Members Present:
Brad Maxwell, Chairman  
Nick Petrillo  
Larry Trucano  
David Michael  
Philip Chapman  
Mick Madison  
Ray Wesley

Members Absent:
Robert Pollard  
Kristen Novacich

Others Present:
Matt Brandmeyer  
Derek Jackson  
Andi Yancey  
Steve Brendel  
David Mueller  
Doctor Arbon Hairston  
Denise Lutes

Call of Meeting to Order and Roll Call:
Chairman Brad Maxwell called the regular meeting of the Planning and Development Committee to order at 5:00 p.m. Chairman Maxwell noted the Robert Pollard and Kristen Novacich would not be in attendance and conducted roll call.

Approval of Minutes:
Philip Chapman made a motion to approve the minutes from December 19, 2016 as corrected. Seconded by Larry Trucano. Voice vote. All ayes. Motion approved.

Planning Coordinator’s Report:
Derek Jackson introduced the Zoning Board of Appeals’ findings of fact and recommendation for Zoning Case Z16-0079, the petition of Doctor Arbon Hairston and Denise Lutes requesting a height variance in order to erect a fence and a gate that would run along the front property line. Derek explained that the Committee had tabled the request at the December meeting and that there were citizens present to discuss the request. Mr. Chapman noted as a point of order that the Committee had made a motion to postpone the request in December, and not “table” as Derek had previously stated. Derek explained that the Committee had multiple options as far as moving forward with the petition – they could approve the request, approve the request with conditions, deny the request, or postpone the request until the civil case is decided in court.
Derek moved on to introduce Zoning Case Z16-0076, the petition of Betty Thomas, requesting an SUP in order to continue the placement of a mobile home for five years, and Zoning Case Z16-0081, the petition of Jean Blumberg, requesting a variance in order to have 50 feet of property width at the front yard setback instead of the required 150 feet.

Derek stated Ms. Thomas had cleaned the property up significantly in recent months. Derek stated that there was one adjoining property owner present at the hearing and that she did not express opposition to the request, but stated that she would like to see the property continue to be cleaned up. Derek stated that the ZBA had recommended conditions of approval requiring Ms. Thomas to add skirting to the mobile home within 30 days of approval and to remove the second mobile home from the property by June 1, 2017, as it is technically not allowed. Derek stated that Ms. Thomas was agreeable to the conditions.

Mick Madison stated that Ms. Thomas’s property was located within his County Board district and that the area is sparsely populated. Mr. Madison stated that the staff report stated that not much of the property is visible from the road, which he agrees with. Mr. Madison stated that if Ms. Thomas wants to use the second mobile home as a storage unit – even a particularly ugly storage unit – and the adjoining property owner just wants to see some additional clean-up, he does not see a problem with the second mobile home remaining on the property to be used for storage.

Matt Brandmeyer stated that if the Committee were to remove the ZBA’s recommended condition that the second mobile home be removed from the property, he would recommend at least restricting the use of the secondary mobile home to personal storage so that no one attempts to occupy the structure.

Philip Chapman asked how old Ms. Thomas is.

Derek Jackson stated that he was not sure how old Ms. Thomas is, but that he suspects she’s in her seventies.

Mick Madison inquired whether the adjoining property owner in attendance at the hearing wanted the second mobile home removed.

Derek stated that he believed the adjoining property owner wanted the second mobile home removed from Ms. Thomas’s property, as she drives past the Thomas property to access her property.

Mr. Madison asked if the Committee if that should give her the right to require that Ms. Thomas remove the second mobile home from the property.

Chairman Brad Maxwell stated that without a special use permit granted for the second mobile home, he would think that she needs to pull a permit for the second mobile home (because it is his understanding the mobile homes located within the County require a SUP for placement) or that it would need to be removed.

Mr. Madison asked what the case would be if the structure were a storage shed, and did not look like a mobile home.

Chairman Maxwell stated that at that point it would be on a permanent foundation and essentially be a pole barn.

Mr. Madison clarified that he was asking if the structure were a storage trailer – and not a mobile home- would there be any issues such as square footage, taxes, etc.

Matt Brandmeyer stated that the conversation was hitting on two points, explaining that there is the use issue and the construction/building type issue. Matt explained that if Mr. Madison wanted to allow the second mobile home to stay on the property for storage, he could do that through the conditions of the subject special use permit. However, if the structure was to be used for human occupancy, it would trigger the need for an additional special use permit.

Chairman Maxwell stated that it was Mr. Madison’s district, and that if he wanted to propose a condition allowing the second mobile home to be kept on the property as a storage unit, he does not see any reason why the Committee could not do that.

Mr. Madison stated that he would like to do that, and that he also thinks the adjoining property owner right to request that the property cleaned up, as it affects her property rights too.

Chairman Maxwell inquired if the Committee would want to ask the petitioner, Ms. Thomas, if she wants the second mobile home on the property.

Mr. Madison stated that he believes the committee should ask Ms. Thomas, but that she obviously wants it there since she placed it on the property.
Derek Jackson stated that Ms. Thomas had wanted to keep the second mobile home for storage, since she already has personal belongings and heirlooms stored inside, but that she’s agreeable to removing the structure granted that she’s allotted a reasonable amount of time to remove her belongings from the structure and have it removed.

Ray Wesley inquired whether there was a cost associated with the SUP.

Chairman Maxwell stated that the cost was $300.

Derek Jackson stated that the cost of applying for a special use permit was $300, but noted that if Ms. Thomas is still occupying the structure in five years, when it’s time to renew the special use permit, the administrative extension fee would be $50. Derek explained that Ms. Thomas was ineligible for the extension this time since the original SUP for the mobile home was not granted to her.

Chairman Maxwell stated that the second mobile home was placed on the property circa 2003 and has been there since. Chairman Maxwell went on to explain that Ms. Thomas was unaware of the requirements associated with the placement of mobile home within the County, and that neither of the mobile homes have had an active permit in at least a decade.

Mr. Petrillo stated that, presuming Ms. Thomas is granted a reasonable amount of time, the structure should be removed considering she was never issued a permit.

Chairman Maxwell stated if the SUP for the mobile home that Ms. Thomas plans to occupy were denied, then that structure would need to be removed as well.

Mr. Chapman inquired, considering Mr. Petrillo’s comment, what the applicable statutes require.

Matt Brandmeyer stated that the request is for the special use permit and in order to move the request forward, non-conformities on the property need to be addressed. As a result, staff considers things like property maintenance issues, which lead to the clean-up efforts, the skirting requirement, and brought the issue of the secondary mobile home into the forefront. Any outstanding issues that remain at the time of the hearing are often addressed through the ZBA’s recommended conditions, which is the case with the Thomas request.

Mr. Chapman asked if the applicants did all the things that Mr. Brandmeyer had mentioned, what comes next.

Mr. Brandmeyer stated that the next step is deciding whether to deny or approve the special use permit.

Chairman Maxwell added that, in this case, approval of the special use permit would allow the continued placement of the mobile home on site for the occupancy of Ms. Thomas, and without approval it would have to be removed.

Mr. Chapman stated that he would not consider it prudent to do a special request until the owner – or whoever is responsible – addresses the property maintenance, skirting, and storage issues.

Mr. Brandmeyer stated that the Committee has the option to postpone the request until all the outstanding issues are addressed.

Ray Wesley stated that, if he understood correctly, Ms. Thomas is willing to meet the conditions of approval.

Chairman Maxwell confirmed that this was his understanding as well.

Derek Jackson stated that this was staff’s understanding as well.

David Michael inquired whether the structure was required to be demolished or removed from the property.

Chairman Maxwell stated that, per the recommended conditions, Ms. Thomas would be required to apply for the demolition permit within sixty days of approval and have the structure removed by June 1.

Mr. Brandmeyer stated that if the demolition did not occur by the stated deadline, Ms. Thomas would be put on violation notice, which could eventually lead to court adjudication if she were to continue to not comply with the condition.

Mr. Michael stated that he was mostly concerned with the cost of demolishing or removing the mobile home from the property.

Chairman Maxwell explained that with so many unknown factors, any cost estimates would be speculative and there’s really no way to quantify the cost of removal without additional information.

Derek Jackson stated that the demolition permit fee is $90.
Mr. Michael stated that he was just trying to surmise if cost would be an obstacle for Ms. Thomas.

Derek stated that he was unsure if the cost of removal would create a financial hardship for Ms. Thomas.

The Committee moved on to discuss petition Z16-0081, the petition of Jean Blumberg, requesting a variance in order to have 50 feet of property width at the front yard setback instead of the required 150 feet.

Derek stated that the purpose of the request was to keep the farm road attached to the proposed lot 3. Derek stated that there was no opposition to the request and the ZBA had recommended approval.

Larry Trucano inquired if there was a ditch running through the property.

Derek stated that he was tributary on the eastern portion of the property, but should not affect the farm ground.

**Citizens Wishing to Address the Committee:**

Doctor Arbon Hairston, property owner at 100 Oaklawn Road, spoke in regard to hearing Z16-0079, his petition along with Denise Lutes, requesting a variance in order to construct a fence and gate that will vary between five (5) and eight (8) feet in height. Mr. Hairston began his address by providing a point of clarity on the ZBA’s findings of fact, explaining that there were some statements he considered to be extremely misleading. Mr. Hairston said that the findings of fact stated that Mr. Mueller operates a public boarding facility for horses which was approved by the County Board in May of 2016 as a special use permit and was supported by the applicants (with the applicants being Mr. Mueller and the co-applicant Denise Lutes) throughout the process. Mr. Hairston stated that he made it clear to Mr. Mueller when he purchased the property that he was opposed to public stable operation due to the negative impact of flies and increased traffic. Mr. Hairston stated that Mr. Mueller’s property was padlocked and chained nightly. Mr. Hairston stated that the findings also reflected Mr. Mueller’s concerns regarding emergency services accessing the property. Mr. Hairston stated that he had addressed this concern by stating that, in every city where he’s worked, they provide individuals with estate gates the opportunity to go to public safety and provide the combination or they key so that they have access, adding that with the way Mr. Mueller presently secures his property emergency services would not be able to get back there anyway. Mr. Hairston stated that he has expressed on many occasions violations of Mr. Mueller’s SUP. Mr. Hairston stated that he finds it extremely problematic that one of the criteria the ZBA uses is whether the request would have an adverse effect on adjoining properties, and that the ZBA states in their findings that they do not feel that Mr. Mueller’s request would have an adverse effect on adjoining properties. Mr. Hairston stated that Mr. Mueller’s SUP has had a huge detrimental effect on his property, explaining that they’ve spent thousands litigating the matter and there has been damage to the shared private road, which has caused damage to two of his vehicles. Mr. Hairston stated that their road has a two inch gravel bed rock base and is not meant for the type of traffic generated by Mr. Mueller’s business. Mr. Hairston said that he would like to ask how many dump trucks of rock and dirt Mr. Mueller had brought across his property. Mr. Hairston said he’d also like to discuss, as a matter of transparency, the fact the Mr. Mueller applied a few loads of rock and dirt along the shared road prior to the on-site hearing for the gate.

Mr. Hairston stated that he believes he is well within his means to request the fence and gate, reiterating that Mr. Mueller’s property is locked every night. Mr. Hairston stated that he has six times the value of Mr. Mueller’s property tied up in his own property, and he should be allowed to secure it. Mr. Hairston stated that both he and Ms. Lutes’s deceased husband were involved in law enforcement, and that safety is a key priority for him. Mr. Hairston stated that he conducts use of force training across the country, and he does not want to have to be concerned about his neighbor. Mr. Hairston stated that he has serious concerns about not only the gate and the road, but the entire special use process. Mr. Hairston stated that Mr. Muller had improperly disposed of landscape waste and that he had removed the shrubs along the property line that the previous owner had installed to mitigate dust. Mr. Hairston stated that a previous owner had procured the access easement in the ‘80’s and that she lived in the stables and that the subsequent property owner had also lived in the immediate area, explaining that they were both vested in the neighborhood and that Mr. Mueller is not. Mr. Hairston went on to provide his take on a real estate agreement between Mr. Mueller and Ms. Lutes that never came to fruition. Mr. Hairston stated that he was emphatic with Mr. Mueller when he purchased the property that he would be opposed to a public stable operation on the property due to the nuisances he had endured over the past twenty plus years. Mr. Hairston stated that Ms. Lutes and Mr. Mueller entered a real estate contract when she decided that she would like to purchase the property and operate the stables, which is what prompted the SUP request for a public stable. Mr. Hairston stated that the contract fell through after a tree fell on one of the buildings and Mr. Mueller refused to repair the roof, inhibiting they ability to get an appraisal and a good closing. Mr. Hairston stated that once the SUP was granted, Mr. Mueller found every reason he could not to close on the
property. Mr. Hairston stated that he feel Mr. Mueller “back-doored” his way into the SUP, which is problematic considering he had made his opposition to the stable use clear.

David Mueller, property owner at 101 Oaklawn Road, addressed the Committee regarding hearing Z16-0079. Mr. Mueller stated that Mr. Hairston had painted a pretty bad picture and that he was not aware that Mr. Hairston felt that way. Mr. Mueller explained that he did not have time to address each of Mr. Hairston’s claims individually but that many were false. Mr. Mueller stated that he had a prepared statement for brevity that he would like to read to the Committee. Mr. Mueller stated that in regard to Mr. Hairston’s claim that there were constantly trucks going up and down the road, he had brought in a few load of top soil and rip rap, the normal stuff for property maintenance. Mr. Mueller stated that he had maintained the road last year and the year before with no help from Mr. Hairston, stating that Mr. Hairston was very wrong on many of the issues he addressed. Mr. Mueller stated that he supported Mr. Hairston’s variance request in order to put a fence and or a gate up on their property, but that he is adamantly opposed to the proposed placement of the gate. Mr. Mueller stated that the gate must not be placed in the roadway that allows other landowners to freely access to their property for their enjoyment and that of their business constituents, and to do so would deprive him of that freedom. Mr. Mueller asked what would happen if all shared access easement were to be gated, asking the Committee to imagine the issues this would cause. Mr. Mueller stated that Oaklawn Road was the only way in or out for the subdivisions that had been approved in that area. Mr. Mueller stated that placing a gate in his access way would make it more difficult to sell the property and reduce its property value. Mr. Mueller stated that the gate would also cost him lost revenue in the operation of his public boarding stable, which Mr. Hairston and Ms. Lutes wholeheartedly supported. Mr. Mueller stated that he could not have employees, clients, or support personnel locked or delayed by a gate, to say nothing of first responders. Mr. Mueller stated that Mr. Hairston and Ms. Lutes had other options in regard to securing their property with a fence and gate that would not cause a hardship to anyone else. Mr. Mueller stated that the roadway does not belong to them and that access has always been granted to adjoining users of the road. Mr. Mueller stated that he understands that the Zoning Board does not feel they are responsible for, or have a say in, roadway access matters, but he respectfully disagrees. Mr. Mueller stated that, as he understands it, you cannot have an accessory use – such as a fence or a gate – without a primary use being established on the property. Therefore, a request had to be made to zoning to couple the two parcels so that the dwelling on the adjoining lot would satisfy the primary use requirement, and, had this not occurred, we would not be here today. Mr. Mueller stated that this means the zoning rules had a direct impact on the present situation. Mr. Mueller said that he would ask that the variance request, which is directly related to the coupling of the property and which zoning regulations allow, specifically state that “shared roadways or easements cannot be gated, fenced, or blocked in any manner without the full participation and agreement of all landowners, regardless of whether the property is coupled. Mr. Mueller said that he believes this falls within the Zoning Board’s discretion and would curtail future problems of this nature.

Mr. Mueller continued, stating that, if the Committee didn’t mind, he would like to address some of Mr. Hairston’s accusations. Mr. Mueller explained that he didn’t want to take up too much time, but 90% of Mr. Hairston’s claims were either wrong or misleading. Mr. Mueller stated that Mr. Hairston and Ms. Lutes had approached him to purchase the stable in January of 2016 and that he gave them eight months of patience for them to get everything organized and that they ended up backing out of the scheduled closing. Mr. Mueller stated that there is already obstruction in the right-of-way as it is with the two large pillars, which make it hard enough to get in and out of there. Mr. Mueller said that, as far as the road bed is concerned, the roadway is solid and he maintained it last year and the year before, and he plans to maintain it this year. Mr. Mueller said that he doesn’t understand what the problem is, but that he wished Mr. Hairston would talk to him about his concerns, like a good neighbor would, but that he’s never come to him to discuss anything. Mr. Mueller reiterated that he believed the Committee had the discretion to go ahead and stop the gate from being erected.

Mr. Hairston asked if he could respond.

Chairman Maxwell explained that each person gets one chance to speak and asked if there was anyone else wishing to address the Committee.

Denise Lutes, property owner at 100 Oaklawn Road, spoke in regard to hearing Z16-0079. Ms. Lutes stated that she and Mr. Hairston had had their two properties along Oaklawn Road combined and that it was now one property. Ms. Lutes explained that when she went to get the loan from the Bank of Edwardsville, she had several conversations with the loan officer there and found out that Mr. Mueller had made comments to the loan officer about her purchasing the front property. Ms. Lutes stated that once this happened, all the rules started changing and the down payment amount
more than doubled from $35,000 to $85,000 down. Ms. Lutes stated that she was made aware of the increased down payment approximately four or five days out from the schedule closing date. Ms. Lutes stated that she believed that Mr. Mueller had disclosed their purchase of the front property to the bank, which hindered the purchase of the stables. Ms. Lutes stated that the road belongs to her and Mr. Hairston and is not public property. Ms. Lutes stated that the road is part of their property and that Mr. Mueller has access to it. Ms. Lutes stated that if he wanted, Mr. Mueller could negotiate with other property owners to procure access to the property from another location.

**Old Business:**

Chairman Maxwell stated that zoning case Z16-0063 is postponed until the February meeting.

Chairman Maxwell stated that Z16-0079, the petition of Arbon Hairston and Denise Lutes, requesting a variance in order to construct a fence in the front yard setback that will vary in height between five and eight feet instead of the allowable four feet, was postponed in December and goes to litigation on February 28.

Mick Madison inquired whether there was an easement from Oaklawn Road through to the end of Mr. Hairston and Ms. Lutes's property.

Chairman Maxwell confirmed this was the case, stating that Mr. Mueller gains access to his property by traversing the subject roadway.

Mick Madison asked how long the brick pillars had been beside the driveway.

Mr. Hairston stated that the pillars had been there for forty-three years, since the property was developed in 1974.

Mr. Madison asked Mr. Mueller if his stable is open to the public.

Mr. Mueller stated that this is correct.

Mr. Madison inquired whether there was a closing time for the stable.

Mr. Mueller stated that the hours of operation are 8 a.m. to 8 p.m., per the conditions of the SUP.

Mr. Chapman stated that his understanding is that, according to Ms. Lutes, she owns the road. But, if he understands correctly, there is a legal easement on the road to get back to the stable. And, if he understands correctly, Mr. Mueller has spent – we don't know how much money – but he has spent money to maintain the road.

Chairman Maxwell stated that this was his understanding as well.

Mr. Chapman asked if Mr. Mueller had been granted a special use permit in order to operate the stable.

Matt Brandmeyer stated that this was correct.

Mr. Chapman asked if this process was done in a public way, such that if someone did not want this stable use to occur, they could have expressed their opposition at that public event.

Matt Brandmeyer stated that, to his understanding, this was the case.

Mr. Chapman said that to his knowledge, nobody showed up to the public hearing in opposition to the public hearing.

Derek Jackson stated that Mr. Chapman was correct, explaining that there was no opposition to the request and that there was actually support from adjoining property owners during that time.

Mr. Chapman stated that what we have here is a number of property owners in the past that said “yes, that would be acceptable”, we have a legal easement, we have a road that Mr. Mueller has helped to maintain, and, what he hears from Mr. Hairston is that this situation poses some security concerns for him in that they're close it I-70 and he's concerned about safety. Mr. Chapman stated that he appreciates this issue and that he believes Mr. Hairston has a right to protect his life and his property and that he should be protected in his person and effect, but that it seems to him that Mr. Mueller has a right to participate in a business of his choice and, like all Americans, should enjoy the freedom of movement. Mr. Chapman stated that the surface erection of a fence and a gate for security reasons appears to be within Mr. Hairston's rights, unfortunately to erect a fence and a gate that prevents Mr. Mueller unfiltered access to his property, and Mr. Mueller's clients unfiltered access to his business, appears to violate his basic right to provide for his family and a basic right for freedom of movement. Therefore, hoping to satisfy both men's rights, should Mr. Hairston provide a design for a fence and a gate that does not preclude Mr. Mueller's rights, he would certainly consider voting for a variance. Mr. Chapman stated that he would hope the
design for such a gate and such a fence would be precise and would include the exact positioning of the fence and gate, dimensions of the fence (height and width), and the type of fencing to be used. Mr. Chapman stated that, after receiving this information, he would certainly be more inclined to vote for a variance.

Chairman Maxwell stated that he had received Mr. Chapman’s statement via email and would like to place the statement on record.

Mr. Chapman said please do so.

Mr. Madison asked Derek Jackson to show the committee the proposed fence line.

Derek used GIS to illustrate the approximate location of the proposed fence and gate along the west property line.

Mr. Madison asked where the fence stops at each end.

Derek stated that the fence runs to the north and south property lines.

Denise Lutes inquired whether anyone heard her point about Mr. Mueller’s other options to access the property.

Mick Madison stated that he did, it just appeared that he would have to go through a residential subdivision at a significant cost.

Mr. Hairston said that it would not necessarily be costly. Mr. Hairston stated that a property owner adjacent to Mr. Mueller has several acres for sale and he may be able to secure a lease that would take him through an agricultural property rather than a residential neighborhood.

Mr. Mueller stated he owns an adjoining parcel, but that it has an ingress and egress of about seventeen feet and is not possible due to the lake, as he’s already looked into it.

Chairman Maxwell stated that the height variance requested for the proposed fence and gate is what is being considered by the Committee.

Ray Wesley asked if the matter was being litigated.

Chairman Maxwell stated that the matter is presently being litigated in court and that the next hearing is scheduled for February 28.

Mr. Wesley inquired whether the outcome of the litigation would impact the Committee’s decision.

Matt Brandmeyer stated that the decision would likely clarify many points the Committee had discussed tonight, such as the applicant’s ability to block access to a road for which the neighbor has been granted an easement, but that it would not obligate them to approve or deny the request.

Mr. Wesley asked if the request before them was for the fence, the gate, or both.

Matt stated that the request was for both.

Mr. Madison stated that, at this point – especially considering the pending litigation – he does not feel he has enough information to make a decision. Explaining that he feels this is an issue the neighbors should get together on to work something out rather than the Committee forcing one side over the other. Mr. Madison stated that, with their being a legal easement granted, even if the Committee were to approve the request he can’t imagine the courts would let that decision stand.

Matt stated that he did not want to speculate what the court would do, but it could definitely have an impact on that decision.

Chairman Maxwell inquired whether Mr. Madison was proposing some type of postponement until the pending litigation is concluded.

Mr. Madison stated that he would propose postponement until the current litigation is concluded.

Mick Madison made a motion to postpone the Resolution, Zoning Board of Appeals Findings of Fact, and Recommendation for Z16-0079, the petition of Arbon Hairston and Denise Lutes, until March 2, 2017. Seconded by Ray Wesley. Voice vote. All ayes. Motion approved.

New Business:
Mick Madison made a motion to approve the Resolution, Zoning Board of Appeals Findings of Fact, and Recommendation for Z16-0076, the petition of Betty Thomas, with the amended condition that the applicant may keep the non-conforming, accessory mobile home on site for personal storage only and not for residential purposes. Seconded by Philip Chapman. Voice vote. All ayes. Motion approved.

David Michael asked – were the property to be sold – if the new owners would have to reapply in order to continue the placement of the mobile homes.

Chairman Maxwell stated that any change in ownership would trigger the need for a new special use permit.

Mick Madison made a motion to approve Resolution, Zoning Board of Appeals Findings of Fact, and Recommendation for Z16-0081, the petition of Jean Blumberg. Seconded by Philip Chapman. Voice vote. All ayes. Motion approved.

Matt Brandmeyer explained that the department receives community development block grant funds to demolish derelict, unsafe structures within the County in the event that the property owner is non-responsive. Matt explained that it’s a matter of protecting general welfare and safety of a neighborhood, and that liens are placed against the properties in order to recover the funds in the future.

Mr. Chapman asked who owned the property.

Matt stated that he did not have the owner’s name on hand, but that a full title review is part of the demolition process prior to bringing a resolution before the Committee.

Philip Chapman made a motion to approve the Resolution Authorizing the Demolition of Unsafe Structure at 1323 5th Street in Cottage Hills. Seconded by Mick Madison. Voice vote. All ayes. Motion approved.

Administrator’s Report:

Matt Brandmeyer Introduced Chris Doucleff to the P&D Committee. Matt explained that Tom Hawkins was retiring after 42 years with the department, and Chris will be taking his place as the Deputy Administrator. Matt said Chris will oversee the solid waste, private sewage, demolitions, and adjudication programs. Matt said the department has other projects that will benefit greatly from Chris career in appraisal work.

Matt said the next adjudication hearing will be tomorrow (January 6). To give the committee more background, he said adjudication is an administrative court, which handles smaller zoning and property maintenance issues, in order to take the burden off the Circuit Court and to provide a more expeditious resolution. He said property owners who are in violation will receive a notice stating that they are in violation of county ordinances and will be provided a number of days to comply (usually 30). The inspector will re-inspect and if they are still in violation, he will forward it to adjudication to be heard. Matt said the hearing officer has the authority to review cases and order a fine. Judgements can be appealed to the Circuit Court.

Matt said tomorrow a nearly 3-year long issue will be discussed at adjudication. He said a wrecking service just north of Edwardsville is in violation for expanding the footprint of their site into the projected floodway and impairing the drainage area. He said the owner was also in violation for not providing screening or a required fence to the adjacent neighborhood. Matt said the neighbors were very involved in the issue and have attended multiple public meetings. He said the owner installed the fence and trees but has not addressed the floodway issue. Matt said tomorrow’s adjudication may indicate that a conclusion is within reach.

Adjournment:

Ray Wesley made a motion to adjourn the meeting. Seconded by David Michael. Voice vote. All ayes. Motion approved.

Meeting adjourned.