



# PLANNING & ZONING COMMISSION

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

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

**DATE:** April 7, 2022

**CASE NO:** PZ 746-2022

**REQUEST:** Hold a Public Hearing and forward a recommendation to City Council on the request of Maxwell and Cara Ann Johnson, to obtain a Special Use in a Class RE (Estate Residential) District for a Short Term Rental, for the property located at 7725 N Orchard Road (Parcel Identification No. 14-10-102-010), 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 7725 N Orchard Road in an existing single family dwelling with two bedrooms. The intended use is to rent the whole house to guests for a period less than 30 consecutive days while the owners are away. The property owners typically reside at the property every two months for two weeks at a time. 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	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.	N/A	Condition that 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	Parking in the one-stall attached garage. Second vehicle could park on the paved driveway.	None	Parking plan shows one legal parking space in the attached garage. The paved driveway could accommodate a second vehicle, however, this space would not meet the definition of a legal parking space.
Neighborhood 3% Cap on the Number of Special Use Short Term Rentals	The property is not within a defined neighborhood association.	None	The 3% cap allows up to 2 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 1.17 acres and is currently developed with a single family dwelling with attached garage. The property fronts N Orchard Road, a city road. Prior to application for this special use request, the property was advertised for short term rental use. The property is in the Class R-E (Estate Residential) District, same as the surrounding zoning. Surrounding land use is residential.

### **History**

Zoning class has consistently been low density residential.

Date	Zoning
1931 - 1958	Not in the City
1958 - 1963	Not in the City
1963 - 1990	R1 (Low-Density Residential)
1990 - Present	RE (Estate 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	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) guests.

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.

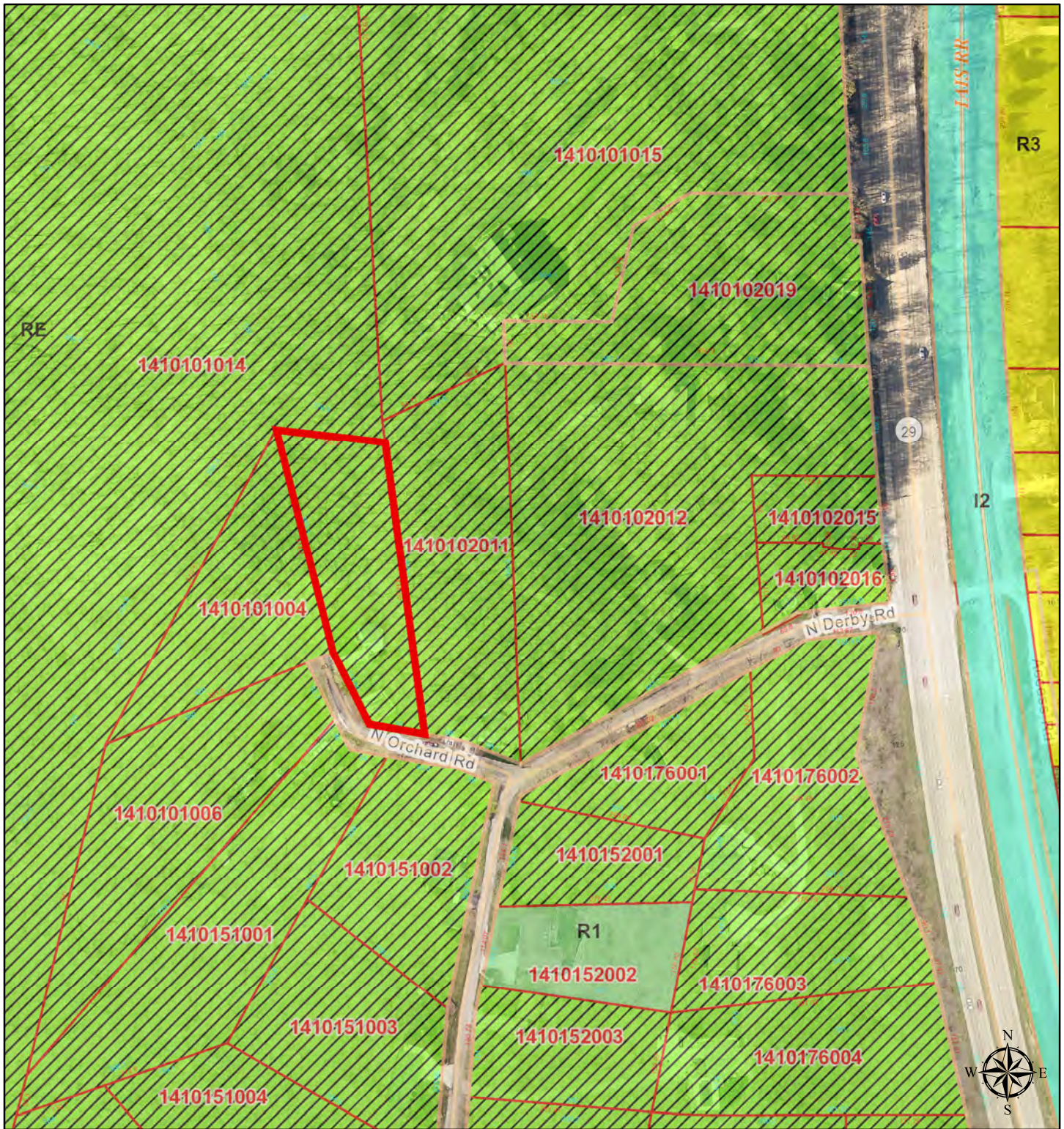
**NOTE:** If a City Code Requirement is not listed as a waiver, then it is a required component of the development. The applicant is responsible for meeting all applicable code requirements through all phases of the development.

**ATTACHMENTS**

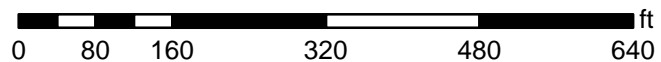
1. Surrounding Zoning
2. Aerial Image
3. Applicant's Description of the Use
4. Site Plan
5. Photos – Existing Conditions



# Zoning 7725 N Orchard Rd



1 inch = 200 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

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Pictometry International Corp.

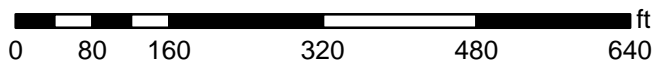




# 7725 N Orchard Rd



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## Description of Use and House Policies

**Description of use:** The home located at 7725 N Orchard Rd is intended to be used primarily as a 2<sup>nd</sup> residence for the owners, Max and Cara Johnson. Owners currently reside at this home every 2 months, for 2 weeks at a time. Secondary to its use as a 2<sup>nd</sup> home, this property is intended to host short-term rental guests, when not occupied by the owners.

**Number and size of bedrooms:**

- Bedroom #1 – 11.04' x 9.06' (100.02 sq ft)
- Bedroom #2 – 11.03' x 11.04' (121.77 sq ft)

**Parking:** 17' x 50' driveway

**Number of guests:** *Strict* maximum of 4 total guests. Guests *must* have previous reviews from other hosts and they *must* be 5-stars. Guests must have their identity verified. Every guest staying in the home *must* be registered to confirm their identity as well (with the exception of children). Guests will be screened to understand why they are coming to the area, how many individuals will be entering and staying in the home, and how they intend to use the space. Questionable or incomplete requests will be denied.

**Duration of guest stays:** Due to the homeowners' frequent personal use of the property, guests will only be able to rent the space for short-term use. It is not intended to be used for rentals exceeding 29 days.

**Security:** A Smart Deadbolt has been installed on the primary entrance. This allows the homeowners to create unique codes for every guest, allowing complete control over who enters the home and when. Security cameras have been installed (which will be disclosed to guests) to ensure we have complete control over the safety and use of our space. One camera is facing our driveway and the 2nd camera is facing the open space on the far side of our yard. If any activity does not adhere to our house rules and policies, the guests will be reported and removed from the home.

**Quiet hours:** Quiet hours will be required and enforced beginning at 9:00 PM each night and will continue until sunrise. Quiet hours consist of no music and keeping all audio at a minimum level out of respect for the surrounding residents.

**Pets:** A maximum of 2 pets may accompany guests at the home. Pets must be leashed at all times when outdoors and the guest *must* pick up their pet's waste. Bags will be provided to the guests for compliance.

**Miscellaneous:**

- Any illegal activity is strictly prohibited.
- Hunting and fireworks are strictly prohibited.
- Guests must respect wildlife in the area. Engaging with wildlife is prohibited.
- Venturing beyond the boundaries of the property is prohibited.

**Support of local businesses:** In order to support the local economy, guests will be given a list of locally owned businesses and encouraged to visit these locations during their stay.

**Special rates:** Military, first-responders, and educators will be given a discounted rate.

**Booking platforms:** Guests will be able to book the home through Airbnb and Vrbo.

## **Property Maintenance, Management, and Cleaning**

**Property maintenance and management:** Homeowners have hired a property maintenance manager to ensure the home remains in excellent condition, inside and out. Per our agreement with the property maintenance manager, the services will include the following:

- **Weekly services**
  - Inspect interior and exterior of the house and shed for damages, missing items, and overall condition a *minimum* of 1x per week
  - Lawn care, mowing, and landscaping during seasons with high plant growth
- **Monthly services**
  - Replace air filter
  - Perform general checks on appliances and fixtures to ensure proper functionality and appropriate condition
- **As-needed services**
  - Perform general maintenance when items become broken, damaged, or worn
  - Lawn care, mowing, and landscaping during seasons with minimal or no plant growth
  - Snow and ice removal
    - Property Owners will be using Foster's Pro-Lawn & Snow Removal as a back-up service if Property Maintenance Manager is unavailable.

**Cleaning:** Homeowners have hired a local cleaning service. The home will be cleaned the same day of the guest's departure.

**Property improvements:** The homeowners intend to plant a full pollinator garden and sunflower patch this Spring (2022). This will not only improve the outdoor aesthetic of the home and neighborhood, but will also provide food and much-needed habitat for pollinators in the area.



MLS #: PA1228520	St: Active	Cat: Residential	LP: \$99,900
Addr: 7725 N ORCHARD Road	Unit #:		
City: Peoria	IL	Zip Code: 61615	
County: Peoria		Subdivision: Galena Park	
Type: Single Family	Condo:	Ann Taxes: \$1,888.14	Tax Year: 2020
Parcel ID: 14-10-102-010	Add'l Parcel IDs		
Approx Acr... 1.170	Wtr Linear Ft:	Apx Lot Size: see plat	
Legal: GALENA PARK SUB NW 1/4 SEC 10-9-8E 1.30 AC LOT 46			
# Bedrooms: 2	# Fireplaces: 1	Year Built: 1946	Source: County Records
			Survell: None
Full Baths: 1	Main Upper Lower Bsmt Addl Total	2	Util: Yes
Half Baths: 0	0 0 0 0 0 0	0	Virtually Staged?: N

Directions: Route 29 to N. Derby Rd. veer right at "Y" to N. Orchard Road

Unbranded VTour:  
Unbranded VTour 2:

Room Dimensions/Levels/Flooring:										Fin Main Lvl SqFt: 584	
Living: 18.04 x 11.09	U C	Mstr Br: 11.04 x 9.06	U C	Egress Y	Den/Ofc: 11.11 x 5.10	M LV	Fin Upper Lvl SqFt: 584				
Great: x		Bedrm 2: 11.03 x 11.04	U C	Y	Laundry: 7.00 x 4.08	M LV	Fin Lower Lvl SqFt:				
Family: 16.00 x 11.00	M LV	Bedrm 3: x			Rec Rm: x		Fin Addtl SqFt:				
Fml Din: x		Bedrm 4: x			Deck 20.07 x 14.00	U O	Total SqFt: 1168				
Inf Din: x		Bedrm 5: x			Shed 11.06 x 9.04	M C	Total Lower Lvl SqFt:				
Kitchen: 15.05 x 906.00	M LV	Bath/Mst BR: None			Gar: Y 21.00 x 13.06	#Cars: 1	Remotes: 1	Finish Bsmt SqFt: 0			
								Total Bsmt SqFt: 0			

Mo. Assn Fee:	Ann. Assn Fee:	Zoning: Residential	100-Yr Flood PL... No	Elem Schl:
New Const: No	55+ Development: No	Development:		Middle Schl:
Repo: No	Short Sale: No	RELO: No	Incentive: No	High Schl: Peoria Heights

Ready for city convenience with a wooded lot and privacy? This home is it. This updated, well cared for home is nestled peacefully in a secluded area just off Route 29. It offers a large vegetable garden space, nearby walking trails, shed with power and able to be a man cave (shed is finished inside) or she-shed, and a spacious deck to enjoy the outdoors. Updates include new plumbing in most of the home (including service line to the street from Arnold & Sons that comes with lifetime warranty), kitchen updated in 2020, new flooring throughout the main level, upper bathroom updated in 2021, water heater updated in 2019 and septic pumped in 2021. Act fast as this home will not last long!

Style	2 Story
CONSTRUCTION TYPE	Frame
EXTERIOR	Aluminum Siding
ROOFING	Shingles
GARAGE/PARKING	Attached
BASEMENT/FOUNDATION	Slab, Block
HEATING/COOLING	Gas, Forced Air, Water Heater - Gas, Central Air
WATER/SEWER	Public Water, Septic System
KITCHEN/DINING	Other Kitchen/Dining
APPLIANCES	Dishwasher, Disposal, Microwave Oven, Range/Oven
Wheel Chair Access	
INTERIOR AMENITIES	Cable TV Available, Window Coverings, Hi-Speed Internet Availbl
EXTERIOR AMENITIES	Shed, Lean-To
FIREPLACE	Living Room, Electric
LOT DESCRIPTION	Wooded
ROAD/ACCESS	Paved
POSSIBLE FINANCING	Cash, Conventional, FHA, VA
INFORMATION ON FILE	Aerial View, Legal Description, Other Information on File
HIGH EFFICIENCY FEATURES	High Efficiency Wtr Htr
TAX EXEMPTIONS	Homestead/Owner Occupied

Unit #	Condo:	Conversion:	Condo Proj:	Rental Allowed:
Unit Style:	Building Style:	Elevator:	Addl Fees:	Pets Allowed:



## Josh Graham

Pref: 309-258-0543

RE/MAX Traders Unlimited

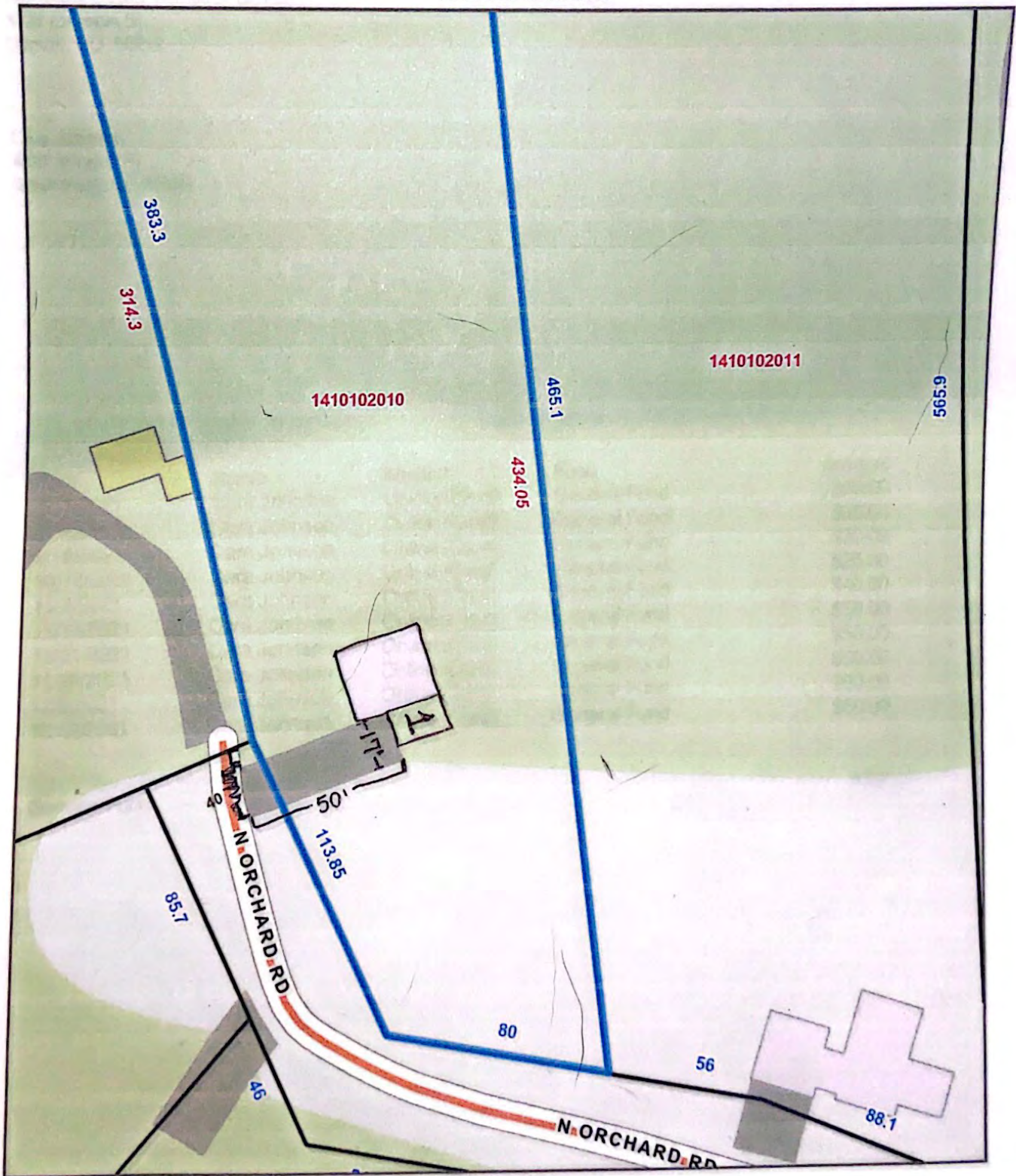
[joshgraham@remax.net](mailto:joshgraham@remax.net)



Original Price: \$99,900	Concessions \$:	Agent Owned: N	Agent Related to Owner: N
Sold Price:	Sold Conc. Info:	Days on Market: 0	
Close Date:	How Sold:	Cumulative DOM: 0	
Type of Sale:			



## 7725 N Orchard



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Map Scale  
1 inch = 50 feet  
2/8/2022





















