

**CITY OF MASCOUTAH
ZONING BOARD OF APPEALS
#3 WEST MAIN STREET
MASCOUTAH, IL 62258-2030**

JULY 29, 2020

The minutes of the regular meeting of the Zoning Board of Appeals of the City of Mascoutah.

CALL TO ORDER

Meeting was called to order at 7:00 p.m.

PRESENT

Board members Jim Kuehn, Bob Scott, Dean Smith, Kimberly Kilgore, Rich Fuess, Bob Skeen, and Chairman Don Taylor.

ABSENT

None.

ALSO PRESENT

City Manager Brad Myers and Executive Assistant Julia Biggs.

ESTABLISHMENT OF A QUORUM

A quorum of Zoning Board of Appeals members was present.

MINUTES

Minutes of the February 25, 2020 Zoning Board of Appeals were approved. All were in favor.

AMEND AGENDA

None.

BOARD BUSINESS

Public Hearing

ZBA 20.03- 311 North 6th Street, Carport Variance.

The applicant, Tina Rumsey, is requesting a variance for building materials allowed to allow a steel carport in front of the property facing the street. The carport was installed on the property in 2019 without obtaining a building permit. Building permit for the carport was received February 2020 and was subsequently denied due to unmatched materials with the house.

The legal notice for the public hearing was sent to 26 property owners within 250' of the subject property, and staff has not received any questions or comments regarding the proposed variance. Rumsey, the property owner, typed support letters and took them to neighbors and presented them for this meeting.

Kuehn stated this is not allowed in front of the house, is built with materials that do not match the house, and is in the setback, which is 40'. Taylor stated this was built without any permits.

Kilgore asked why there was such a large setback. The setback on Sixth Street was set by IDOT, as Sixth Street is a State controlled road. Rumsey asked if she were to put a metal roof on her home, would that be sufficient to allow this to stay since the materials would match the home. Taylor pointed out that it is still in the setback, so that would not matter. Smith stated that allowing this carport would set a precedent and everyone would want one. Kilgore asked what was the public good in disallowing the carport. Smith stated the biggest issue was the location of the carport being in front of the home and in the setback. Rumsey stated that this was her only option for car protection, most of her neighbors have garages, she does not have access to the back of her house for parking, and she could not find the regulations when she had it installed. Taylor thought the City needed to find out if the State had anything regarding this issue, and Scott and Skeen suggested tabling the issue until the State could be contacted. Myers pointed out that it would not change anything, because of the current zoning, which is RS-8, this property still has a 25' setback, which this is encroaching on. He stated it looks nice but once this carport was installed and posted on social media, many other people stated they wanted one. Scott reminded that regardless of the materials, it is still too close to the road.

Kuehn moved, seconded by Smith, that the Zoning Board of Appeals deny a variance for a metal carport at 311 N. 6th Street.

Motion passed. AYE's – 6 – Scott, Kuehn, Smith, Skeen, Fuess, Taylor. NAY's – none. Abstentions – Kilgore.

Timeline to remove carport is 30 days.

ZBA 20.04- 220 W. State Street, Carport Variance.

The applicant, George Dobrick, is requesting a variance for building materials allowed to allow a metal carport to be constructed in the front and east side of the property. Legal notice was sent to 16 properties within 250' of the subject property, and City staff has received no questions or comments regarding the proposed variance.

Dobrick, the property owner, began by stating he wanted to change the size of the carport from a 12' x 21' structure to a 10' x 21' structure so that it will fit better and he could attach mobile home anchors to it much easier. Taylor stated that it was not an issue if it is not in front of the house, because in front of the house is not allowed. Smith stated that as long as the structure does not extend further than the house at all. Kilgore asked if the location of the carport would create a fire hazard by blocking the side windows. Taylor suggested looking at a taller carport so that the windows were not obstructed. Scott stated that a taller structure may mean less stable legs and asked if there had been any complaints from neighbors since they all seem to have garages, which Dobrick answered no. Kilgore questioned using the side lot where the garden currently sits since Dobrick owns both, but he responded that there is no door to the house on that side of the property. He chose this side due to less walking from car to house for family that resides there.

Kuehn moved, seconded by Skeen to approve a variance for a metal carport with the provision that the carport does not extend out further than the front of the house, that it is no closer to the road than the principal structure, and the height of the carport must be at least 8' to not obstruct the windows on the side of the house.

Motion passed. AYE's – 7 – Scott, Kuehn, Smith, Skeen, Fuess, Kilgore, Taylor. NAY's – none. Abstentions – none.

MISCELLANEOUS

There was discussion of any upcoming cases. There was discussion regarding a shed in Hunter's Creek and a wood fence, which their HOA denied.

ADJOURNMENT

The Board adjourned at 7:41 p.m. ***Motion passed.*** Passed by unanimous yes voice vote.