

**Planning and Development Committee  
Meeting Minutes for October 4, 2018**

**Members Present:**

Mick Madison, Chairman  
David Michael  
Robert Pollard  
Nick Petrillo  
Dalton Gray  
Phillip Chapman  
Ray Wesley

**Members Absent:**

Larry Trucano

**Others Present:**

Matt Brandmeyer	Larry Dunn
Andi Yancey	Kurt Diel
Chris Doucleff	Robert Nichols
Art Asadorian	David Kosturick
Norma Gains	

**Call of Meeting to Order and Roll Call:**

Chairman Madison called the regular meeting of the Planning and Development Committee to order at 5:00 p.m. and conducted roll call.

**Approval of Minutes:**

Ray Wesley made a motion to approve the minutes from September 6, 2018. Seconded by Phil Chapman. Voice vote. All ayes. Motion approved.

**Zoning Petitions and Subdivision Overview:**

Mrs. Yancey introduced Resolution Z18-0057, the petition of Larry L. Dunn, applicant and owner of record, requesting a variance as per Article 93.034, Section B, Item 6 of the Madison County Zoning Ordinance in order to construct a pole barn that will be 4 feet from the West property line instead of the required 25 feet. Mrs. Yancey stated that the ZBA recommended approval with the condition that the building not exceed 30 feet in height. Four ZBA members voted to approve the request, while one member voted "present".

Mrs. Yancey introduced Resolution Z18-0007, the petition of Stephen Edwards requesting a special use permit to have a drive-up window in conjunction with a burger and custard restaurant. Mrs. Yancey said that the Zoning Board of Appeals unanimously recommended denial on the request due to the applicant's failure to provide an adequate site plan showing that the site could accommodate the drive-thru facility and corresponding drive aisles.

Mrs. Yancey introduced Resolution Z18-0058, the petition of Victor Olvera-Ramirez, requesting a special use permit to continue placement of the mobile home on site. Mrs. Yancey indicated that there was no opposition to the request and the ZBA unanimously recommended approval of the request.

Mrs. Yancey presented Resolutions Z18-0060 and Z18-0061, the petitions of Edwardsville Solar I, LLC and Edwardsville Solar II, LLC, requesting special use permits to develop two (2) 2-megawatt solar developments. Mrs. Yancey stated that there was no opposition to the request, but that the applicant had been working with surrounding property owners regarding a potential tree screening. The ZBA recommended approval with one (1) dissenting vote.

Mrs. Yancey introduced Resolution Z18-0062, the petition of Iona Bertels, requesting variances to create to create a tract of land that is 30 feet wide at the front yard setback instead of the required 150 feet and a separate tract of land that will

be .88 acres in size instead of the required 2 acres. Additionally, a variance to have a private sewage system on a tract of land that 38, 330 sq. ft. instead of the required 40,000 sq. ft. Mrs. Yancey stated that there was no opposition to the request and one adjoining property owner spoke in support of the requested variances. The ZBA unanimously recommended approval.

Mrs. Yancey introduced Resolution Z18-0066, the petition of John and Deborah Miller, requesting variances to have a front yard setback of 37 ft. instead of the required 50 ft. and a rear yard setback of 57 ft. instead of the required 75 ft. Also, a variance install a private sewage system on a lot that is approximately 21,150 sq. ft. instead of the required 40,000 sq. ft. Mrs. Yancey indicated that the ZBA recommend approval with one (1) dissenting vote.

Mrs. Yancey introduced Resolution Z18-0067, the petition of Chad Wernle, requesting a variance to construct a 26X40 garage 2.5 ft. from the north property line instead of the required 15 ft. Mrs. Yancey stated that there was no opposition to the request, and the ZBA unanimously recommended approval of the request.

Mrs. Yancey fielded question from the Committee regarding the zoning hearings.

**Pre-Application Presentation:**

None.

**Citizens Wishing to Address the Committee:**

Art Asadorian, County Board Member District 21, spoke in opposition to Z18-0057, the petition of Larry Dunn requesting a setback variance. Mr. Asadorian discussed the history of violations at the subject property. Mr. Asadorian stated that the neighbors are not opposed to a building going up on the property but they are opposed to the proposed location and its proximity to the residential area to the north of the property. Mr. Asadorian indicated that the surrounding neighbors would be more agreeable to the building being located in the southeast corner of the property.

Norma Gaines, 136 South Thorngate Drive, also spoke in opposition to Z18-0057, the petition of Larry Dunn. Mrs. Gaines submitted photos, copies of violation records, and a zoning map for the record, which were passed around to Committee members. Mrs. Gaines also submitted a petition of opposition to the variance request from the 2008 zoning hearing. Mrs. Gaines stated that she had been a resident of the neighborhood for almost 40 years. Mrs. Gaines stated that she had not seen the on-sight hearing notice posted at Mr. Dunn's property and believes that the notice was not posted. Mrs. Gaines stated that the neighborhood looked like a park when they purchased the property. Mrs. Gaines stated the Mr. Dunn's request was identical to the zoning request he applied for in 2008, which was denied by the County Board. Mrs. Gaines stated that she was tired of being harassed and harangued and that she hoped something good could come out of this. Mrs. Gaines stated that they would like to have their neighborhood back. Mrs. Gaines spoke to the zoning of the surrounding area.

Robert Nichols, 144 South Thorngate Drive, also spoke in opposition to Z18-0057, the petition of Larry Dunn requesting a setback variance. Mr. Nichols asked if anyone had been down West Chain of Rocks Road. Mr. Nichols stated that on the south side there was Groendyke Trucking, which is beautiful, but Mr. Dunn's property looks like a junkyard. Mr. Nichols stated that they did not want a big building blocking their view. Mr. Nichols stated that the neighborhood would be accommodating to a proposal in the southeast corner of the property, but where the building is currently being proposed will block their view. Mr. Nichols concluded by stating that they'd like for Mr. Dunn to follow the rules.

**Unfinished Business:**

Ray Wesley inquired about Mrs. Gaines statement that Mr. Dunn had not properly posted the on-site hearing notice and asked staff to address the issue. Mr. Brandmeyer stated that the legal notification was published in the newspaper, letters were mailed to adjoining property owners, and that Mr. Dunn had signed an affidavit indicating that he had posted the signage in accordance with ordinance requirements. Mrs. Yancey stated that when she had visited the site, the sign was not posted and Mr. Dunn had advised that the sign was stolen. Mr. Brandmeyer stated that the issue with Mr. Dunn's sign is one of the reasons we have several layers of notifications for zoning requests.

Mr. Wesley asked the applicant if he would be willing to build the structure in a different location on the lot. Mr. Dunn stated that he is requesting to build in the northwest corner of the parcel because of the logistics of maneuvering his three-piece

trailer, which is 150 ft long. Mr. Dunn provided specifics on how he plans to maneuver his trailer into the shop. Mr. Dunn stated that locating a building at the southeast corner of the parcel would be problematic because there is a ditch adjoining that area of his property that floods all the time. Mr. Dunn stated that he merely wanted the building to get out of the rain and cold. Mr. Dunn stated that the items others referred to as junk were how he makes his living. Mr. Dunn stated he uses his old vehicles for parts to repair his own equipment and that his site is not open to the public. Mr. Dunn stated that he was advised by the County that he needed an M-1 designation to do what he is doing, and that he had done everything by the books. Mr. Dunn stated that he's taken care of any violation citations issued by the County and that he just wants to build a shop.

Phil Chapman inquired whether it could work for Mr. Dunn if the shed were to be built where the trailer is now. Mr. Dunn indicated that he would not be able to make the turn with his three-piece trailer to maneuver his load into the shed if it were located in the southeast corner of the site. Mr. Dunn explained to the Committee how he maneuvers the trailer into the shop. Mr. Chapman asked if the mobile office could be moved to accommodate the building in the southeast corner. Mr. Dunn indicated that the office could be moved, but he would not be able to maneuver his three-piece trailer into the shop if it were located in the southeast corner. Mr. Dunn reiterated that he only works on his own equipment. Mr. Dunn discussed the history of the surrounding area, stating that it has never been a park and has been tied to trucking since the old Sun and Fun closed. Mr. Dunn stated that he's owned the properties for 25 years and sold the old shop.

Nick Petrillo asked about the site plan and stated that he hadn't driven anything as large as what Mr. Dunn's describing for quite a while. Mr. Petrillo asked Mr. Dunn if, should the shop be built in the southeast corner, he could drive straight into the site and back into the proposed structure. Mr. Dunn stated that it would not be feasible with a heavy haul trailer, which is his specialty. Mr. Dunn again described how he pulls the three-piece trailer into the site from W. Chain of Rocks Road and how he would maneuver it into the proposed structure.

Mr. Wesley asked how long the trailers were when they were all connected. Mr. Dunn stated that it's 127 ft. and when he's fully loaded he's well over 250K lbs.

Mr. Chapman asked how many times the property has been cited and whether the shed could be located where the neighbors had proposed without harming the gas lines. Mr. Madison stated that he had already said he can't maneuver his equipment into the shed in that location and deferred to staff on the violation question. Mr. Brandmeyer stated that Mr. Dunn had been in violation about once a year for the past four or five years on different items. Mr. Brandmeyer stated that Mr. Dunn has been working toward full compliance.

Mr. Chapman stated that there had been comments about blocking the line of sight, indicating that he appreciated the neighbor's photos. Mr. Chapman asked if it was an accurate statement that the shed would block all of their views. Mr. Brandmeyer stated that it would be a noticeable difference on Thorngate as there would be a building four feet from the ROW that is 25-30 ft. tall. Mr. Brandmeyer stated that, as far as blocking views, it depends which way you're looking. However, the building would undoubtedly have a presence on the street.

Mick Madison asked Mr. Dunn if it was possible, should the building be located in the southeast corner, to pull his equipment into the site and back it into the shop. Mr. Dunn stated that it would not be possible. Mr. Dunn discussed the specifics of his site and concluded by stating that if he cannot build the shop in the proposed location, he will not build.

David Michael stated that Mr. Dunn was asking for setback relief from the ROW and not from an adjoining property owner. Staff indicated that was correct, and Mr. Dunn satisfied the setback requirement from the north property line, which adjoined the residential district. Mr. Michael stated that he was less concerned about a variance from the ROW that if the structure were going to be located closer than allowable to a neighbor's property. Mr. Michael asked if the adjoining owner to the north, who would be the most impacted, received a letter regarding the hearing and did not attend the hearing. Staff indicated that this was correct. Mr. Michael stated that Mr. Dunn is requesting to be closer to the road, not to any individual, which is an important consideration for him.

Mr. Petrillo stated that he doesn't understand why Mr. Dunn cannot located the building in one of the other corners of the parcel, which raised questions about the gas lines. Mr. Petrillo stated that. Based on his experience, he doesn't understand

how it will make a difference for Mr. Dunn if the shed is located in the southeast corner of the property. Mr. Dunn explained how he maneuvers the trailers through the site and into the structure and why it's not feasible for him to locate the structure on the opposite side of the property. Mr. Petrillo and Mr. Dunn discussed the logistics of maneuvering the heavy-haul trailer into the site. Mr. Brandmeyer stated that the Committee was getting into speculation with regard to what it would take for Mr. Dunn to back the trailer into the site and that it may be beneficial to have a CAD model created. Mr. Petrillo asked if it would be possible to see a model and indicated that he would entertain making a motion to postpone the hearing in order for Mr. Dunn to provide a model, but that he would not be able to attend the following meeting so it would need to be postponed until the November meeting. Mr. Wesley indicated that he would not be able to attend the November meeting.

Mr. Michael stated that there would still be the issue of flooding in the southeast corner, so regardless, there would be an unhappy party. Mr. Petrillo asked if we could confirm whether the site at the southeast corner was too soft for the proposed use. Mr. Brandmeyer stated that it would like require a geotechnical analysis.

Mr. Madison asked if the way he maneuvers into the site has anything to do with him coming off of IL Route 3. Mr. Dunn stated that it does, but there is no other way for him to access the site because he is only allowed to drive one mile off the interstate. Mr. Dunn described that state permitting process and stated that IDOT would not allow him to widen the drive way anymore. Mr. Dunn stated that he only has one way into and out of the site, which is W. Chain of Rocks. Mr. Dunn reiterated that, if his variance request is denied, he will not build the structure.

Dalton Gray asked Mr. Dunn if it was possible to disconnect the trailers to get them onto the site and into the shop. Mr. Dunn stated that it would not be possible with the type of weight he carries. Mr. Dunn stated that if he messes up, it costs \$40k for someone to come get it and he's not willing to chance it.

Mr. Madison stated that he was familiar with the type of trailer Mr. Dunn was hauling and that they're extremely hard to maneuver given their weight and size. Mr. Madison stated that he has to believe what Mr. Dunn is saying and that it's extremely difficult to maneuver that type of equipment.

Mr. Chapman stated that it is unfortunate that if we vote on it as it is, with no other solution (which may not exist), there will be winners and loser. Mr. Madison stated that he would like to say that the property is zoned commercial and has been for a long time and that there is a lot of trucking and business in the area. Mr. Madison stated that it's unfortunate that the commercial uses and residential uses in the area clash, which is unfortunate, but each property owner wants to have their liberty while respecting the liberty of others, which can make for difficult situations. Mr. Madison stated that Mr. Dunn was trying to come into compliance, and, according to Mr. Brandmeyer at the ZBA meeting, this will help Mr. Dunn come into compliance. Mr. Madison stated that he's not sure there's another way to do it, but that he doesn't think there's need for a study. Mr. Madison stated that the committee should make a decision.

Mr. Wesley confirmed that the ZBA had recommended approval and that the department's staff has no objections to the proposal. Mr. Madison confirmed this was the case.

Ray Wesley made a motion to approve Resolution Z18-0057, a resolution approving the petition of Larry L. Dunn, applicant and owner of record, requesting a variance as per Article 93.034, Section B, Item 6 of the Madison County Zoning Ordinance in order to construct a pole barn that will be 4 feet from the West property line instead of the required 25 feet. This is located in an "M-1" Limited Manufacturing District in Chouteau Township, at 3126 W. Chain of Rocks Road, Granite City, Illinois. Seconded by David Michael. Roll-call vote. Phil Chapman, David Michael, Ray Wesley, and Dalton Gray voted aye. Nick Petrillo and Robert Pollard voted nay. The ayes prevailed. Motion approved.

#### **New Business:**

Ray Wesley made a motion to approve New Business Items 1-7, which are as follows:

- 1) Resolution Z18-0007, a resolution denying the petition of Stephen Edwards, applicant, on behalf of owner of record, A & H Mechanical Contracting, Inc., requesting a special use permit as per §93.030, Section D, Item (11) of the Madison County Zoning Ordinance in order to have a drive-up window in conjunction with a restaurant establishment. Also, a variance as per §93.030, Section B, Item (7) in order to be 30 feet from the south property line and 38 feet from the

north property line instead of the required 50 feet. This is located in a "B-2" General Business District in Jarvis Township, at 9070 State Route 162, Troy, Illinois.

- 2) Resolution Z18-0058, a resolution approving the petition of Victor Olvera-Ramirez, owner of record and occupant of manufactured home, requesting a special use permit as per Article 93.025, Section G, Item 9 of the Madison County Zoning Ordinance to continue placement of a manufactured home on the site for the occupancy of Victor Olvera-Ramirez and family for a period not to exceed five years. This voids SUP #Z09-0007. This is located in an "R-4" Single-Family Residential District in Nameoki Township, at 3113 Amherst Avenue, Collinsville, Illinois.
- 3) Resolution Z18-0060, a resolution approving the petition of Edwardsville Solar I, LLC, applicant, and Sharon Wentz Evans, owner of record, requesting a special use permit as per §93.060, Section B of the Madison County Zoning Ordinance to develop a 2-megawatt community solar development on the subject parcel. This is located in an "R-1" Single-Family Residential District in Edwardsville Township at 5729 New Poag Road, Edwardsville, Illinois.
- 4) Resolution Z18-0061, a resolution approving the petition of Edwardsville Solar II, LLC, applicant, and Sharon Wentz Evans, owner of record, requesting a special use permit as per §93.060, Section B of the Madison County Zoning Ordinance to develop a 2-megawatt community solar development on the subject parcel. This is located in an "R-1" Single-Family Residential District in Edwardsville Township at 5729 New Poag Road, Edwardsville, Illinois.
- 5) Resolutions Z18-0062, a resolution approving the petition of Iona Bertels, owner of record, requesting variances as per §93.023, Section B, Item 1, Sub (a) of the Madison County Zoning Ordinance to create a tract of land that has 30 ft. of property width at the front yard setback instead of the required 150 ft. and to create a tract of land that will be 0.88 acres instead of the required 2 acres. Also, a variance as per §93.061, Section (A) in order to have a private sewage system on a lot that is less than the required 40,000 square feet. This is located in an Agriculture District in Moro Township at 4610 Okke Street, Dorsey, Illinois.
- 6) Resolution Z18-0066, a resolution approving the petition of John & Deborah Miller, owners of record, requesting variances as per §93.025, Section B, Items 3 & 5 of the Madison County Zoning Ordinance to have a front yard setback of 37 ft. instead of the required 50 ft. and a rear yard setback of 57 ft. instead of the required 75 ft. Also, a variance as per §93.061, Section (A) in order to install a private sewage system on a lot that is less than the required 40,000 square feet. This is located in Residential District in Collinsville Township, on State Route 162, Glen Carbon, Illinois.
- 7) Resolution Z18-0067, a resolution approving the petition of Chad Wernle, owner of record, requesting a variance as per §93.051, Section A, Item 3, Sub (b) of the Madison County Zoning Ordinance in order to construct a detached garage that will be 2.5 feet from the north property line instead of the required 15 feet. This is located in an Agriculture District in Saline Township, at 13308 Fawn Creek Road, Highland, Illinois.

Seconded by Robert Pollard. Roll-call vote. All ayes. Motion approved.

Mr. Brandmeyer addressed the refined request, stated that no expenses had been incurred and, that on further review, staff determined the requested variance was not needed. Mrs. Yancey stated that the request was to refund the \$300 hearing application fee.

Nick Petrillo made a motion to approve Refund Request – Z18-0063 for Charles Hanes. Seconded by Ray Wesley. Roll-call vote. All ayes. Motion approved.

Mick Madison discussed the purchase request for water bottle filling stations. Mr. Madison stated that the request was for new water fountains at the court house. Mr. Madison stated that several of the courthouse water fountains had been taken down due to plumbing issues and had not been replaced. The purchase request would cover the water fountain replacements. Mr. Madison stated that the plumbing was old over and there had been complaints about the water quality as well. Mr. Madison stated that the new water fountains would have water bottle fillers and be filtered, so it's a win-win for everyone. Mr. Michael asked if the work had already been done. Mr. Brandmeyer stated the plumbing work had been done, but not the fixtures. Mr. Wesley asked if County staff would be doing the work. Mr. Brandmeyer indicated that the facilities department would install the water fountains. Mr. Brandmeyer stated that the fountains are also part of a waste reduction initiative to reduce the use of plastic water bottles.

Phil Chapman made a motion to approve the Purchase Request – Water Bottle Filling Stations. Seconded by Ray Wesley. Roll-call vote. All ayes. Motion approved.

Mick Madison discussed the purchase request for a change order to Wood River asbestos abatement. Mr. Madison stated that, due to some plumbing work being completed in the building, asbestos inadvertently fell into a file room at the Child Advocacy Center, and that the file room needed to be sealed and cleaned, leading to the change order.

David Michael made a motion to approve Purchase Request – Change Order to Wood River Asbestos Abatement. Seconded by Phil Chapman. Roll-call vote. All ayes. Motion approved.

David Michael made a motion to approve the purchase order report. Seconded by Ray Wesley. Roll-call vote. All ayes. Motion approved.

**Administrator’s Report:**

Matt Brandmeyer stated that he had emailed committee members an update on the Host Fee Fund, and he’d like to go over the budget at the next meeting on October 18<sup>th</sup>. Mr. Brandmeyer stated that since he’s been with the department the Host Fee has increased from \$1 million to \$6 million and that based on the way we’ve been appropriating the funds, we will not continue to increase that amount. Mr. Brandmeyer stated that the Host Fee balance will remain consistent unless we take on more projects. Mr. Brandmeyer stated that we’ve partnered with Facilities on several environmental projects and there are a few more items we are looking at. Mr. Brandmeyer stated that the committee should start discussing the amount of reserve they would like in the fund and how the fund will be appropriated moving forward. Mr. Brandmeyer stated that in addition to the budget, Kim and Eve would be providing updates on their programs at the following meeting.

Mr. Michael inquired about the status of the Comprehensive Plan update and whether it was still in the works. Mr. Madison stated that he was processing the committee training and what implications it may have. Mr. Chapman asked if they were trying to no do a comprehensive plan. Mr. Madison indicated that was not the case. Mr. Chapman asked if plan consideration could be placed on the calendar so that folks would know when it will come up. Mr. Madison stated that he did not want to put it under a deadline because he still needs to decide how it should be presented to the committee. Mr. Chapman stated that he was asking because, if he was under the correct understanding, the current plan is obsolete and dysfunctional. Mr. Madison stated that the current plan is not obsolete or dysfunctional, but that he want to be diligent that the new plan does not cause more problems than it solves. Mr. Michael stated that he was asking due to the upcoming elections and the potential that the committee could change, which would mean they would not see the plan until it was before the full county board. Mr. Chapman commiserated with Mr. Michael’s concern. Mr. Madison asked committee members to go through the plan with a highlighter and pencil to make notes.

**Adjournment:**

Ray Wesley made a motion to adjourn the meeting. Seconded by Dalton Gray. Voice vote. All ayes. Motion approved.

Meeting adjourned.