

**VILLAGE PRESIDENT**  
Seth Speiser

**VILLAGE CLERK**  
Jerry Menard

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

**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**  
Tony Funderburg

**PUBLIC WORKS DIRECTOR**  
John Tolan

**POLICE CHIEF**  
Michael J. Schutzenhofer

**ESDA COORDINATOR**  
Eugene Kramer

**ZONING ADMINISTRATOR**  
Matt Trout

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

July 6, 2018

## **NOTICE**

### **MEETING OF THE COMBINED PLANNING AND ZONING BOARD**

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

**I. Items to be Reviewed**

**PLAN COMMISSION:**

**A. Old Business**

1. Approval of June 12, 2018 Minutes – Unavailable
2. Meadow Pines Subdivision Engineering Plans

**B. New Business**

1. Zoning Code Amendment Hearing Regarding Video Gaming Parlor and Revision of Parking Space Requirement

**BOARD OF APPEALS:**

**A. Old Business:**

**B. New Business:**

1. Scott and Angie Mueller Area Bulk Variance Request

**C. General Concerns:**

**D. Public Participation**

**E. Adjourn**

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## NOTICE OF HEARING BEFORE THE COMBINED PLANNING AND ZONING BOARD

### AMEND ZONING CODE 18-07

#### TO WHOM IT MAY CONCERN:

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, July 10, 2018 at 6:15 p.m.**, in the Municipal Center, 14 Southgate Center, Freeburg, Illinois. This meeting is to review a proposed amendment to Section 40-1-9 of the Zoning Code of the Village of Freeburg which will add a video gaming parlor as a definition in the Zoning Code; and also 40-11-1 which will add a video gaming parlor as a permitted use in the B-2, Highway Business District.

This meeting is to also review a proposed amendment to Section 40-15-13 of the Zoning Code of the Village of Freeburg which will revise the number of parking spaces under (C) Commercial, office service to 1 space per 2 seats or 1 space per 200 sq. ft. of floor area, whichever is greater.

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.

Dated at Freeburg, Illinois, this 21st day of June, 2018.

Steve Woodward, Chairman  
Combined Planning and Zoning Board

**CHAPTER 40**  
**ZONING CODE**  
**ARTICLE I – GENERAL PROVISIONS**

**40-1-9**      **DEFINITIONS.** For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*Video Gaming Café.* An establishment or a business whose primary purpose is to operate video gaming terminals as defined under the Illinois Video Gaming Act and in which the sale of pre-packaged foods or snacks and alcoholic beverages are only incidental to the operation of the video gaming terminals. These establishments cannot have patios, musical events, additional games such as pool tables, pinball machines, etc.

**ARTICLE XI - "B-2" HIGHWAY BUSINESS DISTRICT**

**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. **(Sec. 155.180)**

**40-11-4**      **PERMITTED USES.** Provided all the use restrictions of the "B-2" District are observed, the following uses are permitted:

- (A) Any use permitted in the "B-1" District.
- (B) Churches and related facilities.
- (C) Clubs and lodges.
- (D) Commercial establishments, any type, including drive-in facilities.
- (E) Such uses as the following are especially appropriate in this district:
  - (1) Bowling alleys.
  - (2) Furniture and appliance sales.
  - (3) Greenhouses.
  - (4) Lumber and building supplies sales.
  - (5) Mobile home and recreational vehicles sales.
  - (6) Motor vehicles sales.
- (F) Government uses.
- (G) Offices.
- (H) Service establishments, any type, including drive-in facilities.
- (I) Such uses as the following are especially appropriate in this district:
  - (1) Animal hospitals.
  - (2) Banks and other financial institutions.
  - (3) Motels.
  - (4) Motor vehicles services.
  - (5) Restaurants.
  - (6) Service stations.
  - (7) Video Gaming Cafe
  - (8) Accessory uses in accordance with **Section 40-2-15.**
- (J) Day care centers. **(Ord. No. 1171; 02-07-04)**

**ARTICLE XV - OFF-STREET PARKING AND LOADING**

**40-15-13 NUMBER OF PARKING AND LOADING SPACES REQUIRED.** Off-street parking and loading spaces shall be provided as indicated in tabular form below. For any use that is not listed in the table, the same amount of parking and loading space shall be provided as is required for the most similar listed use. The Zoning Administrator shall make the determination of similarity:

(C) Commercial, office service:

<i>Parking Spaces Use</i>	<i>Loading Spaces Required</i>	<i>Required (if any)</i>
Video Gaming Cafe	1 space per 2 seats or 1 space per 200 sq. ft. of floor area, whichever is greater	1 space per structure having 10,000 sq. ft. or more of floor area

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## NOTICE OF HEARING BEFORE THE COMBINED PLANNING AND ZONING BOARD

### AREA BULK VARIANCE REQUEST 18-06

#### 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, July 10, 2018, at 6:00 p.m.**, in the Freeburg Municipal Center, 14 Southgate Center, Freeburg, Illinois. Applicant is requesting an area bulk variance pursuant to Freeburg Zoning Ordinance 40-7-3(G), MR-1 Maximum percent coverage per lot from 30% to 32% for PIN 14-19.0-448-025; and from 30% to 40% for PIN 14-19.0-448-026. Applicant is also requesting a variance for the rear lot line from 25 feet to 24 feet for P.I.N. 14-19-448-025.

P.I.N. 14-19.0-448-025/S. Richland  
P.I.N. 14-19.0-448-026/105 S. Richland  
Freeburg, IL 62243

As a result of the petition of the Scott and Angie Mueller, 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 21st day of June, 2018.

Steve Woodward, Chairman  
Combined Planning and Zoning Board

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. 18-06  
Date: 6/18/18

\*\*\*\*\*

(DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY) 14-19.0-448-025

Date set for hearing: 7/10/18  
Date hearing held: \_\_\_\_\_  
Notice published on: 6/21/18  
Newspaper: Freeburg Tribune

Permanent Parcel No. 14-19.0-448-026  
Fee Paid to Village of Freeburg  
\$ 125.00 Date: 6/21/18

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. Applicants are encouraged to visit the office of the Zoning Administrator for any assistance needed in filling out this form.

=====

1. Name of Owner(s)/Email: SCOTT & ANGIE MUELLER

Address: 351 DEERWOOD CT Phone 618 781-9501

2. Name of Applicant(s)/Email: SCOTT & ANGIE MUELLER

Address: 351 DEERWOOD CT Phone 618 781-9501

3. Property interest of applicant: owner

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

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

5. Address of property: 105 S RICHLAND

6. Present use of property: empty lot MR-1

7. Proposed use of property: Duplex

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Do the existing structures comply with all area and bulk regulations for the zone district in which it is located?  Yes ( ) No If "No," specify each non-conforming condition.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- ( ) Too narrow                      ( ) Topography                      ( ) Soil
- ( ) Too small                        ( ) Drainage                         ( ) Sub-surface
- ( ) Too shallow                      ( ) Shape                             ( ) Other: \_\_\_\_\_

Does not meet 35% LAND COVERAGE

11. What is the "minimum" modification (variance) from the area-bulk regulations that will permit you to make use of your land? (Specify, using maps, site plans with dimensions, and written explanation. Attach additional sheets if necessary).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. 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 similar affected?  
\_\_\_\_\_  
\_\_\_\_\_

13. An area/bulk variance is requested for the property described above in conformity with the documents submitted herewith.

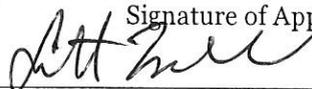
I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

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 posting, maintaining, and removing such notices as may be required by law.

Date: 6/14/18

Date: 6/14/18

  
Signature of Applicant

  
Signature of Owner

Property Owners that abut  
S. Richland Street and 105 S. Richland Street  
Scott and Angie Mueller

	<u>Property Address:</u>	<u>PIN:</u>
1. Andrew Diefenbach/Amanda Dressler	12 S. Richland	14-19.0-436-016
2. Adam Morgan	11 S. Richland	14-19.0-441-007
3. First Baptist Church	18 S. Monroe	14-19.0-441-019
4. Kenneth/Kristin Morris	102 S. Monroe	14-19.0-448-027
5. Milton/Cynthia Weber	106 S. Monroe	14-19.0-448-022
6. Samuel/Pearl Koesterer	102 S. Richland	14-19.0-447-005
7. Elaine Garnett	104 S. Richland	14-19.0-447-006
8. Elaine Garnett	106 S. Richland	14-19.0-447-007
9. Barbara Winterbauer	108 S. Richland	14-19.0-447-008
10. David/Dorothy Maurer	110 S. Richland	14-19.0-447-009
11. Rachelle Rawley Muir	312 W. Washington	14-19.0-448-021
12. August/Sharon Clossen	310 W. Washington	14-19.0-448-020
13. Citizens Community Bank	302 W. Washington	14-19.0-448-023



