

Pekin Zoning Board of Appeals Meeting
111. S. Capitol Street
City Council Chambers 2nd Floor
November 30, 2022
5:00 PM

A rescheduled meeting of the Pekin Zoning Board of Appeals will be held at Pekin City Hall, 111 South Capitol Street, City of Pekin, Illinois, on the 30th day of November 2022, at 5:00 PM.

Pledge of Allegiance

- I. Roll Call
- II. Agenda Approval
- III. Minutes Approval from October 12, 2022
- IV. City Council Action Report
- V. Applications and Hearings
- VI. Other Items for Consideration and Recommendation
- VII. Informal Discussion
- VIII. Public Input
- IX. Adjourn

Case V 2022-13

A variance request by James E. Smith for setbacks at 1011 & 1013 N 2nd. Said property is currently zoned RM-2 Multiple Family Residential District with a legal description of SEC 34 T25N R5W ORIGINAL TOWN LOTS 9 & 10 BLK 17 NE 1/4 with the following PIN: 04-014-34-221-003, in Tazewell County, Illinois.

Case RZ 2022-08

A rezoning request submitted by Drew Leman (McKinley Apartments LLC) from OS-1 Office Service District to RM-2 Multiple Family Residential District for the property located at 100 Ironwood Dr. Said property is zoned OS-1 Office Service District with a legal description of SEC 31 T25N R4W HICKORY HILLS ESTATES SEC 4 LOT 5 (EXC SW COR) NW 1/4 AAA 19 & 20, with the following PIN: 05-05-31-311-037, in Tazewell County, Illinois.

Case RZ 2022-09

A rezoning request submitted by Claude Nattier (Alexander's Tax Service LLC) from R-4 One Family Residential District to OS-1 Office Service District at 1607 Charlotte Street. Said property is zoned R-4 One Family Residential District with a legal description of SEC 35 T25N R5W MILLERS ADD LOTS 8 & 9 W OF RR (ALSO LOT 3) BLK 4 SE 1/4, with the following PIN: 04-04-35-411-011, in Tazewell County, Illinois.

Case SU 2022-06

A special use request submitted by Carl Powell (St. Vincent De-Paul of Pekin) for drive-thru at 706 Court St. Said property is zoned B-3 General Business District with a legal description of SEC 02 T24N R5W COLTS ADDN W1/2 OF LOT 24 NW1/4 with the following PIN: 04-10-02-106-002, in Tazewell County, Illinois

Case V 2022-14

A variance request submitted by Christopher Larkner for setbacks 1906 St. Clair Dr. Said property is zoned R-2 One Family Residential District with a legal description of SEC 12 T24N R5W SUNSET HILLS EXT 12 LOT 291 SE 1/4, with the following PIN: 10-10-12-401-012, in Tazewell County, Illinois

Other Items for Consideration and Recommendation

Short-Term Rentals Ordinance

Food Pantry Ordinance

Code Enforcement Officer Language Change Ordinance

2023 Meeting Schedule

Informal Discussion

Public Input

Adjourn

Hannah Martin, Secretary, Pekin Board of Appeals

Pekin Zoning Board of Appeals
111 S. Capital Street
City Council Chambers 2nd Floor
October 12, 2022
5:00 PM

Present: Bill Craig, Donald Hild, David Huskisson Kim Joesting, Mary Lanane, Kelly Madden, James Ruth, Steve Thompson, and Amy Wilson.

The regular meeting of the Pekin Board of Appeals was called to order and quorum was declared. Staff present: David Bess (CDBG Program Manager), Hannah Martin, Alina Kramer (Administrative Assistant) and Kate Swise (Legal Counsel).

The meeting was called to order at 5:00 PM. Motion by Commissioner Ruth to approve the agenda, second by Commissioner Wilson. Motion carried 9-0.

Motion by Commissioner Thompson to approve minutes for the September 14, 2022, second by Commissioner Huskisson. Motion carried 9-0.

Case SU 2022-05

A special use request by Trajectory Energy Partners to utilize property located at 300 and 310 Hanna Drive to establish a commercial solar farm. Said property is currently zoned I-1 Light Industrial District with a legal description of SEC 10 T24N R5W RIVERWAY BUSINESS PARK 3RD ADD FINAL PLAT LOT 1 N 1/2 SE 1/4 15 AC, with the following PIN: 10-10-10-400-005, in Tazewell County, Illinois.

Public Hearing open at 5:04 pm

Kiersten Sheets, Project Manager for Trajectory Energy gave a presentation on their community solar farm that will be located in Pekin (on 29 Acres). The estimated first year electricity production is 4,800,000 kWhs which will be enough to power more than 400 homes. The estimated annual bill savings is approximately \$96,000 and will produce property tax revenue of \$15,500 in the first year and over \$329,000 over the life of the project. The solar farm will be “pollinator friendly” which requires the Illinois Established Pollinator Habitat On Solar Sites Scorecard and must be completed to maintain recognition as “Pollinator Friendly”.

Public Hearing closed at 5:36 pm

Commissioner Thompson asked for an approximate amount that a resident would save each month, Kiersten stated each resident would save approximately \$20 per month. Commissioner Huskisson asked if this will be on a first come first serve basis and Kiersten stated that it will be. Commissioner Huskisson also asked where the continued revenue comes from for Trajectory and Kiersten stated from some of their revenue comes from federal tax credits and grants from Ameren for Renewable Energy (Credits). Commissioner Ruth asked if only residence were eligible to sign up and Kiersten stated that business can as well.

Commissioner Craig said there could be an issue with the access road (if it is gravel), Craig also asked if an employee would be on site after the project is completed. Kiersten said there would not be a full-time employee on site but after the project is completed but there will be maintenance done to the site by an employee 2-3 times a year. Commissioner Craig also asked where the panels will be made and they will be made in the USA, coming from Georgia.

Commissioner Madden asked if there were any plans for future expansion and there is not, the land being leased is the amount the city has allowed (29 Acres). Commissioner Joesting asked when the land will be planted and it will be planted after the project is completed. Councilman Dave Nutter was present and asked if the city was factoring in the easement at Enviro Safe and Kate stated it will only cross on city property.

Commissioner Ruth discussed the gravel road (approach) and states if the property is within the city it is prohibited. There was discussion that this is in an industrial setting and Commissioner Wilson suggested if they pave the approach that they should consider doing it after the construction and allow Trajectory to do the cleanup each day (with a skid steer).

Motion made by Commissioner Kelly to approve the special use permit was seconded by Commissioner Lanane. Motion approved 9-0.

Case V 2022-11

A variance request submitted by Kevin Bresnahan (Allentown Acres) for the property located at 141 S Veterans Dr. use approximately one acre for temporary (three to six months) staging of trucks, equipment, and materials for utility contractors. Said property is zoned B-3 General Business District with a legal description of SEC 5 T24N R4W ESTATES AT LAKEVIEW FINAL PLAOT LOT 15 NW 14 19.47 AC, with the following PIN: 11-11-05-101-015, in Tazewell County, Illinois.

Public Hearing Open at 5:49 pm

Kevin Bresnahan explained that a utility contractor has approached him in regards to using one Acre of land for the staging site for work that is to be completed locally. Kevin states that the contractor is willing to put lights up, cameras, and a Bobcat to clean any debris on the street. Commissioner Huskisson asked what will happen with the rock after the contractor leaves, Kevin stated that they can either take it out or leave.

Public Hearing closed at 5:51 pm

Commissioner Lanane asked if this is strictly a variance, Commissioner Hild states it is a variance that would need to have an expiration date or an end date of 1 (one) year after Bresnahan signs an agreement with the contractor, Commissioner Thompson agrees.

Motion to approve was made by commissioner Thompson, seconded by Commissioner Lanane. Motion approved 9-0.

CASE RZ 2022-07

A rezoning request submitted by Valerie M Moehle (First United Methodist Church) for the properties located at 408 Amanda St and 1307 N 5th St to change from R-4 to RT zoning and build a duplex. Said properties are zoned R-4 One Family Residential and with a legal description SEC 35 T25N R5W BAILEYS ADDN LOT 2 BLK 2 NW ¼ and SEC 35 T25N R5W BAILEYS ADDN LOT 1 BLK 2 NW 1/4, with the following respective PINs: 04-04-35-123-004 and 04-04-35-123-005, in Tazewell County, Illinois.

Public hearing open at 5:58 pm

Valerie Moehle spoke on behalf of United Methodist Church, explaining that they bought two pieces of land with the original vision of building two house. As they brainstormed on how to build the two houses, they came to the idea of building a duplex. Valerie is asking that they rezone the lots and adjust the setbacks (allowing the home to face 5th street).

Commissioner Huskisson asked if they (United Methodist Church) had any drawings or pictures as to what the duplex would potentially look like, Valerie stated there are not any drawings (or pictures) at this time.

Public hearing closed at 6:07 pm

Commissioner Hild stated this would be a big improvement but would suggest combining the lots into one then you could look at the setbacks. Valerie asked for clarification on what she should do after she has the lots combined and under one parcel number, Commissioner Wilson suggested that we rezone and after the parcels are combined, United Methodist Church would need to bring back prints so the committee can see the structure in relation to the property. Commissioner Joesting states he is not sure how we can give a variance without a plan, Commissioner Hild agreed. Valerie stated she will get the lot numbers combined into one and they will work on a building plan.

Motion to layover this case (until November 9, 2022) was made by commissioner Hild, seconded by Commissioner Madden. Motion approved 9-0

Case V 2022-12

A variance request submitted by Ken Humphrey for sign setback, size of electronic portion of the sign, hours of sign operation and to allow all operational capabilities of a chosen sign at 2800 Court Street. Said property is zoned B-3 General Business District with a legal description of SEC 12 T24N R5W SUNSET HILLS EXT 11 TRACT 1 OF LOTS 8 & 9 NE 1/4, with the following PIN: 10-10-12-208-013, in Tazewell County, Illinois.

Public hearing opened at 6:25 pm

Ken Humphrey, owner, explained that he ordered a sign in July 2022 after speaking with Dave Bess. Humphrey explained the new sign is electronic and has the capability of lights/images flashing, that it is a much nicer sign than the sign that is currently there.

Public hearing closed at 6: 33 pm

Commissioner Wilson asked when the new sign ordinance was passed (July 25, 2022) and why the sign ordered without a permit. Hannah stated that all other permits were submitted (by Humphrey) and she is not sure what happened with this particular permit. Kate states the previous sign ordinance did not allow changing of images, as well as the current one. Wilson stated that the flashing images is a distraction for drivers. Commissioner Hild said there would be issues with the sign being illuminated 24 hours a day and suggested that the sign be dimmed at 11:00 pm. Owner agreed he would dim the sign at 11:00 pm.

Motion to approve the sign (and the sign be dimmed at 11:00 pm) was made by Commissioner Wilson and second by Kelly Madden. Motion approved 9-0.

8-0.

Informal Discussion

Short Term Rental-Hold

Food Pantry-Hold

James Ruth asked if we know how many gaming parlors, we do not. Kim Joesting asked about the sign at the storage unit and Nick Maquet is looking into this. Councilman Nutter stated that the storage unit does not have an occupancy permit and they will not get one until all work is done, including the landscaping.

Kelly Madden asked about the sign at Pekin Community High School since it does illuminate, the image changes and seems to be bright (on a busy road). Hannah will follow up with Code Enforcement. Kelly also mentioned the post office drop box and who would possibly be responsible for the layout, the township is responsible. Donald asked when Pekin Hospital plans to replace their sign on Court Street, Wilson explained that the fabrication process is taking longer but at this time there is not a date as to when the sign will be replaced.



Hannah Martin
111 S. Capitol Street
Community Development
Pekin, Illinois 61554
hmmartin@ci.pekin.il.us
(309) 478-5348

Zoning Board of Appeals Review Sheet November 30, 2022

CASE V 2022-13

A variance request by James E. Smith for setbacks at 1011 & 1013 N 2nd. Said property is currently zoned RM-2 Multiple Family Residential District with a legal description of SEC 34 T25N R5W ORIGINAL TOWN LOTS 9 & 10 BLK 17 NE 1/4 with the following PIN: 04-014-34-221-003, in Tazewell County, Illinois.

SUMMARY

The following variances have been identified for Tract 1 (1013) and Tract 2 (1011) per the submitted plat. Note that most measurements are approximate, based on a combination of information provided on the plat and measuring based off of aerial imagery in GIS (when not specifically called out in the plat).

TRACT 1 – Existing House:

- Reduce front yard (north side) setback for primary structure to 12.5 feet which is 12.5 feet closer than the required minimum of 25 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce side yard 1 (north side) setback for primary structure to .1 feet which is 14.9 feet closer than the required minimum of 15 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce side yard 2 (south side) setback for primary structure to 5.2 feet which is 24.8 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce rear yard (east side) setback for primary structure to 5.2 feet which is 24.8 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).

TRACT 1 – Existing Detached Garage:

- Reduce side yard 1 (north side) setback for primary structure to 0 feet which is 15 feet closer than the required minimum of 15 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce side yard 2 (south side) setback for primary structure to 11 feet which is 19 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce rear yard (east side) setback for primary structure to 4.8 feet which is 25.2 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).

TRACT 2 – Existing House:

- Reduce front yard (north side) setback for primary structure to 14.3 feet which is 10.7 feet closer than the required minimum of 25 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce side yard 1 (north side) setback for primary structure to 5.5 feet which is 9.5 feet closer than the required minimum of 15 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce side yard 2 (south side) setback for primary structure to 20.5 feet which is 9.5 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce rear yard (east side) setback for primary structure to 24 feet which is 6 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).



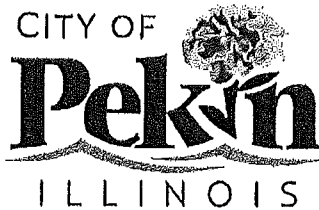
Hannah Martin
111 S. Capitol Street
Community Development
Pekin, Illinois 61554
hmmartin@ci.pekin.il.us
(309) 478-5348

TRACT 2 – Existing Detached Garage:

- Reduce side yard 2 (south side) setback for primary structure to 0 feet which is 30 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).
- Reduce rear yard (east side) setback for primary structure to 0 feet which is 30 feet closer than the required minimum of 30 feet listed for RM-2 Multiple-Family Residential in 4-3-7-1(a).

STAFF NOTES

Allowing the proposed variances would not change how this property has functioned for decades. Most of the structures in this area that are also zoned RM-2 were built long before such setbacks would have been required by city code. Building spacing of this property is consistent with the surrounding area. Staff recommends approval of this request.



25192-000
001

Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 - (309) 477-2300

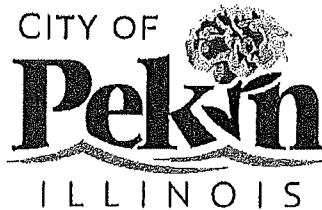
Board of Appeals Application for Consideration

1011 N 2ND + 1013 N 2nd

Type of Request (check one): ☐ A. Special Use (\$85) ☒ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☐ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: <u>04-04-34-221-003</u>
	Current Zoning (if known): <u>RESIDENTIAL</u>
	Proposed Zoning (if rezoning request): _____
	Current Use: <u>RENTALS</u>
	Proposed Use (if different): <u>SINGLE FAMILY HOUSES (PROBLY NON-RENTAL)</u>

Property Owner Name:	JAMES E. SMITH & GRACE L. KEEN
Mailing Address:	1004 OXFORD AVE. PEKIN, IL. 61554
Phone:	JAMES (51m) 309-241-7045
Alternative Phone:	GRACE 309. 267. 2503
E-Mail Address:	~~~~~

Applicant Name (if different):	
Mailing Address:	
Phone:	
Alternative Phone:	
E-Mail Address:	



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

GRACE KEEN, MY PARTNER FOR NOW 28 YEARS, HAD A DAUGHTER THAT HER
& HER PARTNER HAD 4 CHILDREN FROM 10-4-96 TO 8-13-2000, IN 2005 THEY
WERE LIVING IN A VERY SMALL TWO BEDROOM HOUSE, SO GRACE & I BOUGHT 101181013
FOR 76,000 & PUT 25,000 IN REPAIRS, ROOFS, FURNACES & AIR & COMPLETELY REMODELED THE
INSIDE OF 1011, 3 BEDROOMS, 2 BATHS, I FENCED THE BACK YARD,
NOW WE WANT TO SELL AT A LOW PRICE TO THE DAUGHTER, BUT WE CAN'T SELL OR
GIVE HER BOTH HOUSES, AS GRACE HAS TWO OTHER CHILDREN & WE WANT TO GIVE THEM
THEIR SHARE & THE ONLY WAY IS TO SEPARATE THE HOUSE & PROBABLY SELL ONE
P.S. I AM 87 & GRACE HAS CO. PD & ON OXG, SO WE NEED TO GET THIS DONE, BEFORE IT'S

CERTIFICATION BY PROPERTY OWNER

TOO LATE

Thanks Jim

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

James E. Smith & Grace Keen

Owner Signature

10-5-22

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Applicant Signature

Date



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 -- (309) 477-2300

- II. **Payment:** Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the "City of Pekin".
- III. **Variance:** If requesting a variance, you must complete and attach this page to your application:

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

I WAS TOLD WE WOULD NEED ABOUT TWO VARIANCES

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

YES

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

NO

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

THERE WON'T BE ANY NEGATIVE IMPACTS AS BOTH HOUSES & GARAGES HAVE BEEN THERE (AS IS) FOR MANY YEARS. SORRY

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

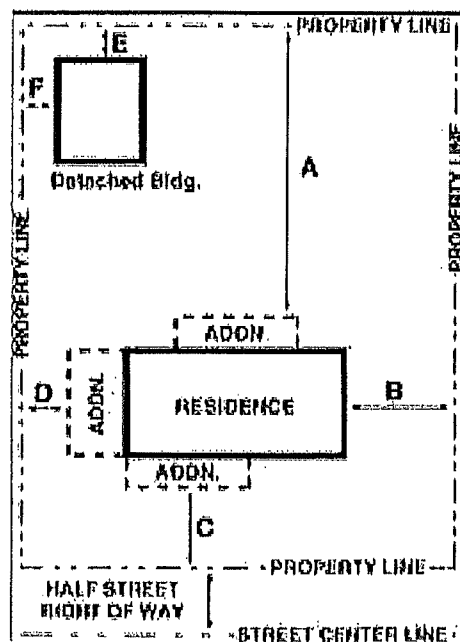
THERE WON'T BE ANY NEGATIVE IMPACTS AS BOTH HOUSES & GARAGES HAVE BEEN THERE (AS IS) FOR MANY YEARS. ONLY CHANGE WILL BE, TWO PROPERTY TAX BILLS & TWO PROPERTY DEEDS & PROBABLY WILL NOT BE RENTAL HOUSES, WILL PROBABLY BE SINGLE FAMILY HOUSES.



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

The following attachments are required for consideration of your request:

- I. **Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. A scale of not less than one inch equals fifty feet ($1" = 50'$) if the subject property is less than three (3) acres and one inch equals one hundred feet ($1" = 100'$) if three (3) acres or more. Date, north point and scale.
 2. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties. The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property. The location of all existing and proposed drives and parking areas. The location and right-of-way widths of all abutting streets and alleys.
 3. Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).



Pekin ~~Grace & Me~~
Grace & Me

1011 & 1013 N 2nd Pekin

DOCUMENT PREPARED FOR
FIRST COMMUNITY TITLE BY:

Hayes & Sarff, LLP
Attorneys at Law
331 South Fourth Street
Pekin, IL 61554-4292
Telephone: 309-347-2101

RETURN DOCUMENT &
MAIL TAX STATEMENT TO:

James E. Smith
Grace L. Keen
14625 Mackinaw Valley Park
Green Valley, IL 61534

200500004016
Filed for Record in
TAZEWEILL COUNTY, IL
ROBERT LUTZ
02-25-2005 At 08:44 am.

WARR DEED 138.25

County Tax Paid In
Half Amount As State Tax

STATE TAX	STATE OF ILLINOIS	REAL ESTATE TRANSFER TAX
	FEB. 25. 05	0007500
TAZEWEILL COUNTY		FP326667

WARRANTY DEED 0511257

FOR RECORDER USE ONLY

THE GRANTORS, DAVID A. SCALF and TERRI SCALF, husband and wife, each in his and her own right and as spouse of the other, of the City of Pekin, County of Tazewell, and State of Illinois, for and in consideration of ONE DOLLAR (\$1.00) and other valuable consideration in hand paid, CONVEY and WARRANT to JAMES E. SMITH, a single person, and GRACE L. KEEN, a single person, both of the City of Green Valley, County of Tazewell, and State of Illinois, as Joint Tenants with right-of-survivorship, and not as Tenants-in-Common, the following described real estate:

Lots 9 and 10 in Block 17 in the Original Town, now City of Pekin, as shown on a plat recorded in Plat Book "C", Page 2, situated in Tazewell County, Illinois.

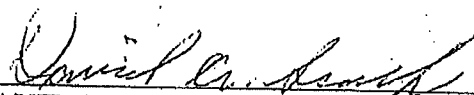
PIN: 04-04-34-221-003

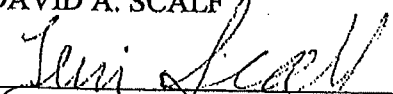
Commonly known as 1011 and 1013 North 2nd Street, Pekin, Illinois

situated in Tazewell County, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Subject to the general real estate taxes for the year 2004 and all subsequent years. Further subject to any and all easements, restrictions, and reservations of record. Grantor makes no warranty on the coal and mineral rights.

DATED this 24th day of February, A.D. 2005


DAVID A. SCALF (SEAL)


TERRI SCALF (SEAL)

STATE OF ILLINOIS)
COUNTY OF Tazewell ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that DAVID A. SCALF and TERRI SCALF, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 24th day of February, A.D. 2005

Place Notary Seal in space below



Betty J. Kaebel
NOTARY PUBLIC

Document No. _____

WARRANTY DEED

DAVID A. SCALF and
TERRI SCALF

TO

JAMES E. SMITH and
GRACE L. KEEN

ROBERT A. LUTZ
Tazewell County
Recorder of Deeds

Fee \$25.75

Arcade Building
13 South Capitol Street
Pekin, IL 61554
(309) 477-2210

Property Address:

1011 and 1013 North 2nd Street
Pekin, Illinois

A/B Hunter Sewer Service
3600 W. Malone St.
Peoria, IL 61605 US
309-637-4338
skinnersewerservices@gmail.com

BILL TO
Jim Smith
1013 N 2nd St
Pekin, IL 61554

INVOICE 118939

DATE 09/22/2022 TERMS Net 30

DUE DATE 10/22/2022

SERVICE TECHNICIAN
Jason

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Ridgid Camera	Ridgid Camera & Operator, minimum charge	1	300.00	300.00
Tv sewer from basement cleanout to main. Separate sewer with no tie ins. Minor root growth at a few joints.				

TOTAL DUE \$300.00

PAID

CK. NO. Credit Card
DATE 9.23.22

PLAT OF SURVEY

LOTS 9 AND 10 IN BLOCK 17 IN THE ORIGINAL TOWN OF PEKIN, BEING PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP-25-NORTH, RANGE-5-WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS.

P.I.N.: 04-04-34-221-003
TOTAL AREA = +/- 0.213 ACRES

TRACT 1 DESCRIPTION

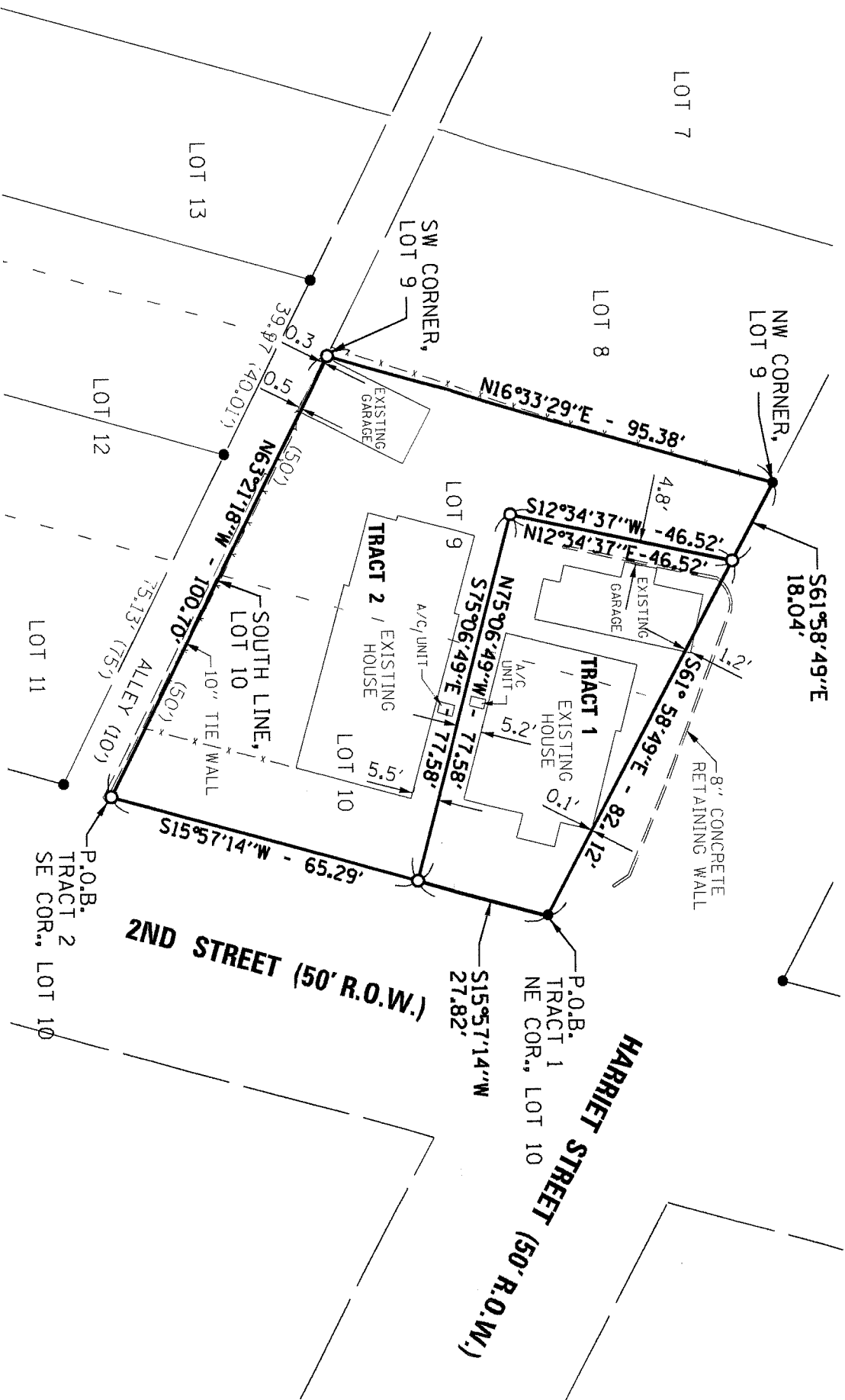
PART OF LOTS 9 AND 10 IN BLOCK 17 OF THE ORIGINAL TOWN OF PEKIN, BEING A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP-25-NORTH, RANGE-5-WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10, THENCE SOUTH 15 DEGREES 57 MINUTES 14 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 10, 27.82 FEET; THENCE NORTH 75 DEGREES 06 MINUTES 49 SECONDS WEST, 77.58 FEET; THENCE NORTH 12 DEGREES 34 MINUTES 37 SECONDS EAST, 46.52 FEET TO THE NORTH LINE OF SAID LOT 9; THENCE SOUTH 61 DEGREES 58 MINUTES 49 SECONDS EAST, ALONG SAID NORTH LINE, 82.12 FEET TO THE POINT OF BEGINNING, CONTAINING 0.067 ACRES, MORE OR LESS.

TRACT 2 DESCRIPTION

PART OF LOTS 9 AND 10 IN BLOCK 17 OF THE ORIGINAL TOWN OF PEKIN, BEING A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP-25-NORTH, RANGE-5-WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 10, THENCE SOUTH 15 DEGREES 57 MINUTES 14 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 10, 27.82 FEET; THENCE NORTH 75 DEGREES 06 MINUTES 49 SECONDS WEST, 77.58 FEET; THENCE NORTH 12 DEGREES 34 MINUTES 37 SECONDS EAST, 46.52 FEET TO THE NORTH LINE OF SAID LOT 9; THENCE SOUTH 61 DEGREES 58 MINUTES 49 SECONDS EAST, ALONG SAID NORTH LINE, 82.12 FEET TO THE POINT OF BEGINNING, CONTAINING 0.067 ACRES, MORE OR LESS.



LAND SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF TAZEWELL)

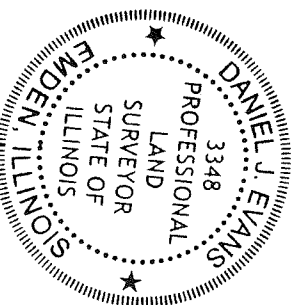
I, DANIEL EVANS, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY STATE THAT I HAVE SURVEYED LOTS 9 AND 10 IN BLOCK 17 IN THE ORIGINAL TOWN OF PEKIN, BEING PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP-25-NORTH, RANGE-5-WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, AND THAT ALL OF THE LAND REPRESENTED HEREON LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF PEKIN, WHICH HAS APPROVED AND ADOPTED A COMPREHENSIVE PLAN, AND THAT TO MY BEST KNOWLEDGE AND BELIEF, THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY DRAWN TO A SCALE OF ONE INCH EQUALS THIRTY FEET (1"=30').

DATED THIS 20TH DAY OF April, 2022.

BY:

[Signature]

DANIEL J. EVANS
ILLINOIS PROFESSIONAL LAND SURVEYOR # 3348
MY LICENSE EXPIRES, NOVEMBER 30, 2022

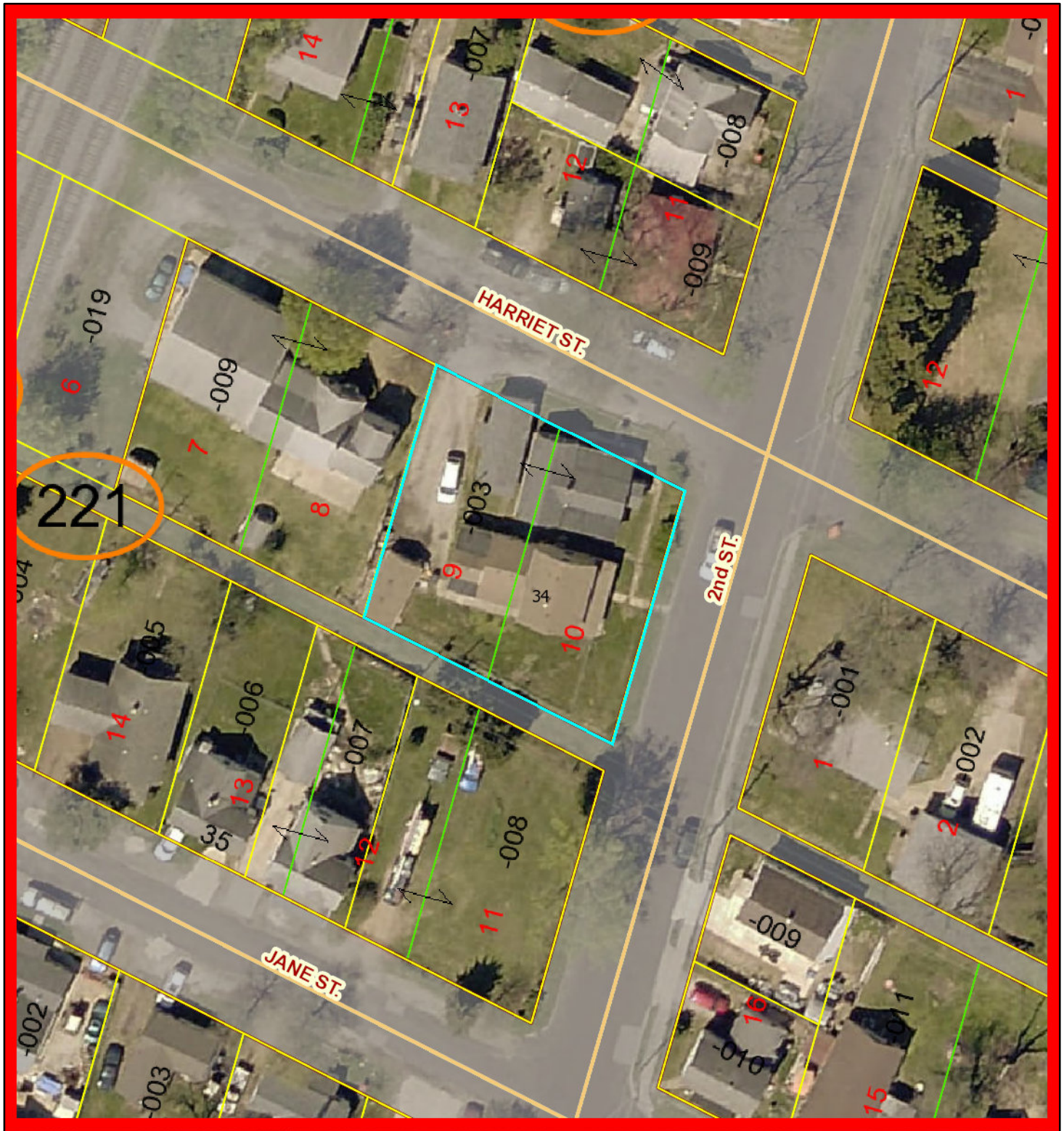


LEG

○	SET 1/2" ORANGE C
●	FOUND IRK
—	SURVEY B
—	EXISTING
—	T.C.R.O. TAZEWELL
—	P.O.B. POINT OF
—	P.I.N. PARCEL II
—	(75') RECORD D
—	R.O.W. RIGHT-OF-
—	EXISTING

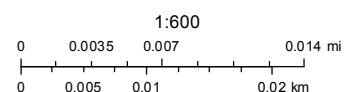


Tazewell County GIS



	I-155	Symbols		Tip 100		
	I-474			<all other values>		Tip 400
	I-74			Arrow 100		Sections
	IL 29			Arrow 400		OwnershipParcels
	IL 98			FromTo 100		TaxParcels
	US 150			FromTo 400		Blocks
	US 24			Hook 100		ROW
	Streets			Hook 400		Lots

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Hannah Martin
111 S. Capitol Street
Community Development
Pekin, Illinois 61554
hmmartin@ci.pekin.il.us
(309) 478-5348

**Zoning Board of Appeals Review Sheet
November 30, 2022**

Case RZ 2022-08

A rezoning request submitted by Drew Leman (McKinley Apartments LLC) from OS-1 Office Service District to RM-2 Multiple Family Residential District for the property located at 100 Ironwood Dr. Said property is zoned OS-1 Office Service District with a legal description of SEC 31 T25N R4W HICKORY HILLS ESTATES SEC 4 LOT 5 (EXC SW COR) NW 1/4 AAA 19 & 20, with the following PIN: 05-05-31-311-037, in Tazewell County, Illinois.

SUMMARY

This case has been pulled at the request of the applicant.

STAFF NOTES

None.



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Zoning Board of Appeals Review Sheet November 30, 2022

CASE RZ 2022-09

A rezoning request submitted by Claude Nattier (Alexander's Tax Service LLC) from R-4 One Family Residential District to OS-1 Office Service District at 1607 Charlotte Street. Said property is zoned R-4 One Family Residential District with a legal description of SEC 35 T25N R5W MILLERS ADD LOTS 8 & 9 W OF RR (ALSO LOT 3) BLK 4 SE 1/4, with the following PIN: 04-04-35-411-011, in Tazewell County, Illinois.

SUMMARY

Applicant wishes to rezone the property so that the business can continue to operate in the same location. The following are stipulations listed in 4-3-5-2-2(2) for allowing lawful home occupations which the applicant has violated:

2. Generates traffic, parking, sewerage or water use in excess of what is normal in the residential neighborhood;
 - At least two daily commuting employees plus client appointments on a dead-end street.
4. Results in outside storage or display of anything including signs;
 - Sign was attached to a tree on the property.
5. Requires the employment of anyone in the home other than the dwelling occupant;
 - At least two employees commute to the office daily.
6. Requires exterior building alterations to accommodate the occupation;
 - Garage was in process of being converted to office space to accommodate the business.
7. Occupies more than 25 percent of the ground floor area of the dwelling or 50 percent of the ground floor area of any detached garage or occupies more than 50 percent of a basement, and in no instance shall space in the aggregate exceed 500 square feet of floor space;
 - Current space (non-garage accessory structure) exceeds 500 square feet of floor space at 656 square feet.

The only means to continue operating in this location is if the property is rezoned to OS-1 or some other business district zoning.

STAFF NOTES

This case was brought to the city's attention incidentally to several building code violations, largely due to completing work without any building permits. Applicant was in the process of expanding office space into the 3-car garage on the property, including sewer, electrical, water supply, etc.

Staff recommends denial of the requested rezoning. The business has operated for decades in this location; however, rezoning opens the property up to future owners with many options for businesses that could legally establish themselves there without any additional action from the city and without any future input from neighboring residential properties. Staff encourages a small grace period to temporarily allow continued operations but with a set deadline by which the business needs to move to a new location.



RECEIVED
OCT 18 2022

Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Board of Appeals Application for Consideration

<u>Type of Request (check one):</u> ☐ A. Special Use (\$85) ☐ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☒ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: 04-04-35-411-011 Current Zoning (if known): R-4 Proposed Zoning (if rezoning request): OS-1 Current Use: 45 Years of Income Tax & Bookkeeping Proposed Use (if different): nothing different just need rezone for compliance
---	--

Property Owner Name:	SANDRA J MANN
Mailing Address:	1607 CHARLOTTE ST, PEKIN, ILL 61554
Phone:	309-444-0910
Alternative Phone:	309-347-2154
E-Mail Address:	ATSPEKIN@GMAIL.COM

Applicant Name (if different):	Claude Nattier, Alexander Tax Service LLC
Mailing Address:	1607 1/2 Charlotte St, Pekin, IL 61554
Phone:	309-347-2154
Alternative Phone:	
E-Mail Address:	ATSPEKIN@GMAIL.COM



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

Middle building of 3, 650 sq ft, has been used as Day Care Center 1975-1979 and Tax office since 1980 by my mother.
R-4 zoning does not allow for a business location with employee as we understand from officials. New business owner
who purchased business from my deceased mother 8 yrs ago rents small building which now requires a rezoning notation.
This building has been in used since 1980 with adjacent Charlotte St neighbors submitting affidavit of support for the
continued use as it exists now as a tax office business. They did note to us a DEAD END sign is needed as many people
who are not clients zoom down to only have to turn around and speed out from the dead end not being noted by any sign.
Attached affidavits from them attached. There are no external building modifications to attach. House, office, and garage
to continue in their present form with tax office able to continue as historically accepted.

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

Cynthia J. Mann

10-18-22

Owner Signature

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Cynthia J. Mann
Claude A. Hutto

10-18-22

Date 10-18-22

Applicant Signature



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 -- (309) 477-2300

- II. Payment:** Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the "City of Pekin".
- III. Variance:** If requesting a variance, you must complete and attach this page to your application:
1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.
The hardship would be in relocating a 42 year historical business location. Charlotte St neighbors have indicated NO RESISTANCE, to a rezoning to allow the continuation as established from history at a dead end street which uses no street parking as there is a large private parking lot which handles all client parking.
 2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?
Yes, it use to be Home Occupation exception, but new regulations do not allow employee. The OS-1 is needed for compliance with current zoning regulations. R-4 does not allow for the existing 42 yr business usage to continue.
 3. Should the request be approved, will the variance negatively impact adjoining properties in any way?
No, the variance will not affect the adjoining properties as nothing will change from the 42 yr usage and would still allow future use to go back to residential if desired and no street parking affects the adjacent neighborhood.
 4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?
We believe it is within the character of locality as the business has been functioning uninterrupted for 42 years and there are numerous similar zoning of OS-1 adjacent to R-4 in the Pekin zoning maps as indicated attached copies.
 5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?
We see no negative impacts as adjacent Charlotte St neighbors signed affidavits of positive and a larger negative impact would be requiring an existing business of 42 years to re-locate.



(X) Need Dead End Sign (X)

45 year history Alexanders Taxes Middle Building

Yellow = 1607 1/2 Charlotte St.

-89.627 40.573 Degrees

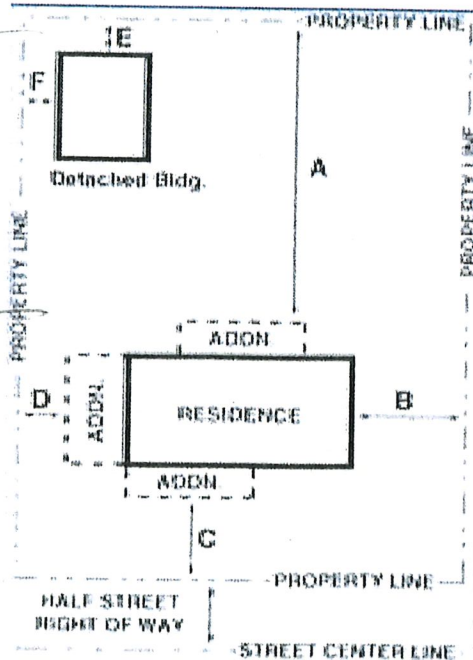
200ft



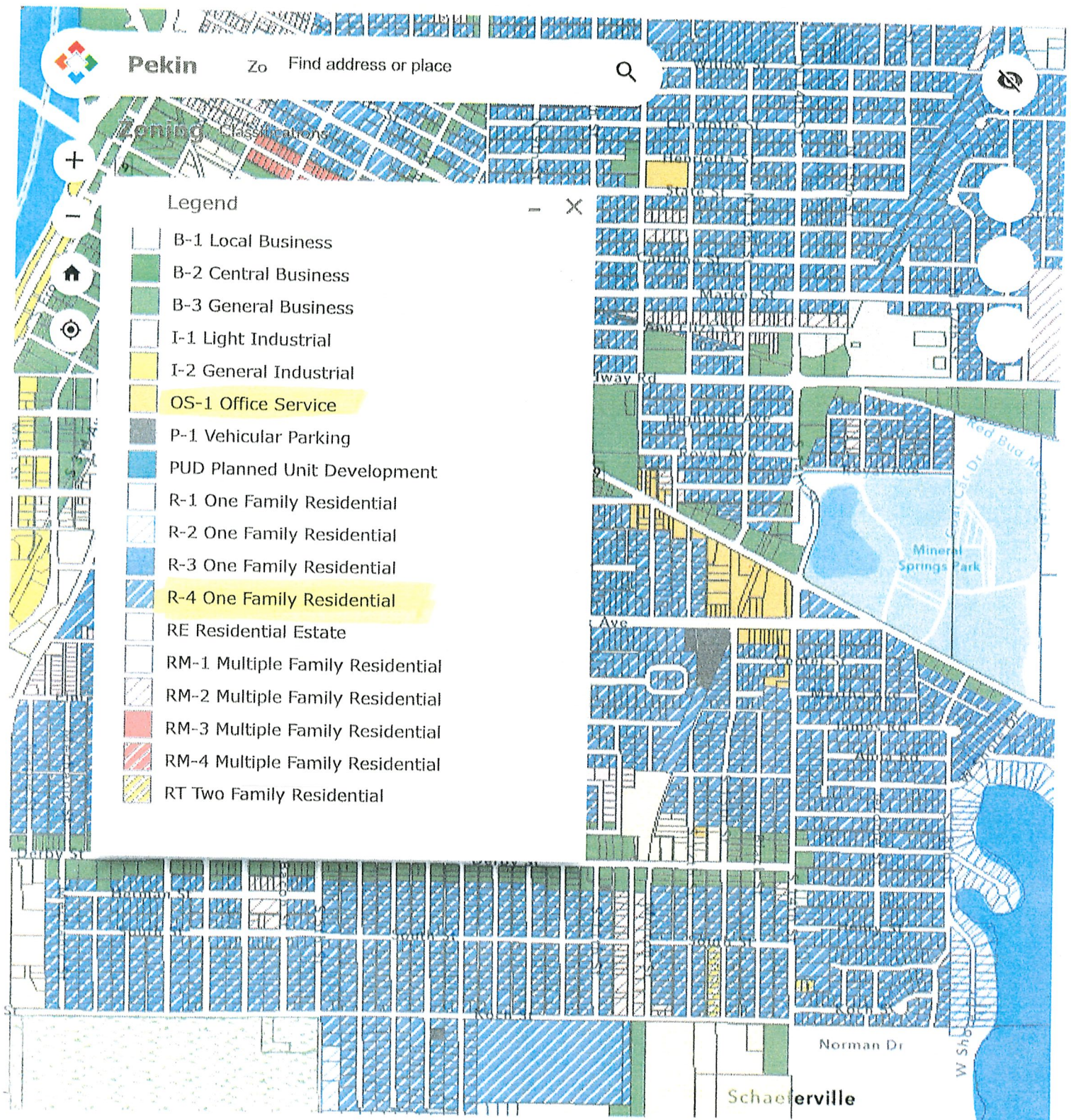
Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

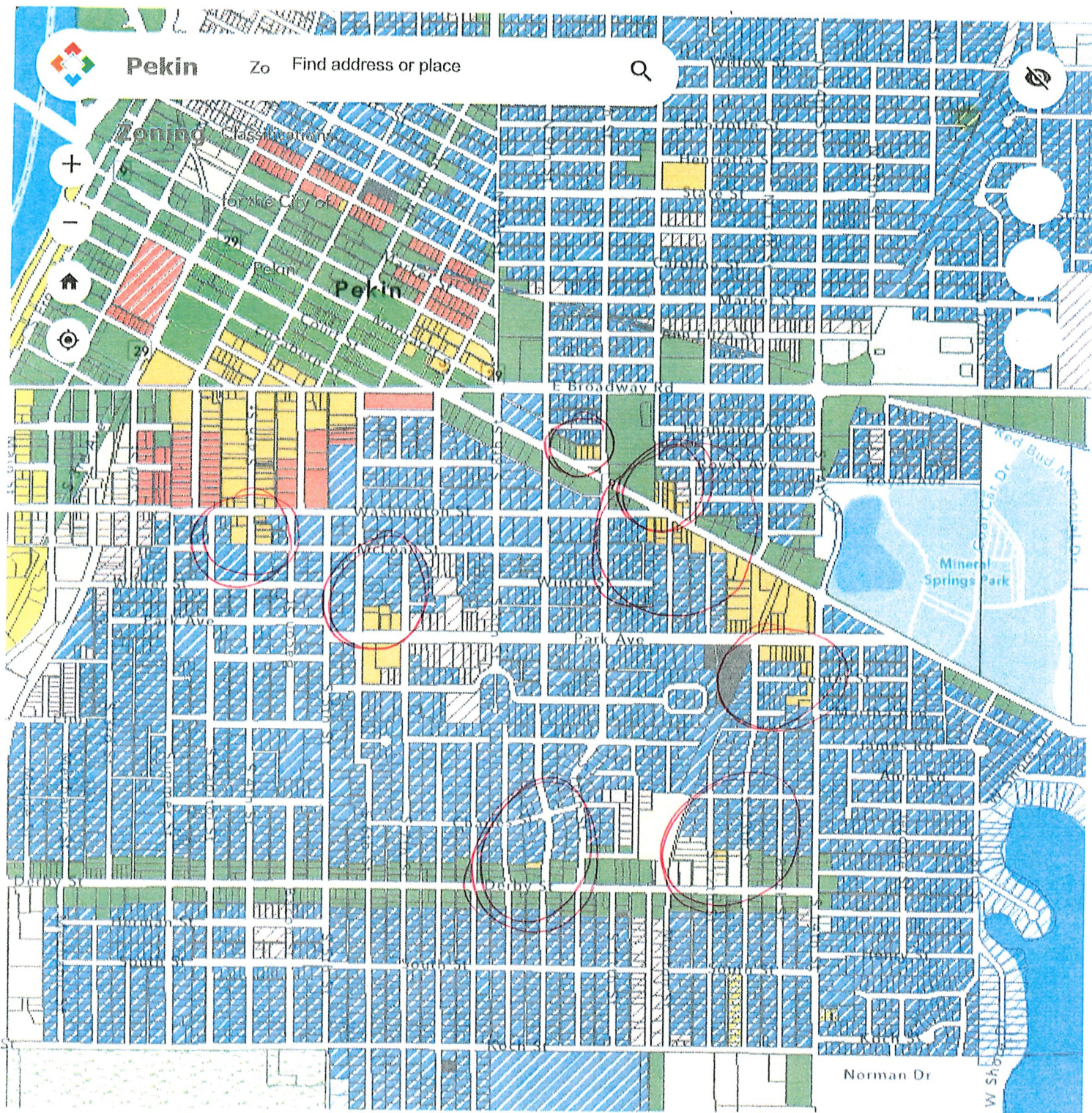
The following attachments are required for consideration of your request:

- I. Site Plan:** An electronic copy (preferred) or two physical copies of a site plan for the proposal showing:
1. A scale of not less than one inch equals fifty feet (1" = 50') if the subject property is less than three (3) acres and one inch equals one hundred feet (1" = 100') if three (3) acres or more. Date, north point and scale.
 2. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties. The location of all existing and proposed structures on the subject property and all structures within one hundred feet (100') of the subject property. The location of all existing and proposed drives and parking areas. The location and right-of-way widths of all abutting streets and alleys.
 3. Attachments such as landscape plan, photograph or renderings of existing and proposed site, building layouts or elevations, etc. are commended in order to provide accurate and sufficient information for review by the Development Review Committee and consideration by the Plan Commission.
 4. The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan (commercial projects only).



*No EXTERNAL
BUILDING
Modifications*

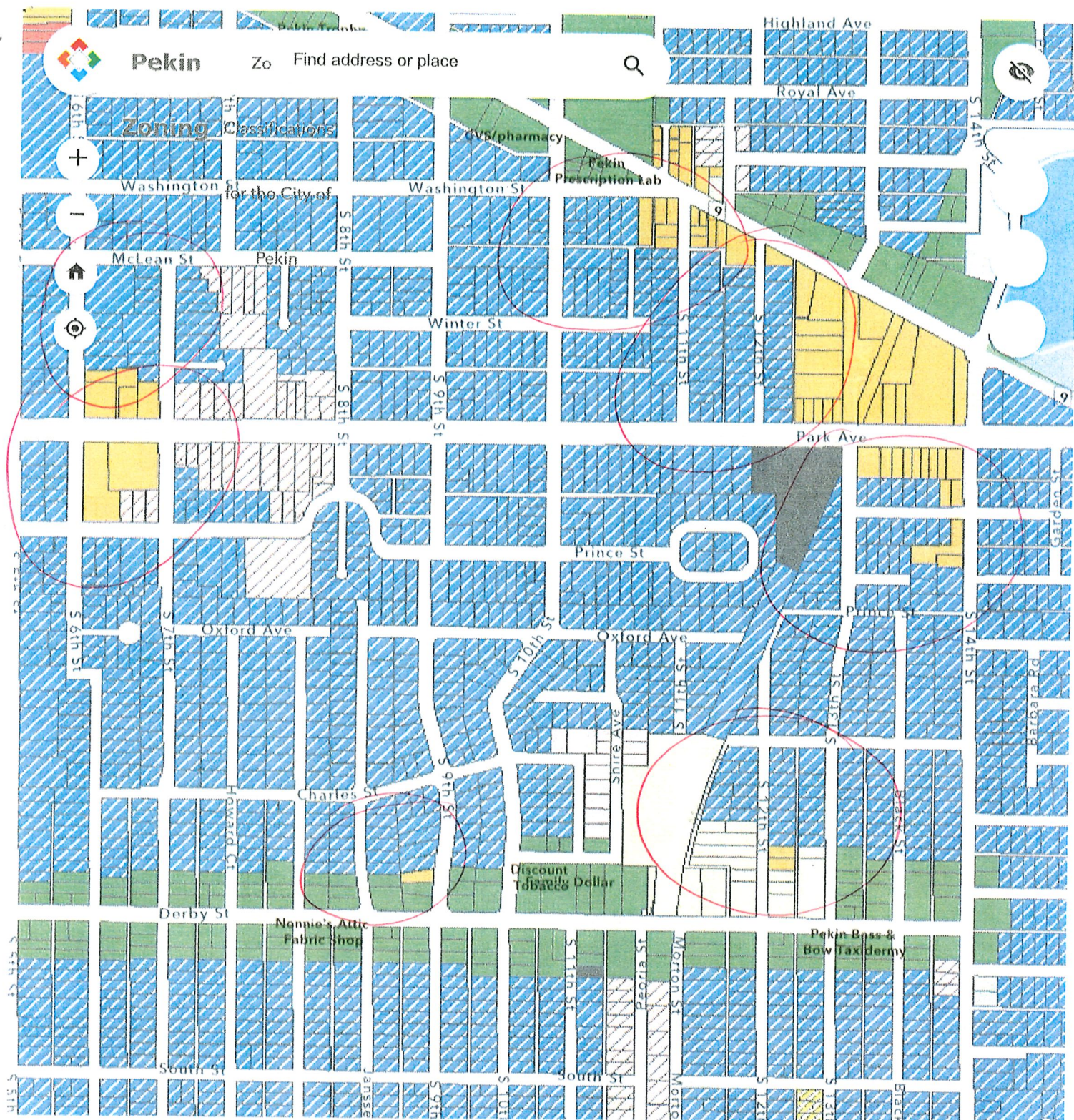




⊗ Multiple OS-1 adjacent R-4 Properties
Exist inside Current Zoning Map
Circled Above

-89.629 40.559 Degrees

0.2mi



05-1 + R-4
Adjacent
Currently

0.1 miles

October 12, 2022

To All Whom It May Concern:

I have been a neighbor on Charlotte St here in Pekin for 5 years next to 1607 Charlotte St, and the tax service business of Alexander Tax Services. They have been here since 1980 and we have never had any ^{slow down} negative traffic, street, or other issues with their presence. I understand Sandra Mann is applying for a zoning request change for OS-1 to rezone and allow the continuation of the tax service.

Need dead end sign

I wish to acknowledge I have no objection and wish to encourage the granting of OS-1 for Sandra Mann.

NAME

Ryan F. Langner

ADDRESS

1101 Charlotte St

SIGNATURE

[Signature]

DATE

10.16.2022

October 12, 2022

To All Whom It May Concern:

I have been a neighbor on Charlotte St here in Pekin for 2 years next to 1607 Charlotte St, and the tax service business of Alexander Tax Services. They have been here since 1980 and we have never had any negative traffic, street, or other issues with their presence. I understand Sandra Mann is applying for a zoning request change for OS-1 to rezone and allow the continuation of the tax service.

I wish to acknowledge I have no objection and wish to encourage the granting of OS-1 for Sandra Mann.

NAME GARRY FILLARSKI

ADDRESS 1605 CHARLOTTE

SIGNATURE [Signature]

DATE 10-16-22

October 12, 2022

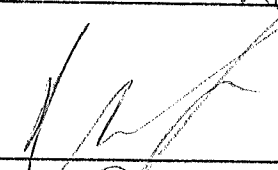
To All Whom It May Concern:

I have been a neighbor on Charlotte St here in Pekin for 3 years next to 1607 Charlotte St, and the tax service business of Alexander Tax Services. They have been here since 1980 and we have never had any negative traffic, street, or other issues with their presence. I understand Sandra Mann is applying for a zoning request change for OS-1 to rezone and allow the continuation of the tax service.

I wish to acknowledge I have no objection and wish to encourage the granting of OS-1 for Sandra Mann.

NAME Patrick J Nelson

ADDRESS 1604 Charlotte St

SIGNATURE 

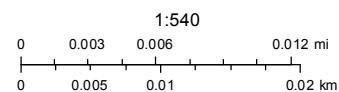
DATE 10/16/22

Tazewell County GIS



	I-155	Symbols		Tip 100	
	I-474		<all other values>		Tip 400
	I-74		Arrow 100		Sections
	IL 29		Arrow 400		OwnershipParcels
	IL 98		FromTo 100		TaxParcels
	US 150		FromTo 400		Blocks
	US 24		Hook 100		ROW
	Streets		Hook 400		Lots

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**Zoning Board of Appeals Review Sheet
November 30, 2022**

CASE SU 2022-06

A special use request submitted by Carl Powell (St. Vincent De-Paul of Pekin) for drive-thru at 706 Court St. Said property is zoned B-3 General Business District with a legal description of SEC 02 T24N R5W COLTS ADDN W1/2 OF LOT 24 NW1/4 with the following PIN: 04-10-02-106-002, in Tazewell County, Illinois

SUMMARY

Applicant wishes to operate a drive-thru as a means to pick up goods from a food pantry at the proposed location. Sec. 4-3-6-5-3(2) details the following conditions for Special Use businesses in the character of a drive-through, drive-in or open-front store.

- a. A setback of at least 25 feet from the right-of way line of any existing or proposed street must be maintained
 - Building currently sits approximately 5 feet from the ROW line
- b. Access points shall be located at least 60 feet from the intersection of any two streets
 - Court St access (12' curb cut to SW corner of intersection) is approximately 70 ft.
 - Alley between 7th St and 8th St access (curb cut to SE corner of Tharp Pl and 7th St) is approximately 25 ft.
- c. All lighting shall be shielded from adjacent residential districts
 - No lighting is planned per submitted application
- d. A 5ft high, completely obscuring wall shall be provided when abutting or adjacent districts are zoned for R, RT, RM or OS-1 Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Division 8 of this Article
 - R-4 One Family Residential District lies south of the property, across the alley. An obscuring wall on the 706 Court St property would not be able to meaningfully shield neighboring residents from the traffic generated through the alley access. Said wall would have to be placed on the south side of the alley, on city ROW or property line of residential parcels.

Applicant also needs the following variances to place coolers (accessory structures) at the rear of the main structure as shown on the submitted site plan.

- Reduce side yard 1 (west side) setback for accessory structure to 8 feet which is 2 feet closer than the required minimum of 10 foot listed for B-3 General Business District in 4-3-7-1(a).
- Reduce side yard 2 (east side) setback for accessory structure to 13.5 feet which is 6.5 feet closer than the required minimum of 20 foot listed for B-3 General Business District in 4-3-7-1(a).

STAFF NOTES

Staff is concerned about the traffic circulation pattern for this proposed drive-thru. Property access will not allow for both entry and exit from Court St. Entry relies heavily on low-traffic, residential streets and alleys. Exiting the property allows for right-turn only to a section of Court St that runs eastbound-only.



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Staff also acknowledges this is not the kind of drive-thru that likely was imagined when the special use considerations were drafted. Hours of operation and traffic patterns likely differ greatly compared to a fast-food restaurant with a drive-thru.

Staff recommends careful consideration of anticipated traffic, hours of operation, # of pickups and clients served when the board makes their decision.



(521)
#32747
lot 4898

Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Board of Appeals Application for Consideration

Type of Request (check one): ☒ A. Special Use (\$85) ☐ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☐ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: <u>700 COURT ST</u> Current Zoning (if known): _____ Proposed Zoning (if rezoning request): _____ Current Use: <u>INSURANCE SALES</u> Proposed Use (if different): <u>FOOD PANTRY.</u>
---	---

Property Owner Name:	ST. VINCENT DE-PAUL OF PEKIN
Mailing Address:	303 S. 7TH PEKIN, IL. 61554
Phone:	309-241-1564
Alternative Phone:	
E-Mail Address:	CPowell15266@yahoo.com

Applicant Name (if different):	CARL POWELL
Mailing Address:	2629 ARLINGTON CIRCLE PEKIN
Phone:	309-241-1564
Alternative Phone:	
E-Mail Address:	



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

PURCHASED INSURANCE BUILDING AND
TURNING IT INTO FOOD PANTRY BUILDING.
CARS WILL PICK UP FOOD AND DRIVE
OUT ONTO COURT ST. ON EAST SIDE OF
BUILDING.

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

Carl E. Bull PRESIDENT

Owner Signature

10/22/22

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Carl E. Bull

Applicant Signature

10/22/22

Date



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

II. Payment: Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the "City of Pekin".

III. Variance: If requesting a variance, you must complete and attach this page to your application:

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

TO ALLOW DRIVE AROUND ON THE EAST SIDE
OF BUILD TO COURT ST. ALSO TO PUT REFRIGERATION ON
OUTSIDE PADS SOUTH OF BUILDING

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

NO

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

TO HELP SERVE ARE CLIENTS BETTER.

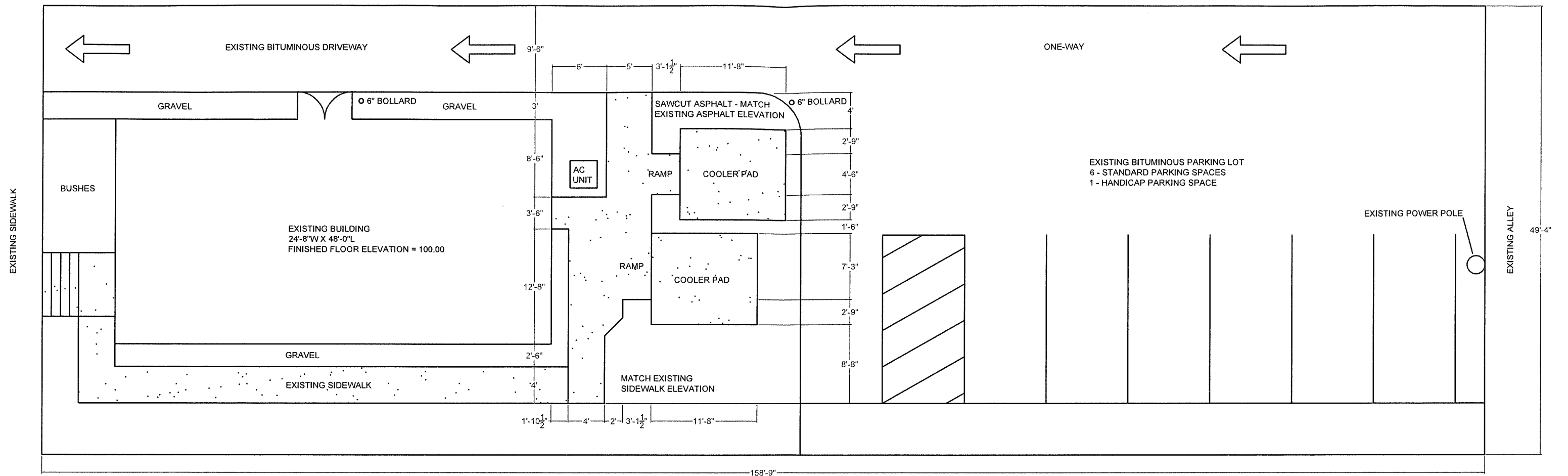
NO NEGATIVE IMPACT THAT I AM AWARE OF.

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

AS FAR AS I KNOW

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

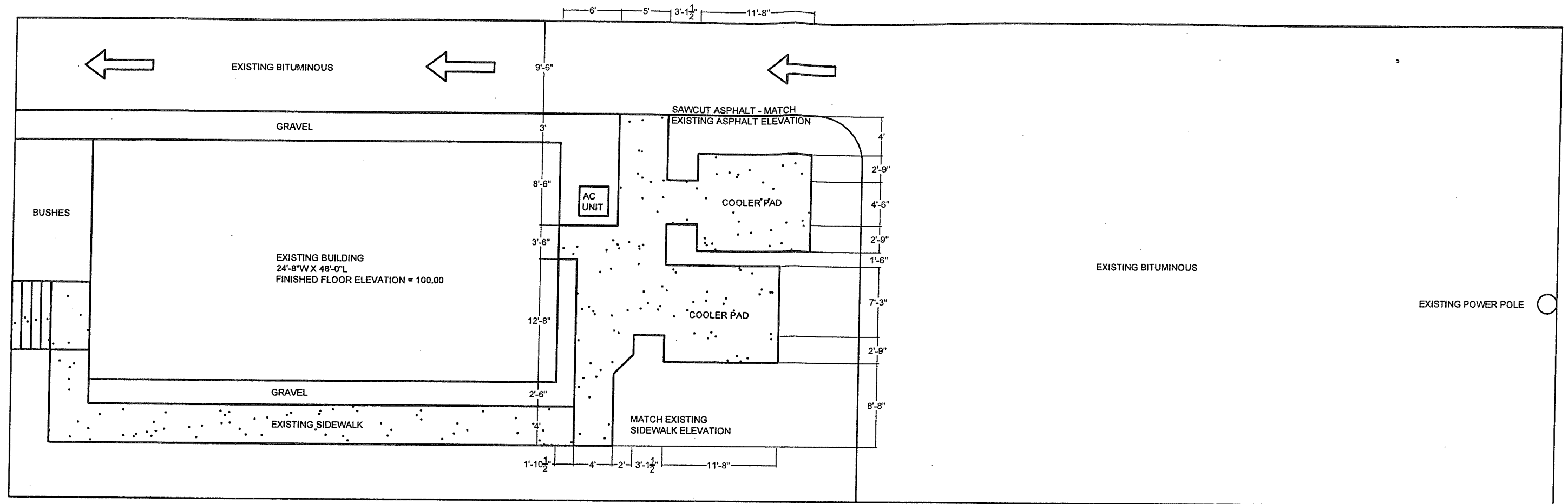
YES.



St. Vincent De Paul Food Bank
Distribution Facility
706 Court Street
Pekin, IL 61554



SCALE: 3/32" = 1'-0"

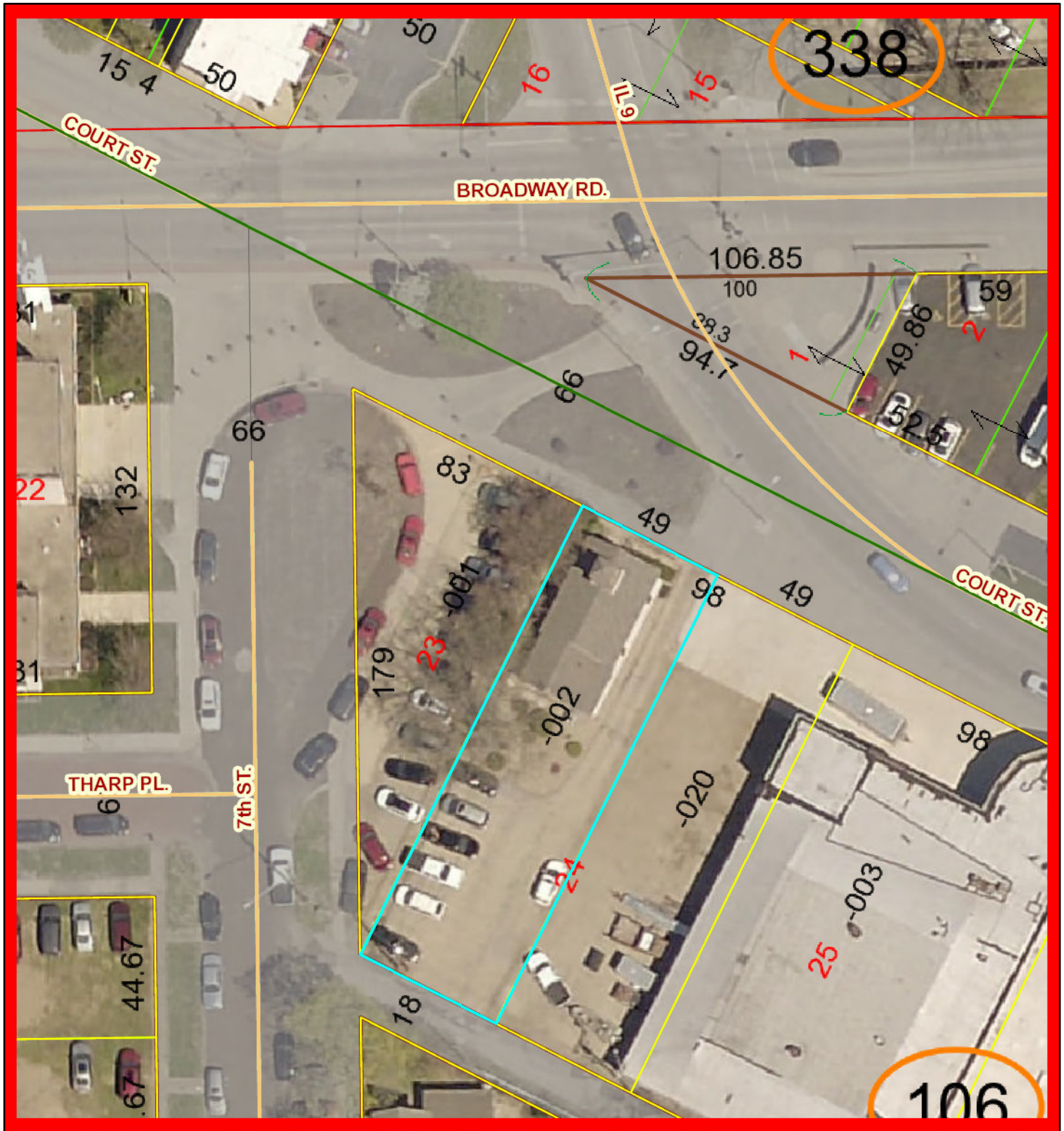


Bollards

St. Vincent De Paul Food Bank
Distribution Facility
706 Court Street
Pekin, IL 61554

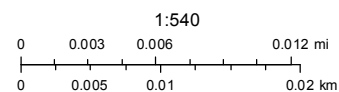
SCALE: 3/32" = 1'-0"

Tazewell County GIS



	I-155	Symbols		Tip 100	
	I-474		<all other values>		Tip 400
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Zoning Board of Appeals Review Sheet November 30, 2022

CASE V 2022-14

A variance request submitted by Christopher Larkner for setbacks at 1906 St. Clair Dr. Said property is zoned R-2 One Family Residential District with a legal description of SEC 12 T24N R5W SUNSET HILLS EXT 12 LOT 291 SE 1/4, with the following PIN: 10-10-12-401-012, in Tazewell County, Illinois

SUMMARY

Per Section 4-3-5-2(3)a., a private swimming pool must maintain a minimum distance of not less than 10 feet between the adjoining property line and the outside of the pool wall. Additionally, side yard setbacks apply if the side yard is greater than 10 feet.

Based on measurements from aerial imagery in GIS, the following variances are requested:

- Reduce rear yard 1 (east side) setback for accessory (pool) structure to 2 feet which is 33 feet closer than the required minimum of 35 foot listed for R-2 One-Family Residential District in 4-3-7-1(a).
- Reduce minimum distance for a private swimming pool to 2 feet which is 8 feet closer than the required minimum of 10 feet between the adjoining property line and the outside of the pool wall in 4-3-5-2(3)a.

STAFF NOTES

The applicant makes this request with the intent that should the pool potentially fail and need to be re-built, it will be moved closer to the house and thus further from the rear property line. Staff would like to note that the existing pool being approximately 24 feet in diameter would likely still require a variance for rear yard setback if the pool was located right next to the house as there is approximately 45 feet from the roofline to the rear property line.

In the request, the applicant also mentions issues with the location of electrical/plumbing sources to the pool. These will need to be remedied outside of the Board of Appeals process as it pertains to building code rather than zoning. For the matter of pool location only, staff recommends approval of the request.



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Board of Appeals Application for Consideration

Type of Request (check one): ☐ A. Special Use (\$85) ☒ B. Residential Variance (\$85) ☐ C. Non-Residential Variance (\$85) ☐ D. Map Amendment/Rezoning (\$75) ☐ E. Annexation (\$75)	Request Property Address or PIN: <u>10-10-12-401-012</u>
	Current Zoning (if known): _____
	Proposed Zoning (if rezoning request): _____
	Current Use: _____
	Proposed Use (if different): _____

Property Owner Name:	Christopher Larkner
Mailing Address:	1906 St. Clair Drive Pekin, IL, 61554
Phone:	(309) 696-6790
Alternative Phone:	(309) 267-0666
E-Mail Address:	larkner48@gmail.com

Applicant Name (if different):	
Mailing Address:	
Phone:	
Alternative Phone:	
E-Mail Address:	



Planning and Zoning Department
111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

Please summarize your request and explain why it is necessary:

I have just recently purchased this property with the pool already installed in the back yard. Recent discoveries found two code violations with the existing pool. One is it was put up to close to property line. Second was where the electric source was placed. The pool & electric was installed by previous owner of the home & no permit was on file with Tazwell Co. I would like to keep the pool as is with the understanding that if a new one is needed, permit will be filled & code violations are addressed & corrected

CERTIFICATION BY PROPERTY OWNER

I certify that I am the owner of the property, which is the subject of this request. I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief. If an applicant is signing below, that applicant has received my approval to proceed with this request.

A handwritten signature in black ink, appearing to be "C. Smith", written over a horizontal line.

Owner Signature

The date "11/3/22" handwritten in black ink over a horizontal line.

Date

CERTIFICATION BY THE APPLICANT (if different)

I certify that all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to be "C. Smith", written over a horizontal line.

Applicant Signature

The date "11/3/22" handwritten in black ink over a horizontal line.

Date

Property Information		
Parcel Number 10-10-12-401-012	Site Address 1906 ST CLAIR DR PEKIN, IL 61554	Owner Name & Address HALL, MELISSA L & BRYAN A 1906 ST CLAIR DR PEKIN, IL, 61554-0000
Tax Year 2020 (Payable 2021) ▼		
Sale Status None		
Property Class 0040 - Improved Residential Lot	Tax Code 10018 -	Tax Status Taxable
Net Taxable Value 49,820	Tax Rate 9.356850	Total Tax \$4,661.58
Township CINCINNATI	Acres 0.0000	Mailing Address
Legal Description SEC 12 T24N R5W SUNSET HILLS EXT 12 LOT 291 SE 1/4		
Public Notes C/E FOR DISABLED PERSON FOR 08		

Assessments						
Level	Homesite	Dwelling	Farm Land	Farm Building	Mineral	Total
DOR Equalized	9,840	47,980	0	0	0	57,820
Department of Revenue	9,840	47,980	0	0	0	57,820
Board of Review Equalized	9,840	47,980	0	0	0	57,820
Board of Review	9,840	47,980	0	0	0	57,820
S of A Equalized	9,840	47,980	0	0	0	57,820
Supervisor of Assessments	9,840	47,980	0	0	0	57,820
Township Assessor	9,840	47,980	0	0	0	57,820
Prior Year Equalized	9,840	47,980	0	0	0	57,820
Final values						

Billing									
Installment	Date Due	Tax Billed	Penalty Billed	Cost Billed	Drainage Billed	Total Billed	Amount Paid	Date Paid	Total Unpaid
1	06/01/2021	\$2,330.79	\$0.00	\$0.00	\$0.00	\$2,330.79	\$2,330.79	5/25/2021	\$0.00
2	09/01/2021	\$2,330.79	\$0.00	\$0.00	\$0.00	\$2,330.79	\$2,330.79	8/31/2021	\$0.00
Total		\$4,661.58	\$0.00	\$0.00	\$0.00	\$4,661.58	\$4,661.58		\$0.00

Exemptions						
Exemption Type	Begin Date	End Date	Renewal Date	Prorate Date	Requested Amount	Granted Amount
Disabled Person	1/1/2020	12/31/2020	2/19/2020		2,000	2,000
Owner Occupied	1/1/2020	12/31/2020	2/12/2020		6,000	6,000

No Farmland Information

No Forfeiture Information

No Genealogy Information

Related Names

Owner	HALL, MELISSA L & BRYAN A		
	1906 ST CLAIR DR		
	PEKIN, IL, 61554-0000		
Deed Document #	07-3435		
Mailing Flags	Tax Bill	Change Notice	
	Delinquent Notice	Exemption Notice	

Payment History

Tax Year	Total Billed	Total Paid	Amount Unpaid
2021	\$4,702.74	\$4,702.74	\$0.00
2020	\$4,661.58	\$4,661.58	\$0.00
2019	\$4,593.60	\$4,593.60	\$0.00

Show 18 More

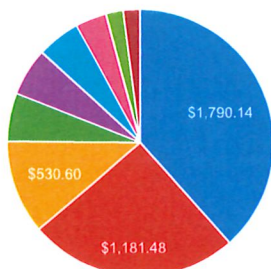
No Redemptions

Sales History

Year	Document #	Sale Type	Sale Date	Sold By	Sold To	Gross Price	Personal Property	Net Price
2022	202200013860	Warranty Deed	9/9/2022	BRYAN A. HALL	CHRISTOPHER LARKNER	\$187,000.00	\$0.00	\$187,000.00

Taxing Bodies

District	Tax Rate	Extension
GRADE SCHOOL 108	3.593210	\$1,790.14
HIGH SCHOOL 303	2.371490	\$1,181.48
PEKIN CORP	1.065030	\$530.60
TAZEWELL COUNTY	0.550840	\$274.42
PEKIN PARK DIST	0.541360	\$269.71
COMMUNITY COLLEGE 514	0.489300	\$243.77
PEKIN LIBRARY	0.353960	\$176.34
CINCINNATI RD & BR	0.202230	\$100.75
CINCINNATI TOWNSHIP	0.189430	\$94.37
TOTAL	9.356850	\$4,661.58



- GRADE SCHOOL 108
- HIGH SCHOOL 303
- PEKIN CORP
- TAZEWELL COUNTY
- PEKIN PARK DIST
- COMMUNITY COLLEGE 514
- PEKIN LIBRARY
- CINCINNATI RD & BR
- CINCINNATI TOWNSHIP

Search Agreement

Tazewell County GIS data herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County, Illinois. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk, and liability when accessing any third-party site linked to this site.

All data is subject to change.



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Site Address	IL 474	IL 98	Streets
TaxParcels	I-74	US 150	
I-155	IL 29	US 24	

Property Information

Parcel Number 10-10-12-401-012	Site Address 1906 ST CLAIR DR PEKIN, IL 61554	Owner Name & Address HALL, MELISSA L & BRYAN A 1906 ST CLAIR DR PEKIN, IL, 61554-0000
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No Genealogy Information

Related Names

Owner HALL, MELISSA L & BRYAN A
1906 ST CLAIR DR
PEKIN, IL, 61554-0000

Deed Document # 07-3435

Mailing Flags Tax Bill Change Notice
Delinquent Notice Exemption Notice

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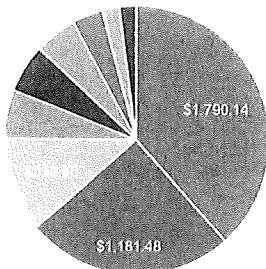
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- GRADE SCHOOL 108
- HIGH SCHOOL 303
- PEKIN CORP
- TAZEWELL COUNTY
- PEKIN PARK DIST
- COMMUNITY COLLEGE 514
- PEKIN LIBRARY
- CINCINNATI RD & BR
- CINCINNATI TOWNSHIP

Search Agreement

Tazewell County
records of Tazewell

PIN (no hyphens)

101012401012

ad herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public
presented and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per
Illinois Statute. The information contained herein is for reference purposes only and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein
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	I-155		IL 29		US 24
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Planning and Zoning Department

111 S. Capitol Street, Pekin, Illinois 61554 – (309) 477-2300

II. Payment: Payment of the amount indicated on the first page to accompany your application. If making payment via check, please make payment payable to the “City of Pekin”.

III. Variance: If requesting a variance, you must complete and attach this page to your application:

1. Variances are intended to relieve situations involving a hardship in meeting Zoning Code requirements. What is the hardship that this variance request is intended to relieve? Examples of hardships can include the topography of the lot, unique shape of the lot or other physical conditions that prevent the request from meeting the requirements of the Zoning Code.

The pool was installed several years prior to my purchase of the home. The pool now has known code issues. Will be very expensive to replace/move for compliance

2. Is the variance needed due to special and unique circumstances not caused by the applicant's or owner's own actions?

Installed prior to my ownership of the property.

3. Should the request be approved, will the variance negatively impact adjoining properties in any way?

Not that I am aware of.

4. Will the variance be consistent with the purpose and intent of the Zoning Code and not alter the essential character of the locality?

Yes. If at anytime the pool needs replaced, a new one is planned to be installed permits will be filled, & location of pool will become code compliant

5. Does the benefit(s) of granting the variance outweighs any anticipated negative impacts to the surrounding properties (if any)?

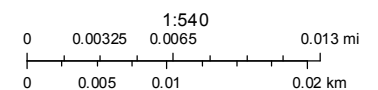
Yes, if not granted it must be removed may cause water damage or landscape damage from climatic shifts in temperatures outside.

Tazewell County GIS



- | | | |
|-------|--------|---------|
| I-155 | IL 29 | US 24 |
| I-474 | IL 98 | Streets |
| I-74 | US 150 | |

Tazewell County GIS parcel and map records contained herein are for property tax purposes only. This information has been compiled from the most accurate source data from the public records of Tazewell County. This information must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Illinois Statute. The information contained herein is for reference purposes only, and should not be relied upon as a substitute for a title search. Any reliance on the information contained herein is at the user's own risk. The Tazewell County GIS assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. Users of Tazewell County GIS site assume all risk and liability when accessing any third-party site linked to this site. All data is subject to change.



ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING REGULATIONS FOR SHORT-TERM
RENTALS AND UPDATING RELATED REGULATIONS
UNDER THE PEKIN CITY CODE**

WHEREAS, the City of Pekin recognizes that the use of online booking platforms for vacation and short-term rentals has become commonplace across the nation and in Illinois, and as a result, vacation and short-term rentals are occurring within the City; and

WHEREAS, the City of Pekin has determined that regulating the renting and use of short-term rental property within the City of Pekin is necessary for the purpose of protecting public health and safety; and

WHEREAS, the City Council finds that adopting short-term rental regulations and related amendments to the Pekin City Code as set forth herein serves the best interests of the City of Pekin and its citizens;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. Chapter 4, Article III, Division 5, Section 2-3 of the Pekin City Code is amended by inserting a new subsection (17) as follows.

(17) *Short-Term Rentals.* Short-Term Rentals as defined in Section 5-1-19-1 of the Pekin City Code shall be permitted, provided that the owner of the property has complied with all applicable regulations and licensing requirements, including all regulations and licensing requirements set forth in Division 19 of Chapter 5 of the Article of the Pekin City Code pertaining to Short-Term Rentals.

Section 2. Chapter 4, Article III, Division 5, Section 3-3 of the Pekin City Code is amended by inserting a new subsection (a)(7) as follows.

(7) *Short-Term Rentals.* Short-Term Rentals as defined in Section 5-1-19-1 of the Pekin City Code shall be permitted, provided that the owner of the property has complied with all applicable regulations and licensing requirements, including all regulations and licensing requirements set forth in Division 19 of Chapter 5 of the Article of the Pekin City Code pertaining to Short-Term Rentals.

Section 3. Chapter 4, Article III, Division 5, Section 4-3 of the Pekin City Code is amended by inserting a new subsection (5) as follows.

(5) *Short-Term Rentals.* Short-Term Rentals as defined in Section 5-1-19-1 of the Pekin City Code shall be permitted, provided that the owner of the property has complied with all applicable regulations and licensing requirements, including all regulations and licensing

requirements set forth in Division 19 of Chapter 5 of the Article of the Pekin City Code pertaining to Short-Term Rentals.

Section 4. Chapter 4, Article III, Division 5, Section 5-3 of the Pekin City Code is amended by inserting a new subsection (9) as follows:

(9) *Short-Term Rentals.* Short-Term Rentals as defined in Section 5-1-19-1 of the Pekin City Code shall be permitted, provided that the owner of the property has complied with all applicable regulations and licensing requirements, including all regulations and licensing requirements set forth in Division 19 of Chapter 5 of the Article of the Pekin City Code pertaining to Short-Term Rentals.

Section 5. Chapter 4, Article III, Division Six, Section 4-3 of the Pekin City Code is amended by inserting a new subsection (8) as follows:

(9) *Short-Term Rentals.* Short-Term Rentals as defined in Section 5-1-19-1 of the Pekin City Code shall be permitted, provided that the owner of the property has complied with all applicable regulations and licensing requirements, including all regulations and licensing requirements set forth in Division 19 of Chapter 5 of the Article of the Pekin City Code pertaining to Short-Term Rentals.

Section 6. Chapter 5, Article I of the Pekin City Code is hereby amended by the addition of a new Division 19 pertaining to regulation of short-term rental property as follows.

DIVISION 19. - SHORT-TERM RENTALS

5-1-19-1. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section except where the context clearly indicates that a different meaning is intended:

Guestroom shall mean a room within a structure kept, used, or maintained as or advertised or held out to the public to be in a short-term rental, as defined in this division, where sleeping or rooming accommodations are furnished for payment.

Short-Term Rental shall mean **a residence, property, or structure, with no more than five (5) guestrooms, that is used for overnight accommodations and is available for rent by transient guests for a period shorter than 30 consecutive days. The term “short-term rental” shall include house boats and similar floating vessel. The term “short-term rental” does not include hotels as defined in section 7-1-5 of the Pekin City Code, food service**

establishments, or Bed and Breakfast establishments as defined under the Bed and Breakfast Act (50 ILCS 820/1, *et seq.*).

Structure shall include floating vessels.

5-1-19-2. License required.

(a) No person, partnership, corporation, or association, either as owner or agent, or in any other capacity, shall operate or permit to be operated a short-term rental without having first obtained a license to do so. Licenses shall be issued for a period of one year from the date of issuance, unless sooner revoked. No licenses shall be transferable to another person or location.

(b) No license shall be issued or annually renewed for a short-term rental delinquent in payment of the hotel/motel room renting tax to the city as provided by this Title.

5-1-19-3. Residential/commercial use distinguished.

(a) Residential Code Applicable: For purposes of the housing regulations of the city, a short-term rental shall be considered a dwelling unit and shall conform to all the requirements of Division 3 of Chapter 4 of the Pekin City Code.

(b) State Tax Requirements: The owner of any Short-Term rental shall be responsible for complying with all applicable Illinois Department of Revenue requirements regarding the payment of taxes, including payment of all applicable hotel taxes.

(c) City Tax Requirements: For purposes of the City's Hotel/Motel transient rental unit tax, a guestroom within a short-term rental when rented individually, or the entire short-term rental when the entire property or structure is rented as a whole, shall be considered a "hotel room" and shall be subject to said tax pursuant to section 7-1-5(b) of the Pekin City Code. The owner of the short-term rental shall collect and remit to the City such hotel taxes in compliance with all terms and requirements of section 7-1-5 of the Pekin City Code and shall be subject to all other requirements and provisions set forth in said chapter as if being the owner of a hotel or motel within the city. No owner shall willfully fail to file tax returns with the city showing hotel tax receipts received for each guestroom or to make such payments as required pursuant to section 7-1-5 of the Pekin City Code.

5-1-19-4. Application.

An application for a short-term rental license required by this chapter shall be made in writing to the City Clerk, which shall set forth the following:

(a) The name, address, and phone number of the individual, partnership, corporation, or association applying for the license. If the proposed licensee is an entity other than an individual, the officer's name and residence address shall be furnished;

(b) The address and legal description of the proposed short-term rental;

(c) A drawing of the site showing:

(1) The location of all existing structures in relation to the property lines; and

(2) The location of all existing and proposed parking areas and driveways in relation to the property lines and structures;

(d) Existing floor plans of all structures on the property;

(e) Any other information as may be required to determine compliance with this chapter.

5-1-19-5. Inspections

Upon receiving a copy of the completed initial application for a license, the City Building Inspector and the City Fire Department shall inspect the Property that is the subject of an application for Short-Term Rental license to determine whether it is in compliance with all applicable building and life safety requirements and shall render a written report to the Clerk; thereafter, inspections may be made at any time. The fee for the initial inspection and all subsequent inspections shall be \$25.00.

5-1-19-6. Issuance of license.

(a) Requirements: Code Enforcement Division of the Pekin Police Department shall issue a short-term rental license when it is determined that all of the following requirements have been met:

(1) When applicable, a special use issued under the Pekin Zoning Code for the short-term rental has been approved;

(2) Compliance with all applicable state and local fire standards, including Section 3-5-2-1 of the Pekin City Code, and with the provisions of this chapter;

(3) Compliance with all applicable housing standards set forth in Division 3 of Chapter 4 of the Pekin City Code;

- (4) The licensee shall maintain minimum liability insurance coverage of five hundred thousand dollars (\$500,000.00) for each individual and one million dollars (\$1,000,000.00) for each occurrence. The licensee shall submit a certificate of liability insurance prior to the issuance of the license. Failure to maintain minimum liability insurance shall result in automatic revocation of the short-term rental unit license;
- (5) When applicable, the licensee shall submit a certificate of registration from the Illinois Department of Revenue for payment of any applicable state hotel and retail sales taxes; and
- (6) The licensee shall have registered with the City in conformity with the requirements set out in Division 2 of Article I of Chapter 5 of the Pekin City Code.
- (7) Payment of a \$25.00 initial inspection fee. In the event the City conducts any subsequent inspections pursuant to section 5-1-19-5 of this Code, failure to pay the \$25.00 subsequent inspection fee shall be grounds for revocation of the license granted under this subsection.
- (8) Designation of an authorized agent for property management responsible for upkeep and oversight of the premises comprising the short-term rental.

(b) License Displayed: Once the license is issued, the licensee shall display the license at all times in a location easily viewed by guests and prospective guests of the short-term rental.

5-1-19-7. Food service.

If food and beverages service is offered at the short-term rental, the owner shall comply with all requirements set forth in Section 4 of the Bed and Breakfast Act (50 ILCS 820/4), as amended from time to time.

5-1-19-8. Soap, towels, linens.

Each person who is provided accommodation shall be provided soap and clean individual bath cloths and towels. Clean bed linens in good repair shall be provided for each guest who is provided accommodations and shall be changed between guests and as often as necessary. Clean linen shall be stored and handled in a sanitary manner.

5-1-19-9. Fire prevention / life safety requirements.

A short-term rental unit shall meet or exceed the life safety requirements set forth 2015 International Fire Code, as adopted by the City (see section 3-5-2-1). This shall also include:

(a) Interlinked (either through direct wiring or wireless interaction) smoke detectors in every guestroom and on every floor occupied by a short-term rental guest or as otherwise approved by the Fire Chief (or his designee);

(b) Carbon monoxide detection within 15 feet of every guestroom and on every floor occupied by a short-term rental guest;

(c) At least one sufficiently sized fire extinguisher on each floor occupied by a short-term rental guest that is properly mounted or installed and inspected by a State of Illinois licensed contractor or with a receipt of purchase within the last calendar year; and

(d) The owner shall be responsible for maintaining records to indicate that all smoke and carbon monoxide detectors have been tested for proper operation on a monthly basis.

5-1-19-10. Driveway.

The driveway or parking area serving the short-term rental shall be large enough to accommodate one (1) vehicle for each guestroom in addition to the parking required for owner's vehicles.

5-1-19-11. Exterior display.

There shall be no exterior display on the zoning lot which contains the short-term rental to indicate the existence of the short-term rental.

5-1-19-12. More than five guestrooms prohibited.

No short-term rental shall be permitted in the city that contains more than five (5) guestrooms.

5-1-19-13. Maximum stay.

No guest may stay in the short-term rental for more than twenty-nine (29) consecutive days.

5-1-19-14. Number of persons on premises.

The short-term rental premises shall not be used for gatherings of persons or special events in excess of two (2) persons over the number of guests in a guestroom when guests are renting one or more guestrooms as a short-term rental or in excess of five (5) persons over the number of guests staying at the short-term rental when the entire structure or property is being rented as the short-term rental.

5-1-19-15. Violation; revocation or suspension of license.

Short-term rental licenses may be revoked or suspended temporarily by the Mayor in accordance with section 5-1-1-11 of the Pekin City Code for failure by the licensee or any agent of the licensee to comply with the requirements of this chapter or any provision of this Code relating to such license, including the failure to secure the same or the intentional misrepresentation as to any material fact upon the application therefor, in any case where the licensee refuses to permit any duly authorized employee of the city or the county to inspect the premises or the operations therein, if the licensee fails to pay any applicable city tax or fee, or for violation or of any state or federal law relating the property and occupation and operation thereof.

5-1-19-16. Violation and penalty.

Any person, partnership, corporation, or association, who operates or maintains a short-term rental without first obtaining a license and paying a license fee to do so from the city, or otherwise violates any of the provisions of this chapter, shall be punished by a fine not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00). Each day in which a violation continues shall constitute a separate offense.

Section 7. This Ordinance is hereby ordered to be published in pamphlet form by the Pekin City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 8. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 9. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 10. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY,
ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF
_____, 2022.**

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel

ORDINANCE NO. _____

**AN ORDINANCE REGARDING THE ESTABLISHMENT OF FOOD PANTRIES IN
RESIDENTIAL ZONES**

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council desires to make certain amendments to the Zoning Code to regulate the establishment of food pantries and donation centers within residential zones in the City; and

WHEREAS, the Pekin Zoning Board of Appeals has reviewed and recommended approval of the amendments proposed herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:**

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 4, Article III, Division 5, Subdivision II, Section 2(2)(c) of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~strikethrough~~):

c. The following are prohibited as home occupations:

1. Automobile repair or paint shops.
2. Barbershops and beauty parlors.
3. Dance studios.
4. Private clubs.
5. Repair shops which may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.
6. Restaurants.
7. Stables or kennels.
8. Tourist homes.

9. Food pantries, food banks, donation centers, and other similar enterprises, on any lot whose primary structure is used as a residential dwelling. For purposes of this subsection, the term “donation center” shall mean a location that an individual, non-profit entity, or for-profit business utilizes to (1) accept contributions from the public or (2) distribute goods or money free of charge to the public more than four times per calendar year. For purposes of this subsection, “food pantry” shall mean a location that an individual, non-profit entity, or for-profit business utilizes to distribute food free of charge to the public more than four times per calendar year. For purposes of this subsection, “food bank” shall mean a location that an individual, non-profit entity, or for-profit business utilizes to provide food or edible commodities, or the products of food or edible commodities, to food pantries or other similar entities that, as an integral part of their normal activities, provide meals or food to the public free of charge.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 20____; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 20____

Mayor

ATTEST:

City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE _____ DAY OF _____, 20____ ADOPTED ORDINANCE NO. _____ A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

(SEAL)

CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE REVISING THE ZONING CODE FOR THE CITY OF PEKIN

WHEREAS, the City of Pekin has previously enacted a zoning code; and

WHEREAS, the existing zoning code designates that certain functions shall be performed by an official referred to as the “Code Enforcement Officer”; and

WHEREAS, the City of Pekin has eliminated the position of “Code Enforcement Officer” and replaced it with a position called “Chief Building Official”; and

WHEREAS, the City Council finds that it is necessary and appropriate to amend the zoning code to replace references to the “Code Enforcement Officer” with references to “Chief Building Official.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 4, Article I, Division 3, Section 2 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-1-3-2. Additions, insertions, and changes.

The following items are additions, insertions and changes to the International Residential Code for One- and Two-Family Dwellings:

Revisions to the International Residential Code for One- and Two-Family Dwellings

Section	Change
Section R101.1	Insert: City of Pekin Section R-104.0 the first sentence shall read as follows:
Section R-104.1	Authority: The <u>Chief Building Official</u> Code Enforcement Officer of the City of Pekin and the various inspectors under his supervision are hereby authorized and directed to administer and enforce all of the provisions of this code and there is hereby conferred upon them the general powers to do so."
Section R105.2	Work exempt from permit. The following items shall be removed: Under Building - 1,2, 5 & 9; Under Mechanical - 4
Section R108.2	Insert: "Permit fees as set forth in the City Code."
Section R113.4	Insert at end: "shall be guilty of a violation of this Ordinance punishable by a fine of not less than \$100.00 and not more than \$500.00. Upon a second or subsequent violation the fine shall be not less than \$500.00 nor more than \$1,000.00. Each day that a violation continues shall be deemed a separate

	offense." In place of "shall be subject to penalties as prescribed by law."
Section R114.2	Insert at end: "shall be subject to penalties as follows, first violation: "\$100.00; second violation "\$500.00; and upon a third or subsequent violation, the fine shall be not less than \$300.00 nor more than \$500.00. Each day that a violation continues shall be deemed a separate offense." In place of "shall be subject to penalties as prescribed by law."
Section R310.4	Delete: "are permitted to be placed"
Section R310.4	Insert: "shall be placed"
Section R313.2	Delete.
Section R313.2.1	Delete.
Section R402.1	Delete.
Section R402.1.1	Delete.
Figure R403.1 (2)	Delete.
Figure R403.1 (3)	Delete.
Section R403.2	Delete.
Section R404.2	Delete.
Section R404.2.1	Delete.
Section R404.2.2	Delete.
Section R404.2.3	Delete.
Table R404.2.3	Delete.
Section R404.2.4	Delete.
Section R404.2.5	Delete.
Section R404.2.6	Delete.
Section R405.2	Delete.
Section R405.2.1	Delete.
Section R405.2.2	Delete.
Section R405.2.3	Delete.
Section R406.3	Delete.
Section R406.3.1	Delete.
Section R406.3.2	Delete.
Section R406.3.3	Delete.
Section R406.3.4	Delete.
Section R602.4	Insert: "Interior load-bearing walls that contain plumbing piping, flues or ducts shall be constructed of a minimum of two-inch by six-inch lumber."
Section R602.5	Insert: "Interior non-load-bearing walls that contain plumbing piping, flues or ducts shall be constructed of a minimum of two-inch by six-inch lumber."
Section R806.3	Insert: "Insulation baffles. Where eave vents are provided, insulation baffles shall be installed between the rafters at the eaves to maintain air flow from the soffit vents."

Chapters 11—22, 24—32, 34—41 and 43	Delete.
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Section 3. Chapter 4, Article I, Division 5, Section 2 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-1-5-2. Additions, insertions and changes.

The following items are the additions, insertions and changes to the International Mechanical Code:

Revisions to the International Mechanical Code

Section	Change
Section 101.1	Insert: "City of Pekin."
Section 106.2	Delete: Work exempt from permit. The following items shall be removed: #4
Section 106.5.2	Insert: "The fees for all mechanical work as set forth in the City Code"
Section 106.6 shall read as follows:	
Section 106.6	Insert: Licenses: Any person, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, the installation of which is regulated by this Code, or to cause such work to be done, shall first obtain a license as described herein.
Section 106.6.1	Application and Examination for License: No person shall be granted an HVAC contractor license unless he meets the following minimum requirements:
	A. He shall make application for the license on a form to be provided by the HVAC Inspector and shall provide such information and pay a fee as set forth in the City Code, to administer the examination.
	B. He shall complete a written test provided by the HVAC Inspector and approved by the <u>Chief Building Official Code Enforcement Officer</u> and shall obtain a passing score as established by the HVAC Inspector and <u>Chief Building Official Code Enforcement Officer</u> .
	C. He shall warrant to the City of Pekin and to each of his customers that all heating, ventilation, air conditioning and air filtration equipment, appliances and systems installed or maintained by him or his agents or employees will be done in such manner as to meet the minimum requirements of the Code.
	D. He shall deposit with the application for an HVAC license proof of liability insurance coverage with policy limits of not less than \$100,000.00 to \$300,000.00, which said liability insurance policy shall be so endorsed as to indemnify and

	save harmless the City from the result of any acts of the registered contractor by virtue of the HVAC license issued to said contractor by the City. In addition thereto, there shall be deposited with the application for an HVAC license, a license or permit bond signed by two or more sureties or by a responsible surety company, to be approved by the <u>Chief Building Official</u> Code Enforcement Officer , in the sum of \$10,000.00 conditioned to indemnify and save harmless the City from the result of the licensed contractor not complying with the laws and ordinances, including all amendments thereto, pertaining to the certificate of registration and regulating the business of HVAC contractor.
	E. A license granted shall be effective for a period of one year beginning on January first and shall be renewed the first of each year. Any applicant applying after June 30 will be charged at one half the annual rate for the balance of that year. Annual License Fee: \$100.00 per year.
Section 106.6.2	Partnerships and Corporations: An HVAC contractor license may be issued only to an individual person. In the case of partnerships or corporations, licenses shall be required of one of the partners or officers of the corporation, as the case may be.
Section 106.6.3	Reciprocal License Agreements: The <u>Chief Building Official</u> Code Enforcement Officer may enter into reciprocal licensing agreements with other cities or licensing authorities whenever the requirements in those jurisdictions for similar licensing are equal to or higher than those of the City.
Section 107.7 shall read as follows:	
Section 107.7	Annual Inspections: The owner or operator, as the case may be, of each unit of fuel-burning equipment, regardless of whether or not an operating certificate has been previously been issued, shall submit each unit of equipment for inspection by the Department of Inspection Services once each year to ascertain whether or not such equipment is being operated within the provisions of this Code, except that no annual inspection shall be required of furnaces or other fuel-burning equipment or devices installed to heat dwellings using less than 360,000 BTU output. The annual inspection shall not preclude other inspections by the Fire Department of the City of Pekin or the Department of Inspection Services as may be necessary to ensure public health and safety.
	Annual inspection fee shall be as set forth in the City Code.
	Where more than one apparatus is located in the same building, the fee for the first apparatus shall be at the full fee, and the others shall be at half the full fee.

	If at the time of any inspection it is found that the equipment is in such condition that it cannot be operated in compliance with this Code, the Building Official shall cause written notice to be given to the owner, agent, occupant, manager or lessee or any such premises or equipment, setting forth wherein this Code is being violated, and also setting forth the recommendations for correcting such violation and the time, not exceeding 30 days, in which to bring the apparatus into compliance within the time specified, the HVAC inspector, with the approval of the <u>Chief Building Official Code Enforcement Officer</u>, may order operation of the apparatus stopped and sealed from further operation until the apparatus meets the provision of the Code. In any event, whenever the health or safety of any of the public are substantially and imminently endangered by noncompliance with this Code, the HVAC inspector, with the approval of the <u>Chief Building Official Code Enforcement Officer</u>, shall order operation of the apparatus stopped and shall seal the apparatus until compliance is achieved.
Section 108.4 shall read as follows:	
Section 108.4	Insert: Violation Penalties: Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical equipment or systems in violation of an approved construction document or directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a violation of this Ordinance, punishable by a fine of not less than \$250.00 nor more than \$750.00; and on a second violation by a fine of not less than \$500.00 nor more than \$1,000.00. With a second violation, the permit for the job will be pulled and the person in violation will have his City issued license suspended. Each day that a violation continues shall be deemed a separate offense.
Section 108.5 shall read as follows:	
Section 108.5	Insert: Stop Work Orders: Upon notice from the Code Official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that

	person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00 or more than \$1,000.00.
Section 201.3	Delete. "All references to the International Plumbing Code and replace with the Illinois Plumbing Code, most current edition."
Section 301.10	Delete: "NFPA 70"
Section 301.10	Insert: "National Electric Code, most current edition."
Section 301.11	Delete: "International Plumbing Code"
Section 301.11	Insert: "Illinois State Plumbing Code, most current edition"

Section 4. Chapter 4, Article I, Division 10, Section 4 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-1-10-4. Right of entry.

The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Illinois-American Water Company, or its successor, for the purpose of verifying the presence of cross-connections, and that the Plumbing Inspector for the City, or his authorized agent, shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Illinois-American Water Company, or its successor, for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees or occupants of any property so served shall furnish to the Plumbing Inspector for the City, or his authorized agent, any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Chief Building Official ~~Code Enforcement Officer~~ or Plumbing Inspector for the City, or their authorized agent, be deemed evidence of the presence of improper connections as provided in this Division.

Section 5. Chapter 4, Article 2, Division 2, Section 6 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-2-2-6. Final plat.

The procedure for preparation and review of a final plat shall be as follows:

- (1) *Final plat filing.* Two permanent copies (either linen or Mylar no heavier than four mils); seven paper prints and one computer media (CD or floppy disk) in AutoCAD drawing or ArcInfo shapefile format of the final plat shall be filed by the developer with the City Clerk and shall deposit with the City Clerk such sum of money as the Governing Body may require, as shall be set by resolution of the Governing Body, to provide for the expense of inspection of lands and review of the final plat. The City Clerk shall forward a print of the final plat to the City Engineer and the Chief Building Official ~~Code Enforcement Officer~~.
- (2) *Contents of final plat.* The final plat shall contain the following information:

- a. *Description.*
 - 1. Name of proposed subdivision.
 - 2. Minimum scale (one inch to 100 feet), north arrow and date of preparation.
 - 3. Correct legal description of property involved.
 - b. *Existing conditions.*
 - 1. Total acreage of subdivision.
 - 2. The location of all present property lines, pertinent section lines and streets that are to remain the same within the area being subdivided.
 - c. *Proposed conditions.*
 - 1. Location, width and names of all proposed streets and walkways.
 - 2. All dimensions, linear (to the nearest one-hundredth of a foot) and angular (to the nearest second of arc), necessary for locating the boundaries of the subdivision, lots, streets, easements and other areas for public or private use.
 - 3. Location of all survey monuments and their descriptions.
 - 4. Layout and scale dimensions of all lots, including minimum front setback lines and lot numbering.
 - 5. Show all sections lines and corners within or abutting the subdivision.
 - d. *Additional information.*
 - 1. Street jog offset dimensions at intersecting streets where the centerline offset is less than 125 feet.
 - 2. Name and widths of adjoining streets.
 - 3. Radii, arcs or central angle, points of tangency and central angles for all curvilinear streets and radii for rounded corners; to include the location of PT and PC points from the nearest lot line.
- (3) *Certificates.*

- a. The following certificates shall appear on all plats within the jurisdiction of the City:
 - 1. "Declaration of ownership and dedication," being a statement by the proprietors and spouses, if any, or a duly authorized attorney, of the ownership of the land being subdivided, an acknowledgement of the correctness of the plat in accomplishing the uses and purposes of the proprietor, and dedicating the streets and utility easements, if any, to the public. The wording of this declaration and dedication shall be substantially as follows:

State of Illinois

County of Tazewell (or Peoria)

Declaration and dedication of _____ subdivision to the City of Pekin, Tazewell County and Peoria County, Illinois

_____, does hereby certify that he is the proprietor of the land shown on the accompanying plat, and does hereby certify that he has caused the survey and subdivision thereof to be made as shown on the accompanying plat and to be known as _____ in the City of Pekin, Tazewell County and Peoria County, Illinois, and acknowledges said survey to be correct to the best of his knowledge and belief, and he hereby dedicates the streets and utility easements shown on said Plat to the public use forever. Easements, as shown by dashed lines and marked utility easements on said plat, are hereby reserved for the use of all public utility companies to install, lay, construct, operate, maintain, renew and/or remove underground water mains, sewer pipes, gas pipelines, electric and telephone cables or conduits with all necessary aboveground transformer and service pedestal installations, with the further right to install and maintain overhead electric and telephone pole and wire-line installations with all necessary braces, guy wires, anchors and other appliances for the purpose of serving the subdivision and adjoining properties with water, sewer, gas, electric and telephone service, including the right to use the streets where necessary and to overhang or bury across all lots service wires, pipeline and/or cables to serve adjacent lots, together with the right to enter upon the lots at all times to install, operate and maintain said utility facilities and to trim or remove any trees, shrubs or saplings that interfere or threaten to interfere with said utility facilities.

No permanent buildings or trees shall be placed on said easements, but said easements may be used for gardens, shrubs, landscaping and other purposes that do not interfere with the use of said easements for public utility purposes.

Dated at Pekin, Illinois, this _____ day of _____, A.D. _____

(The signatures above are to be duly attested on the plat by a notary public.)

- 2. Certificate of a registered Illinois land surveyor, attesting to the accuracy of the survey and the correct location of all monuments shown and all applicable requirements of Illinois Statutes.
- 3. Certificate of County Clerk:
 - State of Illinois
 - County of Tazewell (or Peoria)

I, _____, County Clerk of the aforesaid county, do hereby certify that I have this day examined the tax records of the property shown on the attached plat, and find no delinquent general taxes, unpaid current general taxes, nor delinquent special assessments against the tract of land shown on said plat.

Given under my hand and seal of said County, this ____ day of _____, A.D. ____.

County Clerk	
Deputy Clerk	

4. Following the signature of previously mentioned certificates, the developer shall take the final plat to the Tazewell County or Peoria County Recorder's Office for recording.
- b. The following certificate shall appear on all plats of subdivisions located within the City limits of Pekin:

State of Illinois

County of Tazewell (or Peoria)

I hereby certify that by Resolution No. ____ adopted by the City Council of the City of Pekin, Tazewell County and Peoria County, Illinois, at its regular meeting held on the ____ day of _____, A.D.____, the above plat of _____ subdivision was approved and the streets and easements shown thereon were accepted.

City Clerk	
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- c. The following certificate shall appear on all plats of subdivisions lying outside of the City limits of Pekin and within 1½ miles of the corporate limits thereof:

State of Illinois

County of Tazewell (or Peoria)

I hereby certify that the above preliminary plat lying within 1½ miles of the City of Pekin of _____ meets with all requirements.

City of Pekin	
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(4) *Final plat review.*

- a. No final plat review will be performed until as-built drawings detailing final locations of developer installed underground utilities (e.g., water, sanitary sewers, and storm sewers) are submitted to the City.
- b. The final plat shall be reviewed by the City Engineer, and the Chief Building Official ~~Code Enforcement Officer~~ as to compliance with the approved preliminary plat, plans for utilities and other improvements and the other requirements of this Article.
- c. The City Engineer, and the Chief Building Official ~~Code Enforcement Officer~~ shall notify the City Clerk of their recommendations for either approval or rejection of the final plat. The City Clerk shall report the recommendations to the Governing Body.
- d. When a person submitting a plat of subdivision or resubdivision for final approval has supplied all drawings, maps and other documents required by the Municipal ordinances to be furnished in support thereof, and if all such material meets the Municipal requirements, the corporate authorities shall approve the proposed plat within 60 days from the date of filing the last required documents or other paper or with 60 days from the date of filing application for final approval of the plat, whichever date is later. The applicant and the corporate authorities may mutually agree to extend the 60-day period.
- e. Upon the approval of the final plat by the Governing Body, three prints of the final plat shall be forwarded: one to the City Clerk; one to the Zoning Board of Appeals; and one to the Building Inspections Division. The original copies shall be forwarded to the City Clerk for distribution to appropriate agencies.
- f. Upon receipt of the final plat from the Governing Body, the Building Inspections Division shall cause the final plat to be recorded in the form approved by the Governing Body.

Section 6. Chapter 4, Article 3, Division 8, Section 14 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 4-3-8-14. Site plan review (all districts).

- (a) *Application.* The Building Inspector shall require that all applications for building permits shall be accompanied by plans and specifications, including a site plan, as provided for in Section 4-3-2-1-4.
- (b) *Submission.* A site plan shall be submitted to the Zoning Board of Appeals for approval of:
 - (1) Any use or development for which the submission of a site plan is required by any provision of this Article.
 - (2) Any development, except single-family and two-family residential, for which off-street parking areas are provided as required.
 - (3) Any use in a RM-1, RM-2, RM-3, OS-1, B-1, B-2, B-3, I-1 or I-2 District lying contiguous to or across a street from a single-family residential district.

- (4) Any use, except single- or two-family residential, which lies contiguous to a major thoroughfare or collector street.
- (5) All residentially related uses permitted in single-family districts, such as, but not limited to, churches, schools and public facilities.
- (6) Building additions or accessory buildings shall not require Zoning Board of Appeals review unless off-street parking in addition to that already provided on the site is required.
- (7) All site plans for other than RM uses as required to be reviewed in Subsections (b)(1) through (4) of this Section shall be reviewed by the Building Inspections Division and shall not require Zoning Board of Appeals review, unless such use requires review as in a special use or is specifically referred to the Zoning Board of Appeals for review by the Building Inspections Division or the City Council.
- (8) When site plans are submitted to the City indicating a development containing office space, or a business or an industrial use which will not require City of Pekin Zoning Board of Appeals review, and will abut single-family or duplex residential uses, the property owners within 150 feet of the lot or parcel that is proposed to be developed shall receive individual notification of the site plan submittal and of their opportunity to meet with City staff for discussion of the proposed site plan. Such notice shall be by direct mail. Additionally, a non-legal section notice shall be placed in a newspaper of general circulation, a minimum of three days prior to the scheduled meeting date. Upon the submission of such site plan, the owner shall pay a filing and review fee of \$85.00.

The appropriate City staff, as well as at least one City Councilmember, shall then meet with all interested property owners in the affected area or community at large, in order to discuss the proposed development and review the site plan. The minutes of the meeting shall be recorded and copies to the City Clerk, the City Manager, the Mayor and all City Councilmembers.

- (b) *Review.* Every site plan submitted to the Zoning Board of Appeals shall be in accordance with the requirements of this Article. No site plan shall be approved until same has been reviewed by the Building Inspections Division and by the Fire Department. Review of site plans by the Fire Department shall include such recommendations with regard to building spacing as may be required by the Building Code relative to fire-resistant construction. Such review by the Building Inspections Division and Fire Department shall be made prior to submitting such plans to the Zoning Board of Appeals.
- (c) *Required information.* In addition to the information required for the City staff checklist, the following information shall be included on the site plan:
 - (1) A scale of not less than one inch equals 50 feet if the subject property is less than three acres and one inch equals 100 feet if three acres or more.
 - (2) Date, north point and scale.
 - (3) The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - (4) The location of all existing and proposed structures on the subject property and all structures within 100 feet of the subject property.

- (5) The location of all existing and proposed drives and parking areas.
 - (6) The location and right-of-way widths of all abutting streets and alleys.
 - (7) The names, addresses, and phone numbers of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
- (d) *Consideration.* In the process of reviewing the site plan, the Zoning Board of Appeals, Building Inspections Division, Fire Department and Public Works Department will consider:
- (1) The location and design of driveways providing vehicular ingress to and egress from the site in relation to streets giving access to the site and in relation to pedestrian traffic.
 - (2) The traffic circulation features within the site and location of automobile parking areas and may make such requirements with respect to any matters as will assure:
 - a. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.
 - b. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
 - (3) The Zoning Board of Appeals, Building Inspections Division, Fire Department, and Public Works Department, may further require landscaping, fences and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
 - (4) In those instances wherein the Zoning Board of Appeals, Building Inspections Division, Fire Department and Public Works Department find that an excessive number of ingress and/or egress points may occur with relation to major streets or any thoroughfares, thereby diminishing the carrying capacity of the thoroughfare, the Zoning Board of Appeals may recommend marginal access drives. For a narrow frontage which will require a single outlet, the Zoning Board of Appeals may recommend that money or suitable bond be placed in escrow with the City so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided or monies or suitable bond have been deposited with the Chief Building Official ~~Code Enforcement Officer~~ for such improvement.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 20____; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 20____

Mayor

ATTEST:

City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE _____DAY OF _____, 20____ ADOPTED ORDINANCE NO. _____ A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

(SEAL)

CITY CLERK