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Seth Speiser

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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

VILLAGE ADMINISTRATOR
Tony Funderburg

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Michael J. Schutzenhofer

ESDA COORDINATOR
Eugene Kramer

ZONING ADMINISTRATOR
Matt Trout

VILLAGE ATTORNEY
Weilmuenster Keck Brown, P.C.

April 9, 2020

NOTICE MEETING OF THE COMBINED PLANNING AND ZONING BOARD

**IN ACCORDANCE WITH EXECUTIVE ORDER 2020-07, THE PUBLIC
CAN PARTICIPATE THROUGH THE ZOOM CLOUD MEETING
APPLICATION AND CLICKING ON THE FOLLOWING LINK:**

Meeting ID 866 267 637

Join URL: <https://zoom.us/j/866267637>

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

The Combined Planning and Zoning Board meeting has been scheduled for
Tuesday, April 14, 2020 at 6:00 p.m.

I. Items to be Reviewed

PLAN COMMISSION:

- A. Old Business
 - 1. Approval of March 10, 2020 Minutes
- B. New Business:
 - 1. David and Karen Fellows Rezoning Hearing
 - 2. Edison Estates Engineering Plans

BOARD OF APPEALS:

- A. Old Business:
- B. New Business:
- C. General Concerns:
- D. Public Participation
- E. Adjourn

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Combined Planning and Zoning Board
Tuesday, March 10, 2020 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:02 p.m. on Tuesday, March 10, 2020 in the Municipal Center by Acting Chairperson Gary Mack. Members present were Chairperson Steve Woodward (absent), Dirk Downen, Rita Green, Kevin Groth (absent), Gary Henning (absent), Gary Mack, Lee Smith (absent), Zoning Administrator Matt Trout and Office Manager Julie Polson. Guests present: Trustee Mike Heap and Mike Blaies. With 3 present and 4 absent, there was not a quorum.

PLAN COMMISSION:

A. Old Business:

1. Approval of February 25, 2020 Minutes: Minutes could not be approved due to the lack of quorum.
2. Zoning Code Review: Starting with Article II – General Zoning Regulations, this would be where we add estate lots. Mobile Housing was changed to Manufactured Housing.

40-2-5, Annexed territory: Dirk asked what happens if someone wants to annex in other than SR-1. Julie said this board will hear the request for a zoning amendment, and their recommendation would go to the Village Board for a vote.

40-2-10, Front setback: Rita asked if we removed setback as a definition, and we revised it to setback line at the last meeting.

40-2-12, Intrusions into yards: The committee discussed this section at length, specifically the issue of smaller yards where allowing these intrusions could leave very little room between the intrusion and property line. After a lengthy discussion, language was added after requirements: as long as no previous variance had been granted and is maintained at least 3 feet from the lot line. Under porches, remove at ground level. This is an area to be aware of when a building permit is requested and reviewed by the Zoning Administrator. A variance is only required if the feature is outside the maximum intrusion. Rita asked if there could be a minimum like with detached garage.

40-2-15, Accessory Uses: Rita wanted to change the definition of accessory use (1), from subordinate in size or purpose to subordinate in size and purpose. Gary felt we should leave it as is because that makes the definition more broad in scope. Rita doesn't remember seeing a restriction that the building has to be smaller than the principal structure. Matt confirmed it is noted under the accessory use definition. Belleville makes you build your primary structure first. Matt feels we need to protect ourselves moving forward. Rita feels we should have something in our code that states no accessory structure will be allowed unless the principal structure exists. Matt discussed whether this should be applied under the agricultural lots. He feels it should be restricted in every zoning district and then come in for a variance if needed. Added under General

Limitations, (4): The principal structure must be constructed prior to constructing the accessory structure.

40-2-16: Matt said under Setbacks, he added #3 which reads: Accessory structures must be at least 10 feet from the primary structure. Matt said a lot of communities are doing this so it avoids a building being set right next to the primary structure and be more spaced out. It might not work on the smaller lots in town. Rita has seen it used so people couldn't connect the accessory structure to the primary structure and consider it all one structure.

Dirk questioned 40-2-16 (A)(1) where it states a maximum of one incidental structure such as a shed for storage, potting, tools, etc. per unit shall be allowed as an accessory use per one and two family dwelling excluding the agriculture district. He also mentioned 40-2-16(A)(3) where it states, one detached garage or covered carport shall be allowed as an accessory structure per one and two family dwelling. If he has a duplex, does that mean one potting shed and one garage for each unit? Mike Blaies said a lot of duplexes have a carport and then a shed attached to the back of the carport. Matt said in his mind, this is in place to eliminate a number of small sheds on the property. Dirk said there is a limit, you can have a garage and one accessory structure, so that is two you are allowed to have. The way this reads, he can have two of those per two-family dwelling, not per unit. Dirk said he's on the fence of whether it should be a garage per unit or per building. To Gary, he thinks it should be per dwelling. Under 40-2-16(A)(3), added unit at end of sentence. Rita asked about the front yard issue, and Dirk said it is under the setback restrictions, 40-2-16(C)(1).

40-2-16(C)(1), Setbacks: Currently it reads, no accessory use in any zoning district shall be located in any part of any front yard that is required because of the setback regulations of such district. All other setback requirements are established in the area-bulk schedule in Section 40-2-17. Rita said we are talking about the potential space between the front of the house and the building line. Gary doesn't think we should have anything there and Matt agreed. Rita said this is supposed to be a standard for the majority of the village. This was changed to read: No accessory use in any zoning district shall be located between the front lot line(s) and the principal structure. All other setback requirements are established in the area-bulk schedule in Section 40-2-17.

40-2-18, Parabolic or Dish-Type Antennas: Dirk said certain vendors have distance limitations so if you have a sprawling building, you need more than one dish. Currently, screening is deemed necessary for commercial installations. Necessary if the zoning administrator believes so. Matt believes this section of the code is irrelevant. Item (K) that dealt with a violation of the Code and was removed.

40-2-19, Single Side Yard; Special Use Permit: Dirk feels the 1,000 square feet required floor area is too big. Matt said this doesn't say footprint, but this is a whole. For accessory buildings, we used footprint. The garages, open porches, cellars and basements are not included. Matt would like to see something like this with a minimum square footage requirement in single family in general. Matt said around 1,000 square feet is where he is thinking. This is something the committee can think about. Rita thinks the average house being built is about 1500 square feet. If we go larger than that, we could have more issues down the road.

The solar section is pretty new and Matt thinks we are good with that. We will start with Planned Development next.

B. New Business:

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 7:55 p.m. and Rita Green seconded the motion. All voting yea, the motion carried.*



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Office Manager

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NOTICE OF HEARING BEFORE THE COMBINED PLANNING AND ZONING BOARD

Public 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 14, 2020 at 6:00 p.m.**, in the Municipal Center, 14 Southgate Center, Freeburg, Illinois. This meeting is to review a request from David and Karen Fellows to rezone the following property from SR-1 (single-family residential) to A (agriculture), for the following:

930 Cemetery Road
Freeburg, Illinois
P. I. N.: 14-21.0-400-028

Information 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 26th day of March, 2020.

**PETITION FOR THE ANNEXATION
OF THE FELLOWS PROPERTY
TO THE VILLAGE OF FREEBURG, ILLINOIS**

NOTICE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the sole owners of record and at least fifty-one percent (51%) of the electors of the following described territory have filed a Petition for Annexation (pursuant to 65 ILCS 5/7-1-1 et seq.) with the Village Clerk of the Village of Freeburg, requesting the annexation of the territory described as follows:

Part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 1 South Range 7 West of the Third Principal Meridian, being more particularly described as follows:

Commencing at a stone at the northeast corner of the southwest quarter of the southeast quarter of Said Section 21; thence South on the east line of said quarter-quarter section, a distance of 200.0 feet to a point on the centerline of "Straight Line Road" (also known as "Cemetery Road"), reference being had to the plat there of recorded in the Recorder's Office of said St. Clair County in Book of Plats "39" on pages 8, 9, and 10, the point of beginning of the tract of land herein described; thence continuing South on the east line of said quarter-quarter section, a distance of 764.02 feet to the southeast corner of a tract of land conveyed to David E. Fellows and Karen D. Fellows by Warranty Deed dated November 18, 1985 and recorded in said Recorder's Office in Book 2628 on pages 1382 & 1383; thence westerly a distance of 276.84 feet to the southwest corner of said tract, being the southeast corner of a 1.26 acre tract of land conveyed to Dave E. Fellows and Karen D. Fellows by Quit Claim Deed dated September 26, 1989 and recorded in said Recorder's Office in Book 2760 on pages 386-389; thence continuing westerly to the southwest corner of said 1.26 acre tract, being on the easterly right-of-way of the 60 feet wide public road known as Barber Lane; thence northeasterly on said easterly right-of-way line a distance of 831.8 feet to a point; thence northeasterly on said easterly right-of-way line, a distance of 51.3 feet to a point on the centerline of the above referenced "Straight Line Road"; thence southeasterly on said centerline to the point of beginning, and being contiguous with the corporate limits of the Village of Freeburg, Illinois; together with that part of the 60 feet wide public road right-of-way known as "Barber Lane" that lies west of and adjoining the west line of the above described tract, and that part of the 50 feet wide public road right-of-way of the above referenced "Straight Line Road" that lies north of and adjoining the north line of the above described tract.

PIN: 14-21.0-400-028

The property is commonly known as 930 Cemetery Road, Freeburg, IL.

Said Petition has been filed in the Village Clerk's Office on March 9, 2020.

An ordinance to annex said property will be presented to the corporate authorities of the Village of Freeburg, St. Clair County, Illinois at the regular Village Board meeting on Monday, April 20, 2020 at 7:15 p.m. at the Freeburg Municipal Center, 14 Southgate Center, Freeburg, Illinois.

Dated: March 23, 2020

VILLAGE OF FREEBURG, ILLINOIS

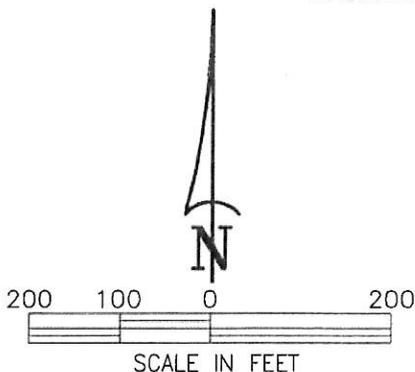
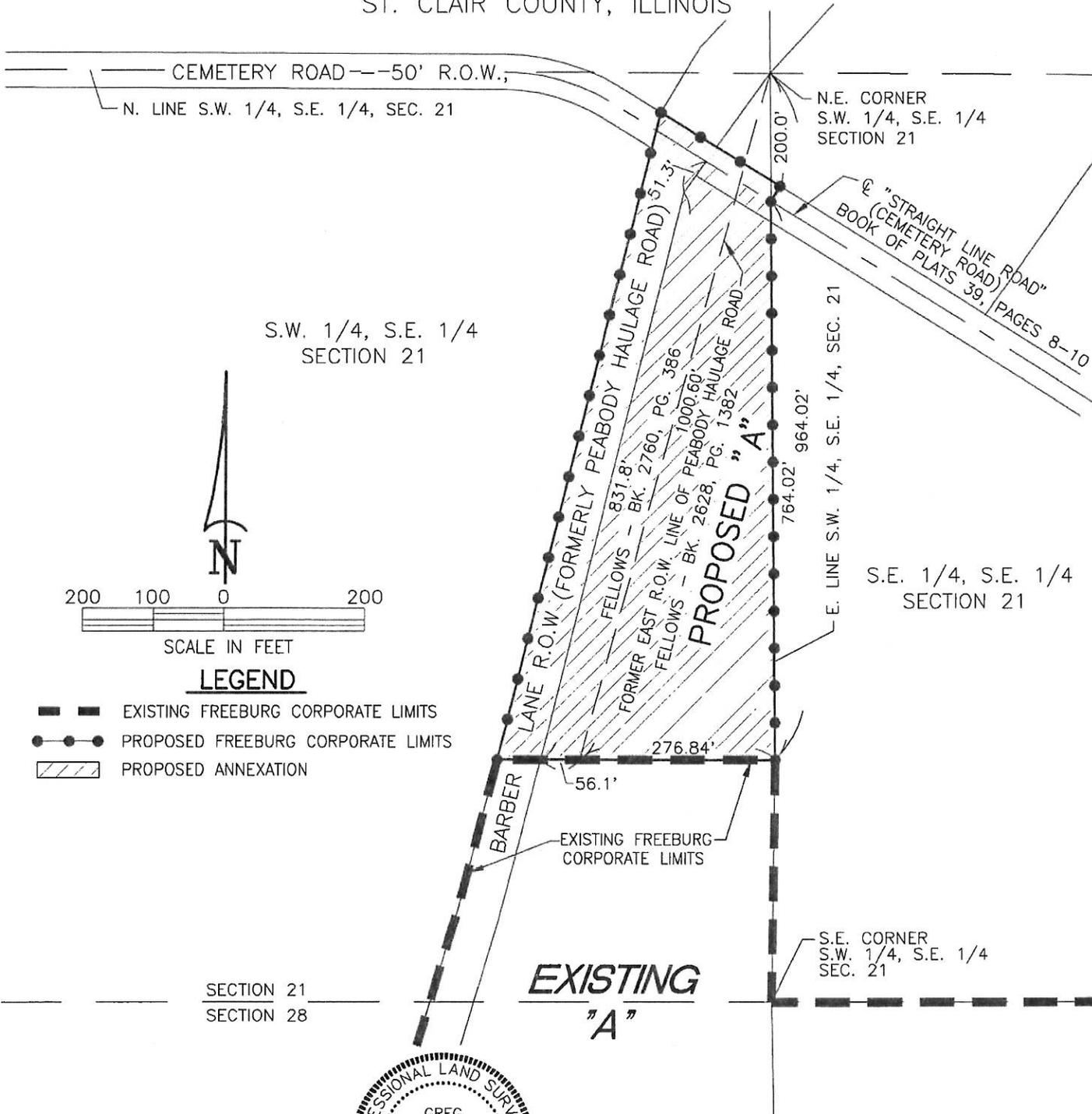
By: _____

Fred W. Keck
Village Attorney

VILLAGE OF FREEBURG, ILLINOIS
14 Southgate Center
Freeburg, Illinois
Telephone: 618/539-5545

ANNEXATION PLAT ORDINANCE NO. _____ FREEBURG, ILLINOIS

PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 21
T. 1 S., R. 7 W. OF THE 3RD P.M.
ST. CLAIR COUNTY, ILLINOIS



LEGEND

- EXISTING FREEBURG CORPORATE LIMITS
- PROPOSED FREEBURG CORPORATE LIMITS
- PROPOSED ANNEXATION

SECTION 21
SECTION 28

EXISTING
"A"

I DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION

Greg J. Hahn 3/20/2020
GREG J. HAHN, I.P.L.S. NO. 3769 DATE
LICENSE EXPIRATION DATE: 11/30/2020

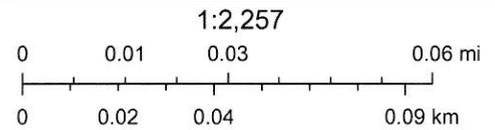


RHUTASEL and ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
FREEBURG, ILLINOIS SALEM, ILLINOIS
(618) 539-3178 (618) 532-1992
IL. LICENSE NO. 184-000287

David and Karen Fellows



3/23/2020, 9:49:17 AM



Property Owners that abut 930 Cemetery Road
Applicant: David and Karen Fellows
14-21.0-400-028

Paul Fortman	83 Barber Lane	14-28.0-200-007
Gerald Reuter and Stephanie Babinsky	Cemetery Road	14-21.0-400-010
Billie Louthan	970 Cemetery Road	14-21.0-400-031
Coast-to-Coast Business	Straight Line Road	14-21.0-400-026
Earl/Mildred Krieg	Cemetery Road	14-21.0-400-027