



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: December 10, 2019

SUBJECT: Petition of Tim Reinhard for a Special Use to allow an accessory structure which has an alternative exterior material and exceeds the height allowed at 235 State St.

BACKGROUND: The petitioner here is seeking a Special Use for the construction of an accessory structure comprised of an alternative exterior material and is taller than the existing home. With respect to the latter issue, the proposed accessory structure is to be 4 feet taller than the home.

At their meeting, the ZBA voted 6-0 to recommend the Special Use to the City Council to allow an alternative exterior material and the height of the structure not to exceed the height of the home. All other aspects of the building must comply with all other code requirements.

RECOMMENDATION: Approval, with conditions.





ORDINANCE NO. 4473

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 235 STATE STREET
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Tim Reinhard (the "Petitioner") has petitioned for a special use for an accessory building on his property zoned "M-3 Manufacturing District, Transitional" and located at 235 State Street in East Peoria, as shown and described at "Exhibit A", attached hereto and incorporated herein by reference (which property as so described hereinafter referred to as the "Property"); and

WHEREAS, after hearing pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed Special Use subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. A Special Use to allow for placement of one accessory structure (storage building) on the Property is hereby approved.

Section 2. The establishment and continuation of the special use hereby authorized is contingent upon continual compliance with all applicable provisions of the City Code and the following special conditions:

1. A new accessory building (storage building), approximately 20 feet by 32 feet in size, with an attached closed side pavilion approximately 13 feet by 16 feet in size, shall be located in the rear yard of the Property as set forth in the submitted Site Plan ("Exhibit B").
2. The exterior of the accessory storage building may be an alternative exterior material.
3. The new accessory storage building may be no taller in height than the residential structure on the Property.
4. The location of the accessory building authorized by this Ordinance shall adhere to all other code requirements and continuously maintained in accordance with the submitted Site Plan ("Exhibit B").

Upon the violation of or failure to comply with the foregoing conditions or with any provisions of the City Code applicable to the Property or its use, the City Council may,

after providing reasonable notice and an opportunity for a hearing, terminate the Special Use hereby approved.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Special Use (235 State Street)

Case 19-SU-30
235 State St.
Tim Reinhard

Exhibit "A"

Legal Description: P.I.N.: 01-01-32-305-017



EXHIBIT B

Site Plan for Special Use (235 State Street)

235 State St.
 Joe Boyer
 Condemned existing
 14' x 58' shed right
 after I bought this
 place!

New 20' truss 4/12 pitch
 14' awn
 New 6x6 treated posts
 used lumber & metal
 metal can be installed horizontal is preferred

