



Post Office Box 299
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June 7, 2018

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

RE: Petition of Christopher D. Dudek and Sarah E. Morgensen concerning property located at 1131 Center Street, Peru, IL

Dear Gentlemen and Madam:

Pursuant to legal notice published in the News Tribune on May 21, 2018, in the manner provided by law, the Planning/Zoning Commission of the City of Peru convened for a public hearing on Wednesday, June 6, 2018, at 5:45 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of Christopher D. Dudek and Sarah E. Morgensen (hereinafter "Petitioners") praying for continuation of a non-conforming use and structure under the Zoning Ordinance concerning the real estate located at 1131 Center Street, Peru, IL, legally described as follows:

Lot Five (5) in Block Ten (10) in the Original Town, now City, of Peru, except coal and minerals and the right to mine and remove the same as heretofore severed from the fee thereof, situated in LaSalle County, Illinois, and the East Forty feet of vacated Plain Street lying West of and adjoining said lots, situated in the City of Peru, LaSalle County, IL (hereinafter "Property").

The Petitioners request that the Property be allowed to continue as a non-conforming use and structure as a tavern/restaurant/residential apartment as variances to Section 9.03 of the Zoning Ordinance.

Planning/Zoning Commission Members Biederstedt, Miller, Grabowski, Lucas and Kalsto were present at the hearing. Member Atkinson was absent.

Petitioner, Christopher Dudek, after being first duly sworn, stated that he has been remodeling the building on the Property (which was formerly known as Luna Nova and then Riverview), for over a year. He was not aware when he purchased the Property that it would fall into a non-conforming use and structure. He stated that he desires to just continue to operate as a dining room/restaurant and bar room and be same as it has always been.

In response to questioning from Member Biederstedt, Mr. Dudek stated that the restaurant/bar will be operated by the Petitioners and not rented out to a third party. He stated that they intend to have an outdoor patio and beer garden with occasional bands. He stated that the building has been made ADA

complaint with both access and enlarged, relocated restrooms. Petitioners hope to open this summer. Mr. Dudek stated that Petitioners are presently unsure on whether or not they will rent out the upstairs residential unit.

Member Biederstedt stated that he would like the Property to be given a special use for a one year period and then, if successful, the Petitioners come back to the Commission for an extension. Mr. Dudek stated that he prefers not to have a time restriction.

Member Grabowski stated that the Commission has addressed neighborhood taverns before and he thought the one year time period would be appropriate.

Member Lucas stated Petitioners should be given at least three years and he sees no problem where it is located. There are no neighbors affected and the restaurant/bar with an outdoor patio operated for many years without complaints.

No objectors were present at the hearing.

The Planning/Zoning Commission found that the requested continuation as a non-conforming use and structure as a tavern/restaurant/residential apartment will not alter the essential character of the locality; the granting of the extension of non-conforming use and structure will not be detrimental or injurious to other properties in the area; the extension of non-conforming use and structure 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, said extension of the non-conforming use and structure may be granted.

Member Lucas moved and Member Kalsto seconded that the Petition as prayed for be favorably recommended to the City Council. The motion passed 4 aye, Biederstedt nay, and 1 member absent.

Respectfully submitted,

DOUGLAS BIEDERSTEDT,
Chairman of the Planning/Zoning Commission