



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission
FROM: Development Review Board (prepared by Kerilyn Weick)
DATE: November 3, 2022
CASE NO: PZ 1113-2022

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Stephanie Theobald, to obtain a Special Use in a Class R-2 (Single-Family Residential) District for a Short Term Rental, for the property located at 5525 N Briarcrest Ct (Parcel Identification No. 14-17-478-015), Peoria IL (Council District 3)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The applicant is requesting to obtain a Special Use for a short term rental at 5525 N Briarcrest Ct in an existing single family dwelling with four bedrooms. The property is owner occupied. The intended use is to rent the whole house to guests for a period less than 30 consecutive days, while the owner is away. Such use is considered a short term rental and requires special use approval.

The proposal is further described as follows:

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Use	Whole house short term rental. The dwelling has four bedrooms.	None	Additional dwelling units cannot be added to the single family dwelling. The use and property must comply with the Code of the City of Peoria or codes adopted by reference. This includes, but is not limited to property maintenance, building and fire, public nuisance, noise, and alcoholic beverages.
Building & Life Safety	Up to 8 guests in the short term rental, no more than 6 adults. The dwelling has four bedrooms.	None	The use may not exceed the 2018 IRC Residential Group R-3 occupancy of 8 persons. Max of 6 adults. Condition to install fire extinguishers, interconnected smoke alarms, and carbon monoxide detectors.
Parking	Two parking spaces in the detached garage, two additional parking spaces on the paved driveway.	None	The site plan identifies two parking spaces in the attached garage and two additional parking spaces in back of the paved driveway.
Neighborhood 3% Cap on the Number of Special Use Short Term Rentals	The property is in the Northmoor Hills Homeowners Association.	None	The 3% cap allows up to 7 special use Short Term Rentals within this neighborhood association. If approved, this would be the first special use Short Term Rental in this neighborhood.
License	Obtain yearly Short Term Rental License and remit the Room Rental Use or Privilege tax to the City of Peoria.	N/A	Compliance is a condition of maintaining the special use. A special use for a Short Term Rental is only valid for the applicant and does not transfer with the property.

BACKGROUND

Property Characteristics

The subject property is 0.55 acres and is developed with a single family dwelling with attached garage built in 1977. Prior to application, the property had been operating as a short term rental without a license. The property is in the Class R-2 (Single-Family Residential) District. Surrounding zoning is Class R-2 (Single-Family Residential) District. Surrounding land use is residential.

History

Zoning class has consistently been low density residential.

Date	Zoning
1931 - 1958	Not in the City Limits
1958 - 1963	Not in the City Limits
1963 - 1990	R1 (Low-Density Residential)
1990 - Present	R2 (Single-Family Residential)

DEVELOPMENT REVIEW BOARD ANALYSIS

The DRB examines each application against the appropriate standards found in the Code of the City of Peoria and/or in case law.

Standard	Standard Met per DRB Review	DRB Condition Request & Justification
No detriment to public health, safety, or general welfare	Yes	Condition to install fire extinguishers, smoke alarms, carbon monoxide detectors.
No injury to other property nor diminishment to property values	Yes	None
No impediment to orderly development	Yes	None
Provides adequate facilities	Yes	None
Ingress/Egress measures designed to minimize traffic congestion	Yes	None
If a public use/service, then a public benefit	NA	NA
Conforms to all district regulations	Yes	None
Comprehensive Plan Critical Success Factors	Reinvest in Neighborhoods	Reinvest in the existing dwelling.
City Council Strategic Plan Goals	Attractive Neighborhoods with Character; Safe and Livable	Reinvest in the existing dwelling.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends approval of the request for a short term rental with the following conditions:

1. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
2. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
3. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
4. Additional dwelling units cannot be added to the single family dwelling.
5. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of eight (8) guests. Of the maximum occupancy allowed, no more than six adult guests may stay in the dwelling unit at any given time.

6. 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.
7. 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.

NOTE: If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meeting all applicable code requirements through all phases of the development.

ATTACHMENTS

1. Surrounding Zoning
2. Aerial Image
3. Applicant's Description of the Use
4. Photos – Existing Conditions
5. Site/Parking Plan

5525 N Briarcrest Ct



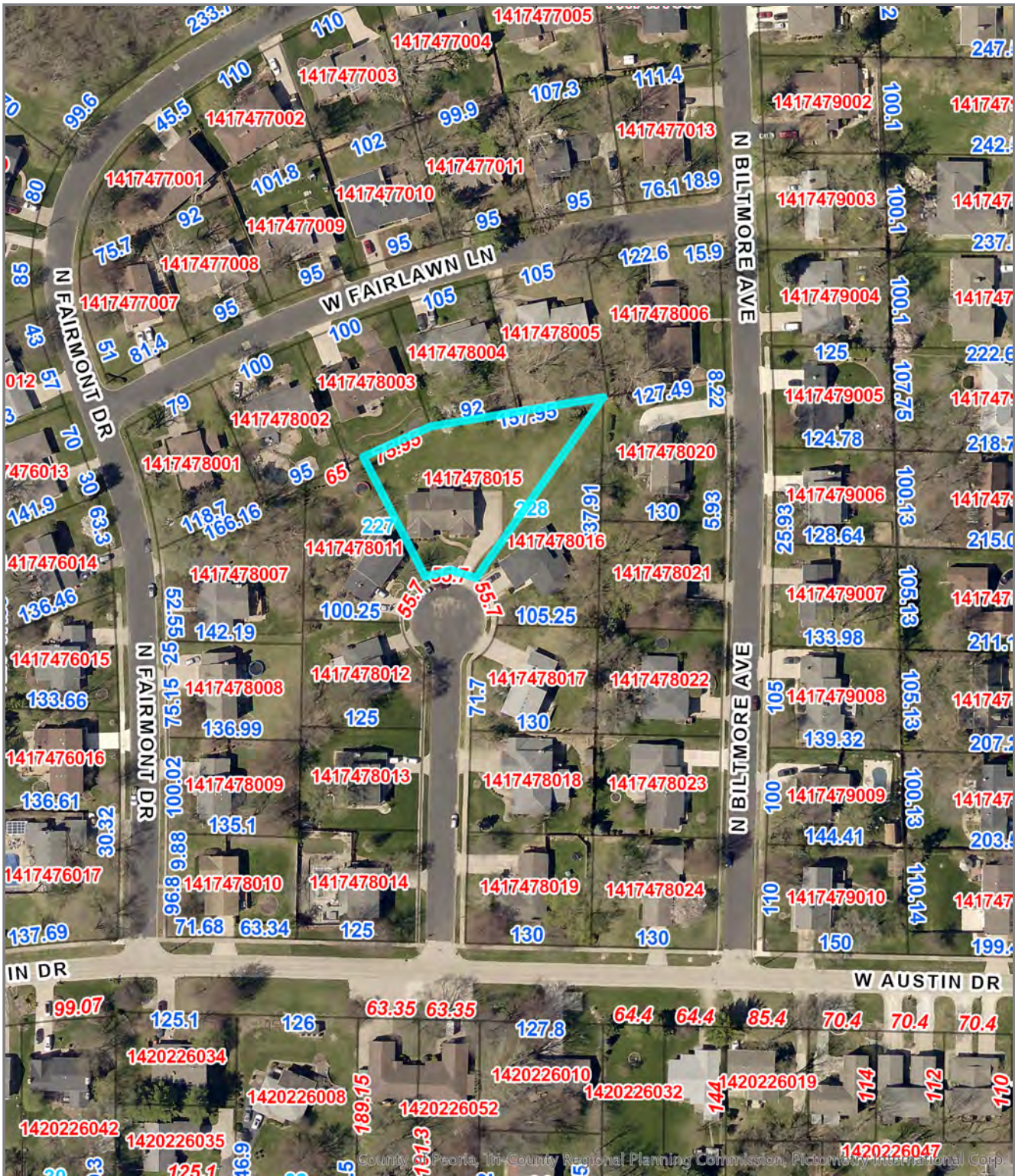
County of Peoria, Tri-County Regional Planning Commission, Pictometry International Corp., County of Peoria, IL, Maurer-Stutz, Patrick N. Meyer & Associates, Inc., City of Elmwood, City of Peoria, Village of Bellevue, Village of Brimfield, Village of Bartonville, Village of Hanna City



Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is in a constant state of maintenance. This website is NOT intended to be used for legal litigation or boundary disputes and is informational only. - Peoria County GIS Division

Map Scale
 1 inch = 200 feet
 10/10/2022

5525 N Briarcrest Ct



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Property Use description

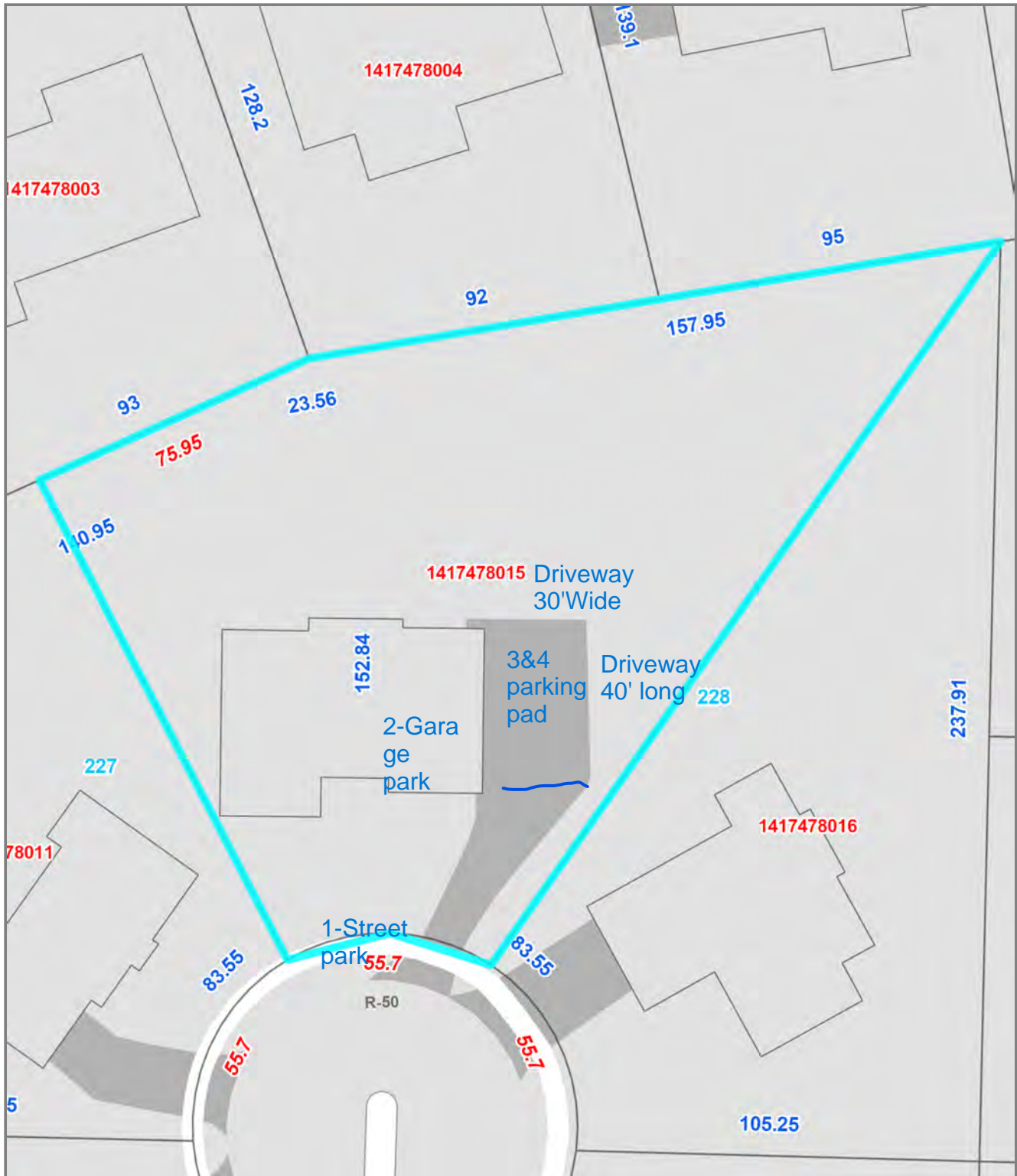
This is my full-time residence when I am not traveling. While I am traveling, the ask is to operate under standard VRBO guidelines. The property has 4 bedrooms (each can sleep 2 adults), for a total of 8 guests. All bedrooms measure at least 12'x12'. Both pets and children are allowed as guests – pets require an extra fee due to potential damages (standard w/VRBO). Check in-out policies are standard, checkout at 11am unless requested different by guest, and check-in at 4pm unless other arrangements have been requested.







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