



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 ROOM 202
111 S. CAPITOL ST
ON WEDNESDAY, MAY 14, 2025 AT 5:00 PM
CHAIRMAN DON HILD PRESIDING**

Pledge of Allegiance

The Pledge of Allegiance 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. 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	Absent	-:-- PM
Kim Joesting	Zoning Board of Appeals	Commissioner	Absent	-:-- 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

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

Approval of Minutes

**4.1. Zoning Board of Appeals-Regular Meeting Minutes-March 12, 2025
5:00pm**

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

City Council Action Report

5.1. City Council Action Report-Regular Meeting March 24, 2025 5:30pm

City Council Action Report from March 24, 2025: Total of 6 items and all were approved.

New Business

6.1. Case RZ 2025-01 A Rezoning Request Submitted by Anne McBride on Behalf of Kroger From B-1 Local Business to B-3 General Business for the Property Located at 1607 Broadway Street.

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

Public Hearing Open: 5:06PM Public Hearing Closed: 5:12PM

Motion to approve made by Commissioner Lanae and seconded by Commissioner Madden

Rob Sweet with McBride Dale Clarion, on behalf of Kroger, said they are asking for a rezoning due to Kroger's desire to install gaming units inside the grocery store. Kroger wants to section off a section of the store for SIX gaming units with live monitoring and screening. There are no proposed changes to the external side of the building.

John Newman, property owner of 1612 Market St., is against the rezoning because he feels we need to limit video gaming facilities. Mr. Newman states that with the gaming units in such close proximity, he does not see a reason for another gaming machine(s) at Kroger. He would like to see this case tabled until there is direction from the council.

Commissioner Madden said that he does recall discussions in regard to how many gaming facilities we have. Nic Maquet stated that we focus on the rezoning case as that is before us (rather than the amount of video gaming facilities in the City). Nic said that most grocery stores in town are B-3 (Kroger is B-1) and Kroger does have a buffer behind the building that separates the residents from the store. Nic reemphasized that this is for rezoning. Rob Sweet did state that since the other grocery stores are B-3 that they (Kroger) could also put in a case that states they are applying to be in conformance

with existing B-3 grocery stores.
Approved 4-0

6.2. Case V 2025-05 A Variance Request Submitted by Alan White for the Property Located at 903 Mary Street to Allow for an Accessory Structure to be Built on a Non-Conforming Lot.

RESULT:	3 TO 1 FAILED
MOVER:	Commissioner Madden
SECONDER:	Commissioner Lanane
AYES:	Commissioners Madden
NAYS:	Commissioner Deverman, Hild and Lanane.
ABSENT:	Commissioner Huskisson, Joesting and Wilson.

Public Hearing Open: 5:19 pm Public Hearing Closed: 5:23 pm
Motion to approve made by: Madden Second by: Lanane

Alan White said that he lives at 912 Mary St. and he has owned the property at 903 Mary St. since 2004. He said that the property was a mother-in-law's quarters. Alan said he has always had a male renter in the mother-in-law's quarter, and now he does have a female renter. He would like the garage to only be available for the female tenant for her safety. Alan said that he ordered a shed and while he was prepping the foundation for the shed, it was brought to his attention that the in-law's house was taking up 78% of the property. Alan would like the variance to allow extra safety for the renter.

Nic said that the property is zoned R4, a one-family residential home that currently has two separate families/renters. It is a nonconforming use of the property and land. The rear property is 75.6% of the base square footage, which is more than the code allows at 75%, and with another structure we are passing the code allowance of 75% even further. Nic states that there is no good spot for the shed because the shed would not be 10 feet apart from any other structures.

Mr. White said it is 10 ft. from the front house and 10 ft. away from his neighbor's garage. Nic said 10 ft. is required from a primary structure. Nic said that prior to the shed, we were already over the nonconformity of the lot and structure. Nic asked Alan what he feels the hardship is and Alan said that he feels the hardship is the safety of the female living in the back rental. Commissioner Lanane asked if the main entrance to the "back house" is through the garage, however, there is a side door entrance as well. Alan asked Nic why it was approved and Nic said that when he reviewed the plan, he knew it was wrong and put a stop to it (Nic's staff approved).

The Zoning Board discussed the issues and ultimately determined a hardship did not exist.

6.3. Case RZ 2025-02 A Rezoning Request Submitted by the City of Pekin From B-3 General Business to I-1 Light Industrial for the Vacant Property Located Near the Termination of Brenkman Dr. More Specially the Parcel With ID Number 04-04-23-400-005

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

Public hearing opened and closed at 5:58pm

Motion to approve made by: Madden Second by: Deverman

Nic Maquet said this is a rezoning request from the city for the parcel listed on the request which would assist and allow Illinois American Water to place a new water tower. The property is currently zoned B3, and they are looking to rezone it I1. There is also a variance request for the water tower to be 220 ft. This plat does require new ROW and easements. Nic said that at one time, this area was looked at to be another industrial district (Norther Industrial Park). Nic explained that having water, utility poles, etc. is appealing to businesses. No further questions on the plat.

Motion Approved 4-0

6.4. Case V 2025-06 A Variance Request Submitted by the City of Pekin for the Vacant Property Located Near the Termination of Brenkman Dr, More Specifically the Parcel With ID Number 04-04-23-400-005 to Increase the Maximum Building Height on the Property to 220 Feet.

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

Public hearing opened and closed at 5:58pm

Motion to approve made by: Madden Second by: Deverman

Nic Maquet said this is a variance request from the city for the parcel listed on the request which would assist and allow Illinois American Water to place a new water tower. The property is currently zoned B3, and they are looking to rezone it I1. There is also a variance request for the water tower to be 220 ft. This plat does require new ROW and easements. Nic said that at one time, this area was looked at to be another industrial district (Norther Industrial Park). Nic explained that having water, utility poles, etc. is appealing to businesses. No further questions on the plat.

Motion Approved 4-0

6.5. Case PPR 2025-03 A PRELIMINARY PLAT REVIEW FOR A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-FIVE (25) NORTH, RANGE THREE (3) WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEVELL COUNTY, ILLINOIS, PROPERTY BEING

SUBDIVIDED IS CURRENTLY PART OF P.I.N. 04-04-23-400-005

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

Public hearing opened and closed at 5:58pm

Motion to approve made by: Madden Second by: Deverman

Nic Maquet said this is a plat review from the city for the parcel listed on the request which would assist and allow Illinois American Water to place a new water tower. The property is currently zoned B3, and they are looking to rezone it I1. There is also a variance request for the water tower to be 220 ft. This plat does require new ROW and easements. Nic said that at one time, this area was looked at to be another industrial district (Norther Industrial Park). Nic explained that having water, utility poles, etc. is appealing to businesses. No further questions on the plat.

Motion Approved 4-0

- 6.6. Case ZTA 2025-02 City of Pekin, Applicant, is Requesting the Approval of a Zoning Text Amendment to the City of Pekin Zoning Ordinance. Specifically, the Request is to Division 4 Sec. 4-3-4-3 and Division 6 Sec. 4-3-6-5-2, Sec. 4-3-6-5-3, Sec. 4-3-6-6-2 and Sec. 4-3-6-7-3**

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

Public Input Opened and Closed at 5:50 pm

Motion to approve made by: Deverman Second by: Madden

Nic Maquet explained that he and Josh Wray discussed the zoning with long-term plans in mind. Josh explained the details about the data center and the data center did require that the city have the appropriate zoning for them. While in discussion with regard to the zoning for the data center, they felt it was necessary to update the code. Also, adding "indoor shooting range" to allow for such facilities to be zoned and built. Commissioner Hild suggested updating the definitions as well as the zoning.

Any Other Business Before the Board

- 7.1. Discussion to Amend Solar Energy Code Related to Residential Ground Mount Solar Arrays**

Nic Maquet said that currently the city council has placed a six-month moratorium on solar that is directly attached to the resident's home. The reason for the moratorium is due to a resident who made a complaint to a council member about solar panels that have been placed on the ground. Commissioner Deverman asked how many ground mounts are within the city.

Currently, we have two- three residential ground mounts. Nic explained that he had a list of requirements for the construction of the residential ground-mounted solar panels located on Lawndale and the residents had fulfilled all requirements. Mary Lanane asked what the “market” is for ground mount and Nic said that residents who have a shaded lot or not able to mount them on the roof can look into ground mount. Commissioner Lanane said that she can only see the ground the mounts going in on larger lots. Chairman Hild has concerns about banning these since this is something that might be utilized in the future to help residents with their power bill. Maquet said that some feel that it would decrease the value of houses and the members of the zoning board do not agree with that statement. Josh Wray suggested that one option would be handling ground mount case by case. Hild recommended council giving the ZBA board some more guidance because he feels that the way the code was written was well covered. Hild said that only having two -three ground mount units does not warrant (in his opinion) changing the code. Nic will discuss with the council and come back to zoning with direction.

Public Input

No Public Input was recieved

Adjourn

Motion to adjourn made by Commissioner Deverman and second by Madden at 6:32 PM.