

AGENDA
PLANNING COMMISSION
September 13, 2016
7:00 P.M.
City Council Chambers

1. Call to Order and Roll Call
2. Citizens Comments
3. Approval of Minutes of August 9, 2016
4. PC Cases / Public Hearing
PC13-16, 7:00 PM, Special Use Permit, 5701 Perrin Road(03-34.0-205-003)
5. New Business
6. Announcements
7. Adjournment

**PLANNING COMMISSION
MINUTES
August 9, 2016**

1. CALL TO ORDER

The meeting was called to order at approximately 7:00 p.m. by Chairman Jim Bramstedt with (6 members) in attendance: Pat Herrington, Larry Mensing, Don Barkley, Kelly Smith, Patrick McCarthy, and Corey Sudja. Also in attendance were Tim Tolliver(Director of Land Use), Jim Gehrs(Attorney), and Kendra Tucker (Secretary).

2. CITIZENS COMMENTS

None

3. CHAPTER 14 DEVLEOPMENT CODE REVIEW

Director Tolliver presented the changes to Article XI Sign Regulations to the commission.

The commission then discussed their concerns with various types of signage and how or if these signs could be regulated in the future.

The commission discussed limitations on commercial temporary signs and suggested they be limited to 5 signs that could be displayed for 10 consecutive days and 30 days apart and no more than 4 times a year. The commission also suggested the signs should not exceed 30 sq. ft. with an individual sign not exceeding 5 ft. in any dimension. Tolliver stated that he would include these regulations on the next draft.

4. NEW BUSINESS

None

5. ANNOUNCEMENTS

None

ADJOURNMENT – Meeting adjourned at approximately 8:00 p.m. The next regularly scheduled meeting of the Fairview Heights Planning Commission will be September 13, 2016 at 7:00 p.m. in the Council Chambers of the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.

Respectfully,

Timothy Tolliver
Director of Land Use and Development
TT/kt

DRAFT

TO: Planning Commission
FROM: Tim Tolliver
DATE: September 6, 2016
RE: **PC13-16, Penni Livingston, 5701 Perrin Road**

AREA LAND USE AND ZONING

The subject property, 5701 Perrin Road, is a 1 acre parcel located on the northwest corner of Perrin Road and Durley Road. The property is developed with a two story structure containing a law office, a detached garage and is "R-3 Single Family Residential. The adjoining properties are zoned either "R-3" or "R-4" Single Family Residential and are developed as such. Further to the east properties fronting Old Collinsville Road are zoned commercially. The property to the southeast is a vacant tract of property zoned "R-3" Single Family Residential and contains a parking area for the adjoining automobile repair facility.

SPECIAL USE PERMIT REQUEST

The applicant, Penni S. Livingston is requesting approval of a Special Use Permit to convert the existing use from a law firm to professional office use in general. The request to change use does not propose any physical changes to the property.

PLANNING CONSIDERATIONS

The subject property's use as a law office was allowed by a Special Use Permit granted by Resolution No. 3278-2006.

The property was modified to accommodate for public use through the removal of barriers to access. Applicant has provided handicapped parking place, ramp to entry door and accessible routes to parts of the facility which the public may utilize. The property provides 7 parking spaces including the handicapped space.

Applicant has not proposed any signage.

Comprehensive Plan

Reference 2012 Comprehensive Plan Chapter 3 - Residential Neighborhoods - Objectives which includes the protection of residential areas from any potentially negative impacts of commercial uses.

TT/kt



CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

September 6, 2016

Fairview Heights Planning Commission
10025 Bunkum Road
Fairview Heights, IL 62208

Dear Commission Member:

The petition listed below is hereby transmitted for your consideration:

Petition No:	PC13-16
Petitioner:	Penni Livingston
Request:	Special Use Permit
Area Size:	Approximately 1 acre
Location:	5701 Perrin Road
Hearing Date:	September 13, 2016
Report:	Staff Advisory
Ward:	V

Respectfully,

Timothy J. Tolliver, Director
Land Use and Development
TT/kt

EXHIBITS:

1. Application
2. Narrative
3. Site Plan
4. Aerial Photograph
5. Photos (2)
6. Public Notice
7. Surrounding Property Owners
8. Findings

Planning Commissioner _____ introduced the following resolution and moved for its adoption:

RESOLUTION PC 013 -16

A RESOLUTION ADOPTING FINDINGS OF FACT PC 013-16 RELATING TO APPROVAL/DENIAL OF REQUEST FROM PENNI LIVINGSTON TO MODIFY THE SPECIAL USE PERMIT ALLOWING PROFESSIONAL OFFICE USE WITHIN THE R3 SINGLE FAMILY RESIDENTIAL DISTRICT .

WHEREAS, Penni Livingston, hereinafter referred to as the “Applicant,” has properly applied for a Special Use Permit approval for a professional office use within the “R3” Single Family Residential District located at 5701 Perrin Road, Fairview Heights, IL, PIN 03-34.0-205-003.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 13, 2016, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject property is developed with a two story structure modified for office use and is zoned “R3” Single Family Residential District. The subject property is located at 5701 Perrin Road, Fairview Heights, IL, PIN 03-34.0-205-003.
3. That the Subject Property contains approximately 1acre.
4. That this permit will/will not require any changes to traffic circulation and ingress/egress.
5. That this permit will/will not require any changes to lighting, landscaping, or the existing site usage.
6. That the proposed use will/will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
7. That the proposed use will/will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
8. That the proposed use will/will not be hazardous or disturbing to existing neighboring uses.
9. That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.

10. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will/will not be detrimental to the economic welfare of the community.
11. That the proposed use will/will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
12. The proposed use will/will not be consistent with the Comprehensive Plan.
13. That this Special Use Permit approval will/will not allow for the applicant's use as a professional office.
14. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
15. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
16. That this Special Use Permit Approval shall automatically expire if the use is not initiated within one year of City Council approval.
17. That this Development Plan approval allows for the site plan as presented. Any significant changes to traffic circulation, materials on the building, landscaping or signage on this site not provided for in the site plans on the Subject Property will require additional review and approval by the City Council.

The motion for the adoption of the foregoing resolution was duly seconded by;
upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 13th day of September 2016.

Planning Commission Chairman

ATTEST:

Land Use Director

Penni Livingston, hereby acknowledges receipt of this Permit and that he has reviewed the conditions of this Permit and have agreed that she will comply with the terms of this Permit.

By: _____

Its: _____

STATE OF ILLINOIS)

) SS.

COUNTY OF _____)

On this _____ day of _____, 2016 before me, a Notary Public, personally appeared Penni Livingston, the applicant, to be known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Request For Special Use Amendment

~~REQUEST FOR ZONING AMENDMENT~~

Planning Commission
Fairview Heights, Illinois

Special Permit No. _____
Date: 7-20-76

(Do not write in this space. For office use only)

Date of Hearing: _____
Notice Published on: _____
Newspaper: _____

Perm Parcel #: _____
Zone District: _____
Fee Paid \$ _____ Date: _____

Recommendation of Planning Commission
 Denied
 Approved
 Approved with modification
Date: _____

Action by City Council
 Denied
 Approved
 Approved with modification
Date: _____

INSTRUCTIONS TO APPLICANTS: To request a change in either the zoning map or text, this application for a zoning amendment must be completed and a public hearing held. If the applicant is requesting that this property be rezoned, a site plan must be included with the application showing the information listed on the attached sheet. Normally there are only two primary reasons for change in zoning: (1) the original zoning was in error; (2) the character of the area has changed to such an extent as to warrant rezoning. The burden of providing substantiating evidence rests with the applicant.

A notice of the hearing must be published in a newspaper or general circulation in the local area at least 15 days before the hearing. The publication cost **must** be paid by the applicant prior to the hearing. The applicant will be notified by mail of the time and place of the hearing at least six days prior to the hearing date. The applicant or his attorney or duly-authorized agent must appear at the hearing and present his case to the Planning Commission. All information requested below must be provided before a hearing will be scheduled. Applicants are encouraged to visit the Director of Lane Use for any assistance needed in completing this application.

- 1) Name of Applicant: Penni Livingston Phone # 618-628-7700
Address: 5701 Perrin Rd Fairview Hts, IL 62208
• Penni@Livingstonlaw.biz ← For doc. • LaughingAuthor@gmail.com
↑
cell phone
- 2) Property Interest of Applicant:
 Owner () Contract Purchaser () Lessee () Other
- 3) Name of Owner (s): Penni Livingston
(If other than applicant): _____ Phone # 618-628-7700
home Address: 690 Pleasant Ridge FU Hts 62208

James Jacobs listed on previous deed is deceased.

Special use permit

4) An amendment to the ~~Zoning Ordinance~~ is requested as follows:

a. Amendment to Text: ()

It is requested that Section _____ of the Zoning Ordinance be amended as follows:

allow for any office, not just a law firm

Reason for amendment: existing practice of law

but building was modified \$40,000 for office
(commercial electric, parking lot, baths etc.)

b. Amendment to Map: ()

It is requested that the property described below and shown on the attached site plan be rezoned from Special use law firm to special use office

Address of property: 5701 Perrin Road

Legal description of property (lot/block/subdivision or metes & bounds; attach additional sheets if necessary): 03-34.0-205-003

Perrin J Nick 2NDADDL SUB 4th/Sec-31 BK 3321-1313

Present use of property: Law Firm

Proposed use of Property: Office space

Reason for amendment: to allow other office to lease to
use all changes for use

5. Names and addresses of adjacent property owners and present use of their property:

residential - all signed petition in
favor of use as office space for
law firm - none have complained
in ten years.

6. 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 City of Fairview Heights for the purpose of inspecting, or of posting, maintaining and removing such notices as may be required by law.

Date: 7-20-16

Applicant:

Perris S. Livingston

Date: 7-20-16

Owner(s):

Perris S. Livingston

Jennifer Gomric Minton - St. Clair County Assessor
 Charles Suarez - St. Clair County Collector

Ownership / Addresses

Parcel Number 03-34.0-205-003
Parcel Year 2015
Property Address 5701 PERRIN RD FAIRVIEW HEIGHTS, IL 62208
Property Owner JACOBS , JAMES & LIVINGSTON PENNI
Mailing Address 5701 PERRIN RD FAIRVIEW HTS, IL 62208

Assessment Level	Land Value	Building Value	Total
Market EAV	8817	72753	81570
State EAV	2939	24251	27190
Fair Market Value	8712	71883	80595
Board of Review EAV	2939	24251	27190
Board of Review Prior to EAV	2904	23961	26865
Assessor Value	2904	23961	26865

Date Sold	Sales Price	Doc Number
02-11-1999	123000.00	99479216

Legal

Township CASEYVILLE
Legal Description Line 1 PERRINS J NICK 2NDADDL SUB
Legal Description Line 2 LOT/SEC-31 BK 3321-1313
Legal Description Line 3
Legal Description Line 4

Tax District	Tax Rate	Tax Amount
PONTIAC DIST #105	2.8551	\$776.30
O FALLON HS #203	2.2424	\$609.71
ST CLAIR CO OTHER	0.9385	\$255.18
SWIC DIST #522	0.4727	\$128.53
FAIRV CASEY TWP FIRE	0.4690	\$127.52
CASEYVILLE TWP	0.1261	\$34.29
CASEYVILLE ROAD	0.1170	\$31.81
CITY OF FAIRVIEW HTS	0.0000	\$0.00
CITY OF FRVW HTS LIB	0.0000	\$0.00

2015 Taxes - payable in 2016

Equalized Assessed Value 27190.00

2015 Taxes - payable in 2016

Equalized Assessed Value	27190.00
Home Improvement Exemption Amount	0.00
Owner Occupied Exemption Amount	0.00
Senior Exemption Amount	0.00
Veteran / Fraternal Freeze Amount	0.00
Senior Assessment Freeze Amount	0.00
Fraternal Assessment Freeze Amount	0.00
Historical Assessment Freeze Amount	0.00
Disabled Persons Exemption Amount	0.00
Disabled Veterans Exemption Amount	0.00
Returning Veterans Exemption Amount	0.00
Net Taxable Value	27190.00
Tax Rate	7.220800
TCA Code	08053
Township Multiplier	1.0121
Total Tax Billed	\$1,963.34
Tax Status	TAXABLE
First Installment Paid	6/21/2016
First Payment Status	PAID
First Payment Payor	0001-JACOBS, JAMES & LIVINGS
First Payment Tax Sale (y/n)	N
First Payment Total	\$981.67
Second Installment Paid Date	
Second Payment Status	UNPAID
Second Payment Payor	
Second Payment Tax Sale (y/n)	N
Second Payment Total	\$0.00

Disclaimer

These materials are intended, but not promised or guaranteed to be current or accurate. The material offered only for general informational purposes. The documents and materials displayed or mentioned are not official copies of documents. St. Clair County, its officers, agents or employees are not liable for any result of reliance on information contained in this site. We reserve the right to restrict usage that r performance or security of our website. Such usage may include but it is not limited to malicious prob at attempts to mirror website date using automated date retrieval programs. All access is limited to sys

St. Clair County 2015 Real Estate Tax Payment Coupon
RETURN THIS COUPON WITH SECOND INSTALLMENT PAYMENT

Parcel No.: 03-34.0-205-003 JACOBS , JAMES & LIVINGSTON
 PENNI

IF PAID

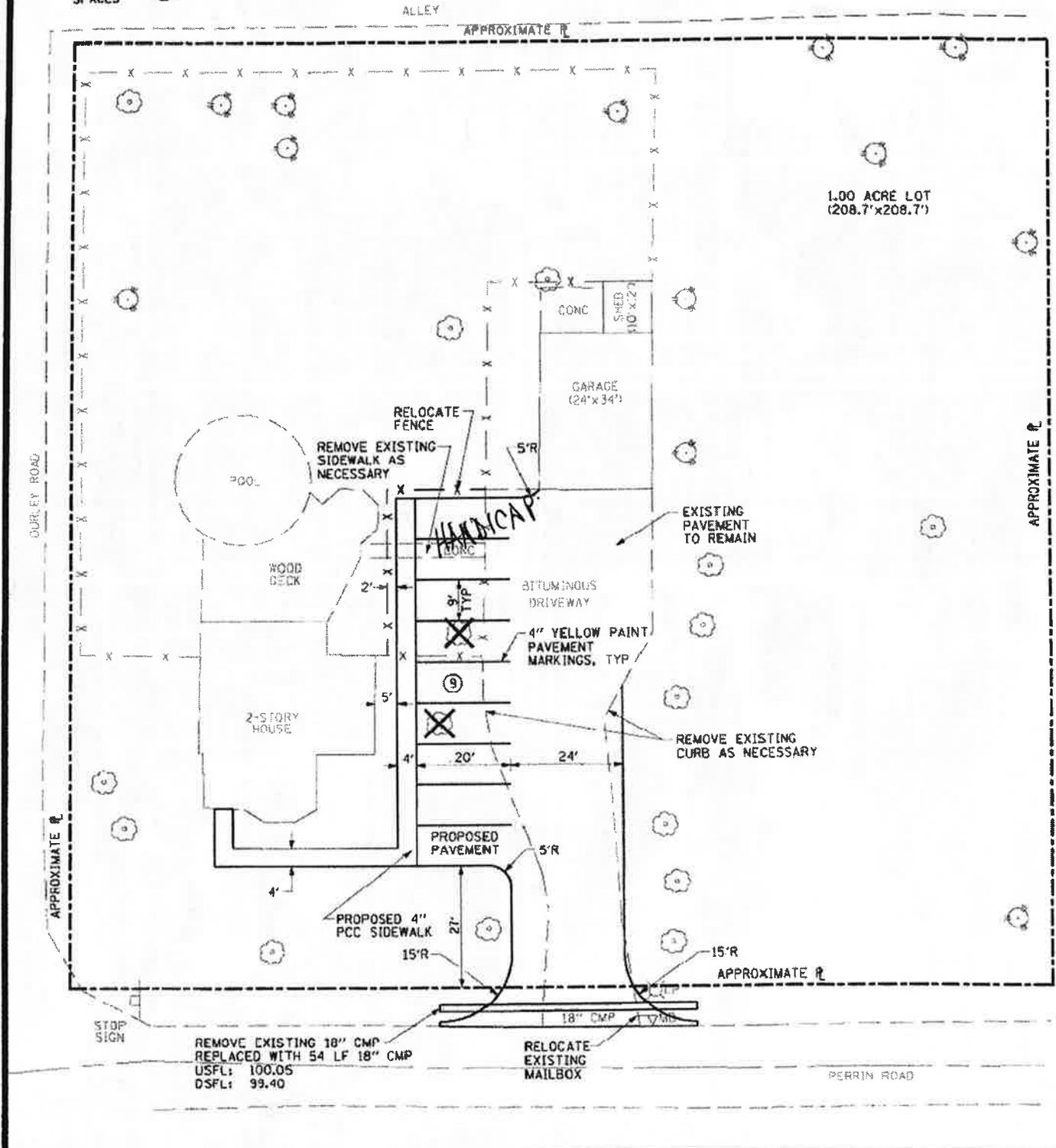
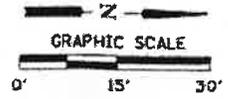
AMOUNT
DUE

Narrative:

The Livingston Law Firm has operated a professional office at 5701 Perrin Rd. in Fairview Heights, Illinois for over nine years without any complaint or issue from any neighbors. At this time, we wish to be able to lease or sell the building to allow another professional office to occupy the building. The building meets commercial code electric, heating and cooling, and handicap accessibility as originally approved in the current special use permit. When I obtained the special use permit originally, I asked for the specific use as a law firm professional office. I am now requesting to expand that use to allow any professional office (i.e. Insurance agent, real estate office, etc) to occupy the property.

LEGEND

- TREE REMOVAL
- NUMBER OF SPACES



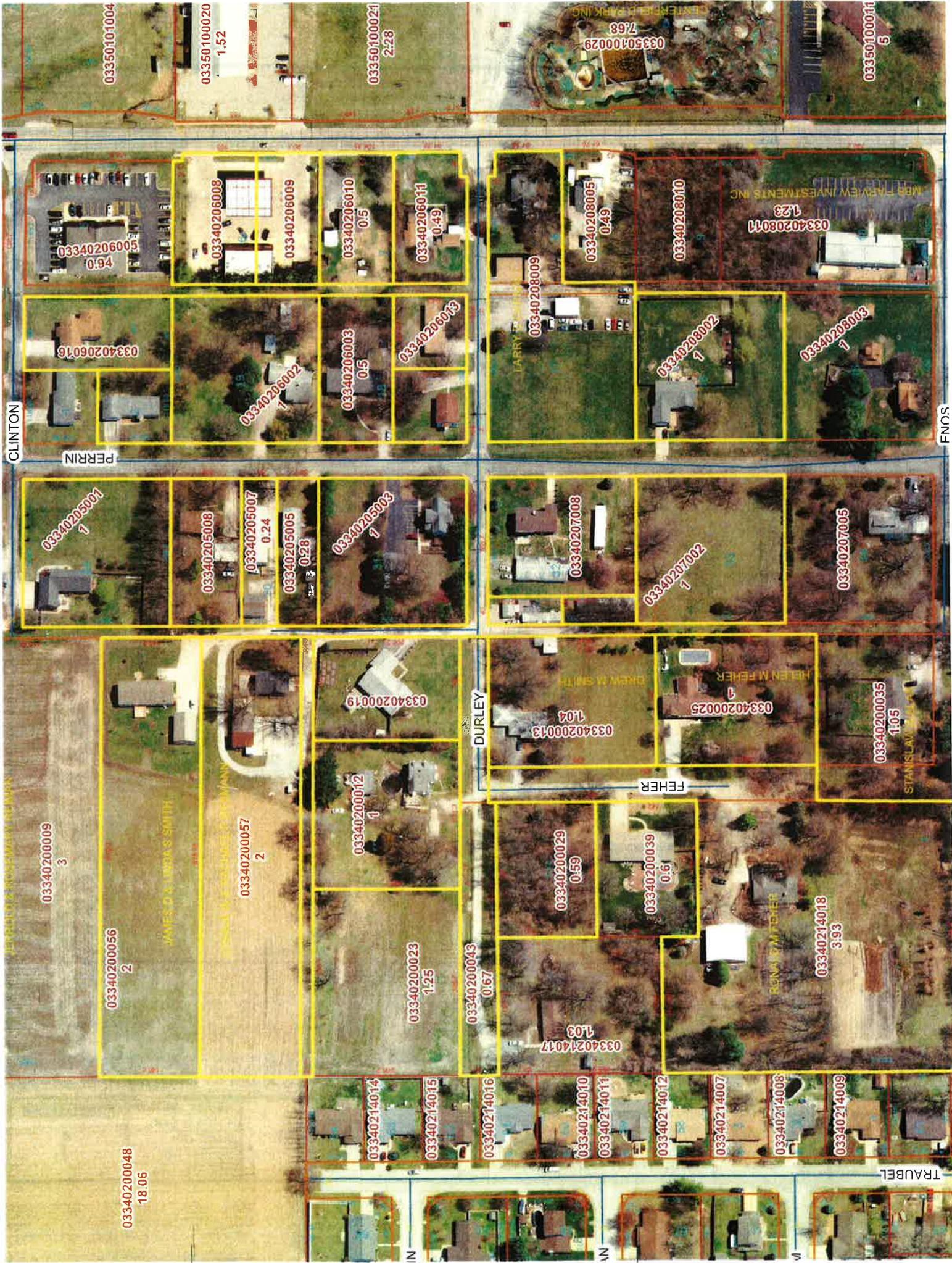
HR
 HURST-ROSCHIE ENGINEERS, INC.
 No. 5 Bank Square
 East St. Louis, IL 62203
 Phone: 815.398.0880
 Fax: 815.398.1338
 HILLSBORO, IL
 SPRINGFIELD, IL
 MAHON, IL

CITY OF FAIRVIEW HEIGHTS
 PERMIT APPLICATION
 LIVINGSTON LAW FIRM PARKING
 FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, IL

PROPOSED IMPROVEMENT LAYOUT

HRE NO.: 190-2136
DESIGNED: GKM
DRAWN: GKM
CHECKED: MAR
DATE: 07-11-06

EXHIBIT NUMBER
1



CLINTON

FNCS

TRAUDEL

DURLEY

FEHER

TRAUBEL

03350101004

03350100020
1.52

03350100021
2.28

03350100029
7.68

03350100011
5

03340206005
56.0

03340206008

03340206009

03340206010
0.5

03340206011
0.49

03340208005
0.49

03340208010

03340208011
1.28
MBA FARVIEW INVESTMENTS INC

03340206016

03340206022
1

03340206003
0.5

03340206013

03340208009

03340208002
1

03340208003
1

03340205001
1

03340205008

03340205007
0.24

03340205005
0.28

03340205003
1

03340207008

03340207002
1

03340207005

03340200009
3

03340200056
2

JAMES O. SMITH & SONS

03340200057
2

03340200012
1

03340200019

DURLEY

03340200013
1.04

03340200025
1
HELEN M FEHER

03340200035
1.05
STANISLAW FEHER

03340200029
0.59

03340200039
0.61

03340214017
1.03

03340214018
3.93
RENA B. FEHER

03340200048
18.06

03340214014

03340214015

03340214016

03340214010

03340214011

03340214012

03340214007

03340214008

03340214009







CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

August 24, 2016

RE: PC13-16, Special Use Permit- Penni S. Livingston, 5701 Perrin Road (03-34.0-205-003)

DEAR SURROUNDING PROPERTY OWNERS:

Enclosed please find a copy of "Notice of Public Hearing" which appeared in the Thursday, August 25, 2016 issue of the Fairview Heights Tribune.

Please advise that this notice concerns property in the vicinity of the property owned by you.

We cannot contact everyone by mail, so feel free to share this information with your neighbors. You are welcome to attend the public hearing and voice your opinions regarding the case.

The public hearing will be held before the Fairview Heights Planning Commission in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, on Tuesday, September 13, 2016 beginning at approximately 7:00 p.m., in the City Council Chambers.

If you have any questions, please feel free to contact this office at 489-2063 or 489-2060.

Sincerely,

Kendra Tucker
Recording Secretary
Enclosure
PC13-16



CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

PUBLIC NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, September 13, 2016 at approximately 7:00 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, at which time and place the Commission will consider a Special Use Permit within the "R4" Single-Family Dwelling District to allow professional office use at 5701 Perrin Road, Fairview Heights, Illinois, St. Clair County PIN 03-34.0-205-003

Request was made by Penni S. Livingston, 5701 Perrin Rd., Fairview Heights IL 62208.

All persons desiring to appear and be heard for or against said proposal may appear at said hearing and be heard thereon.

Dated this 23rd day of August, 2016.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Jim Bramstedt, Chairman

PC13-16

OWNER	ADDRESS	ADDRESS2	CITY/ST	ZIP
BRYAN L & ANGELA R CO-TRUSTEES	6 FEHER LN		FAIRVIEW HEIGHTS, IL	62208
CASEYS GENERAL STORES INC	PO BOX 3001		ANKENY, IA	50021
RESIDENT	5713 OLD COLLINSVILLE RD		FAIRVIEW HEIGHTS, IL	62208
CASSANDRA E ZUGER	5704 PERRIN RD		FAIRVIEW HEIGHTS, IL	62208
CHRISTOPHER P & KAREN M MONROE	5721 PERRIN RD		FAIRVIEW HEIGHTS, IL	62208
CRYSTAL D MITCHELL	105 DURLEY RD		FAIRVIEW HEIGHTS, IL	62208
DREW M SMITH	1 FEHER LN		FAIRVIEW HEIGHTS, IL	62208
FRANCES A DODSON	701 OAK HOLLOW		OFALLON, IL	62269
FREDERICK E & MARLENE E CHRIST	5717 PERRIN RD		FAIRVIEW HTS, IL	62208
GREGORY L JR & NANETTE FINLEY	5610 PERRIN RD		FAIRVIEW HTS, IL	62208
GREGORY MUREN	114 N VINE		OFALLON, IL	62269
GUDINAS A TIMOTHY KENNEDY NANC	5708 PERRIN RD		FAIRVIEW HTS, IL	62208
HELEN M FEHER	7 FEHER LN		FAIRVIEW HEIGHTS, IL	62208
JAMES & LIVINGSTON PENNI JACOB	5701 PERRIN RD		FAIRVIEW HTS, IL	62208
JAMES D & LINDA S SMITH	5713 JAKES PLACE LN		FAIRVIEW HEIGHTS, IL	62208
JOSHUA W & RACHAEL P RESMANN	506 13TH ST		HIGHLAND, IL	62249
KATHLEEN H & DONALD R TRUSTEES	112 OULVEY DR		FAIRVIEW HEIGHTS, IL	62208
KOVACIC FAMILY IRREVOCABLE TRU	LAURIE ANDERSON TRUSTEE	8528 GRAPEVIEW BLVD	LOXAHATCHEE, FL	33470
LARRY D DARNALL	1797 BENTWATER LN		OFALLON, IL	62269
MICHAEL D BLACK	426 KNOEBEL ST		FAIRVIEW HEIGHTS, IL	62208
ORLANDO SIMMS	5705 JAKES PLACE LN		FAIRVIEW HEIGHTS, IL	62208
PEGGY A JAMES	240 BOURDELAIS DR		SWANSEA, IL	62226
RONALD M FEHER	10 FEHER LN		FAIRVIEW HEIGHTS, IL	62208
SHARON K HOOKER	5709 PERRIN RD		FAIRVIEW HTS, IL	62208
SHELIA VOELLINGER	5713 PERRIN RD		FAIRVIEW HTS, IL	62208
STANISLAW BIALAS	5603 PERRIN RD		FAIRVIEW HTS, IL	62208
WALTER A DANDRIDGE	3118 ALPEN ROSE CT APT C		FAIRVIEW HEIGHTS, IL	62208
WILLARD EGGEMEYER	5802 PERRIN RD		FAIRVIEW HTS, IL	62208
RESIDENT	5715 OLD COLLINSVILLE RD		FAIRVIEW HEIGHTS, IL	62208
RESIDENT	5621 PERRIN RD		SAINT LOUIS, MO	63125
RESIDENT	5600 PERRIN RD		FAIRVIEW HTS, IL	62208
RESIDENT	104 DURLEY ST		FAIRVIEW HTS, IL	62208
RESIDENT	5709 JAKES PLACE LN		FAIRVIEW HTS, IL	62208
RESIDENT	5625 OLD COLLINSVILLE RD		FAIRVIEW HTS, IL	62208
RESIDENT	104 DURLEY ST		FAIRVIEW HTS, IL	62208
RESIDENT	5711 OLD COLLINSVILLE RD		FAIRVIEW HTS, IL	62208
RESIDENT	5709 OLD COLLINSVILLE RD		FAIRVIEW HTS, IL	62208
RESIDENT	8 CLINTON ST		FAIRVIEW HTS, IL	62208
RESIDENT	7 DURLEY RD		FAIRVIEW HTS, IL	62208
RESIDENT	5720 PERRIN RD		FAIRVIEW HTS, IL	62208
RESIDENT	5700 PERRIN RD		FAIRVIEW HTS, IL	62208

Fairview-Caseyville Township Fire	c/o Chief Bryan Doyle	214 Ashland Avenue	FAIRVIEW HEIGHTS, IL	62208
Pontiac-Wm. Holliday District #105	c/o Superintendent Julie Brown	400 Ashland Avenue	FAIRVIEW HTS, IL	62208
O'Fallon Township District #203	c/o Superintendent Dr. Darcy Benway	600 S. Smiley Street	O'FALLON, IL	62269