

Peoria Heights Zoning Board of Appeals

Rick Picl, Chairman

Minutes for August 17, 2020

A meeting of the Village of Peoria Heights Zoning Board of Appeals was held on August 17, 2020 at the Peoria Heights Village Hall. The meeting was called to order by Chairman Rick Picl at 5:30pm.

Mr. Wigginton called roll. All members were present apart from Mr. Calloway and Mr. Tijerina.

Chairman Picl entertained a motion to approve the minutes from the previous meeting held on June 22, 2020. The motion was made Mr. Woo and seconded by Vice-Chairman Ms. Bucklar and there was unanimous consent to approve.

Chairman Picl introduced the first order of Business:

- Variance application submitted by William J. Andrew seeking a variance to permit construction of a corner yard fence with a setback variance on the property located at 1204 East Lake Avenue, Peoria Heights, Illinois 61616 (PIN No. 14-27-130-001) which is currently zoned R-2 (Medium Density Residential District)
 - o Chairman Picl asked the petitioner to address the issue and Mr. Andrew noted that some things had changed including the distance from the house to Atlantic should be 24 feet rather than 30 feet. The house is being rented and the renter has two large dogs. The petitioner would like the fence because one of the dogs does not do very well on a leash. There is no pool as was pictured. The petitioner stated he was unsure of the property boundaries. He did find one boundary marker but has not been able to find the other corners of his lot. The petitioner planned to have a gate to the fenced area from the side yard portion. The property line was not clear to the petitioner when questioned by Chairman Picl. Chairman Picl stated that the fence cannot be in the right-of-way. A survey has not been conducted. Mr. Wigginton asked if there had been any feedback and Chairman Picl noted there had been some feedback from Bob Hill who believed there should be a chain-length fence placed. Ms. Backs had driven by the property and thought the proposed fence would be fine.
- 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 7-0
 - 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 7-0

- 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 7-0
- Can the variation requested by the Petitioner be granted without substantial detriment to the public good?
 - The board answered in the affirmative 7-0
- 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 7-0
- 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 in the affirmative 7-0
- A motion was made by Ms. Backs and seconded by Mr. Woo and the motion was approved with a condition that the west property line be located 7-0.

Chairman Picl introduced the second order of business:

Site plan and variance application filed by PH Samuel, LLC seeking approval of a site plan with variances for a lot size, rear setback, and front yard fence, for proposed residential development of the property located at 1324 East Samuel Avenue, Peoria Heights Illinois 61616 (PIN 14-22-402-027), which property is currently zoned R-3 (Multiple Family Residential District).

- The petitioner reviewed the variances that will be needed. The lot sizes would be needed. There would be no variances on the side or front yard needed. Because the garage is connected by a walkway, it is thought that there should be a variance request. Ms. Backs noted that this property was the location that she rents but the petitioner stated that this property is across the street. There would be a fence would just be across the front and this will just provide an aesthetic for the street scape. Chairman Picl inquired about the height of the building and why a height variance was not needed for this property as it was in previous site plans.
 - There were no public comments offered about this project.
 - Chairman Picl stated that the vote on the site plan and variances will be conducted at the September meeting and that we will go right into that at the next meeting.

Mr. Woo moved to adjourn, and Vice-Chairman Ms. Bucklar seconded. The motion was approved unanimously, and the meeting was adjured the meeting at 6:16pm