

**Pekin Zoning Board of Appeals
City Council Chambers
111 S. Capitol Street, 2nd Level
September 12, 2018
5:00pm**

Present:

John Kennedy, Chair
Mary Lanane
Charity Gullett

Kim Joesting

Staff Present: Attorney Scott Kriegsman, John Lebegue, Building
Inspections/Development Director

John Kennedy, Chair led the pledge of allegiance.

John Kennedy, Chair called the regular meeting of the Zoning Board of
Appeals to order.

Roll call was taken and a quorum declared.

John Kennedy, Chair asked for approval of the Agenda.

MOTION by Mary Lanane, seconded by Charity Gullett to approve the Agenda as
presented. On roll call vote, All present voted **AYE**. **MOTION APPROVED**.

John Kennedy, Chair asked for approval of the May 9, 2018 Minutes.

MOTION by Charity Gullett, seconded by Mary Lanane, to approve the Minutes
of May 9, 2018 as presented. On roll call vote, all present voted **AYE**.
MOTION APPROVED.

Application #1:

Hearing #1: Open: 5:03 pm Closed: 5:20 pm

Hearing #1:

To allow applicant, Brittany Duffield, to increase the height of a fence in
the front yard to six feet in height, in lieu of the allowed 4 foot,
ornamental fence in front yard, as stated in the current Zoning Code for R-
2 (One Family Residential District) located at 2301 Arlington Circle, with
a Legal Description of SEC 25 T25N R5W Marigold Estates Phase 1 Lot 31 &
Adj. Nly. Tract, with the following P.I.N.# 04-04-25-102-001, in Tazewell
County, Illinois.

Discussion: Chairman John Kennedy asked if anyone had any questions or
wished to speak concerning the matter. Kim Joesting asked the applicant why
they were seeking the variance. Brittany Duffield appeared before the

members of the Zoning Board of Appeals and explained that she was seeking the variance to increase the height of a fence in the front yard to provide access to the rear garage when enclosing the rear yard of the property. Ms. Duffield further stated that the reason the fence had to encroach into the front yard setback was the presence of a fireplace at the northeast corner of the home and that she was considering the installation of a black iron, open type fence.

Charity Gullett asked the applicant if the black iron fence would be 6 foot in height.

Ms. Duffield responded that, yes, the fence would be 6 feet in height.

Neighboring property owners expressed concerns that the installation of a fence in the front yard could obstruct vision at the intersection and was prohibited by the subdivision covenants of that subdivision. A neighboring resident also stated that the installation of a fence 6 foot in height is not something she has seen and wanted information provided as to other fences allowed to be installed in the front yard.

Building Inspections / Development Director John R. Lebeque explained that the variance request only pertained to the installation of a small area of 6 foot fence at the northeast corner of the home and that a variance was not required to install a 6 foot fence to the west of the home as long as the fence maintained the required 25 foot front yard setback.

Ms. Duffield stated that she would be willing to install a 6-foot open, iron fence to address the visibility concerns expressed by the neighboring property owners.

Charity Gullett stated that lot had a very odd configuration and affirmed that the variance request would allow the proposed 6-foot fence to encroach by 2 feet into the front yard setback on the Potomac Ct. frontage.

Mary Lanane asked the members of the homeowner association that had expressed concerns concerning the variance request, if they still objected to the variance request for a 2-foot setback reduction after learning more about the variance request.

The members of the homeowner association stated that they had no real objection to the area where the variance was requested, but still had concerns of a fence being allowed to be installed in the front yard.

Ms. Duffield stated she would be willing to work with the homeowners association in coming up with a fence that acceptable to the association and was planning to install extensive landscaping along the fence to enhance the appearance of the property.

Chairman John Kennedy then called for a vote on the variance request. On a roll call vote, Ayes: Chairman John Kennedy, Charity Gullett, and Kim Joesting. Nays: Mary Lanane. **VARIANCE REQUEST DENIED DUE TO LACK OF FOUR AFFIRMATIVE VOTES.**

PUBLIC INPUT: No public input at this time.

John Kennedy, Chair asked for a motion to adjourn.

MOTION by Kim Joesting, seconded by Charity Gullett to **ADJOURN** the meeting.
Meeting Adjourned at 5:28 p.m.

Zoning Board of Appeals
John R. Lebegue, Secretary