

**Planning and Development Committee
Meeting Minutes for July 16, 2020**

Members Present:

Mick Madison, Chairman
Dalton Gray
David Michael
Nick Petrillo
Ray Wesley (arrived late)

Members Absent:

Robert Pollard
Larry Trucano

Others Present:

Breana Buncher	James Majerus	Roxanne Whitman
Noelle Maxey	Blake Schrupf	Anne Barriger
Chris Doucleff	Steven Blair	

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:

Chairman Madison asked the committee if everyone reviewed the minutes from the June 18, 2020 meeting. Chairman Madison approved the minutes.

Zoning Petitions and Subdivision Overview:

Mrs. Buncher introduced Resolution Z19-0056, petition of Thomas and Deborah Burgess, requesting a Special Use Permit in order to continue placement of a single-wide mobile home on site for the occupancy of Thomas and Deborah Burgess and family for a period not to exceed 5 years. Mrs. Buncher stated there have recently been violations on the property, but all have been addressed and none are currently outstand. Mrs. Buncher stated no opposition has been expressed, and ZBA recommended approval with conditions.

Mrs. Buncher introduced Resolution Z20-0018, petition of Steven Blair, Jr., and Anne Barriger, requesting a variance in order to construct a new single-family dwelling that will be 20 feet from a private roadway and utility easement instead of the required 50 feet. Mrs. Buncher stated staff has received opposition from nearby property owners and one letter in support of the request. Mrs. Buncher stated ZBA recommended approval with conditions. Chairman Madison pointed out that the land on the property is limited due to the lake on the back half of the property. Mrs. Buncher explained why the applicants are requesting the variance.

Mrs. Buncher introduced Resolution Z20-0022, petition of Joseph and Kenny Muller, requesting a Special Use Permit in order to construct an attached garage addition to an existing single-family dwelling in an "M-3" Heavy Manufacturing District. Mrs. Buncher stated that the property is legal non-conforming due to the existing dwelling in an "M-3" District, so the applicants have to come into conformity in order to make improvements to the home. Mrs. Buncher stated there are no violations on the property, no opposition was expressed, and the ZBA recommended approval with conditions.

Mrs. Buncher introduced Resolution Z20-0028, petition of James Majerus and Cortney Spradling, requesting a variance in order to construct a detached garage 21 feet from the north property line instead of the required 40 feet. Mrs. Buncher stated the applicants want to build in the proposed location due to the location of the private sewage system on the property, as

well as large existing trees that would have to be removed in order to build elsewhere on the property. Mrs. Buncher stated there are no violations, no opposition was expressed, and ZBA recommended approval.

Mrs. Buncher introduced Resolution Z20-0029, petition of Dianne and James Peters, requesting a zoning map amendment to rezone a 1.93 acre tract of land from "B-3" Highway Business District to "R-1" Single-Family Residential District. Mrs. Buncher stated the applicants were wanting to replace a damaged accessory structure on the property, and discovered at that time that the property is zoned "B-3," so in order to come into conformity and to be able to replace that structure, the applicants were requesting to rezone to residential. Mrs. Buncher stated there are no violation, no opposition was expressed, and ZBA recommended approval.

Mrs. Buncher introduced Resolution Z20-0030, petition of Meadowbrook Public Water District and Fort Russell Township, requesting a Special Use Permit in order to have a governmental use on site. Mrs. Buncher stated Fort Russell Township was using the property without having a Special Use Permit, and now that they want to sell to Meadowbrook Public Water District, they are requesting a Special Use Permit. Mrs. Buncher stated there are no outstanding violations, no opposition was expressed, and ZBA recommended approval with conditions.

Mrs. Buncher introduced The Timbers – Minor Plat. Mrs. Buncher stated the property is within the growth boundary of Highland, and they had submitted a letter to staff opting out of review of the subdivision. Mrs. Buncher stated this is a 2 lot minor subdivision, with Lot 1 being 2.04 acres and the remnant being 14.58 acres. Mrs. Buncher stated Lot 1 will have access via private roadway easement, and a maintenance agreement for the easement has been submitted. Mrs. Buncher stated the configuration satisfies all zoning and subdivision requirements.

Mrs. Buncher introduced Dixie Harr 2nd Subdivision – Minor Plat. Mrs. Buncher stated the property is within the growth boundary of Edwardsville, and they had reviewed and approved the proposed subdivision. Mrs. Buncher stated this is a 2 lot minor subdivision, with Lot 1 being 3.72 acres and the remnant being 13.27 acres. Mrs. Buncher stated the configuration satisfies all zoning and subdivision requirements.

Mr. Petrillo asked, in regard to Z19-0056, how long the existing mobile home had been there, to which Mrs. Buncher stated it has been there a long time without a Special Use Permit. Mr. Petrillo asked if this is another one that has continually been renewed every 5 years, to which Mr. Doucleff stated this will be the first time they will have a Special Use Permit for the mobile home. Mr. Petrillo noted that the report says that the request does not adhere to the Comprehensive Plan and asked why we would want to continue it. Mrs. Buncher stated that we have not really ever enforced the Comprehensive Plan, and there is commercial and residential in the area. Chairman Madison stated that the mobile home fits the area.

Mr. Petrillo asked, in regard to Z20-0022, whether or not there is a garage there already, to which Mrs. Buncher stated there is already an accessory structure on the property, but the applicants want an attached garage on the house. Mr. Petrillo noted again that the request doesn't adhere to the Comprehensive Plan, to which Mrs. Buncher replied that we have never enforced the Comprehensive Plan, and there is already residential in this area as well. A discussion ensued about the Comprehensive Plan.

A discussion ensued about Z20-0018, particularly about the opposition and the dam on the property.

Mr. Doucleff discussed the Resolution Authorizing the Demolition of Unsafe Buildings and Structures – 207 Carver St., Madison. Chairman Madison asked if there was an opposition, to which Mr. Doucleff responded there was not.

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.

Blake Schrumpf, adjacent property owner to the subject property of Z20-0018, stated that he's not sure what he has to say matters because it seems like everyone has already made their minds up. Mr. Schrumpf stated that there needs to be a hardship to allow a variance, and since the property is already existing how it is that it's not a hardship. Mr. Schrumpf stated the applicants knew where the property lines and easement were when they bought the property. Mr. Schrumpf stated you can't create a hardship based on facts that already exist because it would be convenient for you. Mr. Schrumpf said that we're jumping the gun because we don't know the specs of the house yet.

Steven Blair, Jr., applicant, stated that they had the property surveyed after buying it and thought they would have to meet 50 feet from the property line, not the 26 foot wide easement at the front of the property. Mr. Blair stated they brought a sketch of the property with them to the meeting that shows the proposed home to scale on the property. Mr. Blair stated that they are trying to get as far from the water and dam as possible, and without this variance, their house would be on the water. Mr. Petrillo asked Mr. Blair when they purchased the property, to which Mr. Blair responded they closed on it in December of 2019 and had the survey done immediately after.

Roxanne Whitman, adjacent property owner to the subject property of Z20-0018, stated it was a shame that the real estate company didn't provide the information on the easement, but you have to have a hardship to get a variance and this isn't a hardship. Ms. Whitman said she is concerned about water issues.

Anne Barriger, applicant, stated these issues being brought up could happen to any property out there around the lake, and part of the dam is on another property so they don't own the whole thing. Ms. Barriger stated they are trying to get away from the water and dam, but the opposition doesn't want them to build anything at all on the property.

Chairman Madison stated that people get upset when we don't follow zoning laws, but what people don't realize is that zoning laws are not like other laws; they are meant to be flexible which is why we have variances and Special Use Permits. Chairman Madison stated that there does not necessarily have to be a hardship to get a variance, and looking at the property, you can see how narrow the land is. Chairman Madison noted that the home would still be 46 feet from the road, which is nearly the 50 foot requirement if the roadway easement didn't go through the front of the property. Mr. Petrillo stated he can see both sides of it and that makes it tough. Chairman Madison stated that in situations like this, someone is going to be upset with the outcome and neighbors have to be flexible.

Unfinished Business:

None.

New Business:

Chairman Madison brought in Resolutions Z19-0056, Z20-0022, Z20-0028, Z20-0029, Z20-0030, The Timbers – Minor Plat, Dixie Harr 2nd Subdivision – Minor Plat, and Resolution Authorizing the Demolition of Unsafe Buildings and Structures – 207 Carver St., Madison to be voted on together. Mr. Chapman made a motion to approve all the above items. Seconded by Mr. Petrillo. Roll-call vote. All ayes. Motion passes.

Chairman Madison asked for a motion for Resolution Z20-0018. Mr. Gray made a motion to approve. Seconded by Mr. Chapman. Roll-call vote. All ayes. Motion passes.

Mr. Chapman left the meeting at this point.

Chairman Madison stated he meant to include the Purchase Order Report in with the rest of the resolutions earlier. Chairman Madison asked if anyone objects to that. There were no objections.

Administrator's Report:

Mr. Doucleff compared the number of permits the Planning & Development Department has issued this year to what had been issued during the same time last year, noting that the numbers this year were about the same or even higher than last year, even with the COVID-19 pandemic.

Mr. Doucleff discussed the efforts of the Department and our Sustainability group to get a permanent household hazardous waste site in Madison County. Mr. Doucleff stated it would be open two Saturdays each month to any resident of Illinois, since the state is paying the disposal costs. Mr. Doucleff stated we are hoping to have it open before the end of the year or the beginning of next year. Mr. Doucleff stated that if it isn't opened before the end of the year, then we will hold a one-time household hazardous waste collection event in September or October. Mr. Doucleff stated the County will only have to pay approximately \$90,000 a year to have the permanent site and collections twice a month.

Mr. Doucleff discussed the electronic waste collection events held this year and noted that they are all being moved to the site of CJD E-cycling, rather than at different municipalities each time. Mr. Doucleff stated we are fully booked for the August event and only a handful of appointments left for the September event. Mr. Doucleff stated we might continue to hold the events there, as it's centrally located and easy to get to.

A discussion ensued about mobile homes and the regulation for mobile homes in the County. Chairman Madison stated he wants to go over the mobile home regulations and see if they can be improved.

Mr. Petrillo asked if the Committee will know if the household hazardous waste site will be approved, to which Mr. Doucleff responded that it would likely be discussed at the next meeting, and we are waiting on the state's approval.

Adjournment:

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

Meeting adjourned.