



City of Pekin

REGULAR ZONING BOARD OF APPEALS MEETING WEDNESDAY, MAY 8, 2024 5:00 PM

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Approval of Minutes

4.1. Minutes from the April 10, 2024 Meeting

5. City Council Action Report

5.1. April City Council Action Report

6. New Business

6.1. Case V 2024-08

A variance request submitted by Doug and Stephanie Cobb for the property located at 804 Amanda Street to allow for a fence to be installed in the front yard. Said property is zoned R-4 One Family Residential with a legal description, SEC 35 T25N R5W CUMMINGS ADDN EXT 1 A SUBD OF LOTS A-B OF LOTS 41-56 W53.5FT OF LOTS 41 AND 42 NW 1/4, with the following PIN 04-04-35-125-004, in Tazewell County, Illinois.

6.2. Case V 2024-09

A variance request submitted by Benjamin and Manda Brown for the property located at 1435 California Road to Construct a 36-foot driveway approach. Said property has a legal description of SEC 32 T25N R4W COUNTRY CLUB ESTATES #6 LOT 97 NW 1/4, with the following PIN 05-05-32-102-015, in Tazewell County, Illinois.

7. Any Other Business Before the Board

7.1. Sign Code Discussion

8. Public Input

9. Adjourn



City of Pekin

**PROCEEDINGS OF THE REGULAR MEETING
OF THE ZONING BOARD OF APPEALS OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
ON WEDNESDAY, APRIL 10, 2024 AT 5:00 PM
VICE CHAIRMAN BILL CRAIG PRESIDING**

Pledge of Allegiance

Pledge of Allegiance led by Vice Chairman Bill Craig

Call to Order

The regular meeting of the Zoning Pekin Board of Appeals was called to order and all members were physically present except for Chairman Hild, Commissioner Dagit, Commissioner Huskisson and Commissioner Thompson. A quorum was declared by Vice Chair Craig.

The regular meeting of the Pekin Zoning Board of Appeals was called to order and all members were physically present. A quorum was declared by Vice Chair Craig.

Attendee Name	Organization	Title	Status	Arrived
Bill Craig	Zoning Board of Appeals	Vice Chair	Present	5:00 PM
Chris Deverman	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Donald Hild	Zoning Board of Appeals	Chair	Present	-:--
David Huskisson	Zoning Board of Appeals	Commissioner	Present	-:--
Kim Joesting	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Mary Lanane	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kelly Madden	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Steve Thompson	Zoning Board of Appeals	Commissioner	Present	-:--
Amy Wilson	Zoning Board of Appeals	Commissioner	Present	5:00 PM

Approve Agenda

Motion to approve the agenda was made by Commissioner Joesting and second by Commissioner Madden

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Joesting
SECONDER:	Commissioner Madden
AYES:	Commissioners Craig, Deverman, Joesting, Lanane, Madden and Wilson
ABSENT:	Chairman Hild, Commssioner Huskisson, Dagit and Thompson

Approval of Minutes

4.1. Minutes from the March 13, 2024, Zoning Board of Appeals Meeting

The Zoning Board of Appeals meeting minutes were approved from the meeting on March 13, 2024.

Motion to approve made by Commissioner Lanane and second by Madden.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Lanane
SECONDER:	Commissioner Madden
AYES:	Commissioners Craig, Deverman, Joesting, Lanane, Maddenand Wilson
ABSENT:	Commissioners Dagit, Hild, Huskisson and Thompson

City Council Action Report

5.1. City Council Action Report March 25, 2024

City Council Action Report April 8, 2024.

New Business

6.1. Case V 2024-05 A variance request submitted by Andrew Mickle for the property located at 200 Cottage Grove Avenue to reduce the minimum setbacks for an accessory structure. Said property is zoned R-4 One Family Residential with a legal description, SEC 1 T24N R5W GIFFIN QUARELLO ADDITION #2 LOT 1 W 1/2 SE 1/4, with the following PIN 04-10-01-401-011, in Tazewell County, Illinois.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Wilson
SECONDER:	Commissioner Madden
AYES:	Commissioners Craig, Deverman, Hild, Joesting, Lanane, Madden and Wilson
ABSENT:	Chairman Hild, Commissioners Dagit, Huskisson and Thompson

Public Input Open: 5:03 PM
Public Input closed: 5:04 PM

Motion made to approve by Commissioner Wilson and second by Madden. Commissioner Wilson asked if the shed was going to be at the end of the driveway and Nic Maquet confirmed that it is.

Approved 6-0

- 6.2. Case V 2024-06 A variance request submitted by Kanieca Williams for the property located at 800 State Street to allow for two driveways on one parcel. Said property is zoned R-4 One Family Residential with a legal description, SEC 35 T25N R5W CAMPBELL DURLEY & NEWHALLS ADDN LOT 6 BLK 13 SW 1/4, with the following PIN 04-04-35-354-001, in Tazewell County, Illinois.**

RESULT:	5 TO 1 (PASSED)
MOVER:	Commissioner Madden
SECONDER:	Commissioner Joesting
AYES:	Commissioners Craig, Deverman, Joesting, Lanane and Madden.
NAYS:	Commissioner Wilson
ABSENT:	Chairman Hild, Commissioners Dagit, Huskisson and Thompson

Public Input Open: 5:05 PM

Public Input Closed: 5:07 PM

Kanieca Williams, owner of the property, said they are putting up a new garage, and it used to have a gravel driveway, they would like it to be concrete.

Motion to approve made by Kelly and second by Joesting

Commissioner Joesting asked if the new driveway would be concrete and the owner confirmed that it will be. Commissioner Wilson mentioned if the garage door faces 8th street, it will need to be moved a bit to meet code, which the owners are planning to do. Wilson has concerns with the garage facing 8th street rather than State St., she would prefer to see the garage be off of State for safety purposes. Nic disagrees with this due to having older homes and city code does allow this style of parking. Commissioner Wilson asked if they would require two garage doors for a double slab and Nic confirmed that the garage would require two doors. The variance is required due to only have one garage door. Commissioner Lanae agreed that we need to be a bit more lenient due to the homes being older and limited space, especially on a corner lot. Lanane feels we are not giving too much given there is already an existing driveway.

- 6.3. Case V 2024-07 A variance request submitted by Raymond E. Whitaker and Kimberly D. Whitaker for the property located at 1709 Gingoteague Way to reduce property line setbacks. Said property is zoned R-1 One Family Residential with a legal description, SEC 11 T24N R5W GINGOTEAGUE SEC 3-FINAL PLAT LOT 43 SE 1/4, with the following PIN 10-10-11-413-018, in Tazewell County, Illinois.**

RESULT:	PASSED (UNANIMOUS)
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MOVER:	Commissioner Lanane
SECONDER:	Commissioner Madden
AYES:	Commissioners Craig, Deverman, Joesting, Lanane, Madden and Wilson
ABSENT:	Chairman Hild, Commissioners Dagit, Huskisson and Thompson.

Public Input Open: 5:15 PM

Raymond Whitaker explained that the corner lot is unique, and they are trying to face the lake down the lake rather than facing their neighbor's house. With the narrow lot, it is hard to build a house they feel would blend with the other houses. Another challenge is on the Remington side there is a city sewer which limits how far they can build. He would like a variance on the Remington side to allow a house that would fit in with the neighborhood. Mr. Whitaker would like 10-15 feet so they can build their house to face the lake. Mrs. Whitaker said they have the house staked out and if it was to be built that be build "sideways".

Public Input Closed: 5:20 PM

Motion to approve made by Commissioner Madden and second by Wilson
Motion retracted and a new motion was made by Commissioner Lanane to amend the original motion to allow a variance of 10 feet and the motion was second by Madden.

Commissioner Kelly asked if there was notification that was sent to any neighbors and there was an objection due to the lack of setback.

Commissioner Joesting asked what the objection was, the letter was read aloud. Mr. Whitaker said they are not trying to build closer to the neighbor but they are trying to center it by gaining some footage. Commissioner Lanane noted that on the neighbor's side (Lugenville) that its only his garage that the house would be closer to. Commissioner Wilson stated the setback is to be on the lot, not according to how the house is arranged. Mrs. Whitaker said that if they have to build a house that does not face the lake they would not build. There is a house that is on an adjacent lot that only has a 10-foot setback (to the south) which would be the same distance as the Whitakers and Lugenville. Commissioner Wilson has concerns with the house being built and it consuming more of the yard and having trouble selling it long term. Commissioner Wilson suggested a compromise such as 10 feet rather than 20 feet. The address change is not something they want to do today and Nic stated that staff would not recommend changing the address due to the address being set. Mrs. Whitaker said the reason for the request of the address change was due to them not wanting to to spell Gingoteague Way and said they did not need to do this.

Commissioner Lanane made a motion to amend the original motion to have a variance for 10 feet and second by Madden.

Approved 6-0

- 6.4. **Case RZ 2024-03 A** Rezoning request submitted by the City of Pekin from ED-1 Economic Development District to B-3 General Business District for the vacant property located at 121 South 2nd street with a legal description, SEC 34 T25N R5W ORIGINAL TOWN ALL LOTS 6 THRU 17 & ADJ ALLEY BLK 2 SE 1/4, with the following PIN: 04-04-34-455-005, in Tazewell County, Illinois.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Joesting
AYES:	Commissioners Craig, Deverman, Joesting, Lanane, Madden and Wilson
ABSENT:	Chairman Hild, Commissioners Dagit, Huskisson and Thompson

Public Input Open: 5:45 PM

Public Input Closed: 5:45 PM

Motion to approve made by Commissioner Deverman and second by Commissioner Joesting

Nic explained that the property had been entering into an agreement with The Center of Prevention of Abuse and discovered that the property was zoned ED-1, which does not exist in our current code. March 7, 1994 the city passed an ordinance 1568-A61 that changed the zoning for multiple properties throughout the city making them ED1. Staff nor legal did not find anything that indicated the property was changed to B3. Our zoning maps prior to 1994 and since 1994 show the property as B3. Nic said we will see additional properties coming to the board with the same situation.

Motion approved 6-0

Any Other Business Before the Board

7.1. Sign Code Discussion

Informal discussion was had regarding potential changes to the sign code regarding Off Premise electronic message boards and billboards

Public Input

No Public Input was recieved

Adjourn

Motion to Adjourn was received from Bill Craig and seconded by Kell Madden. All members present voted in favor

City Council Action Report
Meeting Date
April 22, 2024 5:30 PM

All Zoning cases that were recommended for approval during the April 10, 2024, Zoning Board of Appeals meeting were approved at the regular scheduled City council meeting held on Monday April 22, 2024.

- Case V 2024-05 was Approved
- Case V 2024-06 was Approved
- Case V 2024-07 was Approved
- Case RZ 2024-03 was Approved



REQUEST FOR COUNCIL ACTION

Agenda Date: May 8, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM:

Case V 2024-08

A variance request submitted by Doug and Stephanie Cobb for the property located at 804 Amanda Street to allow for a fence to be installed in the front yard. Said property is zoned R-4 One Family Residential with a legal description, SEC 35 T25N R5W CUMMINGS ADDN EXT 1 A SUBD OF LOTS A-B OF LOTS 41-56 W53.5FT OF LOTS 41 AND 42 NW 1/4, with the following PIN 04-04-35-125-004, in Tazewell County, Illinois.

DESCRIPTION: Case V 2024-08

A variance request was submitted by Doug and Stephanie Cobb for the property located at 804 Amanda Street to allow for a fence to be installed in the front yard without the required fence setbacks for vision obstructions on a corner lot.

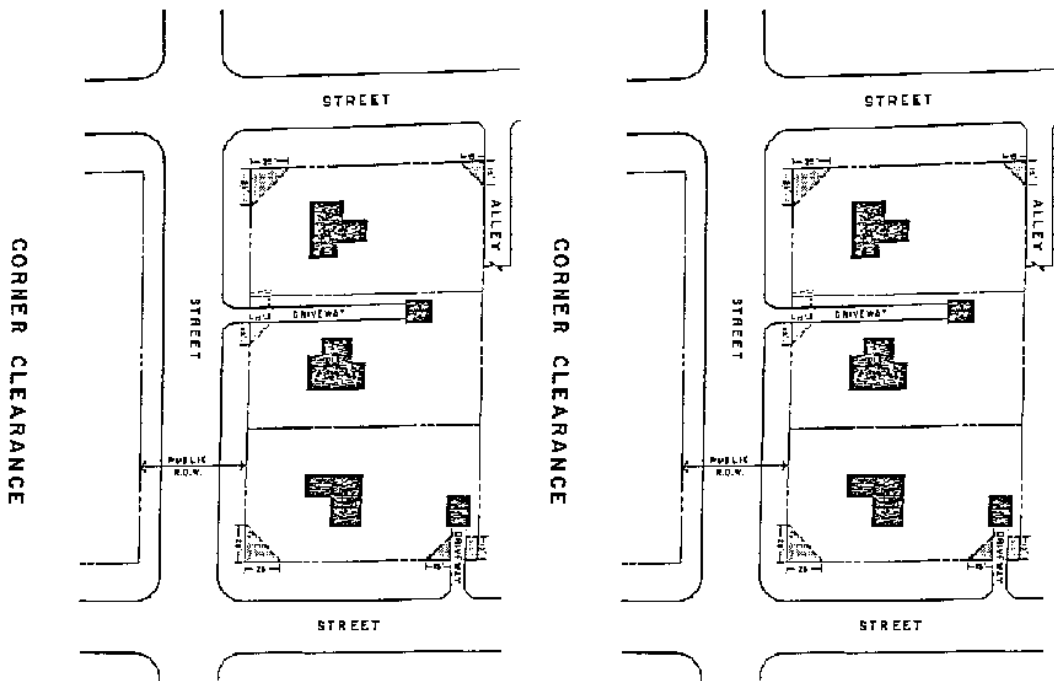
SUMMARY

The applicant wishes to install a 4-foot tall picket fence in the front yard and requests a variance from the required vision obstructions setbacks. The property's front yard abuts an alley on its east side. The City code requires that all fences installed in the front yard set back that abut an alley or driveway be installed so that they are not a vision obstruction and the Code requires that the fence be setback 15 feet in two directions from the point of intersection.

Sec. 4-3-8-12. Vision obstruction.

(a) No fence, wall, shrubbery, sign or other obstruction to vision above a height of 30 inches from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection, nor shall such obstruction to vision be permitted at the intersection of any driveway or alley, and a street right-of-way line within a triangular area formed at such intersection by a straight line drawn between the driveway or alley line and the street right-of-way line at a distance along each line of 15 feet setback shall be required between the property line and the driveway or alley.

(b) See the following diagram pertaining to this section:



Vision Obstruction

Requested Action

Provide a variance from the required Vision Obstruction setbacks for a fence to be installed at the property corner with no setback from the property line

STAFF NOTES

Staff have found no records indicating that this alley has ever been vacated. Mr. Cobb states that the alley is not used by anyone but himself and his family, and it would not present a danger to anyone and if he had to install the fence with the required setbacks he would not have much of a front yard that could be fenced in



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Board of Appeals Application for Consideration

Type of Request (check one): ☐ A. Special Use (\$85) ☒ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☐ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: _____
	Current Zoning (if known): _____
	Proposed Zoning (if rezoning request): _____
	Current Use: _____
	Proposed Use (if different): _____

Property Owner Name:	Doug & Stephanie Cobb
Mailing Address:	804 Amanda St
Phone:	309-241-0148
Alternative Phone:	309-241-1242
E-Mail Address:	dcobb40@gmail.com

Applicant Name (if different):	
Mailing Address:	
Phone:	
Alternative Phone:	
E-Mail Address:	



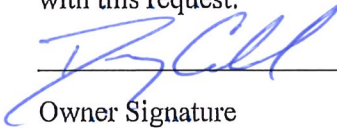
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

We are wanting to place a picket fence in the front yard. We are next to a unused alley that makes us a corner lot.

CERTIFICATION BY PROPERTY OWNER

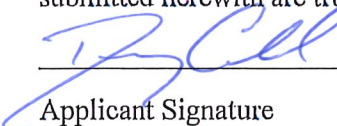
I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.


Owner Signature

4-14-24
Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.


Applicant Signature

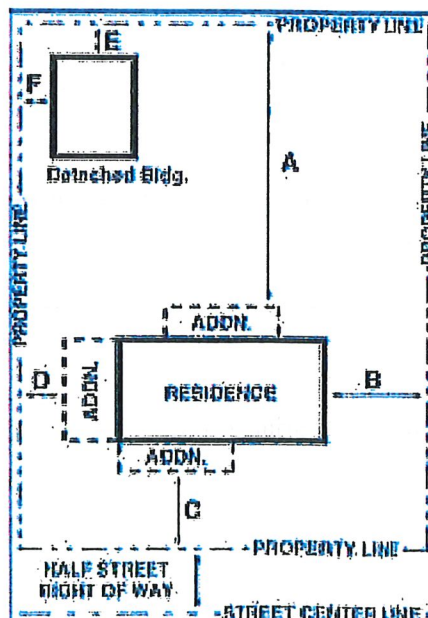
4-14-24
Date



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

The following attachments are required for consideration of your request:

- I. Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. A scale of not less than one inch equals fifty feet (1" = 50') if the subject property is less than three (3) acres and one inch equals one hundred feet (1" = 100') if three (3) acres or more. Date, north point and scale.
 2. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties. The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property. The location of all existing and proposed drives and parking areas. The location and right-of-way widths of all abutting streets and alleys.
 3. Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).





Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

II. Payment: Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the "City of Pekin".

III. Variance: If requesting a variance, you must complete and attach this page to your application:

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

Shape of fence next to alley

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

yes

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

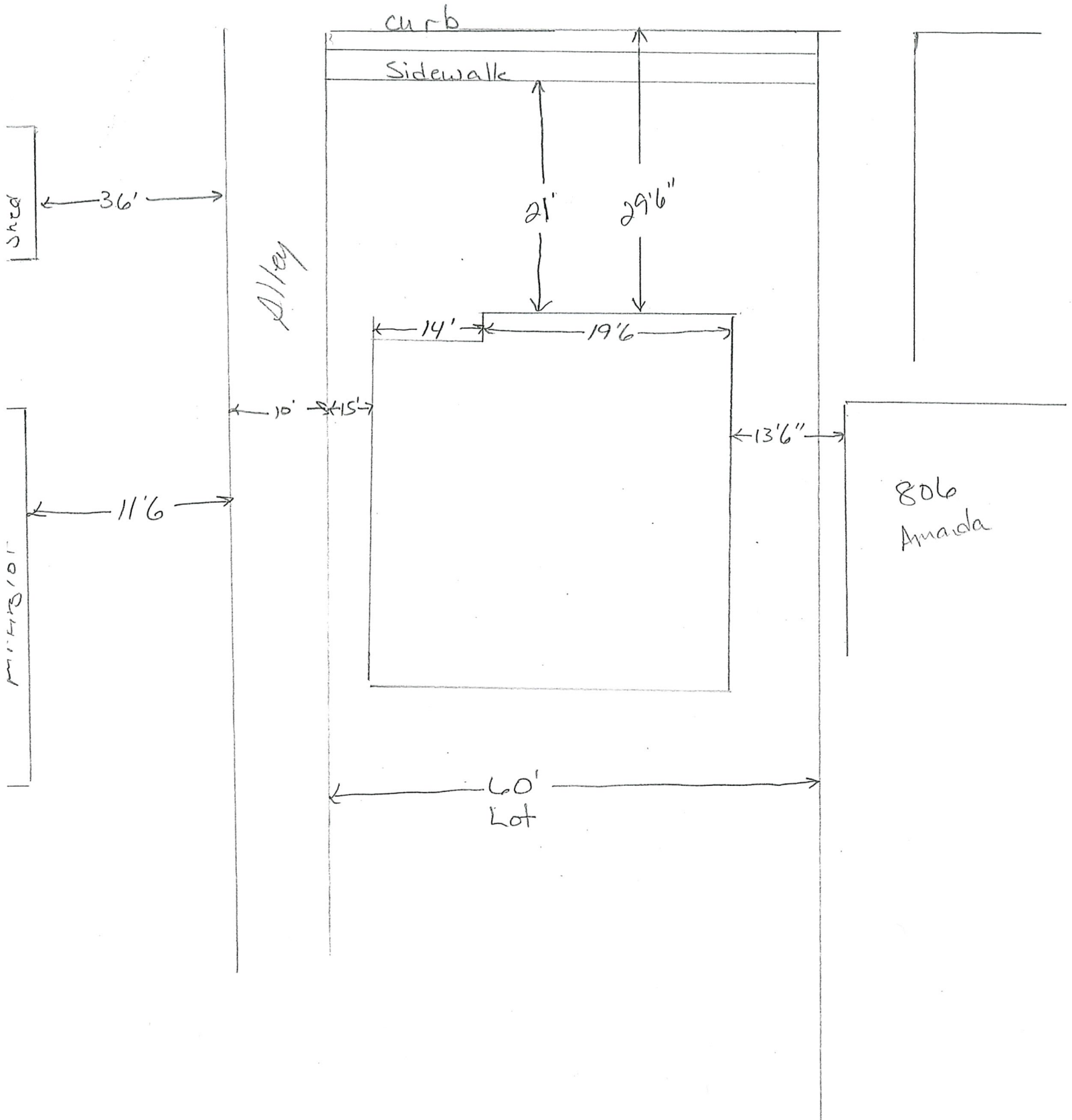
Not that I am aware

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

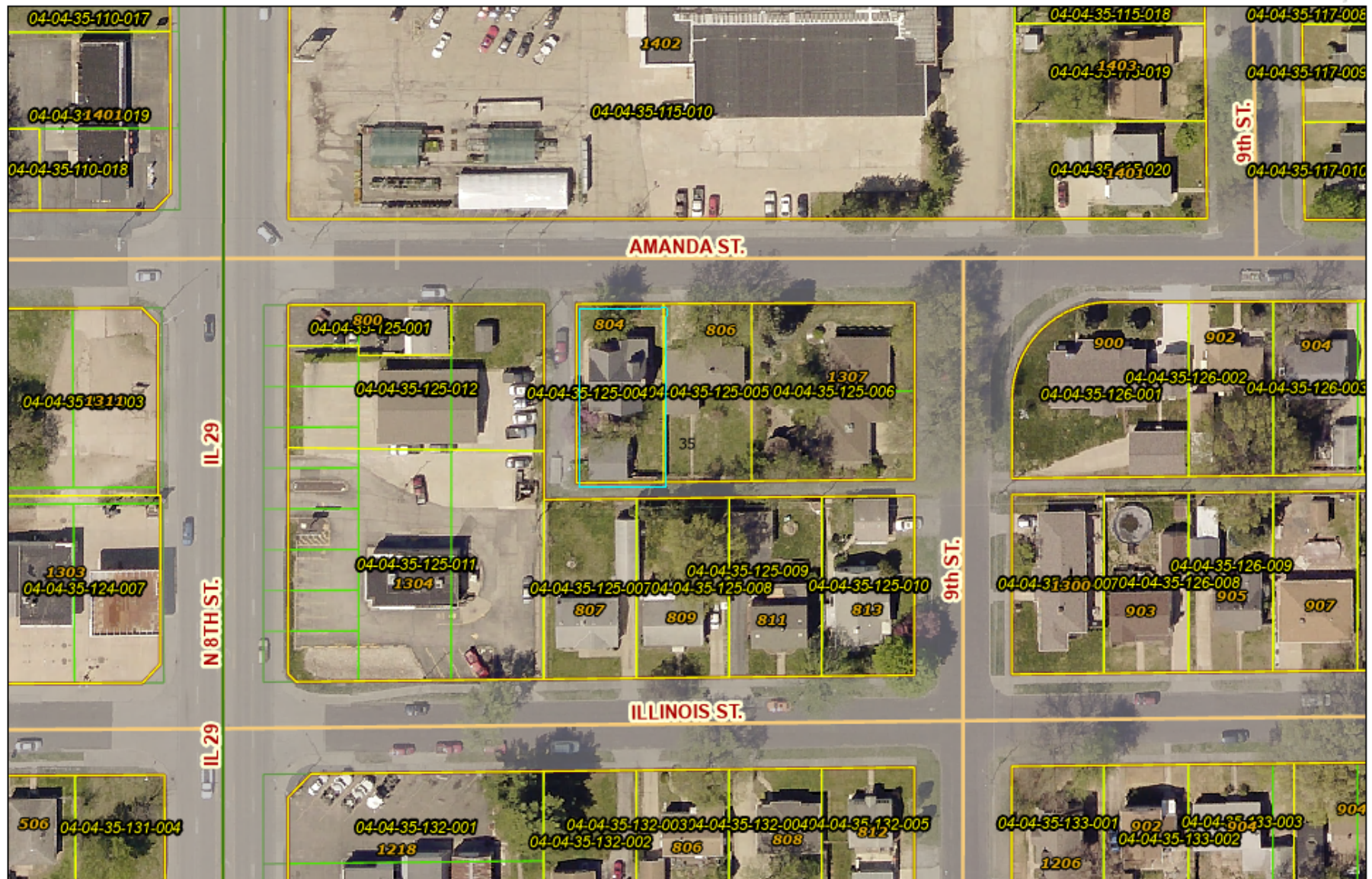
I believe so

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

Amanda St.



Tazewell County GIS



Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.



1:1,318

0 0.01 0.03 0.05 mi



REQUEST FOR COUNCIL ACTION

Agenda Date: May 8, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM:

Case V 2024-09

A variance request submitted by Benjamin and Manda Brown for the property located at 1435 California Road to Construct a 36-foot driveway approach. Said property has a legal description of SEC 32 T25N R4W COUNTRY CLUB ESTATES #6 LOT 97 NW ¼, with the following PIN 05-05-32-102-015, in Tazewell County, Illinois.

DESCRIPTION: Case V 2024-09

A variance request was submitted by Benjamin and Manda Brown for the property located at 1435 California Road to Construct a 36-foot driveway approach.

SUMMARY

The applicant wishes to install a 36-foot wide driveway approach due to home renovations that include reconstructing the garage and adding a third stall to allow for more off-street parking. The property is not within the corporate limits of the City of Pekin, but the driveway approach is within the City-controlled Right-Of-Way and has a lot frontage of 114 Feet. The City Code allows for a maximum driveway approach width of 30 feet with a lot frontage greater than 90 feet. Most driveway approaches in this unincorporated area are currently larger than 30 feet in width.

Section 4-3-9-1 General Requirements

(2) *Location.*

3. Driveway areas used as means of ingress and egress of any residential lot, shall not exceed 24 feet in width for residential lots with less than 90 feet of frontage or 30 feet in width for residential lots with 90 feet or more of frontage, not including driveway approach flares.

Requested Action

Provide a variance that would increase the maximum width of the driveway from 30 ft to 36 feet, which is 6 feet greater than what is currently allowed by the city code for a lot that has frontage greater than 90 feet.

STAFF NOTES

Staff recommends approval and believes there will be no negative impact on surrounding properties if this variance is granted as the size of the proposed driveway matches the existing driveways in that area.



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Board of Appeals Application for Consideration

<u>Type of Request (check one):</u> ☐ A. Special Use (\$85) ☒ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☐ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: <u>1435 California Rd, Pekin, IL</u> Current Zoning (if known): <u>Residential</u> Proposed Zoning (if rezoning request): _____ Current Use: <u>Front Lawn</u> Proposed Use (if different): <u>Driveway</u>
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Property Owner Name:	<u>Benjamin + Manda Brown</u>
Mailing Address:	<u>1435 California Rd, Pekin, IL 61554</u>
Phone:	<u>309 620 4149</u>
Alternative Phone:	<u>309 620 0039</u>
E-Mail Address:	<u>manda.brown00@gmail.com</u>

Applicant Name (if different):	
Mailing Address:	
Phone:	
Alternative Phone:	
E-Mail Address:	



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

The desire would be to have a 36' x 40' driveway leading up to our garage. Our garage is under construction currently, which includes adding a third stall and changing our current garage opening from north facing to east facing. With the addition of the third stall we would like to have a 36' wide driveway, which is cohesive with many homes on our street.

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

Manda L Brown

4/15/2024

Owner Signature

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Applicant Signature

Date



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

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We are reconstructing our garage and adding a third stall, we would like our approach to be 36' to allow most off street parking.

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

We are technically a County property, but because of the City's ownership of California we are under the 30' approach ordinance through the city.

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

In no way will this negatively impact our neighbors. Most neighbors have a 36' drive.

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

Yes

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

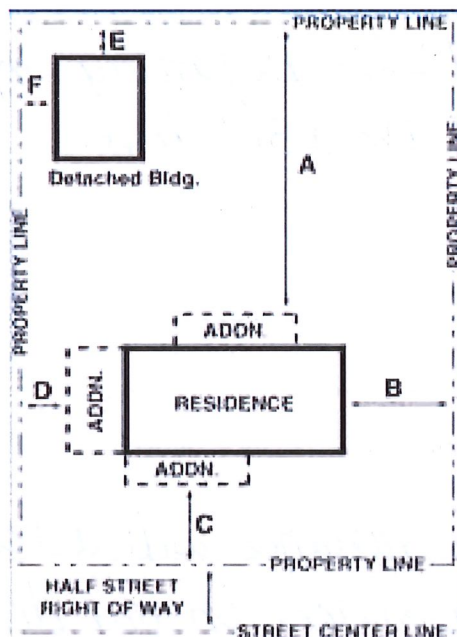
The granting of this variance will allow at least two additional parking spaces in our driveway to be utilized during gatherings which will reduce or omit the need for on street parking.



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

The following attachments are required for consideration of your request:

- I. Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. A scale of not less than one inch equals fifty feet (1" = 50') if the subject property is less than three (3) acres and one inch equals one hundred feet (1" = 100') if three (3) acres or more. Date, north point and scale.
 2. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties. The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property. The location of all existing and proposed drives and parking areas. The location and right-of-way widths of all abutting streets and alleys.
 3. Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).



↑

3/32 = 1'

no well

septic

16' to property line

Existing Home

44' to property line

Remove existing wall

Existing Drive To be removed
Grass to be planted

new concrete side walk

close old doorway
move 16' overhead door

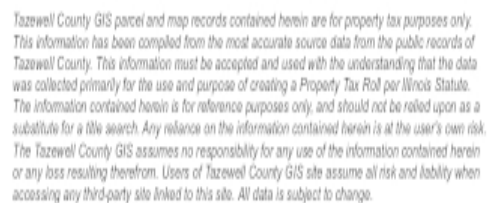
new 16' overhead door opening new concrete driveway

Garage addition proposed

Slab on grade

Property line

california



Concentration of inhibitor (mole/l)	Rate of polymerization (mole/l-hr)
0	0.08
0.04	0.06
0.07	0.04
0.15	0.02