

**Planning and Development Committee  
Minutes  
August 15, 2016**

**Members Present:**

Bill Meyer  
Brad Maxwell  
Jack Minner  
Kelly Tracy  
Robert Pollard

**Members Absent:**

Brenda Roosevelt  
Helen Hawkins

**Others Present:**

Matt Brandmeyer  
Derek Jackson  
Andi Yancey  
Breana Lamb  
Dan Hellrung  
Beth Hellrung  
Stephen Heflin  
Joan Ketcham

**Approval of Minutes:**

The meeting was called to order by Chairman Bill Meyer.

Jack Minner made a motion to approve the minutes from July 18, 2016. Seconded by Kelly Tracy. Voice vote. All ayes. Motion approved.

**Planning Coordinator's Report:**

Derek Jackson introduced Zoning Board of Appeals Findings of Fact and Recommendations for the August 4, 2016 zoning hearings. Derek explained that Z16-0063, a request for a special use permit in order to operate an agricultural implement & machinery service and repair & welding establishment, had been met with some opposition and that the applicant will be requesting to table the request for 30 days in order to address some concerns and discuss conditions of approval. Derek stated that there was no opposition to any other requests. Derek fielded questions from the Committee regarding the zoning requests.

**Citizens Wishing to Address the Committee:**

Dan Hellrung, property owner at 85 W. Lake Drive in Troy, spoke in opposition to Z16-0058, a request for a variance in order locate a detached garage one foot from the south property line instead of the required five feet. Mr. Hellrung stated that he was out of town for the on-site hearing and was unable to attend, but that he did have some concerns with the request. Mr. Hellrung stated that he had spoken to the applicant in June or July and requested that he set it back to three or four feet instead of the one foot. Mr. Hellrung stated that they were also concerned with drainage and whether, at one foot from the property line, portions of the structure may hang over onto their property. Mr. Hellrung also expressed concerns that the structure could create a challenge once it's time to sell his property.

Beth Hellrung, property owner at 85 W. Lake Drive in Troy, also expressed concerns about Z16-0058. Mrs. Hellrung stated that if the structure is erected one foot from the property line, then the soffit, fascia, and guttering would likely hang over into their yard, which could create stormwater issues.

Kelly Tracy inquired whether the property lines shown on the GIS were accurate. Derek stated that the lines were approximate. The Committee was in agreement that the proposal seemed to be very close to the south property line and that it could not be determined whether there was enough room to accommodate the proposed structure. Brad Maxwell inquired whether the structure would be attached or detached. Derek stated that the garage would be detached.

Joan Ketcham, president of KSEM, stated that, after looking at the findings and hearing some of the public comment regarding their request for a special use permit, she would like to request that the petition be tabled for 30 days so that they might have an opportunity to address concerns, clarify some information, and further discuss the conditions of approval.

#### **Old Business:**

Matt Brandmeyer updated the Committee on Z15-0088, the petition of Jon Metheny, requesting a special use permit in order to continue the placement of a double-wide manufactured home for the occupancy of Scott and Patti Williams. Matt explained that Mr. Matheny is looking to sell the property or find a new tenant. Matt stated that Mr. Matheny was seeking to withdraw the application at this time and will reapply once a new tenant is established or the property sells.

Jack Minner made a motion to approve Jon Matheny's withdrawal of petition Z15-0088. Seconded by Brad Maxwell. Voice vote. All ayes. Motion approved.

Matt stated that staff is requesting the withdrawal of the request to revoke Special Use Permit Z08-0111 for S&K Repair Services. Matt explained that the P&D Committee is the applicant on the request, and that staff is requesting that they withdraw the request in order to pursue other, more effective, options. Matt stated that Mr. Stunkel was currently in court adjudication over ongoing zoning issues including replacement of trees, expanding the screening fence, land use issues, and whether or not he failed to amend the special use permit following the expansion of the site. Matt stated that in early August, Mr. Stunkel's attorneys had requested that the court adjudication be continued until early September, and that Mr. Stunkel had begun expanding the fence in the meantime. Matt stated that he is concerned that if we move forward with the revocation process, Mr. Stunkel's attorneys will argue that they are being put through multiple procedures over the same violations – which is a valid point. Matt informed the Committee that Mr. Stunkel does have an application before IDNR and that his engineer would be coming back with another proposal. Matt concluded that he thinks the revocation process has probably gone as far as it's going to go, and that he is requesting that the Committee withdraw their request for revocation.

Brad Maxwell asked whether this will just back us up six to eight months to go through another process, just to find ourselves in the same situation 16 or 17 months from now. Matt stated that he believes we're approaching a court order, and – provided we prevail- it should be the most effective course of action and that he does not think we will be back.

Jack Minner made a motion to withdraw the Revocation of Special Use Permit Z08-0111. Seconded by Kelly Tracy. Voice vote. All ayes. Motion approved.

#### **New Business:**

Kelly Tracy made a motion to table Resolution, Zoning Board of Appeals Findings of Fact, and Recommendation for Z16-0063 for 30 days. Seconded by Brad Maxwell. Voice vote. All ayes. Motion approved.

Brad Maxwell made a motion to table Resolution, Zoning Board of Appeals Findings of Fact, and Recommendation for Z16-0058 for 30 days. Seconded by Kelly Tracy. Voice vote. All ayes. Motion approved.

Kelly Tracy made a motion to approve Resolutions, Zoning Board of Appeals Findings of Fact, and Recommendations for Z16-0060, Z16-0061, Z16-0056, and Z16-0062. Seconded by Brad Maxwell. Voice vote. All ayes. Motion approved.

Derek Jackson introduced Bryant Subdivision – a two lot minor subdivision tied to zoning request Z16-0062 – to the Committee.

Kelly Tracy made a motion to approve Bryant Subdivision. Seconded by Robert Pollard. Voice vote. All ayes. Motion approved.

Kelly Tracy made a motion to approve a Purchase Request for SIUE Internship for Noelle Maxey. Seconded by Robert Pollard. Roll call vote. All ayes. Motion approved.

Kelly Tracy made a motion to approve the Purchase Order Report. Seconded by Jack Minner. Roll call vote. All ayes. Motion approved.

**Administrator's Report:**

Tom Hawkins updated the Committee on the gas station demolition at IL State Route 4 and I-70. Tom stated that the structures had been vacant for several years, and had become a detriment to the community.

Kelly Tracy thanked Tom, Matt, and the department for being proactive throughout the demolition process and seeing it through to completion. Ms. Tracy stated that the abandoned buildings had become a hang-out spot for criminals, and that she really appreciates the site being cleaned up.

Matt Brandmeyer updated the Committee on Environmental Grants. Matt stated that, following the initial round of grant awards - and as we look toward the end of the budget year - if there is grant funding remaining, we move to the next projects on the list. Matt stated that there are two additional projects for which we will be awarding environmental grant funds. The two projects have a combined cost of around \$20k. One of the grants will be awarded to the City of Alton for their bike-ped plan and the other will be going toward a concrete pad for Marine's recycling center.

Matt then updated the Committee on S&K Repair Services. Matt stated he did not think that the ZBA planned to move forward with revocation and that if adjudication is successful, then Mr. Stunkel will comply with the outstanding zoning violations. Matt stated that the department is not looking to fine Mr. Stunkel but instead is seeking full zoning compliance. Matt stated that the environmental issues, such as remediating fill in the floodway, will be enforced by IDNR. Matt stated that circuit court is an unexplored option as well, should adjudication prove unsuccessful.

Derek Jackson updated the Committee on the status of Nik Frey's violations. Derek stated that Mr. Frey has expanded the non-conforming uses. Derek stated that we prevailed in adjudication in May of 2015, and Mr. Frey appealed the decision. Derek explained that the appeal is still in circuit court along with some solid waste issues Tom Hawkins has been working on as Mr. Frey had been open burning on the property as well. Derek stated that Mr. Frey has also been shooting excessively and detonating Tannerite on his property, which has been hugely disturbing to surrounding property owners. Derek also showed the Committee a video of the racing operation that is taking place on Mr. Frey's property without the required special use permit. Derek stated that Mr. Frey is requesting to build a 700 sq. ft. dwelling and a 7,000 sq. foot accessory structure. Derek explained that no building permits would be issued until Mr. Frey addresses the outstanding zoning violations. Derek stated that Mr. Frey had been issued well permits from the Health Department in order to dig two wells on the property, but that it appears that the wells are dry which means that Mr. Frey will have to go through the Village of St. Jacob in order to get water service to the property. Matt explained that Mr. Frey cannot be issued the permit for the accessory structure until there is a primary use, such as a single-family dwelling, on the property. Matt stated that we were initially seeking a compliance agreement with Mr. Frey, but that option is no longer being considered due to Mr. Frey's expansion of illegal uses on the property. Kelly Tracy asked if Mr. Frey's property was still for sale. Derek stated that the property was listed for sale at \$400k.

**Adjournment:**

Jack Minner made a motion to adjourn the meeting. Seconded by Kelly Tracy. Voice vote. All ayes. Motion approved.

Meeting adjourned.