



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, SEPTEMBER 11, 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	Present	5:00 PM

Approve Agenda

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

A motion to approve the agenda was made by Commissioner Deverman with a second

by Joesting.

Approval of Minutes

4.1. Minutes from the August 14, 2024 Meeting

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

Motion made to approve the minutes from August 14, 2024 was made by Commissioner Lanane and seconded by Deverman.

4.2. Minutes from the September 4, 2024 Meeting

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

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.

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

Public Input Open: 5:03pm Public Input Closed: 5:05pm

Kim Bright, owner, states that he is asking for a variance to replace the existing carport with a new one.

Motion made to approve made by Wilson and seconded by Madden.

Commissioner Lanane states that she thinks a variance is reasonable given there was a carport previously in same location. Wilson asked if the height of the carport was going to be higher than the peak of the roof on the house and Kim stated it would not. Commissioner Wilson also asked what material the

new carport would be made with and Kim stated the same material as before; steel. Commissioner Hild stated that the original carport should never have been allowed and Kim stated that he did check with the city when he originally put the carport in place, since it was not a permanent structure.

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.

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

Public Input Open: 5:10pm Public Input Closed: 5:12pm

Dustin Maquet, owner of The Railhouse, stated he wants to replace the fence that was previously in place.

Motion to approve made by Commissioner Madden and seconded by Wilson. Nic Maquet stated that inspections staff have been to the site and that it would be tough to keep the fence at 6 feet. Commissioner Wilson asked what style of fence it would be, and it would be cedar and a flat top. Commissioner Lanane wanted to note the hardship is the slope of the lot. Deverman asked about screening the dumpster and Dustin said it his dumpster and Gro Up does not have one (the dumpster in the photo is Dustin's but while work was being done, the owner of Grow Up let him put his dumpster on their property).

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.

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

There is no public input on this case.

Motion to discuss made by Joesting and seconded by Lanane .

Nic said that the city shut this down as this individual has been moving around town and, due to numerous complaints about the junk that is lying around, it has been brought to the city. Kelley owns a towing company but "junking" would not be allowed. Attorney Jeff stated that the SU would not allow the "junking" so he could not proceed (at the state level). Nic stated that their interactions with Kelley have been civil, and they have moved some of the cars out, but it took them two months to get the SU application, zero permits have been pulled and there are code issues within the building.

Commissioner Wilson asked if the property owner would be willing to make (Kevin Morrow) the corrections and Nic said, yes, Kevin has been on sight for each of the inspections and seemed to be willing to make the necessary corrections to become compliant with the code. Wilson asked if the gravel was acceptable to code and Nic said it is gravel, but at this time he did not know the depth of the gravel, that would need to be inspected. There are

concerns about the property owner and the applicant not being at this meeting to ask questions and to understand the expense before them. Nic has concerns that if we approve this, it will grow into something more than what the SU is for. Hild asked if we sent letters to the surrounding residents and Nic explained that only certain SU require a letter, this one does not. Commissioner Wilson stated that she feels we cannot make a decision based on fears of what could happen and asked if there was a way that we could table this and request that the property owner come back so that we can address these questions. The attorney states that it is not an unreasonable request. Commissioner Madden agrees with Wilson that he would like to give the owner of the property a chance to respond to our questions. Wilson stated that she would like clarification if there is an agreement between the property owner and the applicant. Wilson would also like to see the fence and more details (site plan). The attorney suggested sending letters to the neighbors to allow for a more formal discussion, and it allows the community to have feedback with the City. Hild suggested tabling it and if the owner does not choose to respond or show up to the next meeting, we can then deny it. Wilson suggested a more detailed site plan as well and within a certain time period (7 days) so that the neighbors can be adequately informed. Wilson made a motion to table and continue to the meeting on Oct 9th. Seconded by Commissioner Lanane. All agreed.

Any Other Business Before the Board

Chairman Hild does not recall what requires a letter to be sent out notifying neighbors of a change (the specifics). Nic Maquet explained the details of the code and what requires a letter and what does not.

Commissioner Wilson asked for a copy of the requirements for the neighbors to be informed to be sent to the board so they can review it on their own. Nic Maquet will send this section of the code to the board members.

Chairman Hild asked about the zoning of Faith Baptist Church and Nic Maquet stated they rezoned it R4 from OS1. Chairman Hild asked what they were building and Nic stated a storage area for a bus.

Hild also asked why American Motor Trend (AMT) does not have a screened in area for all the cars outside the bays. Hild asked if anything could be done? Nic said there is, and he will look at the property to identify any violations there are, such as, dumpster enclosure, how long vehicles are sitting, etc.

Hild suggested we include a definition of the word "variance". Discussion regarding the requirements for a variance was a round table. Chairman Hild wanted to know if the area between Broadway and Court, is it still a truck route? Dave Nutter stated that it is not a truck route, but there is one offender and the PD has been made aware of the issue.

Public Input

No additional public input.

Adjourn

Motion to adjourn by Commissioner Joesting and seconded by Commissioner Deverman at 6:10pm.