



Post Office Box 299  
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**May 18, 2023**

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

RE: Petition of Kelsey Vogel and Joseph LaShonse  
1602 Walnut Street, Peru, IL (PIN# 17-16-232-002)

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, May 17, 2023, at 5:05 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of Kelsey Vogel and Joseph LaShonse (“Petitioners”) concerning property located at 1602 Walnut Street in the City of Peru, Illinois, legally described as follows:

The East 90.3 feet of the South Half of Block 11 in Todd and Blackstone’s Addition to LaSalle Center, in the City of Peru, in the County of LaSalle, and in the State of Illinois.

PIN #: 17-16-232-002 (“Property”)

Petitioners desire to construct a fence in the rear yard of the Property and request the following relief under the City’s Zoning Ordinance, to wit:

- (1) A variance to reduce the side yard setback abutting a street from not less than 25’, as provided in Sections 6.03(b)(5)d. and 10.04(h)(2) of the Zoning Ordinance, to not less than 0’; and
- (2) For such other and further relief deemed necessary and appropriate.

The Property is located in an R-3 Single and Two-Family Residence District.

Planning/Zoning Commission Members Miller, Lucas, Kalsto, Jones, Brady, and Grabowski were present at the hearing. No Members were absent and the seat formerly held by Alderman Moreno was vacant.

Petitioner Joseph LaShonse appeared and was duly sworn.

City Corporation Counsel, Scott Schweickert, stated that this Petition was required to come before the Planning/Zoning Commission largely due to a quirk in the Zoning Ordinance which defers setbacks for a corner lot side yard abutting a street to the front yard setback for the zoning district where the property is located. Attorney Schweickert noted that the east wall of the home was about 5' away from the property line but is 29' from the road. An administrative variance was unavailable in this situation.

Mr. LaShonse testified that Petitioners own a couple dogs and would like to fence in the yard.

In response to questioning from Chairman Miller, Mr. LaShonse stated that the fence would come off both back corners of the house. In response to further questioning from Attorney Schweickert, Mr. LaShonse confirmed that the fence would be in the rear yard only and no portion would be east of the home.

In response to questioning from Member Brady, Mr. LaShonse said the fence will be a 6' privacy fence with two gates. He believes it will be a length of approximately 119'. In response to questioning from Member Lucas, City Director of Engineering and Zoning Eric Carls confirmed that 6' fence height is compliant with City codes.

A discussion was had amongst the Planning/Zoning Commission regarding property lines and it was noted that the Property has a Walnut Street address but faces more towards 10<sup>th</sup> Street. Engineer Carls noted that the GIS aerials are not always accurate and can be off as much as 5'.

In response to questioning from Attorney Schweickert, Mr. LaShonse stated that the neighbor's fence to the west encroaches on the Property.

In response to questioning from Chairman Miller, Mr. LaShonse stated that his neighbors have no issues with his Petition. He noted the north Property line cuts through the center of the neighbor's tree line. Petitioners are going to construct the fence setback 3' on the north side so that a mower can fit back there.

In response to questioning from Member Lucas, Mr. LaShonse stated that the Property lines are all marked and he knows where they are. Engineer Carls noted that it is a City requirement to prove the location of the property pins to ensure they are within the property lines during City inspection.

There were no public comments and objections.

The Planning/Zoning Commission found the requested relief 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, favorably recommended that the City Council grant the relief as prayed for in the Petition.

Member Kalsto moved, and Member Grabowski seconded, to favorably recommend the City Council approve the Petition as prayed for. The motion passed unanimously: 6 aye, 0 nay, no Members absent, and 1 Member seat vacant.

Respectfully submitted,

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CARY MILLER, Chairman of the  
Planning/Zoning Commission