



# 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 1190-2022

**REQUEST:** Hold a Public Hearing and forward a recommendation to City Council on the request of Gary Murray of Home Solutions Group, LLC on behalf of MTD Peoria, LLC 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 5723 and 5727 W Woodbriar Ln (Parcel Identification Nos. 13-15-276-007 and 13-15-276-006), 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 side yards as well as to encroach the required setback for a wall placed near another principal structure. Per the existing Special Use, the rear yard setback is required to be 25ft and is proposed to decrease to 16.8ft. The garage façade is proposed to measure 21.7ft from the back of the curb which is a reduction from the required 25ft per the existing Special Use. Lastly, the proposed patio wall encroaches the required 3ft setback from any other principal structure. 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 = 21.6ft</p> <p>Western side yard setback = 5ft and 10ft where the property line follows the patio wall</p> <p>Rear yard setback = 16.6ft</p> <p>Eastern side yard setback = 10 ft</p>	<p>Waiver to decrease the setback from the back of the curb to the face of the garage from 25ft to 21.6ft.</p> <p>Waiver to decrease the rear yard setback from 25ft to 16.6ft.</p>	No objection.
Walls	Place a 6ft 3in tall wall along the property line which abuts to the neighboring principal structure wall.	Waiver to allow a wall to be built less than 3ft from a principal structure.	Condition to meet the 3ft setback requirement for the patio wall.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
	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.		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: 13-15-276-006 and 13-15-276-007

### **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 29A and 29B 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
If a public use/service, then a public benefit	N/A	N/A
Conforms to all district regulations	No	Condition for driveway width, in the required front yard, not to exceed 20 ft in width.

Standard	Standard Met per DRB Review	DRB Condition Request & Justification
		<p>Waiver to decrease the setback from the back of the curb to the face of the garage from 25ft to 21.6ft.</p> <p>Waiver to decrease the rear yard setback from 25ft to 16.6ft.</p> <p>Condition to meet the 3ft setback requirement for the patio wall. There is space to meet this setback without a waiver.</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 21.6ft.
2. Waiver to decrease the rear yard setback from 25ft to 16.6ft.
3. Condition for driveway width, in the required front yard, not to exceed 20 ft in width.
4. Condition to meet the 3ft setback requirement for the patio wall. There is space to meet this setback without a waiver.
5. 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.
6. 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 meetings all applicable code requirements through all phases of the development.

**ATTACHMENTS**

1. Aerial Photo
2. Surrounding Zoning
3. Site Plan with Proposed Property Line Changes
4. Preliminary Construction Plans



# 5723 and 5727 W Woodbriar Ln - Aerial

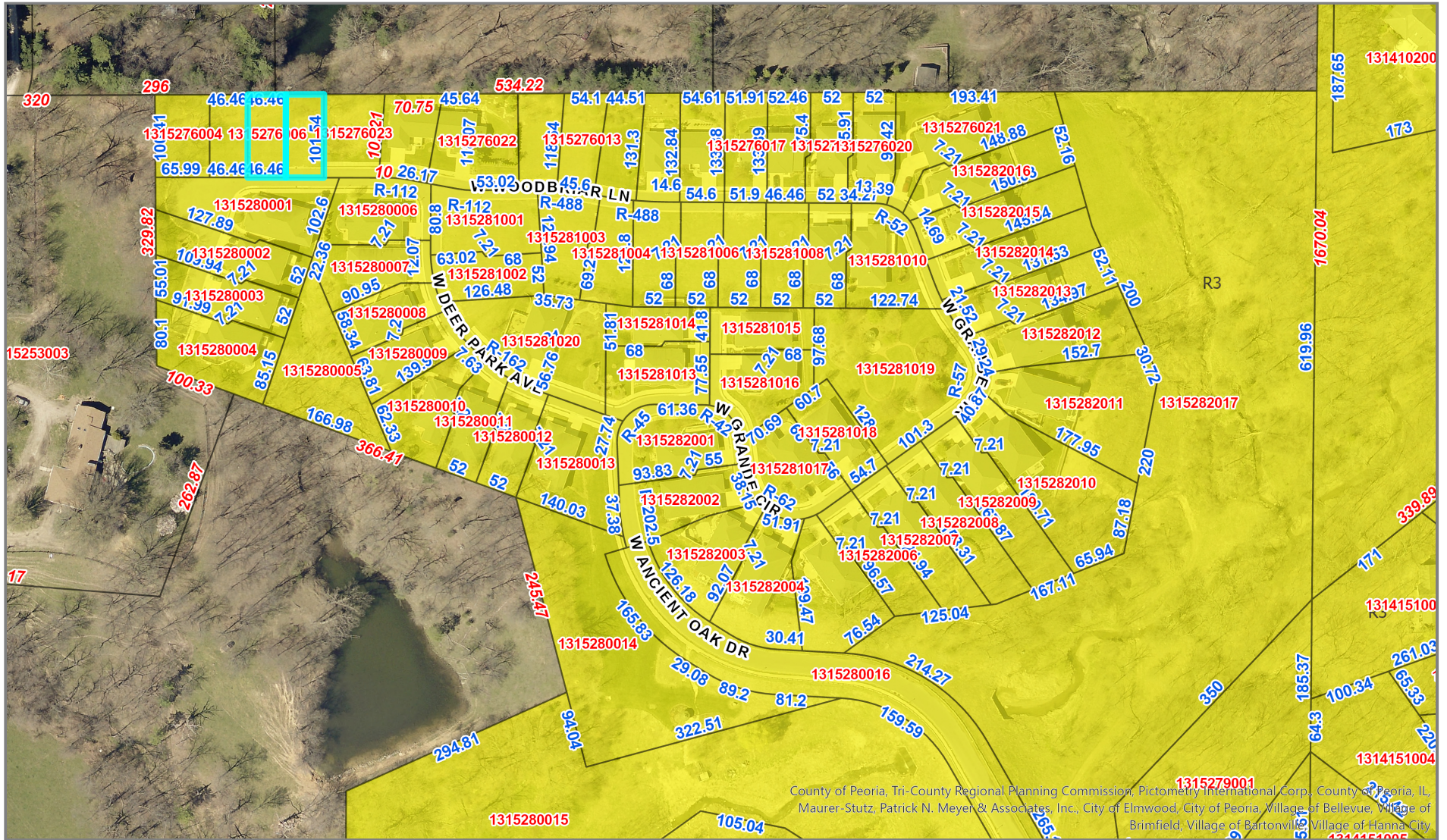


*Disclaimer: Data is provided 'as is' without warranty or any representation of accuracy, timeliness or completeness. The burden for determining fitness for, or the appropriateness for use, rests solely on the requester. The requester acknowledges and accepts the limitations of the Data, including the 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



# 5723 and 5727 W Woodbriar Ln - Aerial + Zoning



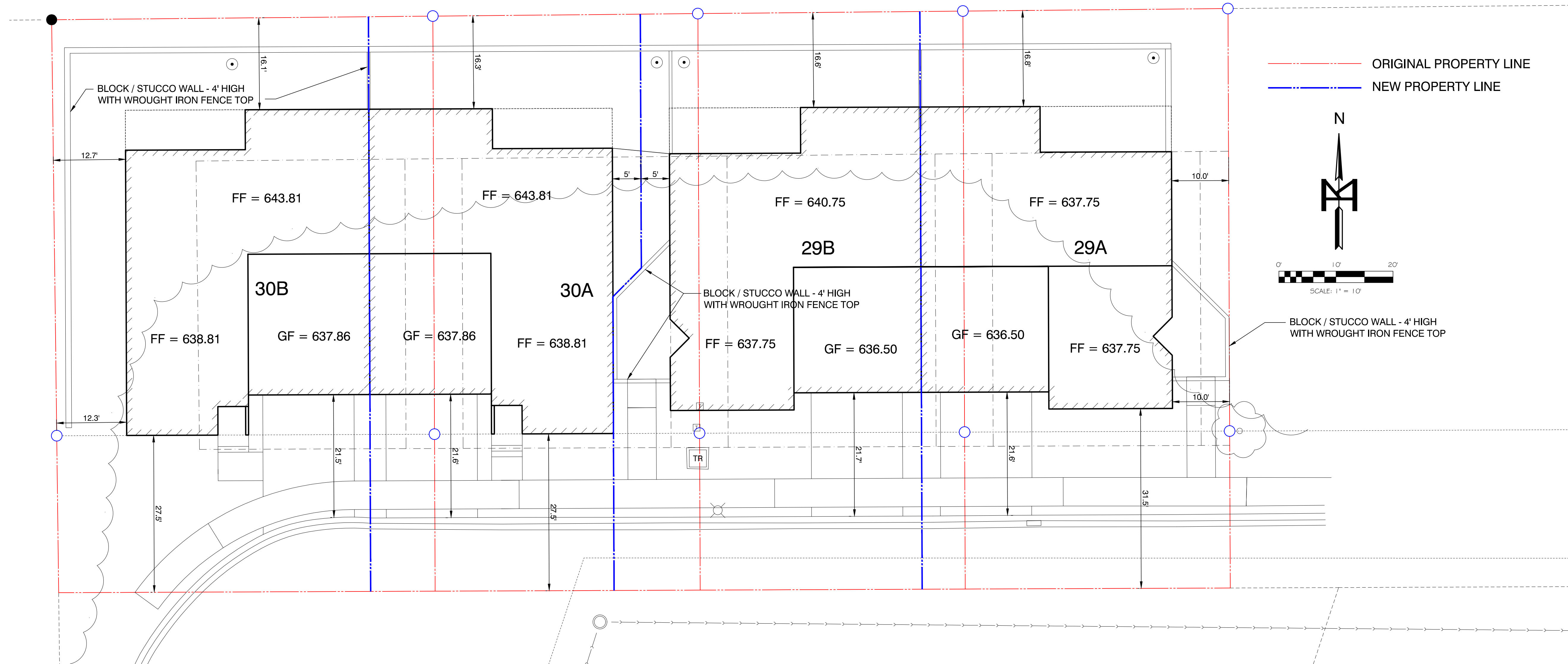
County of Peoria, Tri-County Regional Planning Commission, Pictometry International Corp., County of Peoria, IL, Maurer-Stutz, Patrick N. Meyer & Associates, Inc., City of Elmwood, City of Peoria, Village of Bellevue, Village of Brimfield, Village of Bartonville, Village of Hanna City, 1315279001



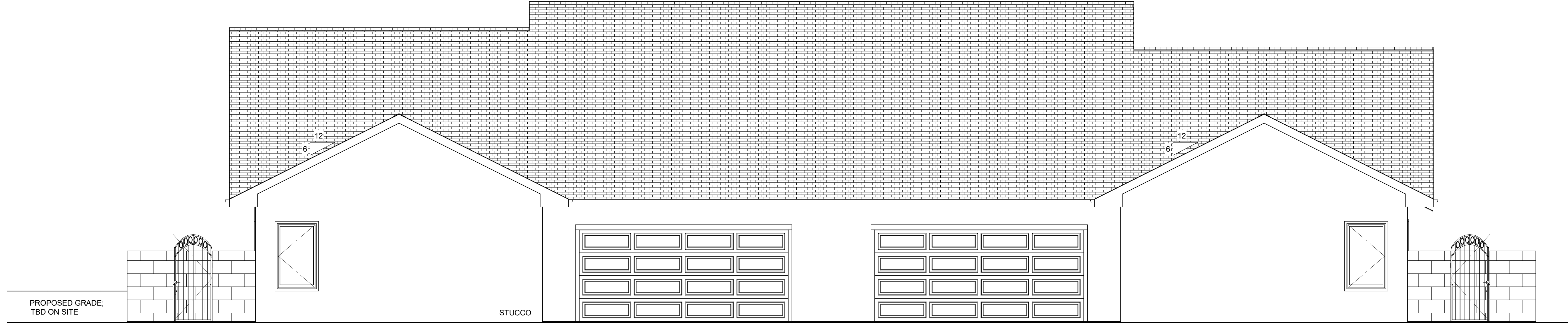
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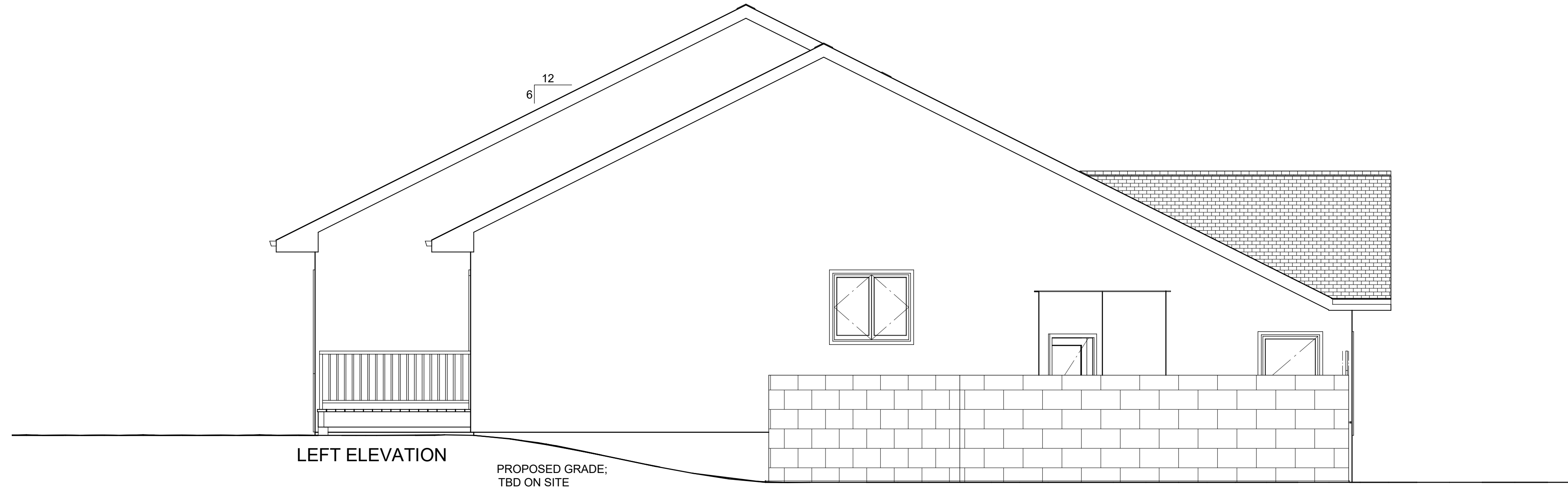




In accordance with the Illinois Architecture Practice Act of 1989, allotting for the design and construction of single family residences by a non-licensed designer, these plans are not intended to be relied upon as being structurally certified. LS Building Products and all Affiliates neither assumes 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.

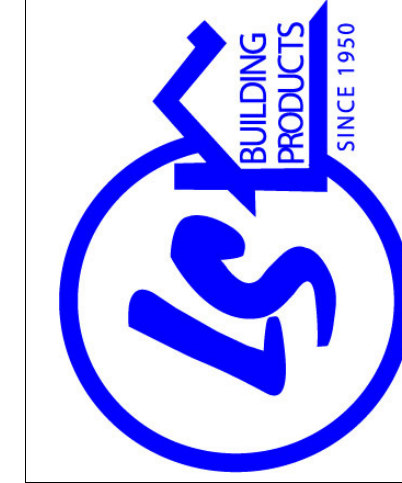


FRONT ELEVATION



LEFT ELEVATION

PROPOSED GRADE;  
TBD ON SITE



DATE: 11/29/2021

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 29A-29B

5723 - 5727 W. WOODBRIAR LANE, PEORIA

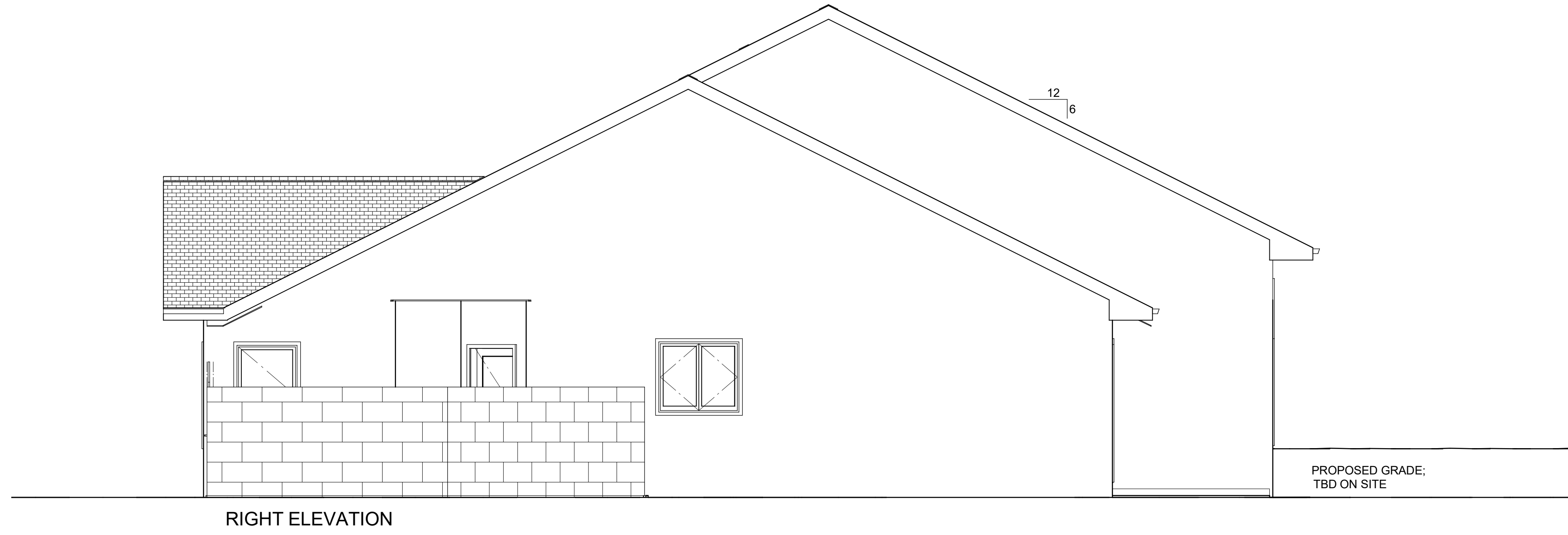
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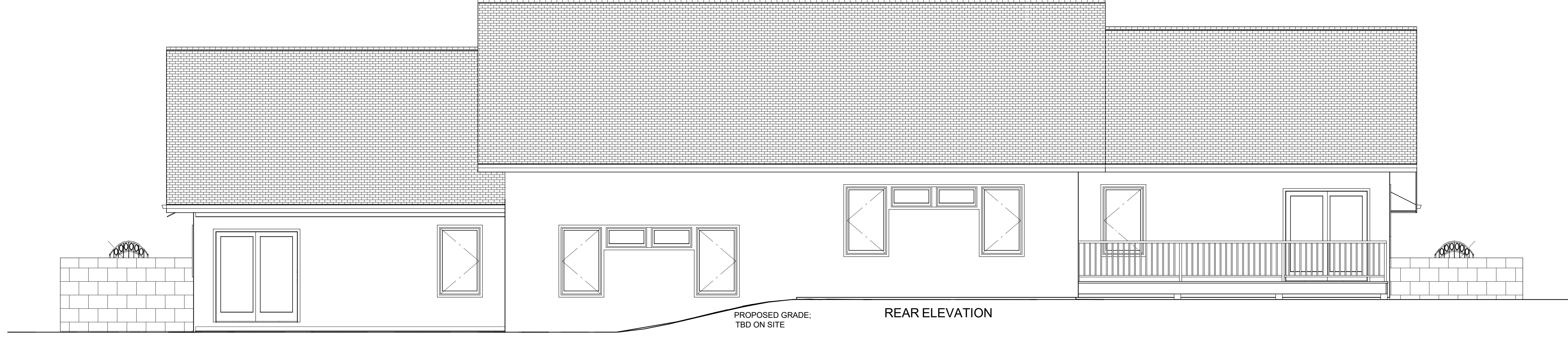
OF 5



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RIGHT ELEVATION



REAR ELEVATION



DATE: 11/29/2021

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 29A-29B

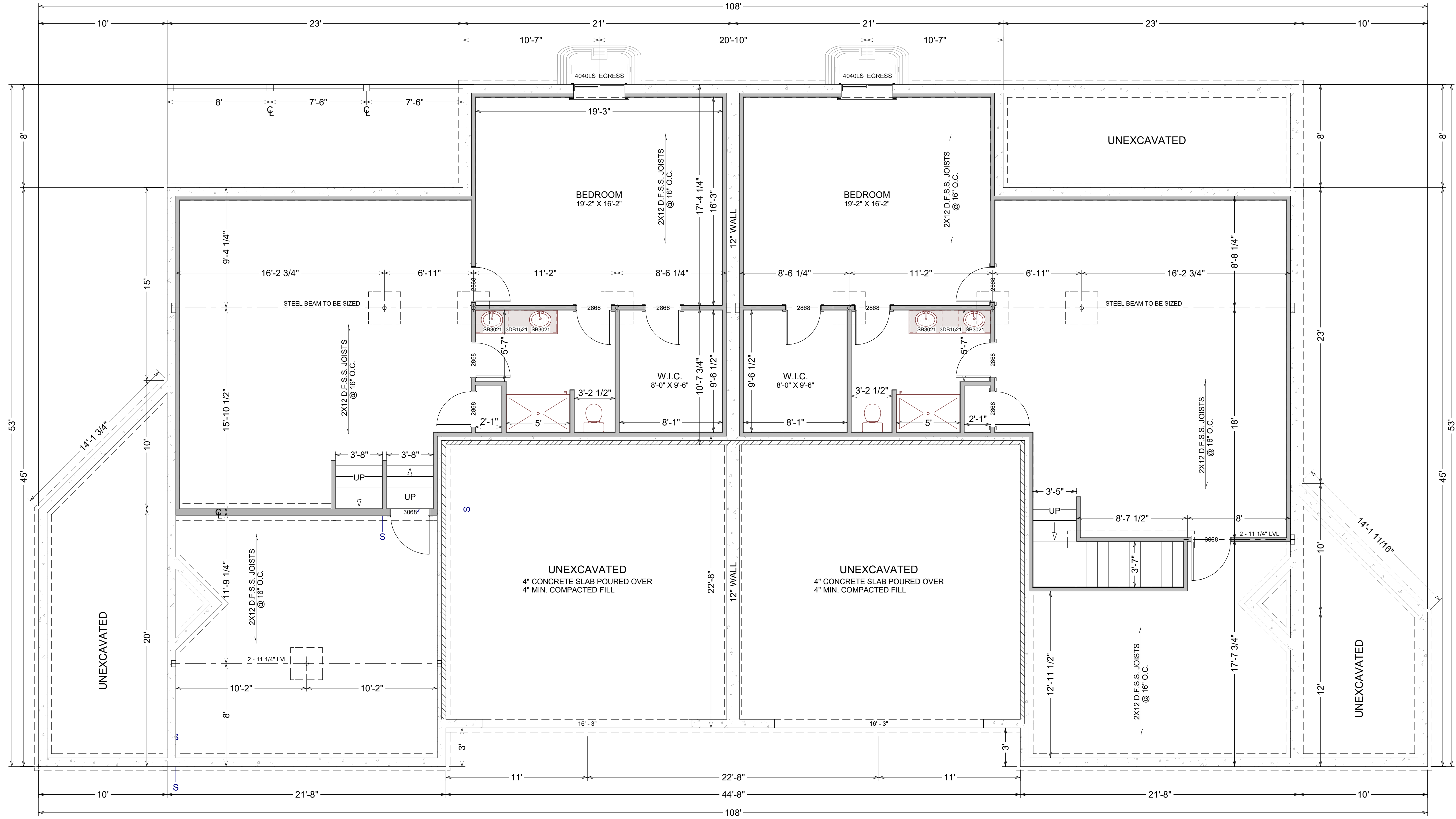
5723 - 5727 W. WOODBRIAR LANE, PEORIA

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In accordance with the Illinois Architecture Practice Act of 1989, 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.



**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: 11/29/2021

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 29A-29B**

5723 - 5727 W. WOODBRIAR LANE, PEORIA

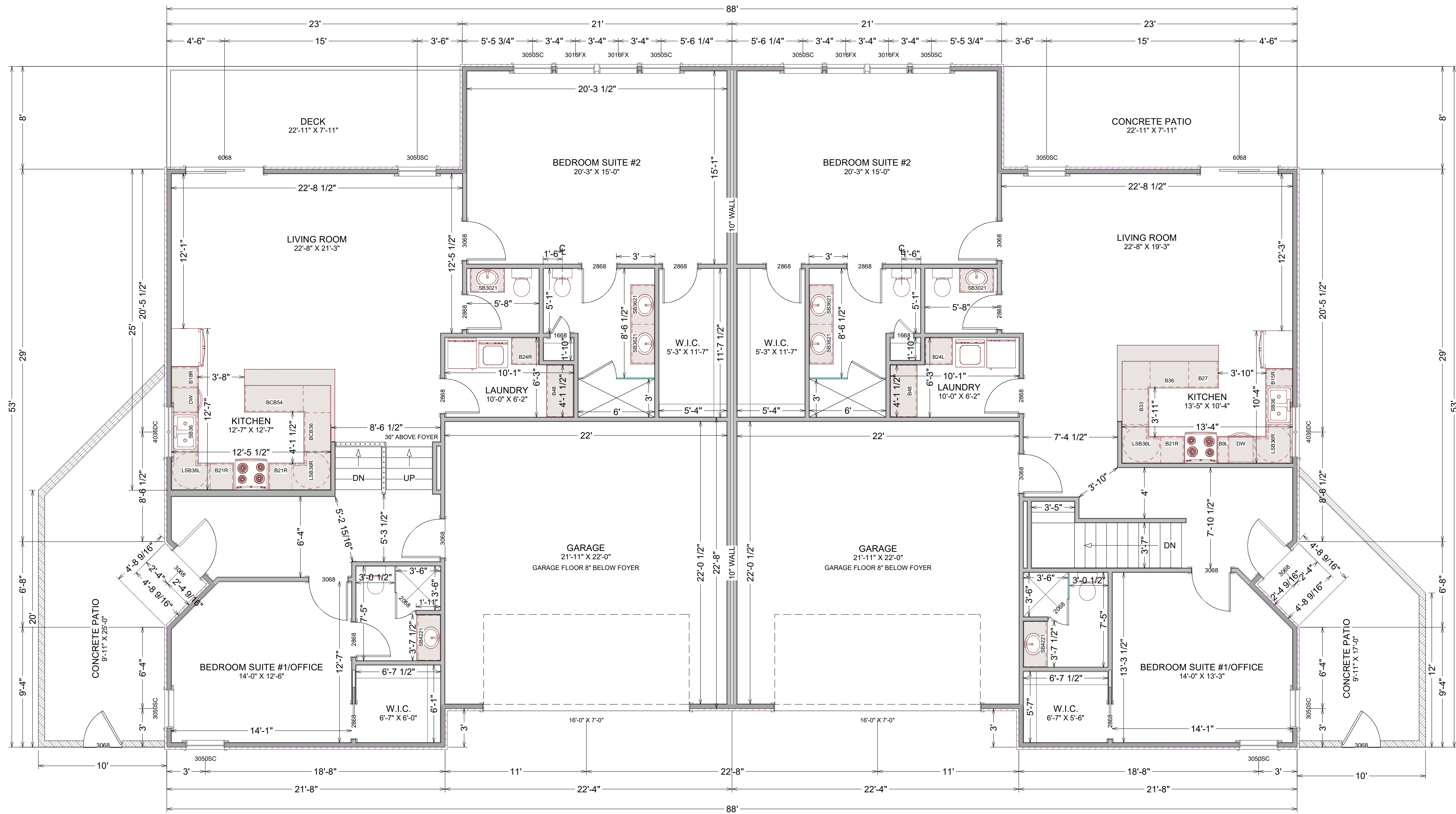
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In accordance with the Illinois Architecture Practice Act of 1989, I, the undersigned, being duly licensed and qualified in the State of Illinois, do hereby certify that I am the author of the design and construction of the above described structure. I am not aware of any other person who has been or will be named as author of the design and construction of the above described structure. I am not aware of any other person who has been or will be named as author of the design and construction of the above described structure. I am not aware of any other person who has been or will be named as author of the design and construction of the above described structure. 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.



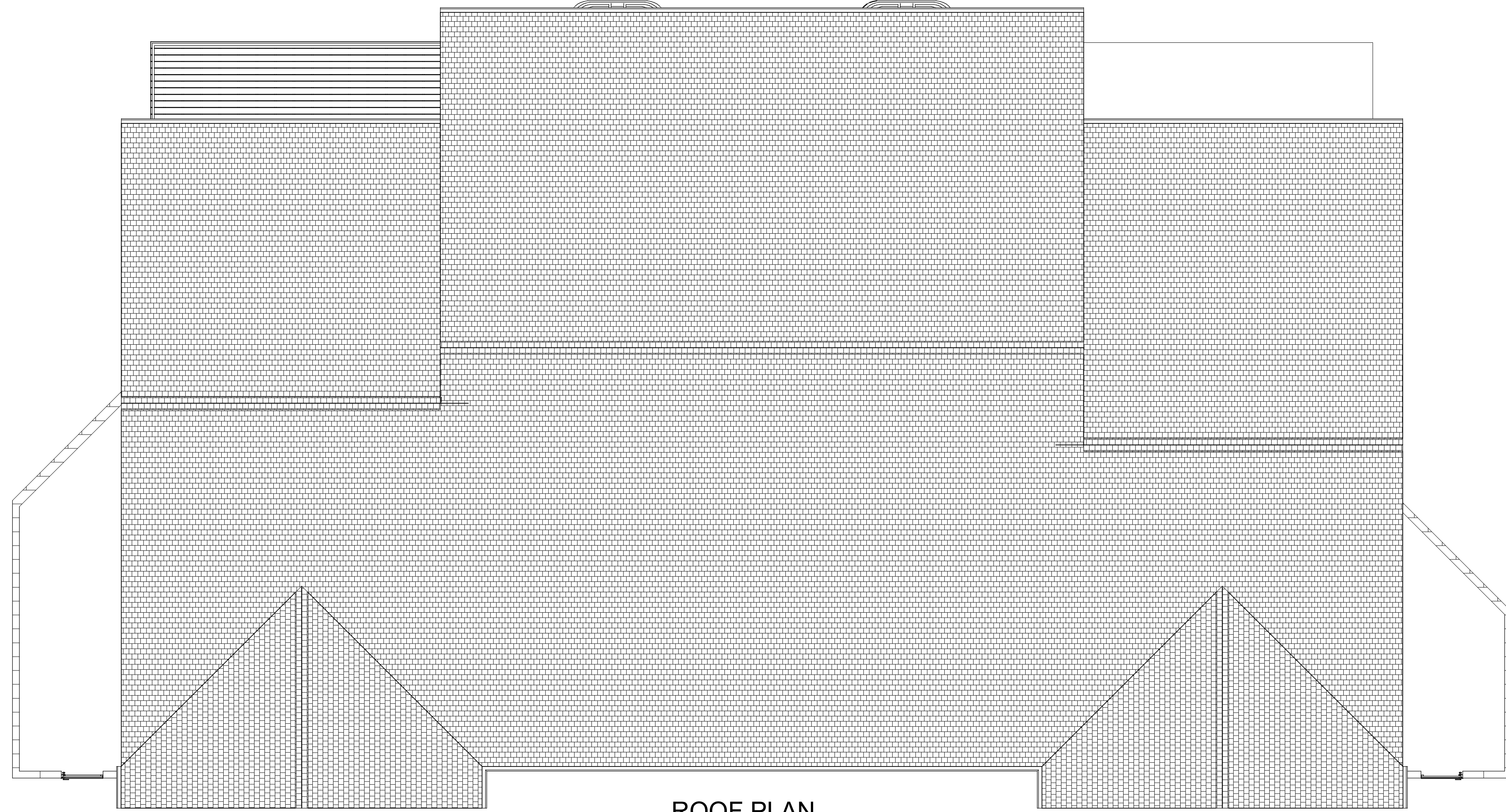
**FIRST FLOOR PLAN**  
 3139 SQ. FT.  
 NOTE: 2X4 EXTERIOR CONSTRUCTION-DIMENSIONED TO OUTSIDE 1/2" SHEATHING  
 2X4 INTERIOR CONSTRUCTION-DIMENSIONED TO STUD FACE  
 FIRST FLOOR HEIGHT IS 9'-1 1/8" +/-  
 ALL OVERHANGS ARE 16"

DATE: 11/29/2021	CLIENT/OWNER: MTD PEORIA, LLC	NEW CONSTRUCTION PROJECT FOR	PAGE
SCALE: 1/4" = 1'-0"	CONTRACTOR: HOME SOLUTIONS GROUP, LLC 905 N. BROAD STREET PHILADELPHIA, PA 19123	<b>VILLAGE GRANDE: UNITS 29A-29B</b>	<b>4</b>
DRAWN BY: HB	5723 - 5727 W. WOODBRIAR LANE, PEORIA		OF 5





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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: 11/29/2021

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 29A-29B

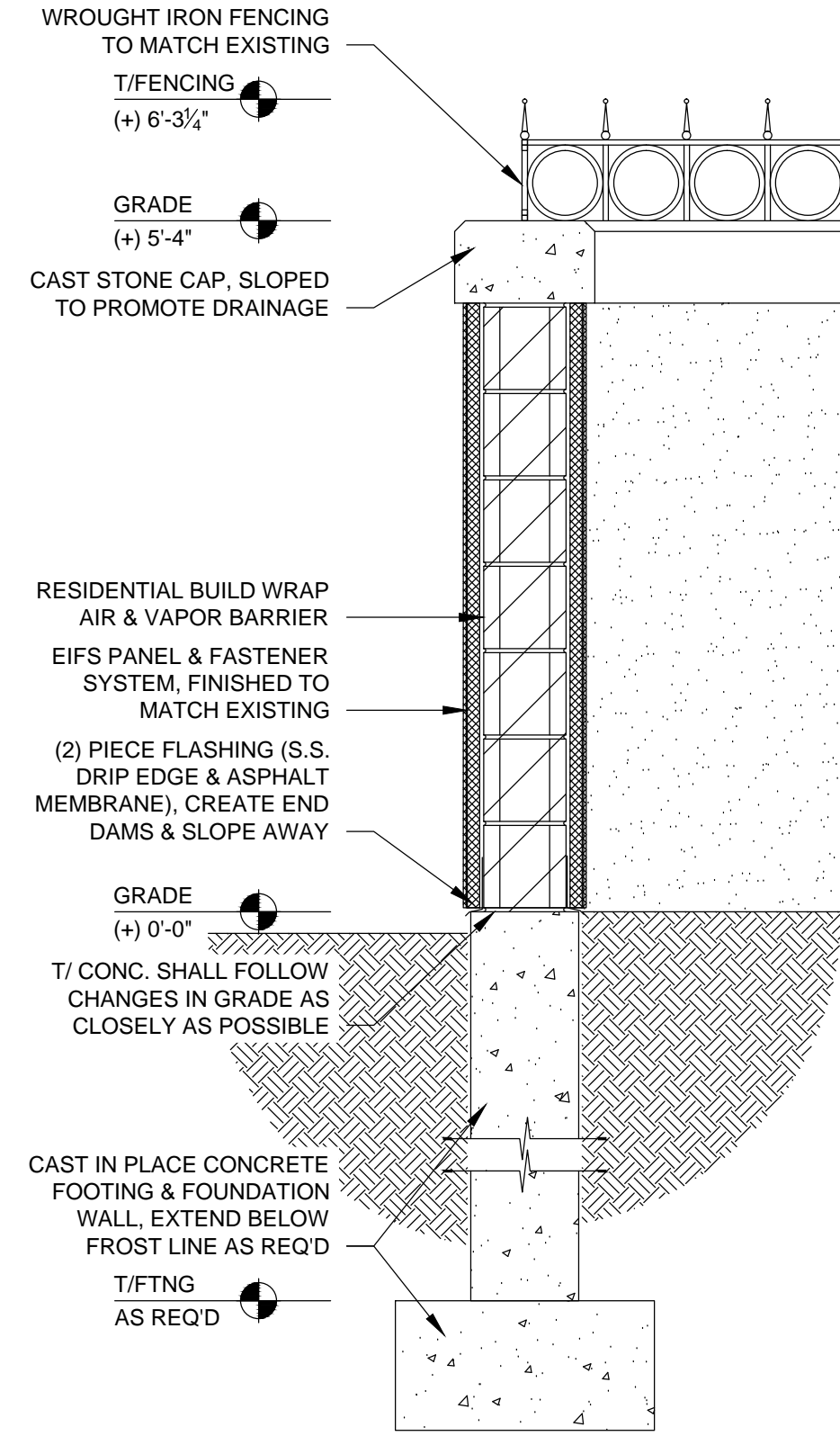
5723 - 5727 W. WOODBRIAR LANE, PEORIA

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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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