

Chairperson Wiesehan opened the public hearing at 2:05 PM.

Brian Mooty, Kavanagh Law Firm, stated the issue of 3% allowance will create a precedent. City staff and reviewers do not have authority to grant the waiver, it must go to City Council.

There being no further public testimony, Chairperson Wiesehan closed the Public Hearing 2:09 PM.

Discussion on the Findings of Fact was held.

Motion:

Commissioner Ghareeb made a motion to approve; seconded by Commissioner Martin.

Commissioner Barry stated he will not be supporting this motion. Commissioner Barry believes the intent of the percentage was to be appropriate to the neighborhood, the language to the ordinance should say 3% or a minimum of 1.

Chairperson Wiesehan stated he will not be supporting this, the direction needs to come from City Council.


Commissioner Heard, stated he agrees with Wiesehan and Barry, it comes down to language the City put in place.

Commissioner Unes stated he would agree with consensus of committee and will not support the motion.

The motion was failed by roll call vote 2 to 5.

Yes: Martin, Ghareeb - 2

Nay: Grantham, Barry, Wiesehan, Heard, Unes - 5



PZ 641-2021

Hold a Public Hearing and forward a recommendation to City Council on the request of Kristin Otto, on behalf of Anthony Bleull, to obtain a Special Use in a Class R-4 (Single-Family Residential) District for a Short Term Rental, for the property located at 308 W Maywood Avenue (Parcel Identification No. 14-33-128-002), Peoria IL (Council District 2)

Senior Urban Planner, Kerilyn Weick, Community Development Department, read the case into the record and summarized the request.

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

1. Waiver to permit a 4 foot tall, wrought iron style fence in the front yard. Said waiver applies only to the existing location and length of the fence as identified on the site plan.
2. Waiver to permit a 3 foot tall chain link fence in the front yard. Said waiver applies only to the existing location and length of the fence as identified on the site plan.
3. Repair the broken and bent sections of the chain link fence.
4. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
5. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
6. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
7. Additional dwelling units cannot be added to the single family dwelling.
8. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of two (2) total persons.
9. 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.

10. 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.

Kristin Otto, applicant, stated her and Anthony Bleull, manage multiple properties on Air Bnb and this property is more unique than a hotel experience. Additionally, Ms. Otto will be repairing the fence.

Chairperson Wiesehan opened the public hearing at 2:22PM.

Brian Mooty, Kavanagh Law Firm, questioned the fence waiver. Mr. Mooty believes it's highly inappropriate to allow for waivers through a special use, they should go before the Zoning Board of Appeals.

Senior Urban Planner Weick, read letter from Demeatra Annan, 323 W Corrington Ave, asking for property to be donated to her day care.

Anthony Bleull, property owner, stated they are not interested in donating the property. Additionally, Mr. Bluell stated the fence was there prior to them purchasing the property in 2015.

There being no further public testimony, Chairperson Wiesehan closed the Public Hearing 2:26 PM.

Discussion on the Findings of Fact was held.

Chairperson Wiesehan stated the commission has granted waivers long before he's been a part of it. It won't set a precedent; they have been granted and accepted by City Council.

Motion:

Commissioner Barry made a motion to approve; seconded by Commissioner Grantham.

The motion was approved by roll call vote 7 to 0

Yes: Wiesehan, Heard, Barry, Ghareeb, Grantham, Martin, Unes - 7

Nay: None

PZ 642-2021

Hold a Public Hearing and forward a recommendation to City Council on the request of Bill Kwon and the Bill Kwon Trust #8322-BK Dated 11-6-2008, to obtain a Special Use in a Class R-2 (Single-Family Residential) District for a Short Term Rental, for the property located at 5918 N Elm Lane (Parcel Identification Nos. 14-16-426-007 and 14-16-426-012), Peoria IL (Council District 3)

Senior Urban Planner, Kerilyn Weick, Community Development Department, read the case into the record and summarized the request.

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

1. Waiver to permit a 4 foot tall wrought iron and brick fence in the front yard. Said waiver applies only to the existing location and length of the fence as identified on the site plan.
2. Fire extinguishers shall be installed according to the 2018 International Fire Code Chapter 9, Section 906.
3. Interconnected smoke alarms shall be installed according to the 2018 International Fire Code Chapter 9, Section 907.
4. Carbon monoxide detector shall be installed according to the 2018 International Fire Code Chapter 9, Section 915.
5. Additional dwelling units cannot be added to the single family dwelling.

To Whom It May Concern:

My name is Demeatra Annan. I am the owner and director of Annan Family Daycare. I reside at 323 W. Corrington Ave. which is in Peoria, Illinois. I am writing this email in response to a public hearing notice that I received. The notice was in reference to the property located at 308 W. Maywood Ave. I am requesting that this property be donated to my daycare.

Annan Family Daycare is my answer to the need for safe, healthy, and quality childcare in our community. It has come to my attention that during this pandemic, the need for space to accommodate safety has greatly increased. The property at 308 W. Maywood Ave. could be a great opportunity for me to expand my business while servicing the community at the same time

The children in this community are at high risk of falling through the cracks during this pandemic's safety guidelines and suggestions. If this property was donated to me, I will ensure to use it for the utmost benefit for the children of Peoria, Illinois and it's neighboring areas.

Thank you for your consideration.

Demeatra Annan

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