



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: August 11, 2020

SUBJECT: Petition of Larry and Susan Overcash to allow for the construction of a 2,100 sq.ft. accessory structure in the front yard for property located at 400 Cimмерon Dr.

BACKGROUND:

The petition here is for a larger than permitted accessory structure that will also be constructed between the existing home and the nearest right-of-way. As staff understands, Mr. & Mrs. Overcash propose a high-quality structure (and old “kit” barn that’s been disassembled and structurally reviewed) here to complement their existing residence. Given the size of the property (just under 40 acres) and the placement of this building, there are no concerns regarding negative impacts of the proposal.

At their meeting, the ZBA voted 5-0 to recommend approval of the Special Use.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4516

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 400 CIMMERON DRIVE
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Larry and Susan Overcash (the "Petitioners") have petitioned for a special use for an oversized accessory building on their property zoned "C, Conservation and Residential Estate District" and located at 400 Cimмерon Drive 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 and construction of an oversized accessory structure (barn) on the Property in the front yard 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. Petitioners shall construct and continuously maintain an oversized accessory structure (barn) on the Property as such structure is shown with the submitted Site Plan ("Exhibit B").
2. The location of the accessory structure (barn) authorized by this Ordinance shall be continuously maintained in accordance with the Petitioners' 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 _____, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Special Use (400 Cimmeron)

Case 20-SU-20
400 Cimmeron Dr.
Larry & Sue Overcash

Exhibit "A"

Legal Description: P.I.N.: 05-05-10-208-004

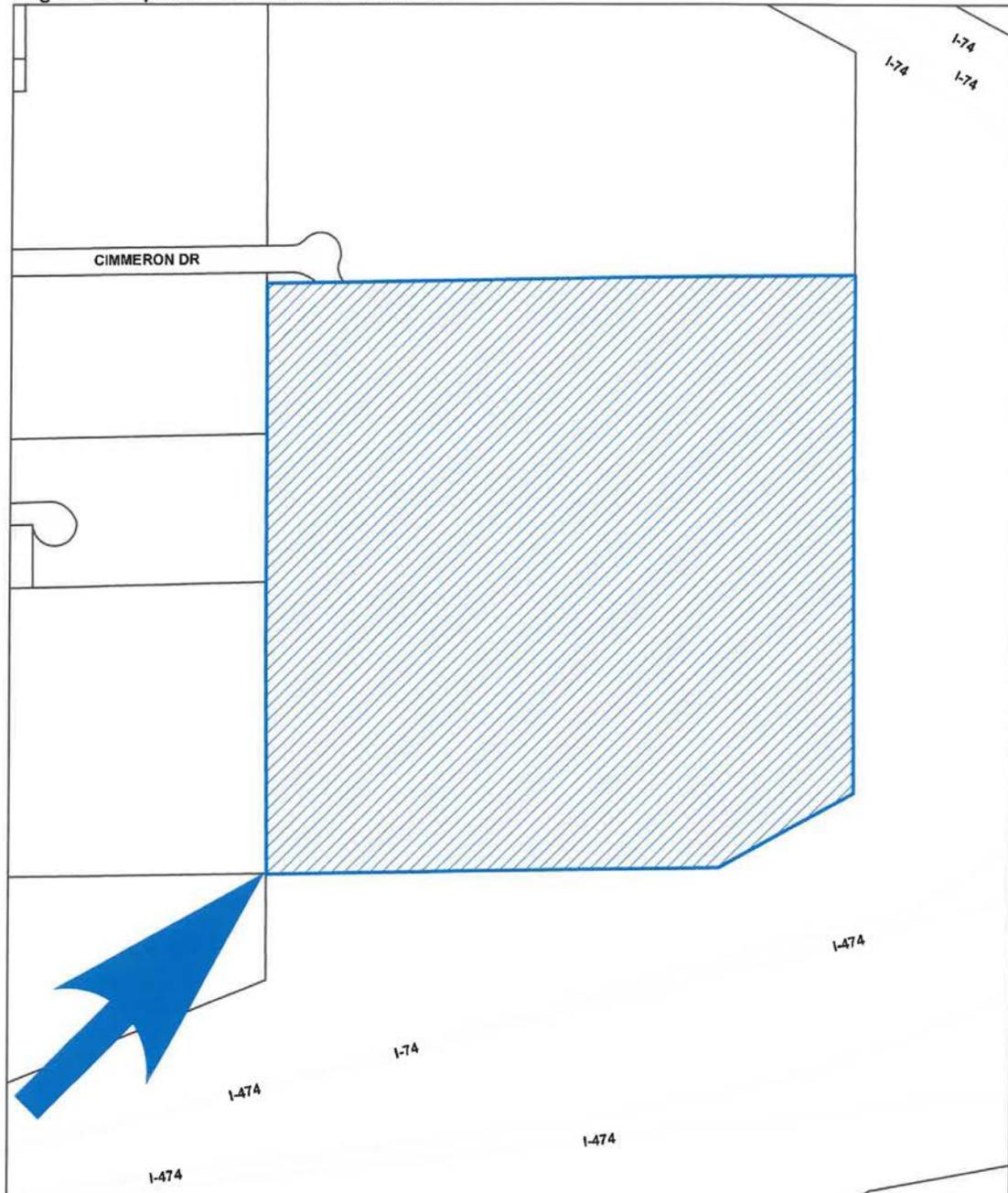


EXHIBIT B

Site Plan for Special Use (400 Cimmeron Drive)



