

**Planning and Development Committee
Meeting Minutes for September 5, 2019**

Members Present:

Mick Madison, Chairman
David Michael
Nick Petrillo
Robert Pollard
Larry Trucano
Ray Wesley

Members Absent:

Phillip Chapman
Dalton Gray

Others Present:

Matt Brandmeyer	Montt Beckett	Larry Forehand
Breana Buncher	Kelly and Arline Westfall	
Noelle Maxey	Tim Cooper	
Chris Doucleff	Ron Isenberg	

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 any changes need to be made for the August 15 minutes. Chairman Madison approved the minutes.

Zoning Petitions and Subdivision Overview:

Mrs. Buncher introduced Resolution Z19-0035, petition of Angelina A. Highlander, owner of record along with Steven T. Lebro, requesting a Special Use Permit as per §93.023, Section D, Item 20 of the Madison County Zoning Ordinance in order to continue placement of a double-wide manufactured home on site for the occupancy of Steven T. Lebro and family for a period not to exceed five (5) years. Mrs. Buncher gave a brief history of the property and stated the application was not eligible for administrative review, as the ownership changed hands after the previous owners passed away. Mrs. Buncher described the opposition expressed by nearby property owners at the Zoning Board of Appeals (ZBA) meeting, including dirt bikes and ATVs racing up and down St. James Road and underage drinking parties. Mrs. Buncher stated the ZBA is recommending denial.

Mrs. Buncher introduced Resolution Z19-0036, petition of Samuel Furfaro III and Marcella J. Tiemann, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 10 of the Madison County Zoning Ordinance in order to have a private aircraft landing field on site. Mrs. Buncher stated the applicants have provided documentation from the FAA and IDOT. Mrs. Buncher described opposition that a nearby property owner expressed during a phone conversation the previous day, including noise from the aircraft. Mrs. Buncher stated the ZBA recommended approval unanimously.

Mrs. Buncher introduced Resolution Z19-0037, petition of Troy and Susie Crase, owners of record, requesting a variance as per §93.051, Section A, Item 3, Sub (c) of the Madison County Zoning Ordinance in order to construct an accessory structure that will be located in the front yard setback area. Mrs. Buncher stated there was no opposition during the ZBA meeting, and the ZBA recommended approval unanimously.

Mrs. Buncher introduced Resolution Z19-0041, petition of William and Ellen Nettles, owners of record, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct a garage addition to an existing

home that will be twenty-five feet (25') from the west property line instead of the required fifty feet (50'). Mrs. Buncher stated there was no opposition during the ZBA meeting, and the ZBA recommended approval unanimously.

Mrs. Buncher introduced Resolution Z19-0042, petition of M & M Service Company, applicant and owner of record, requesting a Special Use Permit as per §93.023, Section D, Item 4 of the Madison County Zoning Ordinance to continue utilizing the site for the storage of liquid propane. Mrs. Buncher stated there were no violations on the property, there was no opposition expressed during the ZBA meeting, and the ZBA recommended approval unanimously.

Pre-Application Presentation:

None.

Citizens Wishing to Address the Committee:

Two nearby property owners of the subject property of Resolution Z19-0035 addressed the Committee with concerns and opposition to the request. Kelly Westfall asked if the Committee has checked with the Sheriff's Department about complaints and nuisance calls regarding the goings-on at the mobile home since Steven T. Lebro has taken over occupancy near the beginning of the year. Mr. Westfall described the issues that have been going on since Steven T. Lebro moved in to the mobile home, including racing on the roads and underage drinking parties. Mr. Westfall read aloud a letter from another nearby neighbor regarding the history of the property and the issues with the new occupant.

Tim Cooper addressed the Committee also regarding the issues that have been occurring since Steven T. Lebro moved in to the subject mobile home of Resolution Z19-0035. Mr. Cooper stated over twenty neighbors are all opposed to the request and described the safety concerns regarding the racing of dirt bikes and ATVs along the roadways in the neighborhood.

Unfinished Business:

None.

New Business:

Chairman Madison brought in Resolution Z19-0035 to be voted on. Mrs. Buncher stated that staff did reach out to the Sheriff's Department to get records of the reports and phone calls that have been placed regarding the subject property, including several nuisance calls and one report of underage drinking. Chairman Madison described his visit to the site and his concerns with the reports of the goings-on at the property and in the neighborhood. A discussion ensued about the process of requiring renewal every five (5) years for Special Use Permits for mobile homes and the authority of the Committee to force removal of a mobile home due to issues with the occupant versus issues with the property itself. Mr. Petrillo made a motion for denial of the request. Seconded by Mr. Pollard. Roll-call vote. Nays to the motion made by Mr. Michael, Mr. Trucano, and Mr. Wesley. Motion failed to be approved. Mr. Wesley made a motion to postpone Resolution Z19-0035 to be voted on during the October 3 meeting. Seconded by Mr. Michael. Roll-call vote. All ayes. Motion approved.

Chairman Madison asked the Committee if there were any questions regarding the rest of the zoning resolutions. Mr. Michael asked to have Resolution Z19-0036 pulled out from the rest to be discussed and voted on separately. Mr. Michael discussed concerns from one neighbor of the property who expressed opposition to the request. Mrs. Buncher described the intentions of the applicant from email conversations with him and stated he will not be using this air field or private airplane for commercial uses. Mr. Wesley made a motion for approval with the listed conditions. Seconded by Mr. Trucano. Roll-call vote. All ayes, except one nay to the motion made by Mr. Michael. Motion approved.

Chairman Madison brought in Resolutions Z19-0037, Z19-0041, and Z19-0042 to be voted on together. Mr. Michael made a motion to approve all three resolutions with the listed conditions for Z19-0042. Seconded by Mr. Wesley. Roll-call vote. All ayes. Motions approved.

Administrator's Report:

Mr. Brandmeyer led a discussion regarding amendments to Chapter 90 Building Regulations, including assigning the adjudication judge as the Building Review Board, and Chapter 91 Mobile Home Parks, including requiring occupancy

permits. Mr. Brandmeyer informed the Committee that the amendments to the Zoning Ordinance have been postponed, as staff is still writing a few items. Mr. Brandmeyer led a discussion about moving forward with allowing the sale of cannabis within certain business districts in unincorporated Madison County.

Adjournment:

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

Meeting adjourned.