

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. • Washington, IL 61571

Ph. 309-444-1135 • Fax 309-444-9779

<http://www.washington-illinois.org>

joliphant@ci.washington.il.us

MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinance – 1000 S. Main Height Variance
DATE: September 13, 2018

Summary: Michael Kelsey of 1000 S. Main Street has requested a variance to allow for the construction of an accessory structure to be 22' in height, which is five feet higher than the principal structure. The zoning code does not allow for an accessory structure in the R-1A (Single-Family Residential) zoning district to be any higher than 22' or the height of the principal structure, whichever is less. Because this is a height variance request, the City Council is granted final voting authority following a public hearing and recommendation from the Planning and Zoning Commission. Staff offers a soft recommendation for approval of the proposed variance.

Background: The property is 0.53 acres in size. Mr. Kelsey would like to build a 1,600 square foot accessory building at the rear of his lot. This area is primarily composed of larger residential lots (0.5 acres or greater), though the property to the northwest is zoned AG-1 (Agriculture). The properties immediately to the south (1002 S. Main) and to the west (not addressed) are not located in the city limits.

The petitioner has indicated that the reason for asking for the variance is due to the limitation of the height of an accessory structure based on having a ranch-style house that is only 17' at its peak. He would utilize the shed for storage for running race equipment and his own personal belongings. The increased height would allow for all of the equipment to fit inside.

The larger nearby properties and other bigger accessory structures helps alleviate some of the concern of having a taller shed. A taller accessory structure would not appear to be as impactful in this part of the city as it may in others. There is not a clearly defined hardship. With that noted, there are unique circumstances because the property abuts a much larger lot to the rear that is undeveloped except for a larger accessory building. Additionally, it does not appear that the character of the neighborhood would be altered because some adjacent properties do have larger accessory structures. As a result, staff offers a soft recommendation for approval of the proposed variance.

The Planning and Zoning Commission held a public hearing on the height variance request at its meeting on September 5 and unanimously recommended approval. There were no residents that attended the hearing or voiced any concern with the request to staff. The draft minutes from that meeting are attached. This is scheduled as a first reading ordinance at the September 17 City Council meeting and a second reading on October 1.

Enclosures

ORDINANCE NO. _____

(Adoption of this ordinance would grant a height variance of five feet for an accessory structure located at 1000 S. Main Street.)

AN ORDINANCE GRANTING A VARIANCE FROM THE TERMS OF THE ZONING CODE OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, TO THE PROPERTY LOCATED AT 1000 S. MAIN STREET TO ALLOW A VARIANCE OF THE ACCESSORY STRUCTURE HEIGHT

WHEREAS, Michael Kelsey has petitioned the City Council for a variation from the literal terms of the Zoning Code of the City of Washington for the construction of an accessory structure of twenty-two feet (22') in height on his property located at 1000 S. Main Street in the City of Washington, which will exceed the permitted height of an accessory structure by five feet (5'); and

WHEREAS, the Planning and Zoning Commission did on September 5, 2018, hold a public hearing for the purpose of hearing testimony regarding the granting of the variation to the property located at 1000 S. Main Street in the City of Washington, pursuant to property notice; and

WHEREAS, the Planning and Zoning Commission voted split 6-0 in recommending the granting of a variance to the City Council and directed city staff to prepare an ordinance; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, does make the following specific findings of fact:

Section 1. The Petitioner, Michael Kelsey, is the owner of the property located at 1000 S. Main Street in the City of Washington, Tazewell County, Illinois, which is more particularly described as follows:

Legal Description: SEC 23 T26N R3W SL C, 51-Y & 51-Z IN SE ¼ of SE ¼

PIN: 02-02-23-404-040

Section 2. That the findings and recommendations of the Planning and Zoning Commission are accepted and the findings of fact made by the Planning and Zoning Commission are made a part of this ordinance.

Section 3. That Section 154.156 (K)(1)(e) of the Code of Ordinances of the City of Washington, provides, in part, that the height of an accessory structure in the R-1A (Single-Family Residential) district shall not exceed the lesser of twenty-two (22) feet in height or the height of the main or principal structure or building on the property.

Section 4. That the proposed construction of an accessory structure twenty-two feet (22') in height would exceed the maximum of seventeen feet (17') in height allowed by five feet (5').

Section 5. That the real estate described herein consists of approximately 0.53 acres.

Section 6. That the granting of the variance will not alter the essential character of the locality within which the property is located.

Section 7. The facts show there are practical difficulties which would result in a particular hardship if a variation were not granted.

PASSED AND APPROVED in due form of law at a regular meeting of the City Council of the City of Washington, Tazewell County, Illinois, on the _____ day of _____ 2018.

Ayes: _____

Nays: _____

Mayor

ATTEST:

City Clerk

CITY OF
WASHINGTON
TAZEWELL COUNTY, ILLINOIS

LOCATION MAP



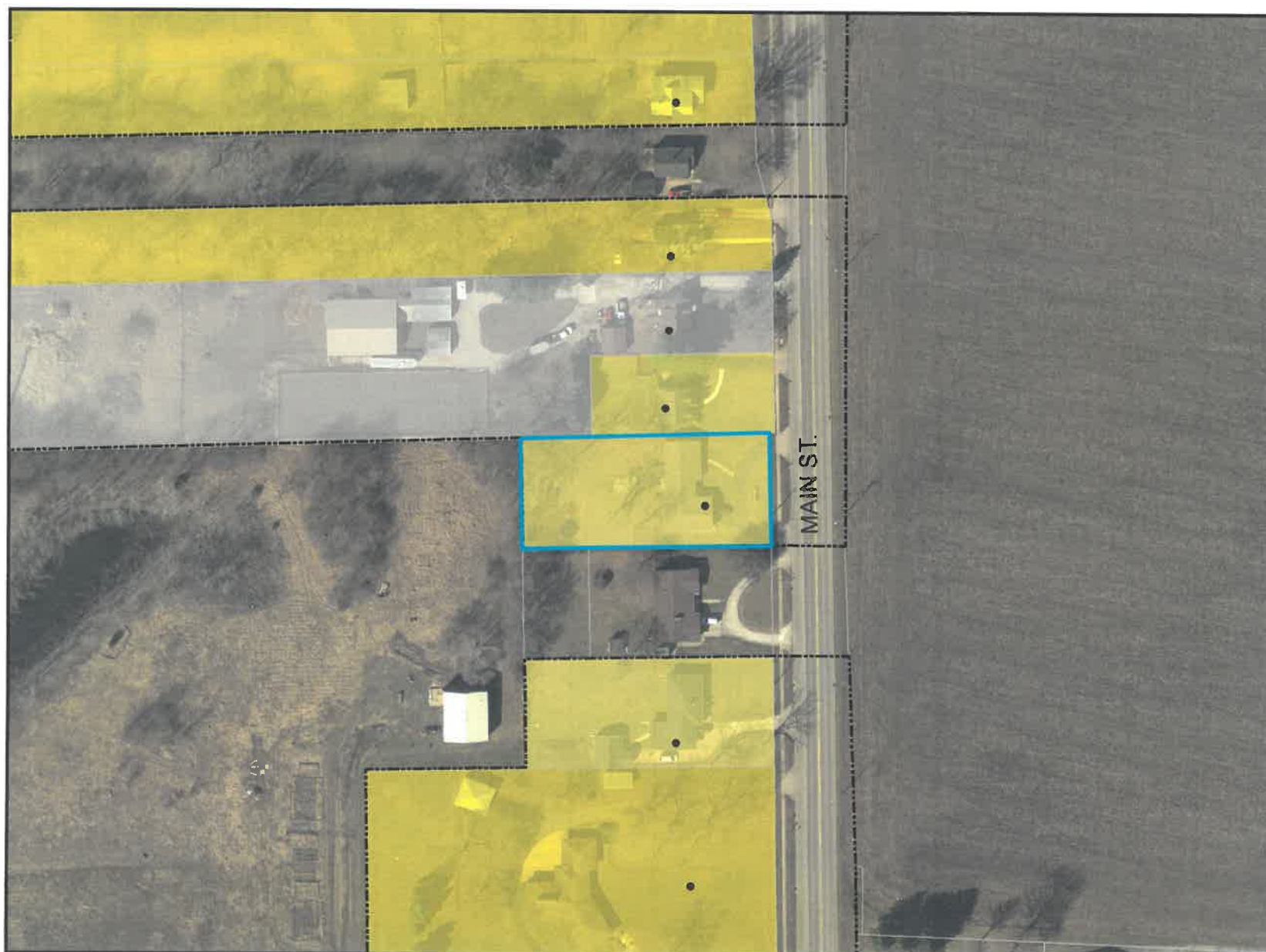
Legend

- Washington City Limits
- AG-1 (Agriculture)
- CE (Country 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: September 14, 2018



APPLICATION FOR VARIATION
CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS
CITY COUNCIL

A variation is requested from the City Council of the City of Washington in conformity with the powers reserved in the Corporate Authorities to the City of Washington. It is further requested that a hearing be held in front of the Zoning Board of Appeals and that said Zoning Board of Appeals make its recommendation to the City Council. In support of those requests, applicant states as follows:

General Information

1) Full name(s) and address(es) of all legal owners:

Michael Kelsey

2) Full and complete legal description for the property (also attach a copy of your deed):

See attached

3) Address for the property: 1000 S. Main St.

4) Present zoning classification (i.e., AG, R1, R2, CE, C1, C2, C3, I1, I2):

5) Present use of the property: Homeowner occupied

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

Morton Building - height extension (see attached)

Reasons for Requesting a Variation

Describe in detail the "practical difficulties or particular hardship" that the current zoning laws of the City of Washington would have on your property if those laws were to be strictly enforced:

Restrict height based on my ranch style home. Neighbors have 2 story houses and large buildings.

I/we certify that all of the above statements and the statements contained in any papers or plans submitted with this Application are true and accurate to the best of my/our knowledge.

I/we hereby expressly consent to the entry in and upon the premises and property described in this Application by any authorized official of the City of Washington for the purpose of posting, maintaining, and removing such notices as may be required by law and for the purpose of verifying any statement or statements herein contained.

APPLICANT: 

DATE: 7/20/18

APPLICANT: _____

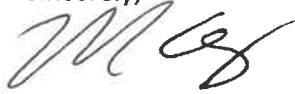
NOTE: This application must be signed by the true legal owner or owners of the property.

Dear Washington Board:

I am requesting a building variance for my property located at 1000 S. Main, Washington. I have over ½ acre of property mostly in my backyard. I am looking to have a Morton building erected. The trouble I am facing is height restrictions because my home is a ranch style with a peak of about 17 feet.

As you can see from the attached photo I have neighbors on 3 sides with large metal buildings all of which exceed my height request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Kelsey', written in a cursive style.

Mike Kelsey

Building Purpose

I am requesting permission to build a Morton style building on my property. The building will have several uses.

1. I am the race director for a large event in Pekin IL called Potawatomi Trail Runs. This is a unique event offering running distances of 50,100,150 and 200 miles has grown quite large and I provide all tents (carnival style), timing equipment, 20+ tables, chairs, generators, 50 large coolers, ect.

We donate 100% of the proceeds to a good cause. Last year was the National Multiple Sclerosis Foundation and this year we are donating profits to local cross country school programs to provide shoes to those in need.

2. Parking – as an avid cyclist I enjoy the bike routes in Washington including the bike lane on South Main (in front of my house). With two kids at WHS, parking is tight and I am forced to utilize on street parking blocking this bike lane. Vehicles would be parked off the road and in my shed if approved providing a safe bike lane.
3. I currently rent the largest spot Minimax storage has at \$100/mo. yet need more space. If approved my building would provide the storage I need while also benefiting the city through increased property tax revenue.

Thanks in advance,

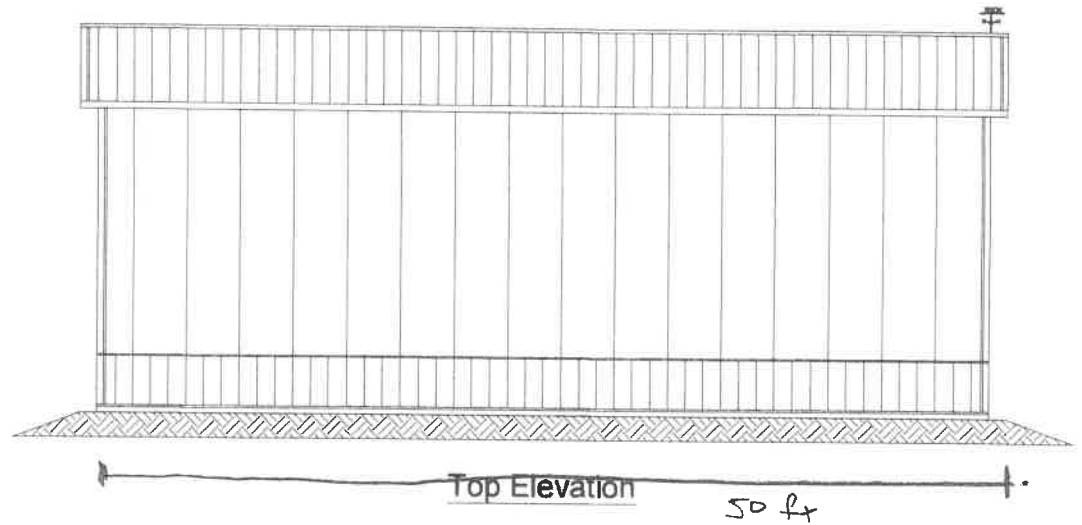
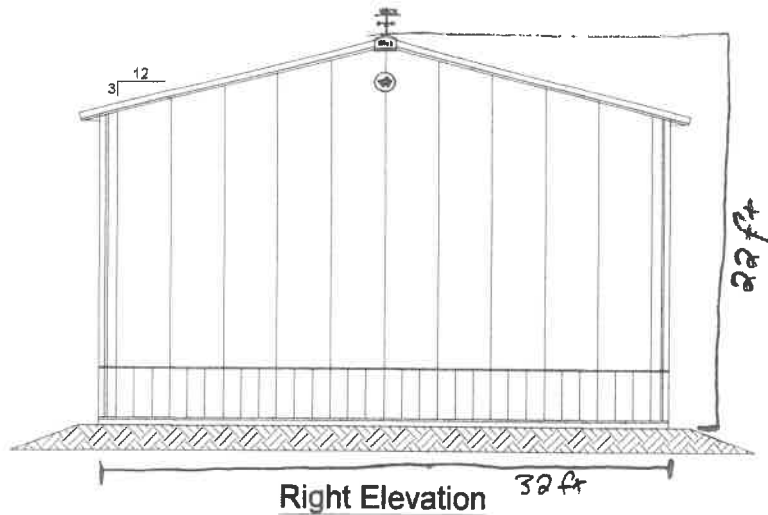


Mike Kelsey

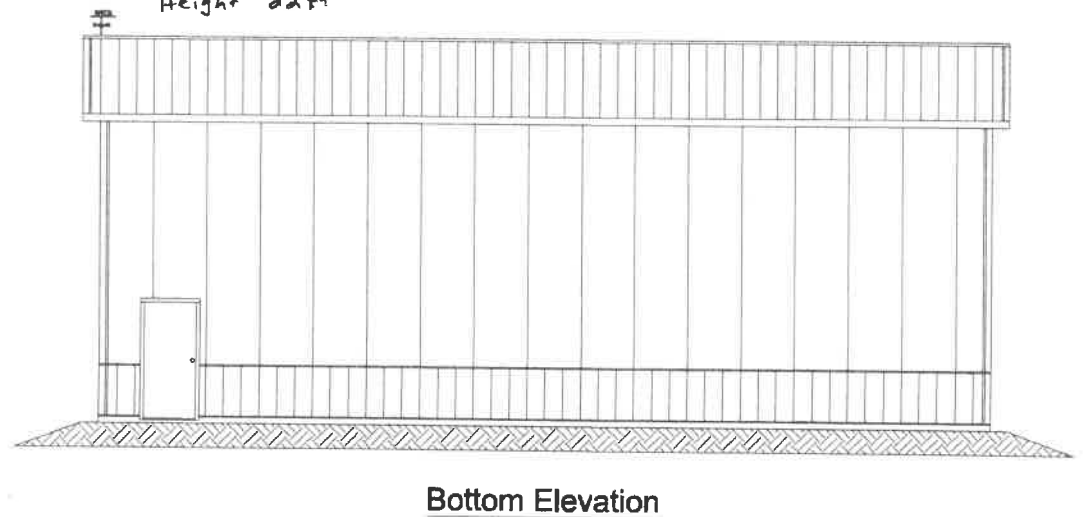
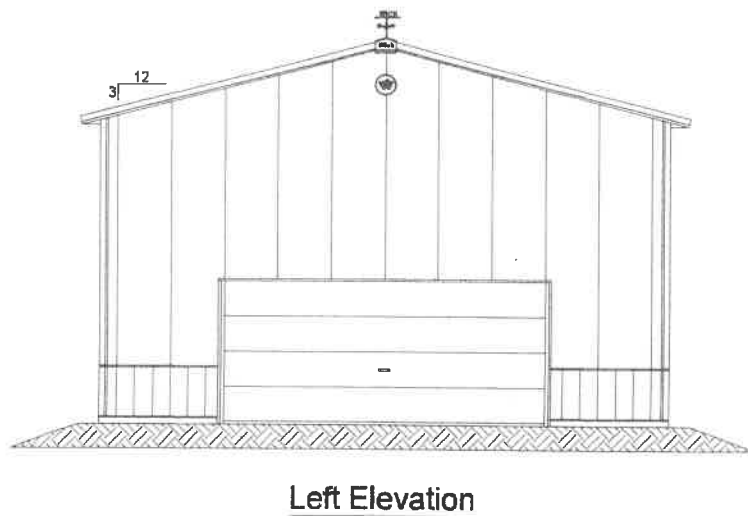
1000 S. Main

217-260-1248

Proposed



1600 sq ft total
Height 22 ft



OH door by others



**Wick
Buildings**

Terry L. Ellis
8079 Kings Mill Road
Bloomington, IL 61705

WickBuildings.com

Date: 6-29-2018

Time: 1:49 PM

DO NOT SCALE

KELSEYM3250
32'-0" x 50'-0" x 16'-4" ICH

Customer Signature

Mike Kelsey
1000 S Main St
Washington, IL 61571

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se.

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and
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Overhe

25' Clearance on North Side

Construction Zone

Staging Area

Off limits

25' Clearance on East Side

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Crew er

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Fence

Off limits

5' Clearance on South Side

