

CITY OF WASHINGTON WASHINGTON, ILLINOIS

TO: Chairman Burdette, and Planning & Zoning Commission Members

FROM: Becky Holmes, Building and Zoning Supervisor

DATE: November 27, 2018

SUBJECT: Five (5) foot side yard setback and 20 foot rear yard setback variance to construct building addition and replace and attach existing dilapidated garage

PETITIONER: Toni Minton, President of Washington Historical Society

LOCATION: 101-105 Zinser Place

ZBA REQUEST: To allow a proposed building addition and replacement of a dilapidated garage to encroach into the required side and rear yard setbacks. The petitioner is requesting to construct a building addition to the rear of the principal structure and connect to an existing garage. The petitioner is also requesting to replace the existing garage in its current location which is within inches of both the side and rear property lines. The required side yard setback is 5 feet and the required rear yard setback is 20 feet.

BACKGROUND: The property is zoned C-2 with a lot width of 120 feet and a lot depth of 75 feet. The petitioners are requesting to construct a building addition to the rear of the principal structure for much needed archival space. The proposed addition would connect to an existing garage for added archival space. In addition, the existing garage is in a deteriorated condition and the petitioners are requesting to replace the garage in its exact location as part of the renovation project. While the addition would be 10 feet from the property line, the entire structure would become one building, therefore needing a 20 foot rear yard and 5 foot side yard variance.

STAFF'S OBSERVATIONS:

- It appears that the petitioners may not be able to receive reasonable return on their property without replacing the existing dilapidated garage.
- There does appear to be unique circumstances because the lot is shallow in depth.
- It does not appear that the character of the neighborhood would be altered as many structures in the area are within inches of property lines. In addition, the new garage will not encroach any further into the required setbacks than the dilapidated structure that is currently there.

STAFF RECOMMENDATION: Staff recommends approval of the side and rear yard variance requests.

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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): TONI MINTON PRESIDENT W.H.S.

Phone Number of Applicant: 309-657-7738

Address of Applicant: 904 DOGWOOD DRIVE

Owner of Property: WASHINGTON HISTORICAL SOCIETY

Address of Owner: 101-105 Zinser Place

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

Email Address: mintondesigns@comcast.net

Property Tax ID (PIN) number: 02-02-23-203-014

Current zoning classification of the property: C2

Current use of the property: MUSEUM/ARCHIVE

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:

THE W.H.S. DOES NOT HAVE ADEQUATE SPACE FOR ARCHIVING & OFFICE SPACE.

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: THIS PROPERTY HAS 3 BUILDINGS THAT HOUSE DOCUMENTS, ARTIFACTS & OTHER ITEMS OF HISTORICAL IMPORTANCE TO WASHINGTON. WE NEED TO EXPAND. THE PROPERTY IS LIMITED IN SIZE IN THE OLDER SECTION OF TOWN.

Describe the alteration or change, if any, in the basic character of the neighborhood the variation, if granted, would make. IT WOULD BE ALL IN THE BACK. REPAIRS & ADDITION WOULD BE DONE KEEPING WITH THE BUILDINGS DESIGN. IT WOULD IMPROVE THE CHARACTER OF THE NEIGHBORHOOD.

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

① 10' REAR YARD SET BACK, ② 5' SIDE YARD, ③ RETAINING THE SPACE THAT GARAGE SITS ON

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.

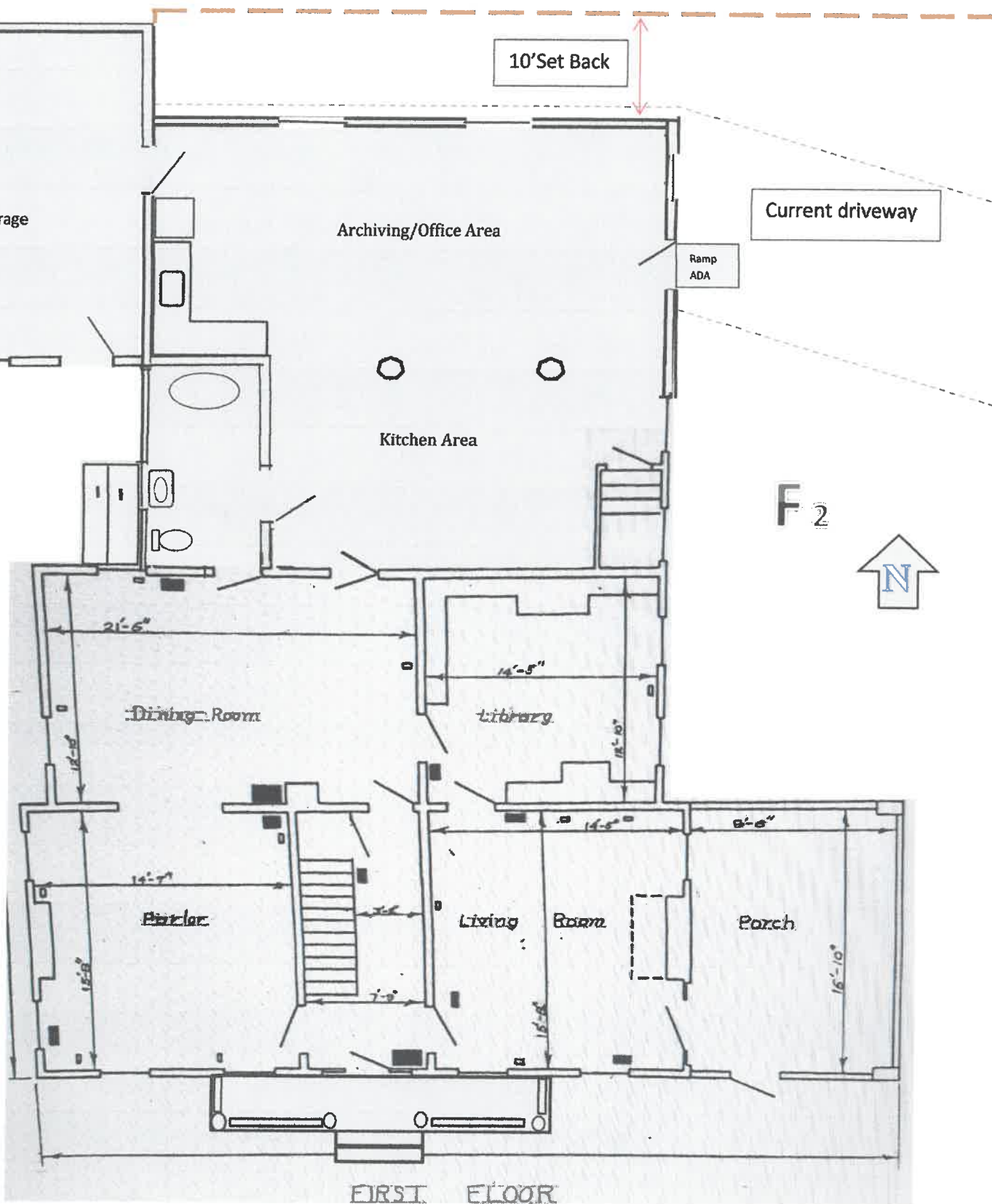
Toni Minton President
Signature of Applicant

11-6-18
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.



City of Washington



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Washington City Limits

