A regularly scheduled Zoning Board of Appeals Meeting was held on Thursday, September 8, 2016, at 1:00 p.m., City Hall, 419 Fulton Street, Room 400, with Vice Chairperson Zachary Oyler presiding.

ROLL CALL

The following Zoning Board of Appeals Commissioners were present: Mark Anderson, Jerry Jackson, Nathan Wagner, Zachary Oyler – 4. Absent: Laith Al-Khafaji, Ed Barry, Richard Russo– 3.

Staff Present: Leah Allison, Madeline Wolf

MINUTES

Commissioner Jackson moved to approve the minutes for the meeting held on August 11, 2016; seconded, by Commissioner Wagner.

The motion was approved unanimously viva voce vote 4 to 0.

REGULAR BUSINESS

Commissioner Anderson announced his abstention from the following case due to personal interest.

CASE NO. ZBA 3022

Public Hearing on the request of David Reese and Nena Taylor-Reese to obtain a variance from the City of Peoria Zoning Ordinance Section 7.4.e. Yard Requirements, to reduce the required front yard setback from 35 feet to 11 feet for a garage addition, for the property identified as Parcel Identification No. 14-04-378-001, with an address of 264 W Detweiller Drive, Peoria, Illinois (Council District 5).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. ZBA 3022 into the record and presented the case. Ms. Allison provided the property characteristics, requested variance, and the Site Plan Review Board recommendation.

Staff's recommended DENIAL of the requested variance due to lack of hardship and failure to meet all of the following criteria:

1.) Reasonable Return: The subject property can yield a reasonable return without the requested variance.
2.) Unique Circumstances: The subject property is not unique. The property is primarily flat and a standard rectangular shape.
3.) Character: The proposed variance will alter the character of the neighborhood. Review of the surrounding properties found uniform and consistent front yard setbacks. There were no properties within the surrounding neighborhood found to have a reduced front yard setback.

Ms. Allison affirmed Vice Chairperson Oyler’s inquiry, the tree line on the south end of the property extended to the street.

Vice Chairperson Oyler opened the Public Hearing at 1:12 p.m.

David (Jeff) Reese, petitioner and owner of 264 W Detweiller Drive, questioned the regulations for front yards on corner lots. Mr. Reese said he preferred to have a two stall car garage. Mr. Reese expressed concern the dual frontage regulations would only allow for the garage addition in the rear yard, which would impact the characteristic of the neighborhood, limit the accessibility to the septic and require the removal of mature trees. Mr. Reese questioned SPRB’s determination of reasonable return.

Ms. Allison explained the Ordinance regulations for corner lots. Ms. Allison explained SPRB’s determination; the property may continue to function as the intended use of a single-family home.
David (Jeff) Reese, referred to homes in the neighborhood with two or three stall car garages. Mr. Reese said his hardship included the one stall car garage and the slope in the rear yard.

Commissioner Wagner questioned the location of the septic.

David (Jeff) Reese said access to the septic behind the house would be limited and may have to be relocated without the requested variance.

Nena Taylor-Reese, petitioner and owner of 264 W Detweiller Drive, said neighbors did not express concern regarding the approval of the requested variance. Ms. Reese said the addition would architecturally be an enhancement to the home and the community.

With no further interest from the public to provide public testimony, Vice Chairperson Oyler closed the Public Hearing at 1:24 p.m.

Discussion:
Commissioner Wagner expressed concern for the construction of an additional garage in the rear yard as that would require an additional driveway which may increase surface water. Commissioner Wagner expressed concern of limited access to the septic.

Vice Chairperson Oyler said he considered two frontages a unique circumstance. Vice Chairperson Oyler said a one stall car garage would impact the reasonable return of the home.

Motion:
Commissioner Wagner made a motion to approve the requested variance as presented; seconded, by Commissioner Jackson.

The motion was approved viva voce vote.
Yeas: Jackson, Oyler, Wagner – 3.
Nays: None
Abstention: Anderson – 1.

CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION

There was no interest from the public to provide public testimony at 1:27 p.m.

ADJOURNMENT

Commissioner Jackson moved to adjourn the Zoning Board of Appeals Meeting; seconded by Commissioner Oyler.

The motion was approved unanimously viva voce vote 4 to 0.

The Zoning Board of Appeals meeting adjourned at approximately 1:28 p.m.

Leah Allison, Senior Urban Planner

Madeline Wolf, Development Technician