

MINUTES FOR PEORIA HEIGHTS ZONING BOARD OF APPEALS MEETING
MAY 16, 2022

The Peoria Heights Zoning Board of Appeals meeting was called to order at 5:35 p.m. on Monday, May 16, 2022 at Village Hall, 4901 N. Prospect Road, Peoria Heights, Illinois.

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

Absent were: Janie Backs, Robert Tenney and Charlie Callaway.

Mike Woo moved to approve minutes from the February 21, 2022 ZBA meeting and Steve Cady seconded the motion; the Board unanimously approved the motion.

The meeting chairman called the following case:

Variance application filed by Jessica and Phil Ramsay seeking approval of variances for the property located at 741 East Lake Avenue, Peoria Heights, Illinois 61616 (PIN No. 14-22-354-023), to allow the construction of a garage located on the rear one-third of the property and closer than 3 feet from the west property line as required by Section 10-7B-5(B) of the Village Code; the construction of a 6-foot privacy fence less than 10 feet from east property line on a corner lot as required by Section 10-4-7(D)(1)(b) of the Village Code; and the construction of a pool less than 5 feet from the rear and west lot lines and less than 5 feet to the nearest structure as required by Section 10-4-8(B) of the Village Code.

Petitioners were present and explained that they desired to build a garage and install an above-ground pool on the property, with a privacy fence in the back yard along Illinois, the alley on the north side of the property, and the west side of the property. Phil Ramsay's father explained during public comments that the petitioners were attempting to make the most of their relatively small yard, while also providing privacy for the children.

There being no further comments offered from the public or on behalf of the petitioner, the ZBA deliberated over the factors and made the findings and determination as set forth in "**Exhibit A**" hereto; the Board approving variances for construction of the garage and fence as requested and as shown on the site plan included with Petitioners' application, and approving variances for the location of the pool within five feet of the rear lot line and structures, but declining to grant a variance for location of the pool within five feet of west property line.

The Board next addressed the proposed amendment to the zoning ordinance. Kathleen Carter from Miller, Hall & Triggs explained the proposed changes to the definition of "nonconforming lot, structure or use" to include uses that require a special use permit under current provisions of the code. Ms. Carter and board members then discussed the proposed changes to I-1 industrial zoning provision to require special use permits for automotive uses. Chief Sutton explained that the proposed change was prompted by the history of issues with the Walker property and numerous complaints from neighboring property owners.

Following discussions, Mickey O'Neil moved to recommend approval of the proposed ordinance amendments to the Village Board, and Mike Woo seconded the motion; the motion was unanimously approved.

The meeting was adjourned at 6:40 p.m.