

**VILLAGE OF MILLSTADT
ZONING BOARD MEETING
MAY 22, 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, Ron Krick, Wayne Muskopf, Mark Germann, Charlie Butzinger and Mike Capell. Board member Dave Graf was absent. Steve Muskopf, the Zoning Administrator, was present.

Ron Krick asked for clarification concerning the discussion about green space in the April 24th minutes. Steve Muskopf answered it was another option Mr. Vogel gave to paving the public right-of-way. Ron asked if that was something Mr. Vogel would be doing. Mike Wegescheide answered it was just an option of something he could do. A motion was made by Mike Capell and seconded by Mark Germann to approve the April 24th minutes. The motion carried unanimously.

Mike Wegescheide announced that there was one hearing on the agenda.
Hearing V-162 for a setback variance at 118 East Laurel Street

Crissy Pipik swore in all citizens wishing to speak.

II PROGRESSIVE PROPERTIES, LLC HEARING: Mike Wegescheide explained that they were looking at the property at 118 East Laurel Street, owned by II Progressive Properties, LLC, and managed by Lee Vogel. Mr. Vogel wasn't available for the Zoning Board meeting so his architect, Michael Schneider, would be speaking in his place. The property is in an Industrial Zone. Mr. Schneider stated he has worked on projects with Mr. Vogel previously although his involvement in this project has been pretty limited to identifying fire ratings on the buildings. At the previous Zoning Board meeting, the Board recommended approval for variances on three sides of this property. Mike Wegescheide added the Village Board did grant those variances, so they are now looking at this property with those variances incorporated. Mr. Schneider stated Mr. Vogel would like to keep the front and rear variances but would like to change the variance on the west side of the property to the east side. Because the west side of the property is against the Ambulance Service property, Mr. Vogel is intending to put curbing there so that his customers won't be able to drive on the Ambulance Service's lot. When Mr. Vogel attempted to make the corner with the proposed specifications with a pick-up and trailer, he couldn't do it without running into where the corner of one of the proposed buildings would be. If the variance was moved to the east side, he would be able to make this

corner. Mr. Schneider stated he understands that existing properties are not a reason to grant variances, but the proposed variance would fit in with the other buildings in the area. He also knows economic hardships are not part of the decision making but Mr. Vogel did create spreadsheets for the Board to view that show the monetary effects of the changes made at the last meeting. Mike Capell thanked him for the spreadsheets but stated it doesn't affect their decision making. Mike Wegescheide added they needed a hardship reason, not an economic reason. Discussion followed about the possibility of switching buildings two and three. Mark Germann asked that if the variance was granted, would South Mulberry Street be used to get to the buildings. Mr. Schneider asked if there was curbing on South Mulberry Street. Steve Muskopf answered yes. Mike Wegescheide asked if the public right-of-way would be used as a driving lane. Mike Capell stated that was the reason for everything being shifted to the west at the previous meeting. Steve asked if there is a minimum amount between the building and the curb that Mr. Vogel needs or is he stuck at 25 feet. Mr. Schneider answered he would have to look into that answer. Ron Pannier, representing the Ambulance Service Board, stated he talked with Mr. Vogel; he did not consider how close he would be to the Ambulance Service site and thought if he had room on the east side, there would just be the curbing issue, not the possibility of hitting something on another property. Mike Capell stated that without Mr. Vogel at the meeting they are just guessing as to what he can or cannot do. Mr. Vogel is taking a blank space and asking for variances where no other issues are concerned except his economic hardship. Mike Capell asked if they could table the issue or if they had to vote on a recommendation. Mike Wegescheide answered they could do either. Mark stated he would like to table the issue so that they could discuss with Mr. Vogel if he would be able to change the length of the buildings. Mike Capell asked if the building size was changed, would the Zoning Board have to meet again. Mike Wegescheide answered no because it would no longer be an issue for the Zoning Board. Wayne Muskopf stated that the only issue the Zoning Board is looking at during this meeting is if they want to grant the variance on the east side. Mr. Pannier stated that by issuing Mr. Vogel what he is asking for, it wouldn't be harming anything in the industrial area since others have also been granted variances. He did not see an issue with it because it is in the industrial area and Mr. Vogel has put a bunch of money into the property that was previously an eyesore. Steve asked Mr. Pannier if the Ambulance Service would sell him the space Mr. Vogel needs. Mr. Pannier answered probably because they have no plans for that space. Mike Wegescheide pointed out that would be another solution. Steve stated he understands the point Mr. Pannier has tried to make but the setbacks are not there for negotiations; they are defined. Mr. Vogel had an area that was defined to be built in, he was granted variances for three sides so that he could do what he wanted but is still asking for more. It is not the Zoning Board or the Village Board's responsibility to make sure he can make a profit. Mr. Pannier stated he understands that, but Mr. Vogel is spending a lot of money to improve the area. Steve asked if every improvement should get a variance. Ron Krick added that the Board does not want to set a precedence. Mike Capell added that Mr. Vogel has other options besides the variance to the east side. Mike Capell made a motion to recommend denial of the 8-foot variance on the east side. Ron Krick seconded the motion. The motion carried unanimously. Mike Wegescheide stated the Village Board would make the final decision at their meeting on Tuesday, May 29th at 7pm at Village Hall.

OLD BUSINESS: none

NEW BUSINESS: Steve Muskopf stated there will be a Zoning Board meeting in June with possibly three hearings on the agenda.

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

Crissy Pipik, Clerk

Mike Wegescheide, President