



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda
Highland Area Senior Center – 187 Woodcrest Drive
March 6, 2024 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
Approval of the February 7, 2024 Regular Meeting Minutes
4. Public Comment Section
Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.
5. Public Hearings and Items Listed on the Agenda
Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.
6. New Business
 - a) Chris Robards (Family Bible Church, Inc.) of 1705 Spruce St., Highland, IL is requesting a Special Use Permit in accordance with Section 90-201 of the City of Highland Municipal code to allow for a church in the I-Industrial District at 820 Mulberry St. (PIN # 01-2-24-05-06-101-007) and (PIN # 01-2-24-05-06-101-006)
 - b) Charles Keltner of 13361 St Rose Rd, Highland IL is requesting to rezone 904 Beech St. (PIN # 01-2-24-05-5-102-014) from R-1-D Single Family Residence to I Industrial District.
7. Calendar
 - a. April 3, 2024 – Combined Planning and Zoning Board Meeting
8. Adjournment

Citizens may attend in person or monitor the meeting by phone. To monitor the meeting, call 618-882-4358 and use conference ID# 434162. To have a comment read into the meeting minutes, email your comment to highlandzoning@highlandil.gov or submit it through our Citizen Request portal on our website.

Anyone requiring ADA accommodations to attend this public meeting, please contact Jackie Heimbürger, ADA Coordinator, at 618-654-9891.

MEMORANDUM

Meeting Date: February 27, 2024

From: Emily Calderon, AICP, Moran Economic Development

Location: PIN# 01-2-24-05-06-101-006 and -007

Zoning Request: Special Use Permit

Description: SUP to allow for a place of public assembly (church) at 820 Mulberry Street,

Proposal Summary

The applicant and property owner of the subject property is Family Bible Church, Inc. (1705 Spruce St., Highland). The applicant is requesting a **Special Use Permit to allow a place of public assembly (church)** on the property located at 820 Mulberry Street in Highland. The subject property was formerly used as the Highland Police Station and is currently zoned I, Industrial District.

Comprehensive Plan Consideration

The Comprehensive Plan and Future Land Use Map are considered policy guides to current and future development. While they do not have the force of an ordinance, it is generally recommended that municipalities adhere to the findings, policies, principles, and recommendations in these documents. Changes and deviations are permissible, but they should be reasonably justified.

The subject property is denoted as Industrial on the Comprehensive Plan's Future Land Use Map. The applicant's request is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan.

Surrounding Uses

Direction	Land Use	Zoning
North	Single Family Dwellings	I - Industrial
South	Single Family Dwellings	C-2 - Commercial
East	Single Family Dwellings	C-2 - Commercial
West	Highland Municipal Power Plant	I - Industrial

MEMORANDUM

Standards of Review for Special Use Permits

Below are the four (6) consideration items listed in Section 90-79 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a SUP request.

1. Whether the proposed amendment or special use is consistent with the city's comprehensive plan.
The proposed SUP is consistent with the Comprehensive Plan.
2. The effect the proposed amendment or special use would have on public utilities and on traffic circulation.
The proposed use would not negatively impact on traffic circulation or public utilities. Thirteen parking spaces are provided on-site with additional street parking throughout the neighborhood.
3. Whether the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment.
The proposed use will adequately protect the public health, safety, and welfare, and the physical environment.
4. The effect the proposed special use would have on the value of neighboring property and on this city's overall tax base.
The proposed Special Use will not negatively impact the neighborhood or the City.
5. The effect the proposed special use would have on public utilities.
The proposed special use will not have an impact on public utilities.
6. Whether there are any facilities near the proposed special use, such as schools or hospitals that require special protection.
There are no special facilities near the proposed special use which require special protection.

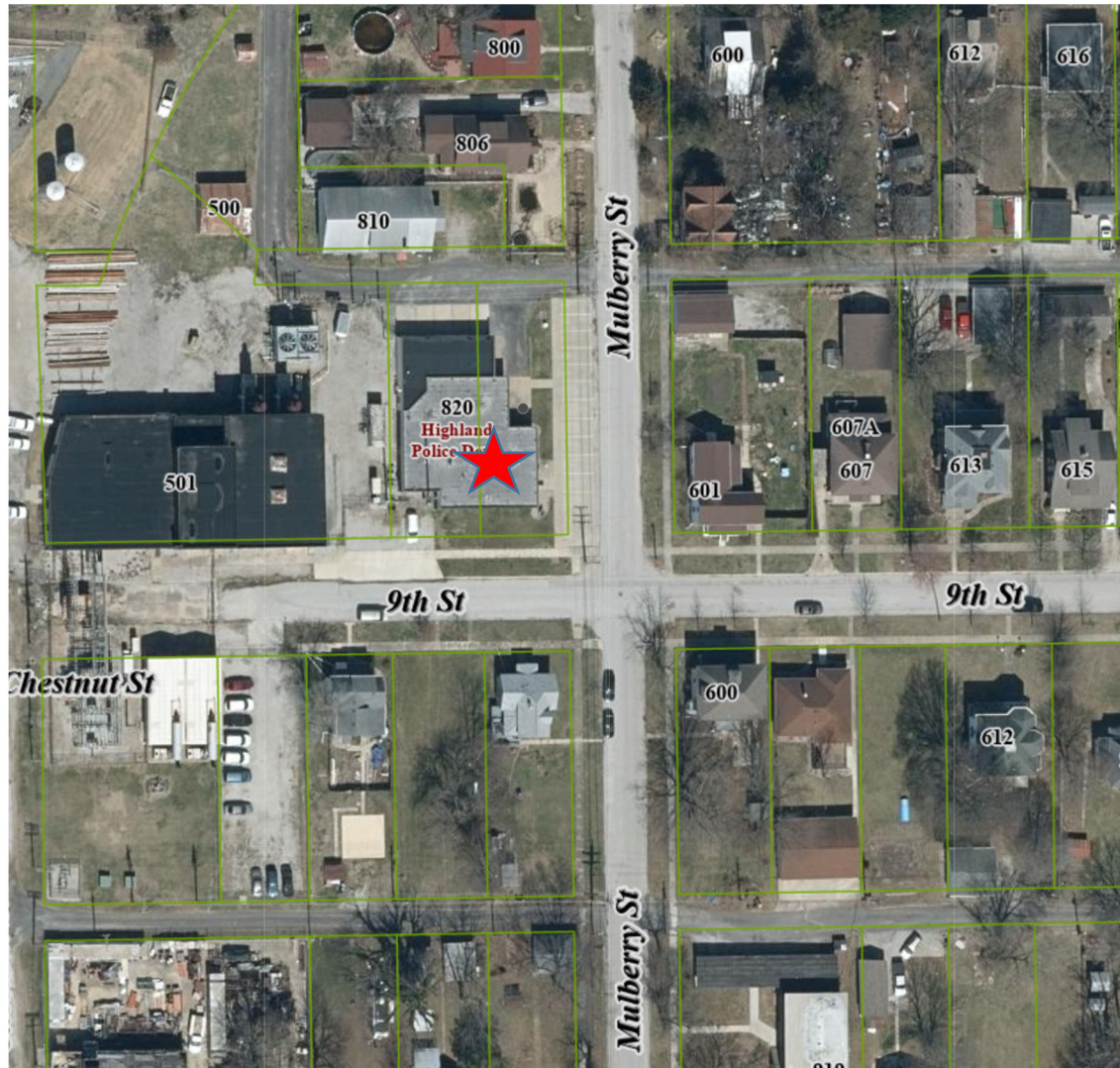
Staff Discussion & Recommendation

The applicant states that they will have a congregation of approximately 50 individuals for Sunday service. The City's parking code requires one parking space for every 3 seats. While an interior seating plan has not been provided, seating to accommodate 50 would require 17 parking spaces. 13 parking spaces are provided on site (along Mulberry) with additional parking available on 9th Street and north of the building. Parking is also permitted on streets within the neighborhood, so additional vehicles could utilize street parking as needed.

Approval of the Special Use Permit is recommended.

MEMORANDUM

Aerial Photograph





City of Highland

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT BUILDING AND ZONING DIVISION

SPECIAL USE PERMIT APPLICATION

Certain uses, because of their special operational or physical characteristics, may or may not have a detrimental impact on nearby permitted uses, depending upon their precise location, manner of operation, and other factors. Such special uses require careful case-by-case review, and may be allowed only pursuant to the following requirements and procedures.

1. **Pre-Application Conference:** A pre-application conference shall be required prior to submission of any application for Special Use Permit pursuant to Section 90.057.
2. **Application & Fee:** A proposal for a zoning district amendment shall be filed with the Administrative Official on forms provided herein along with a \$250.00 review and processing fee as required pursuant to Section 90.067 of the City's Zoning Code. Additionally, any proposal to construct a non-residential structure greater than 2,500 square feet shall comply with the Site Plan Review Procedures contained in Article 13 herein. An application shall not be scheduled for public hearing until the application form has been fully completed, the filing fee paid, and all required information submitted.
3. **Public Notice - City:** The Office of the Administrative Official shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation at least fifteen (15) days prior to the hearing. The notice shall fix the time and place of the hearing and shall describe generally the change requested.
4. **Notice to Neighbors - City:** It shall be the City's responsibility to submit a notice of intent to surrounding property owners by regular mail **no less than 15 days prior to the scheduled meeting date**. The notice shall contain the time and place of the public hearing and a statement regarding the purpose of the hearing, including, but not limited to, the location of the subject property(s) being considered for rezoning, the existing and proposed zoning classifications and proposed uses for the site. (Notice must entail a minimum of 250 feet from the applicant's property lines).
5. **Public Hearing:** The Combined Planning and Zoning Board shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. The public hearings are held in City Hall located at 1115 Broadway, Highland, IL in the Council Chambers.
6. **Combined Planning and Zoning Board Recommendation:** The Administrator shall prepare an advisory report on every request for a special use permit and present said report to the Combined Planning and Zoning Board at the next regular Combined Planning and Zoning Board meeting. The Combined Planning and Zoning Board shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. In order to recommend approval or disapproval of a proposed special use permit, the Combined Planning and Zoning Board shall consider the following matters:
 - a. Whether the proposed amendment or special use is consistent with the City's comprehensive plan;
 - b. The effect the proposed amendment or special use would have on public utilities and on traffic circulation;

- c. Whether the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment;
 - d. The effect the proposed special use would have on the value of neighboring property and on this City's overall tax base;
 - e. The effect the proposed special use would have on public utilities; and
 - f. Whether there are any facilities near the proposed special use, such as schools or hospitals that require special protection.
7. Decision by Council: The City Council shall act on every request for a special use permit at their next regularly scheduled meeting following submission of the Combined Planning and Zoning Board's advisory report. Without further public hearing, the Council may grant a special use permit by an ordinance passed by simple majority vote of all members. In a separate statement accompanying any such ordinance, the Council shall state their findings of fact, and indicate their reasons for approving, with or without conditions, or denying the request for a special use permit.

EXHIBIT "A"
Special Use Permit Application

Return Form To:

Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-9891
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: 1-17-24
Filing Fee: \$ 250.00
Date Paid: 1-17-24
Date Advertised: 2/9/24
Date Notices Sent: 2/14/24
Public Hearing Date: 3/6/24
Zoning File #: SUP-0124-0027

APPLICANT INFORMATION:

Applicant: CHRIS ROBARDS Phone: 618-567-8621
Address: 1705 SPRUCE ST., HIGHLAND, IL Zip: 62249
Email Address: chris_robarde@hotmail.com
Owner: FAMILY BIBLE CHURCH, INC. Phone: 618-654-9000
Address: 820 MULBERRY ST., HIGHLAND, IL Zip: 62249
Email Address: info@familybc.org

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 9TH STREET, HIGHLAND, IL; 01-2-24-05-06-101-006
Property is Located In (Legal Description): ORIGINAL TOWN LOT 7 50X140

Present Zoning Classification: COMMERCIAL Acreage: 0.300

Present Use of Property: STORAGE

Proposed Land Use: CHURCH

Description of proposed use and reasons for seeking a special use permit:
WE PURCHASED THE BUILDING FORMERLY USED AS THE CITY POLICE STATION WITH INTENT TO RENOVATE FOR CHURCH USE.

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>INDUSTRIAL</u>	<u>I</u>
South	<u>CENTRAL BUSINESS DISTRICT</u>	<u>C-2</u>
East	<u>CENTRAL BUSINESS DISTRICT</u>	<u>C-2</u>
West	<u>INDUSTRIAL</u>	<u>I</u>

Should this special use be valid only for a specific time period? Yes _____ No X

If Yes, what length of time? N/A

<i>Does the proposed Special Use Permit meet the following standards? If not, attach a separate sheet explaining why.</i>	Yes	No
A. Will the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment;	X	
B. Is the proposed special use consistent with this City's Comprehensive Plan;	X	
C. Will the proposed special use have a minimal negative impact on the value of neighboring property and on this City's overall tax base;	X	
D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and	X	
E. Will the proposed special use have a minimal impact on the facilities near the proposed special use, such as schools or hospitals require special protection?	X	

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

Chris Rallo
Applicant's Signature

1/10/24
Date

H230756

THE ABOVE SPACE FOR RECORDER'S USE ONLY

LIMITED LIABILITY COMPANY WARRANTY DEED

THIS INDENTURE WITNESSETH, That the

Grantor:

Freedom Properties Midwest, LLC, an Illinois Limited Liability Company

a limited liability company duly organized and existing under and by virtue of the laws of the State of **Illinois**, and duly authorized to transact business in the State where the following described real estate is located, for and in consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, and pursuant to authority given by the Member(s)/Manager(s) of said limited liability company, CONVEYS and WARRANTS to

Grantee:

Family Bible Church, Inc


whose address is: , **Highland, IL 62249**

the following described real estate commonly known as **9th St., Highland See Exhibit A for Legal Description**

situated in the County of **Madison** in the State of Illinois.

IN WITNESS WHEREOF, said Grantor has caused its name to be signed by the parties below on this 26 day of December, 2023.

Freedom Properties Midwest, LLC, an Illinois
Limited Liability Company


By: 
Steve F. Stevenson, Manager/Member

STATE OF ILLINOIS)
COUNTY OF MADISON) SS

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that Steve F. Stevenson known to me to be the Member(s)/Manager(s) of the limited liability company, and known to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument pursuant to authority, given by the Member(s)/Manager(s) of said limited liability company as their free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 26 day of December, 2023.

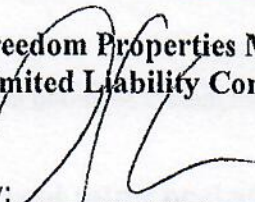
My commission expires:


Notary Public



IN WITNESS WHEREOF, said Grantor has caused its name to be signed by the parties below on this 26 day of December, 2023.

Freedom Properties Midwest, LLC, an Illinois
Limited Liability Company

By: 

Scott M. Kuhn, Manager/Member



STATE OF ILLINOIS)
) SS
COUNTY OF MADISON)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that Scott M. Kuhn known to me to be the Member(s)/Manager(s) of the limited liability company, and known to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument pursuant to authority, given by the Member(s)/Manager(s) of said limited liability company as their free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 26 day of December, 2023.

My commission expires:


Notary Public

<p>THIS INSTRUMENT PREPARED BY</p> <p>Mottaz Law Office 2600 D. State Street Alton, IL 62002</p>	<p>FUTURE TAX BILLS should be sent to:</p> <p>Family Bible Church, Inc PO Box 431 Highland, IL 62249</p>
--	--

PLEASE RETURN THIS DOCUMENT TO:

Re: H230756

Highland Community Title, LLC
901 Main Street
Highland, IL 62249

Exhibit A

Lots No. 7 & 8 in Block No. 9 in Original Town of Highland, a subdivision according to the plat thereof recorded in Plat Book 4 Page 40 and recopied in Plat Book 15 Page 20, in Madison County, Illinois.

Except any interest in the coal, oil, gas and other mineral rights underlying the land which have been heretofore conveyed or reserved in prior conveyances, and all rights and easements in favor of the estate of said coal, oil gas and other minerals, if any.

Situated in Madison County, Illinois

PPN: 01-2-24-05-06-101-006 (Lot 7)
01-2-24-05-06-101-007 (Lot 8)



THIS IS A LEGAL DOCUMENT - CONSULT YOUR PRIVATE ATTORNEY
AFFIDAVIT TO COMPLY WITH PLAT ACT AND TRACT
SURVEY REQUIREMENTS

Affiant is (agent for) (an officer of) (one of) the grantor(s) in a (deed) (lease) (contract) transferring interest in the real estate described in the accompanying document. Affiant further states this transfer is exempt from the Illinois Plat Act because it is:

- (X) A. NOT A DIVISION OF LAND (parcel lines unchanged)
() B. A DIVISION OF LAND THAT MEETS ONE OF THE FOLLOWING EXCEPTIONS TO THE PLAT ACT:
() C. DIVISION FOR TAXING PURPOSES ONLY (parcel lines change)

- 1. A DIVISION OR SUBDIVISION OF LAND INTO TRACTS OF 5 ACRES OR MORE NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS WITH A MINIMUM OF FIVE (5) ACRES RESIDUE OR GRANDFATHERED UNDER PRIOR APPROVED PLAT BY LAND USE COMMITTEE;
2. A DIVISION OR LOTS OR BLOCKS OF LESS THAN 1 ACRE IN A RECORDED SUBDIVISION NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
3. A SALE OR EXCHANGE OF LAND BETWEEN OWNERS OF ADJOINING AND CONTIGUOUS LAND;
4. A CONVEYANCE OF LAND FOR USE AS A RIGHT OF WAY FOR PUBLIC UTILITIES AND OTHER PIPELINES NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
5. A CONVEYANCE OF LAND OWNED BY A PUBLIC UTILITY NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
6. A CONVEYANCE OF LAND FOR HIGHWAY OR OTHER PUBLIC PURPOSE OR RELATING TO A DEDICATION OF LAND FOR OR VACATION OF LAND SUBJECT TO A PUBLIC USE;
7. A CONVEYANCE TO CORRECT DESCRIPTION IN PRIOR CONVEYANCE;
8. THE SALE OR EXCHANGE OF PARCELS OF LAND FOLLOWING THE DIVISION INTO NO MORE THAN 2 PARTS OF A PARCEL EXISTING ON 7/17/59 AND INVOLVING NO NEW STREETS OR EASEMENTS OF ACCESS;
9. THE SALE OF A SINGLE LOT/TRACT LESS THAN 5 ACRES FROM A LARGER TRACT. (EXCEPTION ONLY APPLIES TO THE 1ST LOT CONVEYED UNDER 5 ACRES FROM A LARGER TRACT AS IT EXISTED ON 10/1/73). (THE SINGLE TRACT OF LESS THAN 5 ACRES MUST HAVE BEEN SURVEYED BY AN ILLINOIS REGISTERED LAND SURVEYOR WHOSE SURVEY MUST HAVE BEEN RECORDED OR ACCOMPANY THE DEED.)

IF "A" IS MARKED ABOVE, APPROVAL BY THE MAPS & PLATS GIS DIVISION IS NOT REQUIRED.
IF "B OR C" IS MARKED ABOVE, APPROVAL BY THE MAPS & PLATS GIS DIVISION IS REQUIRED.

Under penalties of perjury I swear that the statements contained here are true and correct.

Freedom Properties Midwest, LLC,
an Illinois Limited Liability Company

[Handwritten Signature]

X

By:

Date:

12/26/23

H230756

Subscribed and sworn to before me:

December 26, 2023

[Handwritten Signature: Lora Tebbe]
Notary Public



All divisions of less than 2 acres within the County jurisdiction must be reviewed by the Madison County Planning and Development Department

This affidavit only ensures the Recorder's Office compliance with the State Plat Act. If the property is located within a municipality or within 1.5 miles of a municipality, local ordinances may apply. If exception 9 is used, it is required that this land division be reviewed & approved by the participating municipality. Each municipality has five (5) business days to review deed(s) and return. If the five day limit expires, Maps & Plats will process the deed upon proof of date submitted to municipality.

Date Submitted to Municipality (s) _____ Please Check One () Municipality Jurisdiction () County Jurisdiction

Municipality(s) With Jurisdiction _____

Municipal Planning Officials Signature _____

Print Name _____

Date _____

Municipal Planning Officials Signature _____

Print Name _____

Date _____



Ed Kleber
Equity Realty Group, LLC
ed@equity55.com



Listings as of 11/21/2023 at 11:24 AM

Client Detail Report

Property Type: Commercial & Indr.

9th. St., Highland 62249

L Price: \$174,500

MLS #: 23052138

Status: Incoming

County: Madlson-IL

Area:

Muni/Twp:

SubD: Not in Subdivision



General Property Information

C Type:	Commercial Land, Office Land, Special Purpose/Use	Dual Age:	Yes	CDOM:	
Zoning:	Commercial	Sqft:	4777 (County Records)		
		Lot Acres:	0.300	Lot Dim	100 x 140
Taxes Pd:	\$1	Lot SF:	13,068 (County Records)		
Tax Yr:	2022	Lic Sell:	Seller's Agent		
Type:	Commercial & Indr.	Cross St:			
Lic Sell:	Seller's Agent				
Poss:	At Closing				
Offering:	Sale				

Details

# Bldgs:	1	# Stories:	1	# Docs:		1st FI SF:	
Sqft Bldg:	4777	Sqft Off:		Sqft Rtl:		2nd FI SF:	
PLDA Prk:		PLDR L Dk:		PLDR # Drs:		PLDR Rail:	
Cing Hght:		Prk Spc:	13	Apx Rd Fr:	140		
# Drive Dr:	5	Bldg #/L:		Unit #/L:			
Int Walls:	Concrete/Block, Drywall			Utilities:	Cable, Electric, Gas, Water, Sewer		
Paved Dm:				Electric:	3 Phase, Other		
Conditions:	Unknown			Bldg Fuel:	Gas		
Roof:	Other Roof Type			Land Info:	Included		
Water:	Public			Water Mn:			
Sewer:	Public			Sewer Mn:			
Exterior:	Brick						
Cooling:	Central-Electric						
Bldg Heat:	Forced Air						
Sale Inc:	Building & Land						
Bldg Type:	1 Story						
Docs Avl:	Title Report						
Cur Use:	Other						
Pot Use:	Automotive, Church, Manufacturing, Office/General, Service						
Spec Dsc:	Other						
Construct:	Other						

Presented By: Ed Kleber Phone: 618-304-7073

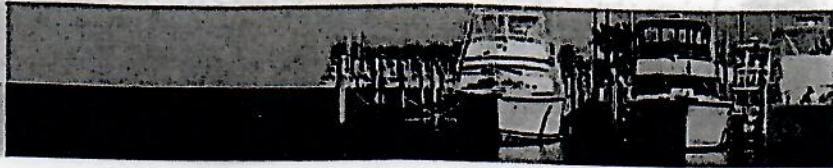
Featured properties may not be listed by the office/agent presenting the brochure.

All information herein has not been verified and is not guaranteed.

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Ed Kleber
 Equity Realty Group, LLC
 ed@equity55.com



Listings as of 11/21/2023 at 11:24 AM

Client Detail Report

Property Type: Commercial & Indr.

9th. St., Highland 62249

MLS #: 23052138

Location: City

Rd Access: City Street

Prk Desc: Concrete

Misc: 2+ Lavatories, Overhead Doors

Disclosure: Flood Plain No, Sellers Discl Not Av

Remarks

Mrk Rmks: Unlimited possibilities with this 4777 sq. ft. all brick building priced at a fraction of replacement costs!
 Building includes 2000 sq. ft. of basement area, 1372 sq. ft. garage area with 5 doors, M/W restrooms, Kitchen area, 3 HVAC units and numerous other rooms. There's 13 concrete parking spaces located on the property.
 Property was the former Highland Police Department.

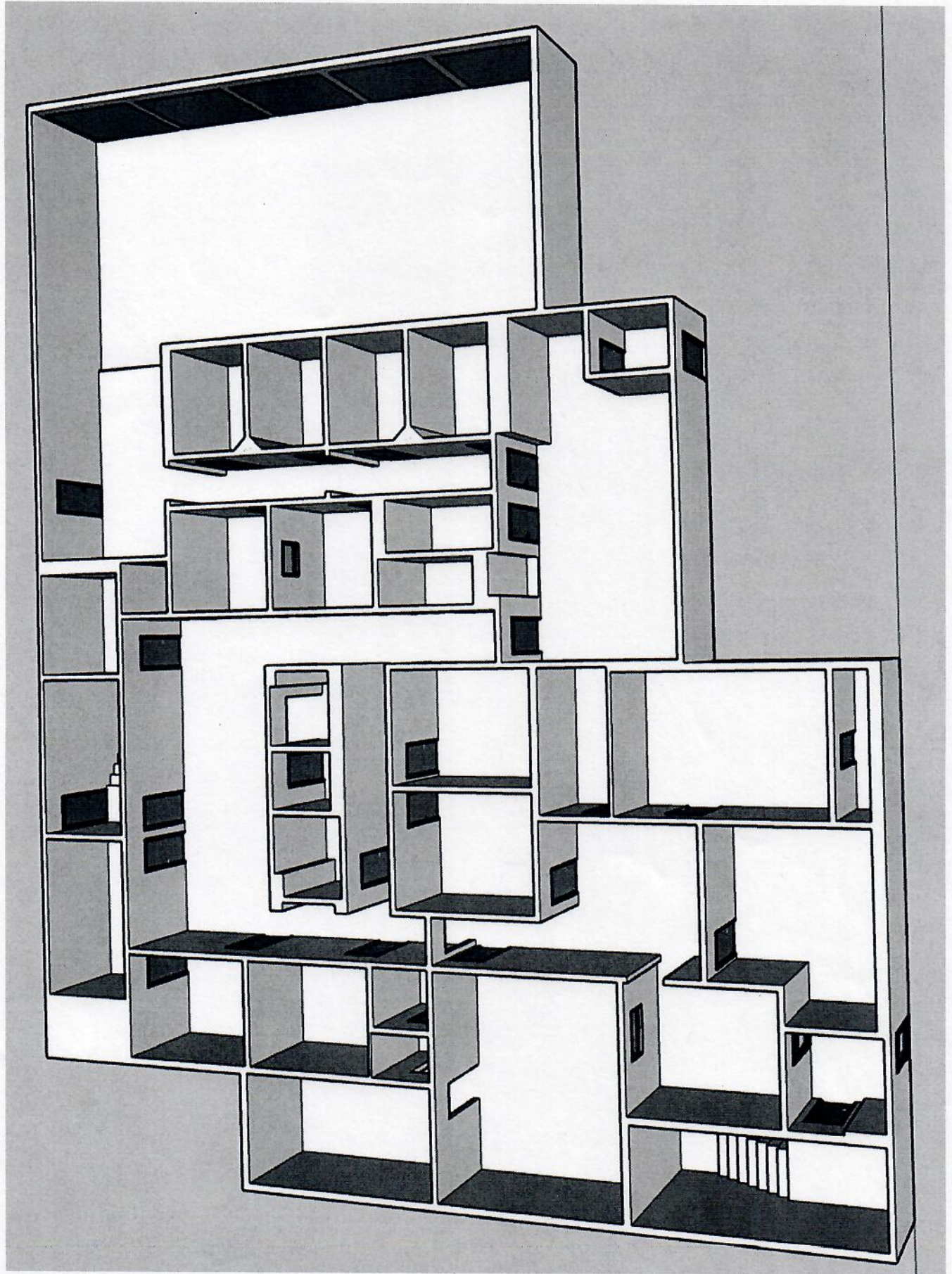
Directions: Broadway to Mulberry. North on Mulberry

Presented By: Ed Kleber Phone: 618-304-7073

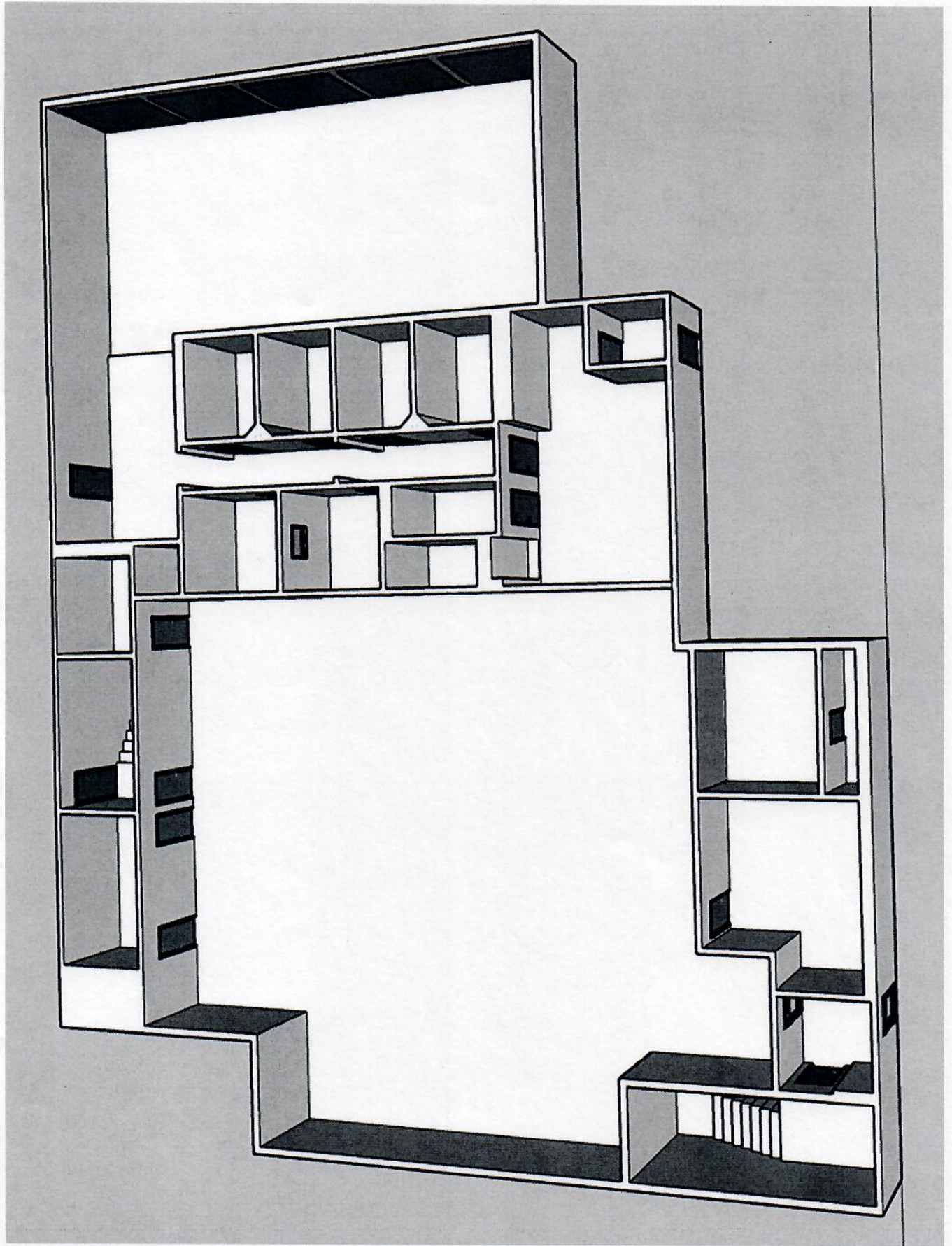
Featured properties may not be listed by the office/agent presenting the brochure.
 All information herein has not been verified and is not guaranteed.



EXISTING FIRST FLOOR PLAN:



PROPOSED NEW FIRST FLOOR PLAN:



Family Bible Church – Narrative Statement

820 Mulberry St., Highland, IL

We intend to use the property as our regular base of operations as a local non-profit organization. These regular operations are for office space, community event space and other uses as may be appropriate. Additionally, we intend to use the space for our weekly worship gatherings each Sunday, with an attendance of approximately 50 people.

We are applying for a special use permit as it is our understanding that it is required for Assembly - Church under the municipal code. Additionally, upon approval we plan to do some interior renovations as well as roof repairs, which may create some brief construction traffic.

MEMORANDUM

Meeting Date: February 27, 2024

From: Emily Calderon, AICP, Moran Economic Development

Location: PIN# 01-2-24-05-05-102-014

Zoning Request: Zoning Amendment (Rezoning)

Description: Rezone 904 Beech Street from R-1-D Single Family Residence to I Industrial District

Proposal Summary

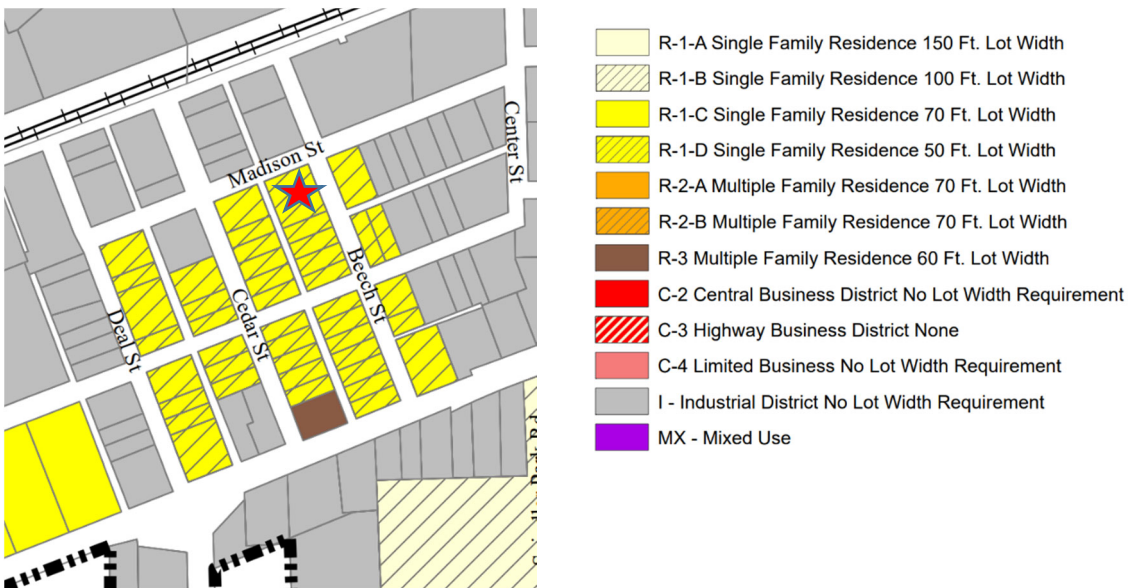
The applicant is Charles Kentner (13361 St. Rose Road, Highland) and the property owner is Mary Jacober (14335 Jamestown Road, Breese). The applicant and property owner are requesting that the subject property be rezoned from R-1-D (Single Family Residence) to I (Industrial District). The applicant intends to use the property to construct a storage building for his lawncare business.

Comprehensive Plan Consideration

The Comprehensive Plan and Future Land Use Map are considered policy guides to current and future development. While they do not have the force of an ordinance, it is generally recommended that municipalities adhere to the findings, policies, principles, and recommendations in these documents. Changes and deviations are permissible, but they should be reasonably justified.

The subject property is denoted as Industrial on the Comprehensive Plan's Future Land Use Map. The applicant's request to rezone the property is consistent with the Future Land Use Map and the goals and policies established within the Comprehensive Plan.

Zoning Map



MEMORANDUM

Future Land Use Map



Future Land Use	
	Non-Urban/Ag
	Residential
	Med. Density Res.
	Multi-Family
	Institutional/Public
	Downtown
	Mixed Use
	Commercial
	Industrial

Standards of Review for Zoning Amendments

Below are the nine (9) consideration items listed in Section 90-85 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a Zoning Amendment (rezoning) request.

1. Existing use and zoning of the property in question.
The subject property is currently a vacant lot that is zoned R-1-D (Single Family District).

2. Existing use and zoning of other lots in the vicinity of the property in question.
The land use and zoning of properties surrounding the subject property are identified below.

Direction	Land Use	Zoning
North	Sheet Metal & Roofing Business	Industrial
South	Single Family Dwelling	R-1-D
East	Single Family Dwelling	R-1-D
West	Single Family Dwelling	R-1-D

3. The extent to which the zoning amendment may detrimentally affect nearby property.
The proposed Industrial zoning district would allow for any of the permitted uses to occur on the property. Section 90-201 identifies permitted uses in the I District as:

- Agricultural / Farming operations
- Automotive Service
- Bakery
- Body Art Establishment
- Co-Branding Facility
- Construction Sales & Service
- Convenience Store
- Dry Cleaning Plant
- Furniture, Appliance or Equipment Sales / Lease
- Garden Center, Greenhouse, or Plant Nursery
- Government / Public Buildings

MEMORANDUM

Hospital
Lumber or Building Materials Sales
Manufacturing
Manufactured Home Sales
Medical or Dental Offices
Office, General
Parking Lot (public or private)
Pet Care and Pet related sales / service
Pole Barn
Print Shop
Printing & Publishing
Professional Services
Recreation Vehicle Sales, Lease or Rental
Repair Service
Truck & Equipment Sales, Lease & Rentals
Used Car Lot
Utilities (public)
Warehouse, Mini (self-storage)

While some of these permitted uses may be acceptable in a neighborhood, some may be less desirable. Likewise, while the applicant's proposed use may be acceptable, permitted uses that may occur years later must be considered.

4. Suitability of the property in question for uses already permitted under existing requirements.
The subject property is suitable for a single-family dwelling, which is permitted in the district in which it is currently zoned.
5. Suitability of the property in question for the proposed uses.
The property is suitable for some uses permitted in the Industrial District, but it is not suitable for all uses permitted in the District.
6. The type, density, and character of development in the vicinity of the property in question, including changes, if any, which may have occurred since the property was initially zoned or last rezoned.
While the character of the proposed use may be acceptable within the neighborhood, the CPZB must consider potential future permitted uses, which may be less desirable.
7. The effect the proposed rezoning would have on the implementation of the City's comprehensive plan.
The Future Land Use Map identifies the property as Residential, so the proposed zoning amendment is not consistent with the Comprehensive Plan.
8. The effect the proposed use would have on public utilities, other needed public services, and traffic circulation on nearby streets.
The proposed rezoning will not have a negative impact on public utilities, public services, or traffic circulation on nearby streets, since there are other industrially zoned properties directly north of the subject property.

MEMORANDUM

- Whether the proposed amendment promotes the health, safety, quality of life, comfort and general welfare of the City.

While the proposed amendment may not be contradictory to the health, safety, quality of life, comfort, and general welfare of the City, it may not necessarily promote these factors, either.

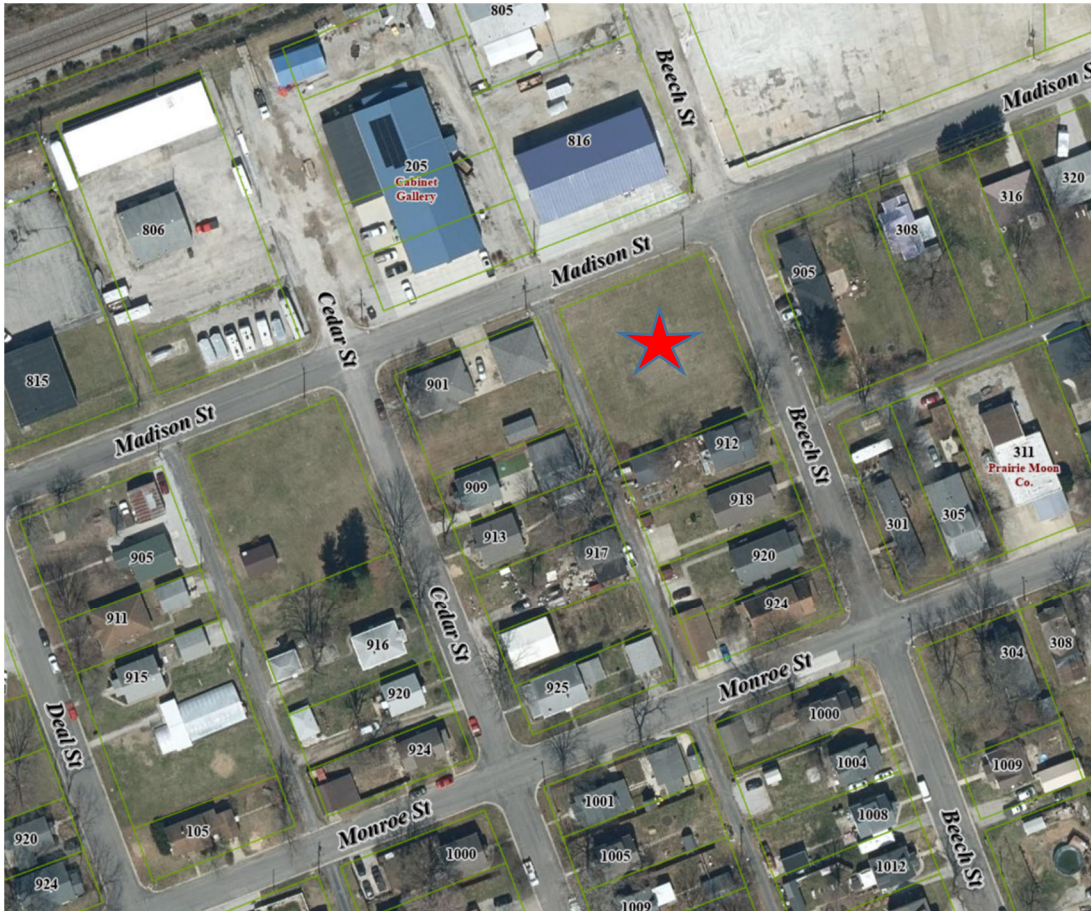
Staff Discussion

The applicant wishes to rezone the property so that he can build a new building for his business, Diversified Service, a lawn care business. The proposed new building will house lawn care equipment, including materials for sprinkler installation and landscaping.

While the proposed use may be acceptable, with minimal impact on the residential properties within the neighborhood, the CPZB must consider future users and the long-term impact of rezoning the property to Industrial, which would allow any of the permitted uses in the I District by-right.

Because the Comprehensive Plan's Future Land Use Map identifies the property as residential, denial of the Zoning Amendment is recommended.

Aerial Photograph





City of Highland

DEPARTMENT OF ECONOMIC AND
COMMUNITY DEVELOPMENT
BUILDING AND ZONING DIVISION

ZONING MAP AMENDMENT (REZONING) APPLICATION

A proposal for a change in district classification (rezoning) may be initiated by either the City Council, the Combined Planning and Zoning Board or by application of the owner of property affected.

1. Pre-Application Conference: A pre-application conference shall be required prior to submission of any application for rezoning pursuant to Section 90.057.
2. Application & Fee: A proposal for a zoning map amendment shall be filed with the Administrative Official on forms provided herein along with a \$250.00 review and processing fee as required pursuant to Section 90.067 of the City's Zoning Code. An application shall not be scheduled for public hearing until the application form has been fully completed, the filing fee paid, and all required information submitted.
3. Public Notice - City: The Office of the Administrative Official shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation at least fifteen (15) days prior to the hearing. The Office of the Administrative Official shall be responsible for following the administrative procedures for a zoning district amendment as prescribed in the adopted zoning regulations. The notice shall fix the time and place of the hearing and shall describe generally the change requested.
4. Notice to Neighbors - City: It shall be the City's responsibility to submit a notice of intent to surrounding property owners by regular mail **no less than 15 days prior to the scheduled meeting date**. The notice shall contain the time and place of the public hearing and a statement regarding the purpose of the hearing, including, but not limited to, the location of the subject property(s) being considered for rezoning, the existing and proposed zoning classifications and proposed uses for the site. (Notice must entail a minimum of 250 feet from the applicant's property lines).
5. Public Hearing: The Combined Planning and Zoning Board shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. At the hearing any interested party may appear and testify, either in person or by duly authorized agent or attorney. The public hearings are held in City Hall located at 1115 Broadway, Highland, IL in the Council Chambers.
6. Combined Planning and Zoning Board Recommendation: The public hearing may be adjourned from time to time and upon its conclusion, within a reasonable time after the public hearing on a zoning amendment the Combined Planning and Zoning Board shall submit their advisory report to the Council. This recommendation shall be submitted along with an accurate record of the public hearing. The report shall state the Combined Planning and Zoning Board recommendations regarding adoption of the proposed amendment, and their reasons for said action. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the Combined Planning and Zoning Board shall include in their advisory report findings of fact concerning each of the following matters:
 - a. Existing use and zoning of the property in question;
 - b. Existing use and zoning of other lots in the vicinity of the property in question;
 - c. Suitability of the property in question for uses already permitted under existing

requirements;

- d. Suitability of the property in question for the proposed uses;
 - e. The type, density and character of development in the vicinity of the property in question, including changes, if any, which may have occurred since the property was initially zoned or last rezoned;
 - f. The effect the proposed rezoning would have on implementation of this City's comprehensive plan;
 - g. The effect the proposed use would have on public utilities and on traffic circulation on nearby streets;
 - h. Whether the proposed amendment is consistent with the City's Comprehensive Plan and this Chapter;
 - i. Whether the proposed amendment promotes the health, safety, quality of life, comfort and general welfare of the City;
 - j. Adequacy of public utilities, traffic circulation and other needed public services;
 - k. Compatibility of the proposed amendment to the existing character of the neighborhood;
 - l. The extent to which the zoning amendment may detrimentally affect nearby property; and
 - m. Suitability of the uses to which the property has been restricted under its existing zoning.
7. Decision by Council: The Council shall act on every proposed zoning amendment at their next regularly scheduled meeting following submission of the Combined Planning and Zoning Board' advisory report. Without further public hearing, the Council may pass any proposed amendment or may refer it back to the Combined Planning and Zoning Board for further consideration, by simple majority vote of all the members then holding office.
8. Appeal: The favorable vote of at least two-thirds of all the members of the Council is required to pass an amendment to this chapter when the proposed amendment is opposed, in writing, by the owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across an alley there from, or by the owners of 20 percent of the frontage directly opposite the frontage proposed to be altered. (See 65 ILCS 5 /11-13-14.)

EXHIBIT "A"

Zoning Map Amendment Rezoning Application

Return Form to:

Administrative
Official City of
Highland 12990
Troxler Rd
Highland, IL 62249
(618) 654-9891
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: 1-12-24
Filing Fees: 250.00
Date Paid: 1-12-24
Date Advertised: 2/9/24
Date Notices Sent: 2/14/24
Public Hearing Date: 3/6/24
Zoning File #: REZON-0124-0015

APPLICANT INFORMATION:

Applicant: Charles K Kellner Phone: 618-729-7798
Address: 13361 St Rose Rd Highland Zip: 62249
Email Address: DSFL2005@gmail.com
Owner: Mary Jacober Phone: 618-334-6950
Address: 14335 James town Rd Zip: 62234
Email Address: BOHNENSJ@gmail.com

PROPERTY INFORMATION:

Street Address or Parcel ID of Property: Beech ID# 01-2-24-05-05-10-2-014

Property is Located In (Legal Description):

Present Zoning Res Requested Zoning: INDUSTRIAL Acreage: LOT 135'x130

Present Use of Property: empty LOT

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>INDUSTRIAL</u>	<u>I</u>
South	<u>Single Family Res</u>	<u>R-1-D</u>
East	<u>Single Family Res</u>	<u>R-1-D</u>
West	<u>Single Family Res</u>	<u>R-1-D</u>

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would the proposed change create a small, isolated district unrelated to surrounding districts? Yes _____ No If yes, explain: _____

2. Are there substantial reasons why the property cannot be used in accordance with existing zoning? Yes _____ No If yes, explain: _____

CONFORMANCE WITH COMPREHENSIVE PLAN:

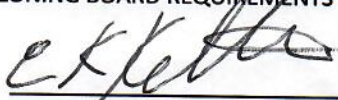
1. Is the proposed change consistent with the goals, objectives and policies set forth in the Comprehensive Plan? Yes _____ No
2. Is the proposed change consistent with the Future Land Use Map? Yes _____ No

UNIQUE CHARACTERISTICS OF PROPERTY AND ADDITIONAL COMMENTS:

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description AND warranty deed of the property proposed to be rezoned. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. If the proposed zoning is a Planned Use or requires a special use permit, the rezoning application shall be accompanied by a use permit application defining the specifically requested use or list of uses.
5. Application fee.
6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS


Applicant's Signature

01-11-2024
Date

City of Highland
12990 Troxler Avenue
Highland, IL 62249

February 5, 2024

RE: Zoning Map Amendment (Rezoning) Application- Beech Street Parcel ID# 01-2-24-05-05-102-014
(the "Property")

To Whom It May Concern,

The undersigned, Mary Jacober, is the owner of the property. Charles K. Keltner has or will be filing an application for a Zoning Map Amendment (Rezoning) for the Property with the City of Highland. Please accept this correspondence as confirmation that I have authorized Mr. Keltner to submit said application on my behalf.

Sincerely,

A handwritten signature in cursive script that reads "Mary C. Jacober". The signature is written in black ink and is positioned above the printed name.

Mary Jacober

Madison County Government
Emergency Telephone System

Dana Burris ■ *Coordinator*
101E. Edwardsville Rd. • Wood River, IL 62095
Phone (618) 296-5913 • Fax (618) 692-7480
Email ■ dlburris@madisoncountyil.gov

Kurt Prenzler, CPA
County Board Chairman

Joe Petrokovich ■ *Chairman*
Scott Prange ■ *Vice-Chairman*
Bob Coles
Ellar Duff
Brendan McKee
Tom McRae
Ralph Well

February 07, 2024

City of Highland
12990 Troxler Rd
Highland, IL 62249

Dear City of Highland:

Please be advised, the address you or your builder has applied for is:

904 Beach ST Highland IL 62249

Subdivision:

Parcel #: 01-2-24-05-05-102-014

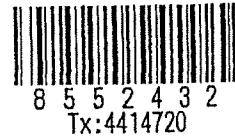
Please be sure to contact all of the utility companies, your creditors, etc., as to the address assigned to your property.

If I can be of further assistance, please give me a call.

Sincerely,



George Perica
Addressing Coordinator



This Document Prepared By:

BRENT RICKHOFF
Attorney at Law
805 West Highway 50
O'Fallon, Illinois 62269
618-632-8558

2018R29438
STATE OF ILLINOIS
MADISON COUNTY
09/19/2018 10:13 AM
AMY M. MEYER, RECORDER
REC FEE: 35.00
CO STAMP FEE:
ST STAMP FEE:
FF FEE:
RHSPS FEE: 9.00
OF PAGES: 4

**After Recording, Return and
Mail Tax Statements To:**

Mary C. Jacober, as Trustee
901 Cedar
Highland, IL 62249

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

44.00 cash

The Grantor,

MARY C. JACOBER, a widow,

Whose mailing address is 901 Cedar, Highland, IL 62249;

FOR GOOD AND VALUABLE CONSIDERATION, in hand paid, conveys and quitclaims to:

MARY C. JACOBER, as Trustee of THE MARY C. JACOBER LIVING TRUST, U/A dated
September 12, 2018, the GRANTEE,

Whose mailing address is 901 Cedar, Highland, IL 62249;

And to Grantee's successors and assigns, all of the following described real estate situated in the County of
Madison, State of Illinois, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Permanent Index Number: 01-2-24-05-05-102-014

Site Address: BEECH ST, Highland, IL 62249, IL.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of
the State of Illinois; however, SUBJECT TO any Restrictions, Conditions, Covenants, Rights, Rights of
Way, and Easements now of record; to have and to hold said premises forever.

The then-acting Trustee has the power and authority to encumber or otherwise to manage and dispose of
the hereinabove described real property; including, but not limited to, the power to convey.

Dated this 12 day of September, 2018.

Mary C. Jacober
MARY C. JACOBER


The foregoing transfer of title/conveyance is hereby accepted by MARY C. JACOBER, of 901 Cedar,
Highland, IL 62249, as Trustee under the provisions of THE MARY C. JACOBER LIVING TRUST.

Mary C. Jacober
MARY C. JACOBER,
Trustee, as aforesaid

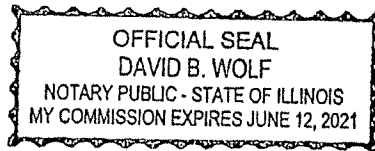
AB

STATE OF ILLINOIS)
) ss.
COUNTY OF ST. CLAIR)

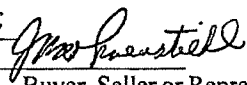
The foregoing instrument was acknowledged before me on this SEPT., 2018, by MARY C. JACOBBER.


NOTARY PUBLIC

My commission expires: 6/12/21



"Exempt under Paragraph (e), Section 31-45;
Illinois Real Estate Transfer Tax Act"

9/9/2018 
Date Buyer, Seller or Representative

4210 1624 ;

PARCEL 1:

Lots Number Twelve (12) and Thirteen (13) in Block Number Eight (8) in L. c. b. gers, a subdivision of the West part of the West Half of the Northwest Quarter of Section 5 and the East Half of the Northeast Quarter of Section 6, lying between the right of way of the Vandalia Railroad and the center of the State Road, in Town 3 North, Range 5 West of the Third Principal Meridian, as the same appears from Plat of said Subdivision recorded in Plat Book 11 Pages 16 and 17 of the Recorder's Office of Madison County, Illinois.

Situate in the County of Madison and State of Illinois.

PARCEL 2:

Lot Fourteen (14) in Block Eight (8) of Gerhard Suppiger's, et al, Subdivision, known as L.c.b.gers, a suburb of Highland, in Madison County, Illinois, according to the Plat thereof recorded in the Recorder's Office of Madison County, Illinois in Plat Book 11 Pages 16 and 17

PPN: 01-2-24-05-05-102-014



AFFIDAVIT FOR PURPOSE OF PLAT ACT REQUIREMENTS (765 ILCS 205)
THIS IS A LEGAL DOCUMENT - CONSULT YOUR PRIVATE ATTORNEY
(County Zoning & Subdivision Ordinances May Also Apply)

ORIGINAL AFFIDAVIT REQUIRED FOR RECORDING, COPIES WILL NOT BE ACCEPTED.

Affiant is the Grantor or is the Grantors authorized representative in a deed transferring interest in the real estate described in the accompanying deed. Affiant further states this transfer is exempt from the Illinois Plat Act because it is:

(Please check all that apply)

A. NOT A DIVISION OF LAND (parcel lines unchanged) () C. DIVISION FOR TAXING PURPOSES ONLY (parcel lines change)

() B. A DIVISION OF LAND THAT MEETS ONE OF THE FOLLOWING EXCEPTIONS TO THE PLAT ACT;

1. A division or subdivision of land into tracts of five (5) acres or more not involving new streets or easements of access with a minimum of five (5) acres residue.

5. A conveyance of land owned by a public utility not involving new streets or easements of access.

2. A division of lots or blocks of less than one (1) acre in a recorded subdivision not involving new streets or easements of access.

6. A conveyance of land for highway or other public purpose or relating to a dedication of land or for vacation of land subject to a public use.

3. A sale or exchange of land between owners of adjoining and contiguous land.

7. A conveyance made to correct a description in prior conveyance.

4. A conveyance of land for use as a right-of-way for public utilities and other pipelines not involving new streets or easements of access.

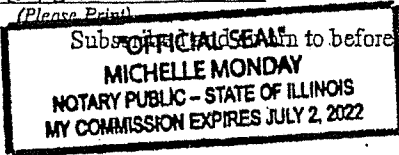
8. The sale or exchange of parcels of land following the division into no more than two (2) parts of a parcel existing on July 17, 1959, and not involving any new streets or easements of access.

9. The sale of a single lot/tract less than five (5) acres from a larger tract (Exception only applies to the 1st tract conveyed from a larger tract as it existed on October 1, 1973.) (The single tract of less than five (5) acres must have been surveyed by an Illinois Registered Land Surveyor whose survey must accompany the deed)

IF A IS MARKED ABOVE, APPROVAL BY THE MAPS & PLATS GIS DIVISION IS NOT REQUIRED.
IF B OR C IS MARKED ABOVE, APPROVAL BY THE MAPS & PLATS GIS DIVISION IS REQUIRED.

Under the penalties of perjury I swear that the statements contained here are true and correct.

NAME John M. Bohnenstiehl SIGNATURE: [Signature] DATE: 9/19/2018



Subscribed and sworn to before me this 19th day of September, 2008

Michelle Monday
Notary Public

All divisions of less than 2 acres within the County jurisdiction must be reviewed by the Madison County Planning and Development Department

This affidavit only ensures the Recorder's Office compliance with the State Plat Act. If the property is located within a municipality or within 1.5 miles of a municipality, local ordinances may apply. For your protection it is required that this land division be reviewed & approved by the participating municipality.

(Please check one) () Municipality Jurisdiction () County Jurisdiction

Municipality(s) With Jurisdiction: _____

Municipal Planning Official's Signature Print Name Date

Municipal Planning Official's Signature Print Name Date

(Revised 7/04)

END OF DOCUMENT



13361 St. Rose Road
Highland, IL 62249

March 6, 2024

To those this may concern:

Fertl-Lawn Inc. DBA Diversified Services respectfully request the rezoning of the property located at the corner of Beech and Madison streets in Highland IL from R-I-C to industrial.

This property would be used to construct a new facility to house the offices and store equipment and inventories of FLI. FLI is a company that provides lawn sprinkler installation and landscaping services to the surrounding communities in a 50 mile radius. This proposed change in property zoning will benefit the great city of Highland by returning business to the city, providing a new source of property tax revenue as well as sales tax revenues.

By rezoning this property, the character of surrounding properties should be directly affected in a positive manor and should have no impact on current traffic conditions.

Thank you for your attention and consideration on this matter.

Sincerely

A handwritten signature in black ink, appearing to read "C.K. Keltner". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

C.K. Keltner
President