

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Request by Dustin Essig to Rezone 104 Esken from C-2 to R-1
DATE: October 3, 2017

Background: Dustin Essig of DK Investment Group, Inc. has requested the rezoning of a 104 Esken from C-2 (General Retail) to R-1 (Single-Family Residential). DK Investment Group purchased the property in May. The property has been zoned C-2 since shortly after it was annexed into the City in 1970. Mr. Essig has requested the zoning after having difficulties with financing with a residential use on a commercial-zoned parcel. The parcel to the north (106 Esken) is also requesting a rezoning in order to have two parcels that may have the same zoning classifications.

Staff frequently is asked to provide letters to lenders indicating the current zoning of a property. In most cases, the zoning matches the current land use. For those instances where there is a legal non-conforming use, the use can continue to operate in its existing state so long as the non-conformity is not expanded. If there were to be damage to the structure of at least 50% of its value, the new use would either need to be in conformance with the zoning code or a variance could be requested for the rebuilding of the former use. The proposed zoning to R-1 would make it easier to receive any financing as a traditional single-family residential use.

Findings: The property is approximately 0.43 acres (18,819 square feet). The surrounding parcels on the north side of IL Route 8 are zoned C-2. Further north is Centennial Hills subdivision, which is zoned CE (Country Estates). The parcels on the south side of Route 8 are largely zoned R-1 with the exception of one parcel that is zoned C-2. The comprehensive plan designates this property as General Commercial. The proposed rezoning would not be compatible with that classification.

While the comprehensive plan does indicate this property as a commercial use in the future, its location removed from Route 8 and small size complicates its viability. It would likely need to be combined with one or more lots that have direct access to Route 8 to enhance its appeal as a commercial property. Without that, it is not likely to be developed as a commercial use. Additionally, the properties on Esken are all served by private septic systems. The City's subdivision code requires that lots with septic systems shall have a minimum lot size of 20,000 square feet, which is slightly larger than this lot. State statute requires that new or renovated septic systems shall not be approved by the Illinois Department of Public Health if public sewer is available for connection within 300 feet of a residential property. This property is approximately 180 feet from the sanitary manhole that was set as part of the Route 8 widening project and staff has urged the owner to connect to the City's sewer, potentially at the same time as the 106 Esken property.

Recommendation: Because the property is likely more suitable for a residential use due to its size and location, staff offers a slight recommendation for approval of the rezoning of 104 Esken from C-2 to R-1.

A public hearing will be held by the Planning and Zoning Commission at the meeting on Wednesday, October 11.

Enclosures

cc: Dustin Essig

CITY OF
WASHINGTON
TAZEWELL COUNTY, ILLINOIS

OFFICIAL MAP
OF
ZONING DISTRICTS



Legend

- AG-1 (Agriculture)
- CE (County Estates)
- R-1A (Single Family Residential)
- R-1 (1-2 Family Residential)
- R-2 (Multifamily Residential)
- C-1 (Local Retail)
- C-2 (General Retail)
- C-3 (Service Retail)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)



Prepared by the City of Washington
Department of Planning and Development
Printed: October 4, 2017



CITY OF WASHINGTON, ILLINOIS

APPLICATION FOR REZONING

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

- Signed and completed application
- Plat showing subject property and all adjacent properties – See below for plat requirements
- Ownership documentation (lease, deed, mortgage, etc.)
- Accurate legal description obtained from the Warranty Deed
- Application fee of \$100 payable to the City of Washington

Address or location of property: 104 Esken, Washington, IL 61571

Property Tax ID (PIN) number: 02 - 02 - 20 - 200 - 007

Current zoning classification of the property: Commercial Proposed zoning classification of the property: Residential

Current use of the property: Single Family Home

Proposed use of the property: Single Family Home

Does the proposed zoning meet the City's Comprehensive Plan? (circle one) YES / NO

If not, what unique characteristics about your property warrant a rezoning? _____

Name of Applicant: Dustin Essig Phone Number of Applicant: 309 648-1251

Address of Applicant: 135 Washington Sq., Washington, IL 61571

Owner of Property: Dustin Essig

Address of Owner: 607 Stratford Dr. Washington, IL 61571

I would like to receive correspondence by: ☐ Mail ☒ Email Email address: dustinessig@gmail.com

PLAT REQUIREMENTS: Your rezoning plat must show:

- The subject property and all adjacent properties (including across rights-of-way)
- Each property shall be labeled to show the owner or business name, address, current zoning, and proposed zoning
- Adjacent rights-of-way, streets, roads, railroads, waterways, and other physical features

PUBLIC HEARING: Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission meeting for a public hearing. The Planning and Zoning Commission meets the first Wednesday of every month at 6:30 p.m. at the Washington District Library meeting room at 380 N. Wilmore Road. At the Planning and Zoning Commission meeting, you will present your request. The Planning Commission will consider the following factors before making their recommendation to the City Council:

1) Existing uses and zoning of nearby property; 2) Extent to which property values are diminished by particular zoning restrictions; 3) Extent to which destruction of value of some property promotes health, safety, morals or general welfare of the public; 4) Relative gain to public compared to hardship imposed upon individual property owners; 5) Suitability of property for zoned purposes; 6) Length of time property has been vacant as zoned, considered in context of land developed in vicinity; 7) Community need for the proposed use; and 8) Compatibility with the Comprehensive Plan.

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 Rezoning.

[Signature]
Signature of Applicant

8/1/17
Date

[Signature]
Signature of Owner

9/1/17
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 Jon Oliphant, Planning & Development Director at (309) 444-1135.

FOR OFFICE USE ONLY Case No.: _____
Plat Submitted? Y / N Date: _____
Date to go before the Planning and Zoning Commission: _____

Fee Paid? ☒ N Date: 9-5-17
Documentation of Authority Submitted: _____
Commission Action: _____