



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: May 12, 2020

SUBJECT: Petition of Mitch LaHood for a Special Use to allow the outdoor storage of dumpsters on property located at 2901 N. Main St.

BACKGROUND:

The petitioner here is seeking a Special Use to store dumpsters on this site. The dumpsters are already at this location and a different petitioner was scheduled to present at the ZBA this past fall but did not appear at the hearing. While screening from Main Street is challenging at this location given the elevation difference, staff believes there are steps that can be taken to aid in this effort. As suggested to the ZBA, the petitioner could position the dumpsters directly behind the building, as much as possible, as well as increase screening from the frontage road by slatting the existing fence.

At their meeting, the ZBA voted 7-0 to recommend approval of this Special Use with the condition that not more than 20 dumpsters be permitted in the general location shown on the site plan at any given time. The board did not feel additional screening is needed.

RECOMMENDATION: Approval, as presented with the condition that not more than 20 dumpsters be permitted on the site at a time.

ORDINANCE NO. 4500

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 2901 N. MAIN STREET
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Mitch LaHood (the "Petitioner") has petitioned for a special use to allow for the outdoor storage of garbage dumpsters on property zoned "M-1, Manufacturing District, Limited" and located at 2901 N. Main Street, 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, the Petitioner uses a portion of the Property for conducting his business of renting, collecting, and dumping garbage dumpsters; 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 the outdoor storage of garbage dumpsters as part of Petitioner's business operations 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. Not more than twenty (20) garbage dumpsters may be stored outdoors on the Property at any given time in the location set forth on the site plan for the Property submitted by the Petitioner, as site plan is attached hereto as Exhibit B (the "Site Plan").

2. The outside area upon which the dumpsters are stored shall be continuously maintained in a manner that is free of any garbage, waste, or debris and no such garbage, waste, or debris shall be allowed to accumulate outside of the garbage dumpsters.

Upon the violation of or failure to comply with the forgoing 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 _____, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

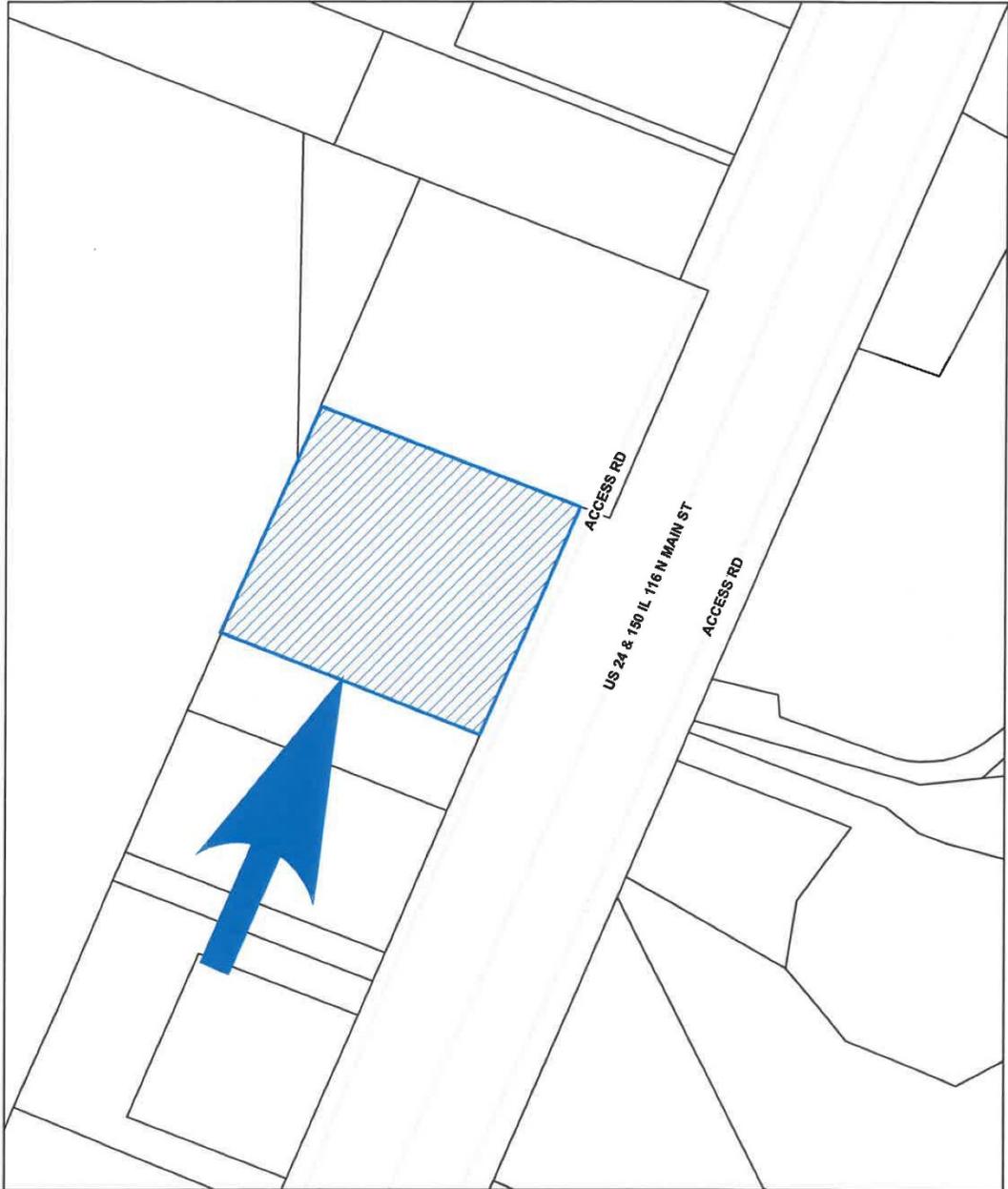
Corporation Counsel

**EXHIBIT A
(Site Map)**

Case 20-SU-12
2901 N. Main St.
Mitch LaHood

Exhibit "A"

Legal Description: P.I.N.: 01-01-23-100-010



**EXHIBIT B
(Site Plan)**

2901 N Main St - Allstar Dumpsters

