

MINUTES FOR PEORIA HEIGHTS ZONING BOARD OF APPEALS MEETING
MAY 15, 2023

The Peoria Heights Zoning Board of Appeals meeting was called to order at 5:30 p.m. on Monday, May 15, 2023 at Village Hall, 4901 N. Prospect Road, Peoria Heights, Illinois.

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

Absent was Rick Picl, Charlie Callaway, and Bill O'Neil.

The acting Chairman (Mickey O'Neil) then called the following case:

Variance application filed by Amber Buss / Bust'd Brewing seeking approval of a variance to construct a front yard fence on the property located at 4408 N. Prospect Road, Peoria Heights, Illinois, 61616 (PIN No. 14-22-455-004), which property is currently zoned B-2 (General Retail Business District).

Amber Buss was present and she presented her petition to the Zoning Board. Amber explained that they discovered that the existing chain link fence is located on Village of Peoria Heights right-of-way, so they will be erecting the four-foot tall wooden fence behind the existing fence on the private property. Amber handed out renderings of the fence design and explained that the horizontal wood slats will be placed so as to meet the requirement that the fence be at least 40% open.

There was no public comment at the hearing.

The ZBA deliberated over the variance approval standards and made the findings and determinations as set forth in "**Exhibit A**" hereto. Following deliberations, Robert Tenney made a motion to approve the variance and Mike Woo seconded the motion. The Zoning Board of Appeals unanimously approved the motion (6 to 0).

The meeting was adjourned at 5:50 p.m.

EXHIBIT A

**VILLAGE OF PEORIA HEIGHTS
ZONING BOARD OF APPEALS
FINDINGS AND DETERMINATION – VARIANCE**

CASE NUMBER _____

ADDRESS 4408 North Prospect Avenue

PETITIONER'S NAME Amber Buss / Bust'd Brewing

DESCRIPTION OF REQUESTED VARIANCE Front yard fence

STANDARDS FOR VARIATIONS

1.	YES 6	NO 0	N/A	Will the strict application of the terms of the Zoning Code relating to the use, construction or alteration of buildings or structures or to the use of land impose practical difficulties or a particular hardship upon the Petitioner?
2.	YES 6	NO 0	N/A	If the variation is granted, the property affected by the variation will remain in harmony with the general purpose and intent of the Zoning Code?
3.	YES 6	NO 0	N/A	The approval of the variation will not merely serve as a convenience to the Petitioner, but is necessary to alleviate some demonstrable hardship on the Petitioner.
4.	YES 6	NO 0	N/A	Can the variation requested by the Petitioner be granted without substantial detriment to the public good?
5.	YES 6	NO 0	N/A	Can the proposed variation be approved without impairing the general purpose and intent of the comprehensive plan as implemented by the Zoning Code?
6.	YES 6	NO 0	N/A	If the proposed variance involves a fence, will the fence conform with the standards set forth at subsections 10-4-7D2c(2) – D2c(5) of the Zoning Code?

A motion to approve the request for a variance is made by Robert Tenney and seconded by Mike Woo subject to conditions, if any, set forth below.

Condition(s) if any: _____

Number of Aye Votes 6
Number of Nay Votes 0
Number of Abstentions 0