

**Building & Zoning Committee
Meeting Minutes for October 7, 2021**

Members Present:

Terry Eaker
Ryan Kneedler
Bill Meyer, Chairman Pro Tem
Nick Petrillo
Robert Pollard
Bobby Ross
Victor Valentine

Members Absent:

Mick Madison
Dalton Gray

Others Present:

Noelle Maxey	Scot Lehr
Jen Hurley	Jil Lehr
Chris Doucleff	Eric Owens

Call of Meeting to Order and Roll Call:

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

Approval of Minutes:

Chairman Pro Tem Meyer asked the Committee if everyone reviewed the minutes from the September 2, 2021 meeting. Chairman Pro Tem Meyer 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 Z21-0063, petition of Dale Shearer. Ms. Maxey stated the property is zoned "A" Agricultural District, and he is requesting a variance in order to construct a detached garage 30 feet from the front property line instead of the required 50 feet. Ms. Maxey said there were no outstanding violations, no opposition had been expressed, and the ZBA recommended approval unanimously.

Ms. Maxey introduced Resolution Z21-0064, petition of Eric Owens and Church of Christ. Ms. Maxey stated the subject property is zoned "A" Agricultural, and they are requesting a Special Use Permit for the existing legal nonconforming church on site, since one had never been obtained for it in the past. She stated they are wanting to build an addition to the church, but they must come into compliance first. Ms. Maxey said there are no outstanding violations, no opposition had been expressed, and the ZBA recommended approval unanimously.

Ms. Maxey introduced Resolution Z21-0065, petition of Lanny and Alice Yates. Ms. Maxey stated they had recently split off a 2 acre tract of land from the large farm property, and they are wanting to rezone the new tract from "B-4" Wholesale Business to "A" Agricultural with plans to build a home on site. Ms. Maxey said there were no outstanding violations, no opposition had been expressed, and the ZBA recommended approval unanimously.

Ms. Maxey introduced Resolution Z21-0066, petition of Dean Croft and Thomas Linder. Ms. Maxey stated they recently split off 5.58 acres from the 15.58 acre farm property, and they are requesting to rezone the 5.58 acres from "A" Agricultural to "B-

5" Planned Business District in order to operate a self-storage facility on site, including self-storage units and covered parking for RVs, boats, etc. Ms. Maxey said there are no outstanding violations, no opposition had been expressed, and the ZBA recommended approval with conditions listed in Appendix "A."

Ms. Maxey introduced Resolution Z21-0067, petition of Scot and Jil Lehr. Ms. Maxey stated the property is zoned "A" Agricultural and is 5 acres in size, and they are requesting a variance to have a maximum of 10 horses on site instead of the current maximum of 5 allowed. She said that they currently have 5 horses that are getting out of their rideable years, so they are requesting this variance in order to have some younger horses to ride while the older horses live out their lives on the property. Ms. Maxey said that staff do not typically add conditions of approval to variance requests, but since this request is different from most variances we get, staff added conditions to approval to this request. Ms. Maxey stated that there are no outstanding violations, no opposition had been expressed, and the ZBA unanimously recommended approval with conditions. Mr. Valentine clarified that if they sell the property, the next owners would only be able to have 5 horses again, to which Ms. Maxey responded that is correct, unless the next owners are also approved for a similar variance. Mr. Ross stated this property is in his district, and the owners keep the property immaculate and take good care of their horses, so he is not opposed to this request. Mr. Petrillo expressed concerns about what approval of this request would open the door to and how it would affect future similar requests. Mr. Ross noted that it says in the packet that there have been 6 other requests to have more horses than allowed on a property in the past 13 years, and all of them were approved. A discussion ensued regarding precedent.

Ms. Maxey introduced Bast 1st Subdivision – Minor Plat. Ms. Maxey stated this is a two lot minor subdivision, with Lot 1 being 2.72 acres and Lot 2 being 3.9 acres. Ms. Maxey said the property is within the 1.5 mile growth area of the City of Highland, and Highland had provided staff with a letter opting out of review. She said that they are not proposing any new access easements, as there is an existing 40 foot wide private roadway easement that will provide access for Lot 2, there is no floodplain on the property, and the proposed layout satisfies all zoning and subdivision requirements.

Ms. Maxey introduced Rutter Farms Second Subdivision – Minor Plat. Ms. Maxey stated this is a two lot minor subdivision, with Lot 5 being 5.05 acres and Lot 6 being 4.32 acres, and the property is within the 1.5 mile growth area of the City of Troy, who provided staff with a letter opting out of review. Ms. Maxey said that Lot 5 will contain the existing home and accessory structures on site, and new development on Lot 6 may include a new single-family dwelling. She said they are not proposing any new access easements, as both lots will have direct access to Blackjack Road. Ms. Maxey stated there is 100-year floodplain at the rear of the property, and any development in the floodplain area must adhere to the Madison County Stormwater and Erosion Control Ordinance. Ms. Maxey said the proposed layout satisfies all zoning and subdivision requirements.

Ms. Maxey introduced Resubdivision of Lot 4 of Rutter Farms Subdivision – Minor Plat. Ms. Maxey stated this is a three lot minor subdivision, with Lot 4A being 23.67 acres, Lot 4B being 24.12 acres, and Lot 4C being 5.44 acres. Ms. Maxey said this property is within the 1.5 mile growth area of the City of Troy, and Troy had provided staff with a letter opting out of review. She said that they are not proposing any new access easements, as there is an existing 50 foot wide private roadway easement that can be used to access Lot 4A, while Lots 4B and 4C have direct access to Blackjack Road. Ms. Maxey stated there is 100-year floodplain in the east and southeast sections of the property, and any development in the floodplain area must adhere to the Madison County Stormwater and Erosion Control Ordinance. Ms. Maxey said the proposed layout satisfies all zoning and subdivision requirements.

Pre-Application Presentation:

None.

Citizens Wishing to Address the Committee:

Chairman Pro Tem Meyer asked if there are any members of the public wishing to address the Committee.

Scot Lehr, applicant of Z21-0067, stated he is in attendance if anyone had questions or concerns. Mr. Lehr stated that their goal is not to have 10 horses, but to replace horses as they age out of riding years, and to allow their older horses to live out the rest of their lives on the property.

Unfinished Business:

Chairman Pro Tem Meyer asked for a motion to postpone the Ordinance Authorizing a Text Amendment to Chapter 93 of the Madison County Code of Ordinances. Mr. Ross made a motion to postpone. Seconded by Mr. Petrillo. Voice-vote. All ayes. Motion passes.

New Business:

Chairman Pro Tem Meyer brought in Resolutions Z21-0063, Z21-0064, Z21-0065, Z21-0066, and Z21-0067, Bast 1st Subdivision – Minor Plat, Rutter Farms Second Subdivision – Minor Plat, Resubdivision of Lot 4 of Rutter Farms Subdivision – Minor Plat, Refund Request B2020-0800, and the Purchase Order Report to be voted on together. Mr. Eaker made a motion to approve all above agenda items. Seconded by Mr. Ross. Mr. Petrillo asked if all the different items should be brought in together from a legal standpoint, to which Mr. Doucleff stated that is how it's been done before. Roll-call vote. All ayes. Motion passes.

Administrator's Report:

Mr. Doucleff discussed the number of permits that had been issued this year compared to last year. Mr. Doucleff stated that the costs of lumber and materials are starting to go down, so hopefully we start seeing an increase in permits.

Mr. Doucleff stated that the Household Hazardous Waste permanent collection site had gone through all of the approvals and is set to open November 6. Mr. Doucleff stated the site will be open the first Saturday and third Friday every month and is open to all Illinois residents.

Mr. Doucleff discussed the tire collection for municipalities and townships that was currently taking place. Mr. Doucleff also stated the last electronic waste collection event of the year would be taking place the upcoming Saturday and is booked.

Adjournment:

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

Meeting adjourned.