

Pekin Zoning Board of Appeals
111 S. Capital Street
City Council Chambers 2nd Floor
September 14, 2022
5:00 PM

Present: Bill Craig, Daryl Dagit (arrived at 5:14 PM), Chris Deverman, Donald Hild, Kim Joesting, Mary Lanane, Kelly Madden, James Ruth, and Steve Thompson (left the meeting at 5:30 PM).

The regular meeting of the Pekin Board of Appeals was called to order and quorum was declared. Staff present: David Bess (CDBG Program Manager), Josie Esker (City Engineer), Hannah Martin, Alina Kramer (Administrative Assistant) and Jeff Gaster (Legal Counsel).

The meeting was called to order at 5:00 PM. Motion by Commissioner Lanane to amend the agenda, pulling Case SU 2022-03 and Case SU 2022-05. Motion carried 8-0.

Motion by Commissioner Lanane to approve minutes for the August 10, 2022, second by Commissioner Ruth. Motion carried 8-0.

Case SU 2022-03

A special use request submitted by Mitch O'Shaughnessy to utilize property located at 801 S. 2nd Street to display and sell used automobiles. Said property is zoned I-2 General Industrial District with a legal description of SEC 3 T24N R5W PT SW 1/4 & TRACT ADJ LOT 12 NE 1/4 .36 AC, with the following PIN: 04-10-03-212-002, in Tazewell County, Illinois.

Case SU 2022-03 was removed from the agenda.

Case SU 2022-05

A special use was request by Trajectory Energy Partners to utilize property located at 300 and 310 Hanna Drive to establish a commercial solar farm. Said property is currently zoned I-1 Light Industrial District with a legal description of SEC 10 T24N R5W RIVERWAY BUSINESS PARK 3RD ADD FINAL PLAT LOT 1N ½ SE ¼ 15 AC, with the following PIN: 04-10-03-212-002, in Tazewell County, Illinois.

Case SU 2022-05 was pulled from the agenda.

CASE V 2022-07

A variance request submitted by Todd Shea for property located at 223 Sapp Street to add a second story to current residential structure. Said property is zoned RM-2 Multiple Family Residential with a legal description of SEC 3 T24N R5W ROSENDALE ADDN LOT 108 SW ¼ and the following PIN: 04-10-03-312-012, in Tazewell County, Illinois.

Public hearing open at 5:05 pm

Todd Shea (owner) said he purchased the property last summer and is looking for a variance to add a second story to the current residential structure.

Public hearing closed at 5:06 pm

Commissioner Ruth asked if adding a second story would change the lot lines, Hannah confirmed that it would not change the lot lines.

Commissioner Kelly made a motion and Steve Thompson second. Motion was approved 8-0.

Case V 2022-08

A variance request submitted by Michael McGlasson to bring an awning out 20 feet to the east side of the house and 6 feet in front of the house and over an area where current window will be replaced by a door at 1521 Henrietta. Said property is zoned R-4 One-Family Residential with a legal description of SEC 35 T25N R5W MILLERS ADDN LOT 9 BLK 8 SE 1/4, with the following PIN: 04-04-35-416-013, in Tazewell County, Illinois.

Public hearing opened at 5:12pm

Michael McGlasson (property owner) states would like to add an awning with a deck and move/add a door. The owner states that the current door has a 32-inch door which makes it difficult for moving things in and out.

Public hearing closed at 5:15pm

Commissioner Craig states that the awning would be in the City's right of way, Josie confirmed that is correct. Josie stated that we should not build in the city's right away and that she would strongly disagree with allowing the awning/deck to be built. Commissioner Hild noted that (it seems) the front of the house is an addition was most likely added illegally, therefore that is why the house is so close to the right of way. Josie stated that the right away is three feet from the house. Commissioner Joesting asked if there were any sewer lines in the front of the house and the owner states there is not, that the line comes from the east. Hild states that he supports the door being wider but the awning will be the issue. Commissioner Craig suggested tabling this case to allow the owner to survey the property. The owner agreed that he would like to table it to have the property surveyed.

Motion to table the case was made by Commissioner Kelly and second by Steve Thompson. Motion carried 8-0.

Case V 2022-09

A variance request by the Tina Slick for property located on 1515 Augusta Street to install a carport on a shared drive. Said property is currently zoned R-4 One Family Residential with a legal description SEC 35 T25N R5W NORTHSIDE MANOR #5 LOT 22 NE1/4, with the following PIN: 04-04-35-225-013, in Tazewell County, Illinois.

Public Hearing opened at 5:26pm

Tina Slick, owner of the property explained that she would like to install a carport to assist her (in the winter months) as her health is declining, she has great difficulty cleaning her car off.

Public hearing closed at 5:28pm

Motion to discuss the case was made by Commissioner Ruth and second by Commissioner Kelly. Commissioner Lanane asked if the carport would be attached to the neighbor's garage or grounds and it will not be. Ruth explained that a "shared" drive indicates that the driveway touches but there would be no conflict. Commissioner Joesting asked if there would be any overhang or drainage in the neighbor's yard and the owner stated there would not be. Motion approved 7-1.

CASE V 2022-10

A variance request submitted by James R Markum for property located at lot 607 S 2nd St to build a larger "Morton" building than current setbacks will allow. Said property is currently zoned I-1 with a legal description of SEC 3 T24N R5W CINCINNATI ADDN LOT 17 NW ¼, and with the following PIN: 04-10-03-203-010, in Tazewell County, Illinois.

Public hearing open at 5:23pm

James Markum, property owner, states he would like to build a "morton style" building to hold his classic cars. Markum would like the size of the building to be 40-45 feet however with the shape of the lot he is unsure what(size) he is able to get at this time. Commissioner Craig asked what size he would prefer and he said a 40X40 would be okay. Kelly suggested a larger building if the variance allowed, the owner is open to the idea but has not checked pricing yet due to needing a variance.

Public hearing closed at 5:38pm

Commissioner Deverman asked for clarification as to where the building would be built (on the property) and the owner said he is willing to build on any spot approved. Commissioner Dagit asked about the size of the building and the owner again stated he has not picked a size to due the odd size of the lot but is looking to build either a 40- or 45-foot Morton style building. Commissioner Hild suggested that we get the exact setbacks required and let the owner pick the size of the building. The owner states he would like to have 10-foot setbacks and build a 40X40 structure.

Motion to approve by Commissioner Ruth and second by commissioner Lanane. Approved 8-0

CASE SU 2022-04

Special use requests submitted by J&J Properties for property located at lot 2331 Lakecrest Drive to sell and repair boats, cars, and trailers. Said property is currently zoned I-1 with a legal description of SEC 23 T25N R5W PEKIN EDGEWATER PARK SEC 5 LOT 60 SE1/4 and with the following PIN: 04-04-23-401-033, in Tazewell County, Illinois.

Public hearing open at 5:48pm

Representative from J&J Properties states they bought the property not knowing what I1 Zoning was and they were sited for storing wrecked vehicles which he states they do not do. The representative brought letters from the surrounding home owners and duplex owners stating they do support the special use for the property located on Lakecrest Drive.

Public hearing closed at 5:50pm

Commissioner Ruth asked for clarification as to what the property would be used for and the owner stated it would be used to repair cars and boats and sell them. Commissioner Ruth stated that the city code requires a concrete service not gravel. Commissioner Lanane asked if there is a difference between selling boats/cars and there is not. David Bess explained the code regarding wrecked vehicles and the owner states that the surrounding neighbors have some wrecked vehicles sitting outside as well. Commissioner Ruth suggested that this be communicated Code Enforcement.

Commissioner Ruth stated that he has no issues with the property being used to sell/service cars and boats but the owner would need to pave the lot, Hannah agreed. The owner states he does not want to pave the lot and if they are required to pave it, they will need to sell the lot. After discussion, the committee suggested that the owner be allowed to sell on the existing surface but if he makes any expansions on the property, the owner would need to come back to discuss paving the surface.

Motion made by Commissioner Joesting and second by Ruth to allow the owner to sell/repair cars and boats on the existing surface. Motion approved 8-0.

Informal Discussion

Jeff Gaster, attorney, states that we should change the verbiage in our short-term rental policy regarding the term "owner". There are no pressing issues at this time (in reference to the verbiage) and Jeff will research this.

Also, in regards to the Food Pantry Policy, the attorney suggested we add a definition of what a "food pantry" is.

Public Input

Kevin Bresnahan informed the committee that he (Mr. Bresnahan) has been approached by Ameren to use the property at 141 S. Veterans. Kevin said Ameren stated that they would lay concrete, hang lights, and any other work that would need to be done to bring the property up to code. Commissioner Craig asked what would happen after the company is finished with their work, Mr. Bresnahan stated that he would like to build on the land.

Meeting adjourned at 6:37

