

CITY OF WASHINGTON
PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Chairman Burdette and Planning & Zoning Commission
FROM: Becky Holmes, Building & Zoning Supervisor
SUBJECT: Request of David & Susan Piper, 313 Court Dr., for a 9 foot 8
inch front yard variance to construct a front porch
DATE: August 27, 2019

PZC REQUEST: To allow the petitioners to construct a 4 foot by 6 foot enclosed, front porch onto the principal structure. The proposed porch would be 15 feet 4 inches from the front property line. 25 feet is the required front yard setback.

BACKGROUND: The property is zoned R-1 (Single- and Two-Family Residential) and has a lot width of 55 feet and a lot depth of 125 feet. The petitioners are requesting to construct an enclosed front porch, replacing a deteriorated concrete porch. The proposed porch will not extend any further into the front yard than the existing concrete porch. The front porch project is a small portion of a larger, overall remodel, including adding a second floor to the home.

STAFFS OBSERVATIONS:

- It appears that the petitioners may not be able to receive reasonable return on their property without replacement of the existing porch.
- There does appear to be unique circumstance as the lot has a shallow front yard.
- It does not appear that there would be any change to the character of the neighborhood as the new porch would not encroach any further into the front yard than the existing porch.

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

APPLICATION FOR VARIANCE

- 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

Phone Number of Applicant:

Owner of Property: SAME

Address of Owner: SAME

Email Address:

Current zoning classification of the property: RESIDENTIAL Current use of the property: RESIDENTIAL

THE CONCRETE PORCH AND STEPS HAVE PULLED AWAY FROM THE HOUSE AND SUNK
NEEDS TO BE REPLACED. WE NEED THIS REPLACEMENT FOR ACCESS TO THE HOME.
WITHOUT A FRONT ENTRY, THE VALUE OF OUR HOME WOULD SUFFER DRASTICALLY.

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: WE ARE ONE OF THE FEW HOMES ON OUR STREET THAT DOES NOT HAVE A COVERED OR ENCLOSED FRONT ENTRY. THIS VARIANCE WOULD ALLOW US TO REMEDY THIS AND CONFORM MORE AESTHETICALLY.

THE MAJORITY OF HOMES ON OUR STREET ARE ALREADY WITHIN THE FRONT YARD SET BACK. NO CHANGE TO THE CHARACTER OF THE NEIGHBORHOOD WOULD EXIST WITH THIS VARIANCE

Describe the nature of the variation you are requesting (attach dimensioned site plan): WE ARE REQUESTING A VARIATION TO THE FRONT YARD SETBACK IN ORDER TO REPLACE AN EXISTING CONCRETE PORCH + STEPS. NO ADDITIONAL SETBACK IS REQUIRED FOR THIS REPLACEMENT.

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


Signature of Applicant

20 JUL 19
Date

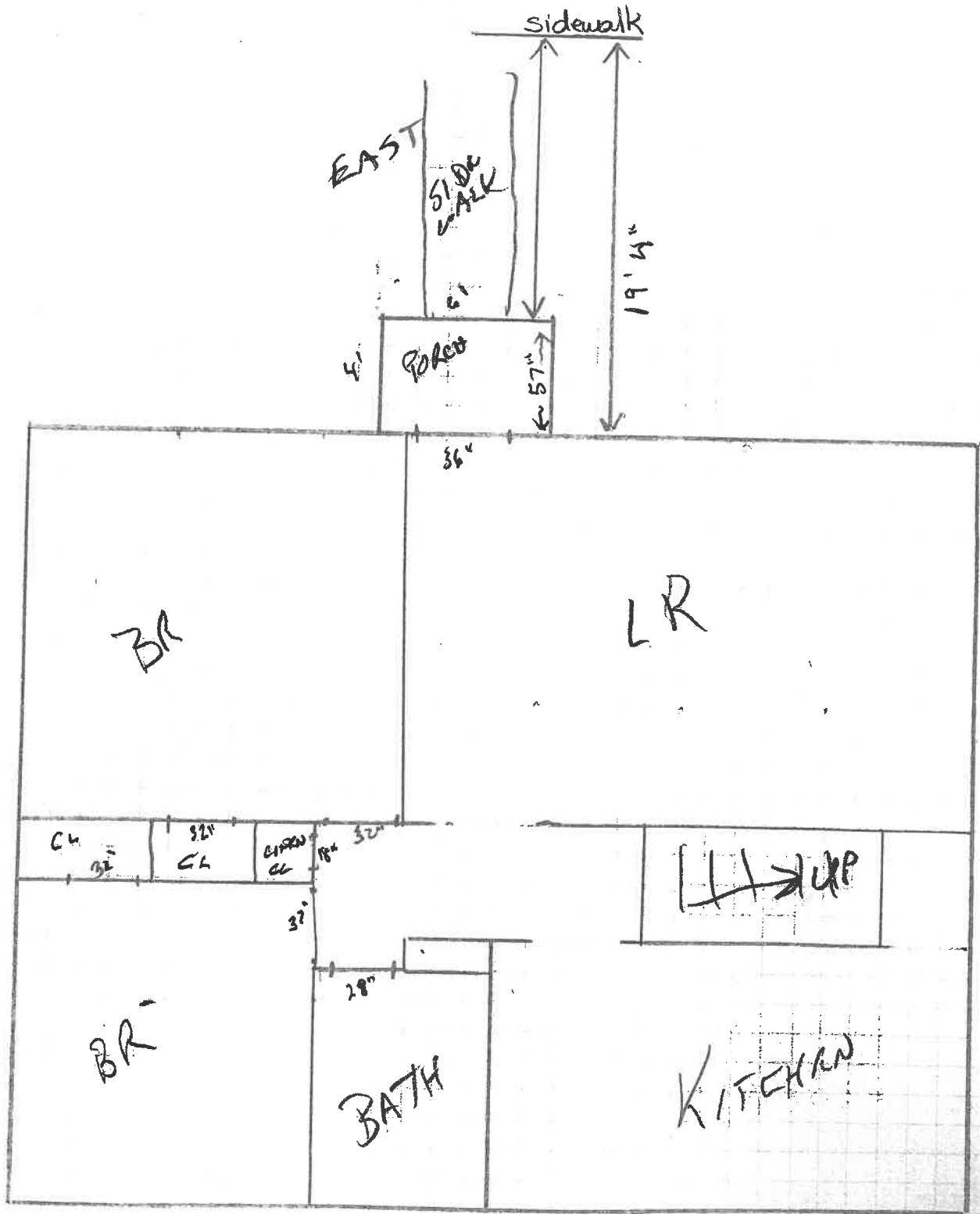

Signature of Owner


Signature of Owner

20 JUL 19
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.

START



1ST FLOOR EX 1ST FLS
32



857
Sq Ft

310

883
Sq Ft

312

1038
Sq Ft

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821
Sq Ft

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COURT DR.

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