

Peoria Heights Zoning Board of Appeals

Rick Picl, Chairman

Minutes for December 16, 2019

A meeting of the Village of Peoria Heights Zoning Board of Appeals was held on December 16, 2019 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.

Chairman Picl entertained a motion to approve the minutes from the previous meeting held on November 18, 2019. The motion was made and seconded and there was unanimous consent to approve.

Chairman Picl introduced the first order of Business:

- Special Use application submitted by Christopher T. Tinkham to permit installation of a ground mount solar energy system for property located at 5123 North Longview Place, Peoria Heights, IL 61616 (PIN No. 14-21-277-034), which property is currently zoned R-1 (Low Density Residential District)
 - o Chairman Picl asked the petitioner, Dan Doerr, to present the special use application and the plan for the property and noted that the drawing in the packet appeared larger than what was actually present. Chairman Picl also reviewed the requirements for the specific special use.
 - o In inquiry was made to the petitioner by Ms. Backs if the neighbors had approved of the special use. The petitioner responded no.
 - o Chairman Picl noted that there is an eight-foot fence required and that in the past this requirement has been waived as it was done with the Alwan and Sons solar special use permit. Village Counsel, Mr. Walton, noted that this could be addressed in the ordinance and if it needed to be revised
 - o Mr. Woo noted that he had some experience with Solar Companies and shared his knowledge.
 - o Mr. Wigginton inquired about the signage in the descriptions indicating potential danger of high voltage
 - o The floor was opened for public comment. There were no comments from the public.
- Chairman Picl proceeded to the findings of fact on the special use permit
 - o The establishment, maintenance, or operation of the special use or site plan will not be detrimental to or endanger the public health, safety, morals, comforts or general welfare
 - The board answered in the affirmative 7-0

- The special use or site plan will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located
 - The board answered in the affirmative 5-2 with Ms. Stevenson and Mr. Wigginton voting in the negative
- The establishment of the special use or site plan will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - The board answered in the affirmative 7-0
- Adequate facilities access roads, drainage and/or necessary facilities have been or will be provided
 - The board found this to be not applicable
- Adequate measures have been or will be taken to provide ingress and egress designed as to minimize traffic congestion in the public streets.
 - The board found this to be not applicable
- If a public use or use providing public utility service, that such use of service shall meet a demonstratable public need and provide a public benefit
 - The board found this to be not applicable
- The special use or site plan shall, in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendation of the zoning board of appeals
 - The board answered in the affirmative 7-0
- A motion was made by Mr. Woo and seconded by Ms. Bucklar to require neighbor approval and utilizing the existing fence at the exterior of the property.
 - Mr. Wigginton noted that the petitioner was willing to create a new fence to meet the existing regulation requirement and this would address the safety issue
 - Chairman Picl noted that there was a maximum requirement but not a minimum requirement on fencing and Counsel stated he was unaware of any incidents with regards to solar panels. The revision to the regulation would be considered in the future
 - The motion to approve the special use as above was passed with Mr. Wigginton voting in the negative. Chairman Picl noted that the motion was passed and noted the conditions of the neighbor approval and the existing fence usage
- Miscellaneous
 - Katie Kim of the KIM Group noted that there had been some aesthetic changes to the site plan and the zoning board of appeals noted there were no issues with the changes

- A possible meeting with the Village Board to review Master Plan may be in the works
- Greg Birkland of the KDB Group contacted Chairman Picl and was reminded that a site plan was still needed to be approved by the zoning board of appeals
- Mr. Wigginton inquired on the process of residential site plans and the determination of whether those plans need to be presented to the zoning board of appeals and Chairman Picl stated that the burden generally falls upon him to conduct a review of whether or not the plans are in compliance
- Ms. Backs stated she would like to see greenery addressed in the zoning ordinances and regulations and that greenery concerns should be addressed across all zoning districts and Ms. Backs requested to make a presentation on this subject
 - Mr. Tikerina raised his concerns regarding the regulation on business and property owners and his belief that these issues should not be regulated and should be a decision left to the property owners
- An announcement was made that Mr. Charlie Calloway will be joining the zoning board of appeals with the departure of Ms. Stevenson.

Chairman Picl adjured the meeting at 6:44pm