

Pekin Zoning Board of Appeals
111 S. Capital Street
City Council Chambers 2nd Floor January 11, 2023
5:00 PM

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

The regular meeting of the Pekin Board of Appeals was called to order and quorum was declared. Staff present: Hannah Martin, Alina Kramer (Administrative Assistant) and Josh Harman (Legal Counsel).

The meeting was called to order at 5:00 PM. Motion by Commissioner Deverman and second by Commissioner Deverman. Motion carried 7-0.

Motion by Commissioner Ruth to approve minutes for the November 30, 2022, seconded by Commissioner Deverman. Motion carried 6-0 (Commissioner Wilson abstained).

Case V 2023-01

A variance request by Drew Leman (McKinley Apartments LLC) to waive the obscuring wall requirement where the off-street parking area at 100 Ironwood Dr abuts a residential district. Said property is zoned OS-1 Office Service District with a legal description of SEC 31 T25N R4W HICKORY HILLS ESTATES SEC 4 LOT 5 (EXC SW COR) NW 1/4 AAA 19 & 20, with the following PIN: 05-05-31-311-037, in Tazewell County, Illinois.

Public Hearing open at 5:05 pm

Drew Leman: with Leman Property gave a review/history of the property. Drew states that building a wall would not be consistent with the rest of the properties on Broadway. Drew stated most businesses along Broadway do not have a fence or wall.

Travis Reagan, resident at 201 Dogwood Lane that backs up to The McKinley Apartments is asking the city to leave in the rules and regulations that are within the city's code.

Travis explained that there are rules to live within Hickory Hills such as appropriate fencing, garages etc. He states that fencing could be done in an attractive way. Travis indicates that while the properties on Broadway do not have fencing, there are shrubs that provide a barrier between the properties and residence.

Public hearing closed at 5:17 pm

Commissioner Wilson stated that a full wall seems a bit extreme and Commissioner Huskinson asked what the berm would provide, Commissioner Wilson explained that it does provide some light barrier but it would require more maintenance. Commissioner Dagit asked Drew if they planted trees and Drew indicated they did place trees around the dumpster/fence to make it look nicer (cosmetically). Commissioner Huskinson states that if there was a suggestion of placing trees down the lot line there

may not be enough room. Commissioner Dagit asked if Drew had been in contact with the other residents and Drew states that there has been no discussion with other residents, only Travis. Commissioner Wilson suggested there be a “middle ground” such as a solid board fence or vinyl fencing to block the light. Wilson has concerns that if we waive the variance to the “wall”, whatever solution suggested would not be sufficient to the resident as it would not comply with their HOA rules. Commissioner Hild states that he doesn’t think a fence would be appropriate but would suggest some greenery (tall). Commissioner Deverman agrees that some additional greenery would be a solution but not a masonry wall. Commissioner Ruth suggested that they could move the existing trees around the dumpster to the lot line to provide the additional greenery since Drew was not required to put the trees around the dumpster area.

To clarify, Attorney Harman states that the zoning committee is not asking to fully grant the variance but that we are suggesting a substitution of sufficient greenery/vegetation (3 feet tall at installation) rather than an obscurant wall.

Motion by Commissioner Madden Second by Commissioner Husskinson allowing a variance of the obscuring wall to permit a substitution of vegetation installed at at least thirty-six inches tall at the time of installation.

Motion approved 7-0

No further discussion.

CASE RZ 2023-01

A rezoning request submitted by Virginia Soper from R-4 One Family Residential District to OS-1 Office Service District for the property located at 901 Broadway St. Said property is zoned R-4 One Family Residential District with a legal description of SEC 35 T25N R5W CAMPBELL DURLEY & NEWHALLS ADDN S 100' OF LOT 7 BLK 29 SW 1/4 with the following PIN: 04-04-35-370-005, in Tazewell County, Illinois.

Public Input Open at 5:41pm

Mr. Kriegsman spoke on behalf of Alexander Tax, the potential business occupant of this property: They are working to make progress in regards to the business moving (see November ZBA Case RZ 2022-09 @ 1607 Charlotte St) but the owner has been told that they must move by January 30, 2023. They believe this location is a better fit for an OS-1 property than the 1607 Charlotte location where they have been operating.

Public Input closed at 5:43pm

Motion by Commissioner Madden and Seconded by Commissioner Wilson

Motion approved 7-0

Case V 2023-02

A variance request submitted by Kristine Riley for accessory structure setbacks 417 Edgewood Dr. Said property is zoned R-4 One Family Residential District with a legal description of SEC 36 T25N R5W

BRENTWOOD MANOR SUBD #2 LOT 53 SW 1/4, with the following PIN: 04-04-36-301-011, in Tazewell County, Illinois.

Public Input Open at 5:45pm

Mr. Riley, Owner of the residence states he would like to add a garage.

Public Input Closed at 5:46pm

Commissioner Hild states that the lots are small and he would like to see an addition rather than what is existing. Commissioner Husskinson agreed.

Motion made by Commissioner Deverman and second by Commissioner Wilson.

Motion to grant the variance request approved 7-0.

Other Items for Consideration

Commissioner Dagit has concerns with a property on South 14th (unsure of address), the property has a truck full of trash that has been there for two months. Discussion if the property is the city's property or if its Shaefferville. Hannah will look into this.

Meeting adjourned Motion by Deverman