

**VILLAGE OF MILLSTADT
ZONING BOARD MEETING
APRIL 24, 2018
7:30 P.M.**

The meeting was called to order by Chairman Mike Wegescheide, with the following board members answering to roll call: Mike Wegescheide, Wayne Muskopf, Mark Germann, Dave Graf, Charlie Butzinger and Mike Capell. Board member Ron Krick was absent. Steve Muskopf, the Zoning Administrator, was present.

A motion was made by Mark Germann and seconded by Charlie Butzinger to approve the March 27th minutes. The motion carried unanimously.

Mike Wegescheide announced that there was one hearing on the agenda.

Hearing V-161 for a front setback variance, side setback variance, and a rear setback variance at 118 East Laurel Street

Crissy Pipik swore in all citizens wishing to speak.

II PROGRESSIVE PROPERTIES, LLC HEARING: Mike Wegescheide stated Lee Vogel is the manager of II Progressive Properties, LLC and asked him to explain why he was asking for the variances. Mr. Vogel stated the Millstadt Ambulance Service approached him to discuss purchasing the lot to the east of the property they wanted to relocate into. Mr. Vogel purchased it to help the Ambulance Service with their venture. He would like to put a self-storage lot on this property. He doesn't want to put the storage buildings any closer than proposed because his customers would have issues driving between the buildings. He did propose to make the buildings smaller than he had originally asked. He talked with St. Clair County about the rear setback and they said he could be 8 feet from the property line without having a firewall when there is an alley. If he did that, then he could be 15 feet from the front which he views as an improvement. He is requesting a side setback variance of 15 feet for the fence line which would leave space for a sidewalk. Shay Roofing has a 5-foot setback variance and is the property to the south of Mr. Vogel's. Where the Ambulance Service will be located, a 5-foot setback variance was obtained when that building was built. The Ambulance service wrote a letter stating they had no issues with the variance requests and Jim Shay, owner of Shay Roofing, was present to state he had no issues, as well. Steve Muskopf stated written testimony cannot be accepted at this hearing so although it has been seen, it will not be taken into account. Jim Shay stated that if Mr. Vogel's variances won't affect his property, he has no problem with them. He does think the proposed development will upgrade the neighborhood. Steve asked what the parameters were that helped Mr. Vogel

decide what size buildings he needed. Mr. Vogel answered he looked at what room sizes he needs currently and what customers are needing that he can't provide at the Millstadt Self Storage behind Lee's Home Center. The flexibility of his design allows for changes in the sizes he can offer. Steve asked what the reason was that he couldn't meet the front setback. Mr. Vogel answered the biggest reason was because when he did a calculation of doing the project, he needed so many rooms of a certain type to make it a viable project. Steve asked if that was considered before he purchased the property. Mr. Vogel answered somewhat but he was trying to appease the Ambulance Service. Steve stated economic interest is not a standard for variances. If it is not viable within the confines of the zoning code, it isn't in the Village's best interest. Mr. Vogel stated the space of the layout he has fits the layout of the surrounding properties in the area. Steve replied the only buildings that don't meet the front setback variance are buildings that were there before the zoning code was in place and are considered non-conforming properties. Steve stated there isn't a specific designated entrance to the property, which is poor design. There should be a specified entrance and exit. Charlie Butzinger asked if there would be any issues with water retention. Mr. Vogel answered that was addressed early on and Steve Muskopf and Randy Burk, as City Engineer, confirmed it would be 100% impervious. Steve added that shouldn't be a problem. Mr. Vogel stated the entrance issues could be addressed by having specified areas. Steve replied it would restrict him to 12 to 14 feet from the buildings for driving areas. Mr. Vogel stated he could put a grass area towards the street. Steve replied that would be on a public right-of-way on an easement. Discussion followed about not building on easements because they cannot plan for the future. Steve stated the setbacks are there for reasons other than keeping people from putting their businesses closer to the street. Mike Wegescheide added that something could come in that would need to use that space and approving it now would set a precedent for the future. Mike Wegescheide asked what is the hardship with needing to put a property of the proposed size on that space. The Zoning Board does not look at economic hardships. The front and side setbacks are what is concerning. Wayne Muskopf agreed. Dave Graf added that once Mr. Vogel tears down the residential building that is currently there, he would have a clean slate and that would make it hard to recommend granting three setback variances for no need other than Mr. Vogel just wants to have bigger buildings. Steve added the minimum lot size is 20,000 feet for a property in an Industrial Zone and this lot meets all the requirements. Wayne Muskopf asked if this would be classified as inside storage. Mr. Vogel answered yes and when that issue came up at Millstadt Self Storage he took care of it and broke the leases. Mike Wegescheide stated they all agree that the kind of property they are proposing is appropriate, but they are unhappy with the size. They would like for it to fit the lot but are willing to look at the rear setback. Mr. Vogel suggested he could tighten up the drive lanes between buildings. Steve suggested moving the whole complex to the west 10 feet instead of tightening up the areas. He would then need a side setback and rear setback variance. He would meet the front setback and would need a side setback variance on the Ambulance side instead of the street side. Discussion followed about where to move the buildings and changing the size of the buildings. Steve and Mr. Vogel proposed moving closer to the rear property line so that the buildings would be 5 feet from the property line. Mike Capell asked Jim Shay if that would affect him. Mr. Shay answered it would not be a problem for him. Steve proposed asking for an 8-foot setback on the west side and a 2-foot setback in the front.

The lanes would be reduced to 24 feet but that wouldn't affect what they are deciding at this meeting. Fire rated doors would be an architectural issue that would fall under the building code. Mike Wegescheide asked if Mr. Vogel would be paving a public right-of-way by paving the alley. Steve answered yes, but it shouldn't be an issue. Mike Capell asked Mr. Shay if he would have a problem with people driving that close to his property. Mr. Shay answered no because he has a fence. Mr. Vogel stated he would agree to these changes if that would make the plans work. Mike Wegescheide suggested tabling the hearing until Mr. Vogel could bring in the updated plans. Mr. Vogel stated he could have the new drawings submitted the next day so that it wouldn't need to be tabled. Mike Wegescheide asked if the Board would agree with the numbers and the drawings submitted the following day. Everyone agreed. Mike Capell made a motion to recommend approval for a 2-foot front setback variance, an 8-foot side setback variance to the west, and a 20-foot rear setback variance as long as the updated drawings were submitted by April 25, 2018. Wayne Muskopf seconded the motion. The motion carried unanimously. Steve reminded Mr. Vogel to bring two copies of the new drawings. Mike Wegescheide stated the Village Board would make the final decision at the Village Board meeting on Monday, May 14th.

OLD BUSINESS: none

NEW BUSINESS: none

A motion was made by Wayne Muskopf and seconded by Mark Germann to adjourn the meeting. The motion carried unanimously.

Crissy Pipik, Clerk

Mike Wegescheide, President