

**VILLAGE OF MILLSTADT
ZONING BOARD MEETING
JULY 26, 2022
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. Adam Romero, the Zoning Administrator, was present.

A motion was made by Ron Krick and seconded by Wayne Muskopf to approve the June 28th minutes. The motion carried unanimously.

Mike Wegescheide announced that there were four hearings on the agenda.

Hearing V-194 for non-conforming accessory use at 3511 Mueller Lane

Hearing V-192 for side setback variance at 840 South Jefferson Street

Hearing SU-56 for a special use permit at 425 Veterans Drive

Hearing V-193 and SU-55 for a rear and side setback variance and a special use permit at 308 East Washington Street

Crissy Pipik swore in all citizens wishing to speak.

BROOKS HEARING: Mike Wegescheide stated the owners and applicants are Charles and Debra Brooks. The property is located at 3511 Mueller Lane and is in a R-2 district. Mr. Brooks explained that he is asking for the metal carport to park his motorhome under. He has a temporary one that he puts up but would like to have a permanent one. Carol Fahey stated she is a neighbor to Mr. and Mrs. Brooks and has no opposition to the carport. Michael Mueth asked if the carport would be visible from the road. Mr. Brooks answered no, it would be next to the garage and not completely visible from Saxtown Road or Mueller Lane. Michael asked if they would be keeping the existing garage. Mr. Brooks answered yes. Dave Graf made a motion to recommend approval for a non-conforming metal carport at 3511 Mueller Lane. Mark Germann seconded the motion. The motion carried unanimously. Mike Wegescheide stated the Village Board would make the final decision at their meeting on Monday, August 8th at 7pm at Village Hall.

ZION CHURCH HEARING: Mike Wegescheide stated the owner is Zion Evangelical Church. The applicant is Earl Doerr. The property is located at 840 South Jefferson Street

and is in an Industrial district. They are requesting a side setback variance. Mr. Doerr stated they have an old shed at their seven-acre park, but it is too small. They would like to replace it with a 40-foot by 60-foot shed. It would be the same distance from the property line as the current shed. Dave Graf asked if there would be enough room to move it so the variance wouldn't be needed. Mr. Doerr answered no because it would be on and against the roots of the nearby trees. Michael Mueth made a motion to recommend approval of a 13-foot side setback at 840 South Jefferson Street. Charlie Butzinger seconded the motion. The motion carried unanimously. Mike Wegescheide stated the Village Board would make the final decision at their meeting on Monday, August 8th at 7pm at Village Hall.

SPECIAL EDUCATION SERVICES HEARING: Mike Wegescheide stated the applicant is Special Education Services. The owner is Millstadt Storage. The property is located at 425 Veterans Drive and is in a B-2 district. Rory Conran stated he represents Special Education Services. They are a non-profit organization that provides services to students with individual education plans. They work with students that have cognitive disabilities, autism, and emotional issues. They partner with the local school district to provide the smaller classroom size and lower staff to student ratios that benefit those students. The students will still be students of Millstadt schools. They are looking to rent the space to provide services to the local school districts. They are very mission driven and have come to Millstadt because the local schools have asked for them. Adam Romero stated they will not be using the entire building but just the middle section as marked on the drawings the Board was provided. They are asking for a special use permit and also a mixed-use permit due to there still being a resident residing in the building. Mike Wegescheide asked if they would just be using the middle section of the building. Adam answered yes and they will be paving the parking lot. Mike asked if there would be enough parking. Adam answered there should be enough based on the information they provided. Gregg Crawford stated he is the owner of the building. Special Education Services will be using the space that was used previously by the St. James Day Care. Mike asked how the students would arrive. Mr. Conran answered they provide van transportation. Mike asked what ages the children will be. Mr. Conran answered they are students in grades Kindergarten through 12th grade and services can be provided up to their 22nd birthday. Mark Germann asked if they will be licensed. Mr. Conran answered yes, through the Illinois Schools. Mike asked if there was already work being done to their space. Mr. Crawford answered they are using the same space and layout that St. James used but it needed some updating. They have been working on the sprinkler system, painting walls, and moving some things out that he had stored there. There is also a firewall between that area and the area that is being used as a residence. Michael asked if the occupied structure was owned by someone else. Mr. Crawford answered no, the entire building is owned by him. Ron Krick made a motion to recommend approval of the special use permit and the mixed-use permit as long as the parking lot is paved, the exterior is cleaned up, and they are in compliance with local building codes. Dave Graf seconded the motion. The motion carried unanimously. Mike Wegescheide stated the

Village Board would make the final decision at their meeting on Monday, August 8th at 7pm at Village Hall.

MILLPOND HEARING: Mike Wegescheide stated the owner is Three Men In a Tub, LLC. The applicant is Brian Schubert. The property is located at 308 East Washington Street and is in a B-2 district. They are asking for a special use permit and a variance request. Mr. Schubert thanked the Board for hearing his request and he thanked those that showed up in support of his request. Millpond Brewery opened three years ago come October. Their original plan was to only serve on site but five months into being opened the Covid pandemic happened. Their plans had to change, and they transitioned into bringing in mobile canners. Getting their supply of cans is not favorable for small businesses; shipments get delayed and there have been times they have to buy cans from local producers. It would be helpful for them to have can storage on site so they can place a larger order for cans and be able to store them. They don't currently have the space for the empty cans. Given the way the world has changed, on-premise sales are low but off-site sales are keeping his business open; it has been absolutely essential. The variance application asked what their hardship was for needing the variance. Mr. Schubert stated his property was built in 1945; the requirements now were not requirements when it was built. He proposes the storage container could have wood plating put on to match the fence or a high-level paint job could be done with their logo and other things specific to Millstadt. The unit measures 8-feet by 20-feet so it would sit directly on the property line. The structure could also possibly be flipped to sit parallel to South Kossuth Street. Mr. Schubert showed the Board his proposals with pictures he had on the easel. He stated he has heard that there is an aversion to having storage containers inside the Village although he has seen them being used. Storage units are a trendy new way to develop bars and liven up the community. He wants it to be functional while also being an attraction in the Village. Mr. Schubert showed examples of how they have been used in other communities, including St. Louis. Michael Mueth asked why he is proposing to have the container three feet off the existing structure. Mr. Schubert answered because of the downspout. Mike Wegescheide asked what would happen to the golf cart parking that is currently in that space. Mr. Schubert answered they would park on the other side of the building. Discussion followed about measurements if the container was placed parallel to South Kossuth Street compared to perpendicular to South Kossuth Street. Dave Graf asked why he couldn't extend the cooler structure instead of bringing in the storage container. Mr. Schubert answered he thinks it adds to the aesthetic of the property; if he added on, he would still need different variance requests. Mike asked how he would maintain the container if it was on the property line. Mr. Schubert answered he could use the empty alley way. Mike stated he does not own the alley and he should be able to maintain the structure from his alley. Mr. Schubert asked what kind of maintenance he would need to do. Mike answered he talked about painting it but also what if there was damage. He admitted he may be being a stickler, but these are things that need to be considered. Mr. Schubert stated it could possibly be positioned so it is three or four feet from the property line. Charlie Butzinger asked about the dumpsters and the planters. Mr. Schubert answered the dumpsters would stay where they are, and the planters could be

moved. Mike stated the Village ordinances state accessory buildings are to be made from similar material to what the existing structure is made from. Adam Romero agreed stating for business construction additional buildings should be similar to the existing property. Mr. Schubert suggested placing the container even with the cooler to bring it three feet from the property line instead of zero. Adam asked if the alley is used. Mr. Schubert answered the employees use it to bring out trash and the company that replenishes their CO² use it. Adam asked if there would be enough room to use the alley and still be able to see the road around the proposed structure. Mr. Schubert answered yes. Michael reiterated that portable structures are frowned upon and asked if there were any alternatives. Mr. Schubert answered he could put brick around it like they did with the cooler. Discussion followed about how far the doors would stick out when opened. Charlie asked if there was a way to conceal a storage area in the patio area. Mr. Schubert answered no because the cans would be on pallets that would need to be moved with a forklift and because of the old tires they use as ground coverage it would be impossible to drive on. Discussion followed about other locations for the storage container. Mark Germann suggested adding on to the front or side of the building. Mr. Schubert answered it would encroach on their parking spaces. He does not want to change the look of the current property. He stated it would be beautiful and not a run-down storage unit. He makes sure the property looks good and maintained; he doesn't want people to drive by and say the property looks like crap. Mike stated he likes what they have done to the building and appreciates the business he has brought to the Village but adding the storage container will make the property non-conforming. Mark added they do not want people to start thinking they can use storage containers. Ron Krick added that no matter how he makes it look it is still a storage container. Mark stated they have other options. Mr. Schubert stated he does not want to change the look of the property. Larry Schubert stated the Board should make decisions by considering what is happening now and not what could happen 20 years into the future. Jeremy Witt stated that as a history teacher he must respectfully disagree that there are other options such as building on; it will not match what is currently there and will not look good. He believes that if Mr. Schubert follows through on what he is proposing it will become a location where the younger generation will want to come to take pictures. Kevin Schmidt stated that what was thought to look good 20 years ago is not what looks good now. It is subjective. As a neighbor across the street, Mr. Schmidt believes it will look good and will add value. The Village does not need more empty businesses on Washington Street. Max Rehling stated that by Mr. Schubert doing his canning here, he will bring tourism in while exporting a Millstadt made product out. Mike stated that they do want the structure to look good and he believes Mr. Schubert has brought some promising ideas to the Board. He would still need to fill out the shed application and Adam would still have to approve what is being done. Otto Faulbaum stated he lives behind Millpond and believes Mr. Schubert was a Godsend to take the piece of crap junkyard that sat for 25 years and turn it into the fabulous destination it is now. He is thankful they survived the pandemic and are succeeding. He believes the Board needs to understand that the Schubert family is bringing people to Millstadt and while their ideas may not be what the Board members would do, they should embrace what he is trying to accomplish. Alan Scharf stated he lives in Alpine Meadows, and he has seen how the improvements Mr. Schubert has already made has brought people to the community. He believes that asking him to add

on to his existing building is costly for a small business. He will draw people to his business by doing what he is proposing. If he feels like he has no room to grow he may find somewhere else for his business and his customers. Dave Graf asked who would approve his shed permit and how would what he does be controlled? Adam answered that as building commissioner he would approve the permit and ultimately make sure he did what he said he would do. Adam reminded the Board that they are making the recommendation if he is allowed the structure and the placement of it. Discussion followed about the painting of the unit. Mr. Schubert stated he would prefer it to be painted with the Millpond logo and Millstadt logos; he wants it to look like a nice piece of art. Mr. Schubert stated that after discussing it, he believes that positioning the container parallel to South Kossuth Street would be better positioning; he would then ask for a nine-foot side setback and a three-foot rear setback. The rear setback would be the same as the setback for the cooler. Michael asked when the special use permit would expire. Adam answered it is assigned to the applicant so once Mr. Schubert is no longer running the business it would expire. Mark asked if the container would be smooth or rigid. Mr. Schubert answered that the ones he has seen have been rigid. Wayne Muskopf asked if Mr. Schubert would be opposed to tabling the hearing until Mr. Schubert could provide a rendered picture so the Board could understand better what he is asking for. Mr. Schubert answered that he does not want to spend that kind of money if his request will be denied. Wayne stated the issue is Mr. Schubert has an idea in his mind as to what it will look like, but the Board cannot see what is in his mind. Ron stated Mr. Schubert is the first person to ask for something like this so being able to see his point of view would be helpful. His opinion is that the examples from other places do not look good but that's just his opinion. If they are going to set a precedence, they should like his idea; he is not being closed minded, he just wants to see what Mr. Schubert's ideas are. It doesn't have to be an expensive picture. Discussion followed concerning the final look of the container. Michael stated no one is questioning Mr. Schubert's judgement on making it look good but does think it is a valid request to see some options. Mr. Schubert stated that he didn't think presenting more options would make a difference on what he is asking for. Adam asked what color Mr. Schubert would like for it to be painted. Mr. Schubert answered navy. Adam asked how long it would take to be painted. Mr. Schubert answered it would be painted off-site before being delivered. Dave asked the Board if, given the correct aesthetic, would they be willing to accept a storage container in this zoned district? If not, then the discussion is moot. If so, then they should vote. Adam suggested voting on the special use and tabling the variance until there is a drawing with the correct placement and color scheme which would also give Mr. Schubert some reassurance and a direction in which to move. Mike stated his issue with that is that they don't know if the Village Board will approve it. Michael asked if Mr. Schubert would be willing to enclose the container. Mr. Schubert answered he did not think that would make it look better. He already removed the fence that was on that side so that the building is now visible. Michael Mueth made a motion to recommend granting the three-foot rear setback and nine-foot side setback and recommended approving the special use permit. Mark Germann seconded the motion. The motion carried unanimously. Mike Wegescheide stated the Village Board would make the final decision at their meeting on Monday, August 8th at 7pm at Village Hall. He reminded Mr. Schubert that the Village Board does not have to take any discussion before voting on the issue, but Mr. Schubert

would be able to voice his opinion during Citizen Comments. Mr. Schubert asked if the Village Board could wait until their meeting on August 22nd to make a decision. Adam answered yes.

OLD BUSINESS: Ron Krick stated that he thinks the hearing from the previous meeting that dealt with splitting up a property and the hearing concerning changing the zoning should have gone to the Planning Commission before coming to the Zoning Board. Adam Romero answered that if there are required variance requests it has to go to the Zoning Board first. Ron stated he thinks it would be a wasted Zoning Board meeting if the Planning Commission had denied anything. Adam answered that in that situation one group is going to have a wasted meeting because something has to be approved before it can move forward, no matter which group hears it first. Ron asked if there was a request for three items but only two passed would they stay passed. Adam answered yes, as long as the project keeps moving forward.

NEW BUSINESS: Adam Romero stated there is nothing on the agenda at this time for August.

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