1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MARCH 8, 2018 MINUTES

4. REGULAR BUSINESS

   Deliberations will be held at the end of each case after public comment has been closed. No public comment is allowed during deliberations.

   **CASE NO.** ZBA 3044
   Hold a Public Hearing on the request of Lee Anne Schmidgall of Habitat for Humanity to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.4 Building Envelope Standards, to reduce the front yard setback from 30 feet to 14 feet, to reduce the side yard setback from 10 feet to 4 feet, and to reduce the rear yard setback from 25 feet to 7 feet, for the property located at 1031 NE Monroe Street (Parcel Identification No. 18-03-305-035), Peoria, Illinois (Council District 1).

   **CASE NO.** ZBA 3045
   Hold a Public Hearing on the request of Shane M. Sharp, to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.4., Building Envelope Standards, to allow an increase in the maximum allowable density in the R-6 Multifamily Zoning District, for the property located at 255 NE Randolph Avenue (Parcel Identification No. 18-04-329-014), Peoria, Illinois (Council District 2).

   **CASE NO.** ZBA 3046
   Hold a Public Hearing on the request of Brian Blackburn of KPANDA Property Management, LLC, to obtain a variance from the City of Peoria Unified Development Code, Section 3.5.7.A.8., Mechanical Equipment Obstructions, to allow the placement of an air conditioning unit in a required side yard and encroaching more than 2 feet into the required yard, in a Class I-1 (General Commercial) District, for the property located at 1503 W Altorfer Drive (Parcel Identification Nos. 14-10-351-010 & -014) Peoria, Illinois (Council District 5).

5. CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION

6. ELECTION OF OFFICERS

7. ADJOURNMENT

Inquiries: Community Development Department, (309) 494-8600 or mwolf@peoriagov.org
WELCOME!

If you plan on speaking, please complete a Blue Speaker Form

For each case the following sequence will apply:

1. Chairperson proceeds with swearing in procedures
2. Chairperson announces the case
3. Staff enters case into the record
   a. Staff presents the case
   b. Staff answers questions from the Commission
4. Petitioner presents case and answers questions from the Commission
5. Chairperson opens the meeting to the public
6. Public comments – Chairperson may ask for response/input from staff and petitioner
7. Petitioner presents closing statements
8. Public testimony is closed (No further public comment)
9. Commission deliberates and may consult staff
10. Commission prepares findings, if applicable
11. Commission votes

All comments and questions must be directed to the Commission
A regularly scheduled Zoning Board of Appeals Meeting was held on Thursday, March 8, 2018 at 1:00 p.m., City Hall, 419 Fulton Street, Room 400, with Chairperson Richard Russo presiding and with proper notice having been posted.

ROLL CALL

The following Zoning Board of Appeals Commissioners were present: Laith Al-Khafaji Lon Lyons, Jerry Jackson, Richard Russo, and Dorian LaSaine – 5. Absent: Dorian LaSaine and Nathan Wagner – 1.

Staff Present: Shannon Techie

MINUTES

Commissioner Al-Khafaji moved to approve the minutes for the Zoning Board of Appeals meeting held on December 14, 2017; seconded, by Commissioner Jackson.

The motion was approved viva voce vote 5 to 0.

REGULAR BUSINESS

CASE NO. ZBA 3039

Hold a Public Hearing on the request of Oliver Owen of Family Video, to obtain a variance from the City of Peoria Unified Development Code, Section 8.4.4.A., Outdoor Display, to allow the placement of an ice and water vending machine in front of a window and extending more than 8 feet from the building façade, for the property located at 708 W Glen Avenue (Parcel Identification Number 14-20-427-034) and 4823 N Sheridan Road (Parcel Identification Number 14-20-427-015), Peoria, Illinois. (Council District 3).

Commissioner Lyons recused himself from Case No. ZBA 3039 as his employer does business with an affiliate of petitioner.

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. ZBA 3039 into the record and presented the request.

The Development Review Board recommended DENIAL of the variance due to a lack of hardship and failure to meet all of the following criteria:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations. The Development Review Board thinks that the property can yield a reasonable return if used only under the conditions allowed by the regulations. The code allows for vending machines, with specific parameters as noted in Section 8.4.4.A. In this instance, staff feels the size of the vending machine could be reduced to then adhere to Unified Development Code requirements, as there are blank lengths of wall between windows, in which a smaller machine could fit. See attached photos

2. The plight of the owner is due to unique circumstances. The plight of the owner may be due to some unique circumstances, due to the placement and design of the existing building on the site; however, it does not prevent the placement of a vending machine that adheres to Code requirements.

3. The variation if granted will not alter the essential character of the locality of be injurious to the public or other property or properties. A vending machine, in general, will not alter the essential character of the locality; however, a machine of this size, placed away from the façade of the building, will alter the character of the site.

Staff noted that any hardship is self-created, due to the size of the proposed machine.

Chairperson Russo opened the Public Hearing.
Oliver Owen, representing Family Video, provided an overview of the proposed machines, explained how they would help his business, and provided the differences in revenue generated based on the type and size of the machine. Mr. Owen noted that the proposed machine is similar to an ATM machine.

Mike Frost, representing Ice House of America, explained the proposed machines in more detail. He noted that the proposed machine is a total purification system, which is why the machines are larger in size. He noted that there are currently 49 of these machines at various Family Video locations. Mr. Frost explained that the machines operate 24 hours.

With no further interest from the public to provide public testimony, pro tem Chairperson Jackson closed the Public Hearing at approximately 1:23 p.m.

**Discussion:**
Chairperson Russo read the Findings of Fact, Sections 2.6.3.E. Standards for Variations. It was determined by the commission that criteria 1 was found to be false and criteria 2 and 3 were found to be true.

**Motion:**
Commissioner Al-Khafaji made a motion to DENY the request; seconded by Commissioner Jackson.

The motion was APPROVED viva voce vote 4 to 0 with 1 abstention.
Nays: None.
Abstention: Lyons – 1.

**CASE NO. ZBA 3040**
Hold a Public Hearing on the request of Oliver Owen of Family Video, to obtain a variance from the City of Peoria Unified Development Code, Section 8.4.4.A., Outdoor Display, to allow the placement of an ice and water vending machine in front of a window and extending more than 8 feet from the building façade, in a Class C-G (General Commercial) District, for the property located at 3615 N Wisconsin Avenue (Parcel Identification Number 14-28-427-036) and 610 E War Memorial Drive (Parcel Identification Number 14-28-427-035) Peoria, Illinois. (Council District 3).

Commissioner Lyons recused himself from Case No. ZBA 3040 as his employer does business with an affiliate of petitioner.

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. ZBA 3040 into the record and presented the request.

The Development Review Board recommended DENIAL of the variance due to a lack of hardship and failure to meet all of the following criteria:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations. The Development Review Board thinks that the property can yield a reasonable return if used only under the conditions allowed by the regulations. The code allows for vending machines, with specific parameters as noted in Section 8.4.4.A. In this instance, staff feels the size of the vending machine could be reduced to then adhere to Unified Development Code requirements, as there are blank lengths of wall between windows, in which a smaller machine could fit. See attached photos.
2. The plight of the owner is due to unique circumstances. The plight of the owner may be due to some unique circumstances, due to the placement and design of the existing building on the site; however, it does not prevent the placement of a vending machine that adheres to Code requirements.
3. The variation if granted will not alter the essential character of the locality of be injurious to the public or other property or properties. A vending machine, in general, will not alter the essential character of
the locality; however, a machine of this size, placed away from the façade of the building, will alter the character of the site.

Staff noted that any hardship is self-created, due to the size of the proposed machine.

Chairperson Russo opened the Public Hearing.

Oliver Owen, representing Family Video, explained the proposed investment Family Video will make to install and operate the machine on the site. He noted that they will hire an employee to manage the machine.

Mike Frost, representing Ice House of America, explained that they could do two smaller machines; however, the smaller machine will run out of ice much quicker than the larger machine.

With no further interest from the public to provide public testimony, pro tem Chairperson Jackson closed the Public Hearing at approximately 1:41 p.m.

Discussion:
Chairperson Russo read the Findings of Fact, Sections 2.6.3.E. Standards for Variations. It was determined by the commission that criteria 1 was found to be false and criteria 2 and 3 were found to be true.

Motion:
Commissioner Al-Khafaji made a motion to DENY the request; seconded by Commissioner Jackson.

The motion was APPROVED viva voce vote 4 to 0 with 1 abstention.
Nays: None.
Abstention: Lyons – 1.

CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION
There was no interest from the public to address the Zoning Board of Appeals at 1:45 p.m.

Chairperson Russo requested that the appointment of officers be included on the next ZBA agenda, as there is not currently a vice chairperson.

ADJOURNMENT
Commissioner Al-Khafaji moved to adjourn the Zoning Board of Appeals Meeting; seconded by Commissioner LaSaine.

The motion was approved unanimously viva voce vote 5 to 0.

The Zoning Board of Appeals meeting adjourned at approximately 1:45 p.m.

Signed: Shannon Techie, Senior Urban Planner
TO: City of Peoria Zoning Board of Appeals  
FROM: Development Review Board (Prepared by Leah Allison)  
DATE: May 10, 2018  
CASE NO: ZBA 3044  
SUBJECT: Public Hearing on the request of Lee Anne Schmidgall of Habitat for Humanity to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.4 Building Envelope Standards, to reduce the front yard setback from 30 feet to 14 feet, to reduce the side yard setback from 10 feet to 4 feet, and to reduce the rear yard setback from 25 feet to 7 feet, for the property located at 1031 NE Monroe Street (Parcel Identification No. 18-03-305-035), Peoria Illinois (Council District 1).  

PROPERTY CHARACTERISTICS  
The subject property is 0.08 acre (3,532 sq. ft.) in size and zoned Class R-6 (Multi-Family Residential) District. It is surrounded by Class R-6 (Multi-Family Residential) to the north, south, east, and west.

REQUESTED VARIANCE:  
The Petitioner is requesting a variance from Section 4.2.4 Building Envelope Standards, to reduce the front yard setback from 30 feet to 14 feet, to reduce the side yard setback from 10 feet to 4 feet, and to reduce the rear yard setback from 25 feet to 7 feet. These variances are requested to allow for the construction of a single family residence with an attached garage.

The Petitioner states that the narrow and shallow lot shape creates a hardship for development. In addition, the property is located on a corner which requires two front yard setbacks, creating a reduced buildable area.

SITE PLAN REVIEW BOARD RECOMMENDATION  
Staff recommends APPROVAL of the requested variances based on the following criteria:

1) Reasonable Return: The subject property’s ability to yield a reasonable return is diminished without the requested variances. Application of the district setbacks would render the lot as unbuildable.
2) Unique Circumstances: The size of the property is unique as its depth (78.5 feet) is significantly less than the depth (112.5 feet) of other properties on the block.
3) Character: Review of the neighborhood finds other properties with front yard setbacks less than 30 feet, side yard setbacks less than 10 feet, and rear yard setbacks less than 25 feet.

And a condition of approval:

1) Replacement or repair of any deteriorated or non-ADA-compliant sidewalks and curbs along property frontage. This applies for both concrete and brick sidewalk. Sidewalk participation may be available from the City of Peoria at an 80/20% cost share.
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 83 feet
5/2/2018
Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. -Peoria County GIS Division

Map Scale
1 inch = 83 feet
5/2/2018

https://gis.peoriacounty.org/PeoriaGIS/
ZONING BOARD OF APPEALS
VARIANCE APPLICATION

1. PROPERTY INFORMATION

a) Address: 1031 NE, Monroe

b) Tax ID Number(s): 18-03-305-0.35

c) Parcel Area (acres or square feet): 45' x 78.5' = 3532.5 sq. ft.

d) Current Zoning District: K-6

e) Current Property Use: VACANT

2. OWNER INFORMATION - REQUIRED

applica

3. APPLICANT INFORMATION - engineer, architect, attorney or other, if applicable

Signature of Owner(s) & Date

Signature of Applicant & Date

Applicant's Interest in Property: □ Contractor □ Contract Purchaser □ Other

Send Correspondence To: Select one entity to receive all correspondence. E-mail will be used for all correspondence unless otherwise requested.

□ Owner □ Applicant □ Representative of Applicant
ILLEGIBLE OR INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

4. VARIANCE INFORMATION

a) Variance being requested: FRONT YARD SETBACKS ALONG MURDOCK & MORTON STREETS FROM THE REQUIRED FRONT YARD OF 30' TO 14' & 30' TO 16'. SIDE YARD OF 10 TO 4' & REAR YARD OF 25' TO 7'.

b) From what section of the zoning ordinance is a variance being requested? 4.2.4 (R-2 ZONING)

c) What unique or exceptional characteristics of your property prevent it from meeting the requirements in your zoning district? (Check applicable)

- Too narrow  ✓  Too small  ___  Soil  ___
- Subsurface  ___  Elevation  ___  Slope  ___
- Too shallow  ✓  Shape  ___  Other  ___

d) What is your hardship? Please be specific. Due to the unique shape/narrow & shallow location of the subject zoning lot, this property cannot be developed as stated in the Unified Development Code front yard requirements. The subject property has 2 front yard setback requirements. The setback requirements along Murdock & Morton street cannot be complied with due to the narrowness of the lot. The yard requirements of the R-2 Zoning Requirements.

e) If granted a variance in the form requested, will it be in harmony with the neighborhood and not contrary to the intent and purpose of the Unified Development Ordinance?

✓ Yes  No

Please elaborate: If the variance is granted, the proposed development of a single family home can take place that meets the intent of the Unified Development Code in terms of promoting infill development for vacant parcels that reflects the surrounding scale and character. The proposed development would meet the purpose of the code in terms of maintaining orderly and compatible land use & development patterns.

5. FILING FEE (MUST ACCOMPANY APPLICATION)

Variance Application Fees for any property in the City shall be as set forth below:

$750.00 minimum plus $100 per acre to a maximum of $7500.00

Per Unified Development Code Article 2.14 - Fees Table:

6. REQUIRED SITE PLANS

One copy of the site plan and one on a compact disc or appropriate digital media.
7. FINDINGS OF FACT WORKSHEET

Please select true or false for the following three questions:

Sections 263. E. Standards for Variations
No variations from the regulations of this development code shall be granted unless the entity or person granting such variation shall find based upon the evidence presented to them, in each specific case that all three of the following criteria are true:

1) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.

   ✔ True    ❏ False

Explanation: **THE REQUIRED SETBACKS ALONG MONROE & MORTON STREETS CANNOT BE MET WITHOUT A Variance. Thus, NO residential structure would be built, thereby preventinG A REASONABLE RETURN OF THE PROPERTY.**

Fact to consider:
   a. The purpose of the variation is not based primarily upon a desire to increase financial gain.

2) The plight of the owner is due to unique circumstances.

   ✔ True    ❏ False

Explanation: **THE SUBJECT PROPERTY IS LOCATED ON THE CORNER WHICH REQUIRES 2 FRONT YARD SETBACKS. THE SUBJECT PROPERTY IS TOO NARROW TO MEET THE YARD SETBACKS**

Facts to consider:
   a. The particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
   b. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.
   c. The practical difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the property.

3) The variation, if granted, will not alter the essential character of the locality or be injurious to the public or other property or properties.

   ✔ True    ❏ False

Explanation: **IF GRANTED A Variance, THE DEVELOPMENT OF THE SUBJECT PROPERTY WILL PROMOTE THE INTENT OF DEVELOPMENT THAT REFLECTS THE SURROUNDING SCALE & CHARACTER.**

Facts to consider:
   a. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
   b. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
Proposed home at 1031 NE Monroe

Current 1025
Built 2017

Original 1025
Built prior to 1902

As built set back line

Proposed home at 1031 NE Monroe
TO: City of Peoria Zoning Board of Appeals  
FROM: Development Review Board (Prepared by Kimberly Smith) 
DATE: May 10, 2018  
CASE NO: ZBA 3045  
SUBJECT: Hold a Public Hearing on the request of Shane M. Sharp, to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.4., Building Envelope Standards, to allow an increase in the maximum allowable density in the R-6 Multifamily Zoning District, for the property located at 255 NE Randolph (Parcel Identification Number 18-04-329-014), Peoria, Illinois (Council District 2)  

PROPERTY CHARACTERISTICS  
The subject property is 0.26 acres (11,325.60 sq. ft.) in size and zoned R-6 (Multifamily Residential) District, and is surrounded by the same district.  

The subject property is developed with an existing house with 9 units, and carriage house. In 2013, Zoning Certificate No. 13-3008 was approved for a transfer of property for 9 units in the main house; none in the carriage house. Prior to that date, four units were known to exist in the carriage house. In 2018, Zoning Certificate 18-35 was approved for a transfer of property for the same 9 units in the main house; and no units were approved for the carriage house. Note the main house was converted to 9 units prior to 1944; possibly in the late 1930's.  

REQUESTED VARIANCE:  
The Petitioner is requesting a variance from Section 4.2.4., Building Envelope Standards, to allow an increase in the maximum allowable density in the R-6 Multifamily Zoning District from 15.02 units per acre to 49.566 units per acre. Approval of this request would allow an increase in allowable density from 3.9 units to 13 units. Note, the existing, approved, nonconforming 9 units represent the equivalent of 34.62 units per acre. Therefore, whereas the existing 9 exceed the allowable density by 130%; the request to re-establish four additional units (for a total of 13 units) would raise the density to 230% of the maximum allowable density.  

The Petitioner states that the property is ‘too small’ as a hardship. To the contrary, the property has a lot size of 0.26 acres, which is 11,326 square feet; the minimum lot size requirement for the R6 zoning district is 7500. It is therefore 51% larger than the minimum required.  

The R-6 (Multifamily Residential) District has a maximum density allowance of 15.02 units per acre; or 2900 square feet of land per unit. The existing, approved 9 units in the main house comprise a site density that more than twice exceeds the allowable density in the R6 zoning district. The maximum density allowed for R6 of 15.02 dwelling units per acre allows only for 3.9 dwelling units on a 0.26 acre lot. The proposed total of 13 units would further raise the density to 3.3 times the allowable density in the district.  

No evidence has been submitted to support the claim in the application that the carriage house originally contained 4 units; and evidence submitted thus far does not support that apartments were the original use of the carriage house. Staff requested the Petitioner submit any available evidence that may indicate the carriage house was originally designed and built for four living units.  

SITE PLAN REVIEW BOARD RECOMMENDATION  
Staff’s recommendation is to DENY the density variance due to a lack of hardship and failure to meet all of the following criteria:  

1) Reasonable Return: Increasing the density to allow additional rental units is not the only factor affecting reasonable return. A number of other factors include debt liabilities and operating costs. Further, the
applicant was aware at the time of purchase that the property was only permitted to be transferred as a 9 unit multi-family conversation, with no approved units in the carriage house. Therefore, the request to increase density as a means to collect additional rent presents as a desire to increase financial gain.

2) Unique Circumstances: The particular physical surroundings, shape, or topographical conditions of the specific property involved do not present a hardship to the owner as related to density. A unique need for the density variance has not been established, as other properties within the neighborhood contain carriage houses, and they are not used for residential rental units. The property, even without the variance, is already nonconforming with 130% greater density that what is allowed by strict application of the Code. Finally, the practical difficulty (in this case wanting to rent 230% more units than what is allowed per Code) may not be created by any persons presently having interest in the property. Note this practical difficulty is created by the current owner, as it was transferred and purchased with written knowledge that the property was only permitted for 9 units. Further, the transfer certificate for the previous purchase also stated 9 units, not 13.

3) Character: The surrounding neighborhood contains a mix of multi-family and single family uses. Unless property converted and maintained to meet building and fire codes, occupancy of the carriage house by four additional families could substantially increase the danger of fire. Additionally, the 230% over what is permitted impacts the surrounding neighborhood with a 230% increase in related items such as trash containers, vehicles, and general service traffic.

ATTACHMENTS
1. Surrounding Zoning Map
2. Aerial Photo
3. Application
4. Site Plan
5. Photographs
6. Zoning Certificate no. 18-35
ZONING BOARD OF APPEALS
VARIANCE APPLICATION

1. PROPERTY INFORMATION

a) Address: 255 NE Randolph Ave

b) Tax ID Number(s): 18-04-329-014

c) Parcel Area (acres or square feet): .26

Attach additional sheets if necessary

d) Current Zoning District: R6 (Multi-family residential)

e) Current Property Use: Non-conforming 9 unit

2. OWNER INFORMATION - REQUIRED

Shane M. Sharp
Name

2509 VV Manor PKWY
Address, City, State, ZIP+4

309 265-8820 - ssharp0251@gmail.com
Phone Fax Email

Signature of Owner(s) & Date

4-17-18

3. APPLICANT INFORMATION – engineer, architect, attorney or other, if applicable

Name

Company

Address, City, State, ZIP+4

Phone Fax Email

Signature of Applicant & Date

Applicant’s Interest in Property:
☐ Contractor
☐ Contract Purchaser
☐ Other Owner

Send Correspondence To: Select one entity to receive all correspondence. E-mail will be used for all correspondence unless otherwise requested.

☐ Owner
☐ Applicant
☐ Representative of Applicant
4. VARIANCE INFORMATION
a) Variance being requested: 255 NE Randolph is currently zoned for 9 units. Requesting property be zoned for _______ units. The additional 4 units already exist within the Carriage House but need significant remodeling.

b) From what section of the zoning ordinance is a variance being requested? _______ UDC 4.2.4. Building Envelope Standards

c) What unique or exceptional characteristics of your property prevent it from meeting the requirements in your zoning district? (Check applicable)

   Too narrow _______ Too small _______ Soil _______ 
   Subsurface _______ Elevation _______ Slope _______ 
   Too shallow _______ Shape _______ Other _______ 

   Density

d) What is your hardship? Please be specific. Funding this investment relies on the ability to lease all 13 units. Without being able to lease the additional 4 units in the Carriage House we risk not being able to support all the investment expenses and yield reasonable returns. Reasonable return, as per F&M Bank, is defined as 1.28 * total expenses.

   

e) If granted a variance in the form requested, will it be in harmony with the neighborhood and not contrary to the intent and purpose of the Unified Development Ordinance?

   Yes _______ No _______

   Please elaborate: We have full support from the neighborhood to restore the Main house and Carriage house, back to their original character on the exterior and their post Frederick Klein adaptation on the interior. Restoring 255 NE Randolph will have an extremely positive impact on the district. Approving this variance request will directly support this restoration project and benefit the community.

5. FILING FEE (MUST ACCOMPANY APPLICATION)

Variance Application Fees for any property in the City shall be as set forth below:

   $750.00 minimum plus $100 per acre to a maximum of $7500.00

Per Unified Development Code Article 2.14 - Fees Table:

6. REQUIRED SITE PLANS

   One copy of the site plan and one on a compact disc or appropriate digital media.
7. FINDINGS OF FACT WORKSHEET

Please select true or false for the following three questions:

**Sections 2.6.3.E. Standards for Variations**

No variations from the regulations of this development code shall be granted unless the entity or person granting such variation shall find based upon the evidence presented to them in each specific case that all three of the following criteria are true:

1) The property in question **cannot** yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.

   ✔️ True ☑️ False

   **Explanation:** The 9 main units cannot adequately support all the expenses created by the investment and therefore the property could not yield reasonable return. Reasonable return defined as 1.28 * expenses, as determined by F&M Bank, the local lender supporting this investment. Total expenses estimated at $4800 per month requires $6144 income from the 9 units, which does not match rental market rates per studio unit.

   **Fact to consider:**
   a. The purpose of the variation is not based primarily upon a desire to increase financial gain.

2) The plight of the owner **is** due to unique circumstances.

   ✔️ True ☑️ False

   **Explanation:** The original Carriage house was transformed into 4 apartment units that have been deteriorating over time, due to poor upkeep by previous owners and their lack of appropriate zoning. The structure is now unusable in its current state.

   **Facts to consider:**
   a. The particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
   b. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.
   c. The practical difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the property.

3) The variation, if granted, **will not** alter the essential character of the locality or be injurious to the public or other property or properties.

   ✔️ True ☑️ False

   **Explanation:** This approval will have a positive effect on the district. The project could potentially increase property value of surrounding parcels and contribute to safety and quality of the area.

   **Facts to consider:**
   a. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
   b. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
8. APPLICATION/MEETING PROCEDURES

A) The Zoning Board of Appeals has regularly scheduled meetings the second Thursday of each month at the City Hall Building, Room 400, 419 Fulton Street, Peoria, Illinois.

B) The deadline for submitting applications for regularly scheduled Zoning Board of Appeals meetings is twenty-eight (28) days prior to the meeting.

C) The Zoning Administrator must certify that an application for a public hearing is complete (completely filled out, received by the filing deadline, and accompanied by a compact disc or appropriate digital media of the site plan, including digital versions of the application and other attachments as required, including the filing fee) to be processed and scheduled for the next regularly scheduled meeting. **Incomplete applications will be returned.**

D) The applicant or applicant's representative will receive notice of the date and time of the public hearing. At least fifteen days prior to the hearing, the Community Development Department will mail notices of the hearing to the owners of all property within 250 feet of the subject property.

E) The format for each public hearing is:

- Chairperson proceeds with swearing-in procedures.
- Chairperson announces the case.
- Staff enters case into the record.
  - Staff presents the case.
  - Staff answers questions from the Commission.
- Petitioner presents case and answers questions from the Commission.
- Chairperson opens the meeting to the public.
- Public comments – Chairperson may ask for response/input from Staff and Petitioner.
- Petitioner presents closing statements.
- Public testimony is closed. (No further public comment)
- Commission deliberates and may consult Staff.
- Commission prepares findings, if applicable.
- Commission votes.

F) Application and inquiries should be submitted to:

Zoning Administrator  
City of Peoria Development Center  
419 Fulton Street, Room 300  
Peoria, Illinois 61602-1217  

Phone: (309) 494-8600  
Fax: (309) 494-8680
Worn Shingles
CERTIFICATE DESCRIPTION: Multi-Family Transfer of Property

PROPERTY ADDRESS: 255 NE RANDOLPH AVE
Tax ID: 18-04-329-014
Zoning District: R6 (Multi-Family Residential)
Property Use: non-conforming 9 unit

PROPERTY OWNER:
HERITAGE BANK OF CENTRAL ILLIN

CONTRACTOR INFORMATION:

CERTIFICATE INFORMATION:
Status: Approved
Issue Date: March 12, 2018
Expiration Date: March 12, 2019

FEES:
Total Fees: $120.00

MISCELLANEOUS INFORMATION:
Approved for transfer of property as a lawful, nonconforming 9-unit based on application materials and inspection results. Property is in substantial compliance. For transfer of property only. Change or alteration requires additional zoning approval.
Sections 2.6.3.E. Standards for Variations

No variations from the regulations of this ordinance/development code shall be granted unless the entity or person granting such variation shall find based upon the evidence presented to them in each specific case that all three of the following criteria are true:

1) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.

   True          False

   Fact to consider:
   a. The purpose of the variation is not based primarily upon a desire to increase financial gain.

2) The plight of the owner is due to unique circumstances.

   True          False

   Facts to consider:
   a. The particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
   b. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.
   c. The practical difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the property.

3) The variation, if granted, will not alter the essential character of the locality or be injurious to the public or other property or properties.

   True          False

   Facts to consider:
   a. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
   b. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
Section 2.12.f./2.6.4.G Right to Impose Conditions

The person or entity granting any variance may impose such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards established in this Section and the objectives of this ordinance.

1) _______________________________________________________________________________________
2) _______________________________________________________________________________________
3) _______________________________________________________________________________________

MOTION: ____________________________________________________________________________

________________________________________________________

INITIATED BY: _______________________________________________________________________
SECOND: ____________________________________________________________________________

SIGNATURES

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<tr>
<th>Name</th>
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<tr>
<td>Chairperson Richard Russo</td>
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<td>Commissioner Laith Al-Khafaji</td>
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<td>Commissioner Nathan Wagner</td>
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VOTE: Approved _________ Denied _________ _______ to ____