

# MONROE COUNTY PLANNING COMMISSION MINUTES

September 1, 2022

7:30 p.m.

The regular scheduled meeting of the Monroe County Planning Commission was called to order by 1<sup>st</sup> Vice Chairman Walter Wetzel. Members present were James Agne, Tim Berg, Laurie Brown, Karin Callis, Brian Coats, Dan Davis, Dave Glosecki, Dale Haudrich, and Walter Wetzel. Ex-Officio Members present were Chris Voelker and Aaron Metzger.

APPROVAL OF MINUTES: Motion Laurie Brown, second Tim Berg to approve August 4, 2022 minutes. Voice vote – all aye.

## NEW BUISNESS:

Petition for: **Special Use-(I) Greenhouse/landscape**                      **Current Zoning:        A-2**  
Petition by:    Melissa & Frederick Nehls  
Located at:    4565 EE Road, Columbia, IL  
PIN:             04-25-400-006  
Fee: \$300-Pais

## Documents Reviewed:

### 1. Letter of Intent:

We are applying for this special permit in order to keep our lawn equipment, trucks and trailers in the buildings that are on this property. We will keep everything contained in the buildings and It is our understanding that previous owner also ran lawn and landscape company as well.

There will be minimal traffic going in and out of property as all of our work is performed at job site and not at this location. This is a small family-owned business with less than 5 employees and no vehicle is larger than an F350 Truck

### 2. Health Department: N/A

### 3. Soil and Water Conservation Report: N/A

### 4. Effect on Comprehensive Plan: N/A

### 5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: N/A

### 6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: N/A

7. Present Use of Property: Lawn & Landscape Business

8. Comments:

- Frederick Nehls – In the process of buying the property.
- Dan Davis – This would be subject of closing of the property.
- Frederick Nehls – Has a small lawn care business. They have been renting for several years, decided to buy something.
- Melissa Nehls – This will mainly be used for storing lawn equipment.
- Frederick Nehl s– Business is lawn care and mowing.
- Chris Voelker – Previously Dan King was granted a special use on the property for storing lawn equipment with the condition of storing inside.
- Dan Davis – Previous owner put barrier walls.
- Frederick Nehls – Agrees and likes the privacy. Everything will be kept indoors, unless it is in use. He wants to stay in good with the neighbors.
- Brian Coats – Should we keep that condition?
- Dan Davis – All storage should be indoors and no stock piling of material.

9. Motion by Dan Davis, second Tim Berg to recommend granting Frederick and Melissa Nehls (Sun Dial Lawn Care) a Special Use Exception to operate a landscaping business (Section 40-2-71(I)) with the conditions of no bulk storage of material outside, equipment kept inside, and subject to applicants closing on the property. The property is located at 4565 EE Road, Columbia, Illinois. Parcel #04-25-400-006. Yes – 8, no- 0. Motion passed.

Petition for: **Variance- Setback**                      **Current Zoning:**                      **Agricultural**  
Petition by: Brad Weaver, Diamond Dirt, LLC  
Located at: 8850 Levee Road, Valmeyer, IL  
PIN: 06-02-300-008-000  
Fee: \$200-Paid  
Documents Reviewed:

1. Letter of Intent:

Please allow this letter to serve as a proposal for Diamond Dirt, LLC (Brad Weaver & Mark Kramer) to request a set-back variance at 8850 Levee Road, Valmeyer, IL 62295 (Parcel: 06-02-300-008-000).

We own the property located at 8850 Levee Road. Our company name is Diamond Dirt, LLC and our business is selling topsoil. We acquired this land/business in June 2022 and the property has been operated as the current use for 20+ years. Our business is seasonal as the opportunity to harvest top soil is 100.0 percent weather dependent. After the topsoil is harvested it needs to sit and dry out so it can then be shredded and put into bags. Currently we are limited in storage capacity as the soil needs to be stored in a covered/shaded area. Our goal in submitting this variance request is to construct a lean-to (three-sided structure attaching to or

abutting the north wall of the north shed) to have the ability to store more top soil, which in turn allows us to operate more consistently as the weather will be less impactful.

We are limited in options for constructing additional storage space due to the topography of the land surrounding the current structures as well as drainage areas. The land slopes downward to the east and south around the existing sheds and Levee Road is located on the west side of the property. In addition, there is storm water drainage for multiple properties on the east side of the current structures, eliminating the option of filling or building an area up. Our best opportunity to accomplish the goal of creating more storage is limited to expanding northward.

It is our understanding that the current set-back requirement in the Agricultural zoning district is 20'. We would like to request a variance to extend a three-sided structure to the north with a new set-back requirement of 3'. It is also our understanding that 3' was the previous set-back in the Agricultural zoning district.

There are approximately 40' between the north shed and the property line; the proposed lean-to or three-sided structure would be built in this area. There are approximately 125' between the property line and the residence of the adjacent land owner. The new structure would be used strictly for storage and we do not foresee the proposed use being impactful on the adjacent property owner in any way.

Please refer to the attached site plan for details referenced above.

We appreciate you taking the time to consider this proposal and please contact us with any questions.

2. Health Department: N/A
3. Soil and Water Conservation Report: N/A
4. Effect on Comprehensive Plan: N/A
5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: N/A
6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: N/A
7. Present Use of Property: Agricultural
8. Comments:
  - Brad Weaver – Is looking to build a 3-sided structure by the north end of the shed. Wanting it for more storage.
  - Dan Davis – What size structure do you want to build?

- Brad Weaver – It will depend on the set back. Ideally, Approximately 40' x 60'.
- Dan Davis – It is hard to know exactly where the line is. There are some big blocks of concrete, kind of by the area.
- Brad Weaver – Looking at 40' to the property line.
- Dan Davis – Don't have any other spots. Wouldn't it increase your storage by at least 50%. Would only be open towards the road?
- Brad Weaver -yes.
- Brian Coats – Have you talked to your neighbor?
- Brad Weaver – No.
- Brian Coats – 3 feet is pretty close. Neighbor isn't hear, so there must not be any concerns.
- Brad Weaver - 125' from her house. Would like to build something straight.
- James Agne – The purpose of 20' was in case the neighbor wanted to expand.
- Dan Davis – I 3 feet enough space to maintain the structure?
- Brad Weaver – There would be a 12' buffer area and just a small area that would be 3 feet.
- Brian Coats – The neighbors building is closer than 20 feet to the property line.
- Brad Weaver – Is willing to get a survey if the variance is approved.
- Walter Wetzler – It is in the flood plain; s no other buildings can be built other than farm usage.

9. Motion by Dan Davis, second Tim Berg to recommend granting Diamond Dirt, LLC an Area/Bulk Variance to allow a 3-foot setback from the north line subject to being surveyed to verify setback. The property is located at 8850 Levee Road, Valmeyer, Illinois. Parcel #06-02-300-008-000. Yes – 9, No-0. Motion passed.

Petition for: **Special Use, Commercial Kennel**                      **Current Zoning:**                      **Agriculture**  
 Petition by: Luke Simpson  
 Located at: 9425 Smith Rd. Red Bud, IL 62278  
 PIN: 12-24-200-001  
 Fee: \$300- Paid

Documents Reviewed:

1. Letter of Intent:

I have a structure located at 9425 Smith Rd, Red Bud, IL 62278 that is currently being used to house my own personal dogs for showing and breeding purposes. I am in good standing with the Illinois Department of Agriculture and abide by all of their rules and regulations. We are inspected at least once a year. I am also in good standing with the American Kennel Club (AKC) and have been inspected by them as well.

I am asking that you grant me a special use permit so that I can continue to house my own personal dogs in the structure I personally built for them.

2. Health Department: N/A
3. Soil and Water Conservation Report: N/A
4. Effect on Comprehensive Plan: N/A
5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: N/A
6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: N/A
7. Present Use of Property: Agricultural
8. Comments:
  - Luke Simpson is not here today.
  - Chris Voelker – Our office makes a courtesy call to petitioners to remind them of the meeting. When Mr. Simpson was called, he stated that he would not be at the meeting. He did not make a request to reschedule or table the petition. The original permit application was made for an agricultural building with no electric or plumbing. We were called out for an electrical service inspection by Professional Electric Solutions. When on site we found that the “agricultural building” was a commercial dog kennel with plumbing and electric in it and none of it has ever been inspected. Commercial dog kennels requires a special use. He was sent the paperwork to complete, and it’s been a battle ever since. We sent his file to the State’s Attorney. It went to court, and there was a trial. He was found guilty of being a commercial dog breeder. Mr. Simpson maintains that he is not operating a commercial dog kennel. To comply with the court, he needs to pay his fine and obtain a special use permit to operate a commercial dog kennel. That is why we are here.
  - Dan Davis – There are 16-18 females, doesn’t have any males. Breeds using AI.
  - Brian Coats – He is selling the puppies.
  - Lucas Liefer – Judge already said he is a commercial breeder.
  - Lucas Liefer – There are three things you can do; recommend it, deny it for other reasons than him not being here, or table it.
  - Brian Coats – The nicest thing would be do is to table it.
  - Dan Davis – Thinks it’s better to table it.
  - Chris Voelker – Believes it is a one-time table.
9. Motion by Dan Davis, second Tim Berg to table until October. Yes – 7, no-1, abstain – 1. Motion passes.

OLD BUSINESS:

TREASURER'S REPORT: No Report

ZONING OFFICER'S REPORT:

(Chris Voelker) In the month of August 2022, there were 17 permits. Fees collected for the building permits were \$2,975.00, Inspections \$3,380.00, Electrical License Renewals \$375.00, filing fees \$800.00, and Municipal Inspections \$1,040.00. Total fees collected for the month of August 2022 was \$8,570.00.

Motion Laurie Brown, second Tim Berg to approve Zoning Officer's Report. All aye by voice vote.

ROAD REPORT: No Report

COMMISSIONERS REPORT: No Report

COMPREHENSIVE PLAN COMMITTEE: No Report

POLICY REVIEW COMMITTEE: No Report

ECONOMIC DEVELOPMENT: No Report

ADJOURNMENT: Motion James Agne, second by Tim Berg. Voice Vote – All Aye.

Next Regular Meeting – October 6, 2022