



TO: The Honorable Mayor and City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: July 13, 2022

SUBJECT: Petition of Jacob Stull of G & D Integrated for a Special Use to permit low-emission incinerator on property located at 403 Carver Lane, 01-01-35-200-006.

BACKGROUND: The petition here is to allow a low-emission incinerator on this property. The Fire Department has reviewed the proposed location and device – they are supportive of the petition. It will be used to efficiently dispose of pallets and save the company significant financial resources annually that are currently committed to this process. Given the parcel size and relative remoteness of the property to residential development in the City, no negative impacts are anticipated.

The ZBA recommends approval (4-0) of the proposed Special Use.

RECOMMENDATION: Approval, as presented.

ORDINANCE NO. 4665

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 403 CARVER LANE
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Jacob Stull of G & D Integrated (the "Petitioner") has petitioned for a special use to allow placing of a low-emission incinerator on property zoned "M-1, Manufacturing District, Limited" and located at 403 Carver Lane, 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 placing and using a low-emission incinerator as an accessory structure 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. Petitioner shall place the low-emission incinerator permitted by the Special Use approved by this Ordinance on the Property in accordance with a site plan and map (the "Site Plan") prepared and submitted by the Petitioner, attached hereto as Exhibits B-1 and B-2 and incorporated by reference.

2. Petitioner shall maintain at all times the area in the 100-foot radius (as depicted on the Site Plan) clear of any other structures or outdoor storage, excepting materials that are being brought to the incinerator for burning while the incinerator is in operation.

3. Prior to using the incinerator for the burning of any materials, Petitioner shall have a fire inspection of the incinerator and the adjacent outdoor area on the Property completed by the East Peoria Fire Department to ensure compliance with the Site Plan and other matters related to fire safety and prevention. Petitioner shall immediately implement any directives given Petitioner by the Fire Department related to fire safety and prevention in relation to use of the incinerator and the adjacent outdoor area.

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 _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT A

Map of Location of Special Use for 403 Carver Lane

403 Carver Lane
Case 22-SU-22
Jacob Stull - G & D Integrated

EXHIBIT A

P.I.N. - 01-01-35-200-006

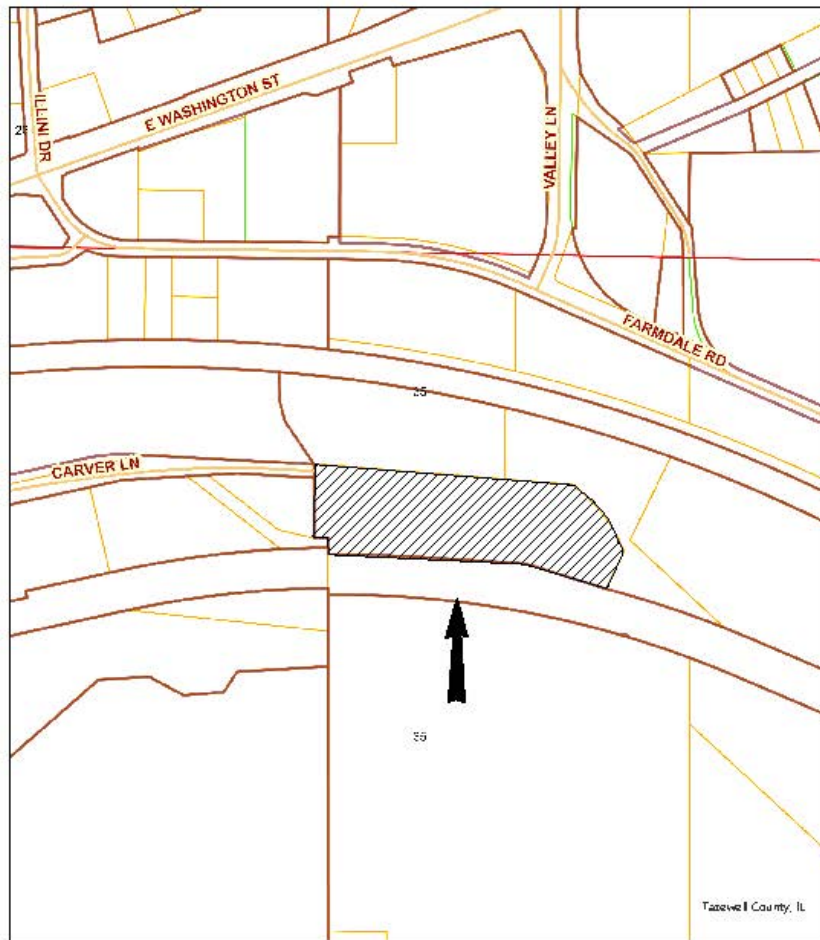


EXHIBIT B-1

Site Plan & Map for 403 Carver Lane

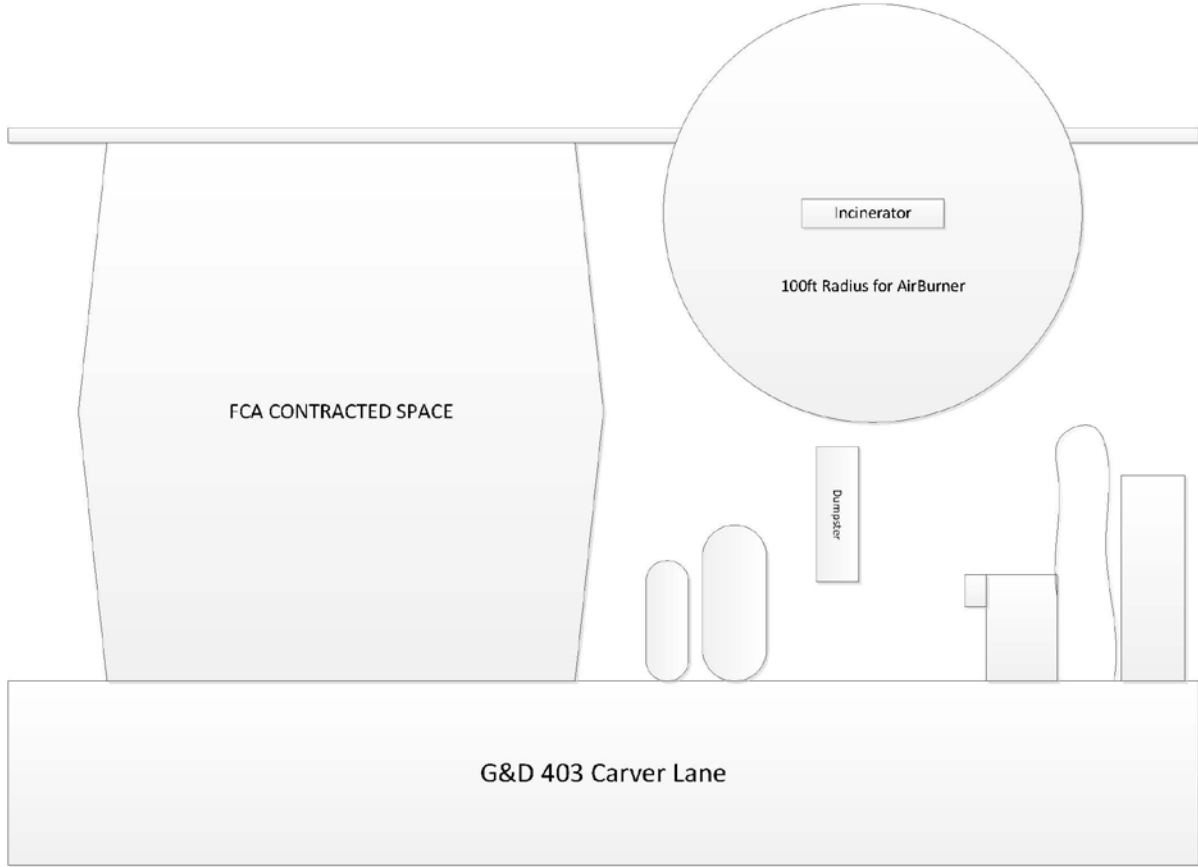


EXHIBIT B-2

Site Plan & Map for 403 Carver Lane

