

**AN ORDINANCE AMENDING AN EXISTING SPECIAL USE ORDINANCE NO. 17,543 IN A CLASS R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT FOR TOWNHOMES TO INCLUDE A SHORT TERM RENTAL FOR THE PROPERTY LOCATED AT 824 W MOSS AVENUE (PARCEL IDENTIFICATION NO. 18-08-236-001), PEORIA, IL**

WHEREAS, the property herein described is now zoned in a Class R-4 (Single Family Residential) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve an amendment to the Special Use for a Short Term Rental under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on May 11, 2023, pursuant to a notice of the time and place thereof in a newspaper of general circulation in the City of Peoria, not less than fifteen (15) days nor more than thirty (30) days prior to said hearing as required by law; and

WHEREAS, said Planning & Zoning Commission has submitted its report of said hearing and the City Council finds that to permit such special use will not adversely affect the character of the neighborhood, and will not unduly burden the public utility facilities in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

Section 1. That a Special Use for a Short Term Rental is hereby approved for the following described property:

Parcel 1: Lots 7 and 8 in Range 1 in MOSS'S ADDITION to the City of Peoria; ALSO, all of Lot 9 in Range 1 in MOSS'S ADDITION to the City of Peoria, EXCEPTING HOWEVER, 45 feet of even width by full depth of lot off the Southwesterly side thereof; EXCEPTING ALSO such portions of said Lots 7, 8, and 9 which shall be included in the right of way of Seventh Avenue and Union Street; EXCEPTING ALSO a part of Lots 7, 8 and 9 in Range One of MOSS ADDITION, a Subdivision in part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, situate and lying in Peoria County, Illinois, being more particularly described as follows: Commencing at the Northeasterly corner of said Lot 9, thence South 65°-30'-00" West (bearing assumed for purpose of description only), along the Northerly line of said Lot 9, 43.98 feet; thence South 28°- 45'- 43" East, 142.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 61°- 40' - 00" East, 43.85 feet to the dividing line between Lots 8 and 9 in said MOSS ADDITION; thence South 28°- 45' - 43" East, along said dividing line, 63.79 feet; thence North 61 °- 40' - 00" East, 115.13 feet to the Southwesterly Right of Way of Union Street; thence South 28°- 20' - 00" East, along said Right of Way line, 138.00 feet; thence South 61°- 00' - 00" West, 157.95 feet; thence North 28°- 45'- 43" West, 203.63 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM: A part of Lot 9 in Range One of MOSS ADDITION, a Subdivision in a part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, City of Peoria, Peoria County, Illinois, more particularly described as follows: Commencing at the Northeasterly corner of said Lot 9, thence South 65° - 30' - 00" West, (bearing assumed for purpose of description only), along the Northwesterly line of said Lot 9, 18.91 feet to the Point of Beginning of the tract to be described: from the Point of Beginning, thence South 65° - 30' - 00" West, along said Northwesterly line, 25.07 feet; thence South 28° - 45' - 43" East, 142.00 feet thence North 61° - 40' - 00" East 25 feet; thence North 28° - 45' - 43" West, 140.32 feet to the Point of Beginning, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

Parcel 2: A part of Lots 7, 8 and 9 in Range One of MOSS ADDITION, a Subdivision in part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, situate and lying in Peoria County, Illinois, being more particularly described as follows: Commencing at the Northeasterly corner of said Lot 9, thence South 65° - 30' - 00" West (bearing assumed for purpose of description only), along the Northerly line of said Lot 9, 43.98 feet; thence South 28° - 45' - 43" East, 142.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 61° - 40' - 00" East, 43.85 feet to the dividing line between Lots 8 and 9 in said MOSS ADDITION; thence South 28° - 45' - 43" East, along said dividing line, 63.79 feet; thence North 61° - 40' - 00" East, 115.13 feet to the Southwesterly Right of Way of Union Street; thence South 28° - 20' - 00" East, along said Right of Way line, 138.00 feet; thence South 61° - 00' - 00" West, 157.95 feet; thence North 28° - 45' - 43" West, 203.63 feet to the Point of Beginning, said tract containing 0.569 acres, more or less, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

Said Ordinance is hereby approved per the submitted Site Plan (Attachment A) and the following conditions:

1. Additional dwelling units cannot be added to the four-unit townhome.
2. Short term rental use is permitted for Unit 1 only in the four-unit townhome.
3. Occupancy of the short term rental unit shall not exceed four (4) total persons.
4. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
5. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
6. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
7. Add the address to the exterior of the building.
8. Parking lot parking spaces shall be striped.
9. The owner shall obtain and maintain a valid Short Term Rental license from the City of Peoria and the owner shall pay Room Rental Use or Privilege tax to the City of Peoria.
10. An approved Special Use is valid for the Applicant only as identified on the special use application submitted to the Planning & Zoning Commission. An approved Special Use shall become null and void upon any change in ownership of the property which results in the removal of all prior applicants. Such change in ownership of the property will require a new special use application and approval.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class R-4 (Single Family Residential) District shall remain applicable to the above-described premises, with exception to the Special Use herein permitted.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

\_\_\_\_\_ DAY \_\_\_\_\_, 2023.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

EXAMINED AND APPROVED:

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