



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, MARCH 13, 2024 AT 5:00 PM
MAYOR MARY J. BURRESS PRESIDING**

Pledge of Allegiance

Pledge of Allegiance was led by Chairman Donald Hild.

Call to Order

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

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
Bill Craig	Zoning Board of Appeals	Vice Chair	Present	5:00 PM
Daryl Dagit	Zoning Board of Appeals	Commissioner	Absent	-:--
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	Absent	-:--
Mary Lanane	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kelly Madden	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Steve Thompson	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Amy Wilson	Zoning Board of Appeals	Commissioner	Present	5:00 PM

Approve Agenda

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

Approval of Minutes

4.1. February 14, 2024 Meeting Minutes

Motion was made to approve by Commssioner Lanane and second by Commissioner Wilson. Vice-chair obtained.

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

City Council Action Report

5.1. City Council Action Report February 26, 2024

Presented by Vice Chairman Craig with no further discussion.

New Business

6.1. **Case SU 2024-04 A Special Use request submitted by Wagenbach Builders on behalf of E3 Collision LLC for the operation of an Autobody Repair business with short-term vehicle storage for wrecked vehicles at 215 3rd Street. Said property is currently zoned I-1 Light Industrial with a legal description, SEC 34 T25N R5W ORIGINAL TOWN LOTS 3-4-5-6-7-8-9-10-11-12 & 13 E OF RR (EXC HWY) BLK 35 SE ¼, with the following PIN 04-04-34-419-003 in Tazewell County, Illinois**

Motion made to approve made by Commissioner Kelly and second by Thompson.

Public Hearing Open at 5:05 PM

Andy Wagenbach was present but did not speak.

Public Hearing Closed at 5:05 PM

Chairman Hild asked what the fence requirement would be and Nic Maquet explained the requirement of a six-foot fence.

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

6.2. Case SPR 2024-01

A Site Plan review request was submitted by Wagenbach Builders on behalf of E3 Collision LLC for the construction of an Autobody Repair business with short-term vehicle storage for wrecked vehicles at 215 3rd Street. Said property is currently zoned I-1 Light Industrial with a legal description, SEC 34 T25N R5W ORIGINAL TOWN LOTS 3-4-5-6-7-8-9-10-11-12 & 13 E OF RR (EXC HWY) BLK 35 SE ¼, with the following PIN 04-04-34-419-003 in Tazewell County, Illinois

Motion made to approve by Commissioner Craig and second by Thompson.

Public Hearing Open at 5:07 PM

Public Hearing Closed at 5:07 PM

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

6.3. Case SU 2024-05 A Special Use request submitted by Redeemed Auto Services, LLC for the operation of an Auto Repair business at 2410 North 8th Street. Said property is currently zoned B3-General Business with a legal description, SEC 23 T25N R5W PEKIN EDGEWATER PARK SEC 5 S 200 FT LOT 64 SW 1/4 with the following PIN 04-04-23-300-016 in Tazewell County, Illinois.

Motion made to approve by Commissioner Kelly and second by Huskisson.

Public Hearing Open at 5:09 PM

Rich XXXX owns Redeemed Auto Services. Rich has been in the business for 17 years, and he would like to offer services through the love of Jesus and at a fair price with complete transparency. He states they have a policy that the customers have 24 hours maximum for the vehicle to sit on site after the work has been completed.

Public Hearing Closed at 5:12 PM

Nic explained that staff has been to the property and they have done the preoccupancy inspection. Nic said that the items for correction have already been completed and if this passes with the council, Redeemed Auto Service will be ready to be open.

Craig asked if there is a dumpster on site and Rick said there is only a dumpster for cardboard, paper products and non-oily items, etc., but he is

working to get containers for oil to be disposed of. Nic also explained that the dumpster would need to have a screen placed around it. Rick said that would not be an issue.

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

6.4. Case V 2024-04 A variance request submitted by Kelle Williams for the property located at 611 Margaret Street to allow for the installation of a 10 Foot x 30 Foot canvas mural wall sign. Said property is zoned OS-1 Office Service District with a legal description, SEC 35 T25N R5W ORIGINAL TOWN W 10' OF LOT 13 & ALL LOT 14 & E 17' OF LOT 15 BLK 95 SW 1/4, with the following PIN 04-04-35-333-010, in Tazewell County, Illinois.

Motion to approve made by Commissioner Thompson and second by Deverman.

Public Hearing Opened at 5:15 PM

Public Hearing Closed at 5:15 PM

Nic Maquet explained the history of the of the sign/mural. On April 27, 2022, the owner applied for a mural permit which was approved by the previous Economic Development Director. The permit was issued the same day without the opportunity for it to be reviewed (by Nic). In June of 2022 the sign code was changed and the permit was good for six months, but the sign was never put up. The owners called in May of 2023 and were told by Miss Martin (permit tech at the time) that they could install the sign. The sign was installed in October 2023 and the city began to receive complaints; citations were issued. The upstairs of this building used to be used as apartments. Nic said that the proposed use for the two rooms would be storage and the windows (upstairs) would be covered but staff is okay with that due to the rooms not being occupied. The plumbing would need to be removed (and rerouted) on the second level. Nic said he would require the mural to be the artwork that is in the attached picture and not changed or modified at any point down the road. Commissioner Kelly asked if this would be a fire hazard. Nic stated they are not concerned with any fire hazards due to the rooms being used as storage and there will not be people living in them. Huskisson asked if the property was for sale and it is. Nic noted that the property is in a TIF agreement. Kate did state the variance could be granted with conditions (regarding the windows/occupancy) but it would still violate the code (Life Safety). Commissioner Lanane asked what the reason was for the sign and Nic stated that it was to promote Pekin. Commissioner Deverman asked who

created the mural, and it was Luke Kinsler, Deverman states that one of the images is his. Kate read the verbiage for a “sign” and said this is not a sign, by definition, it is a mural. Commissioner Huskisson asked how the sign was attached and it is attached by steel lags. Commissioner Kelly has concerns with children getting into the rooms and if a fire were to take place, they would have no way out. However, this is not a house that is occupied for residential living. Kate states that if this is a mural a variance is not needed BUT murals are prohibited if this was residentially zoned. Commissioner Thompson proposed the question, IF we describe this a mural we wouldn’t need to do anything. Commissioner Wilson stated that if this is a mural, with the property being for sale, she wouldn’t want a hardship on someone else who might buy the property. Craig stated that he does not like the idea of blocking the window. Kelly stated the same, he could not vote to approve this knowing something could happen to children if they were to get to the rooms. Craig said he doesn’t have an issue with the mural rather the issue is the location of the sign, covering windows. Hild asked what we could do other than state that if the sign goes up, there is no occupancy allowed on the second level.

Kate states she does not see a variance required, there are no zoning issues.

Commissioner Thompson rescinded the motion (to approve) and Commissioner Kelly seconded.

Any Other Business To Come Before The Board

Off premise electronic billboards: Nic Maquet would consider modifying the ordinance rather quickly. Commissioner Huskisson suggested we discuss limiting the electronic billboards. Commissioner Wilson has concerns about limiting electronic billboards without any criteria. Nic also has concerns about multiple signs being placed on the same property, flashing strobe lights and the light intensity.

Discussion was also had regarding the property that the Center of Prevention of Abuse had purchased at 121 South 2nd Street. In 1994, the city rezoned said parcels as ED1 and the maps from 1993 and forward have them listed at B3. Staff has not been able to locate any ordinance that re zoned this property to B3. Nic also explained this affects numerous parcels and would like to have it reviewed and zoning amendments made

Public Input

No other public input.

Adjourn

The motion to adjourn was made by Commissioner Craig and seconded by Thompson. The meeting adjourned at 5:58 PM.