

AN ORDINANCE APPROVINIG A SPECIAL USE IN A CLASS R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR THE PROPERTY LOCATED AT 824 W MOSS AVENUE (PARCEL IDENTIFICATION NOS. 18-08-226-030 AND 18-08-226-024), PEORIA, ILLINOIS.

WHEREAS, the property herein described is now zoned Class R-4 (Single Family Residential) District, and;

WHEREAS, said petition was directed to the Planning & Zoning Commission as directed by Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria, and

WHEREAS said Planning & Zoning Commission held a public hearing on October 5, 2017, pursuant to a notice of the time and place thereof in a newspaper of general circulation in the City of Peoria, not less than fifteen (15) days nor more than thirty (30) days prior to said hearing as required by law; and no written protest was made by the owners of twenty percent (20%) of the frontage immediately adjoining or across from the frontage proposed to be altered; and

WHEREAS, said Planning & Zoning Commission has submitted its report of said hearing and the City Council finds that to permit such special use will not adversely affect the character of the neighborhood, and will not unduly burden the public utility facilities in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

Section 1. That a Special Use for Townhomes is hereby approved for the following described property:

Parcel 1:

Lots 7 and 8 in Range 1 in MOSS'S ADDITION to the City of Peoria; ALSO, all of Lot 9 in Range 1 in MOSS'S ADDITION to the City of Peoria, EXCEPTING HOWEVER, 45 feet of even width by full depth of lot off the Southwesterly side thereof; EXCEPTING ALSO such portions of said Lots 7, 8, and 9 which shall be included in the right of way of Seventh Avenue and Union Street; EXCEPTING ALSO a part of Lots 7, 8 and 9 in Range One of MOSS ADDITION, a Subdivision in part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, situate and lying in Peoria County, Illinois, being more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 9, thence South 65°-30'-00" West (bearing assumed for purpose of description only), along the Northerly line of said Lot 9, 43.98 feet; thence South 28°- 45'- 43" East, 142.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 61°- 40' - 00" East, 43.85 feet to the dividing line between Lots 8 and 9 in said MOSS ADDITION; thence South 28°- 45' - 43" East, along said dividing line, 63.79 feet; thence North 61 °- 40' - 00" East, 115.13 feet to the Southwesterly Right of Way of Union Street; thence South 28°- 20' - 00" East, along said Right of Way line, 138.00 feet; thence South 61°- 00' - 00" West, 157.95 feet; thence North 28°- 45'- 43" West, 203.63 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM:

A part of Lot 9 in Range One of MOSS ADDITION, a Subdivision in a part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, City of Peoria, Peoria County, Illinois, more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 9, thence South 65°- 30' - 00" West, (bearing assumed for purpose of description only), along the Northwesterly line of said Lot 9, 18.91 feet to the Point of Beginning

of the tract to be described: from the Point of Beginning, thence South 65° - 30' - 00" West, along said Northwesterly line, 25.07 feet; thence South 28° - 45' - 43" East, 142.00 feet thence North 61° - 40' - 00" East 25.00 feet; thence North 28° - 45' - 43" West, 140.32 feet to the Point of Beginning, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

Parcel 2:

A part of Lots 7, 8 and 9 in Range One of MOSS ADDITION, a Subdivision in part of the Southeast Quarter of Section 5 and the Northeast Quarter of Section 8, Township 8 North, Range 8 East of the Fourth Principal Meridian, situate and lying in Peoria County, Illinois, being more particularly described as follows:

Commencing at the Northeasterly corner of said Lot 9, thence South 65° - 30' - 00" West (bearing assumed for purpose of description only), along the Northerly line of said Lot 9, 43.98 feet; thence South 28° - 45' - 43" East, 142.00 feet to the Point of Beginning of the tract to be described: From the Point of Beginning, thence North 61° - 40' - 00" East, 43.85 feet to the dividing line between Lots 8 and 9 in said MOSS ADDITION; thence South 28° - 45' - 43" East, along said dividing line, 63.79 feet; thence North 61° - 40' - 00" East, 115.13 feet to the Southwesterly Right of Way of Union Street; thence South 28° - 20' - 00" East, along said Right of Way line, 138.00 feet; thence South 61° - 00' - 00" West, 157.95 feet; thence North 28° - 45' - 43" West, 203.63 feet to the Point of Beginning, said tract containing 0.569 acres, more or less, situate, lying and being in the City of Peoria, County of Peoria and State of Illinois.

Said Ordinance is hereby approved per the submitted Site Plan Packet, and with the following conditions:

1. Approval is subject to approval of the concurrent right-of-way vacation request.
2. A revised Certificate of Appropriateness must be obtained from the Historic Preservation Commission that reflects modifications to the proposed plan herein approved that are different from that originally approved by the Historic Preservation Commission, specifically for the additional unit and carports.
3. All applicable permits are required.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class R-4 (Single Family Residential) District shall remain applicable to the above-described premises, with exception to Special Use herein permitted.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS _____ DAY OF _____, 2017.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel