



City of Pekin

REGULAR ZONING BOARD OF APPEALS MEETING WEDNESDAY, JULY 10, 2024 5:00 PM

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Approval of Minutes

4.1. Minutes from the June 12, 2024 Meeting

5. City Council Action Report

5.1. City Council Action Report June 24, 2024

6. New Business

6.1. **Case RZ 2024-04** A rezoning request submitted by Richwoods Christian Church from R-3 One Family Residential District to OS-1 Office Service District for the property located at 2221 Parkway Dr.

6.2. **Case V 2024-12** A variance request submitted by Roxie Roach for the property located at 1316 South 18th Street to reduce the minimum building setbacks for an accessory building.

7. Any Other Business Before the Board

8. Public Input

9. Adjourn

**REQUEST FOR COUNCIL ACTION**

Agenda Date: July 10, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: Minutes from the June 12, 2024 Meeting

DESCRIPTION: Meeting Minutes From the June 12, 2024, Zoning Board of Appeals Meeting

FINANCIAL IMPACT:

Requested Amount: N/A
 Line Item: N/A
 Budgeted Amount: N/A
 Remaining Funds: N/A
 Notes: N/A

REVIEWED BY:



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, JUNE 12, 2024 AT 5:00 PM
CHAIRMAN DON HILD PRESIDING**

Pledge of Allegiance

The Pledge of Alligance was led by Chairman Hild.

Call to Order

The regular meeting of the Pekin Zoning Board of Appeals was called to order and all members were physically present except for Commissioner Wilson. A quorum was declared by Chairman Hild.

Attendee Name	Organization	Title	Status	Arrived
Chris Deverman	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Donald Hild	Zoning Board of Appeals	Chair	Present	5:00 PM
David Huskisson	Zoning Board of Appeals	Commissioner	Present	5:00 PM
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
Amy Wilson	Zoning Board of Appeals	Commissioner	Absent	-: PM

Approve Agenda

A motion to approve the agenda was made by Commissioner Lanane and seconded by Deverman.

RESULT: PASSED (UNANIMOUS) MOVER: Commissioner Lanane SECONDER: Commissioner Deverman
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AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane and Madden.
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Approval of Minutes

4.1. Minutes from the May 8, 2024 Meeting

The Zoning Board of Appeals meeting minutes were approved from the meeting on May 8, 2024. A motion to approve was made by Commissioner Deverman and second by Commissioner Kelly.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Kelly
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane and Madden.

City Council Action Report

5.1. City Council Action Report From the May 13, 2024 City Council Meeting

Cases presented to council were approved.

New Business

6.1. Appointment of Vice Chairperson to the Zoning Board of Appeals

Chairperson Hild, nominated Commissioner Lanane for vicechair. Motion to approve was made by Commissioner Kelly and second by Deverman.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Kelly
SECONDER:	Commissioner Deverman
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting and Madden.

6.2. Case RZ 2024-03

A rezoning request was submitted by First Baptist Church from OS-1 Office Service District to R4-One Family Residential District for the properties located at 700 S. Capitol St. Said properties are currently zoned OS-1 Office Service District with a legal description, SEC 3 T24N R5W LEONARD ADDN E 81' OF N 81' LOT 3 NE ¼, SEC 3 T24N R5W LEONARD ADDN W 50' OF N 81' E 1/2 LOT 3 NE ¼, S 3 T24N R5W LEONARD ADDN S 150' OF E 1/2 LOT 3 NE ¼, with the following PINs: 04-10-03-234-009, 04-10-03-234-004 and 04-10-03-234-005, in Tazewell County, Illinois

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Huskisson

AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane and Madden.
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Public Input Open: 5:05 pm Public Input Closed: 5:05 pm

Motion made to approve by Commissioner Deverman and second by Huskisson

6.3. Case V 2024-10

A variance request submitted by Raymond & Gloria Long for the property located at 32 Rainbow Drive to allow for a fence to be built 8 Feet tall. Said property is zoned R-2 One Family Residential with a legal description, SEC 36 T25N R5W SHERIDAN HILLS LOT 6 NE1/4, with the following PIN 04-04-36-204-002, in Tazewell County, Illinois.

Motion to open a discussion by Commissioner Joesting and second by Lanane.

Public Input Open: 5:07pm Public Input Closed: 5:10pm

Raymond Long, owner, states that he has lived at this address for approximately 50 years. Mr. Long stated that the neighbors at 33 Rainbow Dr. have an elevation that is approximately 21 inches higher than theirs, which he feels averages out the height of the fence.

Commissioner Huskisson stated that he did notice the elevation of the property, which he feels allows the fence to blend and not look out of place.

Chairperson Hild asked if there were any logged complaints on 33 or 36 Rainbow Dr. and at this time there were zero logged complaints.

Commissioner Joesting asked Raymond if he put the fence in himself and they did not. They had a company install it. Raymond stated that the company told him that they (the company) would take care of the permit/variance/etc. Raymond states that the sales person whom told them they had taken care of all the paperwork, is no longer with the company. At this time, the owner has the fence reduced to 6 feet on one portion of the fence. Lanane states that, based on the slope, she would consider this, and she also feels the company was misleading.

Commissioner Deverman asked if the variance was for the entire fence or for the remaining panels. The variance is to leave the fence as is and not put the two feet back on (the panels previously removed). Commissioner Lanane asked if a permit had yet to be pulled and Nic confirmed there had not. Nic explained he would still need to do inspections on the posts, etc.

The owner stated that the fence is not set in concrete and Nic has concerns about the fence being 8 feet high, the wind might hinder the stability of the fence. Nic stated that based on how the property is at this time, he can not issue a permit with the fence being 8 foot high. The code requires the post to be in the ground at least 1/3 of the height of the fence. Mr. Long asked Nic if

the post was required to be in cement and Nic stated it could be in the ground.

Lanane suggested we look at this as if there wasn't a fence, would we approve an 8-foot fence? Commissioner Huskisson asked if we could table this to allow inspection to complete their process and the attorney states that we can table it if they do not deny it.

Commissioner Huskisson made a motion to approve the variance based on 46 feet of 8 feet fence on the southeast property, moving east to west for the existing fence to stay. Second by Deverman. Motion carried 4-2. Lanane and Joesting no.

6.4. Case V 2024-11

A variance request submitted by Hornecker Properties, LLC for the vacant property located at the corner of Velde Drive and Parkway Drive to reduce the minimum building to building setbacks from 30 feet to 16 feet. Said property is currently zoned RM-1 Multi-Family Residential and has a legal description, SEC 25 T25N R5W PT E 1/2 SE 1/4 OF NW ¼, with the following PIN 04-04-25-100-013, in Tazewell County, Illinois.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Huskisson
AYES:	Commissioners Hild, Joesting, Lanane and Madden.

Motion to discuss variance and site plan made by Chairperson Hild. All were in favor.

Public Input Open: 5: 42pm Public Input closed: 5:43pm

Jeff Hornecker asked for a variance for the buildings to be 16 feet apart rather than 30 feet.

Nic explained that there are some changes to the site plan, which includes 6 new buildings. The original site plan referenced 30 feet apart between buildings and Jeff is now proposing that the buildings would be 16 feet apart. Nic explained it is zoned an RM1 which allows 9 units per acre and the plan is 5 acres, and it is 6.8 units per acre, which is well within the 9 units per acre allowance. Commissioner Deverman asked about the size of the road, but the roads are private and they (Jeff) will maintain those roads. Commissioner Lanane asked if the units are for sale or if they are rentals, and the units are rentals. Nic also said that the fire dept had approved this plan as well.

6.5. Case SPR 2024-02

A site plan review request submitted by Hornecker Properties, LLC for the vacant property located at the corner of Velde Drive and Parkway Drive to build 17 duplex buildings. Said property is currently zoned RM-1 Multi-Family Residential and has a legal description, SEC 25 T25N R5W PT E 1/2 SE 1/4 OF NW ¼, with the following PIN 04-04-25-100-013, in Tazewell County, Illinois.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Madden
AYES:	Commissioners Hild, Huskisson, Joesting and Lanane.

6.6. Case A 2024-02

An annexation petition was submitted by Jeff E. & Elizabeth A. Todd for the property located at 13584 Manito Road and has a legal description, SEC 9 T24N R5W PT OF SE 1/4 (120 X 150 SW CORNER) SE 1/4 0.43 AC, with the following PIN 10-10-09-400-004, in Tazewell County, Illinois.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Huskisson
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Joesting and Lanane.

Public Hearing Open at 5:51pm Public Hearing Closed: 5:53pm

Jeff Todd asked to be annexed into Pekin. Jeff said that he had attempted to sell the property and had failed to do so. Jeff is looking to have the property zoned as I-2 so that he can build a video gaming lounge.

Any Other Business Before the Board

None

Public Input

None

Adjourn

Meeting adjourned 6:00pm Motion to adjourn by Kelly and second by Joesting.

City Council Action Report
Meeting Date
June 24, 2024 5:30 PM

All zoning cases that were recommended for approval during the June 12, 2024, Zoning Board of Appeals meeting were approved at the regularly scheduled City Council meeting held on Monday June 24, 2024.

- Case RZ 2024-03 was Approved
- Case V 2024-10 was Approved
- Case V 2024-11 was Approved
- Case SPR 2024-02 was Approved
- Case A 2024-02 was Approved



REQUEST FOR COUNCIL ACTION

Agenda Date: July 10, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case RZ 2024-04** A rezoning request submitted by Richwoods Christian Church from R-3 One Family Residential District to OS-1 Office Service District for the property located at 2221 Parkway Dr.

DESCRIPTION: Case RZ 2024-04

A Rezoning request was submitted by Richwoods Christian Church from R-3 One Family Residential District to OS-1 Office Service District for the property located at 2221 Parkway Dr. Said property is zoned R-3 One Family Residential District with a legal description of SEC 25 T25N R5W HOLIDAY HILLS SEC 7 LOT 379 SW 1/4 3.08 AC with the following PIN: 04-04-25-312-021, Tazewell County, Illinois

SUMMARY

Richwoods Christian Church wishes to change the zoning designation to OS-1 Office Service District for the property known as 2221 Parkway Dr. It is currently listed as R-3 One Family Residential District. The Church wishes to sell the property to Clanahan Wellness Center, Inc. The use of the property as a chiropractic clinic in an OS-1 district is a permitted use under city code section Sec. 4-3-6-2-2(7).

The OS-1 Districts are designed to accommodate uses such as offices, banks and personal services which can serve as transitional areas between residential and commercial districts and to provide a transition between major thoroughfares and residential districts.

STAFF NOTES

- Staff have been told that the building will not be enlarged or changed from its current size.
- Staff believe this zoning designation is appropriate.
- Multiple OS-1 parcels are located nearby and are similarly located to residential areas off Parkway Dr.
- Staff Recommends Approval

FINANCIAL IMPACT:

Requested Amount: N/A
 Line Item: N/A
 Budgeted Amount: N/A
 Remaining Funds: N/A
 Notes: N/A

REVIEWED BY:	
Nic Maquet, Chief Building Official	Final Approval - 7/5/2024



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>04-04-25-312-021</u> Current Zoning (if known): <u>R3</u> Proposed Zoning (if rezoning request): <u>OS-1</u> Current Use: <u>Religious Facility</u> Proposed Use (if different): <u>office/clinic</u>
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Property Owner Name:	Richwoods Christian Church
Mailing Address:	8115 N. Knoxville Avenue, Peoria, IL 61615
Phone:	925-788-9718
Alternative Phone:	
E-Mail Address:	tbutler@richwoods.org

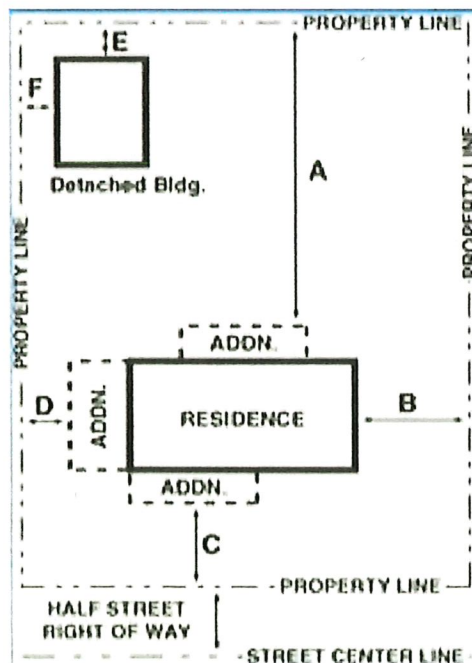
Applicant Name (if different):	Clanahan Wellness Center, Inc.
Mailing Address:	105 N. Parkway Drive, Pekin, IL 61554
Phone:	309-353-3300
Alternative Phone:	309-241-0516
E-Mail Address:	thclanahan@gmail.com



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.

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

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

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

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



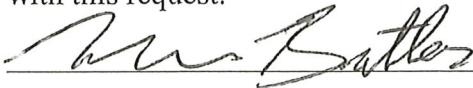
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

The purchaser of this property, Clanahan Wellness Center Inc., is seeking a rezoning from R3 to OS-1 for their business operation. This building will be used as a spinal decompression/chiropractic wellness clinic.

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

6-5-2024

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.

Todd H. Clanahan, DC
Todd H. Clanahan, DC (May 29, 2024 14:55 CDT)

Applicant Signature

May 29, 2024

Date

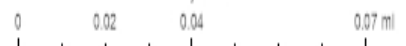


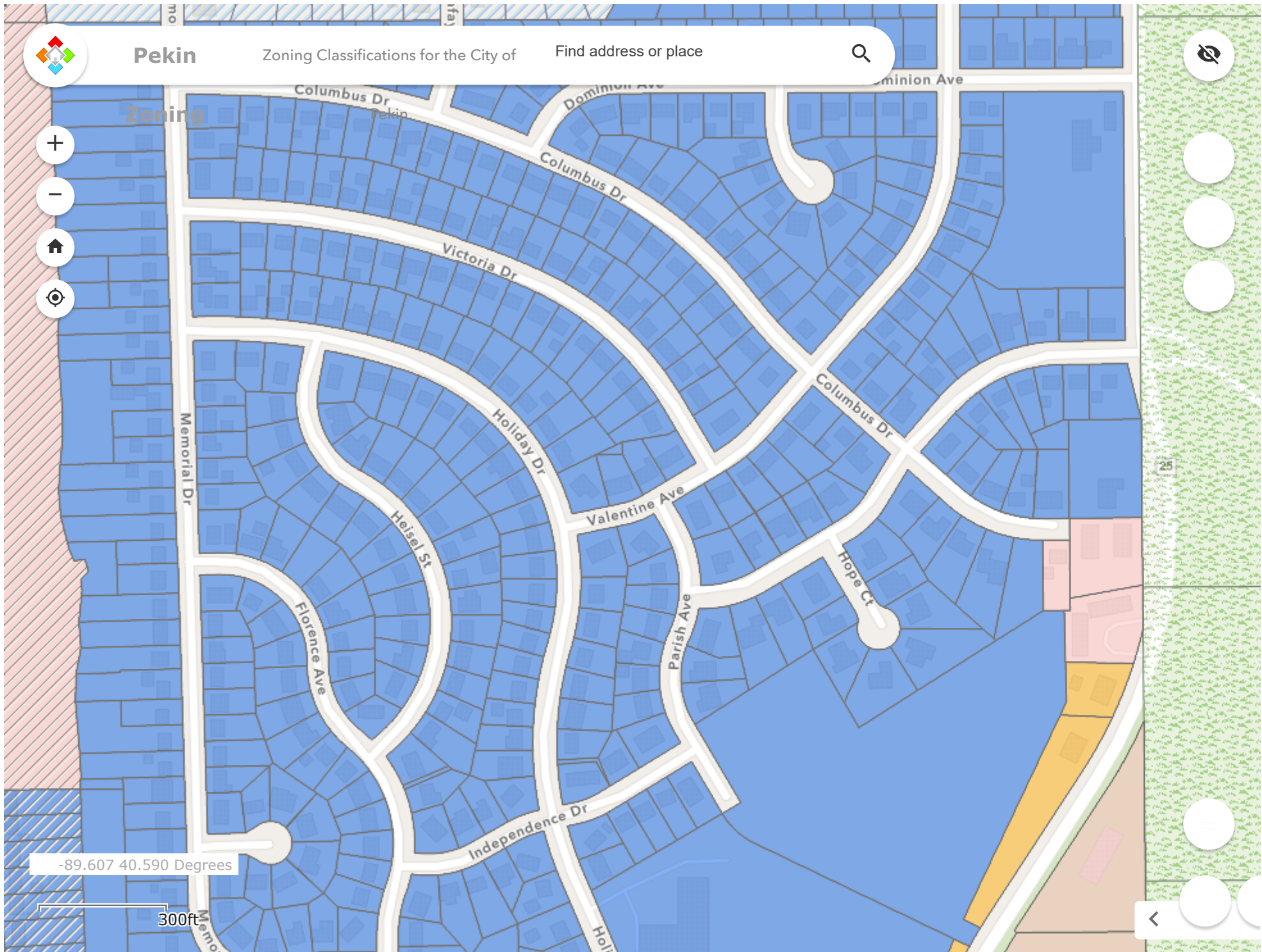
- I-155 — IL 98 Sections
- I-474 — US 150 OwnershipParcels
- I-74 — US 24
- IL 29 — Streets

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.



1:1,840





**REQUEST FOR COUNCIL ACTION**

Agenda Date: July 10, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case V 2024-12** A variance request submitted by Roxie Roach for the property located at 1316 South 18th Street to reduce the minimum building setbacks for an accessory building.

DESCRIPTION: **Case V 2024-12** A variance request submitted by Roxie Roach for the property located at 1316 South 18th Street to reduce the minimum building setbacks for an accessory building. Said property is zoned R-4 One Family Residential with a legal description, SEC 2 T24N R5W LAKE PARK SUB LOT 17 SE 1/4, with the following PIN: 04-10-02-439-001, in Tazewell County, Illinois.

SUMMARY

The petitioner, Roxie (Rocky) Roach who resides at 1316 South 18th Street, is requesting a variance to install a small accessory structure in the form of a shed on the property. The property located at 1316 South 18th Street is a triangular-shaped lot with a steep hill in the rear yard and does not provide a suitable location to install a shed and still meet the city code requirement that requires all accessory structures be placed a minimum of 10 feet from the primary structure. Therefore, the petitioner is requesting that a variance be granted to allow for an accessory structure to be placed within 1 foot from the primary structure. This request would change the minimum required separation from 10 feet to 1 foot, which is 9 feet closer than the code currently allows.

STAFF NOTES

- The property is Zoned R-4 and will allow for an accessory structure to be placed no closer than 3ft to the side and rear property lines.
- Staff does believe that this is a true hardship and that the Zoning Board of Appeals should recommend approval to the city council.
- Staff will ensure that all other work is in compliance with all other zoning and building codes

FINANCIAL IMPACT:

Requested Amount: N/A
 Line Item: N/A
 Budgeted Amount: N/A
 Remaining Funds: N/A
 Notes: N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 7/5/2024



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Board of Appeals Application for Consideration

<u>Type of Request (check one):</u> ☐ A. Special Use (\$125) ☒ B. Residential Variance (\$125) ☐ C. Non-Residential Variance (\$125) ☐ D. Map Amendment/Rezoning (\$125) ☐ E. Annexation (\$125)	Request Property Address or PIN: <u>1316 SO 18TH ST 04-10-02-439-001</u> Current Zoning (if known): <u>R4</u> Proposed Zoning (if rezoning request): _____ Current Use: _____ Proposed Use (if different): <u>SHOP</u>
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Property Owner Name:	ROXIE (ROCKY) ROACH
Mailing Address:	1316 SO 18TH PEKIN ILL 61554
Phone:	309-613 1218
Alternative Phone:	
E-Mail Address:	Rocky82655@yahoo.com

Applicant Name (if different):	Rocky Roach
Mailing Address:	1316 SO 18TH
Phone:	309 613 1218
Alternative Phone:	
E-Mail Address:	SAME



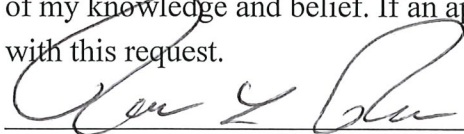
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

Please summarize your request and explain why it is necessary:

LOT SIZE IS TRIANGULAR SHAPE MAKES IT
VERY HARD TO PUT ANYTHING ELSE ON LOT
BACK OF YARD IS VERY STEEP HILL PROBABLY 20 FT
DOWN

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.



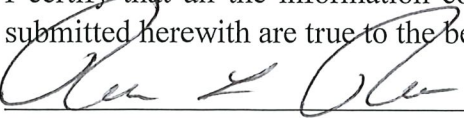
Owner Signature

6-17-24

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

6-17-24

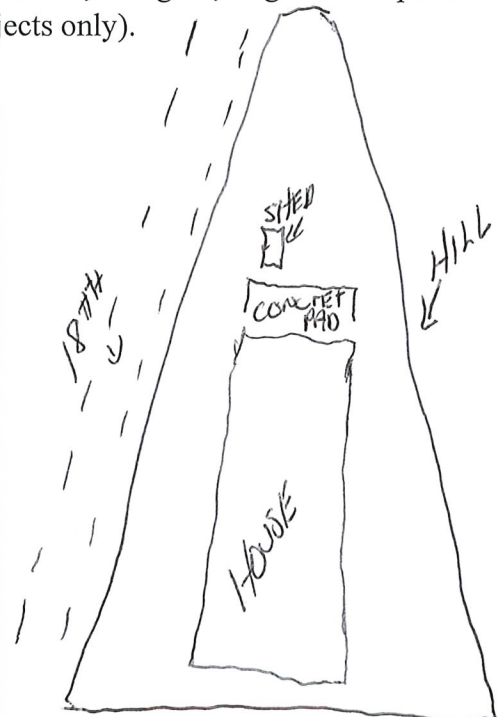
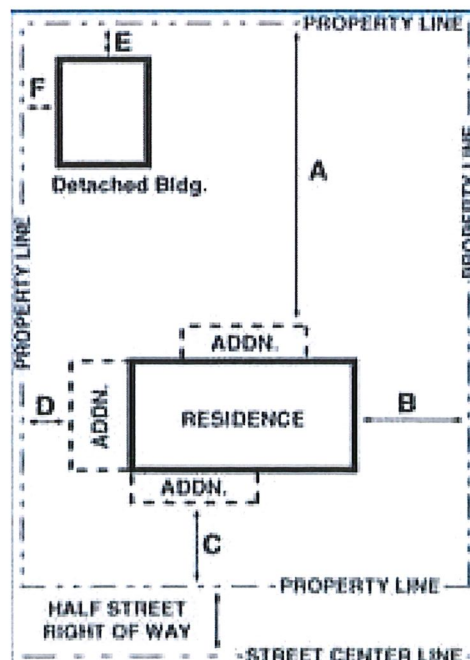
Date



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111 S. Capitol Street, Pekin, Illinois 61554 – (309) 478-5364

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TRIANGULAR SHAPE AND NARROW

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

PROPERTY IS TRIANGULAR SHAPE AND ON A STEEP HILL
HARD TO PUT ANYTHING BUT THE HOUSE AND SMALL AREA FOR SHOP

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

NO

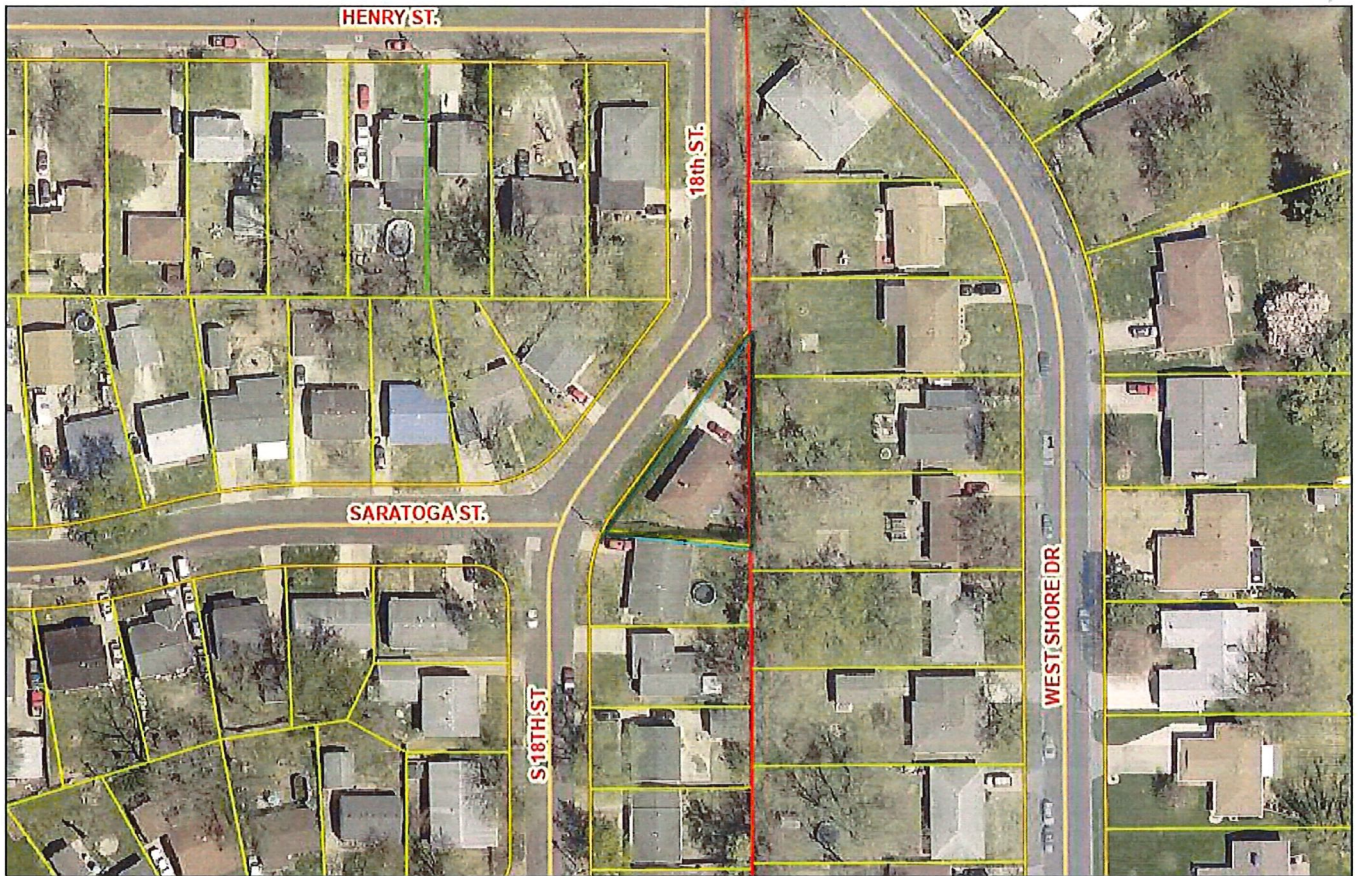
4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

NO

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

YES

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 Virginia 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.

