



**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council

**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator

**Date:** June 14, 2007

**Subject:** A **MOTION** to sustain the decision of the Zoning Hearing Officer to reject the appeal of the Loan machine.

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**List of committees that have reviewed:** The Community Development Committee reviewed and unanimously recommended 4-0 to sustain the Zoning Hearing Officers decision rejecting their appeal. This Motion is to formally sustain the ZHO decision on the case. Case materials are attached to this agenda item.

**Background:** The Zoning Hearing Officer ruled to deny ZHO2007-11, a petition to appeal the City's administrative decision that they are not an authorized use in the B-1 District. The petitioner, Michael Hayes for the Loan Machine, has filed an appeal to the City Council from the Zoning Hearing Officer's decision. The applicant wants to relocate their business from an existing site in O'Fallon (where they were a non-conforming grandfathered use) to another B-1 location in O'Fallon, however the zoning code does not currently authorize small loan establishments such as the Loan Machine. The Loan Machine also petitioned the City to change its zoning code to allow small loan establishments in the City, however, the CD Committee voted 4-0 to recommend against proceeding forward with any changes to the zoning code that would authorize small loan establishments or payday/title loan operations.

**Legal Considerations, if any:** None

**Budget Impact:** none

**Staff Recommendation:** Sustain the ZHO's decision denying the Loan Machine's request.