


Commissioner Martin and Commissioner Heard agreed to withdraw the motion.

Commissioner Barry stated that he wants a study on this particular topography and its potential impacts on the surrounding residential areas.

Commissioner Unes made a motion to defer to the next regularly scheduled meeting; seconded by Grantham.

The motion was approved by viva voce vote 6 to 0.

Discussion was held between Chairperson Wiesehan and Mr. Naven regarding the feasibility study and the petitioner's responsibility to upgrade if required by Ameren.



PZ 1185-2022

Hold a Public Hearing and forward a recommendation to City Council on the request of Jonathan Hopkins to obtain a Special Use in a Class R-4 (Single-Family Residential) District for a Short Term Rental, for the property located at 1805 N Prospect Road (Parcel Identification No. 18-03-126-008), Peoria IL (Council District 3).

Senior Urban Planner, Kerilyn Weick, Community Development Department, read the case into record and summarized the request for a short term rental in an existing single family dwelling.

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. Only the front portion of the south bedroom may be used for sleeping area according to the 2018 International Property Maintenance Code, Section 404.4.2 – *Access from Bedrooms*.
6. Occupancy of the short term rental shall not exceed five (5) guests.
7. 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 of Privilege tax to the City of Peoria.
8. 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.

Chairperson Wiesehan asked if staff informs applicants of the cap on short term rentals and if there is a waiting list for short term rentals proposed in areas where the cap has already been reached.

Ms. Weick stated that there is no process in place because we have not yet come to that point, but staff does inform applicants when the cap is close.

Jonathan Hopkins, owner and petitioner, was present and discussed his desire to have this short term rental as well as the proposed rules and operations of the short term rental.

Commissioner Grantham asked Mr. Hopkins about his other rental properties in the City and asked City staff if they consider Mr. Hopkins a good landlord.

Mr. Hopkins stated that he has never been fined by the City and that he has remedied any issues that have come up.

Chairperson Wiesehan opened the public hearing at 2:58 pm.

With no public testimony, public hearing was closed at 2:58 pm.

Commissioner Barry read the Findings of Fact.

Motion:

Commissioner Martin made a motion to approve with staff recommendations; seconded by Commissioner Unes.

The motion was approved by viva voce vote 6 to 0.

Chairperson Wiesehan stated that the next two cases (PZ 1190-2022 and PZ 1191-2022) may have similar testimony and that he will take one session of public comment for these cases.

PZ 1190-2022

Prior to reading the case into record, Ms. Hertaus gave additional documents to the Commissioners (see Exhibits 2-5).

Hold a Public Hearing and forward a recommendation to City Council on the request of Gary Murray of Home Solutions Group, LLC on behalf of MTD Peoria, LLC to amend the existing Special Use Ordinance No. 15,194 for a Residential Cluster Development, in a Class R-3 (Single-Family Residential) District, to build a Duplex with Waivers for the properties located at 5723 and 5727 W Woodbriar Ln (Parcel Identification Nos. 13-15-276-007 and 13-15-276-006), Peoria IL (Council District 4).

Urban Planner, Julia Hertaus, Community Development Department, read the case into record and summarized the request to develop a duplex.

The Development Review Board does not object to the request per the attached site plan and with the following waivers and conditions:

1. Waiver to decrease the setback from the back of the curb to the face of the garage from 25ft to 21.6ft.
2. Waiver to decrease the rear yard setback from 25ft to 16.6ft.
3. Condition for driveway width, in the required front yard, not to exceed 25ft in width.
4. Condition to meet the 3ft setback requirement for the patio wall. There is space to meet this setback without a waiver.
5. Condition to apply for a separate building permit for the gravity retention wall prior to the permitting and condition of the duplexes. Per building code, this is a necessary condition for construction.
6. Condition to provide a tract survey reflecting the new property lines.

Discussion was held between Chairperson Wiesehan and Ms. Hertaus regarding the setbacks of the existing homes in the subdivision.

Steve Kerr, on behalf of Gary Murray and Jazmyne Pratt, was present and explained the petitioners' request to develop the duplexes. Mr. Kerr stated that the Village Grand Subdivision Homeowners Association (HOA) has a minimum square footage requirement and the existing property lines do not allow them to meet this square footage requirement and the City's setback requirements. Mr. Kerr explained that