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# VILLAGE OF FREEBURG

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Eugene Kramer

**VILLAGE ENGINEER**  
Tim Pruett, P.E.

**VILLAGE ATTORNEY**  
Weilmuenster Keck Brown, P.C.

Combined Planning and Zoning Board  
Tuesday, July 9, 2024 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, July 9, 2024 in the Municipal Center by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Terry Gamblin, Rita Green, Gary Henning, Gary Mack, Lee Smith (absent), Mark White, Village Engineer Tim Pruett and Office Manager Mary Downen. Guests present: Charles Sittner, Robert Bauer, Terry Bauer, David Syzdek, Jody Syzdek and Trustee Mike Blaies. Guests present via Zoom: None.

## PLAN COMMISSION:

### A. Old Business:

1. Approval of April 9, 2024 Minutes: Terry Gamblin *motioned to approve the April 9, 2024 minutes Gary Mack seconded the motion.* All voting yea, the motion carried. All voting yea, the motion carried.

**B. New Business:** Village Engineer Tim Pruett stated nothing at this time. Still waiting on building permit for Scooters.

## BOARD OF APPEALS:

**A. Old Business:** None.

### B. New Business:

1. Area Bulk Variance #24-03 – David & Jody Syzdek, 207 Cedar Lane: Chairman Steve Woodward read the notice, and Gary Mack swore in those individuals wishing to speak. Mr. Syzdek said they would like to add an addition to the end of their home. The road goes all around their home so they are limited in how they can do it. Gary Henning commented you have roads on 3 sides of your home, correct. Mr. Syzdek responded yes. He said the addition would match the existing home, full brick. Steve Woodward said on the drawing it shows as 21 x 20, I take it those are the outside dimensions. Mr. Syzdek responded yes. Steve asked Village Engineer Tim Pruett if he had anything to add. Tim stated he met with them and they measured it. He said they came off the road with the 25' set back and he helped with the drawing showing the 3' over the line on the one corner. They are asking for the variance to be a 22' set back at that corner for approximately 6'. Gary Henning asked how long they have lived there. They responded 39 years. Mark White said it is very unusual to have three streets. Steve Woodward responded it is a different shaped lot, not a square or rectangular lot. Gary Mack asked if the lot was purchased that way. Steve added it was plotted that way. Rita Green asked if they considered lining it up with the back of the house so the whole addition would be pushed back. Mr. Syzdek answered with they have a pool in the back of the house and even without the pool that section is shorter. Steve asked if it would be on a crawl space and Mr. Syzdek responded it would. Gary Mack asked what is unusual about your circumstance that we should grant you this variance. The Syzdek's explained their situation and feel their unusual part is it is an unusual lot. Steve

asked if there were any other questions from the Board and if not, he will entertain a motion to either grant or not grant this variance. Please state your reasoning for granting or not granting in accordance with the standard for variances.

*Terry Gamblin motioned to grant David & Jody Syzdek's Area Bulk Variance Request, and Gary Henning seconded the motion. ROLL CALL VOTE:* Mark White – yes; Terry Gamblin – yes; Rita Green – no, while she appreciates that they will use quality materials and a good contractor, she thinks there is room on the lot to allow for the addition as it is; Gary Henning – yes; Gary Mack – no, he doesn't see anything unique or particular to the circumstances that would grant a variance; Lee Smith – absent; Steve Woodward – yes, he feels the circumstances are somewhat peculiar. With 4 yes votes, 2 no votes and 1 absent, the motion is granted.

*Mark White motioned to adjourn the hearing at 6:21 p.m., and Rita Green seconded the motion. All voting yea, the motion carried.*

2. Area Bulk Variance #24-04 – Charles Sittner, 407 W. Phillips: Chairman Steve Woodward read the notice, and Gary Mack swore in those individuals wishing to speak. Mr. Sittner handed out information. He would like to construct a metal warehouse storage building to facilitate the storage of equipment. Steve said your request is that you did not want to build a stick building and metal buildings are prohibited by our zoning code, correct. Mr. Sittner responded, yes. Gary Henning asked how long he has lived there. Mr. Sittner responded about 55 years. Mark White asked if there would be water or utilities hooked up to the building and Mr. Sittner responded no. Gary Mack asked if the building was being used for storage. Mr. Bauer said yes, he owns a company and plans to store his equipment there. Mark White asked how tall the building will be. Mr. Sittner responded about 10' walls. Steve asked if it would be a concrete floor and the response was yes. Steve said he thinks at one time the property was zoned as industrial. Discussion on the zoning history of the property. Tim said the metal building rule isn't that old. Steve added that was probably early 2000's. Tim stated they hashed out trying to rezone, a variance and the whole gambit of things. Gary Mack commented that he is in a SR1 and Tim responded yes. Steve asked if there were any other questions or comments. If not, he will entertain a motion to either approve or not approve this variance.

*Gary Henning motioned to approve Charles Sittner's Area Bulk Variance Request, and Mark White seconded the motion. ROLL CALL VOTE:* Mark White – yes; Terry Gamblin – yes; Rita Green – yes, she thinks this is a very unique situation; Gary Henning – yes; Gary Mack – yes, he concurs with Rita that this is a unique situation and he is usually not a proponent of changing SR1; Lee Smith – absent; Steve Woodward – yes, he does think there is some peculiar circumstances and that it is going to be a permanent building on a permanent foundation. With 6 yes votes and 1 absent, the motion is granted.

*Terry Gamblin motioned to adjourn the hearing at 6:49 p.m., and Gary Henning seconded the motion. All voting yea, the motion carried.*

**C. General Concerns:** None.

**D. Public Participation:** None.

**E. Adjourn:** Mark White motioned to adjourn the meeting at 6:55 p.m., and Gary Mack seconded the motion. All voting yea, the motion carried.

*Mary Downen*

Mary Downen  
Office Manager