

MINUTES
Zoning Board of Appeals
Loren Bailliez, Chairman
March 12, 2020

A meeting of the Peoria County Zoning Board of Appeals was held on Thursday March 12, 2020, in Room 403 of the Peoria County Courthouse, 324 Main Street, Peoria, Illinois. The meeting was called to order by acting Chairperson Linda O'Brien at 9:00 a.m.

PRESENT: Linda O'Brien, Leonard Unes, Jim Bateman, Greg Fletcher, Greg Happ

ABSENT: Loren Bailliez, Justin Brown, John Harms, Andrew Keyt

STAFF: Taylor Armbruster – Planner I
Corbin Bogle – Planner I
Kathi Urban – Director
Ellen Hanks - ZBA Administrative Assistant

Mr. Bateman made a motion to approve the minutes from the February 13, 2020 hearing and was seconded by Mr. Happ. A vote was taken and the motion passed; (5-0)

Case No. 009-20-V at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **JOHN BERGEN, acting on his own behalf**, a **VARIANCE** request from Section 20-5.13.3.3 of the Unified Development Ordinance, which requires that for lots and parcels used for residential purposes in the A-2 Agriculture District which are five (5) acres or less and which are not in platted subdivisions, the total floor area of any accessory building shall not exceed 1,300 square feet, plus three hundred (300) square feet per acre. The petitioner proposes to construct a 2,160 sq. ft. building, resulting in a variance request of 260 sq. ft. Also, A Variance request from Section 20-6.3.2.2.d.2.b of the Unified Development Ordinance, which requires a side setback of 30 feet for accessory structures 2,000 square feet or larger. The petitioner has requested to construct a 2,160 sq. ft. building at a distance of 10 feet from the eastern side property line, resulting in a variance request of 20 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 February 25, 2020 and the Chillicothe Bulletin on February 19, 2020. Taylor Armbruster gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Agriculture & Environmental Corridor). The site plan and two videos of the property were shown. The property is zoned A-2.

John Bergen of 21614 N. Benedict St., Chillicothe, was sworn in. Mr. Bergen stated that he was asking for a variance because he did not have enough space on his property to place the building anywhere else due to a large ravine behind the house. Additionally, Mr. Bergen stated that he needed a building larger than allowed because he would be storing a motorhome and other large vehicles inside it. Mr. Bergen

added that the size of the building was just large enough to hold the items he intended to store. Mr. Bergen added that the size of the proposed building was 45' x 48'.

Mr. Fletcher asked how close the building would be to the closest property line, and Mr. Bergen stated that it was approximately 16 feet away when he measured it. Mr. Bergen added that it would only be the back corner that would be that close. Mr. Bergen then indicated on the aerial map where the building would be placed. Mr. Bergen also pointed out the location of the septic field, which also would limit where the proposed building could be placed. Mr. Bergen also pointed out that he had removed the carport which was still shown on the aerial map.

Ms. O'Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Bateman. A vote was taken, and the motion passed; (5-0)

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 20 foot variance in order to construct a storage building so as not to interfere with septic tank and field. Also, a 260 square foot variance so the building will be large enough to house an RV, boat, trailer, and all other vehicles.
2. That the variation, if granted, will not alter the essential character of the locality;
 - The proposed structure is an agricultural building suited to the surroundings.
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;
 - Due to the shape and size of the parcel, as well as the septic location, the petitioner is restricted on the placement of the building.
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;
 - The property is made up of slopes, rolling hills and deep ditches allowing for minimal building sites.
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;
 - Surrounding area is farm fields and wooded acreage. Building site is ½ mile from the nearest neighbor and not visible from the road.

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;
 - See #5.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - See #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.
 - See #1.

Mr. Fletcher made a motion to approve the findings of fact and was seconded by Mr. Bateman. A vote was taken, and the motion passed; (5-0) Mr. Fletcher made a motion to approve the request and was seconded by Mr. Happ. A vote was taken and the motion was approved. (5-0)

Case No. 010-20-V at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **DAVID & CAROL INSKEEP, acting on their own behalf**, two **VARIANCE** requests 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 2,000 square feet or larger. The petitioner has requested to construct a 6,000 sq. ft. building in the “A-1” Agricultural Preservation Zoning District at a distance of 25 feet from the east side property line, resulting in a variance request of 5 feet, and 25 feet from the west side property line, resulting in a variance request of 5 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 February 25, 2020 and the Weekly Post on February 20, 2020. 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 & Environmental Corridor). The site plan and three videos of the property were shown. The property is zoned A-1.

Carroll Inskeep of 106 Southgate Dr., Elmwood, was sworn in. Ms. Inskeep stated that they were requesting a variance of 25 feet in order to construct a large building on their farm to house equipment for their pumping business. Ms. Inskeep further explained that her husband’s family farm was sold over the winter, which is where they have been storing the equipment until they can construct the proposed building. Ms. Inskeep explained that this building would be placed on the farm that they still own. Ms. Inskeep added that the site chosen for the building will not impact the people who live in the closest house because it will be in line with their existing shed.

Mr. Fletcher asked if there was enough room at the site for access to the proposed building, and Ms. Inskeep replied that they had another spot with access on the property and would not need access directly next to the location of the building. Mr. Fletcher asked if the Inskeeps owned the house nearby, and Ms. Inskeep responded that they had split the house from the farm and had sold it to a friend while retaining the farm acreage for themselves. Mr. Fletcher asked what kind of equipment the Inskeeps had

for their business, and Ms. Inskeep listed several pieces of machinery used for the business and also their farm. Ms. Inskeep explained that they take the equipment off site to perform the pumping on other farms and typically do not return it until after harvest in the fall. Ms. Inskeep added that the equipment would not be traveling frequently to and from the proposed site.

Ms. O'Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Unes made a motion to close and deliberate and was seconded by Mr. Happ. A vote was taken, and the motion passed; (5-0)

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 machine shed on unproductive land large enough to house all machinery for agriculture use.
2. That the variation, if granted, will not alter the essential character of the locality;
 - The proposed building is for agricultural use and will be located on a farm, not affecting the character of the locale.
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 current required variance would not allow for a large enough building to house all machinery resulting in a hardship to their farming business.
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;
 - This particular site is not conducive to farming. The petitioner would prefer not to take other acreage out of production.
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;
 - Not applicable as the proposed is an agricultural machine storage building on a farm.
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;
 - This is rural farmland and will affect none of the above.

7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The variance will allow the minimum size needed building to house all machinery for farming.
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.
 - If the applicant were denied this variance it would hinder their farming capabilities resulting in depriving them of reasonable use of their 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; (5-0) Mr. Happ made a motion to approve the request and was seconded by Mr. Fletcher. A vote was taken and the motion was approved. (5-0)

Case No. 011-20-U at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **DAVID & CAROL INSKEEP, acting on their own behalf, a SPECIAL USE** as required in Section 20.5.1.3.2.a of the Unified Development Ordinance. This section allows for a special use for a Agriculturally-related business. The petitioner proposes to operate a commercial pumping business in the “A-1” Agricultural Preservation Zoning District.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in the Peoria Journal Star on February 25, 2020 and the Weekly Post on February 20, 2020. Staff has recommended approval with one restriction and the Health Department had no objection.

Carroll Inskeep of 106 Southgate Dr., Elmwood, was sworn in.

Mr. Happ made a motion to incorporate the testimony from Case 010-20-V into the testimony for this case and was seconded by Mr. Bateman. A vote was taken and the motion passed; (5-0)

Mr. Unes asked if the waste that was pumped was ever brought back to the site to be discharged, and Ms. Inskeep explained that it would not be. Ms. Inskeep added that the waste is typically injected into the ground at the site where it is taken from and that the equipment is cleaned at a commercial cleaning place. Ms. Inskeep added that once the equipment goes out in the spring, it does not come back for storage until the jobs are completed. Ms. Inskeep added that they do complete more pumping jobs in the fall, but the equipment still stays off site during this time until the jobs are completed. Because of this, there would be minimal impact to the traffic coming and going from the proposed site.

Ms. O’Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Bateman. A vote was taken, and the motion passed; (5-0)

The board took a break from 9:36 a.m. – 10:00 a.m.

Case No. 012-20-V at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **MARTIN & EILEEN WAGNER, acting on their own behalf**, a **VARIANCE** request from Section 20-6.6.2.1.b.1 of the Unified Development Ordinance which requires a road setback of 75 from the right-of-way in the “R-2” Medium Density Residential Zoning District. The petitioner is proposing to construct a detached garage at a distance of 24 feet from the right-of-way, resulting in a variance request of 51 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 February 25, 2020 and the Weekly Post on February 20, 2020. Corbin Bogle gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Unincorporated Center). The site plan and three videos of the property were shown. The property is zoned R-2.

Eileen Wagner of 10012 W. Knox, Edwards, was sworn in. Ms. Wagner explained that the subject property was a rental home she owned next door to her home. The tenant had a fire in the detached garage and Ms. Wagner lost many of her own personal items that were stored there. Ms. Wagner explained that they need to rebuild the garage for both the tenant’s use and their own storage needs. Ms. Wagner added that the garage that was originally built had also required the same variance.

Mr. Happ stated that he knows the Wagner family, but it would not impact his decision on the case.

Ms. Wagner then passed out a consent form that had been signed by many neighbors and the church across the street. Ms. Wagner then pointed out that because of building code changes since the first garage was built, they would be required to use frost depth footings and would have to tear up the existing concrete, which was in good condition. Ms. Wagner added that this would add approximately \$5000 - \$6000 to the cost of their project. Ms. Urban asked if Ms. Wagner had talked with her insurance company about it, and Ms. Wagner stated that they did not have zoning insurance on this property. Mr. Happ asked if the garage would be rebuilt in the same spot as the previous one, and Ms. Wagner confirmed that this was correct. Ms. Wagner added that it would be exactly the same size as the previous garage.

Ms. Wagner asked if she was able to appeal the rule that required her to use frost depth footings so she could keep the concrete, and Ms. Urban explained that the requirement was not a zoning requirement, but rather a requirement of the building code. Ms. Urban stated that there is no way to work around the frost depth footing requirement in this case.

Ms. O’Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Bateman made a motion to close and deliberate and was seconded by Mr. Unes. A vote was taken, and the motion passed; (5-0)

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 of 51 feet in order to replace a garage that was destroyed in a fire. The new garage will be approximately 25' x 31' making it less than 75 feet from the road due to the fact that the lot is very narrow and only 60 feet.
2. That the variation, if granted, will not alter the essential character of the locality;
 - There are other structures on Vine Street that are less than the setback so the new garage would not alter the character of the neighborhood.
 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 shape and size of the parcel (a narrow 60 feet) would not allow for a garage to be built at the current setback of 75 feet. Not having a garage would result in a hardship for the owner.
 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;
 - See #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;
 - The new garage will be in the same area as the garage that was destroyed in the fire making an improvement to the property and neighborhood. Granting of the variance will not be detrimental to the above mentioned.
 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 the variance will not affect light and air supply, nor increase congestion on streets or the danger of fire and will not endanger public safety. Property values will not be diminished and may possibly increase.
 7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The homeowner has no other option. The variance request is the minimum adjustment necessary to build a garage on their property.
 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.
 - If the variance was not granted the homeowner would not be able to build a garage, therefore depriving him or her of reasonable use of their land.

Mr. Fletcher made a motion to approve the findings of fact and was seconded by Mr. Bateman. A vote was taken, and the motion passed; (5-0) Mr. Fletcher made a motion to approve the request and was seconded by Mr. Unes. A vote was taken and the motion was approved. (5-0)

Case No. 013-20-V at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **JAMES FULLER, acting on his own behalf**, a **VARIANCE** request from Section 20-5.13.3.4 of the Unified Development Ordinance, which requires that for lots and parcels in platted subdivisions not created by tract surveys, the total floor area of all accessory buildings, attached or detached, shall not exceed the footprint of the principal structure or 1,300 square feet, whichever is less, plus 750 square feet for a private garage. The petitioner proposes to construct a 1,944 square foot accessory structure in the "R-R" Rural Residential Zoning District, which would exceed the allowable cumulative square footage of 518 square feet, resulting in a variance request of 1,426 square feet. The proposed garage would also exceed the footprint of the 1,704 square foot principal structure, resulting in a variance request of 240 square 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 February 25, 2020 and the Weekly Post on February 20, 2020. Corbin Bogle gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Agriculture & Environmental Corridor). The site plan and three videos of the property were shown. The property is zoned R-R.

Beth Stamann 9327 W. Grimm Ln., Edwards, was sworn in. Ms. Stamann stated that she would be speaking for the petitioner, Mr. Fuller, as he was currently in the hospital. Ms. Stamann stated that she had lived at the property for over 10 years with Mr. Fuller. Ms. Stamann explained that Mr. Fuller needed a large building to store equipment in because he has 7.5 acres with two ponds and a long driveway to maintain. Ms. Stamann added that Mr. Fuller has a truck, plowing equipment for the driveway, a golf cart, and some boats that they would like to store inside a building. Ms. Stamann added that the building was just large enough to store their items.

Ms. O'Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Bateman. A vote was taken, and the motion passed; (5-0)

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 owner is requesting a variance of 240 feet (larger than the dwelling) in conjunction with a variance of 1,426 feet for the proposed accessory structure in order to house, preserve and protect all the equipment necessary to maintain his acreage (7.344 acres) and driveway.
2. That the variation, if granted, will not alter the essential character of the locality;

- The size of the proposed building in conjunction with the acreage and the buffer of trees will not alter the character of the locale. Also, there are buildings in the neighborhood at least the same size or larger.
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 shape and size of the parcel is unique. A hardship would occur if the equipment was not maintained and protected from the elements.
 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;
 - See #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;
 - The property is located on a dead end and is designated as a no-through traffic area.
 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;
 - Due to the area and location of proposed building and location of property, none of the above pertain.
 7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The owner has studied the layout and the footprint of proposed building. It is the minimum needed for storage, maintenance and repair of equipment.
 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.
 - The applicant would be deprived of maintaining his acreage without the storage and maintenance of equipment.

Mr. Happ made a motion to approve the findings of fact and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (5-0) Mr. Fletcher made a motion to approve the request and was seconded by Mr. Bateman. A vote was taken and the motion was approved. (5-0)

Case No. 014-20-V at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **JOHN SORENSON, acting on his own behalf**, a **VARIANCE** request from Section 20-3.2.14 of the Unified Development Ordinance, which requires that there shall be a maximum of 2

permits issued for the same construction project for a single structure. The petitioner proposes to acquire a third permit to finish construction of a single-family dwelling.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in the Peoria Journal Star on February 25, 2020. Corbin Bogle gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Rural). The site plan and two videos of the property were shown. The property is zoned R-2.

Ms. O'Brien stated that she knew the petitioner, but it would not affect her decision on the case.

John Sorenson of 10415 W. Sir Galahad Ct., Mapleton, was sworn in. Mr. Sorenson stated that he needed a variance for a third permit. Mr. Sorenson added that he was unable to finish his project in the time allowed because of several health issues that had set him back. Mr. Sorenson stated that his health issues have been resolved and he should be able to begin working on the house project again.

Mr. Unes asked if Mr. Sorenson had built the house himself, and Mr. Sorenson responded that he had. Mr. Unes stated that the house looked very nice. Mr. Sorenson stated that the prior house had burned down. Mr. Sorenson added that the outside of the house was finished, but he needed to finish the inside. Mr. Unes asked how long it would take Mr. Sorenson to finish the inside, and Mr. Sorenson responded that it would probably take one more year.

Ms. O'Brien asked if Mr. Sorenson would finish the project with the third permit, and Mr. Sorenson responded that he would. Mr. Fletcher asked if the exterior was complete, and Mr. Sorenson confirmed that this was correct. Mr. Unes asked if the homeowners' association was involved, and Mr. Sorenson responded that they were not. Mr. Sorenson added that he had not had any complaints from the association regarding the project.

Ms. Urban pointed out that Mr. Sorenson had not had an inspection for quite some time on the project, and asked that Mr. Sorenson get in touch with the inspector as soon as possible once he had obtained a third permit.

Ms. O'Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Fletcher made a motion to close and deliberate and was seconded by Mr. Unes. A vote was taken, and the motion passed; (5-0)

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 owner is building the home himself. Due to health issues, his age and the terrain of the property, he is requesting a third permit in order to complete the inside of the home.
2. That the variation, if granted, will not alter the essential character of the locality;

- The exterior of the home is completed.
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;
 - A hardship would occur if the owner would not be able to complete the interior of his home.
 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;
 - See #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;
 - Completing the inside of the home would not pertain to the above.
 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;
 - None of the above would be affected.
 7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - Due to the issues noted in #1, the owner needs more time to complete the interior. The owner has assured the ZBA that the work will be completed within the third permit time frame.
 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.
 - If the variance was not granted the homeowner would not be able to complete the interior of his home.

Mr. Fletcher made a motion to approve the findings of fact and was seconded by Mr. Unes. A vote was taken, and the motion passed; (5-0) Mr. Bateman made a motion to approve the request and was seconded by Mr. Fletcher. A vote was taken and the motion was approved. (5-0)

The board took a break from 10:38 a.m. – 11:00 a.m.

Case No. 007-20-U at 11:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **DEBBIE S. JOST**, acting on behalf of **LLOYD WALKER** (owner), a **SPECIAL USE** as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25 acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner

proposes to divide 1.348 acres from an existing 11.448 acre parcel in order to move an existing single family dwelling.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in the Peoria Journal Star on February 25, 2020. Staff has recommended approval with one restriction. Corbin Bogle gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Agriculture & Environmental Corridor). The site plan and three videos of the property were shown. The property is zoned A-2.

Debbie Jost of 8323 W. Tuscarora Rd., Mapleton, was sworn in. Ms. Jost stated that she was requesting to split off a piece of property in order to save her childhood home.

Mr. Fletcher asked why Ms. Jost was splitting the property, and Ms. Jost stated that she could not afford buying the entire piece of property. Ms. Jost stated that all she needed was a small piece to move the house onto so it would not have to be demolished. Mr. Fletcher stated that he was confused about the reason for the split. Ms. Jost explained that there was a house at 8127 W. Tuscarora Rd. that currently belonged to her son, which was built 52 years prior. Ms. Jost explained that this house was her family's old house. Currently, the old house sits on her son's property; however, her son built a new house on the property so the old house must either be demolished or removed. Ms. Jost stated that she had been working on what to do with the house since last June.

Ms. O'Brien asked Ms. Jost if she owned the 11 acres to be split, and Ms. Jost responded that she did not. Ms. Jost added that the property was owned by Lloyd Walker and that she would only be purchasing a piece of his 11 acre property, which is why the split was needed. Ms. Urban explained that the petitioner's son had built a new home on the same property her family's old home was on. Ms. Urban further explained that the ordinance allows for a home to be built while the current home remains; however, the old home must be moved or removed from the property within 30 days of the new home being completed. Ms. Urban stated that Ms. Jost had decided she did not want to demolish the home, which is why she needed a piece of property to move it onto. Ms. Urban further explained that only one dwelling is allowed on a parcel. Ms. Jost added that everything to move the house was in process – the mover, the contractor for the new basement, and someone to hook up the sewer. Mr. Fletcher asked how far the house would have to move, and Ms. Jost responded that it would only be moving approximately 1500 feet. Mr. Unes asked if the parcel that Ms. Jost was buying already had a septic system on it, and Ms. Jost responded that it did not; however, Ms. Jost added that she already had enlisted a septic contractor.

Mr. Fletcher asked how big the house was, and Ms. Jost stated that it was approximately 1200 square feet. Mr. Happ asked if Ms. Jost would reside in the house, and Ms. Jost responded that she would not; however, she would maintain it. Ms. Jost added that she intended to rent it to her granddaughter and her husband.

Ms. O'Brien asked if there was anyone present who wanted to speak for or against the case, and there was no one. Mr. Bateman made a motion to close and deliberate and was seconded by Mr. Happ. A vote was taken, and the motion passed; (5-0)

Miscellaneous:

No further questions or comments were made.

Mr. Bateman made a motion to adjourn and was seconded by Mr. Fletcher. A vote was taken, and the motion passed; (5-0)

Meeting adjourned 11:15 a.m.

Respectfully submitted,

Ellen Hanks

ZBA Administrative Assistant