



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Planning Director
Walter Denton, City Administrator
Date: July 14, 2009
Subject: **Annexation Agreement for Joseph Craig Maskal (8701 and part of 8971 Shiloh Valley Township Line Road) - (RESOLUTION)**

List of committees that have reviewed: The Community Development Committee was unable to provide a recommendation on the agreement due to lack of quorum. The consensus of those in attendance was supportive of the agreement.

Background: As a result of the waterline project along Shiloh Valley Township Line Road, north of Interstate 64 and west of Reider Road, the City secured a 15' utility easement north of Shiloh Valley Township Line Road from several property owners to accommodate the water main. Subsequently, several owners have expressed interest in connecting to the municipal water line. Mr. Joseph Maskal is the owner of the properties located at 8701 and 8971 Shiloh Valley Township Line Road. The property at 8701 is Mr. Maskal's residence, and the property at 8971 includes a rental unit. Since the properties are not presently contiguous to the City limits, the applicant is required to enter into an annexation agreement with the City so that when each property becomes contiguous, he will then be required to annex.

In 2002, the St. Clair County Board granted a Special Use Permit for a Planned Building Development to allow Boat Storage/Min-Storage in an "O-3" Scott-Airport Overlay Zone District Overlay Zone for the property at 8701 Shiloh Valley Township Line Road. Per the terms of the annexation agreement, the City will honor the terms of the previously approved Special Use Permit from St. Clair County. Additionally, water tap fees for the two properties are proposed for waiver, which was generated as a result of the easement negotiations with Mr. Maskal. The two properties would otherwise be subject to all normal fees, with the applicant being subject to the normal out-of-town water usage fees.

Attached is a copy of the annexation agreement. A public hearing will be held at the City Council meeting on July 20, 2009 at 7:00 pm. At that same meeting, a resolution will be presented authorizing the Mayor to sign the annexation agreement.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation

Staff recommends approval of the annexation agreement.