A regularly scheduled Zoning Board of Appeals Meeting was held on Thursday, November 14, 2019 at 1:00 p.m., City Hall, 419 Fulton Street, Room 400, with Chairperson Lon Lyons presiding and with proper notice having been posted.

ROLL CALL
The following Zoning Board of Appeals Commissioners were present: Ryan Cannon, Doug Draeger, Jerry Jackson, Dorian LaSaine, Lon Lyons, and Laith Al-Khafaji—6. Absent: Richard Russo—1.

Staff Present: Leah Allison, Sara Maillacheruvu, Megan Nguyen, Kerilyn Weick

SWEARING IN OF SPEAKERS
Speakers were sworn in by Megan Nguyen.

MINUTES
Commissioner LaSaine moved to approve the minutes for the Zoning Board of Appeals meeting held on Thursday, June, 13, 2019; seconded, by Commissioner Jackson.

The motion was approved viva voce vote 6 to 0.

REGULAR BUSINESS

CASE NO. ZBA 3063
Public Hearing on the request of Michael Seghetti of Elias, Meginnes & Seghetti, P.C. to obtain a variance from the City of Peoria Unified Development Code Section 4.3.4. Building Envelope Standards, to reduce the width of the front building façade from a required 86.82 feet to 21.08 feet in a Class C-G (General Commercial) District, for the property located at 1605 N. Knoxville Avenue (Parcel Identification Numbers 18-04-178-055 and 18-04-178-032), Peoria, IL (Council District 2)

Senior Urban Planner Kerilyn Weick, Community Development Department, read Case No. ZBA 3063 into the record and presented the request to reduce the width of the front of the building façade below required frontage standards.

Staff does not object to the requested variance based on existing site conditions, inclusion of patio wall, surrounding area, 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: The history of the property may indicate constraints for a reasonable return under the conditions of the zoning district. The design of the development, with the addition of the patio wall running 20 feet along the lot frontage, meets the intent of the regulations of the zoning district.

2. The plight of the owner is due to unique circumstances.
   Staff: The topographical conditions of the property and access easement with the property to the north create circumstances unique to this 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.

Staff: The proposed development will be compatible with the character of the locality. The requested variance will not be injurious to the public or other properties.

And conditions of approval:

1. As shown on the site plan, the continuous solid wall is required to be built in front of, or in-line with, the building, as shown on the site plan. Said wall shall be at least 5 feet in height. The length of the wall that is parallel to Knoxville Avenue shall be at least 20 feet long. The length of the wall that is perpendicular to Knoxville Avenue shall be at least 22.5 feet long.

Commissioner LaSaine asked about the number of parking spaces located at the rear of the property. Ms. Weick referred to the site plan, which showed approximately 14 parking spaces. She discussed that the intent of the property was to capture drive-thru traffic, mentioning how there were no sitting areas within the building.

Commissioner LaSaine asked if there had been any objection from the neighbors. Ms. Weick confirmed that, at this time, no objection had been received from any neighbors.

Commissioner LaSaine asked how long the property had been vacant, to which Ms. Weick responded that she would defer to the applicant for that information.

Commissioner Al-Khafaji inquired about the frontage of property, should the access easement and new exit not be counted. Ms. Weick responded that excluding those site elements would reduce the variance. She explained, however, that driveways count as part of the lot width.

Chairperson Lyons opened the Public hearing at 1:14pm.

Michael Seghetti, attorney for the contract purchaser, provided a brief explanation of the case. He discussed that the primary basis for the variance request was based upon the topography of the site, as there is a four foot grade change on the property. He stated that the grade change renders the property economically infeasible, should the variance not be granted, mentioning as well that other developments along the street do not meet the frontage requirements.

Commissioner Al-Khafaji asked how long the property had been vacant, to which Mr. Seghetti responded 14 months.

With no further interest from the public to provide testimony, Chairperson Lyons closed the Public Hearing at 1:19pm.

Discussion:
Chairperson Lyons 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 LaSaine moved to approve the variance, subject to compliance with the conditions aforementioned; Commissioner Al-Khafaji seconded the motion.
CITIZENS OPPORTUNITY TO ADDRESS THE COMMISSION
There was no interest from the public to address the Zoning Board of Appeals at 1:21PM.

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

The motion was approved unanimously viva voce vote 6 to 0.

The Zoning Board of Appeals meeting adjourned at approximately 1:22pm.

Sara U. Maillacheruvu
Urban Planner