

**VILLAGE PRESIDENT**  
Seth Speiser

**VILLAGE CLERK**  
Jerry Menard

**VILLAGE TRUSTEES**  
Ray Matchett, Jr.  
Mike Blaies  
Denise Albers  
Dean Pruett  
Mathew Trout  
Lisa Meehling

# 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

**VILLAGE ADMINISTRATOR**  
Tony Funderburg

**VILLAGE TREASURER**  
Bryan A. Vogel

**PUBLIC WORKS DIRECTOR**  
John Tolan

**POLICE CHIEF**  
Michael J. Schutzenhofer

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

April 6, 2018

## NOTICE

### MEETING OF THE COMBINED PLANNING AND ZONING BOARD

The Combined Planning and Zoning Board meeting has been scheduled for  
**Tuesday, April 10, 2018, at 6:00 p.m.**

- I. Items to be Reviewed  
**PLAN COMMISSION:**
  - A. Old Business
    - 1. Approval of March 13, 2018 Minutes
  - B. New Business

#### BOARD OF APPEALS:

- A. Old Business:
- B. New Business:
  - 1. Donald Bode Request for Special Use Permit
- C. General Concerns:
- D. Public Participation
- E. Adjourn

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Combined Planning and Zoning Board

Tuesday, March 13, 2018 at 6:00 p.m.

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The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, March 13, 2018, in the Municipal Center by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Kevin Groth, Rita Green, David Parrish, Gary Mack, Mike Heap, Lee Smith (absent), Village Administrator Tony Funderburg and Office Manager Julie Polson. Guests present: Bill Vollmer, Bob Vollmer, Trustee Matt Trout, Village Clerk Jerry Menard and Trustee Mike Blaies.

### PLAN COMMISSION:

#### A. Old Business:

1. Approval of February 13, 2018 Minutes: Trustee Gary Mack motioned to approve the February 13, 2018 minutes and Kevin Groth seconded the motion. All voting yea, the motion carried.
2. Recommend Change in Preliminary Plat Approval for Subdivision from three to five years: Chairman Steve Woodward read the notice and swore in those individuals wishing to speak. Steve explained this board had previously discussed and recommended this, but the required hearing was not held. Rita doesn't understand why we have to change it. Village Administrator Tony Funderburg explained currently our code provides for a one-year timeframe for the preliminary plat approval with the option to extend that for three years. Tony would like to change the three years to five years. If the subdivision is being developed in stages, Tony believes this is a more reasonable timeframe in order for the developer to obtain final approval of the plat. Kevin Groth asked if the five years has to be approved, and Tony said yes.

Gary Mack motioned to recommend the approval period for the preliminary plat be changed from three to five years and Kevin Groth seconded the motion. **ROLL CALL VOTE:** GM/KG. RG=yes; KG=yes; MH=yes; GM=yes; DP=yes; SW=yes. 6 yes, 1 absent.

Gary Mack motioned to close the hearing at 6:07 p.m. and Mike Heap seconded the motion. All voting yea, the motion carried.

#### B. New Business:

1. Preliminary Plat Approval for Lone Oak Trails Second Addition and Timberwolf Estates Second Addition: Bill and Bob Vollmer are here to present the second additions to these subdivisions, and advised that they would like to add additional lots this coming year. These are the same, exact plats that were approved 15 years ago. There have been no changes to sizes or number of lots. We are only requesting approval of the preliminary plats. Bill stated over the next few months, they will work with their engineers to decide which lots will go in this year. Then he will come back with the final plats to address the remaining requirements. Village Administrator Tony Funderburg said we have reviewed some of the requirements in a previous meeting. Rita questioned the size of the cul-de-sacs since they have changed it from 120 feet in diameter to 100. Tony explained there would have been a variance hearing when these plats were presented 15 years ago. Tony stated the variance lives forever with the property and has already been granted. Mike Blaies wanted to know which way the storm water will run. Bill Vollmer said on Lone Oak

it runs north to south, on Timberwolf it runs north to south on the east and in the middle, both ways. He also stated Wolf Road is much higher than Freeburg-Douglas Road.

*Gary Mack motioned to approve the Lone Oak Subdivision Second Addition Preliminary Plat for approval and David Parrish seconded the motion. ROLL CALL VOTE:* Gary Mack – yes; David Parrish – yes; Rita Green – yes; Kevin Groth – yes; Mike Heap – yes; Lee Smith – absent; Steve Woodward – yes. With 6 yes votes, 0 no votes, 1 absent, the motion carried.

*Gary Mack motioned to approve the Timberwolf Subdivision Second Addition Preliminary Plat for approval and David Parrish seconded the motion. ROLL CALL VOTE:* Gary Mack – yes; David Parrish – yes; Rita Green – yes; Kevin Groth – yes; Mike Heap – yes; Lee Smith – absent; Steve Woodward – yes. With 6 yes votes, 0 no votes, 1 absent, the motion carried.

Tony stated we need to look at all of the costs upfront when a developer wants to come into Freeburg. Tony said the developers for the new subdivision will be paying for the electric infrastructure materials, and we will pay the labor for it to be installed. Trustee Trout commented with the developer paying for the electric materials, that will offset the \$1,500 development fee. Tony advised we may look at taking that \$1,500 out of the code and use a more cost effective way for the developers to share in the cost of the development's impact on our infrastructure.

Tony and Julie are going to work on a checklist for both the preliminary and final plats. Steve said the final plat was always reviewed by a different engineer, and they would prepare an advisory report detailing their findings for the board. Will put checklist together to review final plat, and SW said that was always done in the past.

David Parrish advised he is moving to O'Fallon and presented his letter of resignation from this board.

Rita brought up the daycare center being built on State Street and asked if there is a building material requirement. Julie stated that was passed by ordinance. She will get that information to Tony.

**BOARD OF APPEALS:**

- A. Old Business: None.
- B. New Business: None.
- C. General Concerns: None.
- D. Public Participation: None.

E. Adjourn: *Gary Mack motioned to adjourn the meeting at 6:33 p.m. and Rita Green seconded the motion.* All voting yea, the motion carried.



Julie Polson  
Office Manager

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NOTICE OF HEARING BEFORE THE  
COMBINED PLANNING AND ZONING BOARD  
SPECIAL USE PERMIT  
18-03

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, April 10, 2018, at 6:00 p.m.**, in the Freeburg Municipal Center, 14 Southgate Center, Freeburg, Illinois. Applicant is requesting a special use permit pursuant to Freeburg Zoning Ordinance 40-8-4, MR-2 Special Uses, Home Occupations 40-17-4, and 40-22 Special Use Permits. Applicant is requesting a special use permit to operate a welding and machine shop business in the MR-2 Zoning District.

615 N. Main Street  
Freeburg, IL 62243

As a result of the petition of Donald Bode, 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.

Dated at Freeburg, Illinois, this 15<sup>th</sup> day of March, 2018.

Steve Woodward, Chairman  
Combined Planning and Zoning Board

## INFORMATION FOR APPLICANTS FOR A SPECIAL USE PERMIT

40-10-24 **SPECIAL-USE PERMITS.** This Chapter divides the Village into various districts, and permits in each district as a matter of right only uses, because of their special operational or physical characteristics, may or may not have a detrimental impact on nearby permitted uses, depending upon their "special uses" require careful case-by-case review, and may be allowed only after review and approval by the Zoning Board of Appeals.

40-10-25 **APPLICATION.** Every application for a special-use permit shall submit to the Zoning Administrator in narrative and/or graphic form, the items of information enumerated below. The Administrator shall promptly transmit the completed application, together with any comments or recommendation he might have, to the Zoning Board of Appeals. (Note: Filing fee required in Section 40-9-7)

### **ITEMS OF INFORMATION:**

- (A) Name and address of the applicant;
- (B) Name and address of the owner or operator of the proposed structure or use, if different from (A);
- (C) Nature of the proposed use, including type of activity, manner of operation, number of occupants or employees, and similar matters'
- (D) Location of the proposed use or structure, and its relationship to existing uses of structures on adjacent lots;
- (E) Area and dimensions of the site for the proposed structure or use;
- (F) Existing topography of the site and proposed finished grade;
- (G) Existing and proposed screening, landscaping, and erosion control features on the site, including the parking area;
- (H) Height and setbacks of the proposed structure;
- (I) Number and size of the proposed dwelling units, if any;
- (J) Number and location of proposed parking/loading spaces and access ways;
- (K) Identification and location of all existing or proposed utilities, whether public or private; and/or
- (L) Any other pertinent information that the Administrator may require.

40-10-27 **FACTORS CONSIDERED BY THE BOARD.** The Zoning Board of Appeals shall consider the following factors in making a decision:

- (A) Whether the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety, and municipality's comprehensive plan, if any;
- (C) The effect the proposed special use would have on the value of neighboring property and on this municipality's overall tax base;
- (D) The effect the proposed special use would have on public utilities and on the traffic circulation on nearby streets; and
- (E) Whether there are any facilities near the proposed special use (such as schools or hospitals) that require special protection.

40-10-28 **DECISION - FINDINGS OF FACTS.** The Zoning Board of Appeals shall reach a decision on every special-use permit application within a reasonable time after public hearing. In accordance with State Law (Illinois Revised Statutes, Chapter 24, Section 11-13-11), the Zoning Board of Appeals shall specify the terms and conditions of the permit to be granted (if any) in one statement, and their findings of fact in another statement. The findings of fact shall be responsive in the decision-making factors listed in the preceding section and shall clearly indicate the Zoning Board's reasons for granting, with or without modifications and/or conditions, or denying the requested special-use permit.

APPLICATION FOR SPECIAL USE PERMIT

Zoning Board of Appeals  
Municipal Center  
14 Southgate Center  
Freeburg, Illinois 62243



Special Use Permit No. 18-03  
Date: 3/7/18

\*\*\*\*\*

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

Date set for hearing: 4/10/18 Perm. Parcel No. 14-19.0-201-060  
Date hearing held: \_\_\_\_\_ Fee Paid to Village Clerk:  
Notice published on: 3/15/18 \$ 125.00 DATE: \_\_\_\_\_  
Newspaper: Freeburg Tribune

Action by Zoning Board of Appeals: Comments: (indicate other actions, such as  
( ) Denied continuances):  
( ) Approved \_\_\_\_\_  
( ) Approved with modifications by Board \_\_\_\_\_

\*\*\*\*\*

Instructions to Applicants: Forms are to be typed when possible. All information required by this application must be completed and submitted herewith. Applicants are encouraged to visit the office of the Zoning Administrator for any assistance needed in completing this form.

Notice to Applicant: Applicants are also instructed to read the "Information for Applicants of a Special Use Permit" on the front page. An application for "Building and Zoning Occupancy Permit" must accompany this application.

1. Name of Owner or Owners, and other interested parties or stockholders: (attach additional sheets, if necessary)

DONALD E BODE bodeswelding@msn.com

SO E BODE

Address: 615 N. MAIN ST FREEBURG IL Phone: 217-737-7351  
(zip code) 62243

2. Applicant's name: DONALD E BODE

Address: 615 N MAIN ST 62243 Phone: 217-737-7351  
(zip code)

3. Property interest of applicant: WELDING REPAIR SHOP - MACHINE SHOP

4. With respect to any portion of these premises, a previous appeal or petition for a variance was made:

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

\_\_\_\_\_

5. Address of property: 615 N MAIN ST

6. Present use of property: BACK YARD

7. Present zoning district of property: MR-1

8. Check one of the following where applicable:
- Public service building, specify type: \_\_\_\_\_
  - Public utility building or structure, specify type: \_\_\_\_\_
  - Planned multiple-family residential development
  - Planned mobile home park development
  - Planned business center development
  - Other planned development; specify Welding & Machine Shop
- Welding Repair some light FABRICATION
- Use variance; specify type of use proposed: HO-7-5 B

9. All applications for special use permit shall file a site plan in accordance with Division IV, 40-10-25, of the Zoning Ordinance. The following additional information shall be provided:

- a) Number of proposed dwelling units, if any \_\_\_\_\_  
Number of proposed structures 1
- b) Number of existing dwelling units, if any 1  
Number of existing structures 1
- c) Number of proposed dwelling units per structure, if any \_\_\_\_\_
- d) Number of existing dwelling units per structure, if any \_\_\_\_\_
- e) Acreage proposed to be devoted to each type use \_\_\_\_\_
- f) Existing acreage devoted to each type use \_\_\_\_\_
- g) Number of proposed off-street parking spaces \_\_\_\_\_. Provide other describe proposed development. (Attachments may be used.)
- h) Number of existing off-street parking spaces \_\_\_\_\_. Provide other such pertinent information as may be reasonably required to fully describe proposed development. (Attachments may be used.)

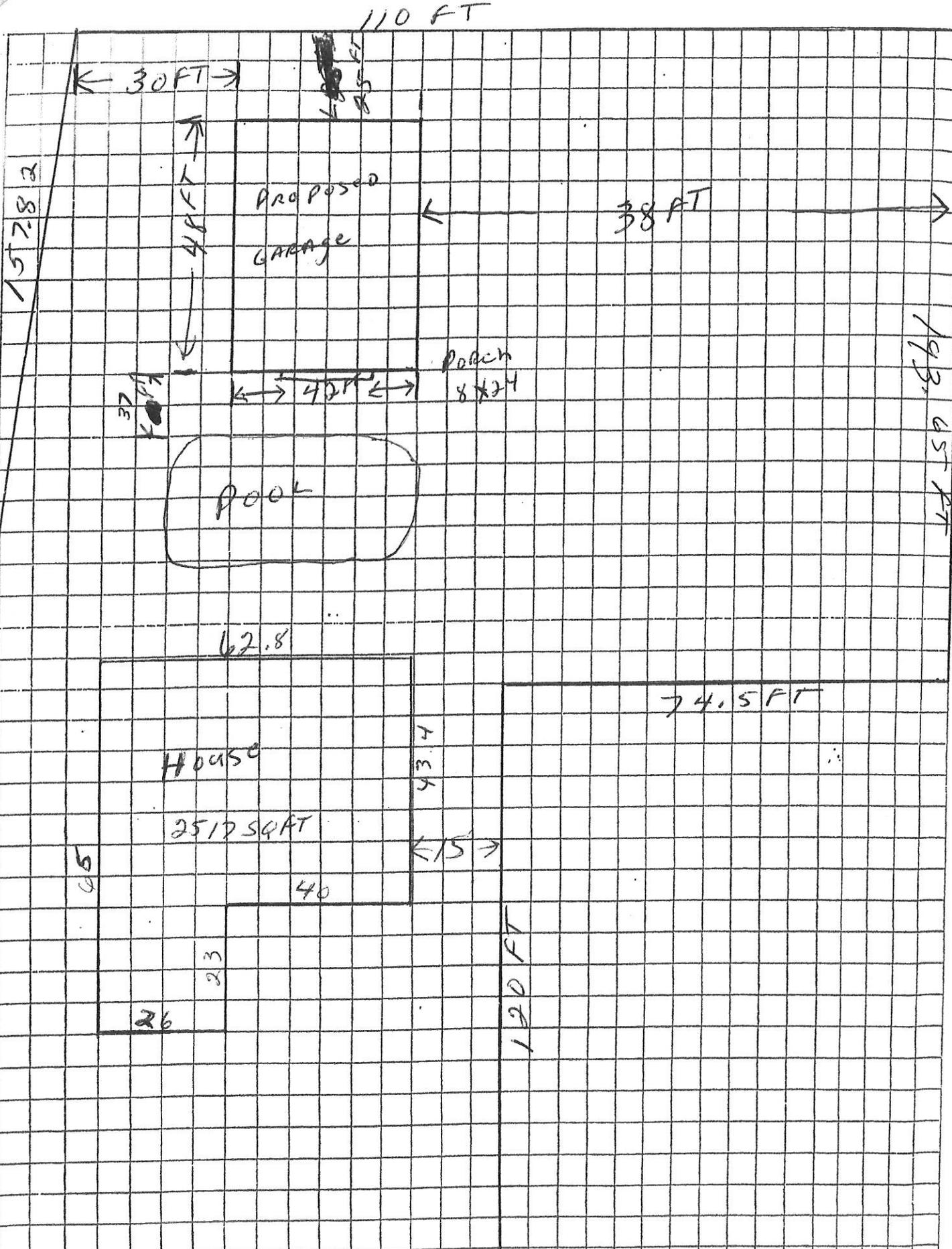
10. A special use permit is requested in conformity with the powers vested in the Board of Appeals by the Village Board to permit the development on the property described above, and in conformity with the plans, statements, and other documents submitted with this application.

I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

I consent to the entry in or upon the premises described in this application by any authorized official of the Village for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

Date: \_\_\_\_\_ Applicant: \_\_\_\_\_  
Date: \_\_\_\_\_ Owner(s): \_\_\_\_\_

195. FT



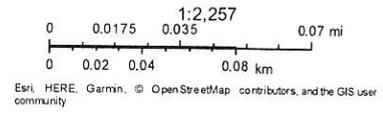
St Clair County Parcel Map Viewer



Donald Bode, 615 N. Main



3 / 7 / 2018 4 : 16 : 43 PM  
 □ Parcels      □ Green: Band\_2  
 — Roads      ■ Blue: Band\_3  
 ■ Red: Band\_1



Property Owners that abut  
615 N. Main Street, Freeburg

	<u>Property Address:</u>	<u>PIN:</u>
1. Richard/Mary Dambacher	609 N. Main St.	14-19.0-201-061
2. Charles Hopfensperger	707 Rogers Drive	14-19.0-201-014
3. Richard Dambacher/Tracy Green	613 N. Main St.	14-19.0-201-059
4. Larry Hoffman Trust	697 N. State St.	14-19.0-201-049
5. John/Janet Zimmerman	619 N. Main St.	14-19.0-201-051