



CITY OF FAIRVIEW HEIGHTS

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

AGENDA ZONING BOARD OF APPEALS May 5, 2022 7:00 P.M. City Council Chambers

1. Call to Order and Roll Call
2. Citizens Comments- *This is an opportunity for the public to address the ZBA on non-agenda related items. Comments made during this section of the agenda that require a response will be referred to the appropriate City staff member or official for follow-up at a later date.*
3. Approval of Minutes – August 5, 2021
4. ZBA Cases / Public Hearing
 - a. ZBA01-22, Area Bulk Variance to allow a variance from the minimum rear yard setback at the property located at 21 Mount Vernon Drive, Fairview Heights, Illinois, St. Clair County PIN 03-27.0-210-011
5. Old Business – None
6. New Business - None
7. Announcements
8. Adjournment



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MINUTES ZONING BOARD OF APPEALS August 5, 2021

The Fairview Heights Zoning Board of Appeals meeting was held on Thursday, June 3, 2021 in Recreation Room at the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois and called to order at approximately 7:15 p.m. by acting Chairman, RJ Abernathy.

1. **ROLL CALL** found the following members present: AJ Abernathy(Acting Chairman), Chuck Peterson, Cleater Wicks, & Janice Petroff. Also, present were Paul Ellis, (Economics Director), Kendra Tucker (Secretary), and attending virtually, Andrew Hoerner(City Attorney).

2. **MINUTES** – Mr. Peterson made a motion to approve the minutes of June 3, 2021. Ms. Wicks seconded.

VOTE: Unanimous.

3. **COMMUNICATIONS**

None.

4. **PUBLIC HEARINGS**

ZBA03-21, Area Bulk Variance – 68 Circle Drive, Larry & Carole Hill

Director Ellis presented the staff advisory.

The applicant was present.

Larry Hill of 68 Circle Drive, Fairview Heights, IL was sworn in.

Mr. Hill explained the purpose of his request to the board.

The board briefly discussed the application.

Mr. Peterson made a motion to approved ZBA03-21. Ms. Wicks seconded the motion.

Board member Peterson moves to recommend approval of ZBA03-21, an Area Bulk Variance to allow a variance from Section 14-3.8.1(E) to allow a carport to be 40' from the front setback rather than the 60' required. The property is addressed as 68 Circle Dr., St. Clair County PIN 03170302009.

Area/Bulk Variance

1. The request will not be injurious or detrimental to the public health, safety, and welfare.
2. The applicant is requesting a variance due to the topography of the parcel.
3. Strict application of the Code would deprive the applicant of reasonable use of the property.
4. The request would not alter the essential character of the area.

Votes: 4 Yays –Cleater Wicks, Chuck Peterson, R.J. Abernathy, and Janice Petroff
0 Nays, 0 Absent

ZBA04-21, Area Bulk Variance – 300 Roselawn Avenue, Rengel Family Real Estate

Director Ellis presented the staff advisory.

The applicant was present.

Bill Rengel of 300 Roselawn Ave., Fairview Heights was sworn in.

Mr. Rengel explained his request to the board.

Bernice Rengel of 300 Roselawn Ave., Fairview Heights was sworn in.

Ms. Rengel explained her request.

Barb Jackson was present.

Ms. Jackson stated her support for this request.

Tim Rengel of 300 Roselawn Ave., was sworn in.

Mr. Rengel stated the neighboring house is a nuisance and the fence variance would help.

Alderman Barb Brumfield was present and asked if the city has taken any action against the applicant's neighboring property owner.

Mr. Bill Rengel stated that former director Riganti had stated the city had cone enforcement actions filed against the neighboring property.

The board briefly discussed the request.

Mr. Peterson made a motion to approve ZBA04-21

Board member Peterson moves to recommend approval of ZBA04-21, an Area Bulk Variance to allow a variance from Section 14-4-4(F) for a privacy fence to be maintained at 6" height, constituting a 2' variance from the 4' height limitation, since the fence is required for safety and

protection from hazard or nuisance. The property is addressed as 300 Roselawn Ave. St. Clair County PIN 03280100035.

Area/Bulk Variance

1. The request has a precedent for this action by the board
2. The request will not be injurious or detrimental to the public health, safety, and welfare.
3. The applicant contends that the fence is required for safety and protection from hazard or nuisance.
4. Strict application of the Code would deprive the applicant of reasonable use of the property.
5. The request would not alter the essential character of the area.

Votes: 4 Yays – Cleater Wicks, Chuck Peterson, R.J. Abernathy, and Janice Petroff
0 Nays, 0 Absent

5. **UNFINISHED BUSINESS** – None
6. **NEW BUSINESS** – None
7. **ANNOUNCEMENTS** – Director Ellis announced that Andrea Riganti is no longer with the city and that he will be standing in until a new director is hired.
8. **ADJOURNMENT** – Mr. Peterson moved and Mr. Abernathy seconded to adjourn. This meeting was adjourned at approximately 7:25 p.m.

The next regularly scheduled meeting of the Fairview Heights Zoning Board of Appeals is Thursday, September 2, 2021, at 7:00 p.m. in Council Chambers at the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.

Respectfully,

Paul Ellis, Director
Economics Director
PE/kt



**DEPARTMENT OF
LAND USE AND DEVELOPMENT**

TRANSMITTAL TO ZONING BOARD OF APPEALS

APPLICATION NUMBER: ZBA-01-22

REQUEST: Area Bulk Variance to allow a variance from 14-2-2 (A) for the construction of a sunroom 12' from the rear property line, constituting a 13' variance from the 25' requirement. The property is addressed as 21 Mount Vernon Drive. Also identified by St. Clair County PIN(s) 03-27.0-210-011. *VOTE REQUESTED.*

APPLICANT NAME: Jacob Sunroom & Exteriors

MEETING DATE: May 5, 2022

ZONING: R4 – Single Family Residential

GENERAL LOCATION:

STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes standards for lot width, yard setbacks, area, and more. The standards vary amongst zoning districts and are specific to the characteristics of each. In addition, the Development Code establishes standards for parking, lighting, signage, accessory uses and more.

The subject property located at 21 Mount Vernon Drive is zoned R4 – Single Family Residential. The applicant is seeking a variance from Section 14-2-2 (A) which establishes the minimum distance for a structure from the rear property line in R4 of 25'. The property owner would like to construct a sun room 12' from the rear property line.

2. Area-Bulk Variance Criteria

In accordance with 14-10-13 Zoning Board of Appeals: Powers, Duties, Procedures, no area-bulk variance in the application of any provisions of this Code shall be recommended by the Board, unless it finds:

(a) That special circumstances or conditions fully described in findings of fact apply to the land or buildings for which the area-bulk variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to the land or buildings in the neighborhood, and that said circumstances or conditions are such that strict application of the provisions of this Code would deprive the applicant of a reasonable use of such land or building;

(b) that, for reasons fully set forth in the findings, the recommending of the area-bulk variance is necessary for the reasonable use of land or buildings, and that the variance as recommended by the Board is the minimum variance that will accomplish this purpose;

(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. Application and Supporting Documents
2. Public notice
3. Draft Findings of Fact

APPLICATION FOR AREA-BULK 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:

ZBA01-22

Date Proof of Public Notice Sign Provided:

Date Application Received:

3/8/2022

Zoning District of Property:

Date Set for Hearing:

5/5/2022

Recommendation of ZBA:

Name of Newspaper and Publication Date:

Date of City Council 2nd reading:

Publication Fee Paid:

Paid 3/8/2022

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.

- Name of property owner(s): ALEXANDER + SANDRA GRUDZINSKI
Mailing address: 21 MOUNT VERNON DRIVE FAIRVIEW HEIGHTS, IL. 62208
Phone: 618-624-2167
E-Mail: ALGRUP1@CHARTER.NET
- Name of applicant (if other than owner): JACOB SUNROOM + EXTERIORS
Relationship to owner (contractor, family member, lessee, etc.): CONTRACTOR
Mailing address: 9723 W. STATE RT 161 FAIRVIEW HEIGHTS, IL. 62208
Phone: 618-397-4391 618-920-3974
E-Mail: KEVINP@JACOBFAMILYINC.COM

3. Address of property: 21 MOUNT VERNON DRIVE FAIRVIEW HEIGHTS, IL
Parcel (Tax) ID number: 03-27.0-210-011
Present use of property: SINGLE FAMILY HOME
Zoning district: _____

4. Variance requested: A 13' VARIANCE OF THE REAR YARD
SET BACK, ALLOWING THE SUNROOM TO BE 12' FROM
BACK PROPERTY LINE

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

- | | | |
|---|-------------------------------------|---------------------------------------|
| <input type="checkbox"/> Too narrow | <input type="checkbox"/> Topography | <input type="checkbox"/> Soil |
| <input type="checkbox"/> Too small | <input type="checkbox"/> Drainage | <input type="checkbox"/> Sub-surface |
| <input checked="" type="checkbox"/> Too shallow | <input type="checkbox"/> Shape | <input type="checkbox"/> Other: _____ |

Please describe:

THE REAR YARD IS VERY SHALLOW DUE TO THE
DRAINAGE CREEK

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: _____

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

If "yes", please describe: _____

9. Do the existing structures comply with all area and bulk regulations for the zone district in which it is located? Yes () No (if "no", specify each non-conforming use):

10. What is the "minimum" variance from the area/bulk regulations that will permit you to make reasonable use of your land? (Specify, using maps, site plans with dimensions and written explanation. Attach additional sheets if necessary).

A 13' VARIANCE OF THE REAR YARD SET BACK

11. An area-bulk variance is requested for the property described above in conformity with the documents submitted herewith.

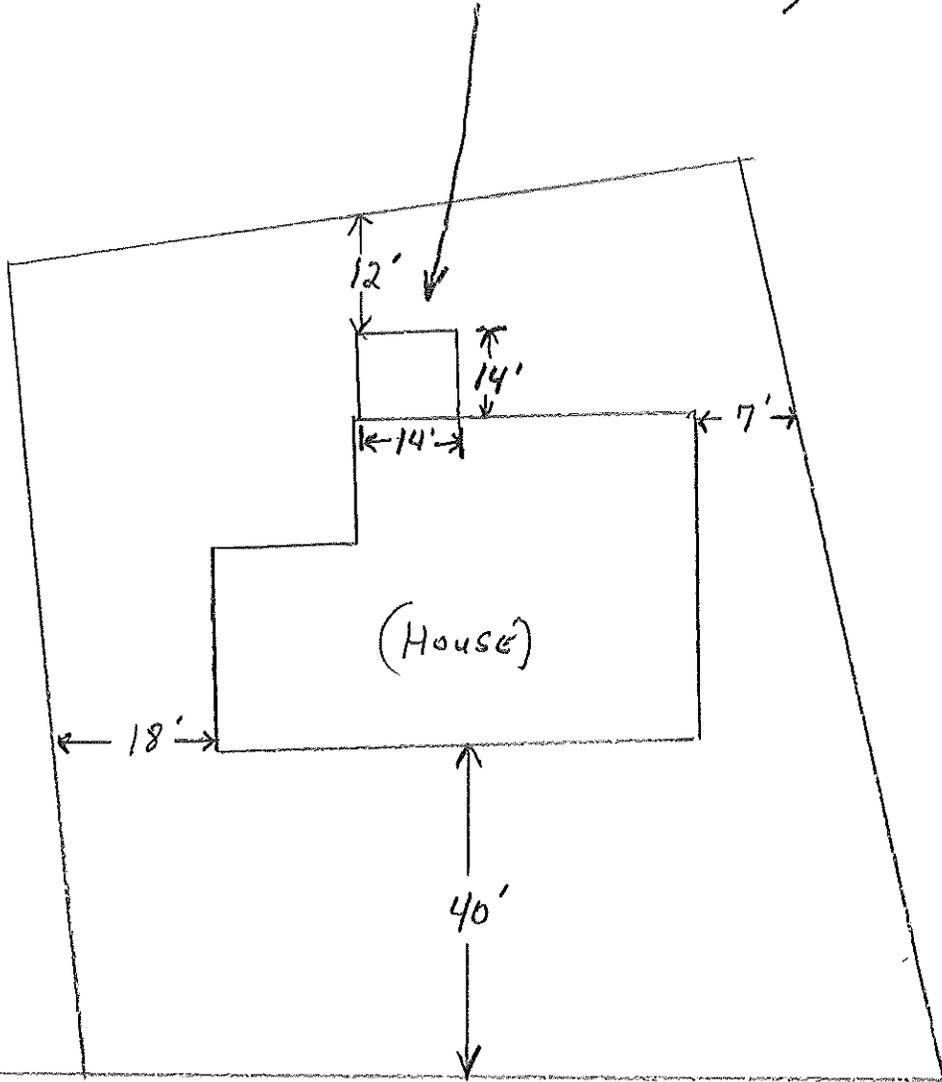
I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

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: X Charles W. Guss Date: _____

Signature of Applicant: Kevin Little Date: _____

PROPOSED: POUR A 14'x14' FOOTED PAD & INSTALL A 14'x14' ALUMINUM SUNROOM



MOUNT VERNON

Alexander And Sandra Grudzinski
21 Mount Vernon Dr. Fairview Heights, IL
Parcel Number 03270210011

25 Mount Vernon Drive

Parcel Number
03-27.0-210-020
Owner Name & Address
MATHEWS, FRANSE & BROCK PO BOX 2780 LODI, CA, 95241

29 Mount Vernon
Drive

Parcel Number
03-27.0-210-008
Owner Name & Address
BRAKE, JASON T 29 MT VERNON DR FAIRVIEW HEIGHTS, IL, 62208

31 Mount Vernon
Drive

Parcel Number
03-27.0-210-007
Owner Name & Address
VENNUM, WARREN E & JOYCE A 31 MT VERNON DR FAIRVIEW
HEIGHTS, IL, 62208-2127

19 Mount Vernon
Drive

Parcel Number
03-27.0-210-012
Owner Name & Address
RAPP, JASON T & JANA 4530 BARLEYRIDGE DR SMITHTON, IL, 62285

26 Mount Vernon
Drive

Parcel Number

03-27.0-213-001

Owner Name & Address

MCKENNA, PATRICK & CONSTANCE 26 MOUNT VERNON DR FAIRVIEW
HTS, IL, 62208-2128

22 Mount Vernon
Drive

Parcel Number

03-27.0-213-004

Owner Name & Address

KITCHELL, ALI 3456 MIDDLEBURY WAY BELLEVILLE, IL, 62221

20 Mount Vernon
Drive

Parcel Number

03-27.0-213-005

Owner Name & Address

WOMBLE, CODY 20 MT VERNON DR FAIRVIEW HEIGHTS, IL, 62208

16 Mount Vernon
Drive

Parcel Number

03-27.0-213-007

Owner Name & Address

RIESENBERG, DONALD & MARGARET 332 FOREST OAKS DR
CASEYVILLE, IL, 62232

14 Mount Vernon
Drive

Parcel Number
03-27.0-213-008
Owner Name & Address
CAMPBELL, SANDRA SUE TRUSTEE 14 MT VERNON DR FAIRVIEW
HEIGHTS, IL, 62208

10 Mount Vernon
Drive

Parcel Number
03-27.0-213-010
Owner Name & Address
WILLIAMS, GINGER D 10 MOUNT VERNON DR FAIRVIEW HTS, IL, 62208-
2128

625 LINCOLN HWY

Parcel Number
03-27.0-100-057
Owner Name & Address
SUSO 4 ST CLAIR LP 121 KING ST WEST SUITE 200

627 LINCOLN HWY

Parcel Number
03-27.0-100-079
Owner Name & Address
FREULER, PATRICIA K TRUSTEE 2030 HAMILTON PLACE BLVD STE 500
CHATTANOOGA, TN, 37421

20 LEXINGTON DR

Parcel Number
03-27.0-213-024
Owner Name & Address
BUCKNER, TERRANCE & TESHIA 20 LEXINGTON DR FAIRVIEW
HEIGHTS, IL, 62208

18 LEXINGTON DR

Parcel Number

03-27.0-213-025

Owner Name & Address

MACIURA, WILLIAM JR & CAROL A 18 LEXINGTON DR FAIRVIEW
HEIGHTS, IL, 62208-2120

16 LEXINGTON DR

Parcel Number

03-27.0-213-026

Owner Name & Address

CRADER, PHILLIP 102 CAVINS RUN LEBANON, IL, 62254

14 LEXINGTON DR

Parcel Number

03-27.0-213-027

Owner Name & Address

SBKP PROPERTIES LLC 3101 BIRMINGHAM DR GLEN CARBON, IL,
62034



CITY OF FAIRVIEW HEIGHTS

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

April 14, 2022

**RE: ZBA01-22, Area Bulk Variance, 21 Mt. Vernon Drive, Fairview Heights, IL
(03-27.0-210-011)**

Dear Property Owner/Resident:

Please be aware that a Public Hearing before the Fairview Heights Zoning Board of Appeals will be held on Thursday, May 5, 2022, at 7:00 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois regarding 21 Mt. Vernon Drive. As a property owner/resident within the vicinity of the subject site, you are being notified of the Public Hearing.

The Zoning Board of Appeals will consider an Area Bulk Variance to allow a variance from the minimum rear yard setback. The property is located at 21 Mt. Vernon Drive, St. Clair County PIN 03-27.0-210-011

All persons desiring to appear and be heard on this proposal may appear at said hearing and be heard thereon. We cannot contact all interested parties by mail, so please share this information with anyone who may be interested.

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

Sincerely,

Kendra Tucker
Recording Secretary
City of Fairview Heights



DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Zoning Board of Appeals on Thursday, May 5, 2022 at 7:00 p.m. in the Fairview Heights Municipal Complex 10025 Bunkum Road, Fairview Heights, Illinois and virtually at which time and place the Zoning Board of Appeals will consider an Area Bulk Variance to allow a variance from the minimum rear yard setback. The property is addressed as 21 Mount Vernon Drive, St. Clair County PIN 03-27.0-210-011

Request was made by Jacob Sunroom and Exteriors 9723 West State Route 161 Fairview Heights, IL 62208.

All persons desiring to comment on this proposal may appear at said hearing and be heard thereon.

Dated April 13, 2022.

FAIRVIEW HEIGHTS ZONING BOARD OF APPEALS

BY: Cheryl Bunfill

ZBA01-22

FINDINGS

ZBA01-22

Board member _____ moves to recommend approval of ZBA01-22, an Area Bulk Variance to permit the minimum rear yard setback at 21 Mount Vernon Drive to be reduced below 25 feet in the R-4 Single Family Residential District.

Area/Bulk Variance

1. The request will /will not be injurious or detrimental to the public health, safety and welfare.
2. The applicant is / is not requesting a variance due to the size of the parcel.
3. Strict application of the Code would / would not deprive the applicant of reasonable use of the property.
4. The request would / would not alter the essential character of the area.
5. The request will / will not extend the nonconformity.