



City of Granite City

Inspection Department 2000 Edison, Ground Floor Granite City, IL 62040 Phone:(618) 452-6218 FAX:(618)452-6246

Plan Commission Minutes May 7, 2009

CALL TO ORDER

The meeting of the Plan Commission was called to Order on May 7, 2009, at 7:00 PM.

PLEDGE, SWEAR-IN & COMMENTS

Chair Ryan swore in those present and explained the Plan Commission is a recommending body to the City Council and the Council will make the final determination at the next City Council meeting.

ATTENDANCE/ROLL CALL

Members Present: Sandy Crites, John Janek, Sharon Ryan, Jack Taylor, Don Lueddeke and Nick Ryan.
Excused were: Mark Davis, Ben Ward, Frank Greathouse and Shirley Howard.

Also present were: Alderman Dan McDowell, Alderman Jim Smith and Assistant City Attorney Laura Andrews.

APPROVAL OF MINUTES & AGENDA

A motion to approve the Minutes (April 2, 2009) and the Agenda was made by John Janek and seconded by Nick Ryan. All ayes. Motion carried.

COUNCIL REPORT

Alderman Dan McDowell reported all of the recommendations to the City Council were approved.

PETITION

a). Daniel Lusiciel

2000 Illinois Avenue

Petitioner Daniel Lusiciel, 2221 Hunter's Point, Granite City, Illinois presented his request for non-conforming, continued use, as an automotive shop in a residential district Zoned R-3.

Discussion followed. The commission agreed the building was used as an automotive shop by the previous tenant and the Chair recognized there was no one present to voice approval or disapproval of the Petition.

MOTION by John Janek and seconded by Don Lueddeke to allow the Special and Non-conforming Use Permit with the following requirements and conditions:

- a. Hours of operation limited to: 8:00 AM – 5:00 PM
- b. Days of operation: Monday – Saturday (No Sunday operations)
- c. Signage limited to: Sign Permit as allowed by Ordinance and to be approved by the Zoning Administrator
- d. Screening required: Chain Link and slotted for privacy
- e. Additional parking required: yes
- f. Any additional exterior lighting permitted: Yes, but facing away from neighbors
- g. Is there a need to address storm water run-off? Not applicable
- h. Does permit expire with change of ownership and/or use? Yes

- i. Is re-application necessary to intensify use? Yes
- j. Shall the Zoning Administrator have the right to bring back the permit for review if, at any time, he finds the stated intent of the permit has not been followed or the business has become a nuisance? Yes
- k. Additional requirements:
 - 1). Business Occupancy Inspections required.
 - 2). Business License required.
 - 3). Clean and Paint the outside.

ROLL CALL VOTE: MOTION PASSED UNANIMOUS

**b). Don Cathey, Flam-n-Don's Tattoo Parlor
1400 20th Street a/k/a 1950 State Street**

Mr. Don Cathey, 2057 13th Street, Granite City, introduced himself and presented his request that he be allowed to change locations and continue to operate his tattoo parlor in the newly formed H.A.R.C. district. He stated he has had his business in the downtown area since 1996.

Discussion followed concerning the approved entities allowed under the old PUD (Article 13) and the new HARC (Article 15); and which Commission or Board is responsible for making recommendations to the City Council.

The Administrator stated PUD was replaced by HARC, PUD no longer exists, and he did not believe HARC is established to the point that it is ready to hear Petitions. Alderman Mc Dowell concluded it is in the Petitioner's best interest for this Commission to move forward and suggested approval for the petition to be considered, that a Tattoo Parlor could be considered a form of Art and the Petitioner is an individual with a pre-existing business who is forced to re-locate because the City purchased the building he previously occupied.

MOTION by Janek, seconded by Nick Ryan to allow the Petitioner to relocate his Tattoo business to the new location.

ROLL CALL VOTE: 4 Aye - 2 Nay MOTION CARRIED

**c). Dr. Phil Dudak, D.C.
2339 Pontoon Road**

Dr. Phil Dudak, 2303 Woodlawn Avenue, Granite City, presented his request for a Special Use Permit to allow a change in chiropractic physicians operating a business in a district that is Zoned R-1. The new physician will be Dr. James T. Phillips, D.C. No other changes will be made. No opposition was voiced.

MOTION to allow the change of chiropractic physicians made by John Janek and seconded by Sandy Crites.

ROLL CALL VOTE: MOTION PASSED UNANIMOUS

**d). Jonathan & Gina Blaylock
4102 Old Alton Road**

Gina Blaylock, spouse of Petitioner, 4102 Old Alton Road, Granite City, introduced herself and her daughter, Autumn. She stated her husband (a police officer) is not available due to work related travel and presented their request to keep two horses on their property. The Blaylock's believe they have ample acreage to board the animals and presented an enlarged photo from the County map indicating the area where they would be exercised (round pen style) and be allowed to graze (back area of the property). Autumn is an equestrian and she explained the convenience of having the horses at home and how it

would benefit the family, both with travel time and boarding expense. The horses are presently boarded out of town.

The Zoning Administrator distributed copies of City Ordinance, Animal Care, Chapter 6.24 and referred the committee to Section 6.24.080 Horse Stables. Discussion followed. The Assistanat City Attorney determined this committee could approve the request because it is a Non-conforming or Special Use Request. The Zoning Administrator answered questions: (1) should the Blaylock's move, the special use exemption for the Horses leaves as well, (2) additional horses, more than two, would intensify the use and the owners would have to come back before the commission and (3) he did not believe any of the homes in the surrounding area were on well water.

The Chair called for anyone in the audience that was in favor of the Petition. None were voiced. The Chair then called for opposition. Those opposed included:

- | | | |
|----------------------|---------------------|--|
| 1). Joey Polach, | 4131 Old Alton Road | The smell would be bad. |
| 2). Luitgard Fries | 4117 Old Alton Road | Smell and Horse Flies |
| 3). Hazel May | 4127 Old Alton Road | Smell, flies, just against it |
| 4). Katherine Wilson | 1424 Norwood Avenue | Does the City allow farm animals? |
| 5). Lloyd Wilson | 1424 Norwood Avenue | Can they bring in more than two horses or any other farm animal? |

Autumn Blaylock asked to speak and stated she is the owner of the two horses, she will be going away to equine school in Carbondale soon. She stated the horses do not smell bad. They are well cared for. They are well trained. The horse waste (manure) can be sold to farmers.

Comments and discussion followed. Jack Taylor concern is for contamination of well water, even if used solely for watering a garden. Joelle Geottman (audience) 4131 Old Alton Road, stated she knows of a neighbor that has a well for gardening.

Sandy Crites stated presently there is no development in the acreage next to the Blaylock property, but something such as a sub-division could go in that area or region.

The Assistant City Attorney asked if there is a way to determine the distance of where wells are located. The Chair asked the attorney if the City needs to investigate the well issue and was told, if you are going to deny the petition, there is no reason to investigate. To approve the petition would be reason to investigate.

The Administrator stated an investigation would require documentation and comments from the City Engineers of what is there. Also you would need to know what the State laws mandate and the only way to do that would be to go from door to door.

No further discussion.

MOTION by Crites to **deny** the request for 4102 Old Alton Road for Non-conforming Special Use Exemption for housing two horses on the property, seconded by Jack Taylor. (More specifically, ayes want to deny the Petition).

ROLL CALL VOTE: 3 aye - 3 nay MOTION TIED

The Plan Commission decision will go to the City Council as a tie and they will have their vote on May 19, 2009.

PETITION REVIEW

**JSAW (Jesus, Snow, Asphalt & Water – Recreation Facility)
1735 Grand Avenue**

Dave Jarman, President and spokesperson for JSAW, was told by the Chair the purpose of this review is because of a recent newspaper article (NEWS DEMOCRAT April 6, 2009) wherein the headline reads: “Church makes connection at skate park” and is further described as Grace Christian Church with a congregation of 30 members. The Administrator emphasized the review is not because of the word “church”, rather because the use has intensified and the use is not what was originally established and approved by the Commission. The Commission concurred a faith based theme for the skate park (Jesus, Snow, Asphalt and Water) was selected by the founders, however, the specific use was not intended to be a congregation for religious services.

MOTION by Crites, seconded by Janek to allow for no action at this time and for the JSAW to return in six months for a review of intensification.

ROLL CALL VOTE: 5 aye – 1 nay MOTION CARRIED

No further business. Motion to Adjourn by Janek and seconded by Crites.

Submitted by,



Barbara Hawkins
Secretary
Plan Commission

PLAN COMMISSION ADVISORY REPORT

PETITIONER: Daniel L. Lusivic

LOCATION: 2000 Illinois Avenue

REQUEST: Non-Conforming Use Permit for Automotive Shop

HEARING DATE: May 7, 2009

**Daniel Lusivic
2000 Illinois Avenue**

MOTION by Janek and seconded by Lueddeke to allow the Petitioner a Non-conforming Use Permit for continued use as an Automotive Shop (Zoned R-3) with the following restrictions:

- a). Hours of operation limited to: **8:00 AM – 5:00 PM**
- b). Days of operation: **Monday – Saturday**
- c). Signage limited to: **As allowed** by Ordinance
- d). Screening required: **Chain link and slotted for privacy**
- e). Additional parking required: **Yes**
- f). Additional exterior lighting permitted: **Yes, but facing away from neighbors**
- g). Is there a need to address storm water run-off? **No**
- h). Does Permit expire with change of ownership; any change in use; and /or intensification of use: **Yes**
- i). Is re-application necessary to intensify use? **Yes**
- j). Shall the Zoning Administrator have the right to return permit for review if he finds the stated intent of the permit has not been followed or the business has become a nuisance? **Yes**
- k). **Additional Requirements:**
 - 1). **Business Occupancy Inspections** required.
 - 2). **Business License** required.
 - 3). **Clean and Paint** the outside of building.

Roll Call Vote: MOTION PASSED UNANIMOUS

ROLL CALL	Sandy Crites	YES	Jack Taylor	YES
	John Janek	YES	Nick Ryan	YES
	Sharon Ryan	YES	Don Lueddeke	YES

**Flam-n-Don's
Don Cathey
14200 20th Street**

MOTION by Janek and seconded by Nick Ryan to allow relocation of Tattoo Parlor to 1400 20th Street in the HARC district.

Roll Call Vote: 4 ave - 2 nay MOTION PASSED

ROLL CALL	Sandy Crites	NO	Jack Taylor	NO
	John Janek	YES	Nick Ryan	YES
	Sharon Ryan	YES	Don Lueddeke	YES

Dr. Phil Dudak, D. C.
2339 Pontoon Road

MOTION by Janek, seconded by Crites to allow Special Use Permit for name change of Chiropractic Physicians at 2339 Pontoon.

Roll Call Vote: MOTION PASSED UNANIMOUS

ROLL CALL	Sandy Crites	YES	Jack Taylor	YES
	John Janek	YES	Nick Ryan	YES
	Sharon Ryan	YES	Don Lueddeke	YES

Jonathan & Gina Blaylock
4102 Old Alton Road

MOTION by Crites to deny the request for Non-conforming Special Use Exemption for housing two horses on property (more specifically, ayes want to deny petition) seconded by Jack Taylor.

Roll Call Vote: 3 aye - 3 nay MOTION TIED

ROLL CALL	Sandy Crites	YES	Jack Taylor	YES
	John Janek	NO	Nick Ryan	NO
	Sharon Ryan	NO	Don Lueddeke	YES

REVIEW
JSAW (Recreation Skate Park)
1735 Grand Avenue

MOTION by Crites, seconded by Janek to allow for no action at this time and for Petitioner to return in six months for review of intensification of use.

Roll Call Vote: 5 aye – 1 nay MOTION PASSED

ROLL CALL	Sandy Crites	YES	Jack Taylor	YES
	John Janek	YES	Nick Ryan	YES
	Sharon Ryan	NO	Don Lueddeke	YES
