



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Development Review Board

DATE: March 1, 2018

CASE NO: PZ 18-07

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Jim Brummitt of 360 Home Design, LLC, for a subdivision plat, with waivers, for the property located at 902-906 W. Austin Drive (Parcel Identification No. 14-20-226-009), Peoria, Illinois (Council District 3).

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The property contains a legal non-conforming built-as duplex, which is currently on one parcel. The petitioner is proposing to divide the parcel into two lots, so that each of the two units will have a separate parcel for the purposes of ownership, with the following waivers, which result from existing conditions:

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Setbacks	No change is proposed; however, the existing structure does not currently, and will not, meet side and front yard setback requirements.	The petitioner is requesting a waiver from front and side yard setbacks in the R-1 (Single-Family Residential) District to allow the existing structure to remain at current setbacks, while the parcel is subdivided into two lots.	This is an existing site and no changes are proposed to the exterior of the structure that would further reduce side or front yard setbacks. Further, the existing setbacks are relatively consistent with surrounding properties. As such, the Development Review Board is in support of the waiver requested.
Density	No change; the subject property will continue to have two units.	In the R-1 District, the maximum density is two units per acre and the subject property has two units on .55 acres.	No change to the existing density is proposed. Therefore, the Development Review Board is in support of the waiver requested.
Sidewalks	A note has been added to the plat regarding sidewalks; however, the petitioner has requested a waiver of this requirement.	The Petitioner is requesting a waiver of this requirement, as sidewalks are not currently present along the south side of W Austin Drive (only on the north side running east to west).	Per Appendix A, Section 2.13.13, all developments shall have sidewalks on both sides of the streets. The Development Review Board requests that a fee in lieu of sidewalk be provided for the property frontage along Austin Drive.

BACKGROUND

Property Characteristics

The subject property contains .55 acres, is zoned R-1 (Single-Family Residential), and contains a legal non-conforming built-as duplex, which sits on one parcel. The property owner is proposing to divide the parcel into two lots, so that each of the two units will have a separate parcel for the purposes of ownership. The property is surrounded by R-2 (Single-Family Residential) zoning to the north and R-1 (Single-Family Residential) zoning to the south, east, and west. In addition, there are other legal non-conforming duplexes in the neighborhood.

History

Date	Zoning
1963 - 1990	R1 (Low-Density Residential)
1990 - Present	R1 (Single-Family Residential)

DEVELOPMENT REVIEW BOARD ANALYSIS

A duplex is an allowed use in a single-family residential district, at the time of platting. Apart from the waivers due to existing conditions, as noted above and below, the use complies with the Unified Development Code and the City of Peoria Comprehensive plan. Further, notes were included on the plat indicating that the two lots are not independently buildable, and that each lot shall contain one duplex unit.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The Development Review Board recommends approval of the request with the following condition and waivers:

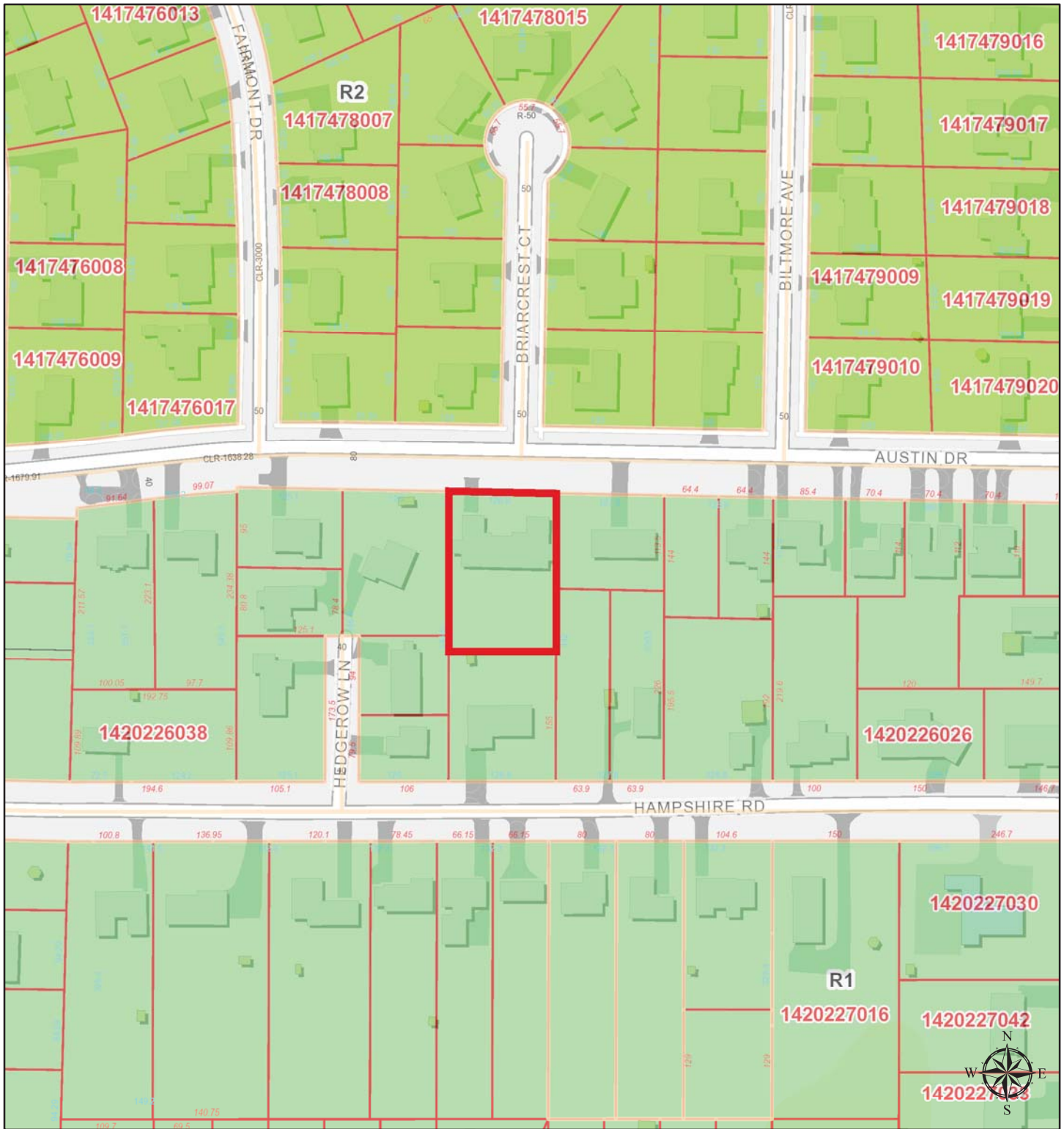
1. A fee in lieu of sidewalk be provided for the property frontage along Austin Drive.
2. A waiver from the maximum allowed density in an R-1 (Single-Family Residential) District to allow two dwelling units on a .55 acre site.
3. A waiver from the required front and side yard setbacks in an R-1 (Single-family Residential) District to allow the existing structure to remain at the setbacks, as shown on the subdivision plat.

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 (County GIS Print in Color)
2. Aerial Photo (County GIS Print in Color - 2008 Photo for until updated)
3. Subdivision Plat

Surrounding Zoning Map - 902-906 Austin Drive



1 inch = 167 feet



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



Aerial Photo - 902-906 Austin Drive



1 inch = 167 feet

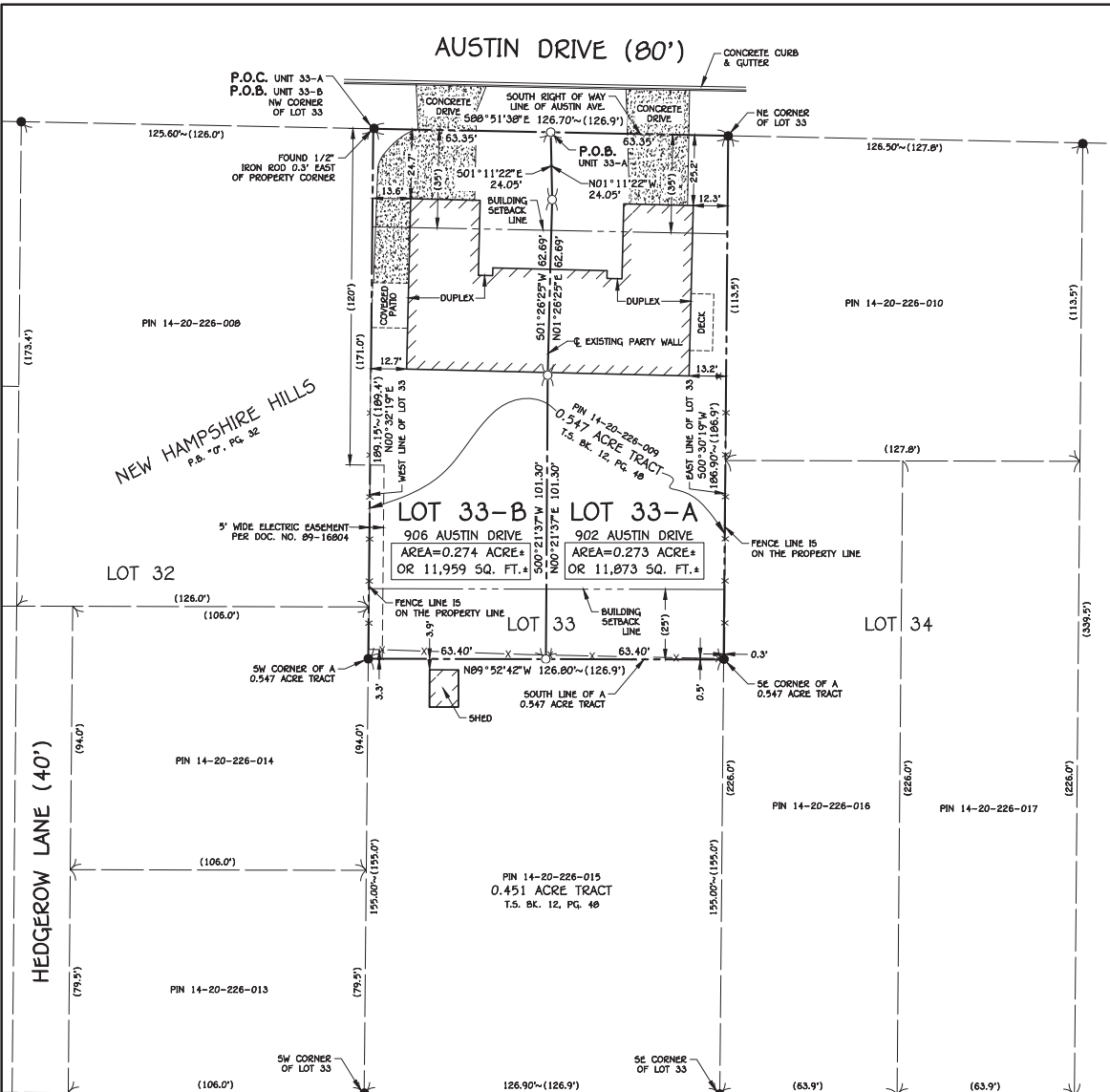


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County of Peoria, Tri-County Regional Planning Commission,
Kucera International, Inc.
Peoria County, IL, HERE, USGS



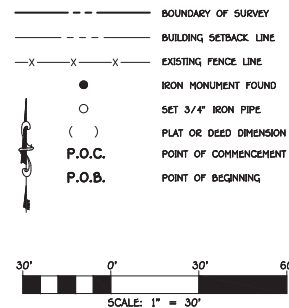
AUSTIN DRIVE (80')



GENERAL NOTES:

BEARINGS BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE 1202.
 TOTAL AREA SURVEYED= 0.547 ACRES OR 23,832 SQUARE FEET.
 THE FINAL PLAT OF NEW HAMPSHIRE HILLS IS RECORDED IN PLAT BOOK "O", PAGE 32 IN THE PEORIA COUNTY RECORDER'S OFFICE.
 PROPERTY SURVEYED IS PIN 14-20-226-009.
 NO PART OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 170533 0050 B WITH AN EFFECTIVE DATE JUNE 1, 1983.
 PUBLIC SIDEWALKS ARE TO BE PROVIDED ALONG AUSTIN DRIVE IN ACCORDANCE WITH APPENDIX A, ARTICLE 2.13 OF THE CITY OF PEORIA'S CODE OF ORDINANCES.
 PROPERTY OWNERS MAY NOT PARTICIPATE IN THE CITY OF PEORIA DRAINAGE ASSISTANCE PROGRAM.
 THESE LOTS ARE NOT INDEPENDENTLY BUILDABLE, UNLESS AND UNTIL CONSENTED IN WRITING BY THE CITY OF PEORIA. THIS COVENANT SHALL BE ENFORCEABLE BY THE OWNERS, THEIR SUCCESSORS AND ASSIGNS, AND THE CITY OF PEORIA.
 LOT 33-A AND LOT 33-B COMBINED SHALL HAVE ONE DUPLEX BUILDING PLACE THEREON WITH THE DIVISION OF EACH HALF OF THE DUPLEX PLACED ON THE LINE DIVIDING "A" AND "B" UNITS.

LEGEND



LEGAL DESCRIPTION OF LOT 33-A

A PART OF LOT THIRTY-THREE (33) IN NEW HAMPSHIRE HILLS, A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION TWENTY (20), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK "O", PAGE 32 IN THE PEORIA COUNTY RECORDER'S OFFICE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 33; THENCE SOUTH 88°-51'-38" EAST, (BEARINGS ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE 1202), ALONG THE SOUTH RIGHT OF WAY LINE OF AUSTIN DRIVE, 63.35 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; FROM THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 88°-51'-38" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, 63.35 FEET TO THE NORTHEAST CORNER OF SAID LOT 33; THENCE SOUTH 00°-30'-19" WEST, ALONG THE EAST LINE OF SAID LOT 33, 186.90 FEET TO THE SOUTHEAST CORNER OF A 0.547 ACRE TRACT, THE PLAT OF WHICH IS RECORDED IN TRACT SURVEY BOOK 12, AT PAGE 48 IN THE PEORIA COUNTY RECORDER'S OFFICE; THENCE NORTH 09°-52'-42" WEST, ALONG THE SOUTH LINE OF SAID 0.547 ACRE TRACT, 63.40 FEET; THENCE NORTH 00°-21'-37" EAST, 101.30 FEET; THENCE NORTH 01°-28'-25" EAST, ALONG THE CENTERLINE OF AN EXISTING PARTY WALL AND SAID LINE EXTENDED, 62.69 FEET; THENCE NORTH 01°-11'-22" WEST, 24.05 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 0.273 ACRE, OR 11,873 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION OF LOT 33-B

A PART OF LOT THIRTY-THREE (33) IN NEW HAMPSHIRE HILLS, A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION TWENTY (20), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK "O", PAGE 32 IN THE PEORIA COUNTY RECORDER'S OFFICE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 33; THENCE SOUTH 88°-51'-38" EAST, (BEARINGS ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, WEST ZONE 1202), ALONG THE SOUTH RIGHT OF WAY LINE OF AUSTIN DRIVE, 63.35 FEET; THENCE SOUTH 01°-11'-22" WEST, 24.05 FEET; THENCE SOUTH 01°-28'-25" WEST, ALONG THE CENTERLINE OF AN EXISTING PARTY WALL AND SAID LINE EXTENDED, 62.69 FEET; THENCE SOUTH 00°-21'-37" WEST, 101.30 FEET TO THE SOUTH LINE OF A 0.547 ACRE TRACT, THE PLAT OF WHICH IS RECORDED IN TRACT SURVEY BOOK 12, AT PAGE 48 IN THE PEORIA COUNTY RECORDER'S OFFICE; THENCE NORTH 09°-52'-42" WEST, ALONG SAID SOUTH LINE, 63.40 FEET TO THE SOUTHWEST CORNER OF SAID 0.547 ACRE TRACT; THENCE NORTH 00°-32'-19" EAST, ALONG THE WEST LINE OF SAID LOT 33, 189.15 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 0.274 ACRE, OR 11,959 SQUARE FEET, MORE OR LESS.

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF PEORIA)
 I, 360 HOME DESIGN, LLC, OWNERS AND PROPRIETORS OF THE LAND SHOWN ON THE ABOVE FINAL SUBDIVISION PLAT, DO HEREBY CERTIFY THAT I HAVE CAUSED SAID SURVEY AND SUBDIVISION, KNOWN AS "BRUMMIT 360", TO BE MADE AS SHOWN ON THE ACCOMPANYING FINAL SUBDIVISION PLAT AND ACKNOWLEDGE SAID SURVEY AND SUBDIVISION TO BE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
 I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PROPERTY IS LOCATED WITHIN PEORIA SCHOOL DISTRICT # 150.
 DATED THIS _____ DAY OF _____, 2018.

OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF PEORIA)
 I, THE UNDERSIGNED, NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE ABOVE SIGNATOR IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY, IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED, SEALED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES SET FORTH, AND ON HIS/HER OATH STATED THAT HE/SHE IS DULY AUTHORIZED TO EXECUTE SAID INSTRUMENT.
 GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2018.

PEORIA COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF PEORIA)
 I, R. STEVE SONNENBAKER, PEORIA COUNTY CLERK, DO HEREBY CERTIFY THAT I HAVE THIS DAY EXAMINED THE RECORDS IN MY OFFICE AND THAT THE FINAL SUBDIVISION PLAT, UNPAID CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND DESCRIBED IN THE SAID FINAL SUBDIVISION PLAT OF "BRUMMIT 360,"
 GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2018.

CITY OF PEORIA COMMUNITY DEVELOPMENT DEPARTMENT'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF PEORIA)
 I HEREBY CERTIFY THAT THIS FINAL SUBDIVISION PLAT OF "BRUMMIT 360" IS SUBSTANTIALLY IN CONFORMANCE WITH APPENDIX A OF THE CITY CODE AND IS APPROVED.

 COMMUNITY DEVELOPMENT, PLAT APPROVING OFFICER
 THIS _____ DAY OF _____, 2018.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF PEORIA)
 WE, THE AUSTIN ENGINEERING CO., INC., CIVIL ENGINEERS AND LAND SURVEYORS, DO HEREBY CERTIFY THAT WE HAVE SURVEYED AND SUBDIVIDED INTO A LOT TO BE KNOWN AS "BRUMMIT 360", A SUBDIVISION OF A PART OF LOT THIRTY-THREE (33) IN NEW HAMPSHIRE HILLS, A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION TWENTY (20), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS, AND THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID PROPOSED SUBDIVISION AS DRAWN TO A SCALE OF ONE (1) INCH EQUALS THIRTY (30) FEET.
 WE FURTHER CERTIFY THAT THE ABOVE SUBDIVISION IS LOCATED WITHIN AN INCORPORATED CITY WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS NOW OR HEREAFTER AMENDED.
 WE FURTHER CERTIFY THAT THIS SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
 DATED AT PEORIA, ILLINOIS THIS 12TH DAY OF FEBRUARY, 2018.
 AUSTIN ENGINEERING CO., INC.
 BY: JUSTIN B. MALEC
 ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3871
 AUSTIN ENGINEERING COMPANY, INC. (309) 691-0224
 311 SW WATER ST., SUITE 215 PEORIA, IL 61602
 jmalec@austinengineeringcompany.com
 LICENSE EXPIRES NOVEMBER 30, 2018



AUSTIN ENGINEERING CO., INC.
 Consulting Engineers / Surveyors
 311 SW Water St., Suite 215
 Peoria, Illinois 61602
 License No. 184-001143



FINAL PLAT OF
"BRUMMIT 360"
 A PART OF LOT THIRTY-THREE (33) IN NEW HAMPSHIRE HILLS, A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER SECTION TWENTY (20), TOWNSHIP NINE (9) NORTH, RANGE EIGHT (8) EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS
 360 HOME DESIGN, LLC.

FINAL PLAT

PROJECT NO	40-18-002
DATE	02/12/2018
SURVEYED	CHECKED
JAG/WLC	SJB
DRAWN	APPROVED
JBM	JBM

FINAL-1

SPACE RESERVED FOR THE PEORIA COUNTY RECORDER OF DEEDS