I. ROLL CALL:

Present
B. Hotz, Chairman
A. Robertson, Vice Chairman
M. Pierceall
C. McCaskill
T. Butts
J. Krebs
C. Porter, Staff
T. Kehrer, Staff
J. Stack, Ward 3 Alderman
A. Coleman, 18 Glen Echo Dr., Edwardsville
J. Simpson, 24 Camelot, Edwardsville
J. Eads, 514 E. Vandalia, Edwardsville
M. Bailey, 4744 N. State Route 157, Edwardsville
K. Bailey, 4744 N. State Route 157, Edwardsville
M. Pfund, 7455 Pin Oak Rd., Edwardsville
J. Henderson, 424 E. Vandalia, Edwardsville
B. Lewis, 185 S. State Route 157, Edwardsville
J. Jellen, 40 S. State Route 157, Edwardsville
D. Jellen, 40 S. State Route 157, Edwardsville
E. Meyer, 150 S. State Route 157, Edwardsville

Absent
J. Zimmerman

II. APPROVAL OF MINUTES

Minutes of the regular meeting for September 23, 2019 are hereby approved and passed.

III. ZONING CASES

A. Case 2019-34 – Special Use Permit

Applicant: Adam Coleman

Location: 18 Glen Echo Drive PID 14-2-15-21-03-301-011

Special Use Permit: Allow the non-conforming use of the side yard as parking for a Recreational Vehicle (RV)

Existing Zoning: R-1 Single Family Residence District

2010 Comprehensive Plan: The 2010 Comprehensive Plan Future Land Use Map identifies this property area as “Neighborhood.”
\[\begin{array}{|c|c|c|}
\hline
\text{Direction} & \text{Zoning Classification} & \text{Current Land Use} \\
\hline
\text{North} & \text{R-1 Single Family Residence District} & \text{Single-family residence} \\
\text{South} & \text{R-1 Single Family Residence District} & \text{Single-family residence} \\
\text{East} & \text{R-1 Single Family Residence District} & \text{Single-family residence} \\
\text{West} & \text{R-1 Single Family Residence District} & \text{Single-family residence} \\
\hline
\end{array}\]

**FINDINGS OF FACT:**

1) **Existing use(s) and zoning of nearby property and relationship to Edwardsville’s Comprehensive Plan.**

   As previously noted.

2) **Extent to which property value diminishes adjacent to the zoned parcels. Value decrease to be supplied by the petitioner and made by professional appraiser.**

   *No property value information submitted by petitioner. Staff anticipates no change to nearby property values as a result of issuing a special use permit to the new owner in this instance.*

3) **Extent to which the proposed change alters or promotes the public health, safety, morals or general welfare.**

   *The proposed continued use will neither alter nor promote the public health, safety, morals, or general welfare of the community.*

4) **The relative gain to the general public as compared to the hardship imposed upon the property owners, and the need for the proposed special use.**

   *The Special Use Permit would allow the RV to park within the side yard while maintaining the required 5 foot setback to the side and rear property line and 10-feet to the principal structure per the ordinance.*

5) **The suitability of the subject property for the zoned purposes indicated by ordinance.**

   *The property has sufficient space to allow the Recreational Vehicle (RV) to park within the side yard as allowed by ordinance with an approved Special Use Permit.*

   **Expiration:** In the event the Board establishes no time limitation within which the proposed use is to be exercised, then the permit shall expire in one year. Nothing shall preclude an applicant from reapplying for the same special use permit upon expiration.

   **Transfer of special use permit:** A special use permit is issued for a use upon a specified zoning lot or lots and shall not be moved from that location and is not transferable to another occupant and/or owner.

   Emily Fultz noted there were some letters of disapproval received by the City.
Petitioner came forward at this point to speak on his behalf. He stated his intention is not to park the RV there all the time, but only during peak times of usage. He would like to keep it there during those times to stock it and clean it.

Mike Pierrecall asked if there were any covenants restricting this. Applicant stated there was not.

Tom Butts expressed concern with setting this precedence.

Judy Simpson, neighbor, was present to speak on applicant’s behalf.

Letters of disapproval received by the City were read into record.

**Staff Recommendation**

Staff recommends approval of the Special Use Permit with the following conditions:

1. The subject item must remain behind the front yard building line
2. No living quarters or businesses shall be maintained in such subject item
3. Only one such subject item is allowed on any one lot

Motion to approve as presented (Pieceall), seconded (Robertson).

**VOICE ROLL CALL:** 2 Ayes, 4 Nays, 0 Abstain.

**B. Case 2019-38 - Variance**

**Applicant:** RLP Development Inc.

**Location:** 1000 Plummer Drive PID 14-2-15-18-301-003

**Variance Request:** The variance would allow for a reduced front yard setback of 38.52 feet rather than the required 50 feet for an existing building located at 1000 Plummer Drive

**Existing Zoning:** B-2 Commercial/Business District

**2010 Comprehensive Plan:** The 2010 Comprehensive Plan Future Land Use Map identifies this property area as “Commercial”.

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning Classification</th>
<th>Current Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>B-2 Commercial/Business District</td>
<td>Madison County Transit Bike Trail</td>
</tr>
<tr>
<td>South</td>
<td>B-2 Commercial/Business District</td>
<td>Multi-Tenant Building</td>
</tr>
<tr>
<td>East</td>
<td>B-2 Commercial/Business District</td>
<td>School</td>
</tr>
<tr>
<td>West</td>
<td>B-2 Commercial/Business District</td>
<td>Vacant Lot</td>
</tr>
</tbody>
</table>
FINDINGS OF FACT:

1) The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or loss of revenue, if the strict letter of the regulations were carried out.

The commercial building would be permitted to have a 38.52-foot front setback at the closest point to the cul-de-sac bulb of the street.

2) The condition upon which the requested variance is based would not be applicable, generally to other property within the same zoning classification.

The setback requirements are applicable to all properties with the B-2 Commercial/Business District Designation. However in the community, there are limited commercial lots at the terminus of a cul-de-sac.

3) The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The site is developed and the building is setback 38.52 feet from the front property. It was recently discovered a plan review error approved construction with 11.48-foot front setback deficiency for southwest corner of the building to the property line at the closest point to the cul-de-sac terminus.

4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Approval of the variance would remove the “nonconforming” status of the building for the front setback error and would not be detrimental to the public welfare or injurious to other properties within the area.

5) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The proposed variance would not.

6) The proposed variance complies with the spirit and intent of the restrictions imposed by this code.

It does not. The requested variance corrects the problem and removes the “nonconforming designation” allowing the existing front setback reduction of 11.48-feet for the hotel as constructed.

7) There is no self-imposed hardship.

This may be considered a self-imposed hardship because the applicant was aware of the setbacks for the B-2 Commercial/Business District at the time the property was built; however during plan
review staff did not catch the reduced front setback for the southwest corner of the building at the terminus of the cul-de-sac.

Board discussed this.

Applicant was present and stated everything was covered by Emily Fultz.

**Staff Discussion**
The requested variance to reduce the required front setback allowing the commercial building a reduced 38.52 feet front yard setback would allow the building as constructed and correct the plan review/construction error.

It was noted during the staff review of this project, lot consolidation has not been completed for the site to fully comply with setback and parking regulations for the use. All of Lot 4 and portion of Lot 6 also function as the site for the hotel, however remain as separate parcels and parcel identification numbers.

**Staff Recommendation**
Staff recommends approval of the requested variance to allow the reduced front yard setback of 38.52 feet rather than the required 50 feet.

Motion to approve as presented (Robertson), seconded (Butts).

VOICE ROLL CALL: 6 Ayes, 0 Nays, 0 Abstain.

C. **Case 2019-41 – Variance**

**Applicant:** Jamie Henderson

**Location:** 32 S State Route 157 PID 14-2-15-15-07-201-006

**Variance Request:** The variance would allow the proposed commercial building to be constructed 10 feet from the front property line instead of the required 50 feet.

**Existing Zoning:** B-2 Commercial/Business District

**2010 Comprehensive Plan:** The 2010 Comprehensive Plan Future Land Use Map identifies this property area as “Commercial”.
<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning Classification</th>
<th>Current Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>B-2 Commercial/Business District</td>
<td>Vacant Lot, Madison County Transit Bike Trail</td>
</tr>
<tr>
<td>South</td>
<td>R-2 Multiple Family Residence District</td>
<td>Apartments (Multiple-Family Dwellings)</td>
</tr>
<tr>
<td>East</td>
<td>R-2 Multiple Family Residence District</td>
<td>Apartments (Multiple-Family Dwellings)</td>
</tr>
<tr>
<td>West</td>
<td>B-2 Commercial/Business District</td>
<td>Single-family residence</td>
</tr>
</tbody>
</table>

**FINDINGS OF FACT:**

1) The particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or loss of revenue, if the strict letter of the regulations were carried out.

The proposed commercial building would be constructed with a 10-foot front setback, not comparable to other properties in the surrounding area.

2) The condition upon which the requested variance is based would not be applicable, generally to other property within the same zoning classification.

The conditions of the property on which the variance is based are applicable to other properties within the same zoning classification. However, to a far lesser extent. The front property line of the subject property is approximately 100-200 feet from the edge of pavement for Route 157; compared to less than 75 feet for other properties on the south side of Route 157.

3) The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The hardship has not been created by anyone having an interest in this site; instead, the hardship results from configuration of the parcel as a result of expansion and reconfiguration of State Route 157.

4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The requested reduction in front setback would not be detrimental to the public welfare or injurious to other properties within the area.

5) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The proposed variance would not.
6) The proposed variance complies with the spirit and intent of the restrictions imposed by this code.

Approval of the proposed variance would not be detrimental to protecting and promoting the public health, safety, orderly development and general welfare of the City.

7) There is no self-imposed hardship.

This may be considered a self-imposed hardship because the applicant was aware of the setbacks for the B-2 Commercial/Business District at the time the property was acquired.

Jamie Henderson was present to speak on his behalf. He feels the project is consistent with how the 157 corridor is being developed.

Mike Pierceall asked about the site plan.

A traffic study is currently being done for this.

The plan is to have one lane in and two lanes out.

Joyce Jellen, neighbor, was present to speak against this. She stated her residence would be impacted the most by this variance.

Staff Discussion
The applicant has requested the variance to reduce the required front setback by 40 feet in order to construct a building 10 feet from the front property line. Even with the reduced 10 foot setback, the proposed building would be setback approximately 100 feet from the pavement edge. The widening of Route 157, which completed in 2007, resulted in a significant amount of additional right-of-way between the front property line of the subject property and the actual roadway surface.

While the requested variance does not meet the current B-2 zoning district standards and may be considered a self-imposed hardship, staff believes the variance is in line with the trend of development in Edwardsville and, if granted, would adequately protect the public health, safety, and welfare of the neighborhood and the City.

Staff Recommendation
Staff recommend approval of the variance request for a front yard setback of 10 feet, rather than the required 50 feet.

Board and staff discussed the IDOT right-of-way in front of property.

Motion to approve as presented (Pierceall), seconded (Butts).

VOICE ROLL CALL: 6 Ayes, 0 Nays, 0 Abstain.

IV. OLD BUSINESS: None

V. NEW BUSINESS: None

VI. ADJOURNMENT: Motion to adjourn.