



City of Pekin

REGULAR ZONING BOARD OF APPEALS MEETING WEDNESDAY, SEPTEMBER 11, 2024 5:00 PM

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Approval of Minutes

4.1. Minutes from the August 14, 2024 Meeting

4.2. Minutes from the September 4, 2024 Meeting

5. City Council Action Report

5.1. City Council Action Report Of The August 26, 2024 Meeting

5.2. City Council Action Report Of The September 4, 2024 Meeting

6. New Business

6.1. **Case V 2024-15** A variance request submitted by Kim and Linda Bright for the property located at 22 Rosewood Lane to reduce the minimum building setbacks for a detached carport.

6.2. **Case V 2024-16** A variance request submitted by Dustin Maquet on behalf of Nathan and Brooke Schmidgall for the property located at 228 Margaret Street to increase the maximum height of a fence on the west and south property lines to 8 feet.

6.3. **Case SU 2024-09** A Special Use request submitted by Shane Kelley for the operation of a towing and automobile repair business with short term vehicle storage at 407 South 3rd street.

7. Any Other Business Before the Board

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, AUGUST 14, 2024 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	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 Madden and seconded by Huskisson

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

	Madden.
ABSENT:	Commissioner Wilson

Approval of Minutes

4.1. Minutes from the July 10, 2024 Zoning Board of Appeals Meeting

The Zoning Board of Appeals meeting minutes were approved from the meeting on July 10, 2024. A motion to approve was made by Commissioner Joesting and seconded by Madden.

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

City Council Action Report

5.1. Receive and File City Council Action Report of July 22, 2024

All zoning cases that were recommended for approval were approved by council.

New Business

6.1. Case V 2024-13

A variance request submitted by Ken & Kathy Steenrod for the property located at 823 Hamilton Street to allow for a second driveway.

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

Public Hearing Open 5: 05pm Public Hearing Closed: 5:06pm

Ken Steenrod, property owner, was present but did not have input.

Motion to approve by Lanane Second by Joesting

Commissioner Joesting asked the owner, Mr. Steenrod, where the entry to the driveway would be and Mr. Steenrod said it would be off of Willow St. Hild asked how the situation arose and Mrs. Steenrod said that their current driveway is two (2) deep, but it is not long enough to fit the motorhome. The house faces Hamilton so the driveway is technically in the rear of the house. Commissioner Joesting asked if it was going to be concrete or rock and the owner did say that it would be concrete. Commissioner Lanane made a motion to approve with a 25-foot setback with the hardship being the depth of the lot.

Motion approved 7-0

6.2. Case SU 2024-06 A Special Use request submitted by Mark Goddard for the operation of a Used Automobile Sales business at 1218 North 8th Street.

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

Public Input Open at 5:17pm Public Input Closed at 5:19pm

Mark Goddard, owner, would like to lease the property. Mark did pass around a copy of the lease for the members to review.

Chairman Hild asked if the owner plans to lease it to open it or to lease it himself. The owner plans to lease the office (himself) and then lease out the building across the street. Huskisson asked for clarification on the use of the property and the owner stated he is wanting to empty the building in hopes of leasing it out to another business. Huskisson also noted that there is a fencing requirement but with the large retaining “wall” that exist, a fence would serve no purpose. Nic explained we would need to waive the requirement for a wall/fence. An enclosure for the dumpster would need to be provided (if the owner gets one). Nic did explain that there would be an inspection required on the building prior to the city issuing a certificate of occupancy.

Motion to amend the SU of the first motion to waive the wall requirement.

Motion was made by Madden and second by Huskisson.

Vote on the amendment 6-0 with Joesting abstained

Motion to approve SU with the wall requirement waived. Motion made by Huskisson and second by Commissioner Deverman. Motion approved 6-0 with Joesting abstained

Any Other Business Before the Board

7.1. Sign Code Discussion

Public Input

Adjourn

Motion to adjourn by Joesting at 6:02pm



City of Pekin

**PROCEEDINGS OF THE SPECIAL 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, SEPTEMBER 4, 2024 AT 5:00 PM
CHAIRMAN DON HILD PRESIDING**

Pledge of Allegiance

The Pledge of Allegiance was lead by Chairman Donald 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	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	5:04 PM
Amy Wilson	Zoning Board of Appeals	Commissioner	Present	5:01 PM

Approve Agenda

RESULT: PASSED (UNANIMOUS)

MOVER: Commissioner Deverman

SECONDER: Commissioner Lanane

AYES: Commissioners Hild, Huskisson, Joesting, Madden and Wilson

New Business

4.1. Case SU 2024-07 A Special Use request submitted by Tazewell-Woodford Head Start for the operation of a Nursery School at 1010 El Camino Drive.

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

Public Hearing Open 5:04 pm Public Hearing Closed: 5:06 pm

Donna Ashley spoke on behalf of Headstart and explained that they lost their space with District 108 and began to look for a new location in Pekin. Donna said they did not know there were city requirements for the playground and explained that, unlike a school, they do not have all children out on the playground at one time. Typically, they have 20 kids outside at one time. Pastor Rick from Lighthouse church, and they have been operating for 24 years, and he said he did not know that they needed a special use occupancy but would like to move forward with one.

Chairman Hild asked Donna if 78 was the max allowed, and she stated that they are only licensed for 78 kids, and they would use 4 classrooms.

4.2. Case V 2024-14 A Variance request submitted by Tazewell-Woodford Head Start to reduce the playground requirements at 1010 El Camino Drive.

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

Public Hearing Open 5:04pm Public Hearing Closed: 5:00 pm

Donna Ashley spoke on behalf of Headstart and explained that they lost their space with District 108 and began to look for a new location in Pekin. Donna said they did not know there were city requirements for the playground and explained that, unlike a school, they do not have all children out on the playground at one time. Typically, they have 20 kids outside at one time. Pastor Rick from Lighthouse church, and they have been operating for 24 years, and he said he did not know that they needed a special use occupancy but would like to move forward with one.

Chairman Hild asked Donna if 78 was the max allowed, and she stated that they are only licensed for 78 kids, and they would use 4 classrooms.

4.3. Case SU 2024-08 A Special Use request submitted by Pastor Rick Hill on behalf of Lighthouse Church of God for the operation of a church at 1010 El Camino Drive.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Madden

SECONDER: Commissioner Deverman

AYES: Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Public Hearing Open 5:04pm Public Hearing Closed: 5:00pm

Donna Ashley spoke on behalf of Headstart and explained that they lost their space with District 108 and began to look for a new location in Pekin. Donna said they did not know there were city requirements for the playground and explained that, unlike a school, they do not have all children out on the playground at one time. Typically, they have 20 kids outside at one time. Pastor Rick from Lighthouse church, and they have been operating for 24 years, and he said he did not know that they needed a special use occupancy but would like to move forward with one.

Chairman Hild asked Donna if 78 was the max allowed, and she stated that they are only licensed for 78 kids, and they would use 4 classrooms.

Nic Maquet also explained that when he began working with the church, he found that the church did not have a special use. Wilson asked why we did not consider a rezoning rather than a special use. Nic explained there is no particular reason.

Public Input

Adjourn

Meeting adjourned by Hild at 5:14pm.

City Council Action Report
Meeting Date
August 26, 2024 5:30 PM

All zoning cases that were recommended for approval during the regularly scheduled Zoning Board of Appeals meeting held on Wednesday August 14, 2024 were approved at the regularly scheduled City Council meeting held on Monday August 26, 2024.

- Case SU 2024-06 was Approved
- Case V 2024-13 was Approved

Special City Council Meeting Action Report
Meeting Date
September 4, 2024 6:00 PM

All zoning cases that were recommended for approval during the Special Zoning Board of Appeals meeting held on Wednesday September 4, 2024 were approved at the Special City Council meeting held on Wednesday September 4, 2024.

- Case SU 2024-07 was Approved
- Case SU 2024-08 was Approved
- Case V 2024-14 was Approved



REQUEST FOR COUNCIL ACTION

Agenda Date: September 11, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case V 2024-15** A variance request submitted by Kim and Linda Bright for the property located at 22 Rosewood Lane to reduce the minimum building setbacks for a detached carport.

DESCRIPTION: A variance request submitted by Kim and Linda Bright for the property located at 22 Rosewood Lane to reduce the minimum building setbacks for a detached carport. Said property is zoned R-2 One Family Residential with a legal description, SEC 1 T24N R5W LOT 5 OF S 1/2 SW 1/4 .55 AC, with the following PIN: 04-10-01-307-010, in Tazewell County, Illinois.

Summary

The Petitioners are seeking a variance to install a new carport next to the primary building on the property. The petitioner had an existing carport which was non-conforming and removed it to install a new concrete driveway and was unaware that once the carport was moved it could not be re-installed in that location without first obtaining a variance. The city code would require the accessory structure to be 10 feet from the primary structure and 3 feet from the side property line. This variance request is to reduce the building setback requirement from the primary structure and the side yard setback. The variance would reduce the building setback to 4 inches from the primary structure, which is 9 feet 8 inches closer than the code would allow, and it would reduce the building setback from the side property line from 3 feet to 8 inches, which is 2 feet 4 inches closer than allowed by the city code.

Sec. 4-3-1-2.-Defintions

Accessory structure or use means a subordinate building, structure or use which is located on the same lot on which the main building or use is situated and which is reasonably necessary and complimentary to the conduct of the primary use of such building or main use.

Sec. 4-3-8-3.-Accessory Uses and Buildings

(4) No detached accessory building shall be located closer than ten feet to any main building nor shall it be located closer than three feet to any side or rear lot line. Exception: In an R-4 Zoning District, any side or rear yard setback from the lot lines may be two feet. In those instances where the rear lot line is conterminous with an alley right-of-way, the accessory building shall not be closer than one foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

APPLICATION NOTES

I had a carport beside my house for my truck, boat and lawnmower. I took the old one down & would like to replace it with a new one. Mr. Maquet explained that there was a 10-foot separation requirement and that I would need to get a residential variance. I would like to put a little larger carport in, so I could keep my garbage cans and utility trailer covered and out of sight.

STAFF NOTES

If approved, a building permit would be required to install the carport and all other code requirements for its installation shall still be met.

FINANCIAL IMPACT:

N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 9/8/2024



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>22 ROSEWOOD LANE 04-10-01-301-010</u> Current Zoning (if known): _____ Proposed Zoning (if rezoning request): _____ Current Use: <u>PARKING FOR TRUCK, BOAT, LAWN MOWER</u> Proposed Use (if different): <u>SAME BUT WOULD LIKE MORE LENGTH FOR GARBAGE CANS AND UTILITY TRAILER</u>
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Property Owner Name:	<u>KIM & LINDA BRIGHT</u>
Mailing Address:	<u>22 ROSEWOOD LANE</u>
Phone:	<u>309-208-4971</u>
Alternative Phone:	
E-Mail Address:	<u>PUTER33@COMCAST.NET</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) 478-5364

Please summarize your request and explain why it is necessary:

I had a CARPORT BESIDE my house FOR my truck AND BOAT & LAWNMOWER. I took the OLD one down & WOULD LIKE to Replace it WITH A NEW ONE. Nick explained there WAS A 10 ft. VARIANCE AND told me I needed to get A RESIDENTIAL VARIANCE. I WOULD LIKE to PUT A LITTLE LONGER ONE IN SO I COULD keep my GARBAGE CANS AND UTILITY TRAILER ALSO COVERED AND OUT OF SIGHT.

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.

Kim C. Bryant
Owner Signature

8-16-24
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.

Kim C. Bryant
Applicant Signature

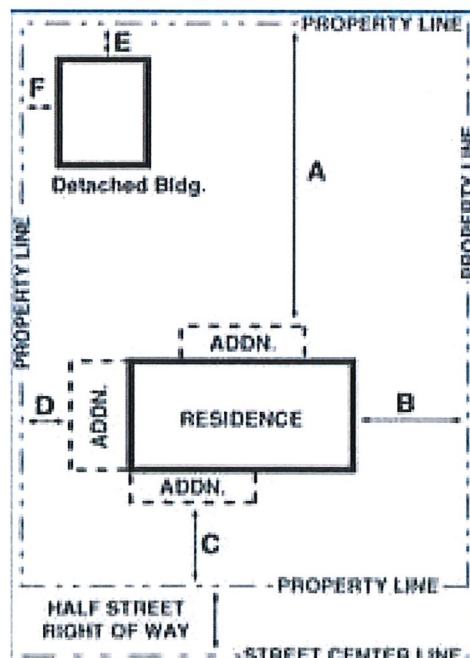
8-16-24
Date



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

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) 478-5364

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.

To Prevent weathering on vehicles & other belongings
which would be unprotected.

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?

~~No~~ yes

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

yes

I, DAVID FORMHALS OF 24 ROSEWOOD LANE,
HAVE NO OBJECTIONS, FOR KIM BRIGHT OF
22 ROSEWOOD LANE, INSTALLING A CARPORT BETWEEN
OUR PROPERTIES, FROM FENCE LINE TO HIS HOUSE.
INSTALLING A CARPORT WILL NOT CAUSE US ANY
HARDSHIPS AND WE WOULD PREFER HIS POSSESSIONS
BE COVERED AND OUT OF SITE.

August 17, 2024

David Formhals
24 Rosewood Lane
309-241-7792









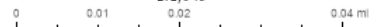
Tazewell County GIS



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.



1:1,049





REQUEST FOR COUNCIL ACTION

Agenda Date: September 11, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case V 2024-16** A variance request submitted by Dustin Maquet on behalf of Nathan and Brooke Schmidgall for the property located at 228 Margaret Street to increase the maximum height of a fence on the west and south property lines to 8 feet.

DESCRIPTION: A variance request was submitted by Dustin Maquet on behalf of Nathan and Brooke Schmidgall for the property located at 228 Margaret Street to increase the maximum height of a fence on the west and south property lines to 8 feet. Said property is zoned B-3 General Business with a legal description, SEC 34 T25N R5W ORIGINAL TOWN LOT 6, 7, PT LOT 8 & E 2' LOT 5 BLK 37 SE 1/4, with the following PIN: 04-04-34-432-020, in Tazewell County, Illinois.

SUMMARY

The Petitioners are seeking a variance to install a privacy fence that will exceed the maximum allowed fence height of 6 feet tall. A 6-7 feet tall chain link fence existed in the same location prior to the alley and parking lot upgrades being completed. To complete these upgrades, the fence had to be removed in its entirety. Due to grade and elevation changes over the 180 feet, the fence will exceed 6 ft tall, but it will not exceed 8 feet tall. Staff were onsite and had the petitioners install string lines on wooden posts to 6 feet and would agree a variance would be required to install a privacy fence that would adequately provide screening. Staff looked at options of staggering the fence panels up and down and found that it would be rather difficult to comply with the maximum 6ft height requirement without having some of the fence shorter than 6 feet tall which would not provide ample screening.

Sec. 4-3-1-2.-Definitions

Fence means a manmade structure constructed for the purpose of or to have the effect of enclosing the area it is constructed upon.

Sec. 4-3-8-7-Walls And Fences

(b) Fences. Fences are permitted or required subject to the following:

(1) Height and location.

a. Fences on all lots of record in all districts which enclose property and/or are within a required side or rear yard shall not exceed six feet in height, measured from the surface of the ground, and shall not extend toward the front of the house or the required minimum front yard, whichever is greater. On corner lots, fences shall not extend toward the front or side yard facing the street nearer than the required minimum front yard setback on both the front and side yard. Exposed horizontal and vertical structural members of a fence shall be located on the inside of the property that they are intended to fence.

APPLICATION NOTES

Replacing the pre-existing fence on the West and South side of the property located at 228 Margaret Street. Requesting a variance as this is commercial property and due to the elevation changes over the 180 feet of fence. The highest part of the fence will not exceed 8 feet.

STAFF NOTES

If denied, the petitioners will only be allowed to build a 6-foot tall fence.

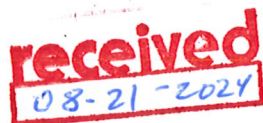
FINANCIAL IMPACT:

N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 9/8/2024



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

Board of Appeals Application for Consideration

Type of Request (check one): ☐ 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>04-04-34-820432-020</u>
	Current Zoning (if known): <u>B-3</u>
	Proposed Zoning (if rezoning request): _____
	Current Use: <u>Warehouse</u>
	Proposed Use (if different): _____

Property Owner Name:	<u>Nathan & Brook Schmidgall</u>
Mailing Address:	<u>1325 Giant City Rd, Carbondale IL 62901</u>
Phone:	<u>309-349-4134</u>
Alternative Phone:	_____
E-Mail Address:	<u>nateschmidgall@hotmail.com</u>

Applicant Name (if different):	<u>Dustin Maquet</u>
Mailing Address:	<u>1903 EL CAMINO DR.</u>
Phone:	<u>309 341 8282</u>
Alternative Phone:	_____
E-Mail Address:	<u>DJMAQUET@YAHOO.COM</u>



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

Please summarize your request and explain why it is necessary:

Replacing existing fence on West & South sides of
228 Margaret. Requesting variance as this is commercial
property ~~and~~ due to elevation changes over the 180'
of fence. Highest part of fence will not exceed 8'.

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 Brooke Schumgall

Date 8/23/24

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 Justin Meyer

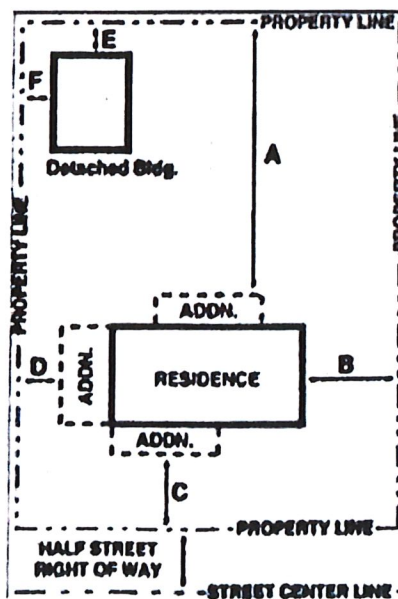
Date 8-22-24



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

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) 478-5364

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.

Elevation change over 180'

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

Yes - topography

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~~ Yes.

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

Yes



LOW



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.



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REQUEST FOR COUNCIL ACTION

Agenda Date: September 11, 2024
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: **Case SU 2024-09** A Special Use request submitted by Shane Kelley for the operation of a towing and automobile repair business with short term vehicle storage at 407 South 3rd street.

DESCRIPTION: A Special Use request was submitted by Shane Kelley for the operation of a towing and automobile repair business with short-term vehicle storage at 407 South 3rd Street. Said property is zoned I-1 Light Industrial with a legal description, SEC 3 T24N R5W CINCINNATI ADD LOTS 91 & 92 (E OF RR) ALSO TRACT N & ADJ NE ¼, with the following PIN: 04-10-03-214-001 in Tazewell County, Illinois

SUMMARY

The property was previously used as a school bus business which had onsite bus storage and repair. Most recently, the property was used as a construction business with Morrow construction occupying the property. The petitioner was found to be operating at this location without a special use permit after the city received numerous complaints regarding the condition of the property. The property was found to have numerous inoperable vehicles sitting on the property. Staff did meet onsite and informed the petitioner that he would need to cease business at this location and remove the junked vehicles from the property until such time, a special use permit was granted, and the property was brought into compliance with city code. The property is zoned I-1 Light Industrial. City code **section 4-3-6-6-3** requires that all automotive repair businesses and locations such as a towing business that would have short-term auto storage located within the I-1 Light Industrial zoning district obtain a special use permit to operate. This Special Use would allow for this business to operate a towing and automobile repair/sales business with short-term auto storage at this location.

(1) Auto engine and body repair and undercoating shop, when completely enclosed.

(5) Short-term car storage for wrecked automobiles where such storage is for periods not to exceed six months and when no such storage is undertaken for the wrecking or salvaging of automobiles or parts thereof. All such storage areas shall be graded and maintained to assure adequate drainage, pollution, and erosion control for the subject and surrounding properties. The storage area shall comply with all applicable municipal, state and federal guidelines and regulations for hazardous material waste and pollution control. A minimum recommended surface cover is four inches of coarse gravel or crushed rock over a compacted base. The storage area shall be completely fenced and obscured from public view with solid panels, chain link fence with solid strip panels or similar type of construction.

STAFF NOTES

- The western section of the property has a 6-foot tall chain link fence that abuts railroad property.
- A fenced storage area shall be built, and the fence shall be so constructed that it obscures the view of all stored vehicles awaiting repair or disposal.
- Inspections Department staff and Fire Department staff have conducted a pre-occupancy inspection of the property and have given the tenant a list of code issues that they must correct prior to occupancy being given if a special use is granted

FINANCIAL IMPACT:**N/A****REVIEWED BY:**

Nic Maquet, Chief Building Official

Final Approval - 9/8/2024

SU 2024



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

Board of Appeals Application for Consideration

Type of Request (check one): ☒ 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>407 S 3rd St.</u>
	Current Zoning (if known): _____
	Proposed Zoning (if rezoning request): _____
	Current Use: _____
	Proposed Use (if different): _____

Property Owner Name:	Kevin Morrow
Mailing Address:	210 D St. Pekin IL 61554
Phone:	(309) 349-0094
Alternative Phone:	
E-Mail Address:	SKexteriors3@yahoo

Applicant Name (if different):	Shane Kelley
Mailing Address:	2111 Valentine Pekin IL 61554
Phone:	309-885-2978
Alternative Phone:	
E-Mail Address:	ShaneKelley14K@gmail.com



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Please summarize your request and explain why it is necessary:

I, Shane Kelley would like to open a Shop up
for my tow business to help the community
out with any Automotive or towing Needs, I will
Put a fence up if Necessary or needed.

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.

Kevin Morrow

Owner Signature

7/22/24

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.

[Signature]

Applicant Signature

7/22/24

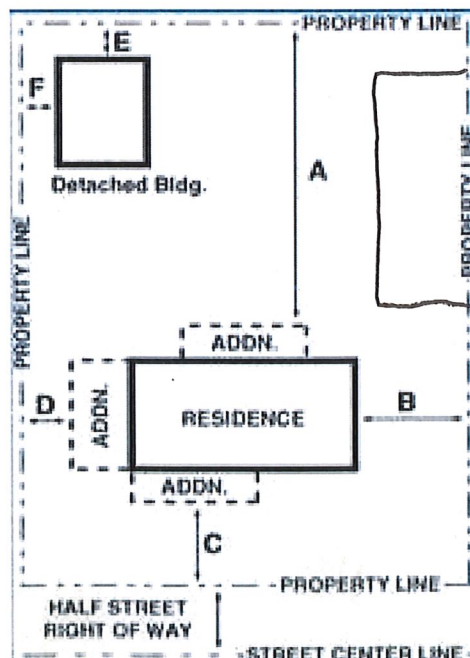
Date



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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).





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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.

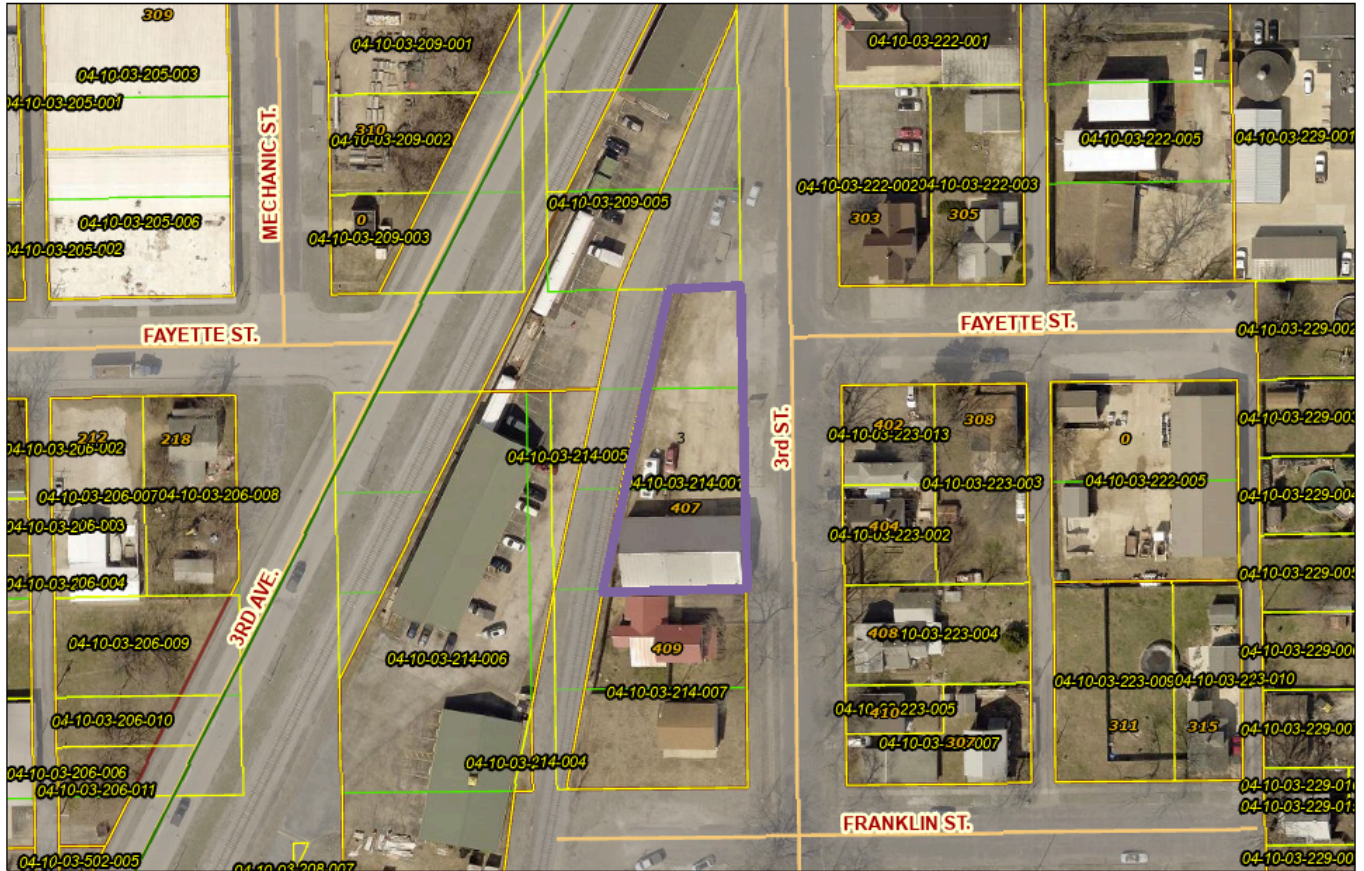
2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

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)?

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.



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