



Post Office Box 299
Peru, Illinois 61354

July 3, 2025

Mayor Ken Kolowski,
Peru City Clerk, and
Aldermen of the City of Peru

RE: Petition of Tom Etzenbach, as Trustee of the Geraldine H. Etzenbach Trust
1815 Calhoun Street, Peru, IL (PIN: 17-17-201-007)

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, July 3, 2025, at 5:00 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of Tom Etzenbach, as Trustee of the Geraldine H. Etzenbach Trust ("Petitioner"), concerning property commonly known as 1815 Calhoun Street in the City of Peru, Illinois, legally described as follows:

Lot Twenty-Eight (28) in Mertel's Evergreen Park Subdivision in the City of Peru, Illinois, as shown on the plat of said subdivision filed in the Recorder's Office of LaSalle County, Illinois on May 3, 1957, recorded in Book "V" of Plats at Pages 40 and 41 as Document NO. 445670, except coal and mineral and the right to mine and remove the same as heretofore severed from the fee thereof, situated in the City of Peru, County of LaSalle and State of Illinois.

PIN: 17-17-201-007 ("Property")

Petitioner desires to construct a 22' x 12'6" attached garage addition and seeks the following relief under the Zoning Ordinance, to wit:

- (1) A special use pursuant to Section 10.03(c)(11) and variance to reduce the north side yard setback from not less than 7', as provided in Sections 6.01.2(d) and 10.03(h)(2), to not less than 0' to allow for the construction of a garage addition; and
- (2) For such other and further relief deemed necessary or appropriate.

The Property is zoned R-2 Single Family, Detached Dwelling District.

Planning/Zoning Commission Members Miller, Lucas, Kalsto, Jones, Grabowski, Brady, and Becker were all present at the hearing. No Members were absent.

Petitioner, Tom Etzenbach, and Paul Piercy appeared and were duly sworn. Mr. Etzenbach testified that Paul Piercy and his wife plan to purchase the Property, which was formerly owned by Mr. Etzenbach's parents, and would like to construct a garage addition.

Chairman Miller reviewed the documents submitted with the Petition and noted there was a drawing, but nothing showing what the proposed garage addition what look like. Mr. Piercy said he would tear out the existing wall, header that wall, open the garage up and add a wall to the north property line. Mr. Piercy noted that John ("Jack") Kutter, the neighbor to the north, has a CA6 aggregate driveway that is falling in and that he could fix it at the same time. Piercy said they would remove two sections of fence and cut the tree in the way.

Mr. Piercy testified further that he had approached Jack first about this and that he signed off saying he was ok with everything. Corporation Counsel, Scott Schweickert, noted Mr. Kutter had originally signed the Petition acknowledging he had no objection to the proposed garage addition, but he had recently submitted a letter to the City withdrawing his approval. Attorney Schweickert noted he had also spoken to Mr. Kutter earlier that day. Mr. Kutter's letter dated June 24, 2025, was then read into the record, a copy of which is attached hereto.

In response to questioning from Member Lucas, Mr. Piercy said he did not know why Mr. Kutter had changed his mind. Mr. Piercy asked how close he could go to the property line. Attorney Schweickert said the established side yard setback in the Zoning Ordinance is seven feet and anything less than that would require a variance. Attorney Schweickert noted that, while the county's GIS mapping is not always accurate, he had questions regarding how far set back the existing garage was from the north property line when the petition was received. Attorney Schweickert asked if a survey had been done to determine how much space there was to work with. Mr. Etzenbach said his brother had spoken with someone at Chamlin and Associates and thought a survey had been dropped off to the City along with other information.

Attorney Schweickert said he had spoken with the City's Director of Engineering and Zoning, Eric Carls, whom was unable to attend, and relayed Engineer Carl's unfavorable recommendation in light of the letter received from the neighbor.

Mr. Etzenbach asked what they could do. Member Lucas suggested going back to Mr. Kutter and trying to work something out or propose a lesser variance. Attorney Schweickert added that the hearing could be continued to a date certain. Mr. Etzenbach said Mr. Kutter's driveway is just a few 6' x 6' boards with CA6 right off the property line and asked if that was within specifications. Attorney Schweickert noted that this is a very old subdivision and the City's Zoning Ordinance was adopted in 2001. It's something that could be looked at or could be legal non-conforming, but it has not been reviewed as part of this petition. Mr. Etzenbach said he is not looking to create any issues.

In response to questioning from Chairman Miller, Attorney Schweickert noted the Property is a lot approved as part of the Mertel's Evergreen Subdivision plat back in the late 1950s. In response to questioning from Chairman Miller, Mr. Etzenbach said the only other structure on the Property is a shed in the back yard.

In response to questioning from Mr. Piercy, Attorney Schweickert said if he stayed within the 7' setbacks and no other relief was needed under the Zoning Ordinance, he could build after getting permits approved by the City. Piercy said he would be unable to get another car in the garage if he stayed within the 7' setback, only a workshop. Mr. Piercy wants additional storage for a car, lawn mower, and motorcycle. Mr. Piercy and Mr. Etzenbach discussed going back to discuss the matter with Mr. Kutter. Mr. Piercy noted that if they built right up to the property line, the contractor would need to over dig 2' to set forms. Attorney Schweickert said if they need to go anything less than 7', they need approval of a variance and special use.

Greg Himelick was in attendance at the hearing and stated that he is the neighbor that lives to the east of the Property. In response to questioning from Mr. Himelick, Mr. Piercy said there is no plan to construct the addition any further to the east than the exiting house/garage.

There were no other public comments or objections.

A discussion was held and Petitioner agreed that they would speak with Mr. Kutter to explore options, and then return on Wednesday, July 9th, at 5 PM, for a continuation of the hearing and a potentially revised request for relief.

Member Grabowski moved, and Member Jones seconded, to continue the hearing to Wednesday, July 9, 2025, at 5:00 PM. The motion passed unanimously: 7 aye, 0 nay, and 0 Members absent.

Prior to the July 9, 2025, hearing continuation the Petitioner pulled the petition and is no longer seeking the variances requested.

Respectfully submitted,

CARY MILLER, Chairman
Planning/Zoning Commission

1821 Calhoun Street
Peru, IL 61354

June 24, 2025

Mr. Eric Carls
Director of Engineering and Zoning
Peru, IL 61354

Dear Mr. Carls:

Earlier this year I had given the property owners of 1815 Calhoun Street permission to build onto their garage and come to 0 feet of the property line.

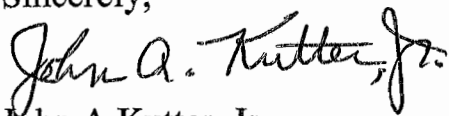
After much more thought and consideration, I have changed my mind and say "NO" to any structure coming that close to the property line. I park vehicles on the south side of my garage and it would be very crowded and possibly impossible to open the car doors and get out.

This letter replaces any previous forms that might be on file in regards to this matter. Because of work, I am unable to attend the meeting on Wednesday, July 2nd at 5pm.

Please enter this letter into the minutes of the meeting as my objection to changing the zoning or variance to allow this new building.

Thank you for your help.

Sincerely,


John A Kutter, Jr