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# VILLAGE OF FREEBURG

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Matt Trout

VILLAGE ATTORNEY  
Weilmuenster & Keck, P.C.

Combined Planning and Zoning Board  
Wednesday, June 19, 2019 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Wednesday, June 19, 2019 in the Municipal Center by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Dirk Downen, Rita Green, Gary Henning, Gary Mack, Lee Smith, Zoning Administrator Matt Trout, Village and Office Manager Julie Polson. Guests present: Jessica Pollock, Mark White, Tom Reaka, Colleen Janssen, Trustee Mike Blaies and Trustee Mike Heap.

## PLAN COMMISSION:

### A. Old Business:

1. Approval of May 21, 2019 Minutes: Gary Mack motioned to approve the May 21, 2019 minutes with correction and Rita Green seconded the motion. All voting yea, the motion carried.

### B. New Business:

1. Edison Estates Planned Use Development: Chairperson Steve Woodward read the notice and swore in those individuals wishing to speak. Mark White explained his development will include two duplexes, fourteen villas and sixteen estate lots. The villas will replicate the ones located on N. Edison but will be stand-alone residences. He further said they will work to accommodate seniors, and he is looking to go down that avenue with the universal design features. Zoning Administrator Matt Trout advised Tim Pruett has submitted an updated map, and Freeburg Development sent a letter of support for this development. Matt further said he and Mr. White have had some discussions regarding the restrictions. Mr. White stated the covenants have not yet been written. They will include snow removal and lawn maintenance for the SR-2 and MR-1 districts. Mark confirmed all the homes in this development will be owned, and an HOA will be in place. Dirk Downen asked if the covenants will determine the restrictions on what homes can be built? Mr. White said in the SR-2 area, there will be three plans to choose from but you can bring in your own builder. In the SR-1 district, you can build what you want within the restrictions with a builder of your choosing. Matt confirmed the specifics will be something this board will determine later on in the process.

Matt stated this hearing is to make sure any variance and rezoning issues are addressed, as well as the public being able to voice any concerns. Tom Reaka asked if the 23.6 acres is currently owned by Mr. Vollmer and Mr. White said yes. Mr. Reaka also asked if custom homes can be built on the SR-1 lots, and Mr. White said yes. Chairperson Woodward confirmed Mr. White can't change the lot sizes once this plan is approved. Mr. Reaka also asked if there will be any rental homes, and Mr. White reaffirmed all of the homes will be owned. This plan also connects Edison and Meadow Ridge Dr. Chairperson Woodward commented our code requires streets to be stubbed out for future connections.

*Gary Mack motioned to approve the planned development including a variance of the maximum percent coverage per lot from 25% to 30% in the SR-2 zoning district and the rezoning of the property from SR-1 to a Planned Development District containing SR-1, SR-2 and MR-1, and the rezoning will be contingent upon approval of the development plan and Gary Henning seconded the motion. **ROLL CALL VOTE:** Gary Mack – yea; Gary Henning – yea; Dirk Downen – yea; Rita Green – yea; Kevin Groth – yea; Lee Smith – yea; and Steve Woodward – yea. With seven yea votes, the motion carried.*

*Gary Mack motioned to close the hearing at 7:11 p.m. and Lee Smith seconded the motion. All voting yea, the motion carried.*

**BOARD OF APPEALS:**

**A. Old Business:** None.

**B. New Business:**

1. Jessica Pollock Special Use Permit Request: Chairperson Woodward swore in those individuals wishing to speak. Ms. Pollock advised she is certified to teach yoga and would like to operate a yoga business out of her home. She works at other locations like Cedar Trails and the Millstadt Senior Center. She would like to utilize her basement for the studio. She has 2.7 acres of land with a long, circular driveway and a concrete apron suitable for parking. She would like to hold a one-hour class at 5:00 a.m., Monday through Friday. She has a 35 x 13 walkout basement, and the setting is private. She would eventually like to have both a morning and evening class. Matt advised this is considered a home occupation because you have people traveling to and from the home. Ms. Pollock advised her neighbor is concerned about his lawn and not wanting any parking up by road. Ms. Pollock agreed and also stated she can make additional parking if needed. Matt confirmed there will not be any sign on the highway. Per our code, Ms. Pollock would only need four parking spots for the 465 square feet of studio space. Chairperson Woodward asked for the maximum number of people per session, and Ms. Pollock said that room could hold 20. Rita Green said maybe the number of vehicles should be limited rather than people. Chairperson Woodward's concern is that our job is to protect the integrity of the zoned area. This is an SR-1 district and this business will include traffic to the home. Matt confirmed she would have had to go through the same process if her property was in the county. Gary Mack felt with SR-1 zoning, this request was not compatible with the neighborhood under any circumstances.

*Gary Henning motioned to grant Jessica Pollock's Special Use Permit with the stipulation there shall be no more than twelve cars at one time and Gary Mack seconded the motion. **ROLL CALL VOTE:** Gary Henning – yea; Gary Mack – nay; Rita Green – nay; Dirk Downen – yea; Kevin Groth – nay; Lee Smith – yea; and Steve Woodward – no. With three yea votes and four nay votes, the motion does not pass.*

*Kevin Groth motioned to grant Jessica Pollock's Special Use Permit with the stipulation there shall be no more than six cars at each yoga session and no more than two sessions per day and Dirk Downen seconded the motion. **ROLL CALL VOTE:** Kevin Groth – yea; Dirk Downen – yea; Rita Green – nay; Gary Henning – yea; Gary Mack – nay; Lee Smith – yea; and Steve Woodward – no. With four yea votes, the motion carried.*

*Gary Mack motioned to close the hearing at 6:49 p.m. and Rita Green seconded the motion. All voting yea, the motion carried.*

**C. General Concerns:** Matt will begin sending out the changes to the zoning code to everyone. He stated there are three homes under construction in Meadow Pines.

**D. Public Participation:** See above.

**E. Adjourn:** *Gary Mack motioned to adjourn the meeting at 7:13 p.m. and Rita Green seconded the motion. All voting yea, the motion carried.*



Julie Polson  
Office Manager