



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Development Review Board (prepared by Josh Naven)

DATE: January 6, 2022

CASE NO: PZ 654-2021

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Grant and Hannah Herrmann to obtain a Special Use in a Class R-3 (Single-Family Residential) District for a Short Term Rental, for the property located at 4307 N Nelson Drive (Parcel Identification No. 14-20-355-014), Peoria IL (Council District 4)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The applicant is requesting to obtain a Special Use for a short term rental at 4307 N Nelson Drive in an existing single family residence with three bedrooms. The intended use is to rent the dwelling to a maximum of six overnight guests for a period less than 30 consecutive days. 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	Single family residential short term rental. The dwelling unit has three bedrooms.	None	Additional dwelling units cannot be added to the structure. 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	Maximum of six overnight guests for the short term rental.	N/A	The use may not exceed the 2018 IRC Residential Group R-3 occupancy of ten persons. Condition to install fire extinguishers, interconnected smoke alarms, and carbon monoxide detectors.
Parking	Private parking is available in the two-stall garage.	None	None
Neighborhood 3% Cap on the Number of Special Use Short Term Rentals	The property is not in a Neighborhood Association.	None	If approved, this would be the first special use Short Term Rental in this general area. The 3% cap allows up to 6 special use Short Term Rentals within the .25 mile radius.
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.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Fence	Requesting waivers for the existing fence conditions of height and structure placement	None	Request condition added to recommendation to bring the fence into compliance with current regulation.

BACKGROUND

Property Characteristics

The subject property is currently developed with a single-story single family dwelling. The property is in the Class R-3 (Single-Family Residential) District. Surrounding zoning is Class R-3 (Single-Family Residential) to the north, east and west and Class C-1 (General Commercial) to the south. Surrounding land use is residential and a church/recreation use to the south of property.

History

Zoning class has consistently been low density residential.

Date	Zoning
1963 - 1990	R1 (Low-Density Residential)
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	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	No, Existing fence is not compliant with maximum height in a front yard and the structure of the fence faces the right-of-way.	Condition to alter the fence to meet current fence standards.
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:

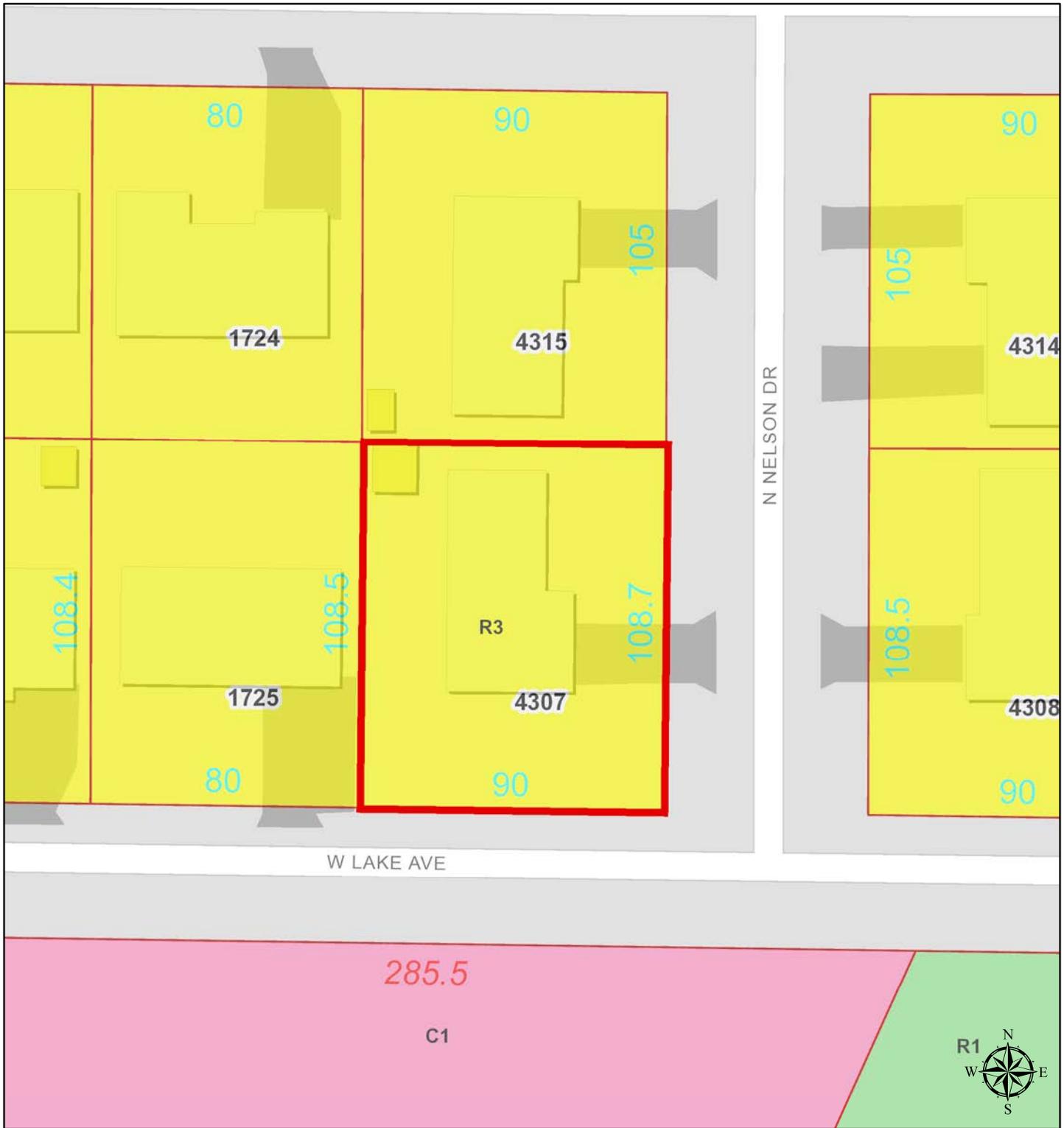
1. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
2. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
3. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.2.1.
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 ten (10) guests. Of the maximum occupancy allowed, no more than six (6) guests may stay in each individual 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.
8. The existing fence shall be altered to comply with current fence regulations or removed.

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 meetings all applicable code requirements through all phases of the development.

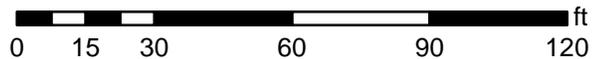
ATTACHMENTS

1. Surrounding Zoning
2. Aerial Image
3. Photos – Existing Conditions
4. Use Description
5. Site Plan

Peoria County, IL



1 inch = 42 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

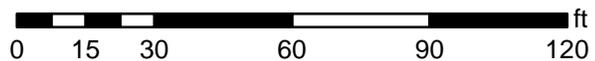
Peoria County, IL
Peoria County, IL, HERE, USGS



Peoria County, IL



1 inch = 42 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

Peoria County, IL
Peoria County, IL, HERE, USGS



Photos of Site

Front



Side



Photos of Site

Rear Ortho



Rear Ortho



Photos of Site

Street View



Description of Use as Non-Owner-Occupied Short Term Rental – 4307 N. Nelson Dr., Peoria IL

Description of Use:

We hope to host guests for 1-3 nights at a time, with check-in at 3 p.m. and check-out at 11 a.m. No more than 6 guests of any age may stay on the property at any time, as there are only 3 bedrooms (each roughly 11x11ft) and 1 bathroom. Our policies and description emphasize to our guests that the property is to remain quiet and peaceful. We will clean and perform property maintenance between each guest stay.

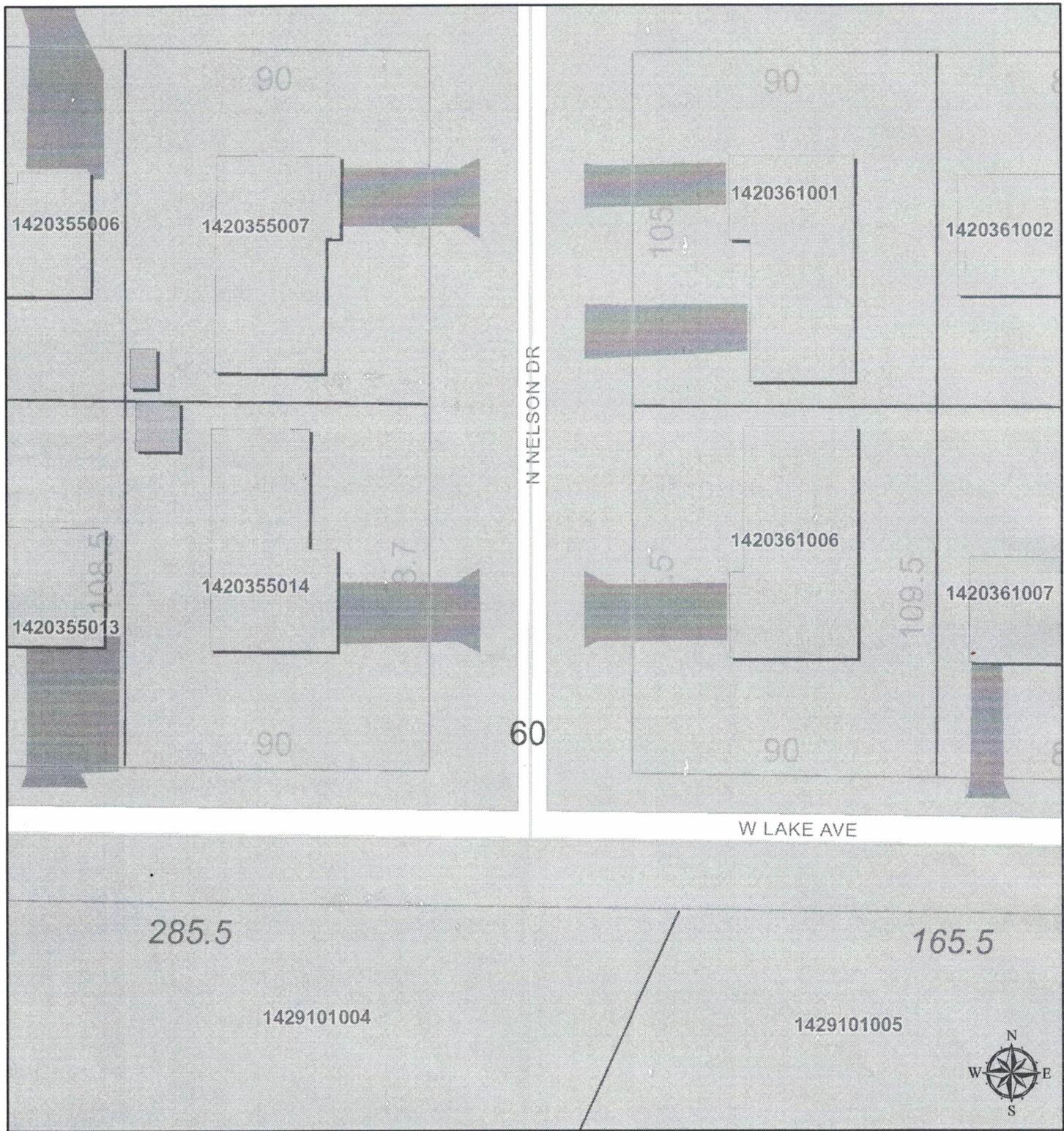
Description for Guests:

A quiet and peaceful brick bungalow in the heart of Peoria, this charming property is the perfect place to rest and recharge for a couples weekend or small group getaway. Several open living spaces, a small wood stove, and well-equipped kitchen make it easy to stay in and stay comfortable! If you'd rather go out, there are many wonderful local shops and restaurants nearby. Three bedrooms sleep up to six people. A fenced backyard offers complete privacy for the beautiful brick patio.

Policies:

1. This house is located in a peaceful neighborhood, and during your stay we ask that you remain quiet and respectful to keep the neighborhood a safe and enjoyable place to be. The maximum occupancy for the property is 6 people.
2. Parties: Again, due to the nature of the neighborhood and our desire for this to be a peaceful place, parties are prohibited.
3. Smoking: Smoking is not allowed in the rental unit. Smoking in the rental unit will automatically incur an additional \$500 in cleaning fees.
4. Pets: Pets are NOT allowed. Having a pet in the rental unit will void the contract and therefore be subject to eviction and forfeiture of all rental payments and security deposit, as well as an additional \$300 in cleaning fees.
5. Garbage: Renter agrees to dispose of all garbage and deposit in the trash cans in the garage.
6. Check-in for your stay is at 3 p.m. on the check-in date, and Check-out is at 11 a.m. on the check-out date.

4307 N. Nelson Site Plan



1 inch = 42 feet



Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden or 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, IL
 Peoria County, IL, HERE, USGS

