

**VILLAGE OF MILLSTADT
ZONING BOARD MEETING
AUGUST 27, 2019
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, Dave Graf, Charlie Butzinger and Michael Mueth. Steve Muskopf, the Zoning Administrator, was present.

A motion was made by Mark Germann and seconded by Charlie Butzinger to approve the July 23rd minutes. The motion carried unanimously.

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

Hearing V-172 for front setback variances along north and west property lines at 4 East Washington Street

Crissy Pipik swore in all citizens wishing to speak.

SPIKES HEARING: Mike Wegescheide stated the owner of the property is SGSL MD, LLC. The applicant's name is Vincint Von Hart, LLC. The property is located at 4 East Washington Street and is in a B2 district. Steve Muskopf stated the manager of the applicant is in attendance. Mike asked if the applicant will be the same when the business starts. Rachel Speichinger answered no. Jon Poetker stated they will be creating a new LLC in a different name. Discussion followed about the legality of changing the applicant's name in the middle of building on the property. Mike stated it will be up to the attorney but a zoning decision could possibly be void because it is set to the applicant. Matt Barriger asked if the decision would go to the applicant or to the property. Mike asked if the property is sold before the building is built, would the decision carry over. Steve answered he didn't think so. Michael Mueth asked if the decision goes along with the drawings that were submitted. Steve answered yes. Steve asked if they had approval from IDOT for the entrance shown off East Washington Street. Mr. Poetker answered he has an email saying it would be ok and is waiting on official approval, based on what the Village decides concerning the location of the building. Mike clarified that if anything changes with the building and it doesn't meet the zoning ordinances, they will have to come back in. Discussion followed. Mr. Poetker thanked them for the communication. Mrs. Speichinger stated they are looking to build a restaurant and bar on the corner at the 4-way. They are asking for the setback variances so that they can have their parking lot as shown. Mark Germann stated he talked with someone connected with IDOT who said they will not get approval for an entrance off East Washington Street. Mrs. Speichinger

stated they had talked with someone from IDOT that said as long as it was an entrance only, they would get the approval. Steve asked if the entrance would be available for anyone coming from either direction or only to those traveling east. Mr. Poetker answered that it would be available from either direction. Larry Osick asked what would stop someone from exiting from there. Mike answered they would have to have signs up but if someone chose to ignore them, they would face the consequences. Steve stated that as far as the variances requested, he did not have a problem with it because even with the variances, they would still be further off the street than any other buildings in that part of town. What they are proposing would exceed parking spaces and landscaping. They would have some issues with the Commercial Design Ordinance but that is a conversation that can happen at a later date. Mr. Poetker asked when that would be discussed. Steve answered when those official designs are submitted; this night they are just looking at the setback variances. Mike stated that they are only getting a recommendation for the setbacks for the building tonight. Ron Krick stated that he has no problems with the setbacks but listening to the other issues that may come up it may be better to table the hearing. Mr. Barriger stated getting the setback variances will give them a starting point to be able to move forward. Steve replied that a good starting point would be to get the entrances set up. Mr. Poetker asked if any other issues came up, would they be back in front of the Zoning Board. Steve answered it depended on the issue. Discussion followed. Mike stated that when they get plans, it is usually the plans they are going to use to build with so that the Zoning Board can look at the whole thing and make any changes that need to be made. Charlie Butzinger asked if it would hurt to grant the variance and if they have to come back in, so be it. Mike answered it wouldn't hurt anything to make a decision on the setbacks. Dave Graf stated that he's a little uncomfortable with the unknowns but if the hearing is tabled, the Board should give them clear explanations as to what needed to be changed. Steve replied that the only changes that would affect the setback variances would be if the parking lot entrance would change which would change where the building was to be placed. Mike clarified that there is the possibility that they will have to come in again if other issues arise. Discussion followed. Charlie Butzinger made a motion to recommend approval of a north and west side setback from 50 feet to 20 feet. Wayne Muskopf seconded the motion. The motion carried unanimously.

OLD BUSINESS: none

NEW BUSINESS: none

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

Crissy Pipik, Clerk

Mike Wegescheide, President