



**TO:** The Honorable Mayor and the City Council

**FROM:** Ty Livingston, Director of Planning & Community Development

**DATE:** December 10, 2019

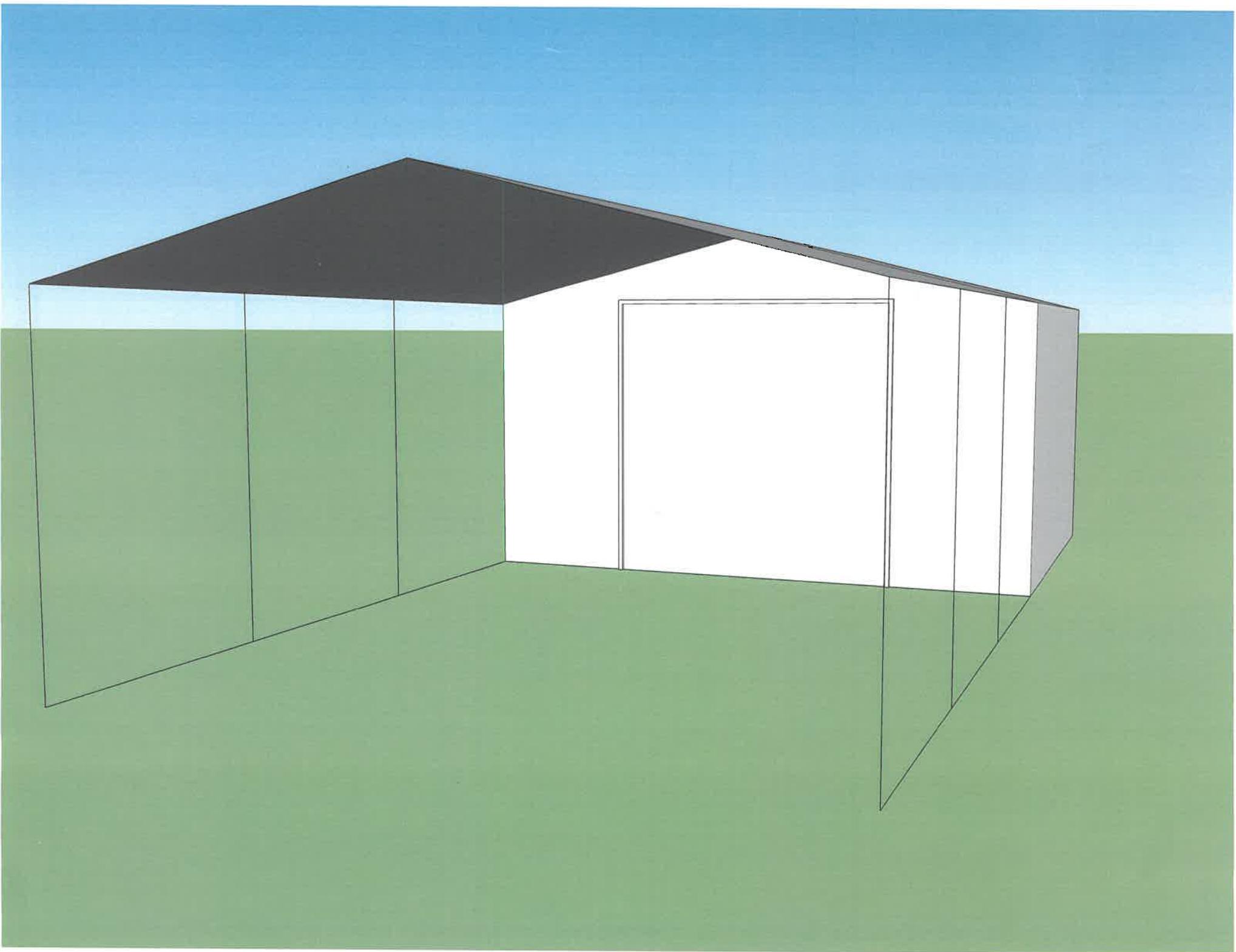
**SUBJECT:** Petition of Linda Buttice for a Special Use to allow an accessory structure which has an alternative exterior material at 322 Park Av.

**BACKGROUND:** The petitioner here is seeking a Special Use for the construction of an accessory structure comprised of an alternative exterior material. In this case, the property owner is very limited on the placement of this structure given the lot's topography and narrowness. Because of these issues, and the desire to not place the structure in the front yard, the petitioner is proposing a carport like structure with metal framing members. As per the building code, the structure needs to be open on two sides given its close proximity to the home, but the proposed structure will meet building code requirements.

At their meeting, the ZBA voted 5-0 to recommend the Special Use to the City Council to allow alternative exterior material along with the proposed placement of the accessory structure.

**RECOMMENDATION:** Approval, as presented.





**ORDINANCE NO. 4474**

**AN ORDINANCE AUTHORIZING A SPECIAL USE  
FOR PROPERTY LOCATED AT 322 PARK AVENUE  
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

**WHEREAS**, Linda Buttice (the "Petitioner") has petitioned for a special use for an accessory buildings on her property zoned "R-2 One-Family Dwelling Residential District" and located at 322 Park Ave 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 (two-sided carport) 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 (carport structure), approximately 12 feet by 26 feet in size, shall be two-sided in construction and located in the side yard of the Property along the northeastern boundary line of the Property as set forth in the submitted Site Plan ("Exhibit B").
2. The exterior of the accessory carport structure may be an alternative exterior material – being a metal construction – from the exterior material of the residential structure on the Property
3. The locations of the accessory building authorized by this Ordinance shall be 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 (322 Park Avenue)

Case 19-SU-31 & 19-V-32  
322 Park Ave  
Linda Buttice

Exhibit "A"

Legal Description: P.I.N.: 05-05-05-120-005

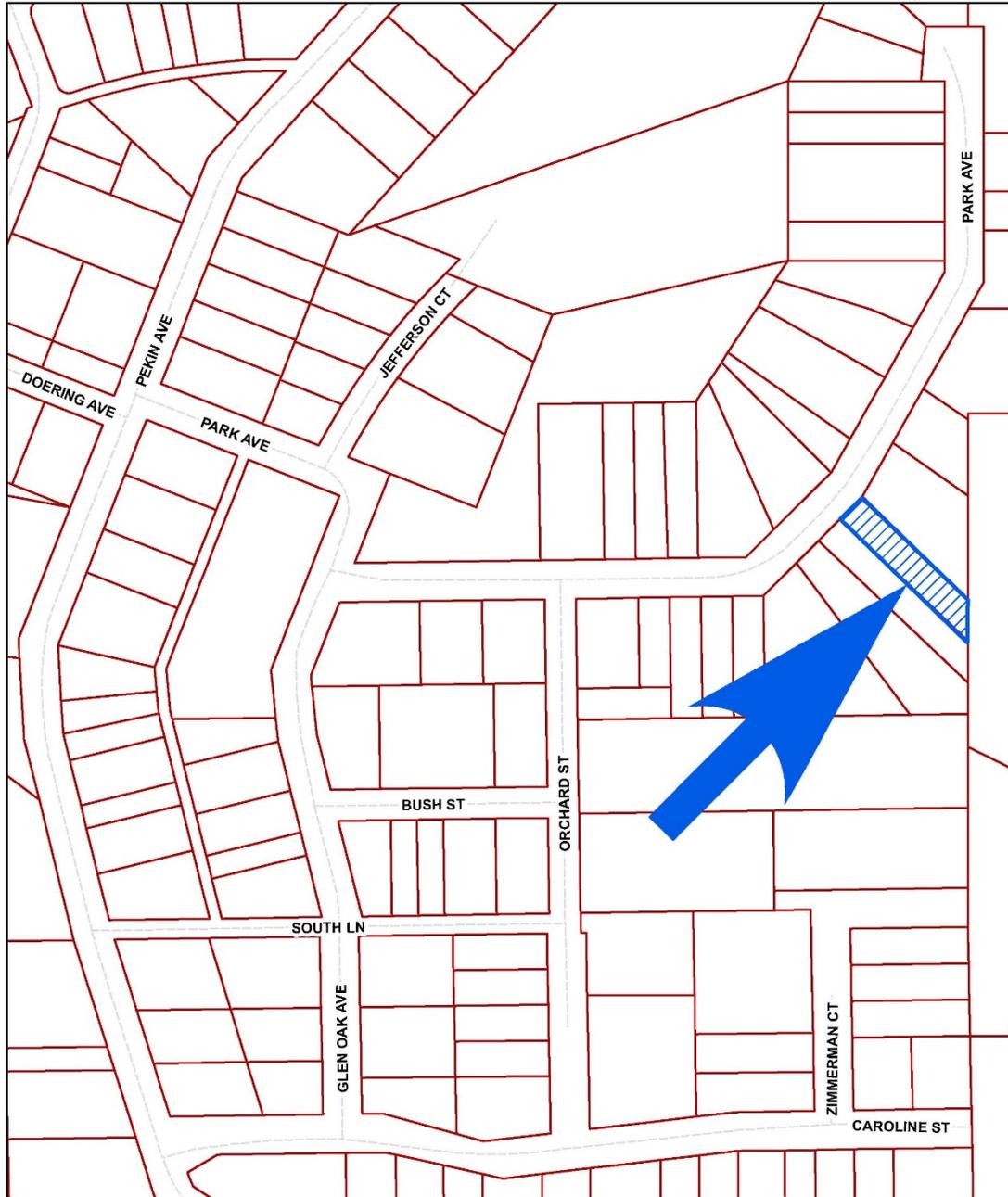


EXHIBIT B

Site Plan for Special Use (322 Park Avenue)

