

CITY OF BELLEVILLE, ILLINOIS
ZONING BOARD OF APPEALS MEETING MINUTES
March 24, 2016

Members:

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

Staff present: Annissa McCaskill, Director of Economic Development, Planning & Zoning
 Kari Tutza, Administrative Assistant of Economic Development, Planning & Zoning
 Brian Flynn, Assistant City Attorney

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

Public present:

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

Chairman Nollman noted that all Zoning Board cases heard at this meeting will be considered at the April 4, 2016 City Council meeting.

Chairman Nollman Sullivan asked if there were any corrections to be noted for the February 25, 2016 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.

The following cases were heard:

- **06-Mar16 - Dahm & Schell, Inc. dba The Edge** – A request to rezone the property at 205 Union Avenue (Parcels: 08-28.0-136-008,...009,...010) from “A-1” Single Family Residence District to “C-2” Heavy Commercial District. (Applicable portion of the zoning code: 60-6-1 through 60-6-7 and 60-6-47 through 60-6-52) Ward 5.

Tim Price, Zoning Board of Appeals member, excused himself from the case due to a conflict of interest.

Keith Schell, The Edge business owner, explained the request. A few points were; the site will become adjoining parking space for the business, and more than eighty (80) parking spots will be created with the demolition of the current residence. He also explained the proposed project which included additional entertainment amenities. He believes the expansion has increased the value of the neighboring properties.

The fence, berm, and landscaping plans along the proposed parking area were discussed.

Mr. Schell explained ingress and egress plans. Ms. McCaskill noted that the plans will be discussed further with City staff.

Steve Frasca spoke in favor of the request saying that the business is an asset to the neighborhood.

Mike Heidorn spoke in favor of the request saying that it's a great family entertainment facility. He would like the City to place signs saying *No Through Traffic* so customers don't use their alley as a thoroughfare though. He also discussed the proposed fence materials and placement.

Mr. Schell explained the traffic count that they conducted.

Alderman Dintelman spoke in favor of the request.

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

A motion was made by Rebecca Boyer to APPROVE the request with the following stipulations: (1.) Screening and lighting for any parking areas to be established per Section 60-8-10 of the Zoning Code. Specifically, construction and maintenance "of solid masonry wall, shrubbery planting, or a substantial sightly fence not less than five (5) feet high and not more than eight (8) feet high...along said side or rear lot line up to, but not beyond the setback building line." (2.) Also, as required by the same section of the Zoning Code, any lighting, including any permitted illuminated sign, on any parking lot or driveway not direct any glare or reflection toward any of the residences in the area. It was seconded by Toni Togias. All members present voted in the affirmative. The motion carried 5-0-1.

- **07-Mar16 – Maxwell Price** – A request for a Use Variance to build a 40' x 16' x 70' post frame building as the primary structure at 647 Obstweg Dr. (Parcel: 13-02.0-300-013) located in an "A-1" Single Family Residence District. (Applicable portion of zoning code: 60-4-4, 60-12-14) Ward 5.

Tony Miller, represented the applicant, stating that Mr. Price works overseas. The applicant plans on building the shed first then he will build the primary residence.

Ms. McCaskill explained the reasoning behind the need of the Use variance.

Mr. Miller stated that the applicant wants to start building the shed as soon as possible. He wasn't sure of the timeline of the plans for building the residence though. He also explained the shed's building materials and what would be stored in the shed which included the equipment used to build the residence.

Alderman Wigginton suggested that if a timeline stipulation is given, the stipulation date start at the completion of the shed.

Alderman Dintelman stated that the applicant works overseas and he asked the Board to extend the timeline of building the residence to at least two (2) years.

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

A motion was made by Steve Zimmerman to APPROVE the request with the following stipulation: (1.) Once the post frame building is completed, the home structure be completed within two (2) years. It was seconded by Rebecca Boyer. All members present voted in the affirmative. The motion carried 6-0.

- **08-Mar16 – Julie Laswell Darnall** – A request for a Special Use Permit for a liquor license for **The Red Onion** at 923 West Main St. (Parcel: 08-21.0-329-024) located in a "C-2" Heavy Commercial District. (Applicable Section of the zoning code: 60-6-50) Ward 2.

Dean Darnall, represented the applicant, stating that they would like a liquor license to accompany the new restaurant.

The previous business at that location sold alcohol.

Alderman Pusa spoke in favor of the request stating that the neighbors she's spoken to are in support of the request.

With no further discussion by the Board, 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 Togias. All members present voted in the affirmative. The motion carried 6-0.

- **09-Mar16(a) – MRB Development, LLC** – A request for a Special Use Permit for multi-family dwellings above the commercial uses at 200 East Main St. (Parcel: 08-22.0-339-050) located in a “C-2” Heavy Commercial District. (Applicable Section of the zoning code: 60-6-50) Ward 6.
- **09-Mar16(b) – MRB Development, LLC** – A request for a Special Use Permit for a liquor license for the **Double Barrel Bar & Eatery** at 200 East Main St. (Parcel: 08-22.0-339-050) located in a “C-2” Heavy Commercial District. (Applicable Section of the zoning code: 60-6-50) Ward 6.

Chairman Nollman stated that both cases would be heard together but voted upon separately.

Mark Eichholz, the property and business owner, explained the requests stating that the third floor residence will be used as the on-site manager’s residence and the first floor will be the bar and eatery.

Alderman Wigginton spoke in favor of the request stating that he hopes the current coffee shop that resides there finds another location in the downtown area.

Alderman White spoke in favor of the request.

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

Case 09-Mar16(a) - **A motion was made by Rebecca Boyer to APPROVE the request. It was seconded by Patrick Sullivan. All members present voted in the affirmative. The motion carried 6-0.**

Case 09-Mar16(b) - **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 6-0.**

- **10-Mar16 – Special Education Services** – A request for a Use Variance in order to be used for a non-public therapeutic day school for individuals with disabilities ages 5 to 22 years old at 6400 West Main St. (Parcel: 07-12.0-210-020) located in a “C-2” Heavy Commercial District. (Applicable Section of the zoning code: 60-6-49, 60-12-14) Ward 8.

Dr. Elizabeth Conrad, Barb Daughtery, and Dr. Laura Mann, representatives of the Special Education Services explained the request and the services that the non-public therapeutic day program will provide. A few points were; the program is funded by the Belleville school districts first then any outstanding fees would be paid by the State of Illinois, there will be approximately fifty children attending the program at first and transportation is provided by the school systems.

Melissa Taylor, representative of school district #201, spoke in favor of the request.

Alderman Wigginton spoke in favor of the request.

Alderman Anthony spoke in favor of the request.

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

A motion was made by Patrick Sullivan to APPROVE the request. It was seconded by Rebecca Boyer. All members present voted in the affirmative. The motion carried 6-0.

- **11-Mar16 – Green Forest Vapor Shop** – A request for Sign Installation in the Area of Special Control in order to erect a 4' 11 ½" x 1' 4 ½" projecting sign at 106 East Main St. located in a "C-2" Heavy Commercial District. (Applicable Section of the zoning code: 53-4-1) Ward 6.

Michael Durso, a representative of Green Forest Vapor Shop, explained the proposed signage. He described the materials to be used and placement of the proposed sign.

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

A motion was made by Steve Zimmerman to APPROVE the request. It was seconded by Toni Togias. All members present voted in the affirmative. The motion carried 6-0.

- **12-Mar16 – JoAnn Bumpers** – A request for a Use Variance in order to operate a beauty salon at 7624 W. Main St. (Parcel: 07-01.0-305-017) located in a "C-1" Light Commercial District. (Applicable portion of the zoning code: 60-6-43, 60-12-14) Ward 8.

Jo Ann Bumpers explained the request and her business plan. She noted that she will be selling health food and drinks as well. Her hours of operation will be approximately Tuesday – Saturday, 9:00am-6:00pm.

Alderman Wigginton spoke in favor of the request but noted his concerns with safety of people parking on Main Street. Ms. Bumpers noted that parking is in back of the building.

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

A motion was made by Rebecca Boyer to APPROVE the request. It was seconded by Steve Zimmerman. All members present voted in the affirmative. The motion carried 6-0.

- **13-Mar16 – Eagle Lake Winery** – A request for a Special Use Permit for a "Warehouse" use at 12 North 35th Street. (Parcels 08-17.0-321-001, ..002, ..003) located in a "C-2" Heavy Commercial District. (Applicable Section of the Zoning Code 60-6-50) Ward 3.

Brian Seidel, a representative of Eagle Lake distribution explained the request. A few points were; there would not be any semi truck traffic, they are a small craft distributor, the hours of operation will be approximately 6:00am-3:30pm, they are strictly wholesale, the noise level will be minimal, they will employ approximately three to ten people, and there will not be outside storage.

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

A motion was made by Steve Zimmerman to APPROVE the request. It was seconded by Patrick Sullivan. All members present voted in the affirmative. The motion carried 6-0.

Rebecca Boyer made a motion to ADJOURN, which was seconded by Tim Price. All members present voted aye. Chairman Nollman adjourned the meeting at 8:23 p. m.

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