

**MINUTES FOR PEORIA HEIGHTS ZONING BOARD OF APPEALS MEETING**  
**APRIL 17, 2023**

The Peoria Heights Zoning Board of Appeals meeting was called to order at 5:30 p.m. on Monday, April 17, 2023 at Village Hall, 4901 N. Prospect Road, Peoria Heights, Illinois.

Roll call was taken, and the following members were present: Rick Picl, Mike Woo, Jack Wiedeman, Robert Tenney, Floyd Wombacher, Charlie Callaway, Steve Cady, and Mickey O’Neil. Also present was Village Attorney Mark Walton from Miller, Hall & Triggs.

Absent was Bill O’Neil.

The Chairman then called the following case:

Special Use and Site Plan Approval application filed by Beck Oil Company of Illinois seeking approval of a special use and site plan for development of a gas station with a convenience store and car wash located at the southwest corner of East War Memorial Drive and North Central Avenue, Peoria Heights, Illinois 61616, which property is currently zoned B-2 (General Retail Business District) and which property consists of the following property identification (PIN) numbers and addresses:

14-27-302-004	828 East War Memorial Drive
14-27-302-005	900 East War Memorial Drive
14-27-302-006	N/A
14-27-302-007	908 East War Memorial Drive
14-27-302-008	910 East War Memorial Drive
14-27-302-009	914 East War Memorial Drive
14-27-302-010	918 East War Memorial Drive
14-27-302-011	922 East War Memorial Drive
14-27-302-016	829 East Paris Avenue
14-27-302-017	901 East Paris Avenue
14-27-302-018	909 East Paris Avenue
14-27-302-019	911 East Paris Avenue
14-27-302-020	913 East Paris Avenue
14-27-302-021	915 East Paris Avenue
14-27-302-024	3609 North Central Avenue
14-27-302-025	925 East Paris Avenue
14-27-302-027	917 East Paris Avenue

Petitioner Beck Oil Company of Illinois was present by its President, Bill Smith, who presented the applicant's requests. Mr. Smith explained the changes that have occurred to the site plan since the applicant was before the Zoning Board in 2022. Due to failure to secure an access point to the Property on War Memorial Drive from the Illinois Department of Transportation, the applicant needed to revert to the original site plan, with the car wash on the north side at War Memorial Drive, and entrance points on Paris and Central. After discussion and requests by Zoning Board members, the applicant agreed that a fence on the west side of the Property was a good idea and the applicant also agreed to plant appropriate landscaping for screening on the south side of the Property at Paris Avenue. There was no public comment at the hearing.

The ZBA deliberated over the special use and site plan approval standards and made the findings and determinations as set forth in "**Exhibit A**" and "**Exhibit B**" hereto. Following deliberations, Steve Cady made a motion to approve the special use application and Mike Woo seconded the motion. The Zoning Board of Appeals unanimously approved the motion (8 to 0). Floyd Wombacher made a motion to approve the site plan application, subject to the condition that the applicant install a fence on the west side of the Property and the condition that the applicant plant appropriate landscaping for screening on the south side of the Property at Paris Avenue. Mick O'Neil seconded the motion. The Zoning Board of Appeals unanimously approved the motion (8 to 0).

The meeting was adjourned at 5:58 p.m.

# **EXHIBIT A**

VILLAGE OF PEORIA HEIGHTS ZONING BOARD OF APPEALS  
FINDINGS OF FACT AND RECOMMENDATION – SPECIAL USE/SITE PLAN

PETITIONER'S NAME Becks Oil

ADDRESS War Memorial Dr and Central Ave

After conducting a public hearing and considering the facts, the Zoning Board of Appeals makes the following Findings of Fact and Recommendation.

FINDINGS

1. <sup>8</sup> <sup>0</sup>  
Yes No N/A The establishment, maintenance, or operation of the special use ~~or site plan~~ will not be detrimental to or endanger the public health, safety, morals, comforts, or general welfare.
2. <sup>8</sup> <sup>0</sup>  
Yes No N/A The special use ~~or site plan~~ will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.
3. <sup>8</sup> <sup>0</sup>  
Yes No N/A The establishment of the special use ~~or site plan~~ will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. <sup>8</sup> <sup>0</sup>  
Yes No N/A Adequate facilities, access roads, drainage and/or necessary facilities have been or will be provided.
5. <sup>6</sup> <sup>2</sup>  
Yes No N/A Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. Yes No N/A If a public use or a use providing public utility service, that such use of service shall meet a demonstrable public need and provide a public benefit.
7. <sup>8</sup> <sup>0</sup>  
Yes No N/A The special use ~~or site plan~~ shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the zoning board of appeals.

RECOMMENDATION

BASED UPON THE TESTIMONY HEARD AND THE EVIDENCE SUBMITTED, THE PEORIA HEIGHTS ZONING BOARD OF APPEALS MAKES THE FOLLOWING RECOMMENDATION:

A. A motion to approve the request for a Special Use/Site Plan is made by Steve Cady and seconded by Mike Woo.

Condition(s) if any: None; or

B. A motion to deny the request for a Special Use/Site Plan is made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Number of Aye Votes 8 Number of Nay Votes 0 Number of Abstentions 0

I CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT RECITATION OF THE DECISION AND VOTES REGARDING THIS REQUEST FOR APPROVAL OF A SPECIAL USE/SITE PLAN.

SIGNED:   
Chairman, Zoning Board of Appeals

DATE: 04/17/2023

# **EXHIBIT B**

VILLAGE OF PEORIA HEIGHTS ZONING BOARD OF APPEALS  
FINDINGS OF FACT AND RECOMMENDATION – ~~SPECIAL USE~~ **SITE PLAN**

PETITIONER'S NAME Becks Oil

ADDRESS War Memorial Dr and Central Ave

After conducting a public hearing and considering the facts, the Zoning Board of Appeals makes the following Findings of Fact and Recommendation.

FINDINGS

1. <sup>8</sup> <sup>0</sup>  
**Yes** No N/A The establishment, maintenance, or operation of the ~~special use or~~ **site plan** will not be detrimental to or endanger the public health, safety, morals, comforts, or general welfare.
2. <sup>8</sup> <sup>0</sup>  
**Yes** No N/A The ~~special use or~~ **site plan** will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.
3. <sup>8</sup> <sup>0</sup>  
**Yes** No N/A The establishment of the ~~special use or~~ **site plan** will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. <sup>8</sup> <sup>0</sup>  
**Yes** No N/A Adequate facilities, access roads, drainage and/or necessary facilities have been or will be provided.
5. <sup>5</sup> <sup>3</sup>  
**Yes** No N/A Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. Yes No **N/A** If a public use or a use providing public utility service, that such use of service shall meet a demonstrable public need and provide a public benefit.
7. <sup>8</sup> <sup>0</sup>  
**Yes** No N/A The ~~special use or~~ **site plan** shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the zoning board of appeals.

RECOMMENDATION

BASED UPON THE TESTIMONY HEARD AND THE EVIDENCE SUBMITTED, THE PEORIA HEIGHTS ZONING BOARD OF APPEALS MAKES THE FOLLOWING RECOMMENDATION:

A. A motion to approve the request for a ~~Special Use~~ **Site Plan** is made by Floyd Wambacher and seconded by Mick O'Neil.

Condition(s) if any: A fence will be added on west property line between Becks and Super Liquors and a berm with taller bushes or other landscaping will be added on the south property line to minimize view from Paris Ave; or

B. A motion to deny the request for a Special Use/Site Plan is made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Number of Aye Votes 8 Number of Nay Votes 0 Number of Abstentions 0

I CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT RECITATION OF THE DECISION AND VOTES REGARDING THIS REQUEST FOR APPROVAL OF A ~~SPECIAL USE~~ **SITE PLAN**.

SIGNED:   
Chairman, Zoning Board of Appeals

DATE: 04/17/2023