

MINUTES
Zoning Board of Appeals
Linda O'Brien, Chairperson
April 14, 2022

A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, April 14, 2022, in Room 403 of the Peoria County Courthouse, 324 Main Street, Peoria, Illinois. The meeting was called to order by Chairperson Linda O'Brien, at 9:00 a.m.

PRESENT: Linda O'Brien – Chairperson, Greg Happ, Jim Bateman, J. Greg Fletcher, Robert Asbell, Chris Duncan

ABSENT: Andrew Keyt – Vice Chairperson, Justin Brown, John Harms

STAFF: Kathi Urban – Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Jennie Cordis Boswell – Chief Civil Assistant State's Attorney
Sarah Cox – ZBA Administrative Assistant

Mr. Asbell made a motion to approve the minutes from the March 10, 2022, hearing and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-000016** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **ADRIAN AND CARMEN STOICESCU, acting on their own behalf, a VARIANCE** request from Section 20-3.2.14 of the Unified Development Ordinance, which requires a maximum of 2 permits for the same construction project for a single structure. The petitioner is requesting a 4th permit to complete construction of a single family residential dwelling in the "R-1" Low Density Residential Zoning.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Peoria Journal Star* on March 16, 2022. Taylor Armbruster gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Agriculture). The site plan and two videos of the property were shown. The property is zoned "R-1".

Adrien and Carmen Stoicescu of 8674 Grandview Drive, Roscoe, IL were sworn in. Mr. Stoicescu stated that they are not professional builders, and they didn't build the home for profit. They are behind schedule mostly because of COVID, as they weren't able to get contractors to work. All that is left to do on the house is the interior finish. The property from the outside is finished and in good shape. Mr. Stoicescu stated that he had photos of the exterior of the property.

Ms. Stoicescu stated that they passed all inspections except for the last one. When she started the property as a woman builder, she had problems getting contractors to show up. They would have had plenty of time to finish the inside, but they had difficulty finding workers due to COVID shutdowns.

Ms. O'Brien asked Ms. Urban to give a status as to where the petitioners were in the permitting process. Ms. Urban stated that the first permit was issued in 2014, the second in 2016 with a 90 day extension that expired in January 2019. The petitioners then came before the ZBA for a third permit that expired in April 2021 and was extended to July 2021. The last inspection was on March 10, 2021. This inspection was the second rough-in inspection. Some corrections had been made, and they were approved to insulate the main level.

Mr. Fletcher asked if the rough-in inspection was for sewer and electric. Ms. Urban stated that it included underground items, and a final inspection has never been scheduled for this project.

Mr. Duncan asked about the reasoning behind setting a 2 year limit on a building permit. Ms. Urban stated that it was to protect the neighborhood so that houses aren't being built for many years and there isn't an attractive nuisance for neighborhood children. Mr. Duncan asked if there had been any other cases that had taken this long to complete. Ms. Urban stated there had been another house in the Hollis Township area that had taken a long time to build.

Mr. Duncan asked if there would be a set amount of time to complete the project if the variance was granted. Ms. Urban stated that if the variance was granted today, the petitioners would be able to purchase another permit, and that would give them 2 additional years to complete the project.

Ms. O'Brien stated that Ms. Stoicescu had given COVID as a reason for the delay, but this project started in 2014.

Ms. Stoicescu stated that this wasn't just for the last permit. She stated that the home was originally for her children, and they were laid off from Caterpillar, she had an accident in 2016 and spent half a year in a nursing home, and her parents died. She stated that she had trouble finding contractors that would show up. She had no experience building, so she had to learn to run a Bobcat and install the septic field as well as install the siding and complete the concrete in the basement.

Mr. Bateman asked what the plan was for finishing the house. Ms. Stoicescu stated that they have passed all inspection it is just the final finish on the house. She stated that she may be able to bring laborers from Rockport to finish. Mr. Stoicescu stated that the access to labor is better at this point, and he doesn't foresee any problems.

Ms. O'Brien asked if the petitioners felt that they would be able to finish the house if the fourth permit was granted, and that they would not be back for a fifth permit. Mr. Stoicescu stated that they would be able to finish.

Mr. Fletcher asked about the house being a family project, but not being able to get labor. Ms. Stoicescu stated that she had had originally had no plans to build the home herself, but she couldn't get labor. Mr. Fletcher asked if they had ever hired a contractor for the property. Mr. Stoicescu stated that they had only hired subcontractors, but not a general contractor. Mr. Fletcher asked if they had hired any

professional to come and finish the interior. Mr. Stoicescu stated not at this time. Ms. Stoicescu stated that the remaining work that needs to be done is not difficult labor. Mr. Fletcher asked if there were any contractors lined up to finish the doors, flooring, etc. Mr. Stoicescu stated that they do not, but any of those things could be purchased and they could have them within a week from any place like Home Depot. Mr. Fletcher stated that it seems like since 2014 they could have had some of these things lined up and completed. Mr. Stoicescu mentioned all of the hardships that Ms. Stoicescu had previously mentioned. Mr. Fletcher asked if the initial plan was to have his children live with them in the house. Mr. Stoicescu stated that the original idea was that after the original stage of building was to have his children take over the construction of the home and then the children were laid off from Caterpillar. Mr. Fletcher stated that he doesn't see this project being completed and asked how many times a week they came to work on the house. Mr. Stoicescu stated that they come down every week. Ms. Stoicescu stated that contractors wouldn't come. Mr. Stoicescu stated that the house looks complete from the outside.

Ms. O'Brien asked how many bedrooms were in the home. Mr. Stoicescu stated that there were four bedrooms.

Mr. Bateman asked if they had the funds available to complete the project. Mr. Stoicescu stated that they did. Ms. Stoicescu stated that if it hadn't been for COVID, the house would be finished. The outside is finished, and it is landscaped.

Ms. O'Brien asked if there were any questions from the Board and there were none.

Ms. O'Brien asked if there was anyone that wanted to speak for the petition.

Jeff Kolbus of 721 W. Lake, Peoria, IL was sworn in. Mr. Kolbus stated that he is with Traders Holding Corporation, and they are the developers of the subdivision. Mr. Kolbus stated that there have been no lot sales in the neighborhood since the project started. The lot closed December 2013, the building plans were approved in August 2014, the covenants and restrictions recorded stated that they had 2 years to complete the home from the date of closing. Mr. Kolbus stated that he has heard multiple excuses and none of them have been financial. He stated that there have been over 50 new construction homes completed and sold in the Peoria area in the last 12 months, so COVID is not a valid excuse. He stated that the home is not complete because it is not lived in. The certificate of occupancy will never be granted if the home is not livable. Mr. Kolbus stated that he didn't know if there was a way to grant the variance with some sort of penalty because it is hurting the neighborhood.

Ms. O'Brien stated that there was no way to put a restriction on the variance request. Mr. Kolbus stated that he isn't necessarily asking for a restriction but wants some way to enforce. Ms. Urban stated that cases such as this do move onto the Hearing Officer, and the Hearing Officer has the authority to impose fines. Mr. Kolbus stated that that doesn't necessarily help the neighborhood. He further stated that he doesn't know if the home has been assessed properly.

Mr. Duncan asked if there was another objection. Mr. Kolbus stated that he isn't necessarily objecting, he just wants it done. Mr. Fletcher asked if there was any way that the restrictions in the subdivision covenant could be enforced. Mr. Kolbus stated that they were able to take that legal route, but they would have to prove that harm was done. He stated that a letter was sent in 2020 stated that the home would need to be finished or they would take legal action, but it was never followed up on. Mr. Fletcher

asked if they could sell the home quickly in this market. Mr. Kolbus stated that he believed they could because there is a home shortage.

Ms. Stoicescu stated that she plans to move into the home. Ms. O'Brien asked if selling the home instead of finishing it was an option. Ms. Stoicescu stated that she doesn't want to sell it.

Ms. O'Brien asked if there was anyone that wanted to speak against the petition.

Carl Johnston of 14101 N. River Crest, Chillicothe, IL was sworn in. Mr. Johnston added that he built his house in 2015 and it was completed within 6 months, and his house was the last home built in the neighborhood. He said the petitioners are still on temporary electric, and he never sees anyone doing any electrical, plumbing drywall, or anything being accomplished. They keep getting extensions and nothing gets done. Mr. Johnston stated that something needs to be done to make sure it gets finished.

Mr. Fletcher asked if the exterior was taken care of. Mr. Johnston stated that it is taken care of, but there is so much elevation and there is no way to get from the street into the front door. He stated that it is just a wrong concept.

Ms. Stoicescu stated that the plans were approved for the neighborhood and that you can't see from the street that the house is not finished. She stated that if she lived there, it would look the same.

Mr. Johnston asked if there were pictures of the inside. Mr. Fletcher asked if staff had any interior pictures. Ms. Urban stated that the inspectors might have interior pictures, but they weren't available today.

Mr. Stoicescu stated that they had mechanical inspections and pictures were sent to the County. Ms. Stoicescu stated that they passed the inspections.

Mr. Bateman stated that there have been cases like this before. The petitioners are serving as their own general contractors, and some people just aren't good at being a general contractor. He doesn't think that it will be possible to finish without a general contractor.

Mr. Fletcher asked if the interior was drywalled? Mr. Stoicescu stated that it was not because the permit was expired, and they needed to hire someone to drywall. Mr. Fletcher asked when the last permit expired. Ms. Urban stated that it expired July 5, 2021, and the last inspection was March 2021.

Ms. O'Brien asked if there was anyone else that wanted to speak in opposition of the petition.

Mr. Kolbus stated that his approval of the petition is only if the Board was able to enforce the completion of the project.

Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Happ. A vote was taken, and the motion passed; (6-0)

Mr. Asbell stated that his problem is that getting building materials is approximately three months out. Ms. O'Brien stated that if she were to vote yes today, she would not vote yes the next time, but there is

no way to put that restriction on it. Mr. Fletcher stated that it has taken this many years, and now there is a supply chain problem. He also stated that there were covenants in the bylaw stating that it needs to be completed. Ms. O'Brien stated that someone should have proceeded legally with that. She also stated that even though the exterior may not be what they would choose, it is presentable. Mr. Happ agreed that at least the outside was presentable. Mr. Fletcher stated that the neighbors deserved to have the home finished and that the petitioners knew what they were getting into. He also believes the home could be easily sold. Mr. Duncan agrees that this has taken a long time but doesn't see how not granting the permit would benefit anyway, and he is willing to grant the variance. Mr. Bateman stated that he doesn't see how they can get it done in 10 years if they couldn't do it in eight. Mr. Fletcher agreed.

FINDINGS OF FACT FOR VARIANCES

Section 20-3.7.3

The findings of the ZBA or the Zoning Administrator shall be based on data submitted pertaining to each standard in this Subsection as it relates to the development. A variance shall be granted only if the applicant demonstrates:

1. That the plight of the owner is due to unique circumstances;
 - The petitioner's variance request is for a fourth permit in order to complete interior construction of a single-family residential dwelling in the "R-1" Low Density Residential District. The petitioner/owner has stated that construction on the exterior of the home is complete, including driveway, deck, and landscaping, and that the structure has passed Peoria County's mechanical inspection. The situation is unique in the fact that several unforeseen circumstances, which they have stated COVID, created a shortage in the labor workforce and also construction materials.
2. That the variation, if granted, will not alter the essential character of the locality;
 - Granting of the variance will not alter the essential character of the locality as all exterior work is complete. The variance request is needed to complete the interior of the home.
3. That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 - Granting of the variance will allow for interior completion of the single-family dwelling. Denial of the variance would create a hardship in the fact that the homeowners would not be able to reside in their own home and would most likely have to sell.
4. That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property;
 - Refer to #1.
5. That the granting of the variation will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood in which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations;
 - Granting of the variance will not be detrimental to the public health, safety, comfort, morals and welfare of the neighborhood, nor be injurious to other property or improvements in the neighborhood. Granting of the variance may possibly increase neighborhood values.

Granting of the variance would not be inconsistent with any adopted County plan or regulations.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - Granting of the variance will not affect the supply of light and air to adjacent properties, will not increase congestion in the public streets, and will not increase the danger of fire or endanger public safety. Granting of the variance would possibly increase property values within the neighborhood.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - Granting of the fourth permit is needed in order to complete interior work on the home.
8. That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.
 - Taking into consideration the aforementioned circumstances and conditions, if the variance were not granted the applicant would be denied reasonable use of his land.

Mr. Duncan made a motion to approve the findings of fact and was seconded by Mr. Happ. A vote was taken, and the motion passed; (6-0)

Mr. Duncan made a motion to approve the request and was seconded by Mr. Happ. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-000021** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **DOUG STREITMATTER, acting on behalf of STREITMATTER INVESTMENT PROPERTY, LLC (A limited liability company, Douglas W. Streitmatter – authorized agent, of 17622 N. Duncan Rd, Princeville, IL 61559), a VARIANCE** request from Section 20-7.7, Table 7-3 of the Unified Development Ordinance, which requires warehouse, storage, and wholesale establishments to supply 1 off street parking space per 1000 square feet. The mini-storage facility constructed on the site zoned “I-1” Light Industrial is required 17 parking spaces. The petitioner proposes 0 parking spaces, resulting in a variance request of 17 parking spaces.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Weekly Post* on March 24, 2022, and *The Peoria Journal Star* on March 16, 2022. Jack Weindel gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Interchange). The site plan and two videos of the property were shown. The property is zoned “I-1”.

Phil Ehnle of 6123 W. Hicks Hollow, Princeville, IL was sworn in. Mr. Ehnle stated that he is a part owner in the property and is speaking on behalf of Doug Streitmatter.

Mr. Ehnle stated that they are requesting zero parking spaces because there is no need for parking. People park their vehicles in front of the storage units to unload.

Mr. Asbell noted for the record that he farms the parcel behind the subject parcel and uses the easement to access his land.

Ms. O'Brien asked if there were any questions from the Board. There were none. Ms. O'Brien asked if there were any employees or an office on site. Mr. Ehnle stated that there is an adjoining business where people can come in to fill out paperwork, but most of that is now done online.

Mr. Fletcher asked if there was an office on site. Mr. Ehnle stated that there wasn't on that site.

Ms. O'Brien asked if there was anyone that wanted to speak for or against the request, and there was no one.

Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Happ. A vote was taken, and the motion passed; (6-0)

FINDINGS OF FACT FOR VARIANCES

Section 20-3.7.3

The findings of the ZBA or the Zoning Administrator shall be based on data submitted pertaining to each standard in this Subsection as it relates to the development. A variance shall be granted only if the applicant demonstrates:

1. That the plight of the owner is due to unique circumstances;
 - The petitioner is requesting a variance from the Unified Development Ordinance which requires warehouse, storage and wholesale establishments to supply one (1) off-street parking space per 1,000 square feet. The petitioner owns a mini-storage facility on a site zoned "1-1" Light Industrial, which requires 17 parking spaces. The petitioner proposes 0 parking spaces, resulting in a variance of 17 parking spaces. The owner/petitioner has stated that there is no need for parking spaces at the facility as there is no office or employees on-site, and each storage renter has an area in front of his or her unit for loading and unloading. He has stated parking spaces would cause congestion, and also would allow and possibly encourage parking for unwanted and unauthorized vehicles.
2. That the variation, if granted, will not alter the essential character of the locality;
 - If granted, the variance will not alter the essential character of the locality. Refer to #1.
3. That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 - The petitioner has stated that the storage renters' vehicles going down the aisles of the mini-storage facility need space to turn and swing wide, and parking spaces could encourage parking for longer amounts of time and in turn cause congestion and also unwanted vehicles on the facility.

4. That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property;
 - Refer to #1 and #3.
5. That the granting of the variation will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood in which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations;
 - If granted, the variance will not be detrimental to the public health, safety, comfort, morals and welfare, nor injurious to other property in the neighborhood. Granting of the variance will not be inconsistent with any adopted county plan.
6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - The proposed variation will not affect light and air supply to the adjacent property, will cause no congestion in the streets, and will not increase the danger of fire or endanger public safety. Property values in the area will not be diminished or impaired.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The petitioner has stated that that the variance request is the minimum adjustment necessary, as there has never been parking spaces at the facility and there is no need for them now. Refer to #1.
8. That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.
 - Taking into consideration the aforementioned circumstances, denial of the variance would deprive the petitioner reasonable use of his land.

Mr. Bateman made a motion to approve the findings of fact and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (6-0)

Mr. Duncan made a motion to approve the request and was seconded by Mr. Asbell. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-000023** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **NATE'S AWESOME, LLC – JFH NURSERY SERIES** (*A limited liability company, Nathan R. Hoerr – manager, of 8408 State Route 91, Peoria, IL 61615*), acting on its own behalf, a **SPECIAL USE** as required in Section 20-5.2.2.2.b of the Unified Development Ordinance. This section allows for a special use for private airports, landing fields and heliports, provided that the location and layout plan have been approved by the Department of Aeronautics of Illinois or the Federal Aviation Administration (FAA), and if within its jurisdiction, the Metropolitan Airport Authority of

Peoria. The petitioner proposes to construct a Restricted Landing Area in the “A-2” Agriculture Zoning District.

Ms. Urban opened the case. There are 0 consents and 1 objection on file. The case was published in *The Weekly Post* on March 24, 2022, and *The Peoria Journal Star* on March 16, 2022. Jack Weindel gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Urban). The site plan and two videos of the property were shown. The property is zoned “A-2”.

Nathan Hoerr of 8408 N. Route 91, Peoria, IL was sworn in. Mr. Hoerr stated that he is the sole owner and manager of Nate’s Awesome, LLC, and he is petitioning the Board to approve a Special Use permit for an airstrip. The property used to be a turf farm, then they planted trees on it. The saleable trees were all removed, and he would like to convert the north half of the property back to turf and he would like to be able to land a light sport aircraft on his turf field.

Mr. Fletcher asked if there would be a hangar. Mr. Hoerr stated that there would be no hangar, but he would like to build a detached 2-stall garage .

Mr. Asbell asked if the plane would be for personal use only, or if it would be used for crop dusting. Mr. Hoerr stated that he has no plans for crop dusting and based on the restrictions for a restricted airfield, use is only for people that he invites. He stated that you could request a permit for fly-ins, but that would have to be through IDOT.

Ms. O’Brien asked if there would be any lights. Mr. Hoerr stated that he had no plans to fly at night, but IDOT would allow him to install low level runway lights if he chose to do so. Ms. O’Brien confirmed that Mr. Hoerr didn’t have plans to install lights at this time.

Mr. Asbell asked how often Mr. Hoerr would be using the runway on a weekly basis. Mr. Hoerr stated that he would be using it possibly 3 operations per week, and it would be repeated use.

Mr. Fletcher asked where Mr. Hoerr currently flies out of. Mr. Hoerr stated that he has a hangar at Mt. Hawley Airport.

Ms. O’Brien asked if there was anyone that wanted to speak for or against the petition.

Chris Manson of 3311 W. Boulder Point Ct., Dunlap, IL was sworn in. Mr. Manson stated that he was present on behalf of OSF Healthcare. He is the Vice President of Government Relations. Mr. Manson stated that the concerns that they have are safety and property values. If a plane is taking off or landing, the landing pattern will be directly over the hospice facility. Mr. Manson stated that this was something that wasn’t anticipated and that the land was never zoned for it. Also, there is the possibility of up to 6 aircraft landing, and they don’t feel like this is the best location given what is on the surrounding property.

Mr. Duncan stated that the owner stated that he didn’t plan to do fly-ins. Mr. Manson stated that once the runway is there, he would have the capability to do so. Mr. Duncan asked if Mr. Manson would have the opportunity to object with IDOT. Mr. Manson stated that he didn’t know what IDOT’s process was.

Ms. O'Brien asked if there were any other questions. There were none. Ms. O'Brien asked if Mr. Hoerr would like to respond.

Mr. Hoerr stated that he and OSF had been great neighbors and he respects them. He stated that the statement that the traffic pattern would be over their facility, is erroneous. He stated that all traffic patterns are to the south and would take him over Orange Prairie Road, to just north of Willow Knolls Road, and to his own sod field. Mr. Hoerr stated that the property isn't zoned for an airstrip, but it is a permitted use under the "A-2" zoning.

Ms. O'Brien asked if there was anyone else that opposes the request.

Ed Peszek of 13214 N River Beach Dr, Chillicothe, IL was sworn in. Mr. Peszek stated that he is with OSF and stated that in addition to the concerns in the letter that was submitted, they see the runway as a risk to not only property values, but also to future development that they have in plans for the property.

Ms. O'Brien asked if there were any other questions. There were none. Ms. O'Brien asked if Mr. Hoerr would like to respond.

Mr. Hoerr stated that if he doesn't build an airstrip, he would plant turf grass and to be able to tell the difference between turf grass and a runway would be difficult, other than the markings that IDOT would require him to put at the ends of the runway. He and IDOT have worked for over a year to make sure that all the proper clearances and glide paths are all within the statutes of the state of Illinois, and he would challenge that his occasional use vastly increases risk to OSF. He stated that the cars and trucks on Routes 6 and 91 impose the same, if not more, risk to the people using their facility.

Mr. Asbell made a motion to close and deliberate and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-000024** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **TIMOTHY L. WIGHT, acting on his own behalf, a VARIANCE** request from Section 20-5.13.1 of the Unified Development Ordinance, which requires that an accessory structure shall not be commenced prior to the commencement of the principal structure. The petitioner proposes to construct a 40' by 60' accessory structure on a parcel without a principal structure in the "A-2" Agriculture Zoning District.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Weekly Post* on March 24, 2022, and *The Peoria Journal Star* on March 16, 2022. Jack Weindel gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Environmental Corridor and Agriculture Preservation). The site plan and two videos of the property were shown. The property is zoned "A-2".

Timothy Wight of 2715 S Faircrest Ln, Peoria, IL was sworn in. Mr. Wight stated that he purchased the 52 acres as a small family farm. He purchased tractors and implements for farming for wildlife. The land was in CRP for 25 years and he wants to start planting sunflowers and food plots for wildlife. The

equipment is sitting outside, uncovered and he would like to put up a 40' by 80' building to store the equipment.

Mr. Fletcher asked what Mr. Wight was going to plant. Mr. Wight stated that it would be all food plots for wildlife. Mr. Wight stated that he would like to eventually build a home there in about 20 years or so.

Ms. O'Brien asked if he duck hunted. Mr. Wight stated that he had never duck hunted and had only gone deer hunting since he purchased the property.

Mr. Happ asked if the trailer in the video was his. Mr. Wight stated there was a trailer, a tractor, and other implements. He stated that he has invested approximately \$100,000 on equipment and needs somewhere to store it.

Mr. Happ asked if Mr. Wight was going to run power to the building. Mr. Wight stated he has already spoken to Ameren about running power to the property.

Mr. Fletcher asked about the type of building. Mr. Wight stated that it was built by the Amish, and he has a contractor that would be putting it up.

Ms. O'Brien asked if there was anyone that wanted to speak for or against the petition. There was no one.

Mr. Asbell made a motion to close and deliberate and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (6-0)

FINDINGS OF FACT FOR VARIANCES

Section 20-3.7.3

The findings of the ZBA or the Zoning Administrator shall be based on data submitted pertaining to each standard in this Subsection as it relates to the development. A variance shall be granted only if the applicant demonstrates:

1. That the plight of the owner is due to unique circumstances;
 - The petitioner is requesting a variance in order to construct a 40' x 60' accessory structure on a 49.327 acre parcel without a principal structure in the "A-2" Agricultural Zoning District. The land is expired CRP and proposed use is a small farm, wildlife habitat and recreational. A storage building is needed to store farm equipment in order to maintain the land. Currently, all equipment is being kept outside, exposing it to the elements and theft.
2. That the variation, if granted, will not alter the essential character of the locality;
 - The requested variance will not alter the essential character of the locality as the parcel consists of 49.327 acres. The petitioner has stated the proposed building will be located in the rear of the property near the woods and will not affect tillable ground. With the equipment stored inside, the property will improve aesthetically.

3. That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 - Refer to #1.
4. That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property;
 - Refer to #1 and #2.
5. That the granting of the variation will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood in which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations;
 - Granting of the variance will not be detrimental to the public health, safety, comfort, morals and welfare of the neighborhood, nor be injurious to other property or improvements in the neighborhood. Granting of the variance would not be inconsistent with any adopted County plan or regulations.
6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - Granting of the variance will not affect the supply of light and air to adjacent properties, will not increase congestion in the public streets, and will not increase the danger of fire or endanger public safety, nor will it impact property values.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The petitioner has stated the size of the proposed building is the minimum necessary in order to house all of the farming equipment and a future workshop.
8. That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.
 - Taking into consideration the aforementioned circumstances and conditions, if the variance were not granted the applicant would be denied reasonable use of his land.

Mr. Bateman made a motion to approve the findings of fact and was seconded by Mr. Happ. A vote was taken, and the motion passed; (6-0)

Mr. Fletcher made a motion to approve the request and was seconded by Mr. Asbell. A vote was taken, and the motion passed; (6-0)

Mr. Happ made a motion to adjourn and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (6-0)

Meeting adjourned at 10:49 a.m.

APPROVED 05/12/2022

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant