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Matt Trout

VILLAGE ATTORNEY
Weilmuenster Keck Brown, P.C.

Combined Planning and Zoning Board
Tuesday, September 15, 2020 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, September 15, 2020 in the Municipal Center by Chairperson Steve Woodward and also via the Zoom application. Members present were Chairperson Steve Woodward, Dirk Downen (6:05 p.m. via Zoom), Rita Green, Kevin, Groth (absent), Gary Henning (absent), Gary Mack (via Zoom), Lee Smith, Zoning Administrator Matt Trout, Village and Office Manager Julie Polson. Guest present: Trustee Mike Heap.

PLAN COMMISSION:

A. Old Business:

1. Approval of August 25, 2020 Minutes: Not approved.
2. Review of Zoning Code: Zoning Administrator Matt Trout advised Rita spent a lot of time revising this section. Rita advised she looked at St. Clair County, Belleville, O'Fallon, Highland and also Rock Hill. She tried to use material that would fit into our code. Matt said with political signs, they are governed by state statute, and there is not much we can do about them on residential properties.
40-16-1(c), General prohibitions: change Village Manager to Zoning Administrator.
40-16-2, Sign Area Allowance: Rita said all of the Illinois towns used 300 square feet.
40-16-5, Design, Construction and Maintenance: Under E, Steve asked if we want signs to be inspected semi-annually? The committee agreed to change it to annually.
40-16-5b, Permitting: Matt asked where do we draw the line on permitting signs? He believes it is a little much to make someone get a permit for a yard sale, or the like. Do we need to specify the length of time and placement for temporary signs? Temporary signs are further discussed in 40-16-19.
The cost of signs was discussed and how it fits in Freeburg. Lee said a permanent sign should have a cost more in line with a building permit and a lesser fee for a temporary sign. Steve liked a simple, flat fee for a temporary sign. Matt felt just a time limit should be applicable to temporary signs.
40-16-5b4c. Matt asked, in case of rejection, is this board okay with the denial coming to them for review. Gary Mack did not like someone second guessing Matt's decision and then trying to come to this board. Dirk supports Matt's decision. Matt will check with Attorney Keck on this.
40-16-6, Illumination: added in section d to be more clear. Lee thought 15-watt was obsolete. If we regulate it, do so by lumens.

Steve commented once we have completed the new sign code, all businesses should be provided with that updated information.

40-16-9, Strictly prohibited signs; gives time for discontinuance of signs when an activity or business is no longer conducting business on the premises where the sign is located. We changed mobile/portable marquees to not be permitted as a temporary sign.

40-16-10, Signs permitted in any district: Steve asked if we should have a separate sign for auctions since those signs are typically large. Matt suggested 4x4, he will look into that. Rita said we know some of them are temporary signs because they have a limited amount of time to be up.

Construction signs: The committee discussed at length the amount of time to leave up construction signs. Matt said how to determine the project being substantially complete at 90% might be difficult. To make it simpler, request signs need to be down prior to the issuance of the occupancy permit.

Garage Sales: Lee said we are not going to assign a fee to a temporary sign and Matt agreed.

Interior Sign: Matt said we don't do much inside so he isn't sure we would want this. Julie will pull the ordinance to review it.

Flags: Matt said Rita brought up the very large flag by Kennedi Auto. Lee doesn't think we can regulate the size of the flag. Steve said we had this argument before. Lee doesn't feel we can regulate the subject matter of the sign other than not allowing anything that would be obscene.

40-16-14, Window signs: Lee questioned where it says it may not occupy more than 30% of the total window area. We have a lot of windows in the Market Place where the screen signs take up a large portion of the window. Lee commented some of the bars have neon signs in the window. Dirk asked what the difference between a window sign and an interior sign. Rita said a window sign is one placed in the window to be seen from the exterior. An interior sign is meant to be seen from the interior of the building. Rita said the purpose of this is not to make the sign take up that much of the building. Lee used Lucky Joes as an example because that building is very old and the windows are very small. Rita suggested maybe the neon sign needs to be treated differently. Matt will look at other communities. Steve said maybe turn off the neon sign when they are closed.

40-16-15, Projecting Signs: Steve asked what type of sign is on the top of Sanders store. Matt said it is probably a roof-mounted sign. Rita thinks if it is above the roof, it should not be allowed. That sign has been there long before the code. We also have several old signs around town that hung over the sidewalk.

40-16-17, Freestanding Signs: Lee asked if this is what is in front of Garys. Rita said that would be like the shopping center sign that is not attached to the building.

Dynamic Display: New section put in to cover scrolling signs. Rita thinks they can be a distraction when you are driving. Steve said the companies will tell you to change it every 3 seconds. Matt thinks these are the signs of the future. He said we had talked about getting them to the entrances of Freeburg. Matt said IDOT requests a permit because it's on the right-of-way property. Dirk asked if there were criteria for the distraction factor. Matt does not know the answer to that. Dirk said there has to be some guideline they are following and we should follow that lead. Rita feels there should be a limitation on the number or location of them. Gary Mack said there are some out guidelines out there.

40-16-19, Temporary Signs, Matt added C, and said we could add in here what we consider temporary signs. At least this doesn't allow the same sign to be out there for a year.

B. New Business: There will be a special use permit hearing on October 13th for the 113 E. Apple property at 6:00 p.m.

The committee agreed to schedule the next review of the zoning code for Tuesday, September 29th at 6:00 p.m.

BOARD OF APPEALS:

A. Old Business: None.

B. New Business: None.

C. General Concerns: None.

D. Public Participation: None.

E. Adjourn: *Lee Smith motioned to adjourn the meeting at 8:12 p.m. and Rita Green seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager