Business

- a. Z18-0022– Petition of Jose Del Rio. John Janek made a motion to approve the request. Seconded by Don Metzler. Voice vote. All ayes. Motion approved.
- b. Z18-0021 – Petition of Viridiana Del Rio. John Sedlacek made a motion to approve the request. Seconded by Steve Koeller. Voice vote. All ayes. Motion approved.
- c. Z18-0026 – Petition of Jerry and Gwendolyn Fuller. Don Metzler made a motion to approve the request. Seconded by Steve Koeller. Voice vote. All ayes. Motion approved.

6. Planning Coordinator’s Report

- a. Andi Campbell Yancey informed the Zoning Board of Appeals that the next set of hearings would be May 8, 2018.

7. Adjournment

- a. Steve Koeller made a motion to adjourn. Seconded by Don Metzler. Voice vote. All ayes. Motion approved. Meeting adjourned.

April 10, 2018

Findings of Fact and Recommendation

Mr. Michael Campbell, Chairman, called the meeting to order at 8:30 a.m. in the office of the Madison County Planning and Development Department.

Present were Misters Campbell, Sedlacek, Janek, Koeller, and Metzler.

Absent were Misters Davis and St. Peters.

The Board of Appeals, established by the Chairman and the Board of Supervisors and provided for under the terms of the Madison County Zoning Ordinance, 1963 and all subsequent amendments/revisions thereto does hereby submit the Reports and Recommendations on the following:

File Z18-0022 – Petition of Jose Del Rio	(Nameoki Township)
File Z18-0021 – Petition of Viridiana Del Rio	(Nameoki Township)
File Z18-0026 – Petition of Jerry and Gwendolyn Fuller	(Nameoki Township)

Finding of Fact and Recommendations

Z18-0022 - Petition of Jose Del Rio, owner of record, requesting a zoning map amendment in order to rezone a 0.16 acre tract of land from "A" Agriculture District to "R-4" Single-Family Residential District and a special use permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to place a single-wide manufactured home on site for the sole occupancy of Katy Del Rio and family for a period not to exceed five years. This is located in Nameoki Township, at **3219 West Point Avenue, Collinsville, Illinois PPN#17-2-20-36-03-301-039 (23)**

A **motion** was made by Mr. Metzler and **seconded** by Mr. Sedlacek that the petition of Jose Del Rio be as follows: I. The zoning map amendment is approved; II. The special use permit is **granted** for the sole usage of Katy Del Rio and family for a period not to exceed five (5) years but may be extended either through an amendment to this special use permit or through an administrative review process, if qualified, as long as Katy Del Rio and family occupy the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new special use permit when Katy Del Rio vacates the structure.

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing; IV. Jose Del Rio, owner of record, confirmed that he is seeking a map amendment and permission to place a single-wide manufactured home at the site for the occupancy of Katy Del Rio; V. Rebecca Duncan, 3213 West Point Ave., inquired if property owners were allowed to rent out trailers and houses within the County. Chairman Campbell indicated they are. Ms. Duncan expressed concerns that the mobile home placement would have a negative impact on property values within the neighborhood, stating that that is her main reason for not wanting it there; VI. The Zoning Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties and is consistent with the character of the surrounding area; VII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice vote.

Ayes to the motion: Misters Sedlacek, Janek, Metzler, and Koeller.

Nays to the motion: None.

Absent: Misters Davis and St. Peters

Whereupon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0021- Petition of Viridiana Del Rio, owner of record, requesting a zoning map amendment in order to rezone a 0.49 acre tract of land from "A" Agriculture District to "R-4" Single- Family Residential District, a special use permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue placement of a double-wide manufactured home on site for the sole occupancy of Viridiana Del Rio and family for a period not to exceed five years. Also, variances as per §93.025, Section H, Item 3, for an existing barn that is used to stable horses to be 2 feet from the west and east property lines instead of the required 50 feet and to have 3 horses on 0.49 acres instead of the required 3 acres. This is located in Nameoki Township, at **8703 Fairway Blvd.**, Collinsville, Illinois PPN#17-2-20-36-03-301-003 **(23)**

A **motion** was made by Mr. Sedlacek and **seconded** by Mr. Koeller that the petition of Viridiana Del Rio be as follows: I. The zoning map amendment is approved; II. The variances are approved; III. The special use permit is **granted** for the sole usage of Viridiana Del Rio and family for a period not to exceed five (5) years but may be extended either through an amendment to this special use permit or through an administrative review process, if qualified, as long as Viridiana Del Rio and family occupy the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new special use permit when Viridiana Del Rio vacates the structure.

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing and none were in attendance; IV. Jose Del Rio, representing owner of record Viridiana Del Rio, confirmed that she is seeking a map amendment, variances for the barn setback, a variance to have 3 horses, and permission to continue placement of a double-wide manufactured home at the site for the occupancy of Viridiana Del Rio and her family; V. The Zoning Board of Appeals notes for the record that the horses are kept toward the rear of the property and are not visible from the roadway; VI. The Zoning Board of Appeals notes for the record that there was no opposition to the request; VII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice vote.

Ayes to the motion: Mistery Sedlacek, Janek, Metzler, and Koeller.

Nays to the motion: None.

Absent: Mistery Davis and St. Peters

Where upon the Chairman declared the motion duly adopted.

Finding of Fact and Recommendations

Z18-0026 - Petition of Jerry & Gwendolyn Fuller, owners of record, and Katelyn E. Wense, occupant of manufactured home, requesting a special use permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance in order to continue placement of a single-wide manufactured home for the sole occupancy of Katelyn E. Wense, for a period not to exceed five years. This voids the SUP #6821. This is located in an "R-4" Single-Family Residential District in Nameoki Township, at **1629 Wilson Ave, Granite City, Illinois PPN#17-2-20-05-12-201-021 (21)**

A **motion** was made by Mr. Metzler and **seconded** by Mr. Koeller that the petition of Jerry and Gwendolyn Fuller be as follows: I. The special use permit is **granted** for the sole usage of Katelyn E. Wense for a period not to exceed five (5) years but may be extended either through an amendment to this special use permit or through an administrative review process, if qualified, as long as Katelyn E. Wense occupies the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new special use permit when Katelyn E. Wense vacates the structure.

The Finding of Fact of the Board of Appeals: I. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; II. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; III. The adjoining property owners were notified by mail of the time and date of the public hearing and none were in attendance; IV. Gwendolyn Fuller, applicant, stated that she is requesting to continue placement of the single-wide manufactured home on site for the occupancy of her granddaughter, Katelyn Wense. Mrs. Fuller stated the Katelyn assists her with various tasks, such as yardwork, since she is disabled; V. The Board of Appeals notes for the record that the applicant submitted a petition of support for the request signed by surrounding property owners and that there was no opposition to the request; VI. The Zoning Board of Appeals notes for the record that applicant's granddaughter will occupy the structure and assist her grandparents with various tasks; VII. The Zoning Board of Appeals feels that to allow this request would not cause a detrimental effect on adjoining properties; VIII. The Board of Appeals notes that the Comprehensive Plan, Madison County Zoning Ordinance, and the zoning file were taken into consideration.

Voice vote.

Ayes to the motion: Mistery Sedlacek, Janek, Metzler, and Koeller.

Nays to the motion: None.

Absent: Mistery Davis and St. Peters.

Whereupon the Chairman declared the motion duly adopted.