

Building & Zoning Committee
Meeting Minutes for May 5, 2022

Members Present:

Mick Madison, Chairman
Dalton Gray
Terry Eaker
Ryan Kneeder
Nick Petrillo
Robert Pollard
Victor Valentine

Members Absent:

Bill Meyer
Bobby Ross

Others Present:

Noelle Maxey	Mike Babcock	Ashley
Jen Hurley	Matt King	Gerald Norton
Chris Doucleff	Tammy Clendenny	Bob Lucero

Call of Meeting to Order and Roll Call:

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

Approval of Minutes:

Chairman Madison asked the Committee if all members had reviewed the minutes from the April 7, 2022 meeting and if they had any changes to be made. Chairman Madison approved the minutes.

Zoning Petitions and Subdivision Overview:

Noelle Maxey, Zoning Coordinator, gave the overview of the five zoning petitions and three subdivisions on the agenda.

Ms. Maxey introduced Resolution Z22-0021, petition of Steven and Lindsey Naylor, owners of record. Ms. Maxey stated this property is zoned "A" Agricultural District, and the applicants are requesting a variance to construct an accessory structure 5 feet from the west property line instead of the required 15 feet. She said there are no outstanding violations, no opposition had been expressed, and the ZBA recommended approval.

Ms. Maxey introduced Resolution Z22-0022, petition of Jimmy Dean Harrison, Jr., owner of record. Ms. Maxey stated this property is zoned "R-3" Single-Family Residential, and the applicant is requesting a zoning map amendment to rezone the approximately 5.91 acre tract of land to "B-5" Planned Business District in order to store commercial materials and equipment for his tree trimming business on the property with his home. She said the property is currently under violation for having a shipping container and commercial vehicles and equipment on the property. She said the request was first heard at the February 22nd Zoning Board of Appeals meeting, where it did not receive a second on the motion and essentially died, and it was heard again at the April 26th Zoning Board of Appeals meeting. Ms. Maxey stated several neighbors spoke in opposition at both Zoning Board meetings or provided letters of opposition. She said staff has received a petition of opposition with 72 signatures, and a petition of support with 76 signatures. Ms. Maxey stated the ZBA recommended denial. Chairman Madison asked if there were any letters of support, to which Ms. Maxey responded there were not. Mike Babcock, County Board member, stated that there are a lot of people who do not want this rezoned commercial, and the applicant has been flying drones over other peoples' properties. Matt King, County Board member, stated he is not in favor of this request.

Ms. Maxey introduced Resolution Z22-0023, petition of Robert Ruby, owner of record. Ms. Maxey stated the property is zoned "B-2" General Business District, and the applicant is requesting a variance to construct an addition to the existing auto body shop that would be 3 feet from the south property line instead of the required 10 feet. She said that there is currently a carport on the south side of the building that would be removed prior to constructing this addition. Ms. Maxey stated there are no outstanding violations, no opposition had been expressed, and the ZBA recommended approval. Matt King, County Board member, stated this is a great business. Mr. Eaker asked if the next door neighbors are fine with it, and Ms. Maxey stated they are.

Ms. Maxey introduced Resolution Z22-0025, petition of Zachary Hartnagel, owner of record with Amber Hartnagel. Ms. Maxey stated this property is zoned "R-3" Single-Family Residential, and the applicant is requesting a variance to construct an attached garage addition to the existing home that would be 6.5 feet from the east property line instead of the required 10 feet. Ms. Maxey said there are no outstanding violations, no opposition had been expressed, and the ZBA recommended approval.

Ms. Maxey introduced Resolution Z22-0026, petition of Lincon Properties, LLC, applicant on behalf of Cole Hunter, owner of record. Ms. Maxey stated the property is zoned "A" Agricultural, and the applicant is requesting a variance to construct an accessory structure 30 feet in height instead of the maximum 25 feet allowed. She said there are no outstanding violations, no opposition had been expressed, and the ZBA recommended approval. Chairman Madison asked what the reason for the extra 5 feet is, and Ms. Maxey responded that the builder stated it was for aesthetic purposes.

Ms. Maxey introduced the Resubdivision of Lot 4 of Renfro's Second Subdivision – Minor Plat. Ms. Maxey stated this property is zoned "A" Agricultural and is located in Jarvis Township, County Board District #2. She said this is a two lot Resubdivision of Lot 4 of Renfro's Second Subdivision, which is currently 4.73 acres in size. She said the new Lot 4 would be 2.36 acres and Lot 5 would be 2.37 acres. Ms. Maxey stated future development may include new single-family dwellings on either lot, and the applicant is not proposing any new private roadway easements, as both lots have direct access to Lebanon Road. Ms. Maxey said there is no floodplain on the property, and the proposed layout satisfies all zoning and subdivision requirements.

Ms. Maxey introduced Albright Subdivision – Minor Plat. Ms. Maxey stated this property is dual-zoned "A" Agricultural and "R-3" Single-Family Residential and is located in Moro Township, County Board District #5. She stated this is a two lot minor subdivision involving two existing parcels that are 71.19 and 0.57 acres in size, respectively. She said the new lot is 2 acres in size and located in the dual-zoned area of the property. Ms. Maxey stated the new lot would encompass the 0.57 acre parcel and three existing sheds on the property, and the person who will be buying the new lot intends to build a single-family dwelling and rezone the "A" Agricultural area of the property to "R-3" Single-Family Residential in order to eliminate the dual-zoning. She said the applicant is not proposing any new private roadway easements, as the new lot will have direct access to both Seiler Road and Bivens Road. Ms. Maxey stated there is no floodplain on the property, and the proposed layout satisfies all zoning and subdivision requirements.

Ms. Maxey introduced The Estates at Heritage Landing 2nd Addition – Preliminary Plat. Ms. Maxey stated the property is zoned "R-1" Single-Family Residential and is located in Collinsville Township, County Board District #22. She said this is an 11 lot preliminary plat with lots ranging from 43,576 sq ft in size to 131,844 sq ft in size, with an average lot size of 80,944 sq ft. She stated the proposed subdivision is consistent with the density and character of the surrounding area. Ms. Maxey stated once fully developed, the subdivision may generate roughly 110 additional car trips per day, and the Committee may consider the impact the additional traffic could have on the surrounding area. Ms. Maxey said there is an existing private roadway (Orr Lane) that runs through the property with 50 ft of Right-of-Way, which is the sole point of ingress/egress for the subdivision, and the road will ultimately be maintained by Collinsville Township after dedication. She said each lot will require a private sewage system, and a private sewage plat has been reviewed and approved by the department. Ms. Maxey said there is no floodplain on the property, and the proposed layout satisfies all zoning and subdivision requirements.

Pre-Application Presentation:

None

Citizens Wishing to Address the Committee:

Chairman Madison asked if there are any members of the public wishing to address the Committee.

Tammy Clendenny, nearby neighbor, spoke in opposition to Z22-0022, petition of Jimmy Dean Harrison, Jr. Ms. Clendenny stated she has lived in the neighborhood over 30 years, and she does not want a commercial property near her. She stated that six of the neighbors have had to get orders of protection against Mr. Harrison. She stated he is already hauling logs, has equipment there, trucks, cranes, and is dumping and burning on the property. Ms. Clendenny said people pay him to dump their logs on his property, and she's worried about increased traffic.

Ashley, adjacent property owner, spoke in opposition to Z22-0022, petition of Jimmy Dean Harrison, Jr. Ashley stated that their opposition petition has been signed by every adjacent neighbor to his property except one, who was afraid to sign the petition after being threatened by Mr. Harrison in the past. She said there are signatures on the support petition that are not even from their neighborhood. She said since the last meeting, he has made their lives hell by driving by the house with his motorcycle club, parking outside their house, and waving chainsaws around behind their house.

Gerald Norton, nearby neighbor, spoke in opposition to Z22-0022, petition of Jimmy Dean Harrison, Jr. Mr. Norton stated he grew up in this neighborhood and lived the neighborhood since 1961 except for 6 years when he was out of the state. Mr. Norton said he has known Mr. Harrison since he was about 11 years old, and Mr. Harrison and his family have always been trouble. He said they are wanting to keep it residential, and Mr. Harrison is doing everything he can to harass the neighbors. Mr. Norton said he didn't intend to come to the meeting, but since Mr. Harrison has been harassing the neighbors, he decided to come speak. He said that Mr. Harrison had told him he just wants to park his pickup truck on the property, so Mr. Norton told him to put his business on a property somewhere else, and Mr. Harrison told him that he had already purchased a property to do that. Mr. Norton said he does not want it turned commercial, and he is going to continue to be a problem to the neighborhood.

Bob Lucero, nearby neighbor, spoke in opposition to Z22-0022, petition of Jimmy Dean Harrison, Jr. Mr. Lucero stated that he grew up in the neighborhood, and he's known Mr. Harrison all his life. He said that Mr. Harrison has run him off the road because some rocks fell out of his trailer. He said that people in the neighborhood have kids, he has a grandson now, and he hopes Mr. Harrison doesn't bring the drone to his property. Mr. Lucero stated he applauds the Committee for seeing Mr. Harrison how he is and thinking about denying the request because they don't need that business out there.

Unfinished Business:

None

New Business:

Chairman Madison asked Mr. Doucleff, department administrator, to explain the Refund Request – B2022-0276. Mr. Doucleff stated this refund is for Ross Excavating, who had applied for a private sewage permit, and because of all the rain, they got backed up. Mr. Doucleff stated the property owner wanted the work done ASAP and hired a different contractor to do the work, so Ross Excavating requested a refund for the permit.

Chairman Madison brought in Resolutions Z22-0021, Z22-0022 (a denial resolution), Z22-0023, Z22-0025, and Z22-0026, the Resubdivision of Lot 4 of Renfro's Second Subdivision – Minor Plat, Albright Subdivision – Minor Plat, The Estates at Heritage Landing 2nd Addition – Preliminary Plat, the Refund Request – B2022-0276, and the Purchase Order Report to be voted on together. Mr. Gray made a motion to approve all above Resolutions and other agenda items. Seconded by Mr. Pollard. Roll-call vote. All ayes. Motion passes.

A discussion ensued between Board members and the audience regarding the upcoming County Board meeting and the process to address the County Board during the meeting.

Other Business:

Chairman Madison brought in the Intergovernmental Agreement Between the City of Edwardsville and Madison County (Traffic Signals and Roadway Improvements) for discussion. Mr. Doucleff described what the Intergovernmental Agreement is for, including the plans to create a large interchange for new development that will be happening off State Route 143 near I-55 and Blackburn Road and the funds for the development of this interchange. Mr. Doucleff stated that the County is involved because the area north of State Route 143 is still mostly unincorporated, but by the time it does get developed, it will likely be through the City of Edwardsville. A discussion ensued regarding the agreement. Mr. Doucleff stated the Committee is not voting on this item; it has already been approved and signed by the County Chairman, but the department was asked to present the information to the Committee.

Administrator's Report:

Mr. Doucleff discussed this month's permit numbers compared to last year. He stated our permits are down a lot compared to last year and have been the last several months due to high construction costs. He stated that we issued 122 permits in April 2021, and this year we only issued 85 in April.

Mr. Doucleff discussed personnel changes in the Building & Zoning Department, including a new Stormwater Coordinator, Solid Waste Inspector, and Zoning Inspector. Mr. Petrillo asked how many people were interviewed for the Stormwater Coordinator position and how many applied, to which Mr. Doucleff stated he did two interviews and eight people had applied. Mr. Petrillo asked who was involved in the interview process, to which Mr. Doucleff stated he and current Stormwater Coordinator Steve Brendel were involved, and the interviews lasted an hour and an hour-and-a-half, respectively.

Adjournment:

Mr. Gray made a motion to adjourn the meeting. Seconded by Mr. Valentine. Voice-vote. All ayes. Motion passes.

Meeting adjourned.