

**VILLAGE PRESIDENT**  
Seth Speiser

**VILLAGE CLERK**  
Jerry Menard

**VILLAGE TRUSTEES**  
Ray Matchett, Jr.  
Lisa Meehling  
Mike Blaies  
Tom Carpenter  
Dana Miller  
Robert Kaiser

**VILLAGE TREASURER**  
Bryan A. Vogel

# VILLAGE OF FREEBURG

**FREEBURG MUNICIPAL CENTER**  
14 SOUTHGATE CENTER, FREEBURG, IL 62243  
PHONE: (618) 539-5545 • FAX: (618) 539-5590  
Web Site: [www.freeburg.com](http://www.freeburg.com)

**VILLAGE ADMINISTRATOR**  
Matt Trout

**PUBLIC WORKS DIRECTOR**  
John Tolan

**POLICE CHIEF**  
Michael J. Schutzenhofer

**ESDA COORDINATOR**  
Eugene Kramer

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

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

## THE PUBLIC CAN PARTICIPATE THROUGH THE ZOOM CLOUD MEETING APPLICATION AND CLICKING ON THE FOLLOWING LINK:

Join URL: <https://us02web.zoom.us/j/4478727673>  
**Meeting ID: 447 872 7673**

We ask the public to mute their phone or mic until Public Participation  
If you have any questions, please contact Matt Trout at [mtrout@freeburg.com](mailto:mtrout@freeburg.com)

March 7, 2025

## COMBINED PLANNING/ZONING BOARD AGENDA Tuesday, March 11, 2025 6:00 p.m.

### I. Items to be Reviewed

#### PLAN COMMISSION:

- A. Old Business
  - 1. Approval of February 11, 2025 Minutes
- B. New Business

#### BOARD OF APPEALS

- A. Old Business
- B. New Business
  - 1. Area Bulk Variance #25-02 – Carrie Bauer, 2 North State Street
- C. General Concerns
- D. Public Participation
- E. Adjourn

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Combined Planning and Zoning Board  
Tuesday, February 11, 2025 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:01 p.m. on Tuesday, February 11, 2025 in the Municipal Center by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Terry Gamblin (absent), Rita Green, Gary Henning, Gary Mack, Lee Smith, Dale Lickenbrock, Village Engineer Tim Pruett and Office Manager Mary Downen. Guests present: Trustee Mike Blaies. Guests present via Zoom: None.

Gary Mack swore in Dale Lickenbrock as a member of the Combined Planning and Zoning Board.

## PLAN COMMISSION:

### A. Old Business:

1. Approval of January 14, 2025 Minutes: Lee Smith motioned to approve the January 14, 2025 minutes Gary Mack seconded the motion. All voting yea, the motion carried. All voting yea, the motion carried.
2. Improvement Plans Murphy Development: Village Engineer Tim Pruett said there was some concerns at the last meeting so he met with Fire Chief Hans Mueller to discuss these concerns. The board discussed the access road in the private development area for emergency vehicles. Chairperson Steve Woodward asked about the retention pond. There was a discussion regarding the revised drainage report and size of the pond. Chairperson Steve Woodward said he would entertain a motion to approve the improvement plans for the Murphy Development.

Gary Henning motioned to approve the improvement plans for the Murphy Development, and Gary Mack, seconded the motion. **ROLL CALL VOTE:** Gary Mack yes, Gary Henning – yes, Rita Green – yes, Lee Smith – yes, Steve Woodward – yes, Dale Lickenbrock – yes, and Terry Gamblin – absent. With 6 yes votes and 1 absent, the motion is granted.

3. The Coffee Pot: Tim stated that the owner of the Coffee Pot is planning on submitting application for zoning amendment on the B2 property.

### B. New Business:

## BOARD OF APPEALS:

A. Old Business: None.

B. New Business: None.

C. General Concerns: None.

D. Public Participation: None.

**E. Adjourn:** Dale Lickenbrock *motioned to adjourn the meeting at 6:48 p.m., and Gary Mack seconded the motion.* All voting yea, the motion carried.

A handwritten signature in black ink, appearing to read "Mary Downen", with a long horizontal flourish extending to the right.

Mary Downen  
Office Manager

**VILLAGE PRESIDENT**  
Seth Speiser

**VILLAGE CLERK**  
Jerry Menard

**VILLAGE TRUSTEES**  
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**THE PUBLIC CAN PARTICIPATE THROUGH THE ZOOM CLOUD MEETING  
APPLICATION AND CLICKING ON THE FOLLOWING LINK:**

**Meeting ID: 447 872 7673**

<https://us02web.zoom.us/j/4478727673>

We ask the public to mute their phone or mic until Public Participation  
If you have any questions, please contact Matt Trout at [mtrout@freeburg.com](mailto:mtrout@freeburg.com)  
**Village Hall will be open to the public for this meeting**

**NOTICE OF HEARING BEFORE THE  
COMBINED PLANNING AND ZONING BOARD  
AREA BULK VARIANCE REQUEST  
25-02**

TO WHOM IT MAY CONCERN:

Notice is hereby given to all persons in the Village of Freeburg, St. Clair County, Illinois, that a public hearing will be held on **Tuesday, March 11, 2025, at 6:00 p.m.**, in the Freeburg Municipal Center, 14 Southgate Center, Freeburg, Illinois. This meeting is to review Applicant Carrie Bauer's request for an Area Bulk Variance under 40-15 Off Street Parking & Loading and 40-11-3 Lot & Building Requirements.

P.I.N. 14-20.0-315-006  
2 North State Street  
Freeburg, IL 62243

As a result of the petition of the Applicant Carrie Bauer, which petition is on file and available for examination in the office of the below named Board, Freeburg Municipal Center, 14 Southgate Center, Freeburg, Illinois.

All persons are invited to attend said hearing and be heard.

Steve Woodward, Chairman  
Combined Planning and Zoning Board

Dated at Freeburg, Illinois, this 20<sup>th</sup> day of February, 2025.

VILLAGE OF FREEBURG  
PETITION FOR AREA/BULK VARIANCE

Combined Planning and Zoning Board  
Freeburg Municipal Center  
14 Southgate Center  
Freeburg, IL 62243

Variance Request No. 25-02  
Date: 2/12/25

\*\*\*\*\*

(DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY)

Date set for hearing: March 11, 2025  
Date hearing held: \_\_\_\_\_  
Notice published on: February 20, 2025  
Newspaper: The Freeburg Tribune

Permanent Parcel No. 14.0-20.0-315-006  
Fee Paid to Village of Freeburg  
\$ 350 Date: 2/12/25

Action by Combined Planning and Zoning Board:  
 Denied  
 Approved  
 Approved with modifications  
Date: \_\_\_\_\_

Comments: (Indicate other actions, such as  
continuances): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

**Instructions to Applicants: All information required by this application must be completed and submitted herewith.** If the application, supporting documents, and fees are not complete, the petition will not be submitted for above mentioned hearing. Applicants are encouraged to visit the office of the Zoning Administrator for any assistance needed in filling out this form.

=====

1. Address of Subject Property: 2 North state street parcel No. 14-20.0-315-006  
Freeburg IL

2. Applicant information:

Name: Carrie Bauer

Address: 2249 Imbs station rd E Carondelet IL

Phone: 573 944 1141 Email: The coffee pot on wheels @ gmail.com

Applicant's interest in property: building new coffee shop

3. Owner information (if different from above)

Name: Kyle Hawkins

Address: \_\_\_\_\_

Phone: 618-779-4030 Email: \_\_\_\_\_

4. Describe the nature of the proposed project that is the subject of the petition:

Drive thru, and walk up coffee shop

5. With respect to any portion of this property, has a previous appeal or petition for variance been made:

No  Yes (If "yes," list all previous appeals and/or petitions, giving dates):

6. Zoning District: B2 Lot Size: 50x120

7. Current use of property: House

8. Does the present use of the property conform to all use regulations for the zone district in which it is located?  Yes  No If "No," specify each non-conforming use:

House too close to road 3

9. Do the existing structures comply with all area and bulk regulations for the zone district in which the property is located?

Yes  No If "No," specify each non-conforming condition.

House is too close to road 3

10. Which existing physical characteristics prevent reasonable use for any of the uses permitted in that zoning district?

- Narrow lot  Unique topography  Soil
- Shallow lot  Sub-surface conditions  Drainage
- Small lot  Lot shape
- Other: \_\_\_\_\_

11. Is the proposed variance the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property? (Provide supporting documents as needed).

Yes  No Please explain below.

Sales projected (in first year) of business will be 4 times cost of project

12. Will the strict application of the district requirements result in great practical difficulties or hardship to the applicant?

Yes  No Please explain below.

Yes, if this is not accepted I will not be able to stay in Freeburg and be forced to look at another town.

13. Is the plight of the applicant due to peculiar circumstances not of their own making?

Yes  No Please explain below.

Trying to make upgrade to current business in Freeburg, and keep business here.

14. Are the conditions of hardship for which you request a variance peculiar only to the property described by this petition?

() Yes ( ) No If "No", how many other properties are similarly affected?  
only to property we are purchasing to build

15. If granted, will the variance alter the essential character of the area where the premises in question are located, or materially frustrate implementation of the Village's comprehensive plan?

() Yes ( ) No If "Yes," how?  
It will be more beautifully landscaped, up kept, and new commercial lot.

16. An area/bulk variance is requested for the property described above in conformity with the documents submitted herewith. **Initial, Date, and Sign below.**

I certify that all of the above statements and the statements contained in any papers or supporting documents submitted with this petition are true and correct to the best of my knowledge.

\_\_\_\_\_ I consent to the entry upon the subject property of this application by any authorized official of the Village for the purpose of a pre-hearing site inspection, or the posting, maintaining, and removing such notices as may be required by law.

Date: 2/10/24

  
Signature of Applicant

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner

Property Owners within 250 feet of  
P.I.N.: 14-20.0-315-006  
2 North State Street  
Applicant Carrie Bauer

St. Joseph Catholic Church	6 North Alton St.	14-19.0-440-009
AND		14-19.0-440-010
AND	2 North Alton St.	14-19.0-440-013
AND	6 North Alton St.	14-19.0-440-014
Ellis Ann Properties	5 South Alton St.	14-19.0-444-001
Alex Joshu	8 South State St.	14-19.0-444-009
Richard Barthel	4 South State St.	14-19.0-444-013
Christa Whetstone	2 South State St.	14-19.0-444-014
Ryan Vielweber	6 North State St.	14-20.0-315-003
Richard Barthel	5 North State St.	14-20.0-315-004
John & Carol Tolan	4 North State St.	14-20.0-315-005
Thomas Hottenrott	5 North Edison St.	14-20.0-315-010
RS&D Investments Inc.	3 North Edison St.	14-20.0-315-011
Vernetta Buss	11 East White St.	14-20.0-315-012
Rosemarie Parker	12 North State St.	14-20.0-315-013
Amy Kasper	9 North Edison St.	14-20.0-315-014
Joel & Shannon Brickey	10 North Edison St.	14-20.0-316-001
BBM Investments LLC	8 North Edison St.	14-20.0-316-003
AND		14-20.0-316-004
Freeburg Fire Protection District	1 South State St.	14-20.0-318-001
Kenneth Fults	3 South State St.	14-20.0-318-002
Kirk Woolsey	12 East White St.	14-20.0-318-007
Randy & Janelle Harper	10 South Edison St.	14-20.0-318-011
Dennis Schmittling	6 South Edison St.	14-20.0-318-015
Kenneth Fults	11 South State St.	14-20.0-318-014
Barry Billings	5 South Edison St.	14-20.0-319-003
Andrew Sendejas	1 South Edison St.	14-20.0-319-013



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**REPORT TO COMBINED PLANNING & ZONING BOARD**  
**VILLAGE OF FREEBURG**

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**APPLICATION NUMBER(S)** 25-02

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**APPLICATION NAME:** Area Bulk Variance Request

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**APPLICANT NAME:** Carrie Bauer - The Coffee Pot

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**PROPERTY OWNER NAME(S):** Kyle Hawkins  
Hawkins Development Company LLC  
2121 Park Road  
Belleville, IL

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**APPLICANT'S REQUEST:** The Applicants would like to demo the existing house and build the business at 2 N. State St. The property is zoned correctly for the type of business proposed. The lot itself does not meet the requirements in the Village Code for (1) Minimum lot area (2) Minimum lot width at the established building line (3) Minimum lot depth. The applicant is requesting a variance for (1) minimum sideyard setback abutting street (50') , (2) minimum sideyard setback non-street(25'), (3) number of parking spaces required (1 space per 25 sf floor area), (4) parking space size (10x20).

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**SITE ADDRESS:** 2 North State Street, Freeburg

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**PARCEL ID NUMBER(S)** 14-20.0-315-006

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**EXISTING ZONING DISTRICT(S):** B-2 Highway Business

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**TOTAL SITE AREA:** .13 Acres

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**EXISTING USE OF PROPERTY:** The current use of the property is residential

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**COMMISSION MEETING DATE:** March 11, 2025 at 6:00 p.m.

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**CASE MANAGER:** Tim Pruett, P.E., Village Engineer

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# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

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### ARTICLE XI. B-2 HIGHWAY BUSINESS

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#### 40-11-1. "B2" HIGHWAY BUSINESS DISTRICT.

The "B-2" Highway Business District is intended to accommodate and regulate strip commercial developments and compatible uses. Since such businesses, both retail and wholesale, draw their patrons primarily from the motoring public, they typically require direct access to major streets and large lots for off-street parking and loading.

#### 40-11-2. USE RESTRICTIONS.

- (A) *Storage Areas.* Any inventory or materials stored outside may be open to the sky, but shall be enclosed by walls or solid fences at least six feet high.
- (B) *Refuse Containers.* All refuse generated by facilities located within this district shall be stored in tightly-covered containers placed in visually-screened areas.
- (C) *Screening.* Along the side and rear lot lines of any lot abutting any residential district, screening at least six feet high, which completely blocks the view from the adjacent residential property, shall be installed. The screening shall be approved by the Zoning Administrator.
- (D) *Parking.* See Section 40-15-1 et seq.
- (E) *Signs.* See Section 40-16-1 et seq.

#### 40-11-3. LOT AND BUILDING REQUIREMENTS.

Every principal building erected in the "B-2" Highway Business District shall conform to the requirements indicated below:

- (A) Minimum lot area: 20,000 square feet.
- (B) Minimum lot width at the established building line: 125 feet.
- (C) Minimum lot depth: 125 feet.
- (D) Minimum setbacks:
  - (1) From front lot line: 50 feet.
  - (2) Side yards:
    - (a) Minimum total setback from abutting street: 50 feet.
    - (b) Minimum setback from either side lot line: 25 feet.
  - (3) From rear lot line when lot is 125 feet or more in depth: 25 feet.
  - (4) From rear lot line when lot is less than 125 feet in depth: 15 feet.
- (E) Maximum structure height: 35 feet.
- (F) Maximum percent coverage per lot: 50%.

(Ord. No. 1712, § 2, 2-16-21)

# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

### ARTICLE XI. B-2 HIGHWAY BUSINESS CONT.

#### 40-11-4. PERMITTED USES.

Provided all the use restrictions of the "B-2" District are observed, Permitted Uses shall be found in the Principle and Accessory Table.

#### 40-11-5. SPECIAL USES.

Provided all the use restrictions of the "B-2" District are observed, Special Uses shall be found in the Principle and Accessory Table.

(Ord. No. 1712, § 2, 2-16-21)

#### 40-15-13. - NUMBER OF PARKING AND LOADING SPACES REQUIRED.

Restaurants: refreshment stands		
Sit-down	1 space per 4 seats or 1 space per 50 sq. ft. of floor area, whichever is greater.	(Both sit-down and drive-in): 1 space per structure
Drive-in	1 space per 25 sq. ft. of floor area.	having 10,000 sq. ft. or more of floor area.
Service stations	2 spaces per service stall, plus employee parking.	Not applicable
Taverns	1 space per 2 seats or 1 space per 50 sq. ft. of floor area, whichever is greater.	1 space per structure having 10,000 sq. ft. or more of floor area.



# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

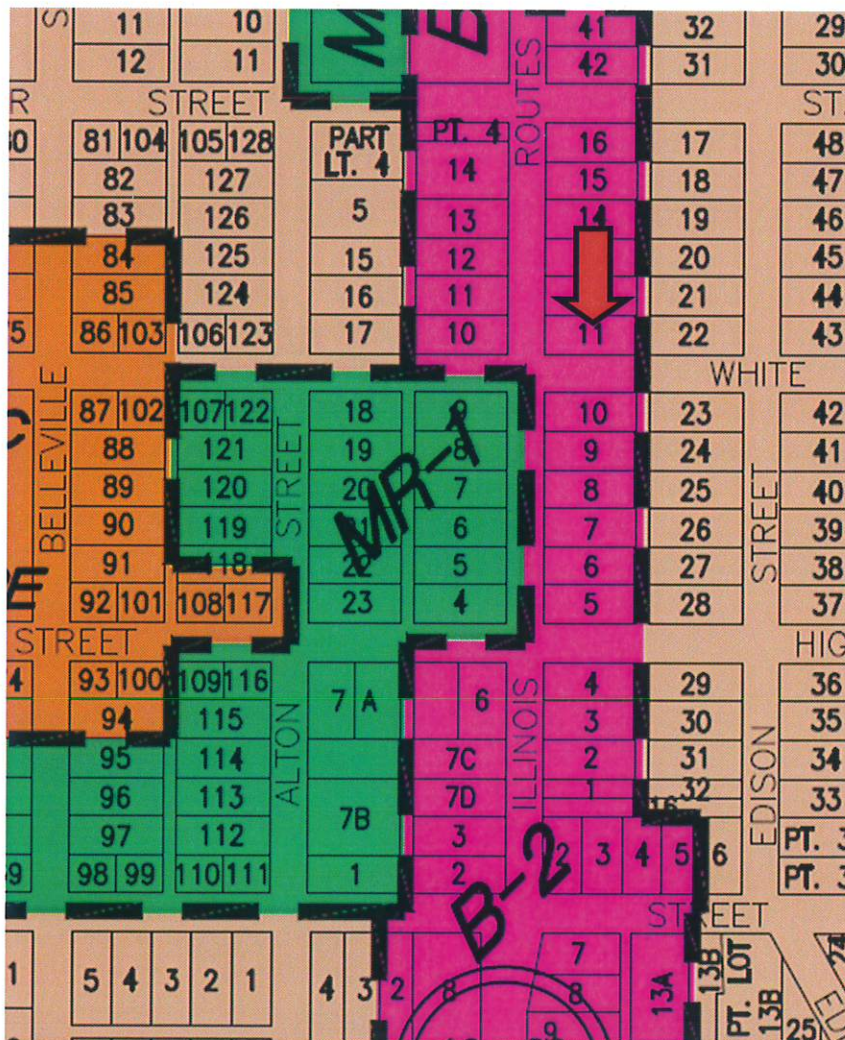
### SITE HISTORY

The lot has been residential since 1948 (according to St. Clair County tax records) and been used primarily as a rental property since early 2000's.

### ZONING MAP

LAND USE AND ZONING CONTEXT MATRIX

DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	Residential	"B-2"	Village of Freeburg
East	Residential	"SR-1"	Village of Freeburg
South	Fire District—Ambulance Shed	"B-2"	Village of Freeburg
West	St. Joseph's Church	"B-2"	Village of Freeburg



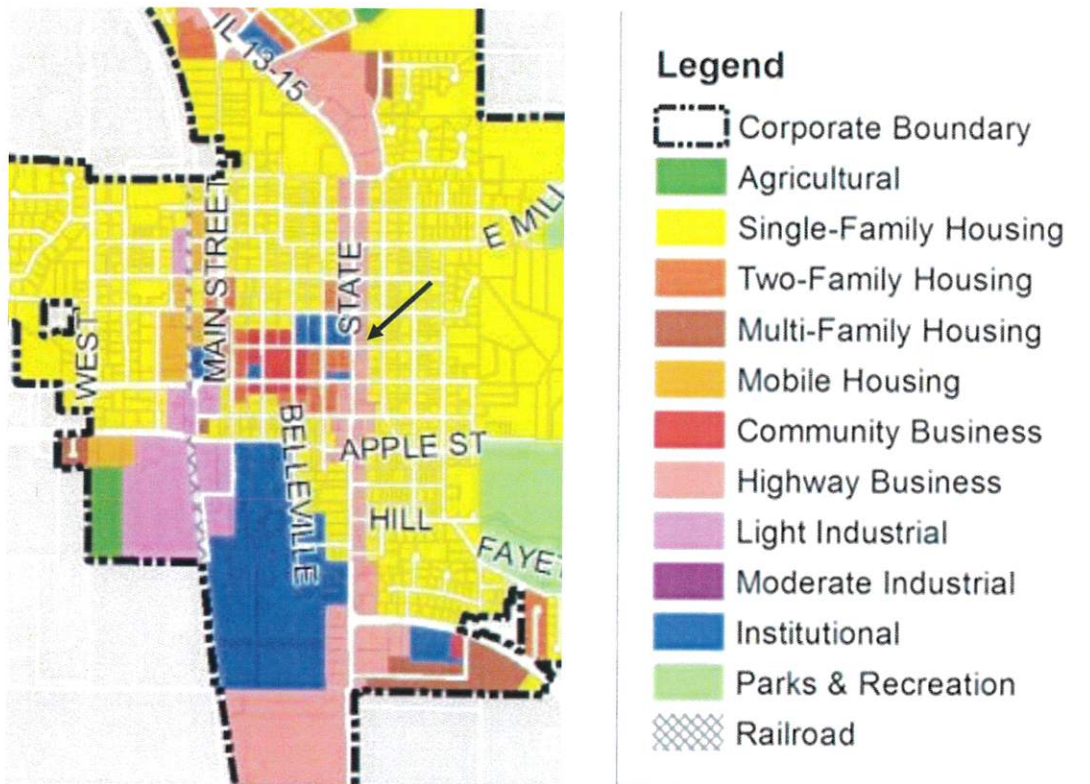


# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

### COMPREHENSIVE PLAN— FUTURE LAND USE

The Future Land Use element establishes the pattern of land uses and location of growth for Freeburg. The development of the ideal future land use is based on existing land use, zoning, utilities and infrastructure. This section represents the growth policy from which the Village ensures that physical expansion of the developed areas is managed at a rate to support any projection population and economic growth.



### FUTURE LAND USE DEVELOPMENT CONSTRAINTS

- The Future Land Use element establishes the pattern of land uses and location of growth for Freeburg. The development of the ideal future land use is based on existing land use, zoning, utilities and infrastructure. This section represents the growth policy from which the Village ensures that physical expansion of the developed areas is managed at a rate to support any projected population and economic growth. Plan for appropriate amounts of various residential densities and arrange future development areas to minimize conflicts among density levels. For instance, multi-family (high density) areas should have direct access to the arterial street system.
- Highway Business District – B-2 The "B 2" Highway Business District is intended to accommodate and regulate strip commercial developments and compatible uses. Since such businesses, both retail and wholesale, draw their patrons primarily from the motoring public, they typically require direct access to major streets and large lots for off street parking and loading.



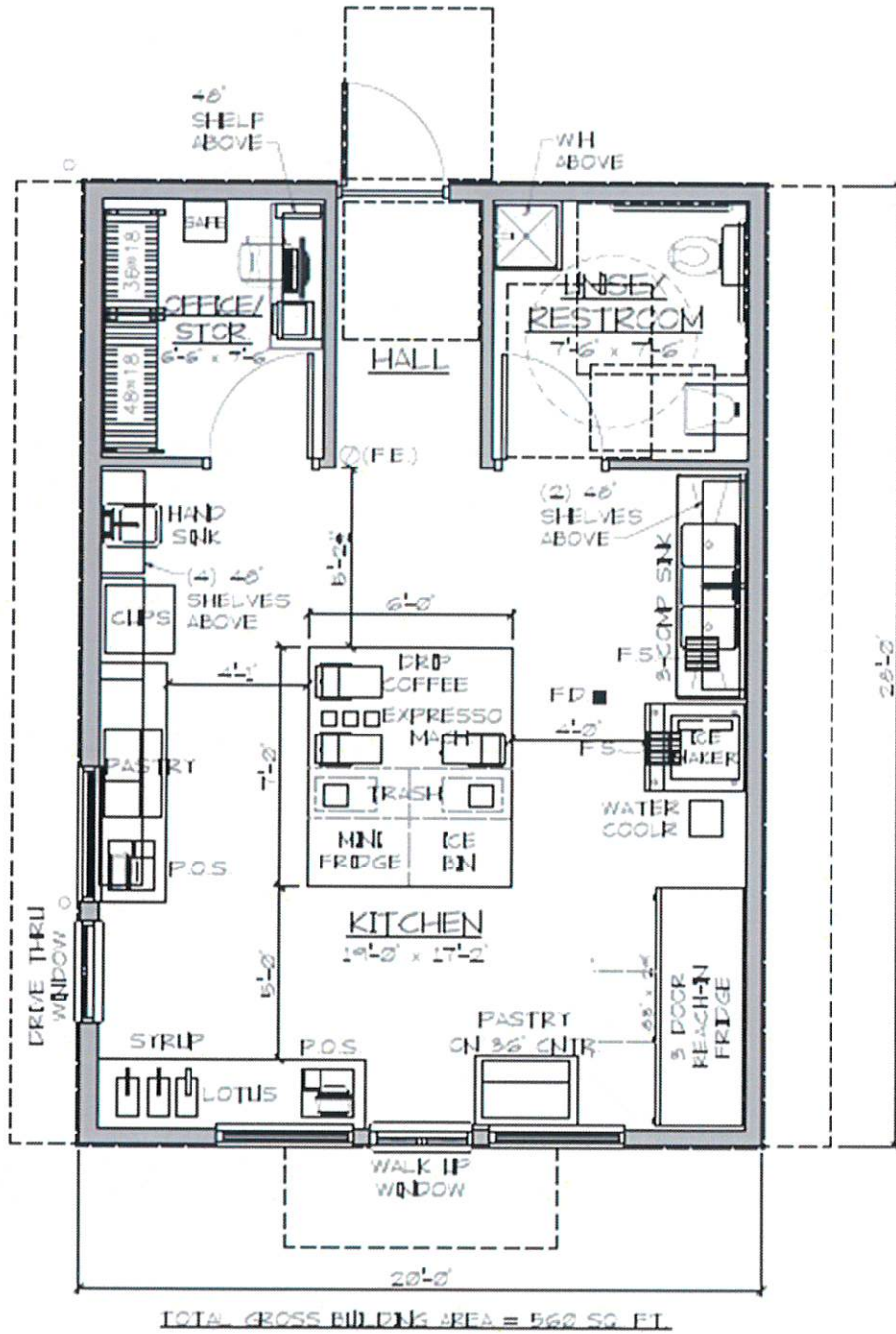






# REPORT TO COMBINED PLANNING & ZONING BOARD VILLAGE OF FREEBURG

## PROPOSED FLOOR PLAN



## FLOOR PLAN

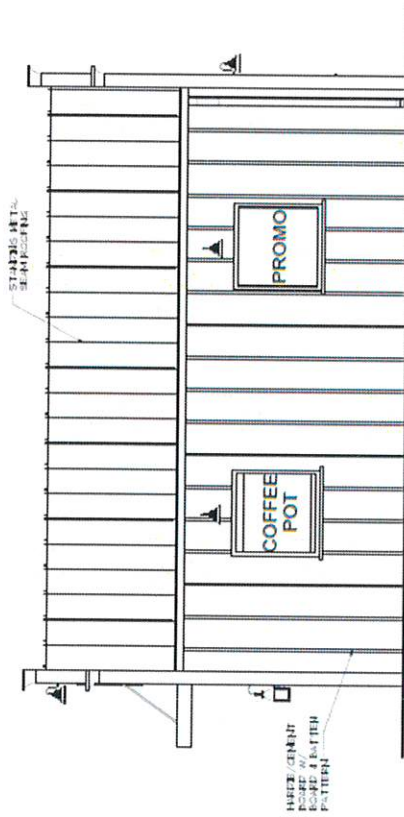
SCALE: 3/8" = 1'-0"



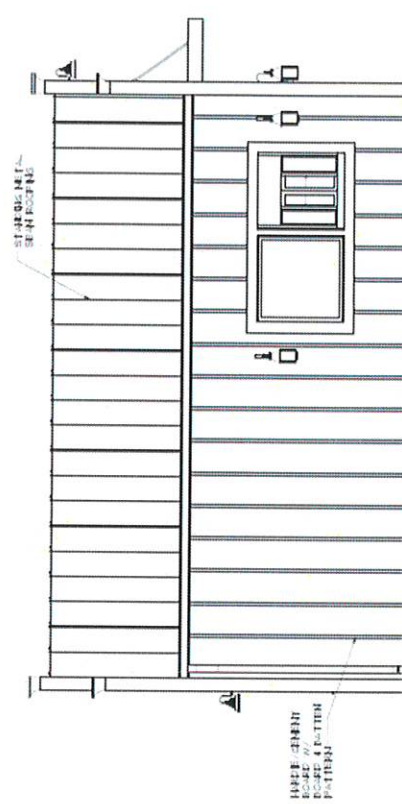
# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

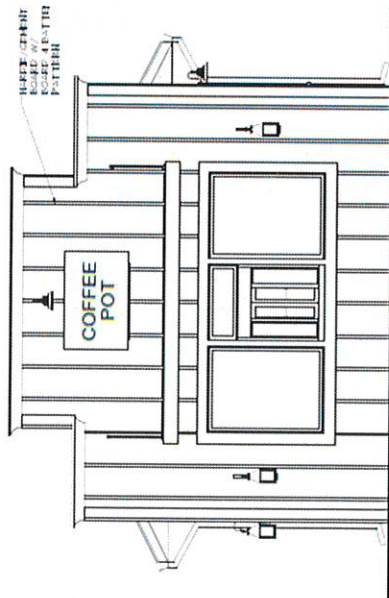
### PROPOSED ELEVATIONS



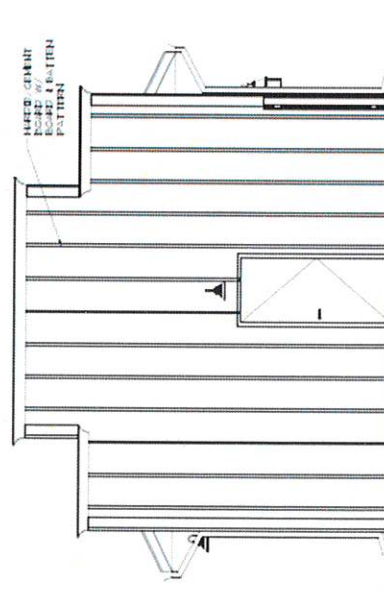
**RIGHT/ SOUTH ELEVATION**  
SCALE: 3/8" = 1'-0"



**LEFT/ NORTH ELEVATION**  
SCALE: 3/8" = 1'-0"



**FRONT/ WEST ELEVATION**  
SCALE: 3/8" = 1'-0"



**REAR/ EAST ELEVATION**  
SCALE: 3/8" = 1'-0"

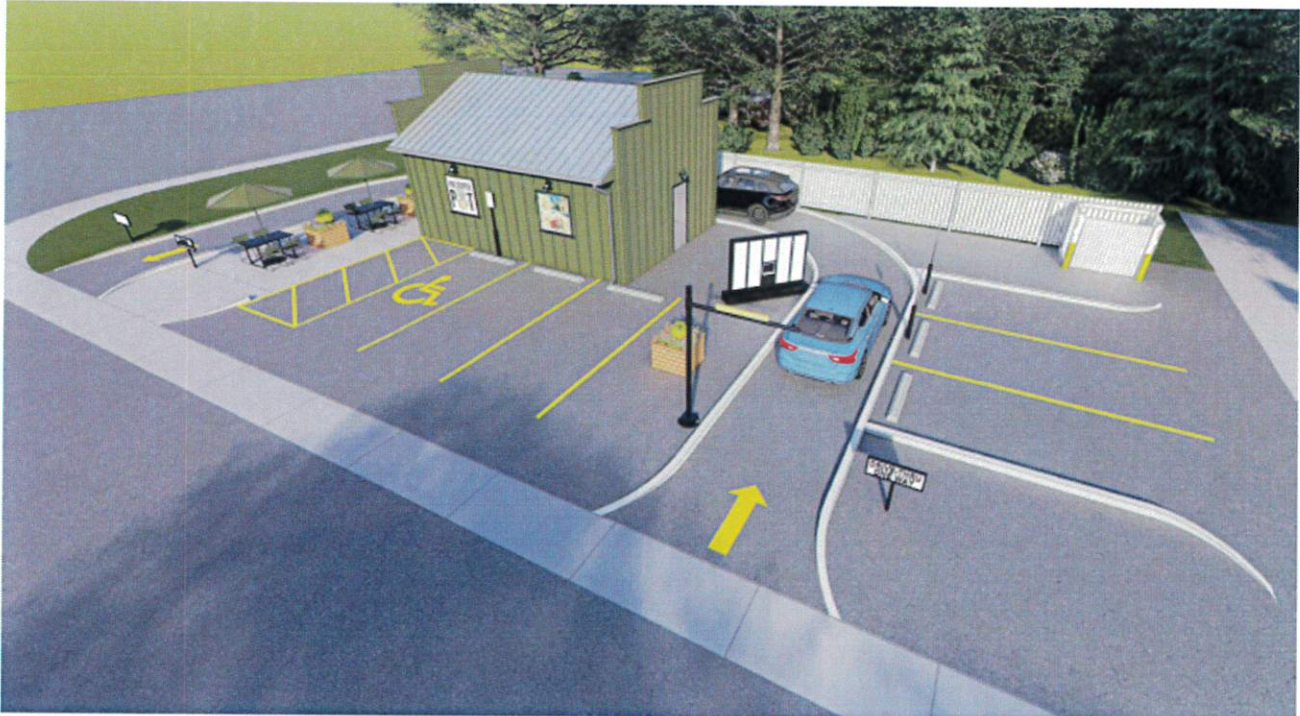


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**REPORT TO COMBINED PLANNING & ZONING BOARD**  
**VILLAGE OF FREEBURG**

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**PROPOSED ELEVATION RENDERINGS**



**BIRDSEYE VIEW**



**STREET CORNER VIEW**



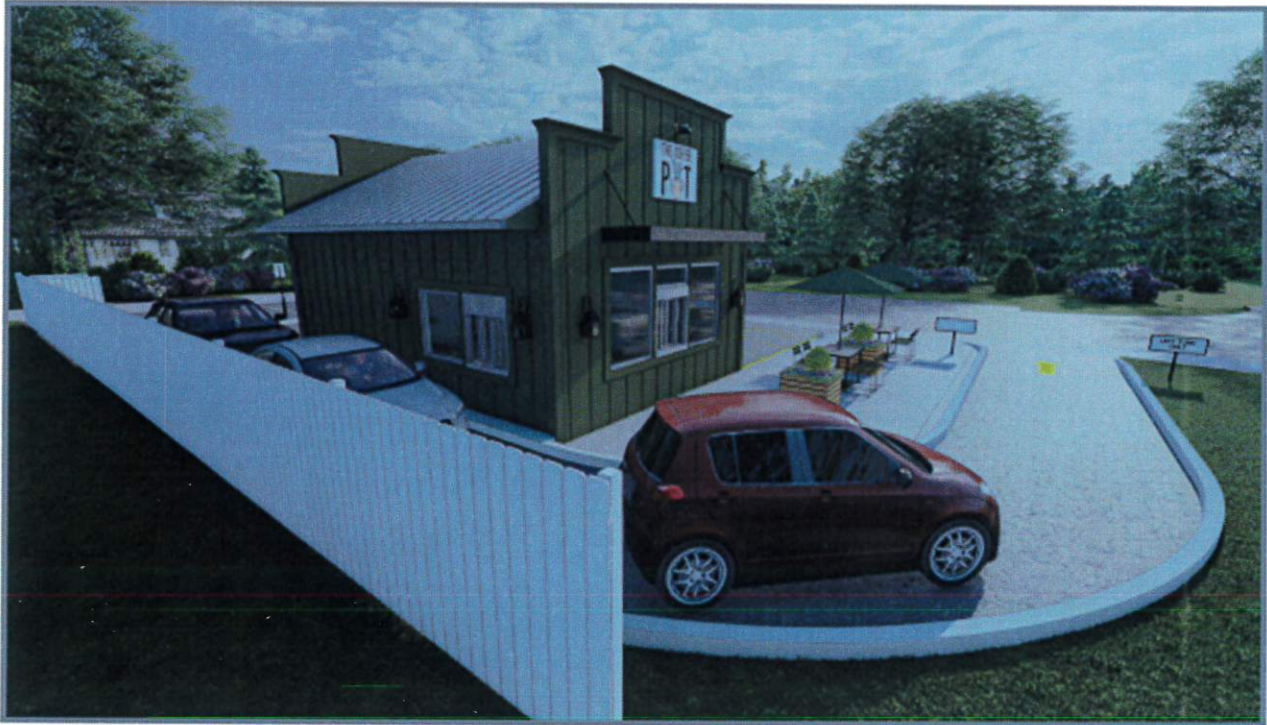
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**REPORT TO COMBINED PLANNING & ZONING BOARD**  
**VILLAGE OF FREEBURG**

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**PROPOSED ELEVATION RENDERINGS**

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**DRIVE THRU VIEW**



**REPORT TO COMBINED PLANNING & ZONING BOARD**  
**VILLAGE OF FREEBURG**

**EXISTING SITE**





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# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

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### ARTICLE XXI. VARIANCES

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#### 40-21-1 VARIANCES.

A variance is a relaxation of the requirements of this Chapter that are applicable to a particular lot, structure, or use. A so-called "use variance" (which would allow a use that is neither permitted nor special in the district in question) is not a variance, it is an amendment, and may be granted only as provided for in Section 40-23-1.

( Ord. No. 1712 , § 2, 2-16-21)

State law reference(s)—(65 ILCS 5/11-13-5)

#### 40-21-2 APPLICATION.

- (A) Every application for a variance shall be filed with the Zoning Administrator on a prescribed form. Every variance application shall also be filed with the Soil and Water Conservation District as per state law. The Zoning Administrator shall promptly transmit said application, together with any device they might wish to offer, to the Combined Planning and Zoning Board.
- (B) The application shall contain sufficient information to allow the Combined Planning and Zoning Board to make an informed decision and shall include, at a minimum, the following:
- (1) Name and address of the applicant;
  - (2) Location of the structure/use for which the variance is sought;
  - (3) Brief description of adjacent lots, structures, and/or uses;
  - (4) Brief description of the problems/circumstances engendering the variance request;
  - (5) Brief, but specific, statement, explanation of the desired variance;
  - (6) Specific section(s) of this Chapter containing the regulations which, if strictly applied, would cause a serious problem;
  - (7) To scale drawing of said variance propose property;
  - (8) Surveyed plat with located property corners;
  - (9) Variance request staked out prior to placing structure on said property; and
  - (10) Any other pertinent information that the Zoning Administrator may require.

( Ord. No. 1712 , § 2, 2-16-21)

#### 40-21-3 PUBLIC HEARING; NOTICE.

- (A) The Combined Planning and Zoning Board shall hold a public hearing on each variance request not later than 60 days after the variance application is submitted to them. At the hearing any interested party may appear and testify either in person or by duly authorized agent or attorney.

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# REPORT TO COMBINED PLANNING & ZONING BOARD

## VILLAGE OF FREEBURG

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### VARIANCES CONTINUED

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- (B) Notice indicating the time, date, and place of the hearing, and the nature of the proposed variance shall be given not more than 30 nor less than 15 days before the hearing:
- (1) By certified mail to the applicant and by first class mail to all parties whose property is within 250 feet of the property affected by the proposed variance; and
  - (2) By publication in a newspaper of general circulation within the Village.

( Ord. No. 1712 , § 2, 2-16-21)

State law reference(s)—(65 ILCS 5/11-13-6)

#### **40-21-4 STANDARDS FOR VARIANCES.**

- (A) The Combined Planning and Zoning Board shall not grant any variance unless, based upon the evidence presented to them in each specific case, they determine that:
- (1) The proposed variance is consistent with the general purposes of this Chapter (See Section 40-1-2);
  - (2) Strict application of the district requirements would result in great practical difficulties or hardship to the applicant and prevent a reasonable return on the property;
  - (3) The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;
  - (4) The plight of the applicant is due to peculiar circumstances not of their own making;
  - (5) The peculiar circumstances engendering the variance request are not applicable to another property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and
  - (6) The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate implementation of this Village's comprehensive plan.
- (B) The Combined Planning and Zoning Board may impose such conditions and restrictions upon the location, construction, design, and use of the property benefitted by a variation as may be necessary or appropriate to comply with the foregoing standards and to protect adjacent property and property values.

#### **40-21-5 TERMS OF RELIEF; FINDINGS OF FACT.**

The Combined Planning and Zoning Board shall decide on every variance request within a reasonable time after the public hearing. In accordance with state law (65 ILCS 5/11-13-11), the Combined Planning and Zoning Board shall specify the terms of relief recommended, if any, in one statement and their findings of fact in another statement. The findings of fact shall clearly indicate the Combined Planning and Zoning Board's reasons for the granting or denying the requested variance.