

SMITHTON ZONING BOARD

ZONING BOARD HEARING MINUTES

May 26, 2022

7:30pm

J. Stehl/JTJ Land LLC – 404 S Lincoln Street

The hearing was called to order at 7:04pm by Chairman Rodriguez.

Zoning Board members present were: Tom Incrocci, Todd Reyling, Tom Schanherr, Julie York and Jesse Carlton. Also present were Zoning Administrator/Engineer Scott Saeger, Deputy Zoning Administrator Michelle Schlarman, Chairman Lori Rodriguez and Attorney Carmen Durso. Zoning Board member Leo Simburger was absent.

Zoning Administrator Saeger updated the Zoning Board on the location of the water line at the building site of Smithton Kountry Mart. He stated that the water line is located five feet from the property line towards Highway 159. That makes it more than 11 feet from the west end of the proposed business sign.

Chairman Rodriguez asked for a motion to approve the meeting minutes from March 31, 2022, Smithton Kountry Mart – 620 N Main, and Walton's Ice Cream – 408 S Main. A motion was made by Tom Schanherr and seconded by Julie York to approve the minutes from each of the hearings on March 31, 2022. Roll call was taken: Tom Schanherr, yes; Julie York, yes; Tom Incrocci, yes; Leo Simburger, absent; Jesse Carlton, abstain; Todd Reyling, yes. Motion was granted.

Deputy Zoning Administrator Schlarman read the public notice as published in the Freeburg Tribune.

Chairman Rodriguez read the letter sent to surrounding residents and the list of those residents.

The applicants were sworn in by Deputy Administrator Michelle Schlarman.

Andy Stehl addressed the Board and answered the following questions: He is asking for a 5-foot front setback reduction for a proposed addition to the principal building at 424 S Lincoln. The new building will be stick-built and will match the existing building. They will use the building for storing personal items and vehicles and possibly a repair business in the future. Fire extinguishers will be installed in the building. There will not be anything stored outside. The new building will attach to the existing building by a connecting vestibule with 3 doors that will be ADA accessible. The building will have outside security lighting, cameras and alarm system. Downspouts will drain into an existing private underground pipe that runs across the property

and then meets the village storm drain. There will be utilities in the building. Electric will be run from the box on the existing building. There will be a furnace in the building. Propane or natural gas has not been decided yet. Stehl stated that there has been a drainage problem for years at the property. The Stehl's believe that the plans to regrade the property and the building plans will alleviate drainage problems. The building plans are drawn up to reflect the variance if granted. The Stehl's understood that the edge line of the overhang would be on the variance line. During the discussion it was explained to them that the wall of the building, not the overhang, is considered. Stehl may use the extra foot and a half to add to the size of the vestibule but will not go over the 20-foot line. Another reason that they wanted the variance was to give them enough room to grade the property enough to eliminate the rainwater drainage from S Lincoln that happens when the storm drain gets backed up. The new building will be at the same elevation as the existing building. Installation of an inlet will be decided on. Access to Lincoln Street will be eliminated with these plans. Saeger does not see any traffic visibility issues due to the building's location. There is at least 25 feet right of way along Memorial Drive. There is a utility easement on the East side of the property.

Administrator Saeger will be performing inspections throughout the building process. There will also be electric and plumbing inspections done. There will not be a Fire district inspection since this is not a commercial building.

Andy Stehl stated that if the variance was denied the vestibule would have to be decreased in size and the drainage problem caused by the runoff from S Lincoln could not be resolved as desired.

Tom Incrocci made a motion which was seconded by Tom Schanherr to approve the five-foot front setback reduction for a proposed addition to the principal building. Roll call was taken: Tom Incrocci, yes; Tom Schanherr, yes; Julie York, yes; Jesse Carlton, yes; Todd Reyling, yes. Motion was granted.

The Zoning Board discussed changes to the variance and special use application forms. Scott made some changes to the application forms and Todd Reyling had some suggested changes also. Questions asking for unnecessary information will be eliminated. The forms will be simplified. The font on the forms will be changed to make them easier to read. A statement will be added to the first page stating that the forms must be filled out entirely before they will be accepted. A clear list of required information will be added. A website for the St. Clair County Assessor will be added so that applicants can find the legal description of their property. The members discussed the best way to determine easement locations for applicants' properties. A title search would be costly for private property. A clause could be put in stating that the property owner would be responsible for removing any structure (including costs) that is placed over an easement. The Zoning members were in favor of the discussed changes. Attorney Durso will also research and suggest some changes. A draft will be drawn up and emailed to the Zoning members. The Village Trustees will approve any final drafts.

Tom Incrocci made a motion which was seconded by Jesse Carlton to adjourn. Roll call was taken: Tom Incrocci, yes; Jesse Carlton, yes; Tom Schanherr, yes; Leo Simburger, absent; Julie York, yes; Todd Reyling, yes. Motion was granted and hearing adjourned at 8:25pm.