



# PLANNING & ZONING COMMISSION

**TO:** City of Peoria Planning & Zoning Commission

**FROM:** Development Review Board (prepared by Kerilyn Weick)

**DATE:** November 3, 2022

**CASE NO:** PZ 1112-2022

**REQUEST:** Hold a Public Hearing and forward a recommendation to City Council on the request of Tyler and Kaci Hampton, to obtain a Special Use in a Class R-3 (Single-Family Residential) District for a Short Term Rental, for the property located at 423 W Lakewood Avenue (Parcel Identification No. 14-21-305-017), Peoria IL (Council District 3)

**SUMMARY OF PROPOSAL & REQUESTED WAIVERS**

The applicant is requesting to obtain a Special Use for a short term rental at 423 W Lakewood Avenue in an existing single family dwelling with two bedrooms. The intended use is to rent the whole house for stays ranging from one night to several months at a time. Stays for a period less than 30 consecutive days 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	Whole house short term rental. The dwelling has two bedrooms.	None	Additional dwelling units cannot be added to the single family dwelling. 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	Up to 4 guests in the short term rental. The dwelling has two bedrooms.	None	The use may not exceed the 2018 IRC Residential Group R-3 occupancy of 4 persons. Condition to install fire extinguishers, interconnected smoke alarms, and carbon monoxide detectors.
Parking	One parking space in the detached garage, additional space on the paved driveway.	None	The site plan identifies one legal off-street parking space in the detached garage. The paved driveway could accommodate a vehicle parked to the side of the house; however, all spaces would not be independently maneuverable. On-street parking is permitted.
Neighborhood 3% Cap on the Number of Special Use Short Term Rentals	The property is not in a defined neighborhood association.	None	The 3% cap allows up to 10 special use Short Term Rentals within a 0.25 mile radius of the subject property. If approved, this would be the first special use Short Term Rental in this area.
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.

## **BACKGROUND**

### **Property Characteristics**

The subject property is 0.16 acres and is currently developed with a single family dwelling and detached garage built in 1950. The property is in good standing with code enforcement. The property is in the Class R-3 (Single-Family Residential) District. Surrounding zoning is Class R-3 (Single-Family Residential) District. Surrounding land use is residential.

### **History**

Zoning class has consistently been low density residential.

<b>Date</b>	<b>Zoning</b>
1931 - 1958	Not in the City Limits
1958 - 1963	Not in the City Limits
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.

<b>Standard</b>	<b>Standard Met per DRB Review</b>	<b>DRB Condition Request &amp; Justification</b>
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	Yes	None
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.
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 four (4) total persons.
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.

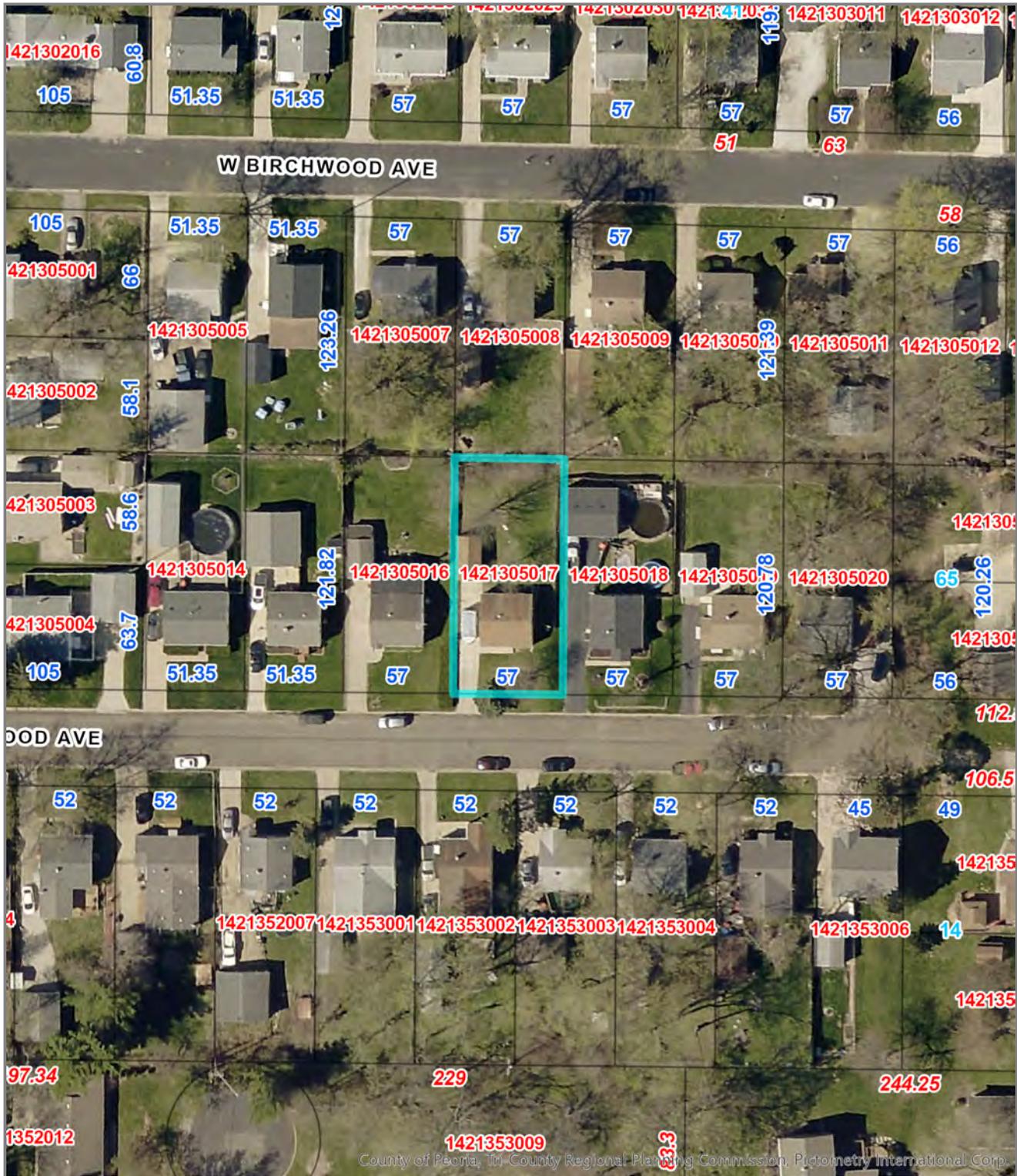
7. An approved Special Use is valid for the Applicant only as identified on the special use application submitted to the Planning & Zoning Commission. An approved Special Use shall become null and void upon any change in ownership of the property which results in the removal of all prior applicants. Such change in ownership of the property will require a new special use application and approval.

**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
2. Aerial Image
3. Applicant's Description of the Use
4. Photos – Existing Conditions
5. Site/Parking Plan

423 W Lakewood Ave



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 = 100 feet  
10/10/2022

## Zoning 423 W Lakewood Ave



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



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**Description of use**  
**423 W Lakewood Ave**  
**Peoria, IL 61614**

The property will be used as a short, to mid term, rental house with stays ranging from one night to several months at a time. Xenia Living will be managing the property for me. They will rent the house out via one of numerous online rental portals. Xenia will sub contract all repairs, lawn maintenance and snow removal, as well as handle all the cleaning between stays. The house has two bedrooms. The north bedroom is 11' 6" x 10' and the south bedroom is 12' x 10'. Max number of guests is four.



423 W Lakewood Ave

