



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Development Review Board (prepared by Julia Hertaus)

DATE: January 5, 2023

CASE NO: PZ 1191-2022

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Gary Murray of Home Solutions Group, LLC and Jazmyne Pratt on behalf of MTD Peoria, LLC and SWJ Décor, LLC, respectively, 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 5731 and 5735 W Woodbriar Ln (Parcel Identification Nos. 13-15-276-005 and 13-15-276-004), Peoria IL (Council District 4)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The petitioner is requesting to build the duplex allowed by the existing Special Use with reduced setbacks in the front, rear, and both side yards. Per the existing Special Use, the rear yard and western side yard setbacks are required to be 25ft and are proposed to decrease to 12.3ft and 16.1ft, respectively. The eastern side yard is proposed to decrease from the required 5ft setback to a 0ft setback for only the portion of the principal structure abutting the courtyard wall of 5727 W Woodbriar Ln. Lastly, the garage façade is proposed to measure 21.5ft from the back of the curb which is a reduction from the required 25ft per the existing Special Use. Pending approval, the existing property lines shall be redrawn to reflect the above listed waivers.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Dwelling Unit	Proposed two dwelling unit as a duplex	None	Two dwelling unit as a duplex allowed through existing special use.
Parking/Driveway	Proposed two legal parking spaces within double stall garage	None	Condition for driveway width, in the required front yard, not to exceed 20 ft in width.
Setbacks	<p>The proposed setbacks are as follows:</p> <p>Garage façade to the back of the curb setback = 21.5ft</p> <p>Western side yard setback = 12.3ft</p> <p>Rear yard setback = 16.1ft</p> <p>Eastern side yard setback for only the portion of the principal structure abutting the courtyard wall of 5727 W Woodbriar Ln= 0ft</p>	<p>Waiver to decrease the setback from the back of the curb to the face of the garage from 25ft to 21.5ft.</p> <p>Waiver to decrease the western side yard setback from 25ft to 12.3ft.</p> <p>Waiver to decrease the rear yard setback from 25ft to 16.1ft.</p> <p>Waiver to decrease the eastern side yard setback from 5ft to 0ft for only the portion of the principal structure abutting the courtyard wall of 5727 W Woodbriar Ln as shown on the attached site plan.</p>	No objection.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Walls	Place a gravity retention wall, that at no point reaches a height greater than 6ft tall, in the rear yard extending the length of 5723-5735 W Woodbriar Ln. Wrought iron railing will be added on top of wall where required by building code.	None	Condition to apply for a separate building permit for the gravity retention wall prior to the permitting and construction of the duplexes.
Building Height	Proposed building height of 26.5ft	None	The height is less than the maximum allowance of 35ft.

BACKGROUND

Property Characteristics

The subject property, commonly known as Village Grande at Ancient Oaks, contains approximately 26 acres of land that has been developed as a residential subdivision. The properties specific to this case are located in the northwestern-most corner and are platted for use as a duplex. Surrounding zoning to the east and south is R-3 (Single Family Residential) district. Property to the north and west is in Peoria County's jurisdiction.

Parcels included in this case are: 13-15-276-004 and 13-15-276-005

History

This residential cluster development was granted as a Special Use in September of 2001 and has developed with numerous dwellings over the past 21 years. Lots 30A and 30B remain undeveloped and are platted for use as a duplex.

Date	Zoning
1931 - 1958	Not in the City
1958 - 1963	Not in the City
1963 - 1990	Not in the City
1990 - Present	R3 (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	None
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

Standard	Standard Met per DRB Review	DRB Condition Request & Justification
If a public use/service, then a public benefit	N/A	N/A
Conforms to all district regulations	No	<p>Condition for driveway width, in the required front yard, not to exceed 20 ft in width.</p> <p>Waiver to decrease the setback from the back of the curb to the face of the garage from 25ft to 21.5ft.</p> <p>Waiver to decrease the western side yard setback from 25ft to 12.3ft.</p> <p>Waiver to decrease the rear yard setback from 25ft to 16.1ft.</p> <p>Waiver to decrease the eastern side yard setback from 5ft to 0ft for only the portion of the principal structure abutting the courtyard wall of 5727 W Woodbriar Ln as shown on the attached site plan.</p> <p>Condition to apply for a separate building permit for the gravity retention wall prior to the permitting and construction of the duplexes. Per building code, this is a necessary condition for construction.</p>
Comprehensive Plan Critical Success Factors	Reinvest in Neighborhoods	
City Council Strategic Plan Goals	Grow Peoria	

DEVELOPMENT REVIEW BOARD RECOMMENDATION

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 21.5ft.
2. Waiver to decrease the western side yard setback from 25ft to 12.3ft.
3. Waiver to decrease the rear yard setback from 25ft to 16.1ft.
4. Waiver to decrease the eastern side yard setback from 5ft to 0ft for only the portion of the principal structure abutting the courtyard wall of 5727 W Woodbriar Ln as shown on the attached site plan.
5. Condition for driveway width, in the required front yard, not to exceed 20 ft in width.
6. Condition to apply for a separate building permit for the gravity retention wall prior to the permitting and construction of the duplexes. Per building code, this is a necessary condition for construction.
7. Condition to provide a tract survey reflecting the new property lines.

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. Aerial Photo
2. Surrounding Zoning
3. Letter of Intent from Ms. Pratt of SWJ Décor, LLC
4. Site Plan with Proposed Property Line Changes
5. Preliminary Construction Plans

5731 and 5735 W Woodbriar Ln Aerial



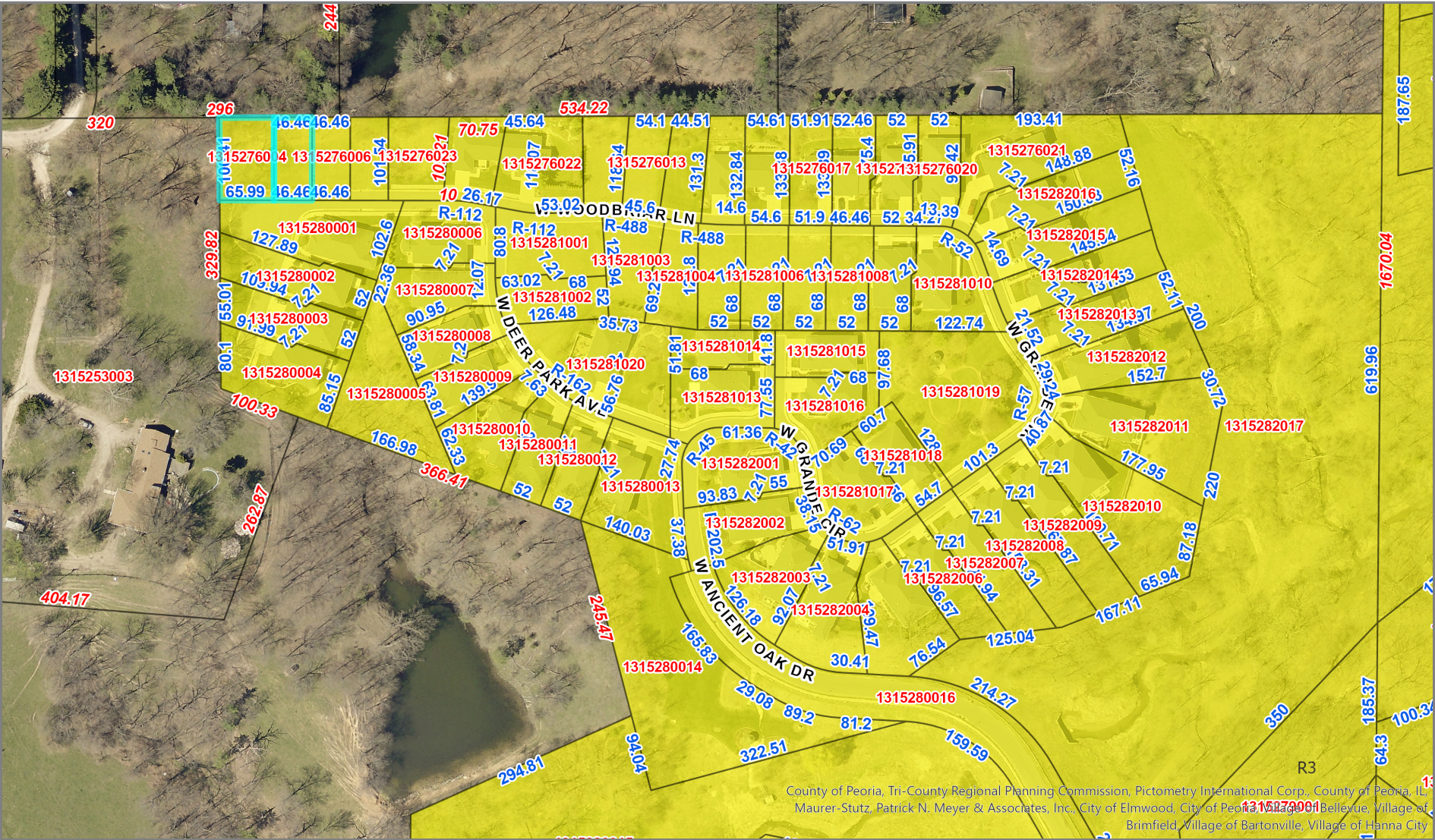
County of Peoria, Tri-County Regional Planning Commission, Pictometry International Corp.



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 = 188 feet
 12/21/2022

5731 and 5735 W Woodbriar Ln Aerial + Zoning



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, Bellevue, Village of Brimfield, Village of Bartonville, Village of Hanna City



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Map Scale
1 inch = 188 feet
 12/21/2022

City of Peoria
Planning & Zoning Division

City Hall, Room 203
419 Fulton Street, Peoria IL 61602

Letter of Intent for Zoning Waiver

Current property use: vacant lot in subdivision

PARCEL ID #:

13 – 15 – 276 – 005 (lot 30B)

13 – 15 – 276 – 004 (lot 30A)

Addresses:

5735 W. Woodbriar Lane, Peoria, IL 61615 (lot 30B)

5731 W. Woodbriar Lane, Peoria, IL 61615 (lot 30A)

Dear Planning & Zoning Members,

I am requesting a waiver for the above addresses to seek that both the side and rear yard setbacks to approach the 1,600 sq. ft. minimum of the HOA for The Village Grand at Ancient Oaks Subdivision. Additionally, to fit four units in total. See document entitled Design Villa Grande 21-043 West 12-17-21. Lot 30B (pin 13 - 15 - 276 - 004) are platted and approved by the special use for a duplex. This lot can only be developed with a waiver in conjunction with Lot 30 A (13 - 15 - 276 - 005) The request of a waiver is the result of the physical characteristics of the property that are unique to these lots.

Due to the shape and narrowness of this duplex combined with the required rear setback of 25 sq. ft. the strict application of the requirements of this applicable zoning chapter would deprive the existing property owner of rights and privileges currently enjoyed on this site and by other property owners in the same zoning district.

I am requesting a reduction in the required side setback from 25 sq. ft. to 13.67 sq. ft. to allow the minimum 1,600 sq. ft. to meet the HOA's specifications. I am also requesting a reduction in the required rear setback from 25 sq. ft., the proposed waiver represents the minimum deviation from the standards necessary to accomplish the desired improvements by complying with the subdivision's minimum requirements and specifications of 1,600 sq. ft. living area and a setback for the driveway.

1. Granting the waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

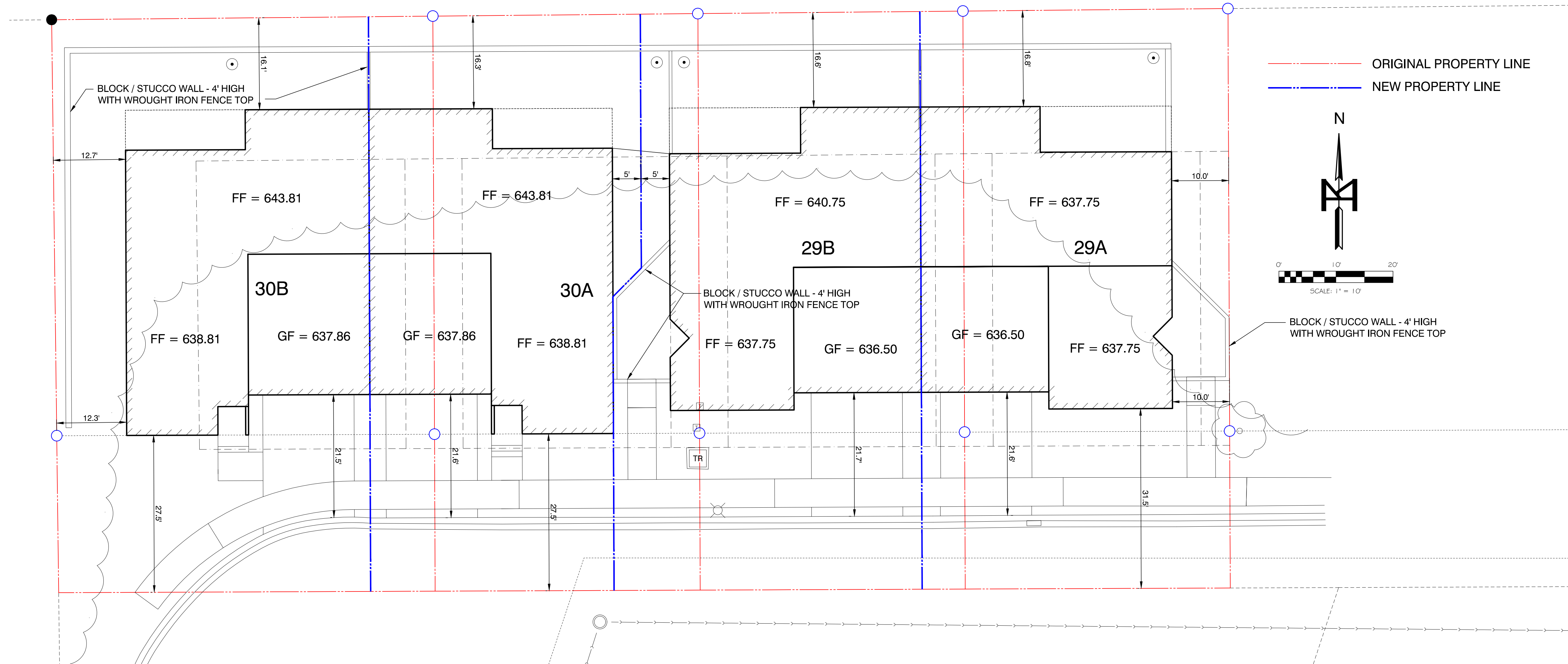
2. The granting of the waiver would have no effect on any adjoining properties. This request will not cause any detriment to the common good. The hardship will be for the duplex (lot 30 B and lot 30 A) as well as for the duplexes to the east if the waiver is not granted because the side and rear setbacks need to be amended to allow the required construction area to build the duplex successful.

3. The granting of the waiver will not be against the public interest. The waiver will be a positive change by developing the empty lots in this subdivision and in the City of Peoria. If granted a variance in the form requested, it will be in harmony with the neighborhood because it will not cause substantial detriment to the public good or impair the purposes and intent of this zoning code or comprehensive plan. The waiver puts the lot to use in an intended purpose and it will allow the duplex to be consistent with the existing architect and subdivision requirements. The waiver will not alter the essential character of the neighborhood in which the subject lot, Lot 30B/Pin 13 - 15 - 276 - 004 is located, nor substantially or permanently impair use or development of adjacent property. In fact, the waiver will be in consistent with The Village Grand at Ancient Oaks Subdivision as these lots are being built to blend with the homes in the community.

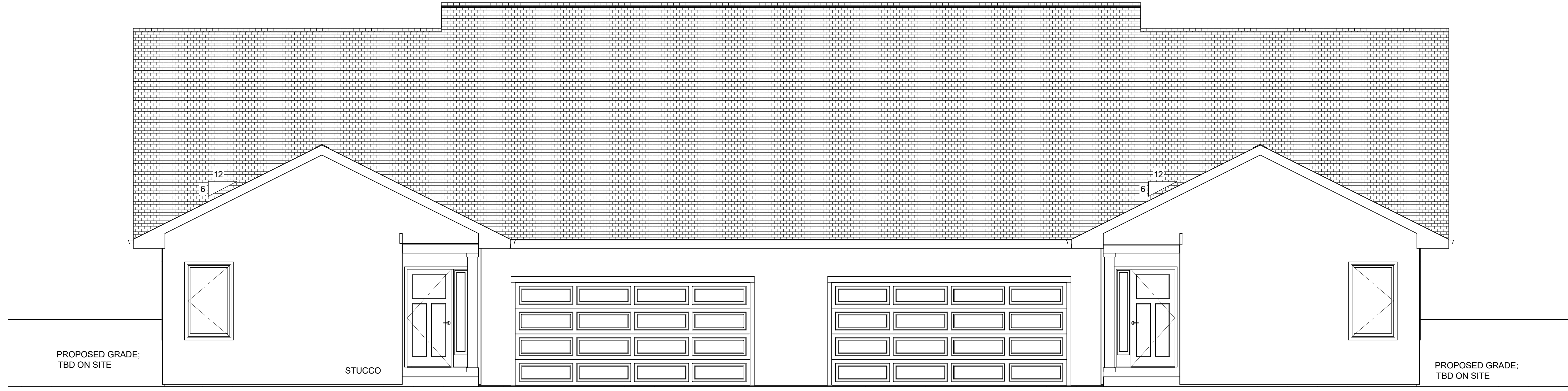
Thank you for your consideration,

Sincerely,

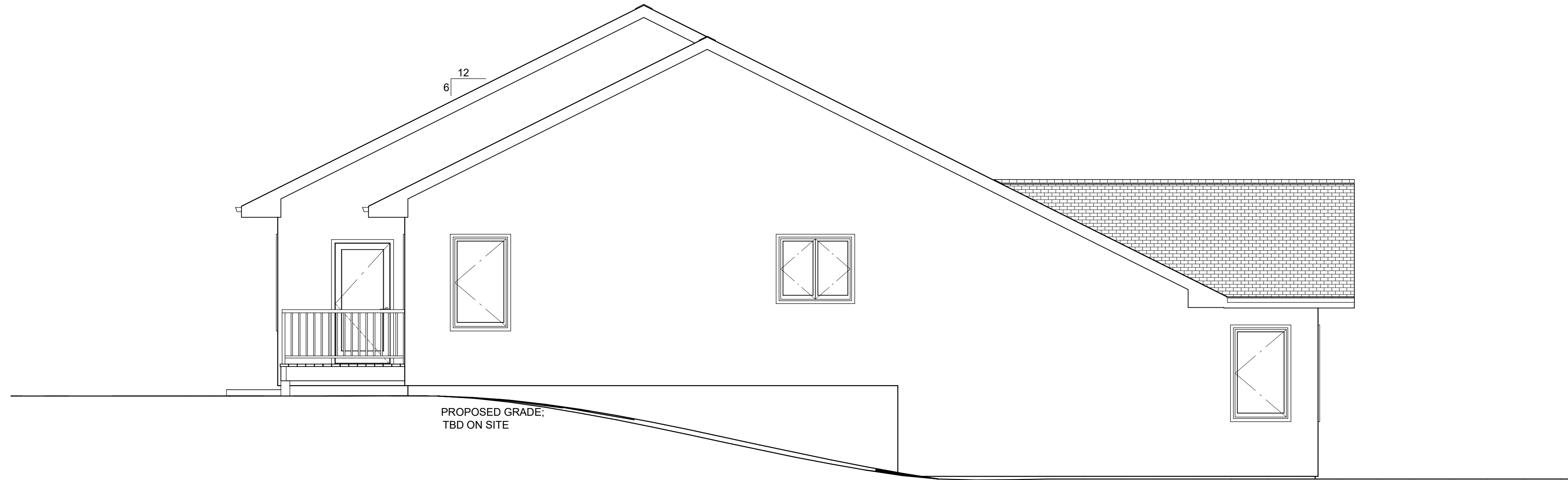
Jazmynne Pratt, Owner
SWJ Décor, LLC



In accordance with the Illinois Architecture Practice Act of 1989, allotting for the design and construction of single family residences by a non-licensed designer, these plans are not intended to be relied upon as being structurally certified. LS Building Products and all Affiliates neither assumes nor warrants any responsibility or liability for damages or losses resulting in the use of these plans, drawings and specification documents. It is expressly acknowledged that these plans etc. were not in any form constructed by an architect, engineer or other licensed individual, and therefore can not be relied upon for structural integrity. It is the sole responsibility of the purchaser/ contractor/ builder to verify all plan documents for their accuracy and suitability for design and construction. It is recommended by all parties that a licensed professional review all documents before construction.



FRONT ELEVATION



LEFT ELEVATION



DATE: 12/9/2021

SCALE: 1/4" = 1'-0"

DRAWN BY: HB

CLIENT/OWNER: MTD PEORIA, LLC

CONTRACTOR: HOME SOLUTIONS GROUP, LLC
905 N. BROAD STREET
PHILADELPHIA, PA 19123

NEW CONSTRUCTION PROJECT FOR

VILLAGE GRANDE: UNITS 30A-30B

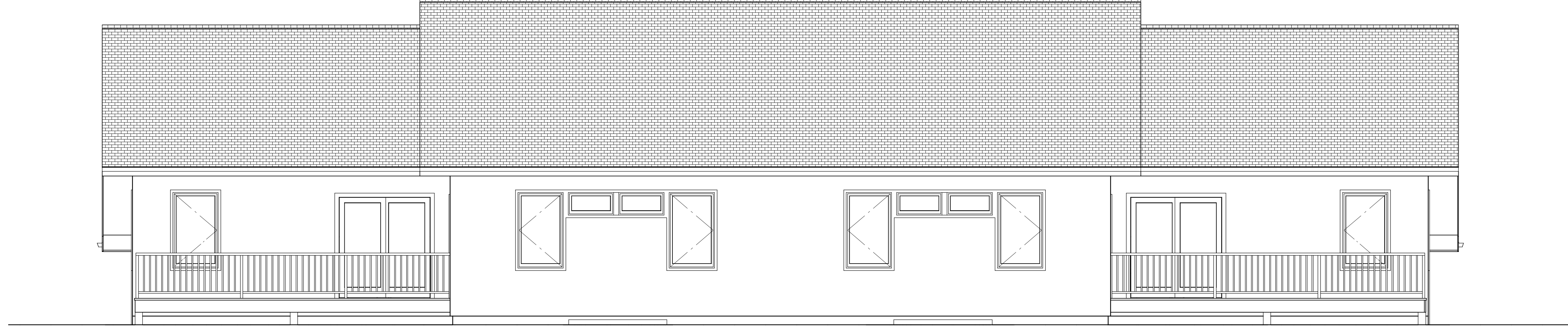
5731 - 5735 W. WOODBRIAR LANE, PEORIA

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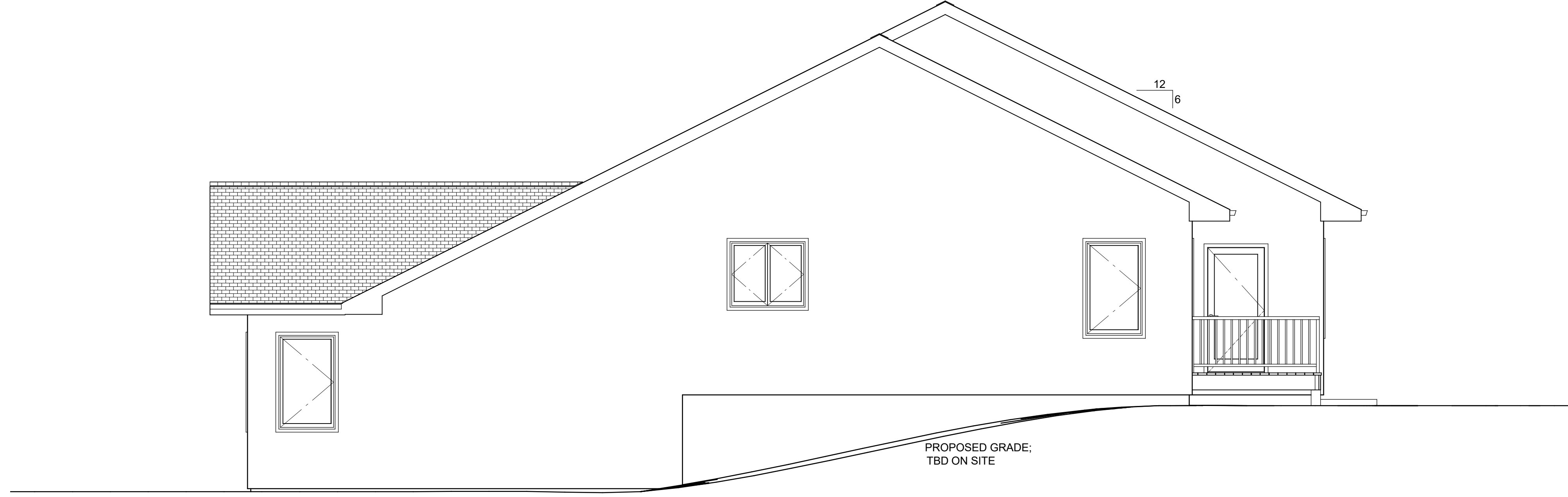
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OF 5

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REAR ELEVATION



RIGHT ELEVATION



DATE: 12/9/2021

CLIENT/OWNER: MTD PEORIA, LLC

SCALE: 1/4" = 1'-0"

CONTRACTOR: HOME SOLUTIONS GROUP, LLC

DRAWN BY: HB

905 N. BROAD STREET
PHILADELPHIA, PA 19123

NEW CONSTRUCTION PROJECT FOR

VILLAGE GRANDE: UNITS 30A-30B

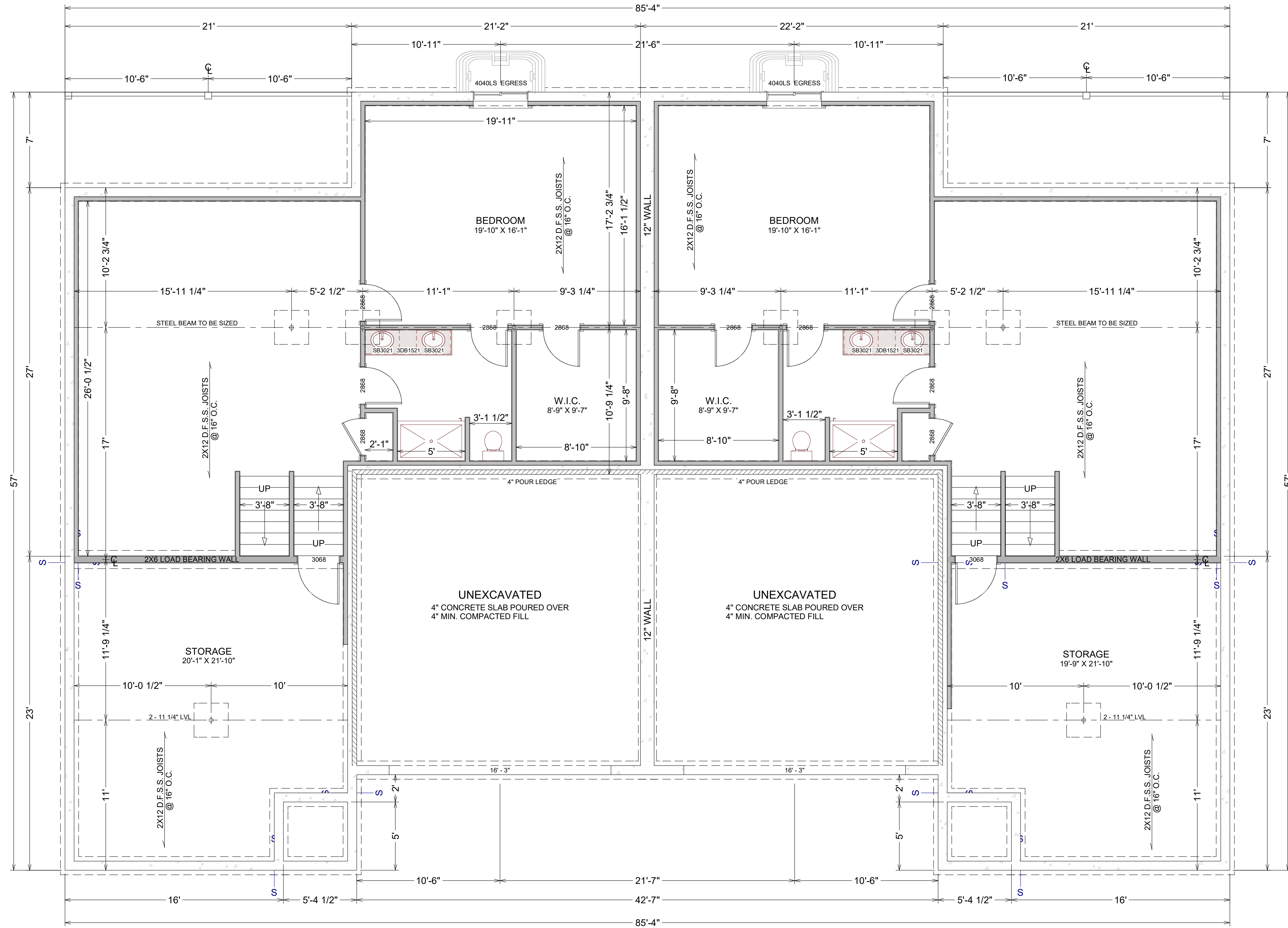
5731 - 5735 W. WOODBRIAR LANE, PEORIA

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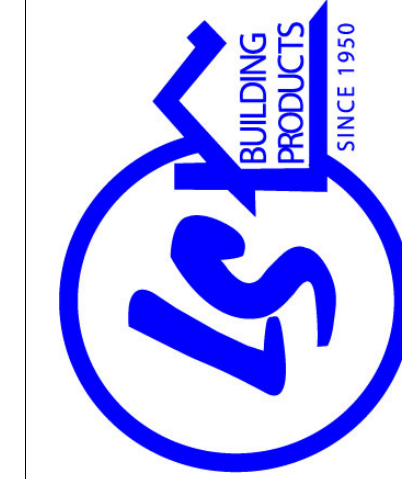
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OF 5

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FOUNDATION PLAN
 NOTE: 8" THICK POURED CONCRETE WALLS, 9' HIGH
 16" CONTINUOUS FTG.
 CEILING HEIGHT IS 9'-0" +/-
 FRAME ALL PERIMETER WALLS PER CODE
 DIMENSIONS TO THE OUTSIDE OF 4" BRICK LEDGE



DATE: 12/9/2021

SCALE: 1/4" = 1'-0"

DRAWN BY: HB

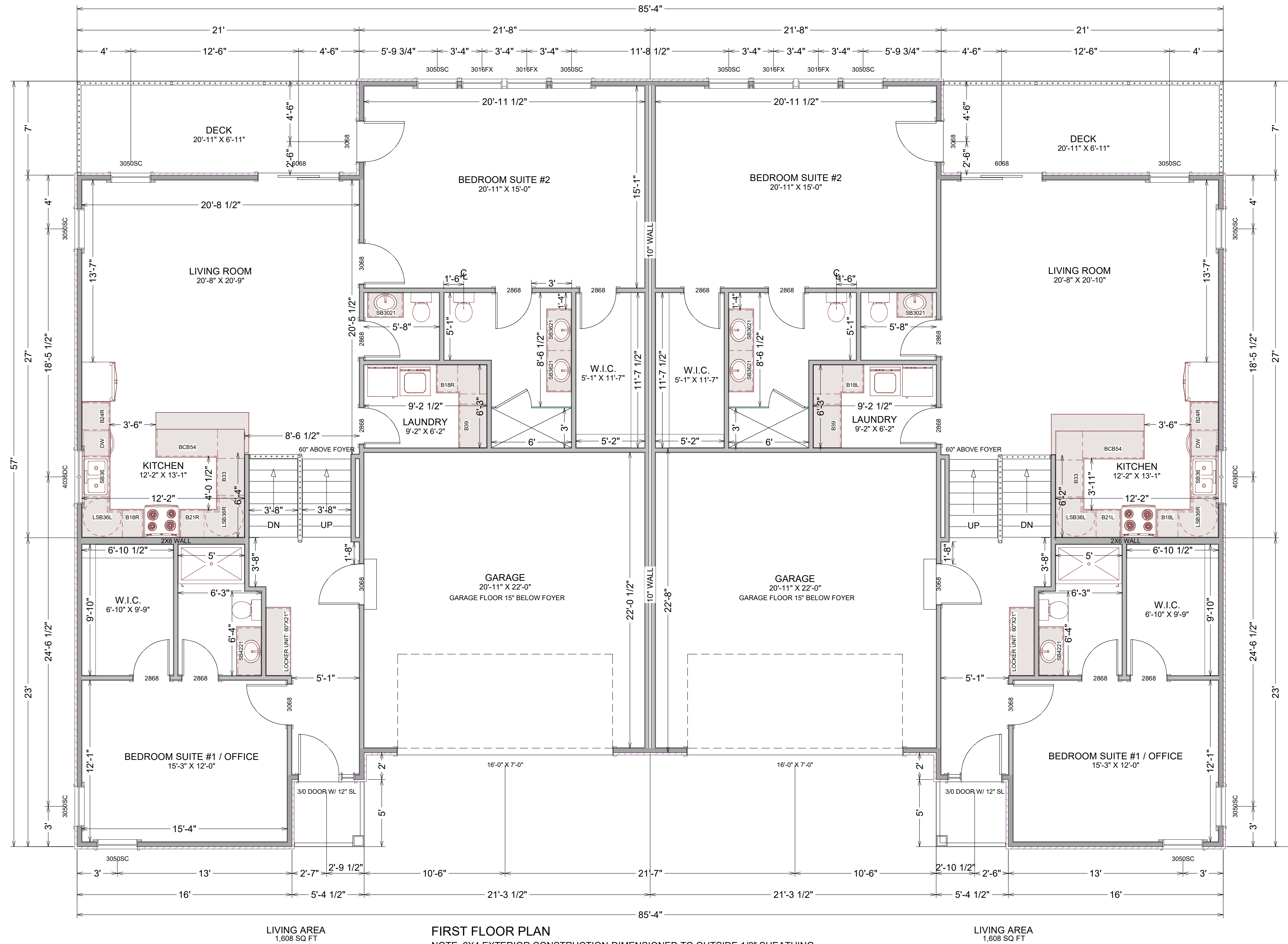
CLIENT/OWNER: MTD PEORIA, LLC

CONTRACTOR: HOME SOLUTIONS GROUP, LLC
 905 N. BROAD STREET
 PHILADELPHIA, PA 19123

NEW CONSTRUCTION PROJECT FOR

VILLAGE GRANDE: UNITS 30A-30B
 5731 - 5735 W. WOODBRIAR LANE, PEORIA

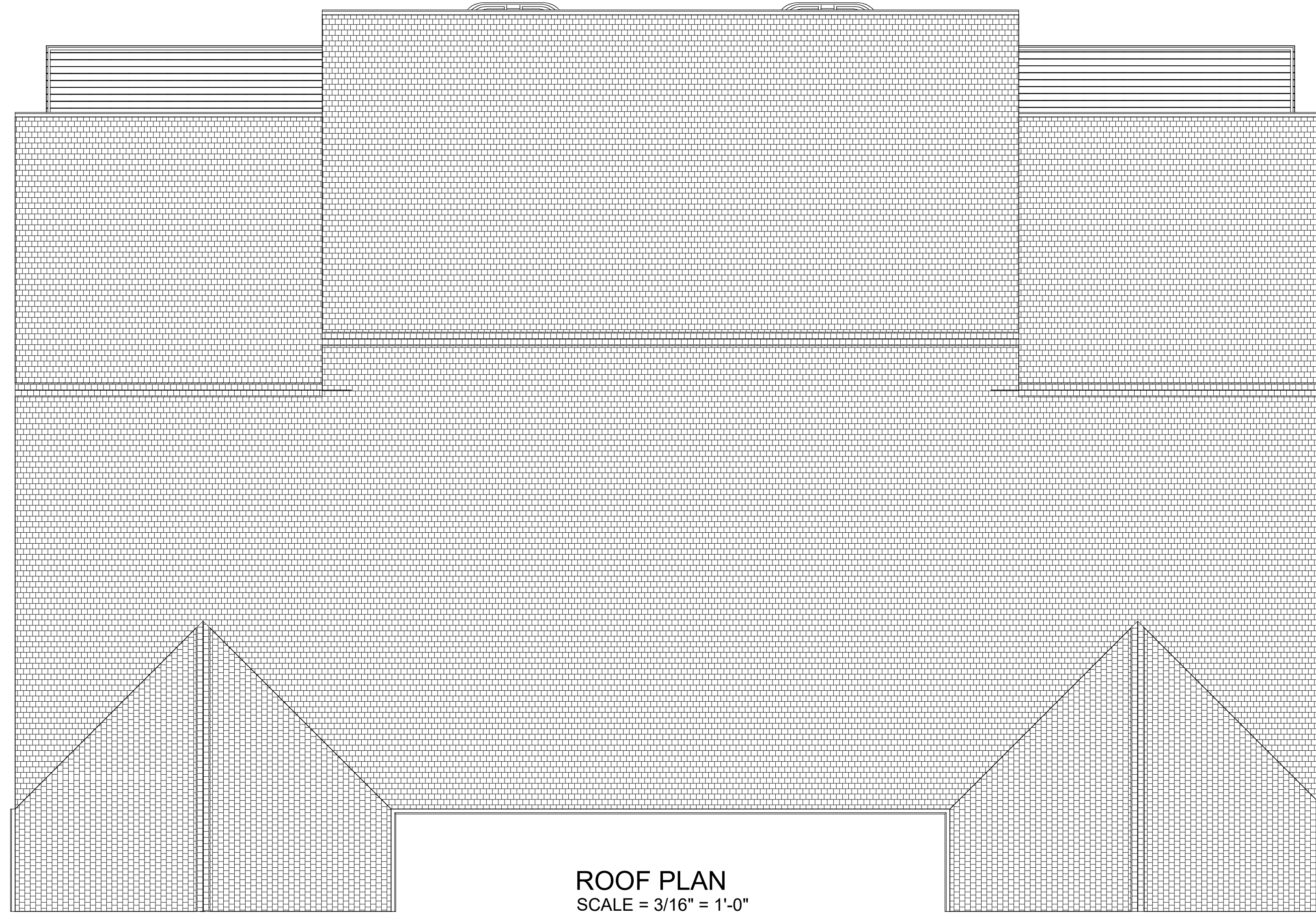
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FIRST FLOOR PLAN
 NOTE: 2X4 EXTERIOR CONSTRUCTION-DIMENSIONED TO OUTSIDE 1/2" SHEATHING
 2X4 INTERIOR CONSTRUCTION-DIMENSIONED TO STUD FACE
 FIRST FLOOR HEIGHT IS 9'-1 1/8" +/-
 ALL OVERHANGS FROM FACE OF 2" STUCCO:
 24" @ EAVES ; 12" @ GABLE ENDS



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ROOF PLAN
SCALE = 3/16" = 1'-0"

PLAN NOTES:

- ALL LAYOUTS MUST BE FOLLOWED IN ORDER FOR I-JOISTS & ROOF TRUSSES TO FIT PROPERLY.

- ALL WINDOW CALL OUTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. WINDOW COMPANIES USE DIFFERENT CRITERIA, SO VERIFICATION OF INCHES OR FEET AND INCHES ON SIZE, FRAME SIZE, ETC. MUST BE VERIFIED BY GENERAL CONTRACTOR.

-ACTUAL GRADE CANNOT BE DETERMINED. ALL GRADE FACTORS MUST BE CHECKED ON SITE PRIOR TO CONSTRUCTION.

-LS BUILDING PRODUCTS CAN NOT BE HELD RESPONSIBLE FOR ANY MATERIAL NOT SUPPLIED BY LS BUILDING PRODUCTS. THE GENERAL CONTRACTOR HAS THE RESPONSIBILITY TO MAKE SURE ALL MATERIALS WORK TOGETHER PROPERLY.

-THE GENERAL CONTRACTOR HAS THE RESPONSIBILITY TO REVIEW THESE DRAWINGS PRIOR TO CONSTRUCTION TO ENSURE THEY ARE CORRECT, CONSISTENT, AND COMPLY WITH ALL APPLICABLE CODES. ALL DIMENSIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION.

- LS Building Products does not have the capability to solve wall bracing issues with wall studs exceeding 12' in height. Any wall with a stud height more than 12' will most likely need engineering to pass code enforcement. The contractor is held liable for all code enforcing issues and expenses.



DATE: 12/9/2021

SCALE: 1/4" = 1'-0"

DRAWN BY: HB

CLIENT/OWNER: MTD PEORIA, LLC

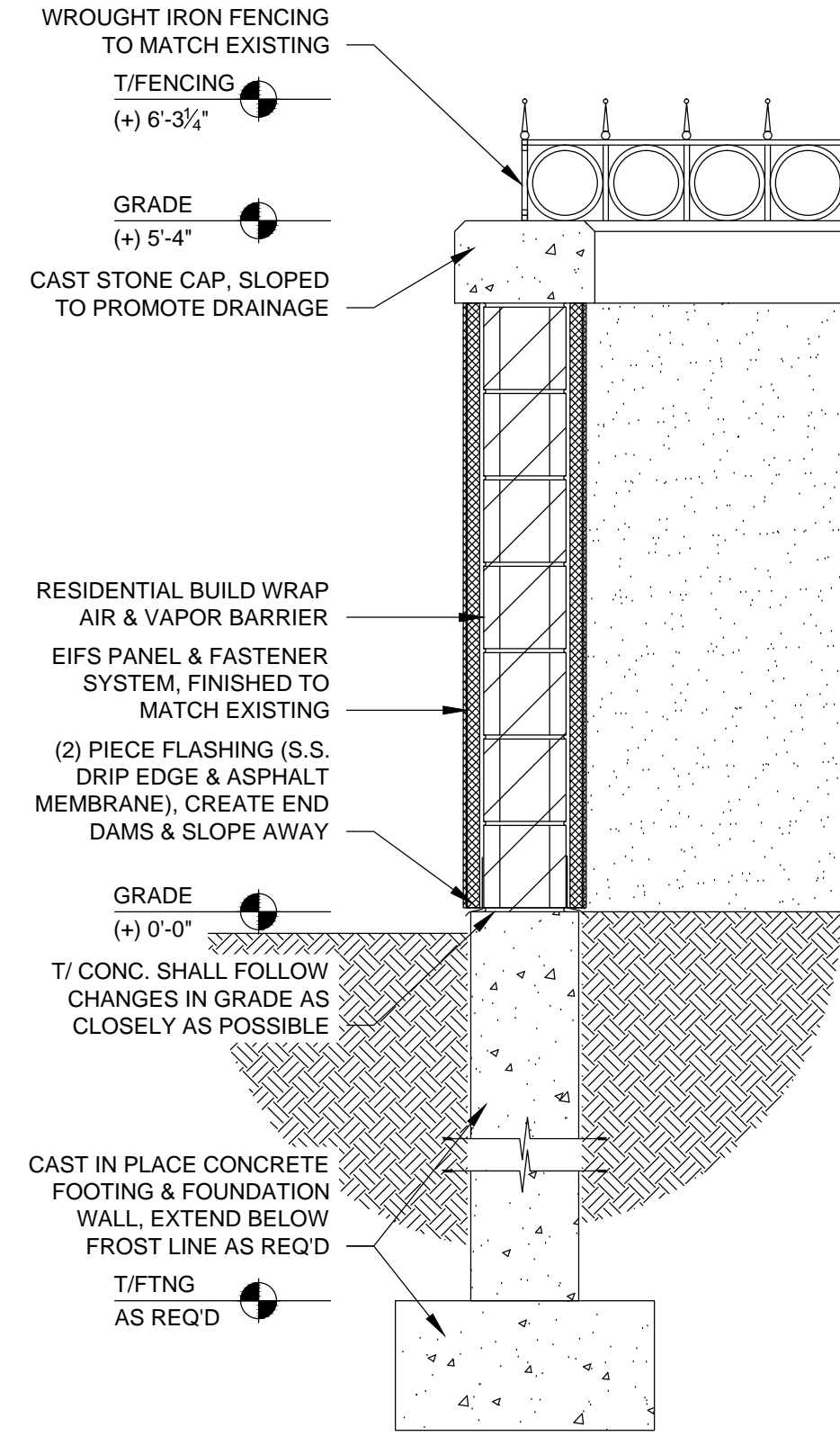
CONTRACTOR: HOME SOLUTIONS GROUP, LLC
905 N. BROAD STREET
PHILADELPHIA, PA 19123

NEW CONSTRUCTION PROJECT FOR

VILLAGE GRANDE: UNITS 30A-30B

5731 - 5735 W. WOODBRIAR LANE, PEORIA

In accordance with the Illinois Architecture Practice Act of 1969 allowing for the design and construction of single family residences by a non-licensed designer, these plans are not intended to be relied upon as being structurally certified. LS Building Products and all Affiliates neither assumes nor warrants any responsibility or liability for damages or losses resulting in the use of these plans, drawings and specification documents. It is expressly acknowledged that these plans etc. were not in any form constructed by an architect, engineer or other licensed individual, and therefore can not be relied upon for structural integrity. It is the sole responsibility of the purchaser/ contractor/ builder to verify all plan documents for their accuracy and suitability for design and construction. It is recommended by all parties that a licensed professional review all documents before construction.



NOTE:
 NEW COURTYARD WALLS ARE TO BE
 CONSTRUCTED AS ALL PREVIOUSLY CONSTRUCTED
 VILLAGE GRANDE COURTYARD WALLS ARE BUILT.
 DETAILS AS DESCRIBED ON THIS SHEET SHOW
 INTENT ONLY, AND MAY NOT REFLECT FINAL DESIGN.



DATE: 9/9/2022

SCALE: 3/4" = 1'-0"

DRAWN BY: HB

CLIENT/OWNER: MTD PEORIA, LLC

CONTRACTOR: HOME SOLUTIONS
 GROUP, LLC
 905 N. BROAD STREET
 PHILADELPHIA, PA 19123

NEW CONSTRUCTION PROJECT FOR

VILLAGE GRANDE
 TYPICAL COURTYARD WALL DETAIL

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