



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: May 10, 2023

SUBJECT: Petition of Kenneth Barnard for a Special Use to permit an accessory structure inconsistent with Title 5, Chapter 6 of the East Peoria City Code on property located at 340 Center Street, 01-01-32-401-026.

BACKGROUND:

The petition in this case is to add a third accessory structure on this property just long enough for the owner to transfer the contents of his current accessory structures. Once that work is completed, the petitioner indicates that both existing structures will be removed. The new structure will also be of a pole barn construction type but will meet all building code requirements. The petitioner has provided a cash bond for the demolition as an indication of his commitment to the project.

At their meeting, the ZBA voted 6-0 with the condition the project be completed (new accessory structure erected and existing two structures be removed within one year of approval of the Special Use by the City Council.

RECOMMENDATION: Approval with the condition of completion within one year.

ORDINANCE NO. 4728

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 340 CENTER STREET
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Kenneth Barnard (the "Petitioner") has petitioned for a special use for an additional accessory building located in the back yard on his property zoned "M-1, Manufacturing District, Limited" and located at 340 Center Street in East Peoria, as shown and described at "Exhibit A", attached hereto and incorporated herein by reference (which property as so described is hereinafter referred to as the "Property"); and

WHEREAS, after holding a 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 additional accessory structure (shed) on the Property under the terms and conditions set forth in this Ordinance 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 may construct and then continuously maintain the additional accessory structure, being a shed, on the Property in a manner that is consistent with the provisions of this Ordinance.

2. The additional accessory structure approved by this Ordinance shall be located on the Property in accordance with a site plan (the "Site Plan") prepared and submitted by the Petitioner, attached hereto as Exhibit B and incorporated by reference.

3. Within one year after the approval of this Ordinance, Petitioner shall have completed construction of the new additional accessory structure (shed) and shall have removed the two currently existing accessory structures located at the rear of Property (as depicted on the Site Plan).

4. Petitioner shall construct the additional accessory structure (shed) authorized by this Ordinance in accordance with the provisions of the City building codes.

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 _____, 2023.

APPROVED:

Mayor

ATTEST:

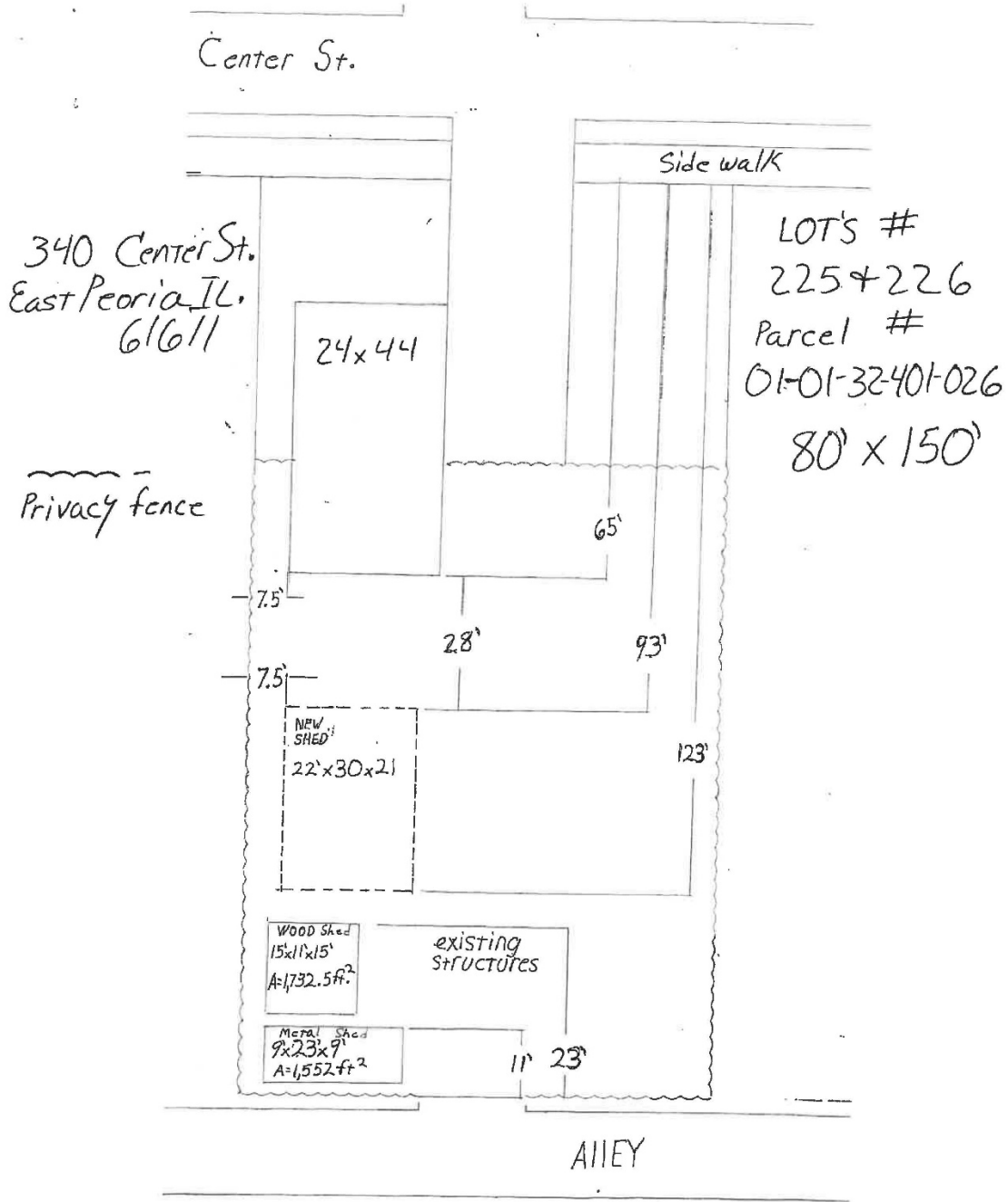
City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

EXHIBIT B

Site Plan for 340 Center Street



4/5/23, 4:24 PM

City Of East Peoria City Search



Kenneth
Bernard

340 Center St.

