



Post Office Box 299
Peru, Illinois 61354

June 3, 2020

Mayor Scott J. Harl,
Peru City Clerk, and
Aldermen of the City of Peru

RE: Petition of Daniel G. Baumgarten and Ann E. Baumgarten
1901 Pine Street, Peru, IL

Gentlemen:

Pursuant to legal notice published in the News Tribune in the manner provided by law, the Planning/Zoning Commission of the City of Peru convened for a public hearing on Wednesday, June 3, 2020, at 5:15 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of Daniel G. Baumgarten and Ann E. Baumgarten (hereinafter "Petitioners") concerning property generally located at 1901 Pine Street, Peru, IL, legally described as follows:

Lot Seventeen (17) in Highland View Subdivision in the City of Peru, according to the Plat thereof recorded July 9, 1964 in Book "X" of Plats, at Pages 20, 21, and 22 as Doc. No. 503700, except coal and minerals and the right to mine and remove the same, situated in LaSalle County, Illinois

PIN: 17-16-126-005 (hereinafter "Property").

Petitioners desire to construct a fence on the Property and request the following variance(s)/waiver(s) from the City's Zoning Ordinance:

- (1) A variance/waiver from the requirements of Section 6.03(b)(2) of the Zoning Ordinance to allow for the construction of a fence in the front yard of the Property which is greater than three feet (3') in height and greater than twenty feet (20') in length;
- (2) A variance to reduce the front yard setback from not less than thirty feet (30'), as required under Section 6.03(b)(5)a. of the Zoning Ordinance, to not less than zero feet (0');
- (3) A variance to reduce the setback for a side yard abutting a street from not less than thirty feet (30'), as required under Section 6.03(b)(5)d. of the Zoning Ordinance, to not less than zero feet (0'); and
- (4) For such other relief as may be equitable and just.

The Property is located in an R-2 Single Family Residential Zoning District.

Planning/Zoning Commission Members Miller, Grabowski, Atkinson, Lucas, Kalsto, and Brady were present at the hearing. Member Moreno was absent. Due to COVID-19, this meeting was also streamed live on the internet.

After first being duly sworn, Petitioner Daniel G. Baumgarten testified that the Property has a very small backyard and Petitioners would like to construct a semi-decorative fence to enclose the front and side yard of the Property to safely contain their young children and dog.

In response to questioning from Chairman Miller, Mr. Baumgarten stated the fence would be semi-decorative and not a privacy fence. It would be similar to a white picket style fence, made of aluminum or plastic.

In response to questioning from Member Lucas, Mr. Baumgarten testified that the fence would not be a big monstrosity, but rather 4' in height.

Chairman Miller stated that the concern would be visibility for traffic traveling west on 14th Street and south on Pine Street. Mr. Baumgarten stated the fence would have thinner uprights spaced approximately 4 inches apart like a wrought iron fence and shouldn't block any views. Mr. Baumgarten then showed the P/Z Commission a photograph of the proposed fence style, a copy of which is attached hereto.

In response to questioning from Member Atkinson, Mr. Baumgarten said there is a light pole on the southwest corner of the Property and he might consider a diagonal corner to further reduce any traffic safety concerns.

In response to questioning from Member Lucas, Mr. Baumgarten testified that Petitioners plan to have 3 gates installed: one along the front sidewalk, one near the driveway, and one in the backyard.

In response to questioning from Member Kalsto, Mr. Baumgarten testified that he had spoken to his neighbors and none of them expressed concerns or objections.

Alderman Ballard was present at the meeting and stated that he was one of Petitioners' neighbors. Alderman Ballard said he and his wife support the Petition and don't believe the fence will impair visibility, noting traffic is required to stop at the intersection anyways. Member Atkinson added that he agreed the fence would not impair visibility if the fence was of the style shown in the attached photograph.

In response to further questioning from Chairman Miller, Mr. Baumgarten stated the fence would be aluminum.

There were no objectors at the hearing.

The Planning/Zoning Commission found that the requested variances will not alter the essential character of the locality; will not be detrimental or injurious to other properties in the area; will not impair an adequate supply of light or air to adjacent properties, or increase the danger of fire, or

endanger the public safety, or diminish or impair property values and will not increase street congestion and, therefore, recommends to the City Council that the variances be granted.

Member Lucas moved, and Member Atkinson seconded, that the requested variance/waiver from Section 6.03(b)(2) of the Zoning Ordinance to allow for the construction of a fence on the Property greater than 3' in height and 20' in length, be favorably recommended to the City Council. The motion passed unanimously: 6 aye, 0 nay, and 1 Members absent.

Member Brady moved, and Member Grabowski seconded, that the requested variance from Section 6.03(b)(5)a. of the Zoning Ordinance to reduce the Property's front yard setback to not less than 0' feet, be favorably recommended to the City Council. The motion passed unanimously: 6 aye, 0 nay, and 1 Members absent.

Member Lucas moved, and Member Brady seconded, that the requested variance from Section 6.03(b)(5)d. of the Zoning Ordinance to reduce the Property's side yard setback to not less than 0', be favorably recommended to the City Council. The motion passed unanimously: 6 aye, 0 nay, and 1 Members absent.

Respectfully submitted,

CARY MILLER, Chairman of the
Planning/Zoning Commission

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