



City of Pekin

REGULAR ZONING BOARD OF APPEALS MEETING
WEDNESDAY, FEBRUARY 9, 2022
5:00 PM

1.	Pledge of Allegiance
2.	Roll Call
3.	Agenda Approval
4.	Minutes Approval
4.1.	January 12, 2022 Minutes
5.	City Council Action Report
6.	Applications and Hearings
6.1.	CASE RZ 2022-02 A rezoning request by Joseph Urbana Investments, LLC for property currently zoned R-4 One Family Residential District to B-3 General Business District, located at the northeast corner of Court Street and Reservoir Road with legal description of SEC 1 T24N R5W .6 AC TRACT IN SW COR OF SW 1/4 SE 1/4 OF SE 1/4 and P.I.N. #04-10-01-407-055, in Tazewell County, Illinois.
6.2.	CASE SU 2022-01 A special use request submitted by Steve Reeves to allow for the construction of two storage units on property located at 141 South Veterans with a legal description of SEC 5 T24N R4W ESTATES AT LAKEVIEW FINAL PLAT LOT 15 NW 1/4 19.47 AC with the following P.I.N. #11-11-05-101-015 in Tazewell County, Illinois.
6.3.	CASE V 2022-01 A variance request submitted by Steve Reeves to allow for the use of white rock instead of concrete materials for access drives beyond concrete apron from public thoroughway to structures proposed for development on property located at 141 South Veterans with a legal description of SEC 5 T24N R4W ESTATES AT LAKEVIEW FINAL PLAT LOT 15 NW 1/4 19.47 AC with the following P.I.N. #11-11-05-101-015 in Tazewell County, Illinois.
6.4.	CASE V 2022-02 A variance request submitted by McMahonill & Sons, Inc to reduce the required side yard setback in a B-3 General Business District from 10' to 4' on property located at 1201 Court Street with a legal description of SEC 2 T24N R5W EAST ADDITION W 151.5 FT OF LOT 13 NE 1/4 with the following P.I.N. #04-10-02-209-010 and SEC 2 T24N R5W ELIZABETH YOUNGS ADDN W 130' LOT 4 NE 1/4 with the following P.I.N.

#04-10-02-209-020, both located in Tazewell County, Illinois.

7. Informal

8. Public Input

9. Adjourn

Pekin Zoning Board of Appeals
111S. Capital Street
City Council Chambers 2nd Floor
January 12, 2022
5:00 PM

Present: Donald Hild, David Huskisson, Chris Lang, Mary Lanane, Kelly Madden, Kim Joesting, James Ruth, Amy Wilson.

The regular meeting of the Pekin Board of Appeals was called to order and a quorum was declared. Staff present: Matt Fick, Community Development Director and Kathie Brown, Economic Development Program Support.

MOTION by Commissioner Madden to approve the January 12, 2022, modified agenda seconded by Commissioner Hild. Motion carried 7-0.

Minutes for the December 9, 2021 meeting were all approved with all members present voting aye.

City Council Action Report – there was no report to council a report will be given following the approval of the December minutes.

Case RZ 2022-01 Public Hearing Opened at 5:03 p.m.

A rezoning request by Jim Fletcher Jr. for property currently zoned B-3, General Business District, to R-4, One Family Residential District, located at 502 Hamilton Street.

The petitioner was not present for the hearing. Matt Fick, Community Development Director, stated the change in zoning was triggered by the possible sale of the property and the buyers inability to get financing due to the Commercial zoning. The general discussion among staff and commissioners was that the request would not have a negative impact on the area. Hearing closed at 5:15 p.m.

Commission members brought forth additional concerns regarding lighting, however current lighting standards require that lighting be shielded and not cascade into the street. Currently lighting compliance should not create issues for individual residential living nearby which currently includes an apartment complex. Generally, commissioners view a change from renter occupancy to owner occupied residential a positive contribution to the neighborhood.

Commissioner Lanane made a motion to approve the request for rezoning to residential, motion seconded by Commissioner Lang. Motion carried 6-1.

Communication: January 12, 2022 Minutes (Minutes Approval)

Proposed Zoning Code Changes to Create B-4 Commercial Zoning District Hearing Opened at 5:25 p.m.

Ordinance proposing zoning code changes to include the creation of a B-4 Commercial Zoning District as well as the rezoning of several properties to the B-4 Commercial Zoning District.

Businesses in the targeted area have expressed limited concern, primary concerns revolve around a businesses ability to utilize the areas outside of the building. The conversation shifted to consideration for the creation of B-2 zoning, which would accommodate current planning needs. Additionally, it was recommended that a cap be placed on the number of gaming licenses that are granted and that a separation distance be established to eliminate the potential for multiple gaming parlors under one roof.

General recommendation is to revisit this issue with additional data and information around current gaming facilities in the community and understanding of how other communities are placing controls around gaming in their respective communities. Commissioners asked staff to conduct additional research looking at gaming rules, setbacks, parlors, café, etc. utilized by other communities and imposed by the county

Commissioner Thompson made a motion to approve the creation of B-4 Commercial Zoning District, motion seconded by Commissioner Madden. Motion failed 0-8

Next meeting will be February 9, 2022, at 5:00 p.m.

Adjourned 5:45 p.m.

Matt Fick, Secretary

Pekin Planning Commission

Communication: January 12, 2022 Minutes (Minutes Approval)



Matt Fick, Director of
Community Development
111 S. Capitol Street
Pekin, Illinois 61554
mfick@ci.pekin.il.us
(309) 478-5355

To: Board of Appeals Members
From: Matt Fick *mf*
Re: January Cases
Date: February 4, 2022

CASE RZ 2022-02

A rezoning request by Joseph Urbana Investments, LLC for property currently zoned R-4 One Family Residential District to B-3 General Business District, located at the northeast corner of Court Street and Reservoir Road.

SUMMARY:

The petitioner owns 2301 Court Street and 2307 Court Street, which are both zoned B-3. They also own the parking lot directly north of those properties, which is currently zoned R-4 Residential. The parking lot is considered a legal non-conforming use and can continue to be used as such, however the petitioner would like to rezone it to B-3 as well so it is a legal use moving forward.

RECOMMENDATION

Approval

CASE SU 2022-01

A special use request submitted by Steve Reeves to allow for the construction of two storage units on property located at 141 South Veterans.

SUMMARY:

141 South Veterans is zoned B-3 General Business District. The petitioner is seeking a special use to construct 2 (two) self-storage units on the east half of the property on behalf of the proposed buyer who owns Force Masonry Construction. The code requires the following conditions be met for consideration of the special use:

1. Mini-storage/self-storage complexes or facilities shall not be placed adjacent to a residential use or district.
2. Mini-storage/self-storage complexes shall be set back a minimum of 100 feet from a street frontage property line.
3. Access driveways to all storage units shall be paved.
4. Each storage unit doorway shall be lighted.

Because this property abuts R-1 Single Family zoning to the west, the petitioner is proposing to subdivide the parcel to create an additional B-3 zoning lot to meet buffering requirements.

Attachment: February 2022 Recommendations (2019 : CASE RZ 2022-02)

RECOMMENDATION

This property has been for sale for a number of years and the proposed storage units are something that are likely needed in that area. The topography of the land is such that adjacent residences would not be able to see the proposed storage units, but creation of the buffer strip is still necessary to satisfy code requirements. Approval is recommended on the condition the petitioner agrees to comply with all of the code requirements, including paving of all access driveways.

CASE V 2022-01

A variance request submitted by Steve Reeves to allow for the use of white rock instead of concrete materials for access drives beyond concrete apron from public throughway to structures proposed for development on property located at 141 South Veterans.

SUMMARY:

The purchaser, Force Masonry Construction, would like to construct a workshop/office in the northwest corner of the property which will require installation of a long access drive. Due to the weight of the construction equipment they would also need to pour the drive in extra thick concrete. The costs related to this make the project too expensive according to the petitioner and they are therefore seeking a variance of the hard surfacing requirement.

RECOMMENDATION

While this location is somewhat remote, and use of white rock will not substantially affect adjacent properties, it does set a precedent if the variance is approved and will make enforcement of future hard surfacing requirements difficult. Staff recommends denial of this request.

CASE V 2022-02

A variance request submitted by McMahonill & Sons, Inc to reduce the required side yard setback in a B-3 General Business District from 10' to 4' on property located at 1201 Court Street.

SUMMARY:

The owner of the gas station/convenience store at 1201 Court Street is seeking an expansion of their facility. However, they are limited by the presence of existing fuel tanks and location of the electrical service. They are seeking to expand to the east but cannot meet the required 10' side yard setback and still accommodate the desired square footage. The side yard does not appear to be used for vehicular access to the rear and the adjacent use is commercial with a drive through lane that buffers the building from this property so it does not appear that granting a variance will have a negative impact.

RECOMMENDATION

Approval.



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 (\$85) ☐ E. Annexation (\$85)	Request Property Address or PIN: <u>PIN 04-10-01-407-055</u> Current Zoning (if known): <u>R-4</u> Proposed Zoning (if rezoning request): <u>B-3 COMMERCIAL</u> Current Use: <u>PARKING LOT</u> Proposed Use (if different): <u>SAME</u>
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Property Owner Name:	<u>Joseph URBANA INVESTMENTS, LLC</u>
Mailing Address:	<u>5001 N. UNIVERSITY ST. - Peoria, IL</u>
Phone:	<u>(309)-692-1135</u> <u>61614</u>
Alternative Phone:	
E-Mail Address:	<u>billjoseph@djoseph.com</u>

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



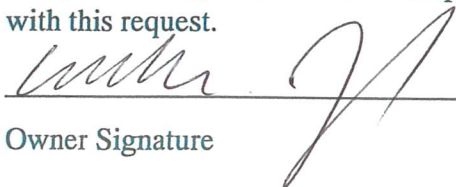
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

The subject property is ZONED B-3
commercial except for the northerly 100 feet, which
is zoned R-4. The requested rezoning will provide
commercial zoning for the entire property.

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

1-10-22
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

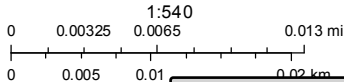
Attachment: RZ 2022-02 Joseph Packet Attachments (2019 : CASE RZ 2022-02)



Attachment: RZ 2022-02 Joseph Packet Attachments (2019 : CASE RZ 2022-02)

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|-------|--------|---------|
| I-155 | IL 29 | US 24 |
| I-474 | IL 98 | Streets |
| I-74 | US 150 | |

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LEGAL DESCRIPTION
(PARCEL A - PROPOSED REZONING TO B-3 COMMERCIAL)

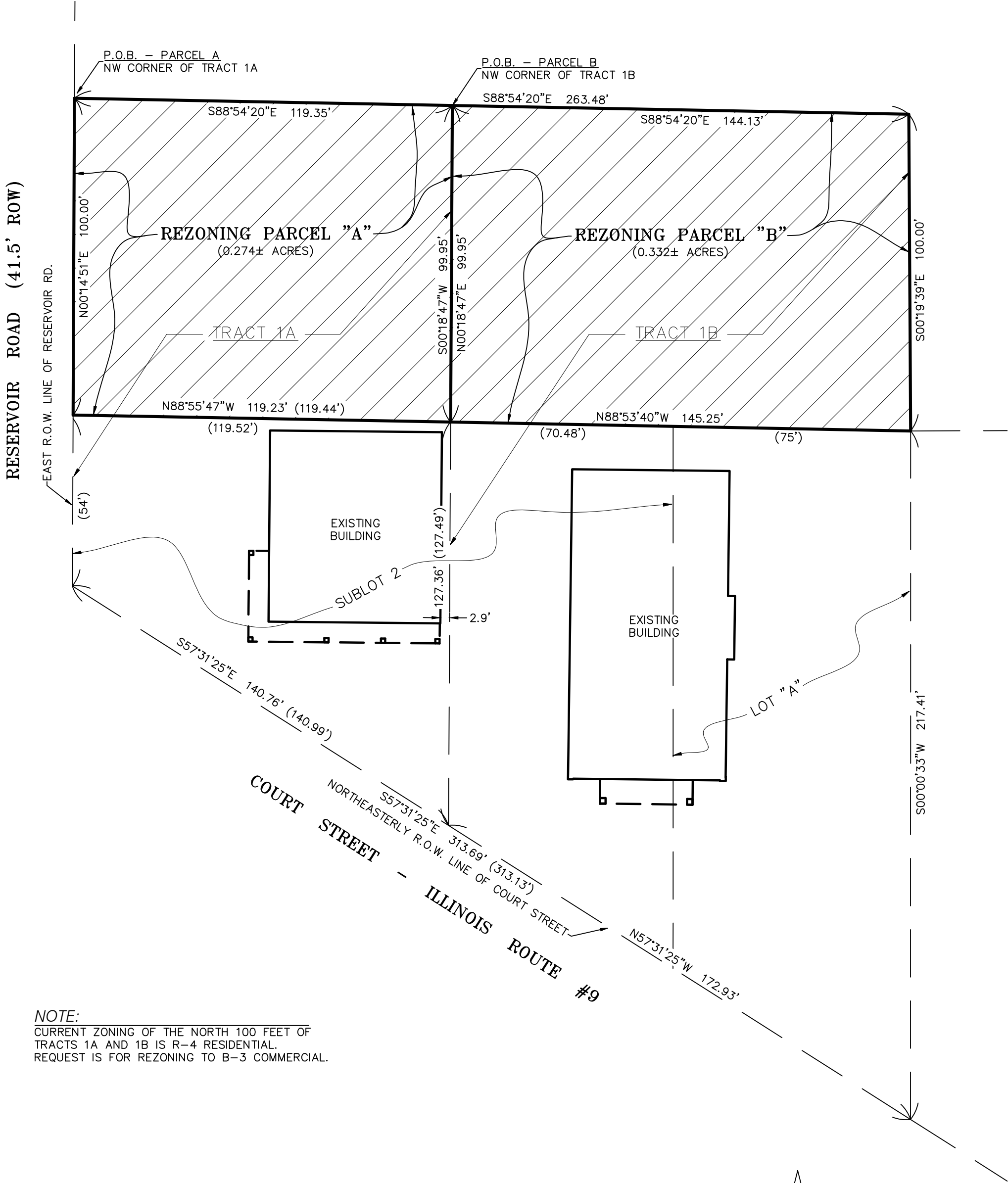
A PART OF TRACT 1A, (SAID TRACT 1A AS SHOWN IN PLAT RECORDED AS DOCUMENT NO. 202100022364 AT THE RECORDER'S OFFICE OF TAZEWEILL COUNTY, ILLINOIS), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 1A AS THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE S88°-54'-20"E ALONG THE NORTH LINE OF SAID TRACT 1A, A DISTANCE OF 119.35 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1A; THENCE S00°-18'-47"W ALONG THE EAST LINE OF SAID TRACT 1A, A DISTANCE OF 99.95 FEET TO THE NORTH LINE OF SUBLOT 2 OF LOT 52 OF THE S.E.1/4 OF SECTION 1, T.24N., R.5W. OF THE 3RD P.M.; THENCE N88°-55'-47"W ALONG THE NORTH LINE OF SAID SUBLOT 2, A DISTANCE OF 199.23 FEET TO THE NORTHWEST CORNER OF SAID SUBLOT 2; THENCE N00°-14'-51"E, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWEILL AND STATE OF ILLINOIS.

LEGAL DESCRIPTION
(PARCEL B - PROPOSED REZONING TO B-3 COMMERCIAL)

A PART OF TRACT 1B, (SAID TRACT 1B AS SHOWN IN PLAT RECORDED AS DOCUMENT NO. 202100022364 AT THE RECORDER'S OFFICE OF TAZEWEILL COUNTY, ILLINOIS), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 1B AS THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE S88°-54'-20"E ALONG THE NORTH LINE OF SAID TRACT 1B, A DISTANCE OF 144.13 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1B; THENCE S00°-19'-39"E ALONG THE EAST LINE OF SAID TRACT 1B, A DISTANCE OF 100.00 FEET; THENCE N88°-53'-40"W, A DISTANCE OF 145.25 FEET TO THE WEST LINE OF TRACT 1B; THENCE N00°-18'-47"E ALONG THE WEST LINE OF SAID TRACT 1B, A DISTANCE OF 99.95 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWEILL AND STATE OF ILLINOIS.



NOTE:
CURRENT ZONING OF THE NORTH 100 FEET OF TRACTS 1A AND 1B IS R-4 RESIDENTIAL.
REQUEST IS FOR REZONING TO B-3 COMMERCIAL.

STATE OF ILLINOIS)
COUNTY OF PEORIA)

WE, ZUMWALT AND ASSOCIATES, INC., PROFESSIONAL ENGINEERS AND LAND SURVEYORS, DO HEREBY CERTIFY THAT WE HAVE PREPARED A PLAT FOR REZONING OF PROPERTY BEING A PART OF TRACTS 1A AND 1B, BEING A PART OF THE SE 1/4 OF SECTION 1, T.24N., R.5W., OF THE 3RD P.M., TAZEWEILL COUNTY, ILLINOIS, AND THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID PLAT AS DRAWN TO A SCALE OF 1" = 30 FEET.
DATED THIS 11TH OF JANUARY, A.D. 2022.

BY Gary R. Zumwalt
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2326
LICENSE EXPIRATION DATE 11-30-22



DRAWN BY: MJF	ZUMWALT & ASSOCIATES, INC. PROFESSIONAL ENGINEERS • REGISTERED LAND SURVEYORS 1040 W. OLYMPIA DRIVE PEORIA, ILLINOIS • (309) 692-5074 DESIGN FIRM REGISTRATION NO. 184-003189	REZONING PLAT FOR JOSEPH URBANA INVESTMENTS, LLC	1 / 1 JOB NO. 20,864
APPROVED BY: GRZ			
DATE: JANUARY 11, 2022			
DWG: 20864-Z-001			

Legal Description
(Parcel A – Proposed Rezoning to B-3 Commercial)

A PART OF TRACT 1A, (SAID TRACT 1A AS SHOWN IN PLAT RECORDED AS DOCUMENT NO. 202100022364 AT THE RECORDER'S OFFICE OF TAZEWELL COUNTY, ILLINOIS), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 1A AS THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE S88°-54'-20"E ALONG THE NORTH LINE OF SAID TRACT 1A, A DISTANCE OF 119.35 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1A; THENCE S00°-18'-47"W ALONG THE EAST LINE OF SAID TRACT 1A, A DISTANCE OF 99.95 FEET TO THE NORTH LINE OF SUBLOT 2 OF LOT 52 OF THE S.E.1/4 OF SECTION 1, T.24N., R.5W. OF THE 3RD P.M.; THENCE N88°-55'-47"W ALONG THE NORTH LINE OF SAID SUBLOT 2, A DISTANCE OF 199.23 FEET TO THE NORTHWEST CORNER OF SAID SUBLOT 2; THENCE N00°-14'-51"E, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWELL AND STATE OF ILLINOIS.

Legal Description
(Parcel B – Proposed Rezoning to B-3 Commercial)

A PART OF TRACT 1B, (SAID TRACT 1B AS SHOWN IN PLAT RECORDED AS DOCUMENT NO. 202100022364 AT THE RECORDER'S OFFICE OF TAZEWELL COUNTY, ILLINOIS), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 1B AS THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE S88°-54'-20"E ALONG THE NORTH LINE OF SAID TRACT 1B, A DISTANCE OF 144.13 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1B; THENCE S00°-19'-39"E ALONG THE EAST LINE OF SAID TRACT 1B, A DISTANCE OF 100.00 FEET; THENCE N88°-53'-40"W, A DISTANCE OF 145.25 FEET TO THE WEST LINE OF TRACT 1B; THENCE N00°-18'-47"E ALONG THE WEST LINE OF SAID TRACT 1B, A DISTANCE OF 99.95 FEET TO THE POINT OF BEGINNING, SITUATE, LYING AND BEING IN THE COUNTY OF TAZEWELL AND STATE OF ILLINOIS.



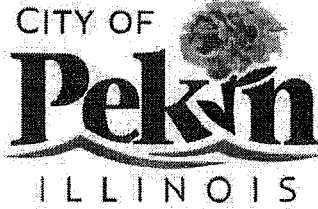
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

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 (\$85) ☐ E. Annexation (\$85)	Request Property Address or PIN: <u>11.11.05.101.015</u> Current Zoning (if known): _____ Proposed Zoning (if rezoning request): _____ Current Use: <u>Vacant Land</u> Proposed Use (if different): <u>Self Storage Development.</u>
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Property Owner Name:	<u>Estates at Lakewood LTD.</u>
Mailing Address:	<u>141 S Veterans Rd, Pekin IL 61554</u>
Phone:	<u>309.360.5505</u>
Alternative Phone:	<u>—</u>
E-Mail Address:	<u>brent@glasseyappraisal.com</u>

Applicant Name (if different):	<u>Steve Reeves, Joseph + Camper</u>
Mailing Address:	<u>5001 N. University St, Peoria, IL 61614</u>
Phone:	<u>309.550.0139</u>
Alternative Phone:	<u>—</u>
E-Mail Address:	<u>stever Reeves@josephcamper.com</u>



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

Please summarize your request and explain why it is necessary:

Proposed Self Storage Buildings (2).

Self Storage is a Special Use according to Municipal Code.

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

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

Attachment: SU 2022-01 Reeves Packet Attachments (2920 : CASE SU 2022-01)



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

Please summarize your request and explain why it is necessary:

Concrete apron from public thoroughway + white rock approach
thereafter for vacant land development into 2 building self-
storage development.

Variance requested due to prohibitive cost of concrete for all
access roads.

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

Date

CERTIFICATION BY THE APPLICANT (if different)

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Applicant Signature

Date

Attachment: SU 2022-01 Reeves Packet Attachments (2920 : CASE SU 2022-01)



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.

Prohibitive cost of concrete. White rock use requested after initial concrete apron.

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

No

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

No

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)?

Yes

Attachment: SU 2022-01 Reeves Packet Attachments (2920 : CASE SU 2022-01)

225

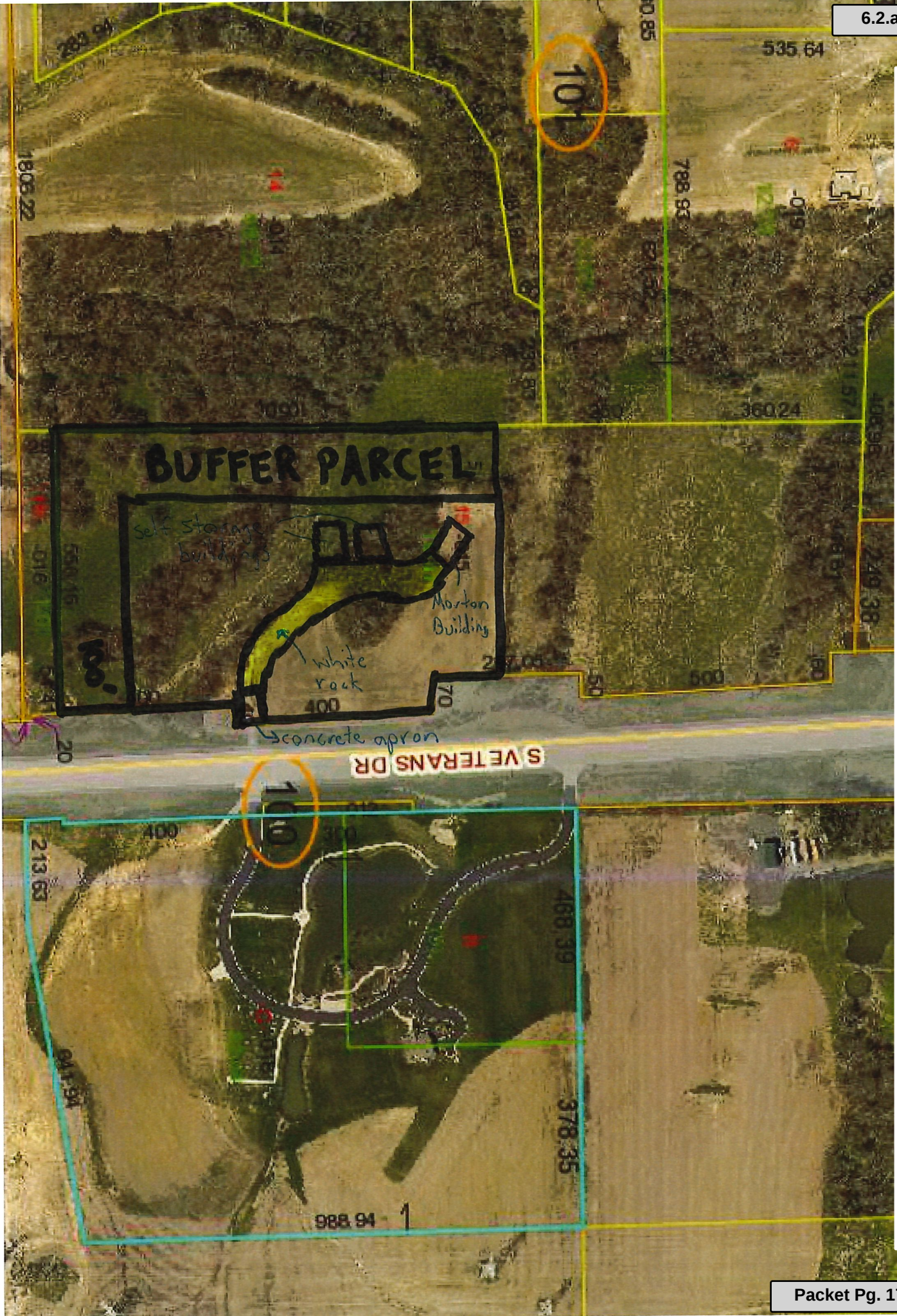
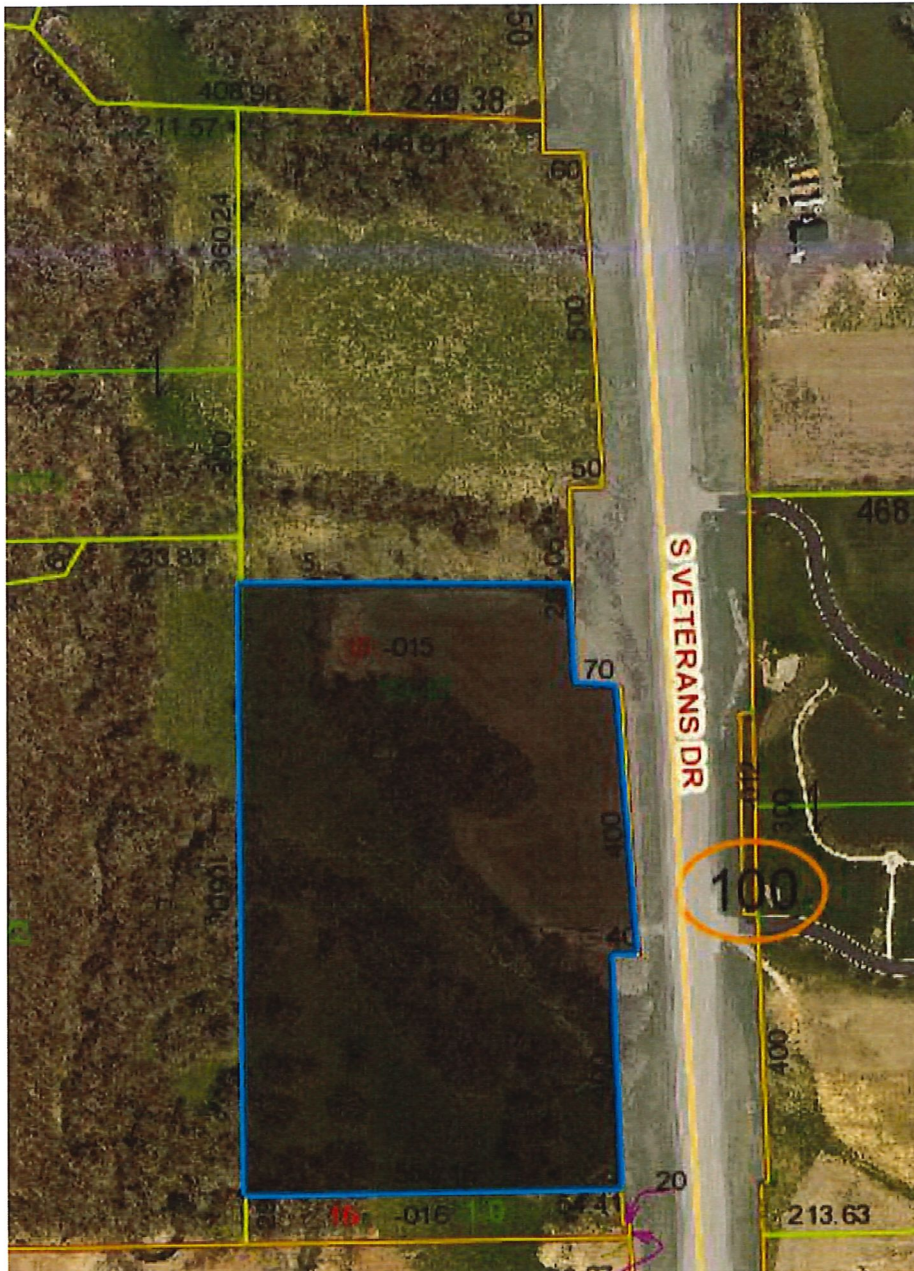


EXHIBIT A

Proposed existing Parcel Split.

Portion of SEC 5 T24N R4W ESTATES AT LAKEVIEW FINAL PLAT LOT 15 NW 1/4 19.47 acres.

(11.7 acres $\pm$)



Measurement



1 Acres ▼

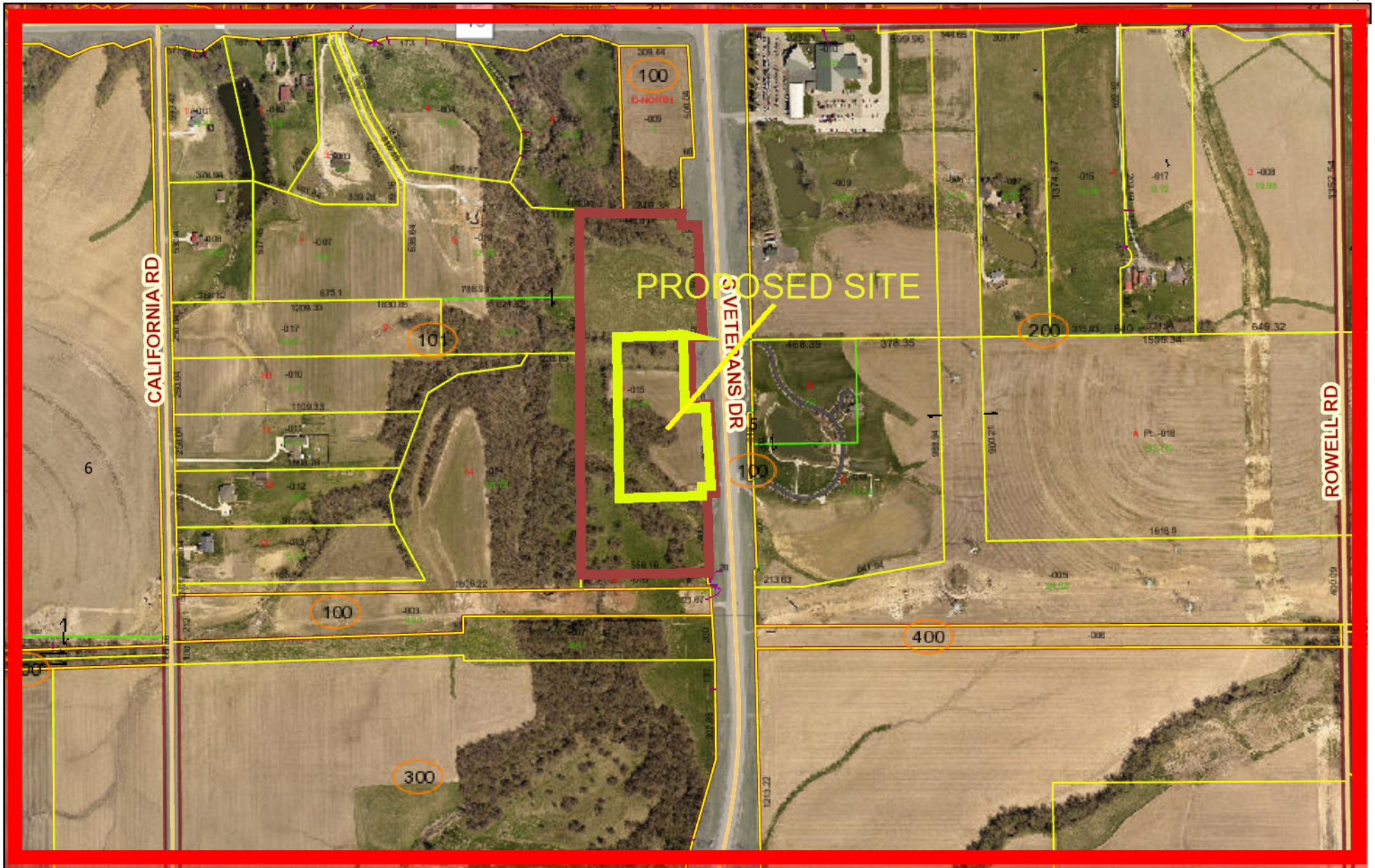
Measurement Result

11.7 Acres

Attachment: SU 2022-01 Reeves Packet Attachments (2920 : CASE SU 2022-01)

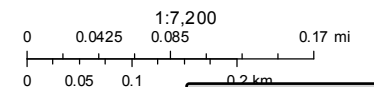
VETERANS DRIVE DIVIDED

6.2.a



- | | | |
|---------|----------|-----------|
| — I-155 | — IL 29 | — US 24 |
| — I-474 | — IL 98 | — Streets |
| — I-74 | — US 150 | |

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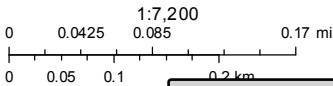
VETERANS DRIVE PARCEL



Attachment: SU 2022-01 Reeves Packet Attachments (2920 : CASE SU 2022-01)

- I-155 IL 29 US 24
- I-474 IL 98 Streets
- I-74 US 150

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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 (\$85) ☐ E. Annexation (\$85)	Request Property Address or PIN: <u>1201 COURT ST PEKIN 61554</u>
	Current Zoning (if known):
	Proposed Zoning (if rezoning request): <u>NA</u>
	Current Use:
	Proposed Use (if different): <u>NA</u>

Property Owner Name:	<u>SABRY MALAHEE</u>
Mailing Address:	<u>C/O 1201 COURT ST PEKIN IL 61554</u>
Phone:	<u>312-539-3771</u>
Alternative Phone:	
E-Mail Address:	<u>smalahoe@gmail.com</u>

Applicant Name (if different):	<u>McMAHILL & SONS, INC / STEVE McMAHILL</u>
Mailing Address:	<u>1619 W LUTHER, PEORIA, IL 61615</u>
Phone:	<u>309-676-2597</u>
Alternative Phone:	<u>309-219-2597</u>
E-Mail Address:	<u>office@memahillandsens.com</u> <u>steven@memahillandsens.com</u>



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 business owner, Sabry Malahee, is planning to engage McMahon & Sons Construction to build a approx. 684 tsf addition to the existing gas station/ convenience mart building, located at 1201 Court St in Pekin, Illinois. Due to the existing site limitations, specifically, the location of the existing fuel tanks and electric service, the requested 4'0" variance to the setback requirement is needed to allow for the addition to be constructed in the only viable location. There is no change to the existing zoning or use of this property.

Respectfully,

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

1/20/2022

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

1/20/2022

Date

Attachment: V 2022-02 McMahon Packet Attachments (2924 : CASE V 2022-02)



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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.

DUE TO THE LOCATION OF THE EXISTING FUEL TANKS & ELECTRICAL SERVICE, WE ARE SEEKING A VARIANCE OF 4'0" TO ALLOW A SETBACK OF 6'0" FROM THE EAST PROPERTY LINE. THIS IS THE ONLY VIABLE OPTION FOR THE LOCATION OF THE PROPOSED ADDITION.

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

YES. THIS VARIANCE IS NEEDED AND IS NOT CAUSED BY ACTIONS OF THE OWNER NOR THE APPLICANT. THIS BUSINESS HAS OUTGROWN THE LIMITED EXISTING SPACE.

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

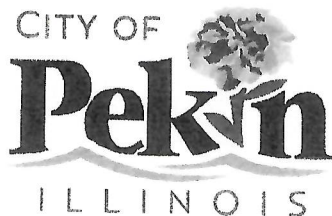
No.

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)?

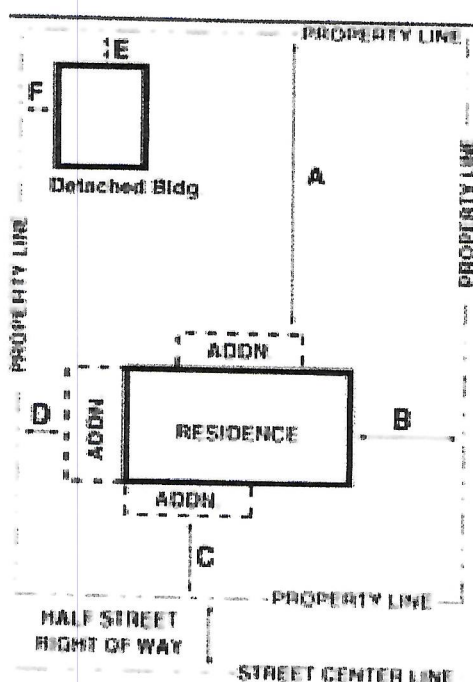
YES. THE BENEFITS OUTWEIGH ANY NEGATIVE IMPACTS (NONE ARE KNOWN).



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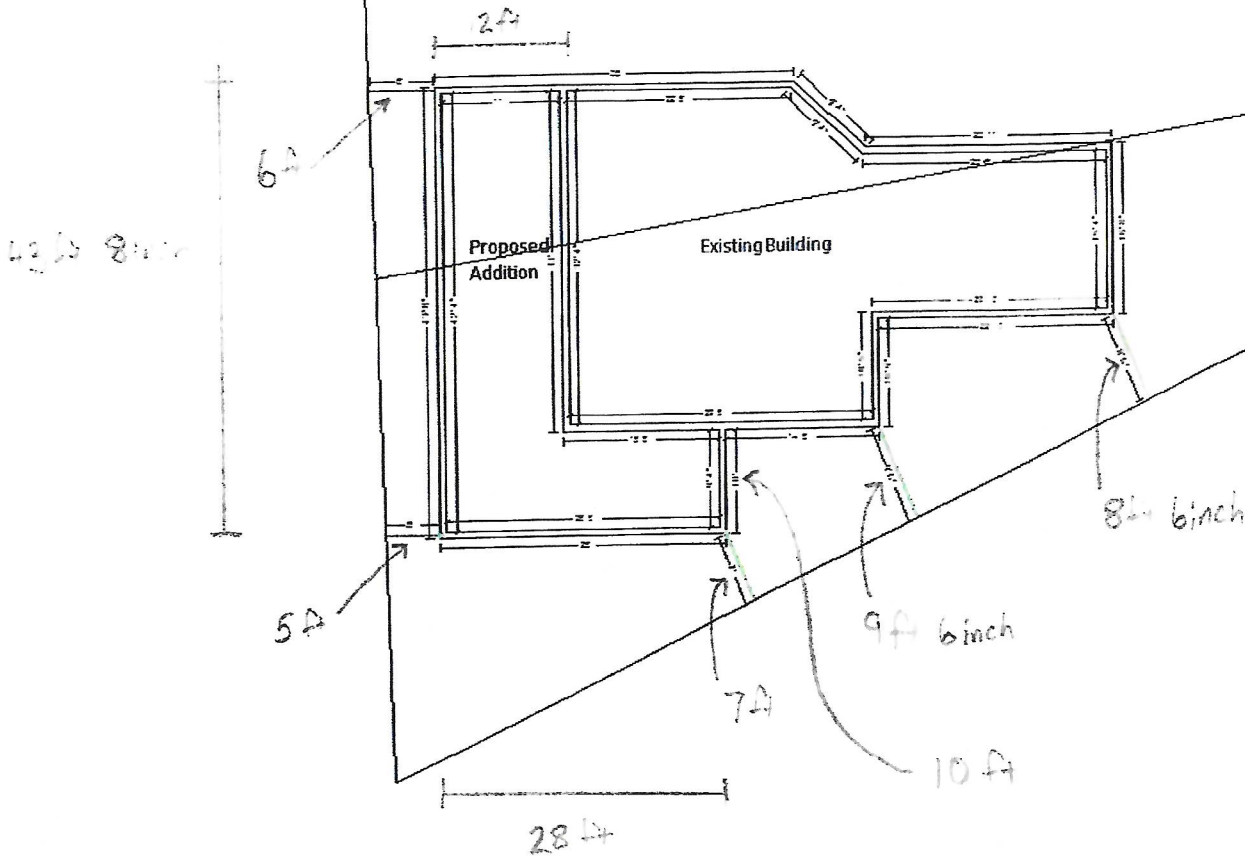
The following attachments are required for consideration of your request:

- 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).



Mobil Gas Station
1201 Court St., Pekin, IL
Sabry Malahee

Pump Awning



Prepared by: J. Kinoshita
Packet Pg. 25



- | | | |
|-------|--------|---------|
| I-155 | IL 29 | US 24 |
| I-474 | IL 98 | Streets |
| I-74 | US 150 | |

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.

