A regularly scheduled Zoning Board of Appeals Meeting was held on Thursday, June 13, 2019 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, Dorian LaSaine, Lon Lyons, and Richard Russo. Absent: Laith Al-Khafaji.

Staff Present: Leah Allison

MINUTES

Commissioner LaSaine moved to approve the minutes for the Zoning Board of Appeals meeting held on January 10, 2019; seconded, by Commissioner Lyons.

The motion was approved viva voce vote 5 to 0.

SWEARING IN OF SPEAKERS

Speakers were sworn in by Staff Member Megan Nguyen

REGULAR BUSINESS

CASE NO. ZBA 3056

Public Hearing upon the request of Jeff Kolbus of Remax Traders Unlimited to obtain a Major Variance from Section 10, Definition of Lot Access, of the City of Peoria Unified Development Code, to allow lot access to have a different zoning designation than the use occupying the zoning lot for the properties located at 3622 N Knoxville Ave (Parcel Identification No. 14-28-401-001) and 3613 N Peoria Ave (Parcel Identification No. 14-28-401-020), Peoria, IL (Council District 3)

Chairperson Russo stated that this case had been withdrawn.

CASE NO. ZBA 3057

Public Hearing on the request of Jeff Brocco of Farnsworth Group to obtain a Major Variance from Section 4.3.6 C1 and C2 District Building Envelop Standards, of the City of Peoria Unified Development Code, to reduce the required front yard setback for a structure from 20 feet to 10 feet for the property located at 5001/5003 N University St, (Parcel Identification No. 14-20-179-039), Peoria, IL (Council District 4)

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. ZBA 3057 into the record and presented the request to reduce the required front yard setback for a structure from 20 feet to 10 feet for the construction of an ATM unit with an overhead canopy setback 5 feet from the property line.

Staff does not object to the requested setback variance based upon existing site conditions and 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: While the property may continue to yield a reasonable return without the variance, the property’s front parking lot currently comprises the entire front yard resulting in a non-conformity. The addition of an ATM unit does not alter or expand the non-conforming front yard.

2) The plight of the owner is due to unique circumstances.
   Staff: The existing non-conforming site conditions are 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: The requested variance will not alter the character of the site or be injurious to the public or other properties.
And conditions of approval:

1) Screen garbage dumpsters, per Chapter 13.40 of the City Code, which requires a six to seven foot tall solid enclosure for dumpsters visible from the public way or residentially zoned properties.

2) Add $350 fine plate to handicap accessible parking space located in front of the University St building.

3) Submit a Setback Encroachment Waiver for the ATM unit since located within 100 feet of the centerline of Glen Avenue.

Laura Tobben, of Farnsworth Group representing the petitioner, provided a summary of the request and noted the petitioner did not object to the conditions.

Chairperson Russo opened the Public Hearing at 1:15 p.m. With no interest from the public to provide public testimony, Chairperson Russo closed the Public Hearing at 1:15 p.m.

Discussion:
Chairperson Russo read the Findings of Fact, Sections 2.6.3.G. Standards for Major 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 with the conditions, seconded by Commissioner LaSaine.

The motion was APPROVED by roll call vote 3 to 0, with 2 abstentions.

Yeas: Jackson, LaSaine, and Russo – 3.

Nays: None.

Abstentions: Draeger, Lyons - 2

A recess was called at 1:19 pm. The meeting reconvened at 1:20 pm.

Ross Black, Director of Community Development arrived to the meeting at 1:20 pm.

DISCUSSION ON COMMISSION STRUCTURE
Director Black discussed the possibility of combining the Planning & Zoning Commission and Zoning Board of Appeals. The commissioners asked questions relating to procedures and number of commissioners on combined board. It was suggested that two separate commissions provided different viewpoints on land use issues.

CITIZENS’ OPPORTUNITY TO ADDRESS THE COMMISSION
There was no interest from the public to address the Zoning Board of Appeals.

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

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

The Zoning Board of Appeals meeting adjourned at 1:30 p.m.

Leah Allison
Senior Urban Planner