

CITY OF WASHINGTON WASHINGTON, ILLINOIS

TO: Chairman Burdette, and Planning and Zoning Members
FROM: Becky Holmes, Building and Zoning Supervisor
DATE: July 17, 2018
SUBJECT: 4 foot Side Yard Variance Request

PETITIONER: Dustin & Cassandra Schumacher

LOCATION: 610 West St.

ZBA REQUEST: To allow the petitioners to construct a detached garage 1 foot from the side property line. A variance of 4 feet is needed, as the side yard setback for accessory structures is 5 feet.

BACKGROUND: The property is zoned R-1, has a lot width of 60 feet and a lot depth of 170 feet. The petitioners are requesting to construct a 20 foot by 30 foot detached garage to replace an existing garage. The proposed garage will be larger than the existing garage but will maintain the same building line on the south which is approximately one foot from the property line. In addition, the proposed garage will be attached to an existing deck on the north side.

STAFF'S OBSERVATIONS:

- It appears that the petitioner may not be able to receive reasonable return on their property without replacing an existing dilapidated garage.
- There does appear to be unique circumstance as the lot is narrow.
- It does not appear that there would be any change to the character of the neighborhood as the garage replacement will not be any closer to the side lot line than the existing garage.

STAFF RECOMMENDATION: Staff recommends approval of the side yard variance request.

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): DUSTIN SCHUMACHER

Phone Number of Applicant: 309.258.0974

Address of Applicant: 610 WEST ST.

Owner of Property: DUSTIN & CASSANDRA SCHUMACHER

Address of Owner: 610 WEST ST.

I would like to receive correspondence by: ☐ Mail ☒ Email Email Address: dustin.m.schumacher@gmail.com

Property Tax ID (PIN) number: 02 - 02 - 13 - 302 - 021

Current zoning classification of the property: R-1

Current use of the property: Primary Residence

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 was purchased with detached garage and needs to be replaced due to structural damage to the foundation

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: Location of garage structure is limited by both the lot width and topology of the rear yard, which slopes down from East to West and experiences flooding from the creek which passes through the western adjacent lot

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

No change to basic character of the neighborhood

Describe the nature of the variation you are requesting (attach dimensioned site plan): Side yard structure variation to allow garage to be rebuilt on its existing southern border. Foundation is 16" from property line; overhang is within one foot

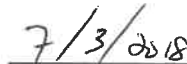
PUBLIC HEARING: Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission (PZC) meeting for a public hearing. The PZC meets the first Wednesday of every month at 6:30 p.m. at the Washington District Library meeting room at 380 N. Wilmor Road. 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



Date



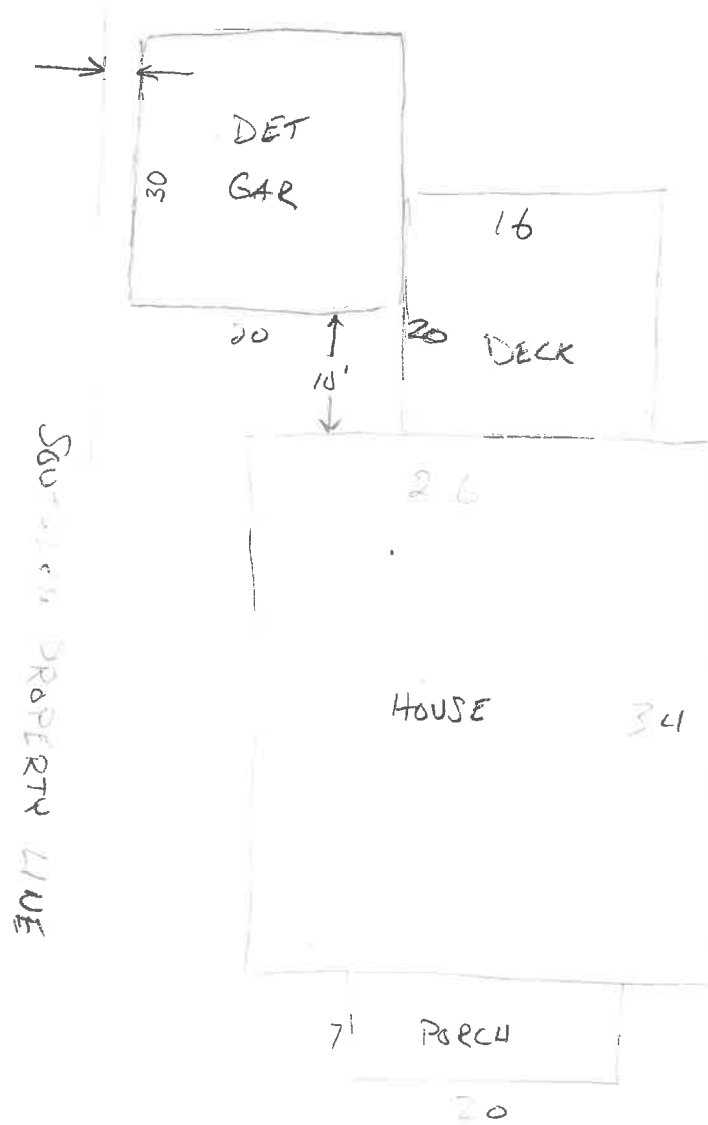
Signature of Owner



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.

Overhang: 6"-10"
Foundation: 16"





BRIEF ST.

WEST ST.

NORTH ST.

119

121

201

1644
Sq Ft

591
Sq Ft

1232
Sq Ft

612

1078
Sq Ft

610

187
Sq Ft

3815
Sq Ft

608

996
Sq Ft

606

675
Sq Ft

974
Sq Ft

200

1021
Sq Ft

1036
Sq Ft

607

840
Sq Ft