MINUTES FOR PEORIA HEIGHTS ZONING BOARD OF APPEALS MEETING
FEBRUARY 17, 2025

The Peoria Heights Zoning Board of Appeals meeting was called to order at 5:30 p.m. on Monday, February 17, 2025 at Village Hall, 4901 N. Prospect Road, Peoria Heights, Illinois.

Roll call was taken, and the following members were present: Floyd Wombacher, Tanisha Cayson, Jack Wiedeman, Mike Woo, and Rick Picl. Also present was Village Attorney Mark Walton from Miller, Hall & Triggs.

Absent were Charlie Callaway, Steve Cady, Mickey O'Neil, and Bill O'Neill.

Mike Woo moved to approve the Minutes from the September 16, 2024 ZBA meeting, and Jack Wiedman seconded the motion; motion approved by unanimous roll call vote.

The Chairman then called the following cases:

1. Rezoning application filed by Consider, LLC/Heidi Rinkenberger seeking approval of a map amendment rezoning the property located at 1003 and 1007 E. Moneta Avenue, Peoria Heights, Illinois (PIN No. 14-22-377-008), from the current zoning classification of R2 (Medium-Density Residential District) to B2 (General Retail Business District).

The applicant was present by Heidi Rinkenberger, who explained that she wanted to use the old church building as a floral shop that would primarily be for design purposes with limited customer traffic, as well as an event center. The applicant representative explained that they would be constructing a parking lot on the 1007 Moneta property with 28 spaces. Following the applicant's presentation, Adam Wilkin spoke during public comments. Mr. Wilkin explained that he owns the property located at 1018 Moneta and was concerned about parking and congestion. There being no further public comments, the ZBA deliberated over the request for rezoning. Chairman Picl explained that rezoning would allow any use that is currently allowed in the B-2 zoning district, so he suggested conditioning the rezoning on the limited uses of a floral shop and an event center (with events ending no later than midnight), and provide for reversion to R-2 zoning if the applicant ever sells or transfers the property. Floyd Wombacher suggested a condition limiting occupancy to 75 people. Following deliberations, Floyd Wombacher made a motion to recommend approval of the rezoning subject to the following conditions: (1) use is limited to floral shop and event center with events ending no later than midnight, (2) zoning to revert to R-2 upon any sale or transfer of the property by applicant, and (3) occupancy is limited to 75 people. Mike Woo seconded the motion. The Zoning Board of Appeals unanimously approved the motion (5 to 0).

2. Variance application filed by Dave Williams seeking approval of a variance to allow construction of a garage with a setback, which is less than the 25 foot front yard setback required by Section 10-7C-3(E) of the Village Code for the property located at 1337 E. Seiberling Avenue, Peoria Heights, Illinois (PIN No. 14-22-403-024), which property is currently zoned R3 (Multiple-Family Residential District).

The applicant (Dave Williams) was present in person and explained that he is seeking a setback variance to construct a garage. Following discussion with ZBA members, including a discussion about moving the garage so it is eight feet from Columbus rather than as shown on the plan attached to the application, the Chairman sought public comment; there being no comments offered from the public, the ZBA deliberated over the variance standards for the application, and made the findings and determination as set forth in "**Exhibit A**" hereto. Following deliberations, Jack Wiedeman made a motion to approve the variance as modified (8 feet from Columbus) and Mike Woo seconded the motion. The Zoning Board of Appeals unanimously approved the motion (5 to 0).

3. Variance application filed by Dave Williams seeking approval of a variance to allow construction of a garage with a setback, which is less than the side yard setback required by Section 10-7C-3(E) of the Village Code for the property located at 1311 E. Samuel Avenue, Peoria Heights, Illinois (PIN No. 14-22-401-016), which property is currently zoned R3 (Multiple-Family Residential District).

The applicant (Dave Williams) was present in person and explained that he is seeking a setback variance to construct a garage within three-feet of the alley on the west side of the property (rather than the required five-feet). Following discussion with ZBA members, the Chairman sought public comment. William Balder spoke on behalf of the PH Samuel condominium association to express concern about possible residential use within the garage. The applicant assured the ZBA that there would be no residence within the garage, and the only residential use would be within the house on the property. Paige Sweet, a tenant of the applicant residing at 1402 Samuel, spoke in favor of the application. There being no further comments offered from the public, the ZBA deliberated over the variance standards for the application, and made the findings and determination as set forth in "**Exhibit B**" hereto. Following deliberations, Floyd Wombacher made a motion to approve the variance and Mike Woo seconded the motion. The Zoning Board of Appeals unanimously approved the motion (5 to 0).

4. Variance application filed by Dave Williams seeking approval of a variance to allow construction of a garage with a setback, which is less than the side yard setback required by Section 10-7A-5 of the Village Code for the property located at 1428 E. Kelly Avenue, Peoria Heights, Illinois (PIN No. 14-22-457-011), which property is currently zoned R1 (Low Density Residential District).

The applicant (Dave Williams) was present in person and explained that he is seeking a setback variance to construct a garage within 1.25 feet of the alley on the west side of the property. Following discussion with ZBA members, the Chairman sought public comment; there being no comments offered from the public, the ZBA deliberated over the variance standards for the application, and made the findings and determination as set forth in "**Exhibit C**" hereto. Following deliberations, Jack Wiedeman made a motion to approve the variance

and Mike Woo seconded the motion. The Zoning Board of Appeals unanimously approved the motion (5 to 0).

5. Variance application filed by Dave Williams seeking approval of a variance to allow construction of a house with a setback, which is less than the 25 foot front yard setback required by Section 10-7B-5 of the Village Code for the property located at 1400 E. Samuel Avenue, Peoria Heights, Illinois (PIN No. 14-22-406-001), which property is currently zoned R2 (Medium-Density Residential District).

The applicant (Dave Williams) was present in person and explained that he is seeking a setback variance to construct a house and garage within three-feet of the lot line along Columbus Avenue and in line with the existing house at 1402 Samuel along Samuel Avenue. Following discussion with ZBA members, the Chairman sought public comment; there being no comments offered from the public, the ZBA deliberated over the variance standards for the application, and made the findings and determination as set forth in "**Exhibit D**" hereto. Following deliberations, Jack Wiedeman made a motion to approve the variance and Floyd Wombacher seconded the motion. The Zoning Board of Appeals unanimously approved the motion (5 to 0).

The meeting was adjourned at 6:42 p.m.