



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Development Review Board (prepared by Josh Naven)

DATE: May 5, 2022

CASE NO: PZ 791-2022

REQUEST: Hold a Public Hearing and forward a recommendation to City Council on the request of Zuhair Madanat, to obtain a Special Use in a Class R-4 (Single-Family Residential) District for a Short Term Rental, for the property located at 1709 W Sherman Ave (Parcel Identification No. 18-08-151-026), Peoria IL (Council District 1)

SUMMARY OF PROPOSAL & REQUESTED WAIVERS

The applicant is requesting to obtain a Special Use for a short term rental at 1709 W Sherman Avenue in an existing single family residence. The intended use is to rent the dwelling to a maximum of 6 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 five bedrooms (two bedrooms upstairs and three downstairs).	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 6 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	Parking is available in the existing garage and on the street.	None	The existing driveway from Sherman Ave and the drive approach from the alley are in disrepair. The width of the driveway does not allow maneuverability pursuant to the application documentation. The drives must be replaced with compliant hard-surfaced materials.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	DRB Comment
Neighborhood 3% Cap on the Number of Special Use Short Term Rentals	The property is located within the Moss-Bradley Residential Association.	None	If approved, this would be the second special use Short Term Rental in this Neighborhood Association. The 3% cap allows up to 17 special use Short Term Rentals within the Association.
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 currently developed with a single-family dwelling. The property is in the Class R-4 (Single-Family Residential) District. Surrounding zoning is Class R-4 (Single-Family Residential) in all directions. Surrounding land use is residential.

History

Zoning class has consistently been low density residential.

Date	Zoning
1931 - 1958	B (Two Family Dwelling)
1958 - 1963	B (Two Family Dwelling)
1963 - 1990	R1 (Low-Density Residential)
1990 - Present	R4 (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	No	Condition to replace driveway and alley drive access adjacent to the garage. Condition to allow a property maintenance inspection for compliance with the 2018 Property Maintenance Code.
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

Standard	Standard Met per DRB Review	DRB Condition Request & Justification
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 detectors 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 site.
5. The residence shall comply with the 2018 International Building, Property Maintenance & Fire Codes prior to any occupancy. Inspections shall be required to verify compliance.
6. Occupancy of the short term rental shall not exceed the standards set forth in the Building and Fire Code of six (6) guests.
7. 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.
8. 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.
9. The driveway from Sherman Avenue and the alley shall be replaced with an all-weather dustless surface such as asphalt or concrete. Appropriate driveway permits shall be obtained.

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. Photos – Existing Conditions
4. Use Description
5. Site Plan

1709 W Sherman Ave - Zoning Map



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 = 50 feet
4/28/2022

1709 W Sherman Ave - Aerial



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Photos of Site

Front



Photos of Site

Driveway



Photos of Site

Garage



Photos of Site

Porch



1709 W Sherman Ave

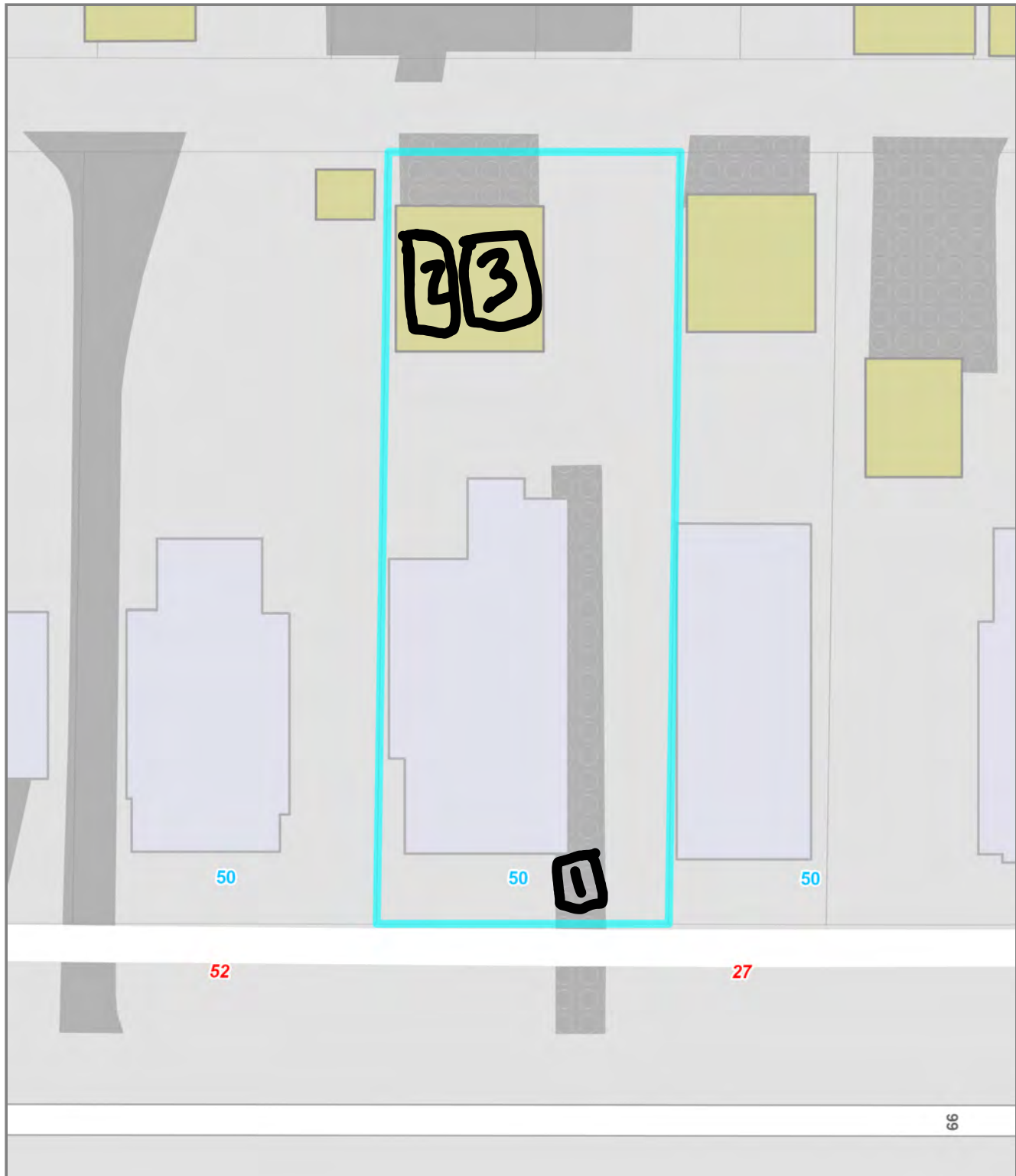
Special Use Application

Legal Description: Lot 28 in Block 17 in CALLENDER AND AYRES ADDITION to the City of PEORIA, situated in Peoria County, Illinois.

Upper Story: 2 guests. It has two bedrooms. Primary is 10x12 and Secondary is 14x16.

Downstairs: 4 guests. Primary is 10x12, another is 10x12 and the last bedroom is 14x16. I have
The driveway is all cement and becomes wider next to the garage to allow vehicles around each other.

1709 W Sherman Ave



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Map Scale
1 inch = 25 feet
 4/7/2022