



# PLANNING & ZONING COMMISSION

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

**FROM:** Site Plan Review Board

**DATE:** March 3, 2016

**CASE NO:** PZ 16-05

**REQUEST:** Hold a Public Hearing and forward a recommendation to City Council on the request of Ferenc and Ruth Davidovics for approval of an Annexation Agreement including a subdivision plat, and with a request to rezone from a Class R-3 (Single Family Residential) District to a Class R-2 (Single Family Residential) District (upon annexation) for the property identified as Parcel Identification No. 09-29-301-020 and with an address of 1818 W. Wilhelm Road, Peoria, IL. The petitioner is proposing to annex 1.84 acres. (Council District 5)

**SUMMARY OF PROPOSAL & REQUESTED WAIVERS**

The petitioner is requesting to annex 1.84 acres with the following terms of the proposed agreement:

- 1) Property shall be zoned Class R-2 Single Family Residential District;
- 2) Approval of the Carlson Subdivision Plat; and
- 3) Connection to public sanitary sewer required upon residential development of Lot 2.

Development Item	Applicant Proposal	Applicant Waiver Request & Justification	SPRB Comment
Parking	N/A	N/A	N/A
Mechanical & Utility Screening	N/A	N/A	N/A
Use Standards	N/A	N/A	N/A
Landscaping	N/A	N/A	N/A
Buffers & Screening	N/A	N/A	N/A
Signs	N/A	N/A	N/A
Exterior Lighting	N/A	N/A	N/A
Street Walls	N/A	N/A	N/A
Setbacks, Yards, Build To	N/A	N/A	N/A
Height	N/A	N/A	N/A
Windows & Doors	N/A	N/A	N/A
Open Space Area	N/A	N/A	N/A
Access & Circulation	N/A	N/A	N/A
Awnings, Canopies, & Porches	N/A	N/A	N/A
Materials	N/A	N/A	N/A
Other			

## **BACKGROUND**

### **Property Characteristics**

The property is developed with one single family residential dwelling structure. The property is surrounded by the corporate boundary of the City of Peoria with Class R-2 Single Family Residential zoning to west, south, and east, and Classes R-3 Single Family Residential and R-6 Multi-Family Residential to the north.

### **History**

The property is currently within the jurisdiction of Peoria County. No previous history with the City.

<b>Date</b>	<b>Zoning</b>
1963 - 1990	N/A
1990 - Present	N/A

## **SITE PLAN REVIEW BOARD ANALYSIS**

The SPRB 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 SPRB Review</b>	<b>SPRB Condition Request &amp; Justification</b>
Future Land Use Map	Low Density Residential	Requested R-2 zoning is consistent with the future land use map designation.
Comprehensive Plan Critical Success Factors	Support Sustainability	Proposed annexation will allow for further residential development in the City.
City Council Strategic Plan Goals	Grow Peoria: Businesses, Jobs, and Population	Proposed annexation will allow for population growth in the City.

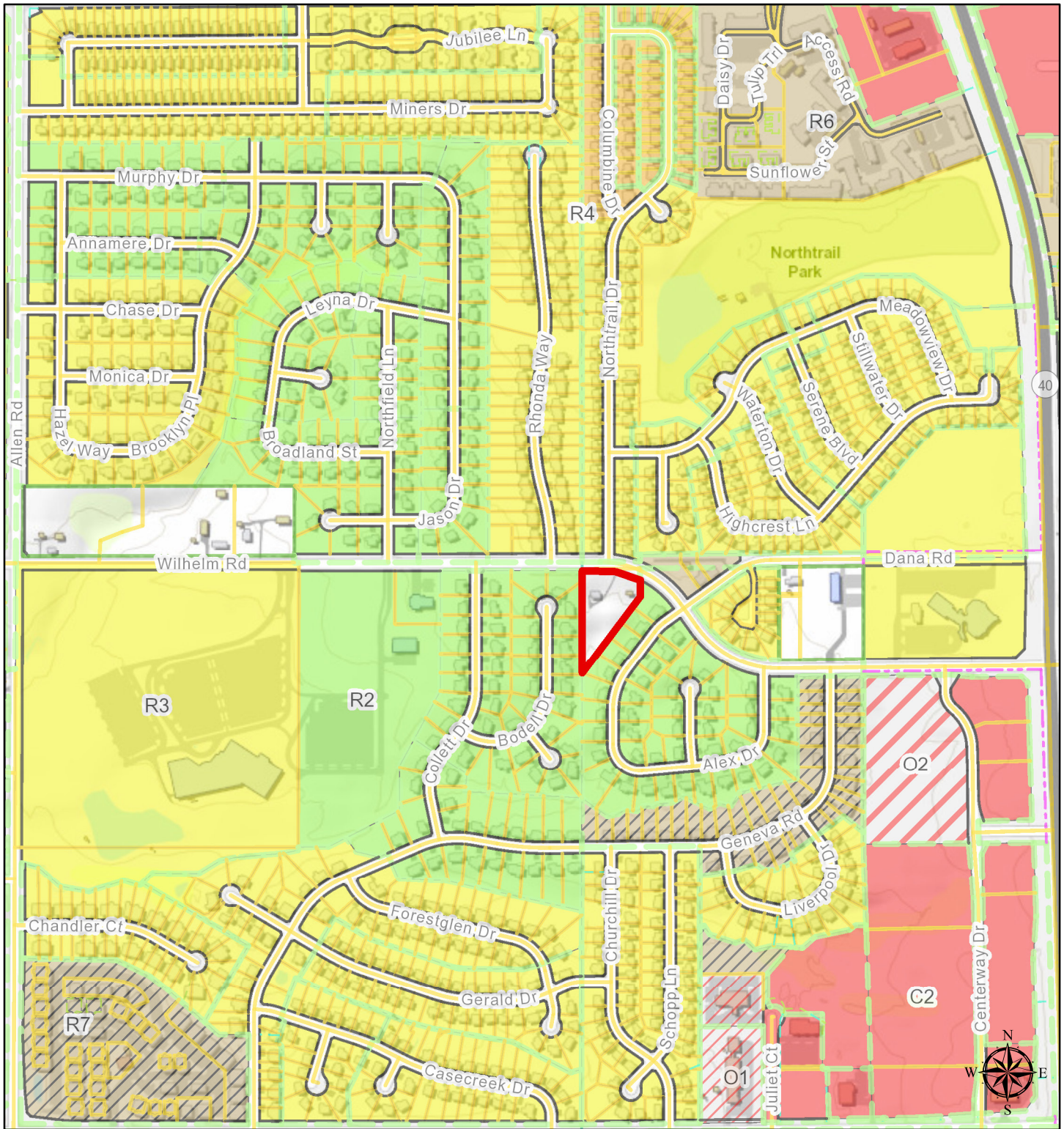
## **SITE PLAN REVIEW BOARD RECOMMENDATION**

The Site Plan Review Board recommends APPROVAL of the annexation agreement, including the request to rezoning to Class R-2 Single Family Residential district.

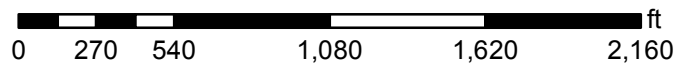
## **ATTACHMENTS**

1. Surrounding Zoning
2. Annexation Agreement
3. Annexation Map
4. Final Plat of Carlson Subdivision

# Peoria County, IL



1 inch = 667 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



**This Document Prepared By;  
MICHAEL J. HONEGGER P.C.  
P.O. BOX 49  
HANNA CITY, IL 61536**

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City of Peoria  
Community Development Department  
419 Fulton Street, Room 300  
Peoria, Illinois 61602-1217**

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**ANNEXATION AGREEMENT**

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**THIS AGREEMENT** (hereinafter referred to as the "Annexation Agreement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between THE CITY OF PEORIA, ILLINOIS, an Illinois municipal corporation, located in Peoria County, Illinois (hereinafter referred to as the "City") and FERENC DAVIDOVICS and RUTH DAVIDOVICS (hereinafter referred to as the "Owner").

**RECITAL**

**WHEREAS**, FERENC DAVIDOVICS and RUTH DAVIDOVICS are the owners in fee simple of the following described real estate attached hereto as Exhibit "A" (hereinafter referred to as the "Annexing Property")

**WHEREAS**, the Annexing Property is located within the County of Peoria, Illinois ("County") and are contiguous with the corporate boundaries of the City; and

**WHEREAS**, there are no electors residing within the Annexing Property; and

**WHEREAS**, this Annexation agreement was submitted to the corporate authorities for public hearing as required by law; and

**WHEREAS**, due notice as required by law has been sent to and received by all entities entitled to such notice as required by law; and

**WHEREAS**, all conditions precedent to entering into this Annexation Agreement have been undertaken and satisfied as required by law; and

**WHEREAS**, the corporation authorities of the City after due deliberation have, by resolution or ordinance, duly adopted and approved this Annexation Agreement as required by law.

**NOW, THEREFORE**, in consideration of the promises and the mutual covenants and agreements provided for herein, it is hereby agreed as follows:

1. **Annexation**. The City shall adopt such resolutions or ordinances as are required to annex the Property as provided for under the laws of the State of Illinois. No other request or petition for annexation shall be required as to this Property to complete the annexation.

2. **Zoning**. Upon the annexation of the Property to the City, Tract 1 shall be classified as R-2 Residential as set forth in the Zoning Ordinance of the City according to the terms of the Zoning Ordinance that exists on the date hereof.

3. **Sanitary Sewer**. Public sanitary sewer is presently available to the Annexing Property. The current residential dwelling on Lot 1 may continue to utilize the current well/septic system until/unless the building is expanded or demolished and replaced. Residential development of Lot 2 will require connection to public water and public sewer and compliance with all other applicable codes and regulations.

4. **Duplex Lot**. Construction of a duplex structure on the annexing property must include at least 50% brick material.

5. **Final Plat of Carlson Subdivision**. The Plat attached as Exhibit A provides for the division of 1818 W. Wilhelm Rd. into two lots called Carlson Subdivision.

6. **General Provisions**.

A. The provisions of this Annexation Agreement shall control over the provisions of any Ordinances, Codes or Regulations which are in conflict herewith.

B. This Annexation Agreement shall be binding upon the successor owners of record of the Property, electors residing within the Property, and upon successor municipal and governmental authorities.

C. This Annexation Agreement and the rights of the parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of Illinois. Any litigation concerning this Annexation Agreement shall be commenced in Peoria County, Illinois.

D. This Annexation Agreement may be enforced as provided by law and the parties may by civil action, mandamus, injunction or other proceedings, enforce and compel performance of this Annexation Agreement.

E. The parties shall execute and deliver such additional documentation as may be necessary to implement this Agreement.

F. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors, grantees and assigns.

G. This agreement may be amended by mutual consent of the parties.

H. This annexation agreement shall be in effect for a period of twenty (20) years from the date hereof.

**IN WITNESS WHEREOF**, the parties have executed this Agreement on the date set forth above.

**City:**

**CITY OF PEORIA, an Illinois municipal corporation**

By: \_\_\_\_\_

Its \_\_\_\_\_

STATE OF ILLINOIS        )  
  )  
COUNTY OF PEORIA        )        SS.

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_ personally known to me to be the \_\_\_\_\_ of the CITY OF PEORIA, a municipal corporation, appeared before me this day in person and severally acknowledged that signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act as such , and as the free and voluntary act of said corporation, for the uses and purposes therein set forth; and on oath stated that \_\_\_\_\_ was duly authorized to execute said instrument and that the seal affixed thereto is the seal of said corporation.

GIVEN under my hand and notarial seal this day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
FERENC DAVIDOVICS

\_\_\_\_\_  
RUTH DAVIDOVICS

STATE OF ILLINOIS        )  
  )  
PEORIA COUNTY            )        SS.

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that FERENC DAVIDOVICS and RUTH DAVIDOVICS appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, and for the uses and purposes therein set forth.

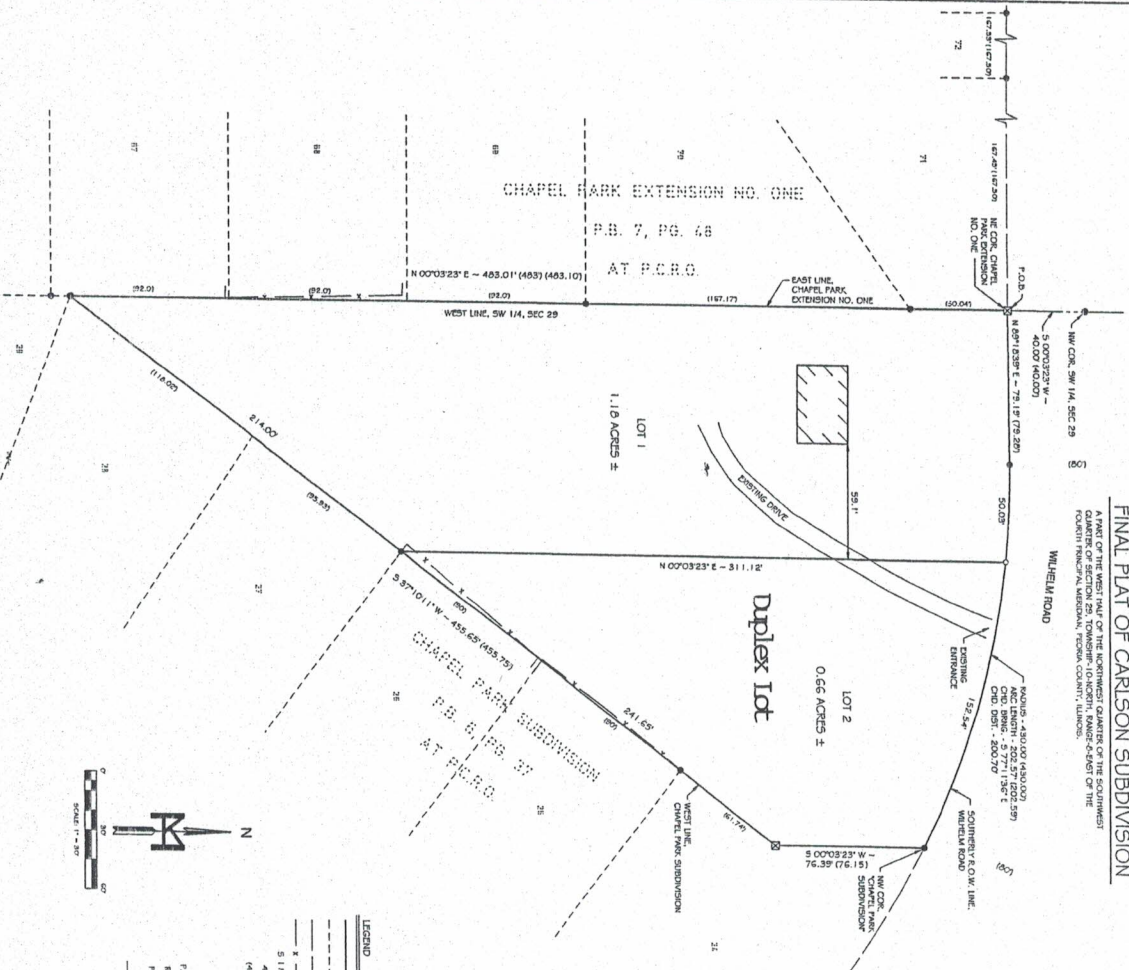
GIVEN under my hand and notarial seal this day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
NOTARY PUBLIC



EXHIBIT "A"

FINAL PLAT OF CARLSON SUBDIVISION  
 A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 4 EAST OF THE SEVENTH RANGE, GREENBAY COUNTY, WISCONSIN



**MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.**  
 PEAK, ILLINOIS STRIKE  
 20011 St. Ferdinand Road, Suite 207  
 Prospect Heights, IL 60070  
 PEAK (800) 822-8320  
 FAX (800) 822-8320  
 MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.  
 1000 West 17th Street, Suite 200  
 Peoria, IL 61614

CLIENT: **FERNIC AND RUTH A. DAWDOVICS**

TITLE: **FINAL PLAT OF CARLSON SUBDIVISION**

**DESCRIPTION**

A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 4 EAST OF THE SEVENTH RANGE, GREENBAY COUNTY, WISCONSIN, CONTAINS COMPLETE INFORMATION REGARDING PROPERTY RIGHTS OF THE CARLSON SUBDIVISION. THE PROPERTY IS BEING SUBDIVIDED BY 1.04 ACRES ± INTO 1.18 ACRES ± AND 0.66 ACRES ±.

**OWNER**

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF PEORIA ) SS  
 I, THE UNDERSIGNED, NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE, WISCONSIN, DO HEREBY CERTIFY THAT I AM A RESIDENT OF THE STATE OF ILLINOIS AND AM QUALIFIED TO ADMINISTER OATHS AND AFFIDAVITS AND TO TAKE ACKNOWLEDGMENTS AND TO TAKE ACKNOWLEDGMENTS OF MARRIAGES AND TO TAKE ACKNOWLEDGMENTS OF DEEDS AND TO TAKE ACKNOWLEDGMENTS OF MORTGAGES AND TO TAKE ACKNOWLEDGMENTS OF CONTRACTS AND TO TAKE ACKNOWLEDGMENTS OF POWERS OF ATTORNEY AND TO TAKE ACKNOWLEDGMENTS OF ASSIGNMENTS AND TO TAKE ACKNOWLEDGMENTS OF RECEIPTS AND TO TAKE ACKNOWLEDGMENTS OF SALES AND TO TAKE ACKNOWLEDGMENTS OF TRANSFERS AND TO TAKE ACKNOWLEDGMENTS OF ANY OTHER ACTS WHICH MAY BE LAWFULLY PERFORMED BY ME AS NOTARY PUBLIC IN AND FOR THE SAID COUNTY.

**OWNER**

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
 COUNTY OF PEORIA ) SS  
 I, THE UNDERSIGNED, NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE, WISCONSIN, DO HEREBY CERTIFY THAT I AM A RESIDENT OF THE STATE OF ILLINOIS AND AM QUALIFIED TO ADMINISTER OATHS AND AFFIDAVITS AND TO TAKE ACKNOWLEDGMENTS AND TO TAKE ACKNOWLEDGMENTS OF MARRIAGES AND TO TAKE ACKNOWLEDGMENTS OF DEEDS AND TO TAKE ACKNOWLEDGMENTS OF MORTGAGES AND TO TAKE ACKNOWLEDGMENTS OF CONTRACTS AND TO TAKE ACKNOWLEDGMENTS OF POWERS OF ATTORNEY AND TO TAKE ACKNOWLEDGMENTS OF ASSIGNMENTS AND TO TAKE ACKNOWLEDGMENTS OF RECEIPTS AND TO TAKE ACKNOWLEDGMENTS OF SALES AND TO TAKE ACKNOWLEDGMENTS OF TRANSFERS AND TO TAKE ACKNOWLEDGMENTS OF ANY OTHER ACTS WHICH MAY BE LAWFULLY PERFORMED BY ME AS NOTARY PUBLIC IN AND FOR THE SAID COUNTY.

**LEGEND**

- BOUNDARY LINE
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY LINE
- - - - - TRAIL LINE
- UNIMPROVED EASEMENT
- RECORDED EASEMENT
- EASEMENT
- SETBACK
- RECORD DISTANCE
- FUTURE CONCRETE MORTGAGEE OFFICE
- RIGHT-OF-WAY
- POINT OF BEGINNING
- MONUMENT

**CONTRACT TERMS**

DATE: \_\_\_\_\_

REVISION: \_\_\_\_\_

SCALE: 1" = 20'

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS ANNUAL STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

DATE: \_\_\_\_\_



# ANNEXATION MAP CITY OF PEORIA, IL

Exhibit to Ordinance

ANNEXATION NO. \_\_\_\_\_

 AREA ANNEXED: 1.84 ACRES

ORDINANCE NO. \_\_\_\_\_

DATE: \_\_\_\_\_

PREPARED BY: *John K. [Signature]*

