

AGENDA

August 26, 2014

FAIRVIEW HEIGHTS ZONING BOARD OF APPEALS

7:00 P.M., City Council Chambers

1. Call to Order and Roll Call
2. Approval of Minutes – July 23, 2013
3. Communications
4. Public Hearings
ZBA01-14, Sign Variance – Three Arrowhead Properties, LLC, 9669 W. IL. Rte 161
5. Unfinished Business
6. New Business
7. Announcements
8. Adjournment

MINUTES
ZONING BOARD OF APPEALS
July 23, 2013

The Fairview Heights Zoning Board of Appeals meeting was held on Tuesday July 23, 2013, in Council Chambers at the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois and called to order at approximately 7:00 p.m. by Chairman, Cheryl Bunfill.

1. **ROLL CALL** found the following members present: Cheryl Bunfill, Chuck Peterson, Bob Prescott, Vern Krummrich and Amy Bramstedt. Also present were Amber Miller, (Director of Land Use & Development), Adrina Blair (Secretary), Kevin Hoerner (Interim City Attorney) and Amanda Groaning (Keefe Reporting).

2. **MINUTES** – Following further discussion Krummrich made a motion to approve the Minutes of October 23, 2012. Prescott seconded.

VOTE: 5 YEAS 0 NAYS

3. **COMMUNICATIONS** – None

4. **PUBLIC HEARINGS**

ZBA01-13, USE REQUEST – Michael & Rebecca Collins, 6450 N. Illinois, Suite 103A

Director Miller briefed Zoning Board on this application and reminded that should this be approved, it would amend the code to allow for the use in all PB (Planned Business) Districts.

Chairman Bunfill requested clarification as to why this would not be considered as service facilities and/or shops and stores already listed as Permitted Uses within the PB District. Director Miller advised the use is not specifically listed and therefore would not be a Permitted Use as currently outlined in the City Code.

Bramstedt asked for information on how this business is different than a beauty/barber shop, which is a Permitted Use by Code. Director Miller stated beauty/barber shops can offer massage as part of the other services but cannot have massage as their primary use/service.

Applicants, Michael & Rebecca Collins of Collinsville, were present and sworn in at this time. Rebecca Collins stated the business consists of approximately 80% massage, 15% facials and 5% retail. Ms. Collins stated the business is often referred to as a Day Spa. Peterson asked if the business could be referred to as Massage Therapy in which Ms. Collins stated that would exclude the esthetic portion of the business.

There were 0 Proponents present to speak in favor of this application.
There were 0 Opponents present to speak in opposition to this application.

Following further discussion Peterson made a motion to approve ZBA01-13 for a business known as a Day Spa to be added as a Permitted Use within the Planned Business districts within the City of Fairview Heights.

Prescott seconded.

VOTE: 5 YEAS; Bunfill, Peterson, Prescott, Krummrich and Bramstedt
0 NAYS;

5. **UNFINISHED BUSINESS** – None
6. **NEW BUSINESS** – Director Miller announced possible upcoming Zoning Board of Appeals meeting in September 2013. Paperwork is currently pending for potential variance request.
7. **ANNOUNCEMENTS** – Director Miller announced the groundbreaking for the new Fairview City Centre will be held August 8th at 10:00am.
8. **ADJOURNMENT** – Peterson moved and Krummrich seconded to adjourn. This meeting was adjourned at approximately 7:22 p.m.

The next regularly scheduled meeting of the Fairview Heights Zoning Board of Appeals is Tuesday, August 27th, 2013 at 7:00 p.m. in Council Chambers at the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.

Respectfully,

Amber G. Miller
Director
Land Use & Development Department



CITY OF FAIRVIEW HEIGHTS

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

August 20, 2014

Fairview Heights Zoning Board of Appeals
10025 Bunkum Road
Fairview Heights, IL 62208

Dear Zoning Board Member:

The petition listed below is hereby transmitted for your consideration:

Petition No:	ZBA 01-14
Petitioner:	Three Arrowhead Properties, LLC
Request:	Sign Variance
Area Size:	Approximately 5 acres
Location:	9669 W. IL Rte. 161
Hearing Date:	August 26, 2014
Report:	Staff Advisory
Ward:	II

Respectfully,

Timothy J. Tolliver, Director
Land Use and Development

TO: Zoning Board of Appeals
FROM: Timothy J. Tolliver
DATE: August 20, 2014
RE: **ZBA 01-14 9669 W. IL Rte. 161 Three Arrowhead Properties, LLC
Sign Variance**

REQUEST

The applicant, Three Arrowhead Properties, LLC, is requesting permission to construct a second free standing sign, monument type, containing approximately 105 square feet. The proposed sign would be located on the west side of main building adjoining the right of way. The existing pylon sign located near the entrance and south of the main structure contains approximately 110 square feet of area. The variance is in regards to allowing a second free standing sign located within the required setback from right of way and in excess of the maximum area of a monument type sign. The applicant has submitted a brief narrative, a site plan, rendering of proposed signage, and images of sign located elsewhere.

REGULATIONS & VARIANCE REQUESTED

The property at 9669 W. IL Rte. 161 is zoned "I" Industrial District. The Development Code 14-7-3 Article VII Sign Regulations lists the regulations on Business District Signage for (C)-2 *Monument Signs* as:

- (2) **Monument Signs.** Monument signs shall be permitted in all Business and Industrial Districts, provided:
- (a) that the height does not exceed **ten (10) feet**;
 - (b) that the maximum area is **seventy-five (75) square feet**, and
 - (c) that the sign shall be at least **fifteen (15) feet** from any public right-of-way.

HARDSHIP

According to the paperwork submitted by the applicant, this variance is being requested as part of a new marketing package

AREA LAND USE AND ZONING

The subject property, 9669 W. IL Rte. 161, is zoned "I" Industrial District. The property is primarily surrounded by other "I" zoned parcels with the recently approved asphalt shingle recycling operation to the north, a cemetery to the south and west across the right of way is a highway contractors storage yards within the City of East St. Louis.

OVERVIEW OF GROUNDS FOR GRANTING VARIANCE

Section 14-10-13 of the Development Code details the powers, duties, and procedures for the Zoning Board of Appeals. There is no language specific to sign variances. This section of the Code does specify that no area-bulk variance in the application of any provisions of this Code shall be recommended by the Board, unless it finds, of which (c) provides general direction in regards to variance appeals:

(c) that the recommending of this variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining buildings and those in the vicinity, the Board, in making its recommendations shall take into account whether the conditions of the subject premises are peculiar to the lot or tract described in the petition. Should it be determined that the conditions are part of the general condition of the neighborhood, then it shall be so noted and the Board may recommend appropriate corrections to Code.

Exhibits:

- 1 -- Staff Advisory
- 2 -- Application
- 3 -- Site Plan
- 4 -- Sign Rendering & Photos
- 5 -- Public notice
- 6 -- Surrounding Property Owners

APPLICATION FOR SIGN VARIANCE



Land Use and Development Department
Fairview Heights City Hall
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

(Do not write in this space – for office use only)

Case Number Assigned: _____

Date Proof of Public Notice Sign Provided: _____

Date Application Received: _____

Zoning District of Property: _____

Date Set for Hearing: _____

Recommendation of ZBA: _____

Name of Newspaper and Publication Date: _____

Date of City Council 3rd reading: _____

Publication Fee Paid: _____

Action by City Council: _____

All information must be completed and submitted herewith. Applicants are encouraged to visit the Land Use and Development Department for any assistance needed in completing this form.

1. Name of property owner(s): Three Arrowhead Properties, LLC

Mailing address: 13 Guenther Boulevard St. Peters, MO 63376

Phone: 314-565-3190

E-Mail: larrys@arrowheadbuildingsupply.com

2. Name of applicant (if other than owner): _____

Relationship to owner (contractor, family member, lessee, etc.): _____

Mailing address: _____

Phone: _____

E-Mail: _____

3. Address of property: 9669 W. State Route 161, Fairview Heights, IL 62208-1658

Parcel (Tax) ID number: _____

Present use of property: _____

Zoning district: _____

4. Variance requested (be specific): _____

5. Hardship: What unique physical characteristics of the subject property are cause for allowing reasonable relief from Development Code sign regulations?

Too narrow

Topography

Soil

Too small

Drainage

Sub-surface

Too shallow

Shape

Other: _____

Please describe:

6. Are the conditions of hardship for which you request a variance peculiar only to the property described by this petition? Yes No

If "no", how many other properties are similarly affected? _____

7. Was the hardship created by the action of anyone having property interest in the land after the Development Code was adopted? Yes No

If "yes", please describe: _____

4. Variance requested (be specific):

Answer: We utilize a specific monument at all new locations that is used as a “reference point” in high visibility areas, such as state highways or interstate highways. The monument is constructed of steel and identically resembles the arrowhead graphic located inside our own company logo. It does not and will not feature ANY written messages of any kind, not even a phone number. We have included a photo of our custom monument erected in 2012 in Springfield, Missouri directly on Interstate 44, during the construction process. The “legs” of the Fairview Heights monument will be covered with trimmed hedges and will include beautiful landscaping with boulders around the base. Again, this is a new standard for our company and is an important part of our new business model that boasts larger showrooms, customer drive-thru windows, large screen TVs and miniature display homes as part of our marketing strategy. The Arrowhead monument is designed to accompany these new features as a marketing package. Please consider allowing us to keep this upgrade consistent by erecting our monument at our new Fairview Heights location. We pledge the final product will not disappoint.

5. Hardship: What unique physical characteristics of the subject property are cause for allowing reasonable relief from Development Code sign regulations?

Answer: Other: Our arrowhead monument is part of our new marketing package to create awareness for our customers. Just as McDonalds created the “Play-Place” or Cracker Barrel restaurants feature gift stores and large porches with dozens of rocking chairs, etc., the NEW Arrowhead “model” features large showrooms with miniature display homes, large screen TVs, customer drive-thru windows, signified by our arrowhead monument in front of our buildings. Every Arrowhead location will display the monument by end of 2014.

8. Was the hardship created by any other man-made change; such as the relocation of a road? () Yes (X) No

If "yes", please describe: _____

9. A sign variance is requested for the property described above in conformity with the documents submitted herewith.

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 that the entry in or upon the premises described in this application by any authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

Signature of Owner:  Date: 7/28/14
Richard L. Saxe/Owner/Vice-President

Signature of Applicant:  Date: 7/28/14
Richard L. Saxe/Owner/Vice-President







CITY OF FAIRVIEW HEIGHTS

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

August 6, 2014

RE: ZBA1-14, Sign Variance- 9669 W. State Rte. 161

DEAR SURROUNDING PROPERTY OWNERS:

Enclosed please find a copy of "Notice of Public Hearing" which appeared in the Thursday, August 7, 2014 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 Zoning Board of Appeals in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, on Tuesday, August 26, 2014 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
ZBA1-14



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 Zoning Board of Appeals on Tuesday, August 26, 2014 at 7:00 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois at which time and place the Zoning Board of Appeals will consider a Sign Variance request to allow for installation of second freestanding sign located at 9669 W. State Rte.161 within the City of Fairview Heights, Illinois. Parcel identification No. 02-25.0-400-038.

Request was made by Three Arrowhead Properties, LLC, 13 Guenther Boulevard, St. Peters, MO 63376.

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

Dated this 4th day of August, 2014

FAIRVIEW HEIGHTS ZONING BOARD OF APPEALS

By: Cheryl Bunfill, Chairman

ZBA 01-14

PARCELID	OWNER	ADDRESS	ADDRESS2	CITYST	ZIPCODE	ALT_NAME	ALT_ADDRESS	ALT_ADDRESS2	ALT_CITYST	ALT_ZIPCODE
02-25.0-313-023	KEELEY & SONS INC	6303 COLLINSVILLE RD		E ST LOUIS, IL	622012523					
02-25.0-400-012	ST CLAIR MEMORIAL PARK CEMETER	0 LINCOLN TR		FAIRVIEW HGTS, IL	62208	NEWMAN CHRIS VP	157 SEIBERT RD		O FALLON, IL	62269
02-25.0-400-022	KEELEY & SONS INC	EUGENE T KEELEY	9441 LEBANON RD	E ST LOUIS, IL	62203					
02-25.0-400-026	SEVEN ARROWHEAD PROPERTIES LLC	13 GUENTHER BLVD		SAINT PETERS, MO	63376					
02-25.0-400-027	ALIZADEH FAMILY LTD PARTNERSHI	C/O GEOTECHNOLOGY INC	11816 LACKLAND RD STE 150	SAINT LOUIS, MO	63146					
02-25.0-400-028	SEVEN ARROWHEAD PROPERTIES LLC	13 GUENTHER BLVD		SAINT PETERS, MO	63376					
02-25.0-400-037	KEELEY AND SONS INC	6303 COLLINSVILLE RD		E ST LOUIS, IL	622012523					
02-25.0-400-038	THREE ARROWHEAD PROPERTIES LLC	13 GUENTHER BLVD		SAINT PETERS, MO	63376					
02-25.0-400-039	SEVEN ARROWHEAD PROPERTIES LLC	13 GUENTHER BLVD		SAINT PETERS, MO	63376					
02-25.0-600-002	BI-STATE DEVELOPMENT AGENCY	(METRO-LINK EXPANSION)	707 N 1ST ST	ST LOUIS, MO	63102	BI-STATE DEV AGENCY-ML 121	ATTN: REAL ESTATE	707 N 1ST ST	SAINT LOUIS, MO	631022552
02-25.0-600-003	BI-STATE DEVELOPMENT AGENCY	(METRO-LINK EXPANSION)	707 N 1ST ST	ST LOUIS, MO	63102	BI-STATE DEV AGENCY-ML 121	ATTN: REAL ESTATE	707 N 1ST ST	SAINT LOUIS, MO	631022552