

**MINUTES**  
**Zoning Board of Appeals**  
**Linda O'Brien, Chairperson**  
**May 12, 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, Andrew Keyt – Vice Chairperson, Jim Bateman, J. Greg Fletcher

**ABSENT:** Greg Happ, Rob Asbell, Chris Duncan, Justin Brown, John Harms

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

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Mr. Bateman made a motion to approve the minutes from the April 14, 2022, hearing and was seconded by Mr. Keyt. A vote was taken, and the motion passed; (4-0)

Case No. **ZBA-2022-025** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **WAYNE STREITMATTER, acting on behalf of WAYNE AND DEYONA STREITMATTER (owners), a VARIANCE** request from Section 20-6.2.2.2.d.2.b of the Unified Development Ordinance, which requires a side setback of 30 feet for accessory structures two thousand (2,000) square feet or larger in the "A-1" Agricultural Preservation Zoning District. The petitioner proposes to construct a 11,200 sq. ft. farm shop building at a distance of 1 foot from the southern side setback, resulting in a variance request of 29 feet.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Peoria Journal Star* on April 8, 2022, and *The Weekly Post* on April 14, 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 Preservation). The site plan and two videos of the property were shown. The property is zoned "A-1".

Wayne Streitmatter of 9107 N Maher Rd., Brimfield, IL was sworn in. Mr. Streitmatter stated that he wants to build a farm shop and he would like to have as much space as possible between the shop and the grain bins in order for machinery to move in and out of the shop building. From a safety standpoint, he would like to move the building as close to the line as possible. He owns both properties, but they are on the township line.

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

Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Keyt. A vote was taken, and the motion passed; (4-0)

***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 proposing to construct an 11,200 square foot farm shop building at a distance of one foot from the southern side setback, resulting in a variance request of 29 feet. The situation is unique in the fact that the petitioner owns both properties on each side of the southern side setback which is also the township line. The variance is needed in order to create enough space to safely enter and exit the proposed building on the north side.
2. That the variation, if granted, will not alter the essential character of the locality;
  - This is a rural area consisting of 5.52 acres. The proposed farm shop will be located 400 feet west of Maher Road and there are several other outbuildings on the farm. For these reasons, the essential character of the locality would not be altered.
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 shape and size of the parcel restricts the farm shop building from being located anywhere else on the property. In addition, existing grain bins will not allow for the building to be located farther north.
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;
  - 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. Granting of the variance will have no impact on property values within the neighborhood.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
  - Refer to #1 and #3.
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. Keyt. A vote was taken, and the motion passed; (4-0)

Mr. Fletcher made a motion to approve the request and was seconded by Mr. Keyt. A vote was taken, and the motion passed; (4-0)

Case No. **ZBA-2022-026** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **RUSSELL AND KRIS LUKEHART, acting on their own behalf, a VARIANCE** request from Section 20-6.6.2.1.e.1 of the Unified Development Ordinance, which requires a road setback of 25 feet in the “R-2” Medium Density Residential Zoning District. The petitioner proposes to construct an inground swimming pool at a distance of 10 ft. from the right-of-way, resulting in a variance request of 15 ft. Also, a Variance request from Section 20-7.4.6.3 of the Unified Development Ordinance, which requires that an open fence erected on a premises located in the front setback past the building line shall not exceed four (4) feet. The petitioner proposes to construct an open fence at a height of six (6) feet to serve as a barrier to an inground pool in the front setback past the building line, resulting in a variance request of 2 feet.

Ms. O’Brien stated that the petitioners had requested to withdraw their request and asked for a motion to approve the withdrawal.

Mr. Keyt made a motion to approve the withdrawal and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (4-0)

### **Miscellaneous**

Ms. Urban stated that next month there will be an item on the agenda to elect a new Vice Chairperson, as this meeting was Mr. Keyt’s last meeting.

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Mr. Bateman asked if he could give his farewell speech now. Mr. Bateman said, "It's been fun. Bye."

Mr. Keyt stated that he has been in front of many zoning boards around the state, and this Board and the staff are the best he has worked with. Ms. O'Brien seconded Mr. Keyt's sentiment.

Ms. Urban stated that she appreciated Mr. Keyt and Mr. Bateman and hopes they might come back after a break.

Mr. Fletcher made a motion to adjourn and was seconded by Mr. Keyt. A vote was taken, and the motion passed; (4-0)

Meeting adjourned at 9:12 a.m.

Respectfully submitted,

Sarah Cox  
ZBA Administrative Assistant