ZONING BOARD OF APPEALS
THURSDAY, NOVEMBER 8, 2018
CITY HALL, ROOM 400 – 1:00 P.M.

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF OCTOBER 11, 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 3052**
   Public Hearing on the request of Bradford Zevnik to obtain a variance from Sections 8.1.5.F Access/Driveways and 8.1.7 Parking of Vehicles in Residential Districts, of the City of Peoria Unified Development Code, for a driveway expansion in the front yard of the property located at 5512 N Western Avenue (Parcel Identification No. 14-17-353-016), Peoria IL (Council District 4)

   **CASE NO. ZBA 3053**
   Public Hearing on the request of Sean Rennau to obtain a variance from the City of Peoria Unified Development Code, Section 5.4.2 Residential Accessory Structures and Storage Buildings, to increase the maximum height from 14 feet to 46 feet for the construction of an accessory storage building, for the property located at 1808 W Moss Avenue (Parcel Identification No. 18-08-156-002), Peoria IL. (Council District 2).

5. CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION

6. ADJOURNMENT
A regularly scheduled Zoning Board of Appeals Meeting was held on Thursday, October 11, 2018 at 1:01 p.m., City Hall, 419 Fulton Street, Room 400, with Chairperson Vice Chairperson Lon Lyons 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, Dorian LaSaine and Lon Lyons – 5. Absent: Richard Russo, Nathan Wagner –2.

Staff Present: Leah Allison

MINUTES
Commissioner LaSaine moved to approve the minutes for the Zoning Board of Appeals meeting held on September 13, 2018; seconded, by Commissioner Jackson.

The motion was approved viva voce vote 5 to 0.

DISCUSSION
In response to the Commission’s request, Staff presented examples of variances using a proposed minor variance type. The proposed minor variance was defined as deviations from height, yard, bulk, lot area, and fence height provisions of this ordinance that are 20% to 50% of the required standard with the following review criteria:

1. The plight of the owner is due to unique circumstances
2. The variation, if granted, will not alter the essential character of the locality or be injurious to the public or other property or properties.
3. The proposed variance represents the minimum deviation from the standards necessary to accomplish the desired improvement.
4. The conditions of the variances requested are not self-created
5. The granting of the variation may result in a public benefit to the surrounding neighborhood and the City as a whole. The public benefit may include, but is not limited to, preservation or enhancement of desirable site characteristics or natural features or historic resources, design that enhances the surrounding area, economic development which may enhance the local economy, or efficient use of land as it relates to surrounding structures and services.

Commissioner LaSaine moved to approve the proposed minor variance with a suggestion to replace “minimum” with “reasonable” in criteria 3 and review of the word “may” in criteria 5 and all subject to approval by the legal department; seconded, by Commissioner Jackson.

The motion was approved viva voce vote 5 to 0.

CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION
There was no interest from the public to address the Zoning Board of Appeals at 1:39 p.m.

ADJOURNMENT
Commissioner Draeger 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 1:40p.m.

Leah Allison
Senior Urban Planner
TO: City of Peoria Zoning Board of Appeals  
FROM: Development Review Board (Prepared By Leah Allison)  
DATE: November 8, 2018  
CASE NO: ZBA 3052  
SUBJECT: Public Hearing on the request of Bradford Zevnik to obtain a variance from Sections 8.1.5.F Access/Driveways and 8.1.7 Parking of Vehicles in Residential Districts, of the City of Peoria Unified Development Code, for a driveway expansion in the front yard for the property located at 5512 N Western Avenue, (Parcel Identification No. 14-17-353-016), Peoria IL (Council District 4).

PROPERTY CHARACTERISTICS
The subject property is 0.19 acre (8,276 sq. ft.) in size and zoned Class R-3 (Single Family Residential) District. It is surrounded by Class R-3 (Single Family Residential) to the north, south, east, and west. In 1960, the property was developed with a single family residence including an attached garage.

REQUESTED VARIANCE:
The Petitioner is requesting a variance from Sections 8.1.5.F Access/Driveways and 8.1.7 Parking of Vehicles in Residential Districts of the Unified Development Code for approval of a recently widened driveway.

Section 8.1.5.F allows for a driveway expansion when it leads to a legal parking space:

F. Access/Driveways

All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement. All vehicular access/driveways shall be hard surfaced pursuant to paragraph H below. In any event, all driveways shall conform to all applicable driveway requirements adopted by the City.

1. The following driveway width regulations shall apply to all residential properties:
   a. Driveway width when located in the required yard for front, rear, or corner side yard. A driveway leading to a garage shall not exceed fifteen (15) feet for a single stall garage; twenty (20) feet for a double stall garage; or thirty-four (34) feet for a triple stall garage. However, a driveway leading to a garage may include an extension, which leads to a legal parking space(s), provided the extension is designed with the least amount of hard-surfaced material as determined by the Zoning Administrator. In the absence of a garage, the driveway width serving any legal parking shall not exceed twenty (20) feet in width. Any garage larger than three (3) stalls must have the driveway width approved by the City traffic engineer.
   b. Driveway width when not located within the required yard for front, rear, or corner side yard. A driveway leading to a garage shall not exceed the width of the garage. However, a driveway leading to a garage may include an extension, which leads to a legal parking space(s), provided the extension is designed with the least amount of hard-surfaced material as determined by the Zoning Administrator. In the absence of a garage, the driveway width serving any legal parking shall not exceed fifteen (15) feet for a single parking space; twenty (20) feet for a double parking space; or thirty-four (34) feet for a triple parking space.
   c. The size of a driveway and any extension cannot conflict with the allowable number and location of parking spaces per 8.1.7 of this code.
Section 8.1.7 identifies the location of a legal parking space:

8.1.7  **Parking of Vehicles in Residential Districts**

The following provisions shall govern the off-street parking of all vehicles in all residential districts.

A.  **Classification of vehicles**

For purposes of this development code, vehicles shall be classified as follows according to size, regardless of the use to which the vehicle is put or intended or designed to serve and regardless of any other classification system made applicable to vehicles by any other governmental body:

<table>
<thead>
<tr>
<th>Type</th>
<th>Definition</th>
<th>Permitted Location</th>
<th>Prohibited Location</th>
<th>Maximum Number Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>A vehicle, including a recreational vehicle or trailer, that does not exceed twenty-three (23) feet in length, eight (8) feet in width and ten (10) feet in height and that, if used in commerce, does not exceed eight thousand (8,000) pounds in gross weight, including vehicle and maximum load.</td>
<td>May be placed in the rear or side yard. However, if located in the side yard between principal structures on adjoining lots, a four (4) foot setback from the side yard lot line is required.</td>
<td>Front yard or corner side yard and closer than four (4) feet from the side yard lot line when located between principal structures on adjoining lots.</td>
<td>4</td>
</tr>
<tr>
<td>Class II</td>
<td>A vehicle that is not a Class I vehicle</td>
<td>Nowhere on the lot, unless in a completely enclosed garage</td>
<td>All yards</td>
<td>0</td>
</tr>
</tbody>
</table>

The Petitioner states that the lot is too narrow and has a unique slope that creates a hardship.

**DEVELOPMENT REVIEW BOARD RECOMMENDATION**

Staff’s recommendation is to DENY the variance due to 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 in that zoning district.

   **Staff:** The subject property can continue to yield a reasonable return without the requested variance.

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

   **Staff:** The property is uniform in shape and adequately sized and found to be consistent with the surrounding neighborhood. The slope of the property is flat. Therefore the circumstances for this variance are not unique.

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.

   **Staff:** Numerous driveways in the immediate neighborhood have been widened but most in a manner which are not compliant with the Unified Development Code. The current zoning regulations for driveways were adopted in 2010. Prior to 2010, the width of a driveway was limited to the width of the garage with no allowance for a driveway extension.
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 = 167 feet
11/2/2018

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

1. **PROPERTY INFORMATION**
   - a) **Address:** 5512 N. WESTERN AVE, PEORIA, IL 61614
   - b) **Tax ID Number(s):** 14-17-353-016
   - c) **Parcel Area (acres or square feet):** 0.19
   - d) **Current Zoning District:** R3
   - e) **Current Property Use:** Single Family Home

2. **OWNER INFORMATION — REQUIRED**
   - **Name:** Bradford A. Zevnik
   - **Address, City, State, ZIP+4:** 5512 N. WESTERN AVE, PEORIA, IL 61614
   - **Phone:** 709-663-3351
   - **Fax:**
   - **Email:** bdzevnik@gmail.com

3. **APPLICANT INFORMATION** — engineer, architect, attorney or other, if applicable
   - **Name**
   - **Company**
   - **Address, City, State, ZIP+4**
   - **Phone**
   - **Fax**
   - **Email**

   **Signature of Applicant & Date**

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**Applicant's Interest in Property:**
- [ ] Contractor
- [X] Owner
- [ ] Contract Purchaser
- [ ] Applicant
- [ ] Other

**Send Correspondence To:** Select one entity to receive all correspondence. E-mail will be used for all correspondence unless otherwise requested.
- [X] Owner
- [ ] Applicant
- [ ] Representative of Applicant
4. VARIANCE INFORMATION

a) Variance being requested: Driveway extension leads toward house, not side yard.

b) From what section of the zoning ordinance is a variance being requested? 8.1 of Unified Development Code.

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

- Too narrow [X]
- Too small [ ]
- Soil [ ]
- Subsurface [ ]
- Elevation [ ]
- Slope [X]
- Too shallow [ ]
- Shape [ ]
- Other [ ]

d) What is your hardship? Please be specific. We installed a new driveway at a second parking space for a single car garage.

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?

[X] Yes  [ ] No

Please elaborate: The new driveway improves the property. It provides no hardship to any neighbors.

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.

don't have any
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: We reside in the house and have no plans of selling in the near future.

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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: We would not have been able to put the extra space in the side yard due to a narrow width and a steep slope.

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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: The variance will have no effect on the neighbors' properties and it has greatly enhanced the look of mine.

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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
TO: City of Peoria Zoning Board of Appeals
FROM: Development Review Board (Prepared by Leah Allison)
DATE: November 8, 2018
CASE NO: ZBA 3053

SUBJECT: Public Hearing on the request of Sean Rennau to obtain a variance from the City of Peoria Unified Development Code, Section 5.4.2 Residential Accessory Structures and Storage Buildings, to increase the maximum height from 14 feet to 46 feet for the construction of an accessory storage building, for the property located at 1808 W Moss Avenue (Parcel Identification No. 18-08-156-002), Peoria IL. (Council District 2)

PROPERTY CHARACTERISTICS
The subject property is 1.23 acres in size and zoned Class R-1 (Single Family Residential) District. It is surrounded by Class R-4 (Single Family Residential) to the north and south, and Class R-1 (Single Family Residential) to the east and west. In 1910, a single family residence was constructed on the property. The property is located within the Moss-High Local Historic District and the West Bluff National Historic District.

REQUESTED VARIANCE:
The Petitioner is requesting a variance from the City of Peoria Unified Development Code Section 5.4.2. Residential Accessory Structures and Storage Buildings to increase the height of a proposed accessory storage building from 14 feet to 46 feet, measured from lowest floor of the garage to the top of the chimney. The accessory building will be located in the rear yard with access from Martin Luther King Jr., Blvd (pending approval from Public Works).

The Petitioner states that a hardship exists because the property does not provide space for maintenance equipment or general storage. The existing garage cannot be expanded and the rear yard has a greater than 50% slope with no vehicular access.

DEVELOPMENT REVIEW BOARD RECOMMENDATION
Staff’s recommendation is to DENY the variance due to 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 in that zoning district.
   Staff: The subject property can continue to yield a reasonable return without the requested variance.

2) The plight of the owner is due to unique circumstances.
   Staff: The property does have a significant slope in the rear yard which creates a unique characteristic.

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.
   Staff: Review of the neighborhood finds other accessory storage structures located in the rear yard but none built to a height near 46 feet. Such a structure may alter the established character of the neighborhood. However, the structure will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
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

1 inch = 83 feet
10/18/2018
### ZONING BOARD OF APPEALS
**VARIANCE APPLICATION**

#### 1. PROPERTY INFORMATION

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<tbody>
<tr>
<td>a) Address:</td>
<td><strong>1808 West Moss Ave.</strong></td>
</tr>
<tr>
<td>b) Tax ID Number(s):</td>
<td><strong>18-08-156-002</strong></td>
</tr>
<tr>
<td>c) Parcel Area (acres or square feet):</td>
<td><strong>1.23 Acre</strong></td>
</tr>
<tr>
<td>d) Current Zoning District:</td>
<td><strong>R1</strong> Moss-High Historic District</td>
</tr>
<tr>
<td>e) Current Property Use:</td>
<td><strong>Single Family Low Density</strong></td>
</tr>
</tbody>
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#### 2. OWNER INFORMATION – REQUIRED

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<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Name</td>
<td>John A. Jumer</td>
</tr>
<tr>
<td>Company</td>
<td></td>
</tr>
<tr>
<td>Address, City, State, ZIP+4</td>
<td><strong>1808 West Moss Ave.</strong></td>
</tr>
<tr>
<td>Phone</td>
<td><strong>309-676-7359</strong></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Signature of Owner(s) &amp; Date</td>
<td>[Signature]</td>
</tr>
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#### 3. APPLICANT INFORMATION

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<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Name</td>
<td>Sean Reman</td>
</tr>
<tr>
<td>Company</td>
<td></td>
</tr>
<tr>
<td>Address, City, State, ZIP+4</td>
<td><strong>303 Sullivan Circle Germantown Hills, IL 61548</strong></td>
</tr>
<tr>
<td>Phone</td>
<td><strong>312-217-9244</strong></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:sean.d.reman@gmail.com">sean.d.reman@gmail.com</a></td>
</tr>
<tr>
<td>Signature of Applicant &amp; Date</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

**Applicant’s Interest in Property:**
- [ ] Contractor
- [ ] Contract Purchaser
- [ ] Other Rep.

**Send Correspondence To:**
- [ ] Owner
- [ ] Applicant
- [ ] Representative of Applicant

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City of Peoria Development Center  
419 Fulton St., Room 300  
Peoria, IL 61602-1217  
Ph: (309) 494-8600  
Fax: (309) 494-8680  
www.peoriagov.org

Date Received:    Initiate: **WS**

Project Number: 18-160  Case Number: **ZBA-3053**

Rev. 10/19/2016

Zoning Board of Appeals Variance Application - Page 1 of 4
4. VARIANCE INFORMATION

a) Variance being requested: To exceed the 14' maximum height requirement as shown in Appendix A - UDC - 5.4.2

b) From what section of the zoning ordinance is a variance being requested? Appendix A - UDC - 5.4.2 Max Height

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

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

Majority of back yard is on a slope. Over 50% in parts.

 d) What is your hardship? Please be specific. The house was built in 1910 and does not provide space for property maintenance equipment or space for general supply storage. Current garage is undersized by today's standards. Lot does not have adequate space for access to rear yard or space for garage expansion. A majority of back yard is over 50% grade. River bluff.

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: The neighborhood is a historical district with many unique structures. There are many exceptional structures already present on lots in similar locations along MLK Junior drive. The proposed structure in question will sit back over 100' from MLK Drive. This will allow for landscaping & native vegetation to screen the structure from view. The structure will blend into the vernacular landscape and blend into the surrounding architecture.

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 2.5.3.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:  See Attached

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: See Attached

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: See Attached

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.
From Page 3 ZBA Variance App.

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.**

The proposed location for the accessory structure is the rear yard of the property which is located on the river bluff and presents steep slopes requiring the proposed structure to be bi-level in nature which in turn requires the height of the structure to vary from the 14 feet height limit. Additionally, the existing house was built in 1910 and does not provide adequate space for property maintenance equipment nor space for typical supply storage. The existing attached garage is undersized by today's standards and the lot layout does not provide any adequate side yard depth to easily access the rear yard or room to expand the existing garage per zoning set-back requirements. More space is needed for the residence to function in normal circumstances.

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

The motivation for the variance request rest on the homeowners need for space to properly maintain and access the property. The house and lot layout predate modern zoning standards. (Lots are long and narrow) Additionally, the rear yard of the property where the proposed accessory structure/garage is to be placed, is essentially on the river bluff and consist of steep slopes. These grade changes create a unique situation requiring the use of some retaining walls and the proposed accessory structure to be bi-level in nature to meet acceptable safe building styles and functionality. Due to the unlevel nature of the existing site topography and the need for a level floor/roof on the proposed structure we are requesting a height variance.

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.**

The granting of this variance will not alter the essential character of the neighborhood, harm the public or adjacent properties. It is believed the variance is necessary to alleviate the hardships previously mentioned and will add both aesthetic value and functionality to the property. This will be done by keeping with the historical nature of the property while adding space and functionality for current day necessities. With the proposed accessory structure being placed towards the rear of the lot on the bluff at a much lower elevation than surrounding structures. It can be understood that the requested height increase will in no way compete with other roof peaks within it’s immediate area or within the neighborhood as a whole. The variance will not alter the essential character of the locality or be injurious to the public or other properties.
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
ROOF PLAN

1800 MOSS AVENUE RESIDENCE ACCESSORY STRUCTURE
LEFT ELEVATION

RIGHT ELEVATION

1800 MOSS AVENUE RESIDENCE ACCESSORY STRUCTURE
Project Notes:

The proposed garage is over 200 feet away and downhill from any principal structure on Moss Ave.

The proposed structure is over 100 feet away or set back from MLK drive.

The garage FFE will be over 10 feet lower than the main house FFE.

- The proposed garage foot print is 33’x33’ or 1,089 SF in size.
- Existing house has a FFE = 601.90
- The proposed garage has a FFE of 589.05
- The proposed garage elevation at mean height of gable = 616.05
- Top of curb along MLK is approximately 544.94.

Landscaping – large trees and shrubs will be planted between MLK and the proposed garage to screen it from view. Please note that very large existing trees exist along the bluff or adjacent properties help to screen structure from view.

The lot is 1.23 Acres in size. It is very long and narrow with a side yard of only 18 inches on one side and 9 feet on the other. Accessing the existing garage with lawn equipment is only practical from the front yard currently. The goal is to make the property functional for the homeowner while adding to the unique character of the historical neighborhood.

The existing attached garage is approximately 480 square feet in size. (18x24+/-)

Items that will be stored throughout the garage: Scaffolding for annual maintenance of existing large fountain on site. Canvas coverings for fountain and sculptures on site. Lawn mowers, yard tools, bulk bag items, ornate clay/limestone flower pots, outdoor furniture, pool equipment etc.

The stone retaining wall facing MLK will be veneered with the same type of stone used throughout the garden and previously approved by the HPC.

The proposed Driveway off of MLK will be concrete with curb and gutter. All necessary erosion control and stormwater management infrastructure will be in place. Part of the intention of developing the hillside to eliminate the erosion onto MLK that is already taking place along MLK as it parallels Moss Ave. at the bottom of the bluff.

The grading plan takes into consideration the need for creating as much usable space in the back yard of the residence while balancing the cut and fill quantities necessary for construction.