

Pekin Zoning Board of Appeals
111 S. Capital Street
City Council Chambers 2nd Floor
June 8, 2022
5:00 PM

Present: Daryl Dagit, Chris Deverman, Donald Hild, David Huskisson, Kelly Madden, James Ruth, Amy Wilson.

The regular meeting of the Pekin Board of Appeals was called to order and quorum was declared. Staff present: David Bess (Community Development Director), Jeffrey Gaster (Legal Counsel), Alina Kramer (Administrative Assistant), Justin Reeise (Public Work Director). Multiple members of the public were present.

Motion by Commissioner Dagit to approve the June 8, 2022 agenda, second by Commissioner Deverman. Motion carried 7-0.

Motion by Commissioner Dagit to approve minutes for the May 11, 2022, second by Commissioner Wilson. Motion carried 7-0.

David Bess communicated that the City Council approved VP Racing Fuel (Case SU 2021-12) as recommended and 2423 Tazewell Road (Case V 2022-05) was tabled for further evaluation.

Case PPR 2022-01

A map amendment request submitted by Austin Engineering Company, Inc. to separate the property at 141 S. Veterans Drive as indicated in the preliminary plat provided by the applicant. This request is to separate the southern portion of the property of approximately 11.7 acres. Said property is zoned B-3 General Business District with a legal description of SEC 5 T24N R4W ESTATES AT LAKEIEW FINAL PLAT LOT 15NW ¼ 10.47 AC, with the following PIN: 11-11-05-101-015, in Tazewell County, Illinois.

The case was open to public input, Jacob Force, owner of the land was present for any questions. Commissioner Hild asked Mr. Force if his original plans were to buy all of the land, Mr. Force stated he never had planned on buying all of the land. Discussion in regards to a buffer was presented and Mr. Force stated he was previously told there would be no issues as long as he puts a buffer between his property and the residential area. Wilson advised Mr. Force could potentially use a natural buffer however a buffer can't be put into place until there is approval to split the land.

Motion to approve by Commissioner Madden, second by Commissioner Huskisson. Motion carried 7-0.

Vacation of Alleyway between Arcade and Tobin Building and Vacation of 300 Block of Elizabeth to Tazewell County

Vacation of City-owned alley in the block bounded by Court Street, Capitol Street, Elizabeth Street, and 3rd Street. Alley will be vacated to the adjoining property owners **and** Vacation of city-owned right-of-way consisting of the 300 block of Elizabeth Street between Capitol Street and S. 3rd. Street.

Commissioner Wilson asked if there was any negative impact if the City proceeds with vacating the alleyway. The committee agreed there was no perceived negative impact for the City or surrounding

property owners. City staff noted that at this time, this will not be brought to council until the county signals that they intend to move forward with the plans for which these vacations are requested.

Motion to recommend approval for both associated items, motion carried 7-0.

Vacation of Alleyway between Hecker Court and Washington Street

Vacation of City-owned alleyway between Hecker Court and Washington Street. Staff suggested that the alley could be vacated to the adjoining property owners as shown on the vacation plat, however the City may change the division to suit the interests of the adjoining owners.

Justin Reeise stated the property owner of Lot 1 has requested the City to vacate the alleyway due to some drainage issues. Commissioner Hild asked if the vacating of the alleyway would cause issues with the other home owners, Reeise stated he does not anticipate issues. Commissioner Wilson asked how the alleyway would be split. There was discussion among all committee members on how the alleyway would be split and Reeise explained that counsel approval could ultimately dictate how the property was split.

Mel Johnson, owner of one of the adjoining properties, had questions in regards to what additional responsibilities he would have if the alleyway is vacated by the City. Mr. Reeise explained that the maintenance would be the responsibility of the land owners. Mr. Johnson states he does think this is a good idea but has concerns with the drainage issue and who would be responsible for resolving that. Mr. Reeise states that he believes the owner of Lot 1 has intentions of working with the neighbors to correct this issue. Ron Matthews, owner of Lot 4 states the alley in discussion is not drivable due to the tight curve. Methods of maintaining the appearance and use of the alleyway was discussed. Mr. Reeise suggested that it would also be an appropriate option to divide the property using engineering principles and that a supermajority of the City Council would be required to divide the alleyway in another manner.

Motion to approve, motion carried 7-0.

Vacation of Alleyway at 300 Block of Ann Eliza (IL-9)

Vacation of City-owned alleyway in the 300 block of Ann Eliza (IL-9) between N. 4th Street and Capitol Street. Alley will be vacated to the adjoining property owners as shown on the vacation plat.

The owner of Marigold Motors would like the City to vacate the alleyway. Commissioner Hild explained that the owner would not be able to build in the alley but he would be allowed to possibly access his drive. Staff noted that the owner of the adjoining properties is the same individual hence their interest in requesting the vacation.

Motion to approve, motion carried 7-0.

Ordinance Proposing Zoning code Changes Regarding Signage

Commissioner Wilson noted a change needed on page 19 of the proposed sign ordinance which included a sentence that was not complete. Jeff Gaster made appropriate changes.

Commissioner Dagit discussed a concern on what is to be considered “art work”, Commissioner Wilson explained you can not limit a homeowner from displaying what they feel is art. Commissioner Dagit also discussed vehicles being used as signage through being parked near businesses. Mr. Bess stated that the language of the Code requires vehicles to be licensed and insured but does not preclude their use as a form of sign on private property.

Discussion in regards to historical murals as to whom should handle making that decision. Mr. Bess stated that the Building Department currently handles mural permits. After further discussion, the committee suggested designating the Tourism Committee to be responsible for historical murals determinations.

Attorney Gaster produces a clean version of the proposed sign ordinance with the changes discussed during the current meeting. Physical copies of the clean sign ordinance was provided by Mr. Bess and distributed to the board members.

Motion to approve the clean version of the proposed sign ordinance was made by Commissioner Huskisson, second by Commissioner Madden. Motion carried 7-0.

Informal Discussion

Commissioner Ruth discussed concerns regarding flooding on Redbud Road. ~~Commissioner Wilson indicated that there is a plan to correct the issue on Redbud Road being carried out by the Pekin Park District.~~ Commissioner Wilson indicated that the Park District and the City should work together to resolve the issue.

Public Input

No additional public input.

Meeting adjourned.