

## **CITY OF WASHINGTON WASHINGTON, ILLINOIS**

**TO:** Chairman Burdette, and Planning and Zoning Members  
**FROM:** Becky Holmes, Building and Zoning Supervisor  
**DATE:** May 22, 2017  
**SUBJECT:** 14 foot Rear Yard Variance Request

**PETITIONER:** Joe Whitfield  
**LOCATION:** 111 S Wilmor Rd.

**ZBA REQUEST:** To allow the petitioner to split and sell the rear portion of his property to the adjoining property owner to the north, 109 S Wilmor Rd. The proposed split would be between the residence and a detached garage. There is 11 feet 9 inches between the two structures. In order to split the property and maintain a 5 foot setback from the detached garage, six (6) feet nine (9) inches would be left for the rear yard on the subject property. Twenty (20) feet is the required rear yard setback.

**BACKGROUND:** The property is zoned R-1, has a lot width of 87 feet and a lot depth of 258 feet. The newly created lot would have a depth of approximately 85 feet and would exceed the minimum lot size of 6,500 square feet. The adjacent property owner will have the lots surveyed pending approval of the variance request. While the portion of the rear yard behind the garage is proposed to be only 6+ feet, the portion of the rear yard behind the living space will be almost 13 feet, closer to meeting the 20 foot rear yard requirement.

### **STAFF'S OBSERVATIONS:**

- It appears that the petitioner should be able to receive reasonable return on his property without splitting the property.
- There does appear to be unique circumstances because the property is exceptionally deep.
- It does not appear that there would be any visible change to the character of the neighborhood.

**STAFF RECOMMENDATION:** Staff recommends denial of the rear yard variance request.



3178  
Sq Ft

VALLEY FORCE DR.

WILMOR RD.

1870  
Sq Ft

1935  
Sq Ft

105

1290  
Sq Ft

652  
Sq Ft

111

2171  
Sq Ft

201

2678  
Sq Ft

203

2121  
Sq Ft

# CITY OF WASHINGTON, ILLINOIS

## APPLICATION FOR VARIANCE

To have a complete application for a variance, you must submit the following:

- Signed and completed application
- Plat showing subject property and proposed site improvements
- Ownership documentation (lease, deed, mortgage, etc.)
- Application fee of \$100 payable to the City of Washington

Name(s) of Applicant(s): Joe Whitfield

Phone Number of Applicant: \_\_\_\_\_

Address of Applicant: 111 S Wilmer Rd

Owner of Property: Joe Wilmer Rd

Address of Owner: 111 S. Wilmer Rd

I would like to receive correspondence by: ☒ Mail ☐ Email Email Address: \_\_\_\_\_

Property Tax ID (PIN) number: 02-02-23-104-006

Current zoning classification of the property: Res Current use of the property: Res.

Describe how your property cannot yield a reasonable return, if it is required to be used only under the general conditions of your zoning classification:

Property is a maintenance burden to home owner

To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance became law? Yes ☒ No ☐

If "no," explain why the hardship should not be regarded as self-imposed. (Self-imposed hardships are NOT entitled to variations.)

Describe how your situation is unique or different from any other property: Maintenance burden

Describe the alteration or change, if any, in the basic character of the neighborhood the variation, if granted, would make:

no visable change

Describe the nature of the variation you are requesting (attach dimensioned site plan):

Rear yard variance of to seperate properties

**PUBLIC HEARING:** Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission (PZC) meeting for a public hearing. The PZC meets the first Wednesday of every month at 6:30 p.m. at the Washington District Library meeting room at 380 N. Wilmor Road. At the PZC meeting, you will present your request. A variance cannot be granted by the PZC unless the PZC finds, based upon the application and evidence presented at the public hearing, that a strict application of the terms of the Zoning Ordinance imposes practical difficulties or particular hardship. The following are examples of variances that can be granted:

1. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
2. To permit the reconstruction of a nonconforming building which has been destroyed or damaged to an extent of more than fifty percent (50%) of its value, by fire or act of God, or the public enemy, where the PZC shall find some compelling public necessity requiring a continuance of the nonconforming use, but in no case shall such a permit be issued if its primary function is to continue a monopoly.
3. To make a variance, by reason of exceptional narrowness, shallowness or shape of a specific piece of property of record, or by reason of exceptional topographical conditions the strict application of any provision of this chapter would result in peculiar and exceptional practical difficulties or particular hardship upon the owner of such property, and amount to a practical confiscation of property, as distinguished from a mere inconvenience to such owner, provided such relief can be granted without substantial detriment to the public good and without substantially impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in the Zoning Ordinance.
4. To interpret the provisions of this chapter where the street layout actually on the ground varies from the street layout as shown on the district map fixing the several districts.
5. To waive the parking requirements in the business or industrial districts whenever the character or use of the building is such as to make unnecessary the full provision of parking facilities or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or convenience.
6. To permit a building to be erected, reconstructed, altered, or enlarged so that the building lines would extend beyond the distance specific in this chapter into side yards or into front yards; provided that such variance may not be granted:
  - a. Unless there is a building in the block that extends beyond the distance from the front street line specified in this chapter, in which case the building line may be permitted to extend as near to the front street line as such nonconforming building;
  - b. Unless the lot is irregular in shape, topography, or size; or
  - c. Unless the street line of the lot is directly opposite the street line of a lot which is irregular in shape, topography, or size.
7. To permit in any district such modifications of the requirements of the regulations of this chapter as the Board may deem necessary to secure all appropriate development of a lot where adjacent to such lot on two or more sides there are buildings that do not conform to the regulations of the district.

**Certification:** To the best of my knowledge, the information contained herein, and on the attachments, is true, accurate, and correct, and substantially represents the existing features and proposed features. Any error, misstatement, or misrepresentation of material fact or expression of material fact, with or without intention, shall constitute sufficient grounds for the revocation or denial of the proposed Variance.

  
Signature of Applicant

5-5-17  
Date

  
Signature of Owner

5-5-17  
Date

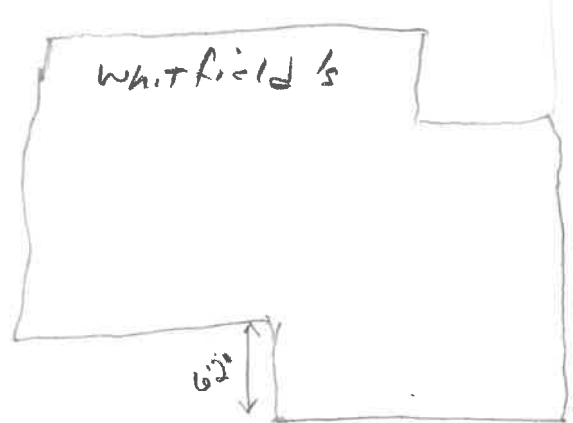
After receiving a completed application, the City Clerk will file notice of your request with the local newspaper and with the adjoining property owners. If you have any questions, please contact Becky Holmes, Building and Zoning Supervisor, at (309) 444-1122.

← 57' → 1 ← 90' →

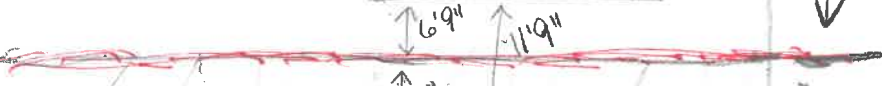
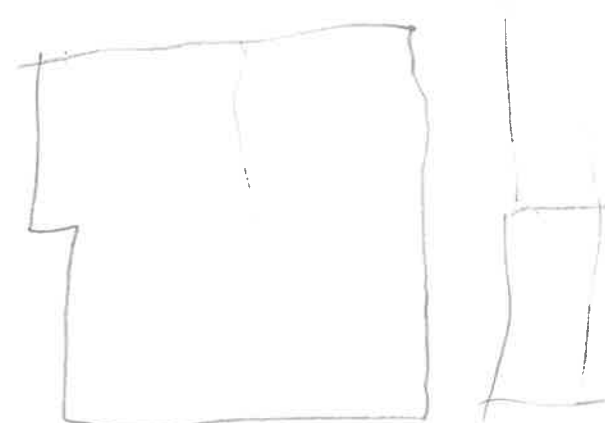
111

109 S. Wilmon

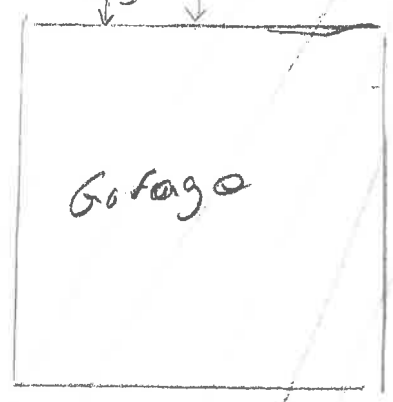
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85' ±



↓



Basic thoughts  
open to suggestions

↙



2-23A

