



TO: The Honorable Mayor and City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: October 13, 2021

SUBJECT: Petition of Shane Moses for a Special Use to allow an accessory structure larger and taller than permitted by code with a non-traditional exterior on property located at 707 Oakwood Road 01-01-26-200-008.

BACKGROUND: This proposal is for an approx. 2,000sf accessory structure on this property. The siding is to be standing seam metal. It would be ideal to have it complement the existing home, but this was not a condition recommended by the ZBA. However, during the warmer weather months, it will be difficult to see this structure from the road given the density of the trees and the topography. The height of the structure is not to exceed 20'.

At their meeting, the ZBA 5-0 to recommend this Special Use, with the condition the petitioner work with Ameren to take steps protect the adjacent transformer.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4606

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 707 OAKWOOD ROAD
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Shane Moses (the "Petitioner") has petitioned for a special use for an oversized accessory building on his property zoned "R-2 One-Family Dwelling District" and located at 707 Oakwood Road 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 an oversized accessory structure on the Property with a non-traditional exterior 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. Prior to the construction of the accessory structure authorized by this Ordinance, Petitioner shall coordinate the construction of the accessory structure with Ameren to ensure protection of the nearby electrical transformer.
2. The accessory structure authorized by this Ordinance shall be no larger than the approximately 2,000 square foot sized structure as presented to the Zoning Board of Appeals.
3. The accessory structure authorized by this Ordinance shall not exceed 20 feet in height.
4. The accessory structure authorized by this Ordinance may have an exterior that is different than the primary structure on the Property, provided that the exterior siding of the accessory structure is standing seam metal as presented to the Zoning Board of Appeals.

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 (707 Oakwood Road)

Shane Moses
707 Oakwood Rd
Case 21-SU-34

Exhibit "A"

Legal Description: 01-01-26-300-018

