



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: March 9, 2021

SUBJECT: Petition of Russell & Andrea Wiegand for a Special Use to allow for the operation of a short-term rental on property located at 617 Fondulac Drive 01-01-33-201-037.

BACKGROUND:

The petition is a short-term rental at this location which will consist of a room to be rented-out. It appears there's sufficient on-site parking for the use, in addition to the needs of the homeowner. As a part of the approval process, the fire department will want to ensure appropriate life safety devices are installed and operational. Also, the petitioner will need to sign a certificate indicating compliance with Chapter 38, Title 3 and impose the appropriate City hotel-motel tax. Lastly, we'll need a copy of the house rules. Given the proposal, and the owners remaining on-site, staff doesn't envision any significant issues here.

At their meeting, the ZBA recommended approval of the proposal 4-0-1 (a board member abstained because they are a neighbor of the petitioner). Although its articulated in the code, staff would like to include the conditions that a life safety inspection be conducted of the property as well as all appropriate documentation to be provided to the City.

RECOMMENDATION: Approval, with the conditions that a life safety inspection be conducted of the property as well as all appropriate documentation to be provided to the City.

ORDINANCE NO. 4560

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 617 FONDULAC DRIVE
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Andrea and Russell Wiegand (the "Petitioner") have petitioned for a special use for a short-term rental use for their residential property zoned "R-1, One Family Dwelling District" and located at 617 Fondulac Drive in East Peoria, as shown and described at "Exhibit A", attached hereto and incorporated herein by reference (which property as so described hereinafter is 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 a short-term rental 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. By no later than June 1, 2021, Petitioner shall have a life-safety inspection of the short-term rental guestroom area on the Property completed by the East Peoria Fire Department.
2. By no later than June 1, 2021, Petitioner shall provide the Director of Planning and Community Development with a copy of the house rules for guests staying in the short-term rental on the Property.
3. Before permitting any short-term rentals on the Property pursuant to the special use granted by this Resolution, the Petitioner shall provide the City with a certificate regarding compliance with the hotel-motel tax provisions of Chapter 28 of Title 3 of the City Code, while thereafter properly collecting and submitting all required hotel-motel taxes to the City for any short-term rentals on the Property.

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 _____, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Special Use (617 Fondulac Drive)

Case 21-SU-09
617 Fondulac Dr
Russel and Andrea Wiegand

Exhibit "A"

Legal Description: P.I.N.: 01-01-33-201-037

