

CITY OF BELLEVILLE, ILLINOIS
ZONING BOARD OF APPEALS MEETING MINUTES
February 23, 2017

Members:

Rebecca Boyer	Present
Tim Price	Present
Don Rockwell	Present
Patrick Sullivan	Present
Toni Toggias	Present
Steven Zimmerman	Present
Dan Nollman, Chairman	Present

Staff present: Annissa McCaskill, Economic Development, Planning & Zoning Director
 Kari Tutza, Economic Development, Planning & Zoning Dept.
 Mathew Chandler, Planner/GIS Coordinator
 Brian Flynn, Assistant City Attorney

Present:		Present:	
Alderman Joe Hazel	No	Alderman Ken Kinsella	No
Alderman Mike Buettner	No	Alderman Jane Pusa	No
Alderman Scott Tyler	No	Alderman Kent Randle	No
Alderman Raffi Ovia	No	Alderman Johnnie Anthony	No
Alderman Ed Dintelman	No	Alderman Phillip Silsby	No
Alderman Paul Seibert	No	Alderman Bob White	Yes
Alderman Phil Elmore	No	Alderman Trent Galetti	No
Alderman Roger Wigginton	No	Alderman James Musgrove	No

Public present:
 Brett Frankhauser, Stephanie Frankhauser, Gerald Feder, Ivette Dominguez, Rick Jones, Todd Kennedy, Julie Kennedy, Paul Beisiaged, Adam Jokisch, Stephanie Gain, Amanda Schlecht, Larry Thomas

The Zoning Board of Appeals meeting was held at Lindenwood University, 2600 West Main St., Alan J. Dixon building at 7:00 p.m.

The meeting was called to order at 7:00 p.m. by Chairman Nollman. Roll was called and a quorum declared.

Chairman Nollman noted that all Zoning Board cases heard at this meeting will be considered at the March 6, 2017 City Council meeting.

Chairman Nollman asked if there were any corrections to be noted for the January 26, 2017 Zoning Board of Appeals meeting minutes. No corrections were made hence the minutes were approved by the Board.

Chairman Nollman explained the emergency procedures if needed.

- **03-Jan17 – Adam Jokisch/SCC Event Center** – A request for a Sign Variance to permit increased height and maximum area allowed for a free-standing graphic at 1550 East State Route 15 (Parcel number: 13-01.0-400-028) located in a "C-4" Commercial Zoning District. (Applicable portion of zoning code: 155.028, 155.092, 155.093.) Ward 6

The applicant explained that the proposed sign would be around the same height as the surrounding businesses. He wasn't sure of the exact placement, but stated it would be out front as to be seen from Highway 15. Director Annissa McCaskill explained that the applicant has requested a 30 foot sign, which is over the permissible height per Code, however, it will be placed roughly 10 feet below the road, therefore it will be compatible with other signage in the area for visibility.

With no further discussion, Chairman Nollman asked for a motion.

A motion was made by Steve Zimmerman to APPROVE the request. It was seconded by Don Rockwell. An amended motion was made by Steve Zimmerman to APPROVE the request with the following stipulation: (1.) No graphic shall be used for the display of messages or advertising of businesses or events not associated with the site. All members present voted in the affirmative. The motion carried. 7-0.

- **04-Feb17 - Brett & Stephanie Frankhauser** - A request for a Use Variance to allow the operation of both a service and retail business as a home occupation at 1915 N. Belt East (Parcel number: 08-23.0-303-166) located in a "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 162.394, 162.247, 162.570.) Ward 7

The applicant explained that she would like to repair and sell clocks on the first floor and reside on the second floor with her husband. They will install a sign under the existing awning in place to cover the signage. It hasn't been decided upon whether it will be a lighted sign or not. She also mentioned that they have future plans to extend the fence to include more of the yard. The Board asked if there was sufficient parking for a commercial business and residence; Ms. Frankhauser answered, yes.

Alderman White spoke in favor of the request.

Chairman Nollman read aloud a letter of support.

With no further discussion, Chairman Nollman asked for a motion.

A motion was made by Don Rockwell to APPROVE the request. It was seconded by Rebecca Boyer. All members present voted in the affirmative. The motion carried. 7-0.

- **05-Feb17 - Todd Kennedy/ Main St. Brewing CO.** - A request for a Special Use Permit for a liquor license at 6435 West Main Street (Parcel number: 07-12.0-213-026) located in a "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 162.248.) Ward 4

Rebecca Boyer, Zoning Board member, abstained from case 05-Feb17.

The applicant explained that the bar will be open every day, where the banquet portion will be open as it is rented. The proposed hours of operation for the bar are 11:00am-12:00am and the banquet hours will vary upon rental agreement.

Mr. Kennedy also explained that additional lighting has and will be installed at the new location. Ms. McCaskill noted that an adjacent property will soon be developed which will lend additional lighting as well.

With no further discussion, Chairman Nollman asked for a motion.

A motion was made by Patrick Sullivan to APPROVE the request with the following stipulation: (1.) In the name of the applicant only. It was seconded by Tim Price. All members present voted in the affirmative. The motion carried. 7-0.

- **06-Feb17 - Forks and Sticks Inc.** - A request for a Special Use Permit for a liquor license for Seven Restaurant at 7 South High and Shichi Restaurant at 28 East Main Street (Parcel number: 08-21.0-445-023; 021) located in a "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 162.248.) Ward 6

The applicants explained that nothing will change with the current business except the business owners. They stated that they will update the sign soon, but will come back to Zoning Board as they decide upon the changes.

With no further discussion, Chairman Nollman asked for a motion.

A motion was made by Rebecca Boyer to APPROVE the request with the following stipulation: (1.) In the name of the applicant only. It was seconded by Toni Toggias. All members present voted in the affirmative. The motion carried. 7-0.

- **07-Feb17 - Larry Thomas** - A request for a Use Variance in order to operate a Party Bus Rental Service at 1913 North Belt East (Parcel number: 08-23.0-303-165) located in an "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 162.247, 162.570.) Ward 7

The applicant explained that he will operate a party bus rental and a janitorial business at the location. The Board asked several questions regarding the use of the space, square footage being used, and appropriate parking space for employees and customers.

Mr. Thomas stated that he will not conduct service maintenance on the buses on site. He also explained where he'd like to park the bus for advertisement reasons.

The Board asked if the customers will come to the location to board the bus, Mr. Thomas stated that it will be either way. He explained that the bus will pick up customers from destinations like the Casino Queen, or they can board the bus at this location if needed.

Spoke in opposition:

Gerald Feder spoke in opposition, stating that he owns the apartment complex behind the proposed business. He stated his concerns with parking, such as if customers are leaving their cars to board the bus, where will they park all their cars? He stated that there isn't enough parking space to accommodate that many cars. He explained his concerns with past businesses there, that closed due to drug violations. He also spoke on his concerns with noise on the site from people washing cars and playing music.

Additional public comments:

Brett Frankhauser had concerns over the bus placement, stating that he is about to open a commercial business next door and asked if Mr. Thomas could not park the bus right up front because it will block his business sign as citizens are driving North Belt.

Mr. Thomas stated that his party bus placement will not be interacting with the neighbors sign, and he said that his business wouldn't interfere with the apartment behind him.

The Board asked about his rental agreement regarding parking spaces; Mr. Thomas stated that he does not have restrictions on the use of parking space on the lot.

The Board asked Staff if they could restrict Mr. Thomas's parking spaces for his customers so that the restriction would be that Mr. Thomas must not use the location for pick-up or boarding and must only pick-up his customers off-site; Ms. McCaskill explained that the City couldn't restrict that request and Mr. Flynn stated that the City couldn't enforce that request.

With no further discussion, Chairman Nollman asked for a motion.

A motion was made by Don Rockwell to APPROVE the request. It was seconded by Rebecca Boyer. All members present voted in the affirmative. The motion carried. 7-0.

- **08-Feb17 – Ivette Dominguez** – A request for a Special Use Permit for used motor vehicle sales at 3795 East State Route 15 (Parcel number: 08-19.0-400-019) located in a "C-2" Heavy Commercial Zoning District. (Applicable portion of zoning code: 162.248.) Ward 8

Staff noted a change; the address is 3800 IL-15, not 3795.

The applicant explained that they are purchasing the existing business which will remain the same as a Buick/GMC dealership. Ms. Dominguez noted that the lights currently out on the lot will be replaced and that there may be additional maintenance upgrades to the building.

Chairman Nollman read aloud a letter of support.

With no further discussion, Chairman Nollman asked for a motion.

A motion was made by Rebecca Boyer to APPROVE the request with the following stipulation: (1.) In the name of the applicant only. It was seconded by Tim Price. All members present voted in the affirmative. The motion carried 7-0.

Rebecca Boyer made a motion to ADJOURN, which was seconded by Don Rockwell. All members present voted aye. Chairman Nollman adjourned the meeting at 7:46 p.m.

Respectfully submitted,
Kari L. Tutza,
Economic Development, Planning & Zoning Department