

**Collinsville Board of Adjustment
Minutes of
April 12th, 2021
Regular Meeting**

The meeting was called to order at 6:05 p.m.

Roll Call:

Connie Goad	Present
Bob Lewis	Present
Sharon Wilkinson	Present
Glen Reser	Present
Mike Branen	Absent

The minutes of the November 9th, 2020 meeting were presented. A motion was made by Wilkinson and seconded by Lewis to approve the minutes as presented. A roll call vote on the motion was recorded as follows:

Connie Goad	Yes
Bob Lewis	Yes
Sharon Wilkinson	Yes
Glen Reser	Yes

The motion carried.

PUBLIC HEARING

BOA CASE NO. 319 – from Mr. Kyle Smalygo regarding subdivision Tyler Crossing II. The applicant has requested the following on his Variance application: Variance of requested easement/City of Collinsville termination of building permits/ REF CLS 206 – the approved lot split.

The staff report was presented by the City Planner, Jessi Stringer.

The applicant, Mr. Smalygo, who is also one of the owners of the property in question, spoke to the Board. Mr. Smalygo expressed his personal stresses he experienced with this case and felt he was undergoing a hardship.

The Board asked questions of the applicant and staff.

The City Planner confirmed for the board that a permanent emergency access road is required by the City's subdivision Regulations when any plat possesses over 30 lots. Stringer then notified the Board that the applicant was courteously reminded of his obligations to follow State law by City Staff in January 2016, June 2019, July 2019, and October 2020.

The applicant, Mr. Smalygo, conveyed to the Board he did not know he needed to deed an easement to the City of Collinsville in addition to the gravel road he installed. The applicant insisted that City Staff never shared any codes, laws, regulations, etc. with him regarding the City's requirements.

Stringer approached the podium to clarify for the Board that City Staff's approval of lot splits and an access road does not:

- 1) equate to earning building permits without first granting the city a required easement, and
- 2) waive state law nor international fire code.

Mr. Underwood, the City Attorney, shared his thoughts on the subject Along with several exhibits that supported the staff report. The exhibits reflected accounts of city staff sharing with the applicant various codes and ordinances as well as notifying him of the required easement to guarantee road permanence.

Chief Call, The City Fire Chief then approached the podium and spoke about the importance of the International Fire Code. He told the Board that the City of Collinsville has adopted the Code Book in its entirety, so he and his predecessor have enforced it as such.

After (2)+ hours of information shared by City Staff, the applicant, the City Fire Chief, the City Attorney, and various citizens, the Board chose to table the discussion so they may hold a special meeting on April 26th and make a decision on this matter at that time.

Mr. Reser made a motion to table the discussion until April 26th, which was seconded by Goad.

Connie Goad	Yes
Bob Lewis	Yes
Sharon Wilkinson	Yes
Glen Reser	Yes

The motion carried.

PUBLIC HEARING

BOA CASE NO. 318 – from Mr. Jordan Scott with High Density regarding a special exception request permitting the agricultural use unit in an IM district per Section 710.

The staff report was presented by the City Planner, Jessi Stringer.

Chairperson Goad opened the floor to any citizens who may want to speak.

A citizen who lives across the street approached the podium and stressed her concern for theft.

Christopher Stone, the applicant, approached the podium and shared with the concerned citizen that High Density is “Grow” operation, so they will not have signage to attract customers and potential thieves.

Mr. Reser made a motion to approve the special exception, which was seconded by Mr. Lewis.

Connie Goad	Yes
Bob Lewis	Yes
Sharon Wilkinson	Yes
Glen Reser	Yes

Chairperson Goad made a motion to adjourn the meeting. Mrs. Wilkinson seconded the motion. The meeting was adjourned by unanimous vote at 8:52 pm.

Chairperson: Connie Goad

Date: July 26, 2021