

CITY OF WASHINGTON
PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. • Washington, IL 61571

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bholmes@ci.washington.il.us

MEMORANDUM

TO: Chairman Burdette and Planning & Zoning Commission
FROM: Becky Holmes, Building & Zoning Supervisor
SUBJECT: Request of Kevin and Anna Koch, 922 Birchwood Dr., for a 5 foot side yard variance and a 2 foot distance between structure variance to construct a detached garage.
DATE: April 21, 2020

PZC REQUEST: To allow the petitioners to construct a 24 foot by 24 foot detached garage. The proposed garage would be on the west property line, 5 feet is the required side yard setback. In addition, the proposed garage would be 8 feet from the principal structure and 10 feet is the required distance between structures.

BACKGROUND: The property is zoned R-1 (Single and Two Family Residential) and has a lot width of 110 feet and a lot depth of 174 feet. The petitioners are requesting to construct a detached garage. The overhang of the new garage will be on the west property line and the garage will be 8 feet away from the principal structure.

Note: The original garage was a part of the principal structure and had been converted to living space many years ago. The petitioners want to use the existing concrete driveway to access the proposed garage.

STAFFS OBSERVATIONS:

- It appears that the petitioners may not be able to receive reasonable return on their property without constructing a garage as all homes in the area have garages.
- There does not appear to be unique circumstance.
- It does appear that there may be a change to the character of the neighborhood as there are no other detached garages close to side lot lines, however, there are many principal structures with reduced side yard setbacks.

STAFF RECOMMENDATION: Staff recommends denial of the side yard and distance between structure variance requests.

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): Kevin and Anna Koch

Phone Number of Applicant: _____

Address of Applicant: 922 Birchwood Dr. Washington, IL 61571

Owner of Property: Kevin and Anna Koch

Address of Owner: 922 Birchwood Dr. Washington, IL 61571

I would like to receive correspondence by: _____ Mail ☒ Email _____ Email Address: _____

Property Tax ID (PIN) number: 02-02-13-400-016

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

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:

My wife and I would like to build a detached garage. Building a garage will be a significant expense but will also have a significant return on resale investment. Having this variance approved will lower estimated construction costs by \$5,000 to \$8,000 per our contractor.

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: All the other properties surrounding us have garages. ~~Without some alterations~~ Our family feels building a garage is a good investment and decision. Without some alterations it will be very difficult to build a garage without significant expense.

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

We would have a detached garage entirely on our property in the backyard. It would be against our neighbor's property to the west. This is why we are applying for a hardship variance.

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

I am including a site plan. Originally, the plan had a 20' pad (approach) for the new garage. Because of the 5' minimum from the lot line this was considered necessary to be able to pull into the right stall of the garage without hitting the house. There would have been an elevation difference of nearly 4' which would include excavation, block wall, fill sand and concrete. Building on the lot line would eliminate these changes and save \$5,000 to \$8,000.


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.

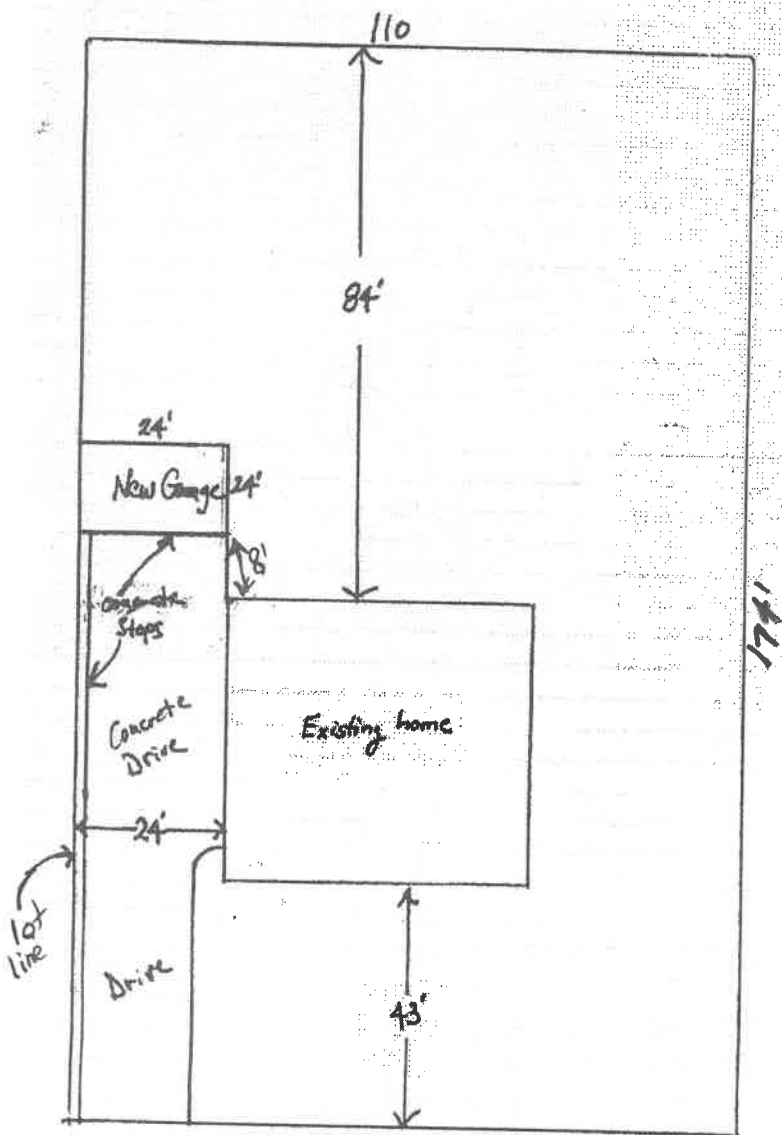

Signature of Applicant

3/18/20
Date

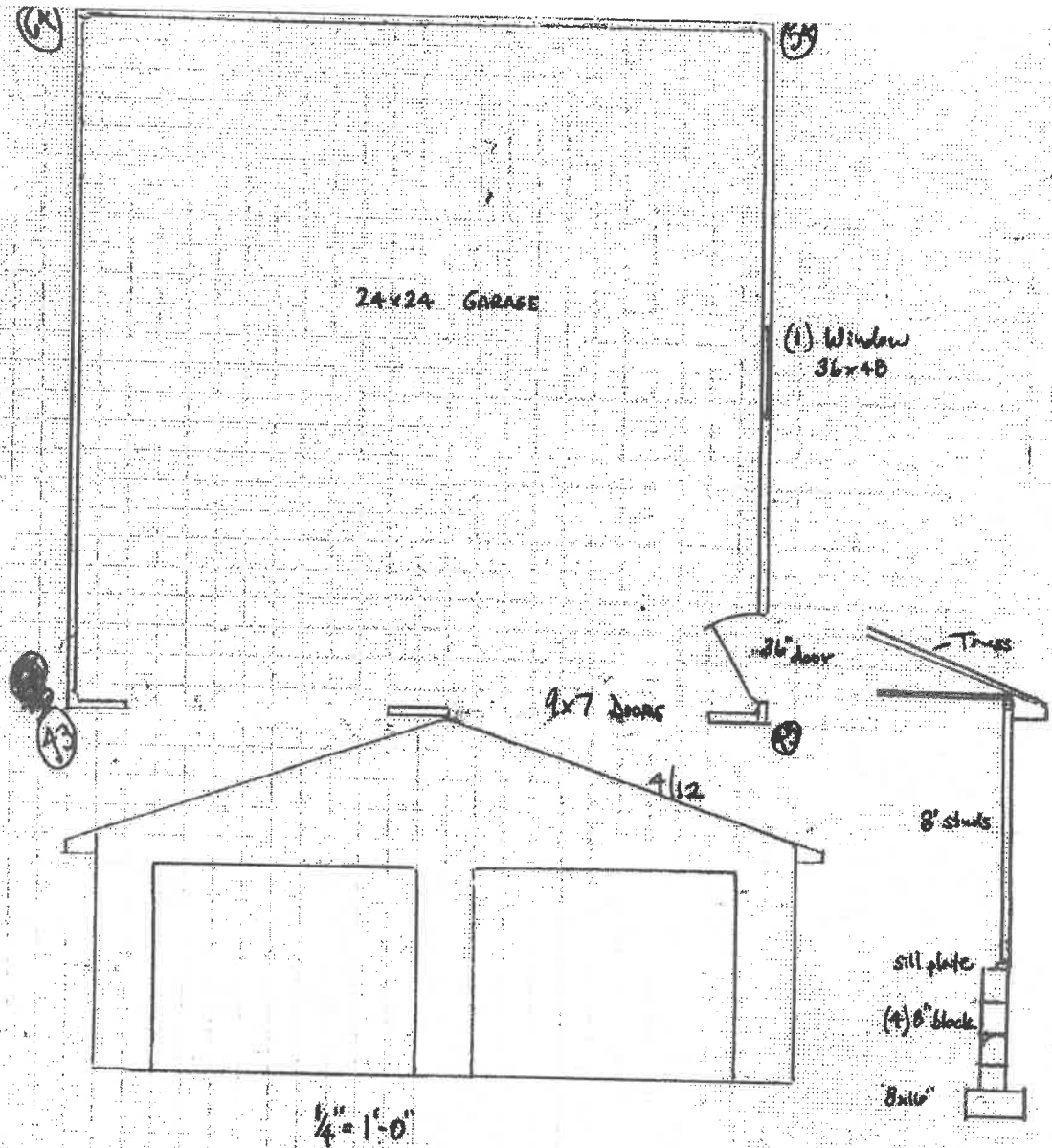

Signature of Owner

3/18/20
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.



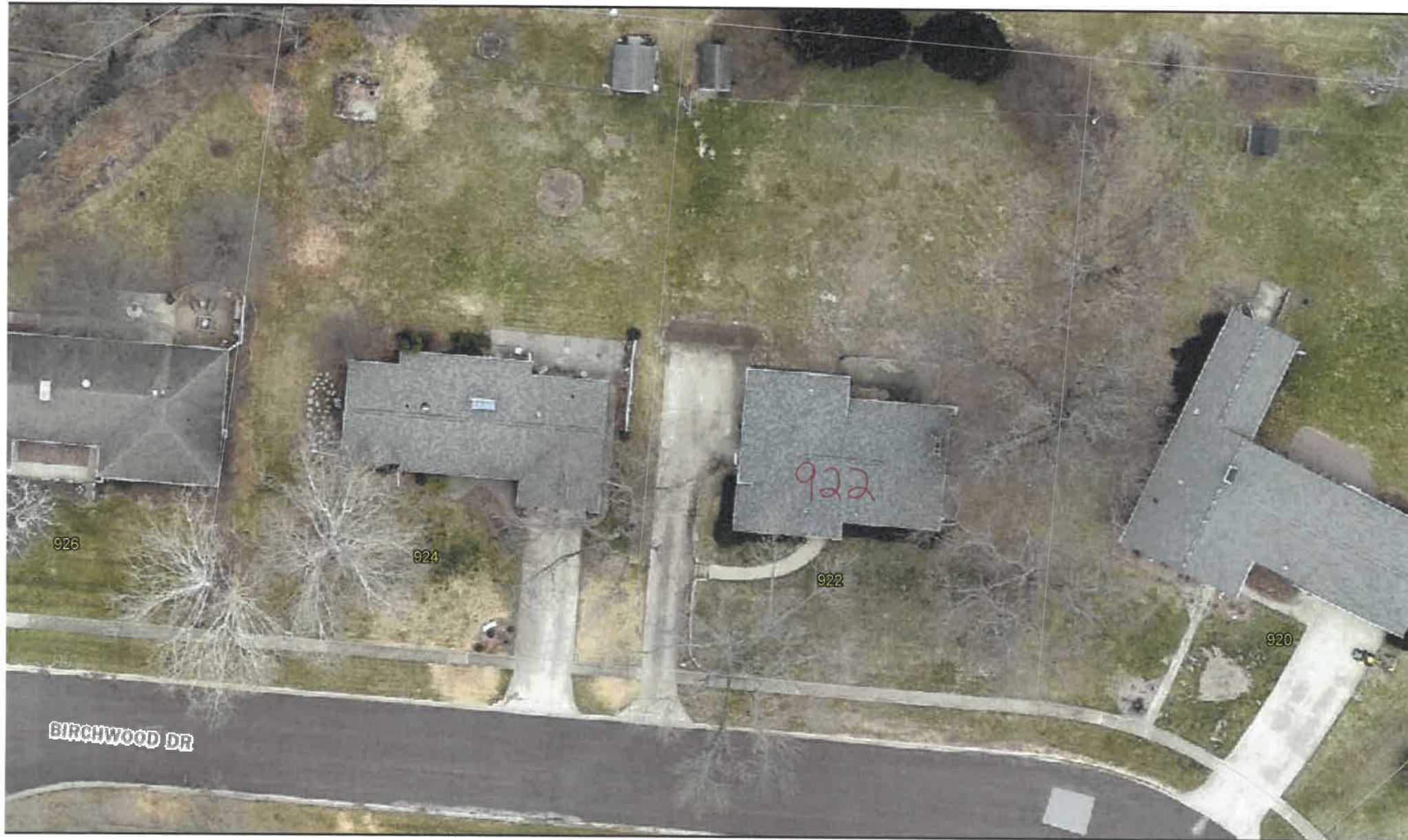
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ROGER STUBER
 BUILDER, INC.
 P.O. Box 510 • Tremont, IL 61568

Koch, Kevin & Anna
 922 Birchwood
 Washington

922 Birchwood Dr.



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