



TO: The Honorable Mayor and the City Council

FROM: Ty Livingston, Director of Planning & Community Development

DATE: August 25, 2023

SUBJECT: Petition of Adam Knickerbocker 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 105 Illini Drive, 01-01-26-104-025.

BACKGROUND:

The petition is to permit an accessory structure in the required front yard. This is not the side the home faces but given other possible locations on the property this appears to be a better location than others on the property. Staff appreciates the proposal to screen the yard on the side where the shed is to be placed. If it goes in this area, the shed should be as far from the road as reasonably possible. Going behind the front plane of the neighbor's home would be ideal.

At their meeting, the ZBA voted 7-0 to recommend approval of the proposed Special Use with the following conditions:

- Removal of the large, overgrown bush in the front yard.
- Installation of the landscaping as shown in the submitted plan.
- The shed may be placed not closer to Highview Road than the house next door at 1116 Highview Road.

RECOMMENDATION: Approval, with the recommended conditions from the ZBA.

ORDINANCE NO. 4744

**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR PROPERTY LOCATED AT 105 ILLINI DRIVE IN THE
CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS**

WHEREAS, Adam Knickerbocker (the “Petitioner”) has petitioned for a special use for an accessory building located in the front yard on his property zoned “R-1, One Family Dwelling District” and located at 105 Illini Drive 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 on the Property 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. Petitioner may construct and then continuously maintain the accessory structure, being a shed, on the Property in a manner that is consistent with the provisions of this Ordinance.

2. The accessory structure approved by this Ordinance shall be located on the Property no closer to Highview Road than the residential structure located next door to the west of Petitioner’s Property at 1116 Highview Road and otherwise 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. Petitioner shall remove the overgrown bush in the front yard of the Property.

4. Petitioner shall install landscaping in accordance with the Site Plan.

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:

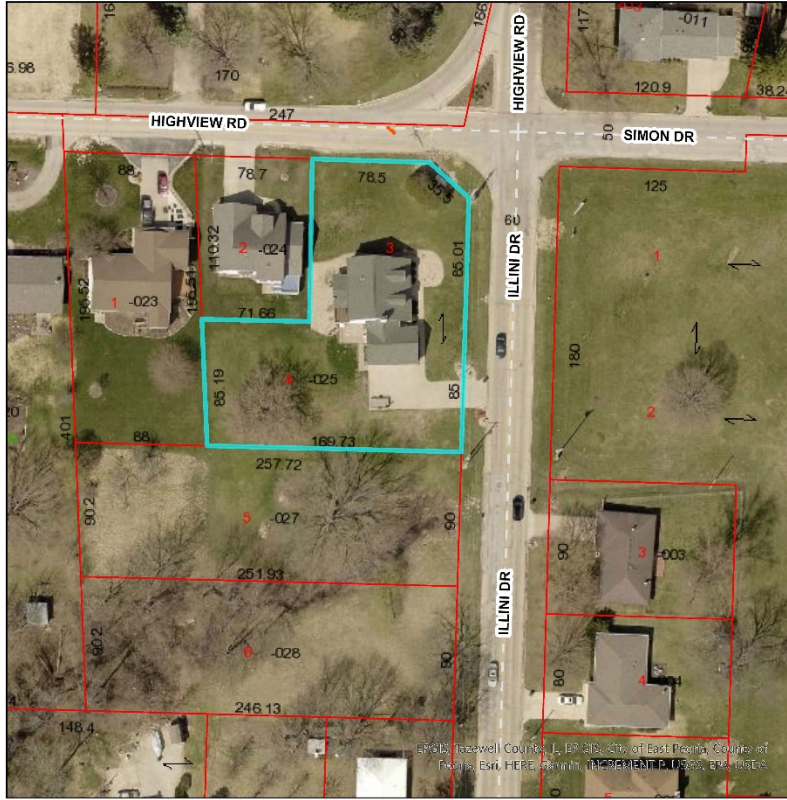
Corporation Counsel

EXHIBIT A

Map of Location of Special Use (105 Illini Drive)

Address: 105 Illini Drive

P.I.N. 01-01-26-104-025



ZBA Case # 23-SU-23

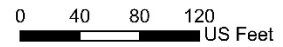
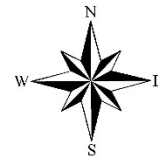


EXHIBIT B

Site Plan for 105 Illini Drive

- PROPERTY TO BE LINED W/ GREEN GIANT ARBOR VITAE. TREES WILL MATURE @ APPROX. 12-15'. ALL LANDSCAPING TO BE DONE BY RUSTIC OAKS LANDSCAPING.
- BIG OVERGROWN BUSH TO BE REMOVED.
- 12' X 20' PORTABLE SHED TO BE INSTALLED (COMPANY NOT CHOSEN, PIC FOR REFERENCE)

