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Combined Planning and Zoning Board
Tuesday, October 10, 2023 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, October 10, 2023 in the Municipal Center by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Dirk Downen (via Zoom), Terry Gamblin, Rita Green, Gary Henning, Gary Mack (absent), Lee Smith, Village Administrator Matt Trout, Village Engineer Tim Pruett and Office Manager Julie Polson. Guests present: Mary and Kevin Pasbrig, Jerod Heintz, Bob Maxwell, Erin Gaul and John Crowe. Guests present via Zoom: None.

PLAN COMMISSION:

A. Old Business:

1. Approval of September 12, 2023 Minutes: Lee Smith motioned to approve the September 12, 2023 minutes, and Gary Henning seconded the motion. All voting yea, the motion carried. All voting yea, the motion carried.
2. Mary Pasbrig Rezoning Request #23-06, 820 Southgate Drive: Chairperson Woodward read the notice and swore in those individuals wishing to speak. He advised this is a continuation of their September 12th hearing. He reaffirmed their original request would have been spot zoning, and the proposed MR-2 district will coincide with the adjoining properties. Mary Pasbrig stated they are in agreement with the MR-2 designation to keep in line with the surrounding properties. Chairperson Woodward confirmed they will be able to sell the property as single family residential.

Gary Henning motioned to grant Mary Pasbrig's rezoning request from B-1 to MR-2, and Terry Gamblin seconded the motion. **ROLL CALL VOTE:** Gary Henning – yes; Terry Gamblin – yes; Dirk Downen – yes; Rita Green – yes; Lee Smith – yes; Gary Mack – absent and Steve Woodward – yes. With six yes votes, the motion carries.

Lee Smith motioned to close the hearing at 6:23 p.m., and Rita Green seconded the motion. All voting yea, the motion carried.

B. New Business: None.

BOARD OF APPEALS:

A. Old Business: None.

B. New Business:

1. Jerod Heintz Area Bulk Variance Request for 405 Firestone Drive: Chairperson Woodward read the notice and swore in those individuals wishing to speak. Mr. Heintz would like to build an addition onto his garage, with approximately 95% of the addition out of the easement and a small corner would be in the easement. Village Administrator Matt Trout stated it is not an easement, it is the road right of way. Mr. Maxwell asked if the garage is going to be flush to the new garage. Jerod said he has to set back 1 – 1.5 feet, and push the back out a little in order to make it fit the best. It is 14 feet wide and 22 feet deep. Rita commented if you

made it shorter, it would fit and you would not need the variance. Jerod thought about that, but said a full-size SUV won't fit. Erin Gaul asked if the materials being used will match the home. Jerod said yes, and he is going to brick and stone 3 walls of the addition. Chairperson Woodward reviewed the Standards for Variance as follows: a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone - N/A; b) The plight of the applicant is due to peculiar circumstances - yes because of the lot size and shape; c) The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment - yes, due to the lot size and shape; d) The variance, if granted, will not alter the essential character of the area where the premises in question is located nor materially frustrate implementation of this municipality's Comprehensive Plan, yes - there should be enough line of sight for the intersection; e) The variance, if granted, will not be detrimental to the public health, safety and welfare - yes, and f) The proposed variance is consistent with the general purposes of this Chapter - yes.

ROLL CALL VOTE: Terry Gamblin - yes; Gary Henning - yes; Dirk Downen - yes; Rita Green - yes; Lee Smith - yes; Gary Mack - absent, Steve Woodward - yes. With six yes votes, the motion carries.

Gary Henning motioned to close the hearing at 6:18 p.m., and Rita Green seconded the motion. All voting yea, the motion carried.

Matt said Dirk is resigning from the board. Tonight is his last meeting, and he thanked Dirk for his time and contributions to the Combined Board. He also advised he has been talking to an engineer for the Parrish property between Adele/Milford. The county has told them to work with us on the property and they intend to. He has not seen any plans on it yet. Lee said it will need to be re-platted. We have a hearing on November 14th for the Ron Waters property. He has a shed on his property that had his Freeburg Glass business there. Hydro Services wants to go in there. Matt explained it would be a variance request as the property is zoned SR-1. The Murphy developers are working on the engineering plans. Matt advised everyone that Tim has been brought in as the Village Engineer/Zoning Administrator. He brings a lot of experience and knowledge that will help with all of the village's upcoming projects. Lee commented the old doctor's office is for sale. Matt stated it went to auction but did not sell. Matt has received a lot of calls on the property and confirmed any use is going to have to involve us. It is zoned SR-1 and people have reached out about it being a duplex or office building. Steve commented there has to be something done with non-compliant properties rather than just let them sit. Lee talked about mixed use neighborhoods in the old town area. A lot of towns are dealing with this problem. Steve believes it is important that any proposed building changes come before this board.

C. General Concerns: None.

D. Public Participation: None.

E. Adjourn: *Lee Smith motioned to adjourn the meeting at 6:42 p.m., and Terry Gamblin seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager