A regularly scheduled Zoning Board of Appeals Meeting was held on Thursday, September 13, 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: Doug Draeger, Jerry Jackson, Laith Al-Khafaji, and Richard Russo.—5. Absent: Lon Lyons, Nathan Wagner —2.

Staff Present: Leah Allison

MINUTES

Commissioner Jackson moved to approve the amended minutes for the Zoning Board of Appeals meeting held on June 14, 2018; seconded, by Commissioner Al-Khafaji.

The motion was approved viva voce vote 4 to 0.

Commissioner LaSaine arrived at 1:05 p.m.

REGULAR BUSINESS

CASE NO. ZBA 3048

Public Hearing on the request of Richard Sherman to obtain variances from the City of Peoria Unified Development Code, Sections 4.2.4 Building Envelope Standards, to reduce the required front yard setback from 15 feet to 4 feet and the required rear yard setback from 25 feet to 0.75 feet, for a building addition, for the property located at 635 Harvard Street (Parcel Identification No. 14-35-129-001), Peoria, Illinois (Council District 1)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. ZBA 3048 into the record and presented the request.

Staff recommended APPROVAL of the requested variances based on the following criteria:

1) Reasonable Return: The subject property’s ability to yield a reasonable return may be diminished without the requested variances. Application of the district setbacks would prevent any building addition.
2) Unique Circumstances: The property is currently developed with a residential structure that does not meet district setback standards.
3) Character: Review of the neighborhood finds other properties with reduced front and rear yard setbacks.

And condition of approval:
1) Provide a 100 percent opaque visual barrier or screen from view of the public right-of-way and adjacent residential development for the building addition located under the deck.

Chairperson Russo opened the Public Hearing at 1:08 p.m.

Richard Sherman, petitioner, provided a petition signed by neighbors in support of the requested variances.

With no further interest from the public to provide public testimony, Chairperson Russo closed the Public Hearing at approximately 1:17 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, 2 and 3 were found to be true.

**Motion:**
Commissioner LaSaine moved to approve the request with the condition to provide a 100 percent opaque visual barrier or screen from view of the public right-of-way and adjacent residential development for the building addition located under the deck; seconded by Commissioner Draeger.

The motion was APPROVED by roll call vote 5 to 0.
Nays: None.

**CASE NO. ZBA 3049**
Public Hearing on the request of Jane Genzel of Peoria Opportunities Foundation to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.5 Design Standards, to reduce the required front yard setback from 11 feet to 8 feet for the construction of a single family residential structure, for the property located at 2215 N Delaware Avenue (Parcel Identification No 14-34-308-025), Peoria, Illinois (Council District 3)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. ZBA 3049 into the record and presented the request.

Staff recommended APPROVAL of the requested variances based on the following criteria:

1) Reasonable Return: The subject property’s ability to yield a reasonable return may be diminished without the requested variance. Application of the district setbacks would result in residential dwelling unit that is sub-standard with limited function as a residence.

2) Unique Circumstances: The property is unique with a narrow width and front yard setback regulations applied to the corner side yard.

3) Character: Review of the neighborhood finds other properties with reduced front yard setbacks.

Chairperson Russo opened the Public Hearing at 1:25 p.m.

Jane Genzel, petitioner representing Peoria Opportunities Foundation, provided a description of the project and history.

With no further interest from the public to provide public testimony, Chairperson Russo closed the Public Hearing at approximately 1:35 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, 2 and 3 were found to be true.

**Motion:**
Commissioner LaSaine moved to approve the request; seconded by Commissioner Al-Khafaji.

The motion was APPROVED by roll call vote 5 to 0.
Nays: None.

**CASE NO. ZBA 3050**
Public Hearing on the request of Jane Genzel of Peoria Opportunities Foundation to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.5 Design Standards, to reduce the required front yard..
setback from 24 feet to 23 feet and to place a building closer to the street than the closest existing building, for the construction of a single family residential structure, for the property located at 1002 E Behrends Avenue (Parcel Identification No (18-03-106-001), Peoria, Illinois (Council District 3)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. ZBA 3050 into the record and presented the request.

Staff recommended APPROVAL of the requested variances based on the following criteria:

1) Reasonable Return: The subject property’s ability to yield a reasonable return may be diminished without the requested variance. Application of the district setbacks would result in residential dwelling unit that is sub-standard with limited function as a residence.
2) Unique Circumstances: The property is unique with a narrow width and front yard setback regulations applied to the corner side yard.
3) Character: Review of the neighborhood finds other properties with reduced front yard setbacks.

Chairperson Russo opened the Public Hearing at 1:40 p.m.

Jane Genzel, petitioner representing Peoria Opportunities Foundation, provided a brief explanation.

With no further interest from the public to provide public testimony, Chairperson Russo closed the Public Hearing at approximately 1:44 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, 2 and 3 were found to be true.

Motion: Commissioner Al-Khafaji moved to approve the request; seconded by Commissioner Jackson.

The motion was APPROVED by roll call vote 5 to 0.
Nays: None.

CASE NO. ZBA 3051
Public Hearing on the request of Jane Genzel of Peoria Opportunities Foundation to obtain a variance from the City of Peoria Unified Development Code, Section 4.2.5 Design Standards, to reduce the required front yard setback from 17.5 feet to 13 feet for the construction of a single family residential structure, for the property located at 515 E Illinois Avenue (Parcel Identification No (18-04-230-033), Peoria, Illinois (Council District 3)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. ZBA 3051 into the record and presented the request.

Staff recommended APPROVAL of the requested variances based on the following criteria:

1) Reasonable Return: The subject property’s ability to yield a reasonable return may be diminished without the requested variance. Application of the district setbacks would result in residential dwelling unit that is sub-standard with limited function as a residence.
2) Unique Circumstances: The property is unique with a narrow width and front yard setback regulations applied to the corner side yard.
3) Character: Review of the neighborhood finds other properties with reduced front yard setbacks.

Chairperson Russo opened the Public Hearing at 1:48 p.m.

Jane Genzel, petitioner representing Peoria Opportunities Foundation, indicated no statement.
With no further interest from the public to provide public testimony, Chairperson Russo closed the Public Hearing at approximately 1:50 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, 2 and 3 were found to be true.

**Motion:**
Commissioner Jackson moved to approve the request; seconded by Commissioner LaSaine.

The motion was APPROVED by roll call vote 5 to 0.
Nays: None.

**CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION**
There was no interest from the public to address the Zoning Board of Appeals at 2:06 p.m.

**ADJOURNMENT**
Commissioner LaSaine moved to adjourn the Zoning Board of Appeals Meeting; seconded by Commissioner Draeger.

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

The Zoning Board of Appeals meeting adjourned at approximately 2:06 p.m.

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Leah Allison
Senior Urban Planner