



**TO:** The Honorable Mayor and the City Council

**FROM:** Ty Livingston, Director of Planning & Community Development

**DATE:** June 13, 2023

**SUBJECT:** Petition of Robert & Tina Frederick for a Special Use to permit a pool and privacy fence in the required front yard on property located at 114 Glenridge Drive, 05-05-09-210-013.

**BACKGROUND:**

The petition here is to allow a Special Use for an above ground pool to be placed in the front yard along with an associated privacy fence. While the pool could be considered for a Special Use without the fence, the desire here is to ensure some privacy. In addition, this is the “corner side yard” and not the traditional front yard (the direction the home faces). Given the other options to place the pool in the yard, this appears to be the best option and offers the least imposition upon neighboring property owners. Lastly, this is a case that was previously approved by our building inspector, but it does require a Special Use, so the ZBA was asked to consider this request to stand on its own merits.

At their meeting, the ZBA voted 6-0 to recommend approval of this proposed Special Use with the condition the privacy fence not be closer than 10 feet to the back of the curb and not in front of the front plane of the house. The site plan presented is consistent with these conditions.

**RECOMMENDATION:** Approval, as presented.

**ORDINANCE NO. 4735**

**AN ORDINANCE AUTHORIZING A SPECIAL USE  
FOR PROPERTY LOCATED AT 114 GLENRIDGE DRIVE  
IN THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

**WHEREAS**, Robert and Tina Frederick (the "Petitioners"), have petitioned for a special use regarding the location of an above-ground pool and placement of a privacy fence in their yard on property zoned "R-2, One Family Dwelling District" and located at 114 Glenridge 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 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 above-ground pool and privacy fence at a location that is in the front yard of 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. Petitioners shall establish the Special Use approved by this Ordinance in accordance with a site plan (the "Site Plan") prepared and submitted by the Petitioners, attached hereto as Exhibit B and incorporated by reference.

2. Petitioners shall install and maintain the privacy fencing around the pool area as set forth in the Site Plan, with the fencing not to be located closer than 10 feet to the back of the curb along Briar Court and not be located such that the fencing is located in front of the plane extending from the front of the house.

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 \_\_\_\_\_, 2023.**

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

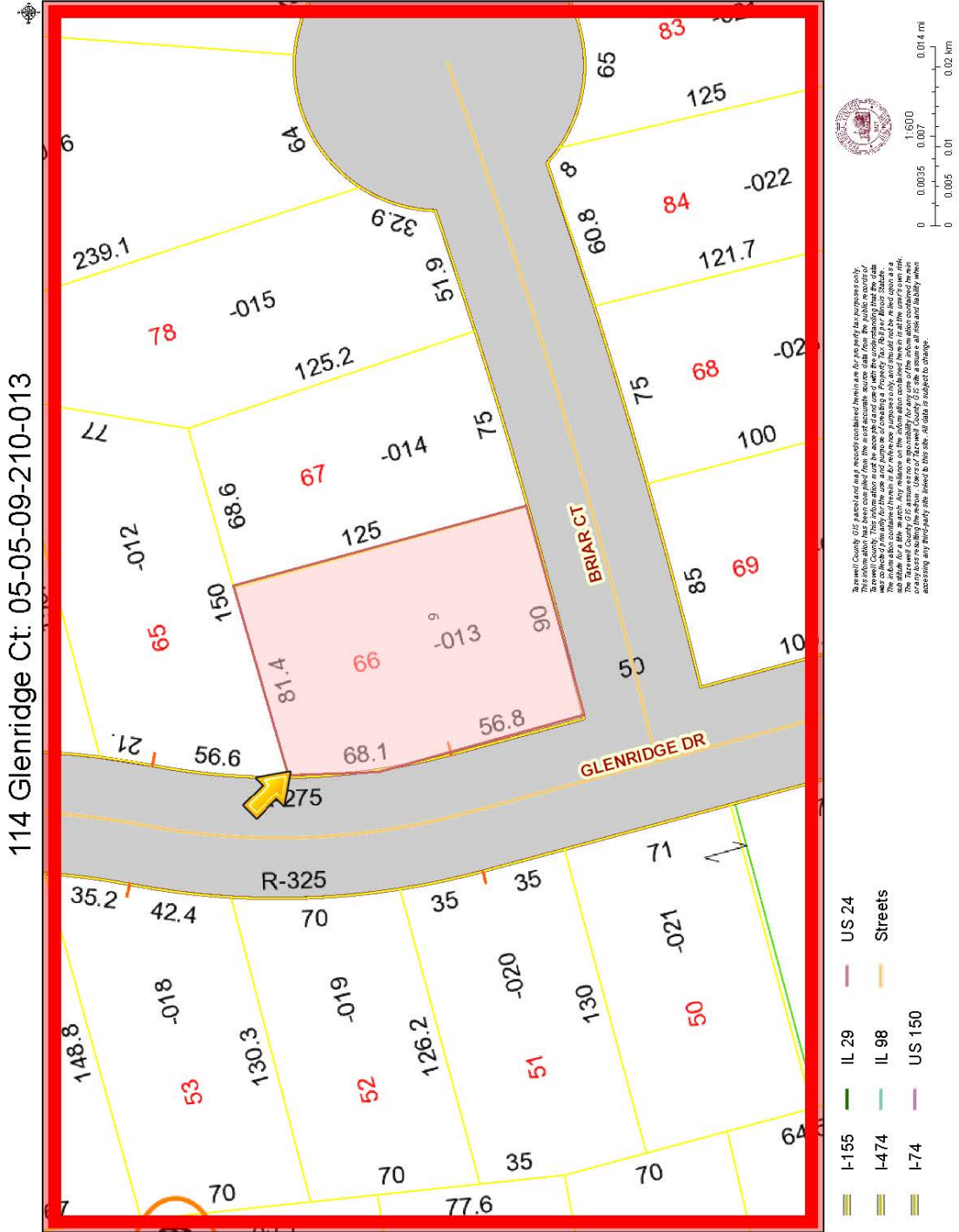
\_\_\_\_\_  
City Clerk

**EXAMINED AND APPROVED:**

\_\_\_\_\_  
Corporation Counsel

# EXHIBIT A

## Map of Location of Special Use (114 Glenridge Drive)



**EXHIBIT B**

**Site Plan for 114 Glenridge Drive**

