

Peoria Heights Zoning Board of Appeals

Rick Picl, Chairman

Minutes for April 20, 2020

A meeting of the Village of Peoria Heights Zoning Board of Appeals was held on April 20, 2020 at the Peoria Heights Village Hall. The meeting was called to order by Chairman Rick Picl at 5:30pm. Due to COVID-19 concerns, the meeting was conducted via teleconference and appropriately advertised to the public. The public was also invited to participate in person however limited to 10 persons.

Mr. Wigginton called roll. All members were present with the exception of Mr. Cady who attended at 5:35pm and Mr. Tijerina who attended at 5:36pm (Chairman Picl, Acting Secretary Wigginton, Ms. Bucklar, and Mr. Woo appeared in person).

Chairman Picl entertained a motion to approve the minutes from the previous meeting held on December 16, 2019. The motion was made Ms. Bucklar and seconded by Mr. Woo and there was unanimous consent to approve.

Chairman Picl introduced the first order of Business:

- Variance application submitted by GG Properties V, LLC Series 4, seeking a setback variance to permit demolition of existing detached garage and reconstruction of new garage in same location, for the property located at 1512 East Clayton Avenue, Peoria Heights, Illinois 61616 (PIN No. 14-22-479-003) which is currently zoned R-1 (Low Density Residential District)
 - o Chairman Picl asked the attorney for petitioner, Gary E. Schmidt, to present the variance application and the plan for the property and noted that the drawing in the packet. Mr. Schmidt noted that he had a few larger drawings for those in attendance. The westerly side of the property needs a setback which sits on a vacated alley from the 1950s. The neighboring property owners, the Callahan's, conveyed their half of the vacated ally to clear up an encumbrance. Because of the three-foot setback requirement, a variance is necessary and the footprint of the new garage will be the same as the old garage. The garage cannot be moved from the current location.
 - o Mr. Wigginton noted that the current structure could be demolished if the wind blows the wrong way and that this variance could only improve the site.
 - o Ms. Backs inquired if this new construction will result in any loss of tress. Mr. Schmidt replied that while some may need to be trimmed, no trees will be cut down.
 - o Mr. Calloway inquired about the size of the garage. Mr. Schmidt stated about 13 feet wide and 18 feet in length based on the plat, a one-car garage.
 - o Mr. Woo agreed that the current garage is, landlocked, unsafe and with accommodating neighbors, he had no objections.
 - o Chairman Picl asked that the member of the public address the board. Ms. Gilson of 700 N. Greenville Road of Hanna City, Illinois informed the board that she did not know

about the encumbrances of the garage and driveway. Mr. Wigginton inquired if the new plat had been registered with the County and Mr. Schmidt confirmed it had.

- Chairman Picl proceeded to the request a motion on the variance which was made by Mr. Woo and seconded by Mr. Cady. Chairman Picl then proceeded to the findings of fact on the variance application
 - o Will the strict application of the terms of the Zoning Code relating to the use, construction or alteration of buildings or structures or to the use of land impose practical difficulties or a particular hardship upon the Petitioner?
 - The board answered in the affirmative 9-0
 - o If the variation is granted, the property affected by the variation will remain in harmony with the general purport and intent of the Zoning Code.
 - The board answered in the affirmative 9-0
 - o The approval of the variation will not merely serve as a convenience to the Petitioner but is necessary to alleviate some demonstratable hardship on the Petitioner.
 - The board answered in the affirmative 9-0
 - o Can the variation requested by the Petitioner be granted without substantial detriment to the public good?
 - The board answered in the affirmative 9-0
 - o Can the proposed variation be approved without impairing the general purpose and intent of the comprehensive plan as implemented by the Zoning Code?
 - The board answered in the affirmative 9-0
 - o If the proposed variance involves a fence, will the fence conform with the standards set forth at subsections 10-4-7D2c(2)-D2c(5) of the Zoning Code?
 - The board answered that this was not applicable
 - o The motion was then approved with no conditions and a $\frac{3}{4}$ foot setback 9-0.
- Miscellaneous
 - o Election of Vice-Chair. Cathy Stevenson was Vice-Chair and she has left the board in February. Chairman Picl nominated Ms. Bucklar. Mr. Wigginton moved and Mr. Calloway seconded. Ms. Bucklar was elected Vice-Chair 9-0.
 - o May's meeting will be a busy meeting with several issues to come before the Board. The pump house property which is currently zoned residential may also come before the Board. A candy store with popcorn is being discussed and Chairman Picl noted that there may be some parking issues that need to be addressed.
 - o Chairman Picl noted that there should be an effort to codify the requirement that site plans be submitted and just discussed at the first meeting and then later approved or denied at a subsequent meeting. Vice-Chair Bucklar inquired if this would apply to all

projects or if some could be approved at the first meeting. Chairman Picl agreed and then entertained a motion. Village Counsel noted that because this is an action item, it would need to be an agenda item. Chairman Picl and Counsel discussed that on a case-by-case basis expectation can be managed on time frame.

- Ms. Backs is looking for partners for a green-space project and Vice-Chair Bucklar agreed and discussed Normal Illinois's plan. Chairman Picl said that he does have it to review.
- Chairman Picl adjured the meeting at 6:16pm