

CITY OF WASHINGTON
PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. • Washington, IL 61571

Ph. 309-444-1122 • Fax 309-444-9779

bholmes@ci.washington.il.us

MEMORANDUM

TO: Chairman Burdette and Planning & Zoning Commission
FROM: Becky Holmes, Building & Zoning Supervisor
SUBJECT: Request of Trevor and Audrey Bartolomucci, 301 E Jefferson St., for a 5 foot side yard variance to construct a driveway
DATE: May 27, 2020

PZC REQUEST: To allow the petitioners to construct a driveway on their east property line. In May of 2019, Ordinance 3319 was passed to require all driveways to be set back at least 5 feet from the side yard.

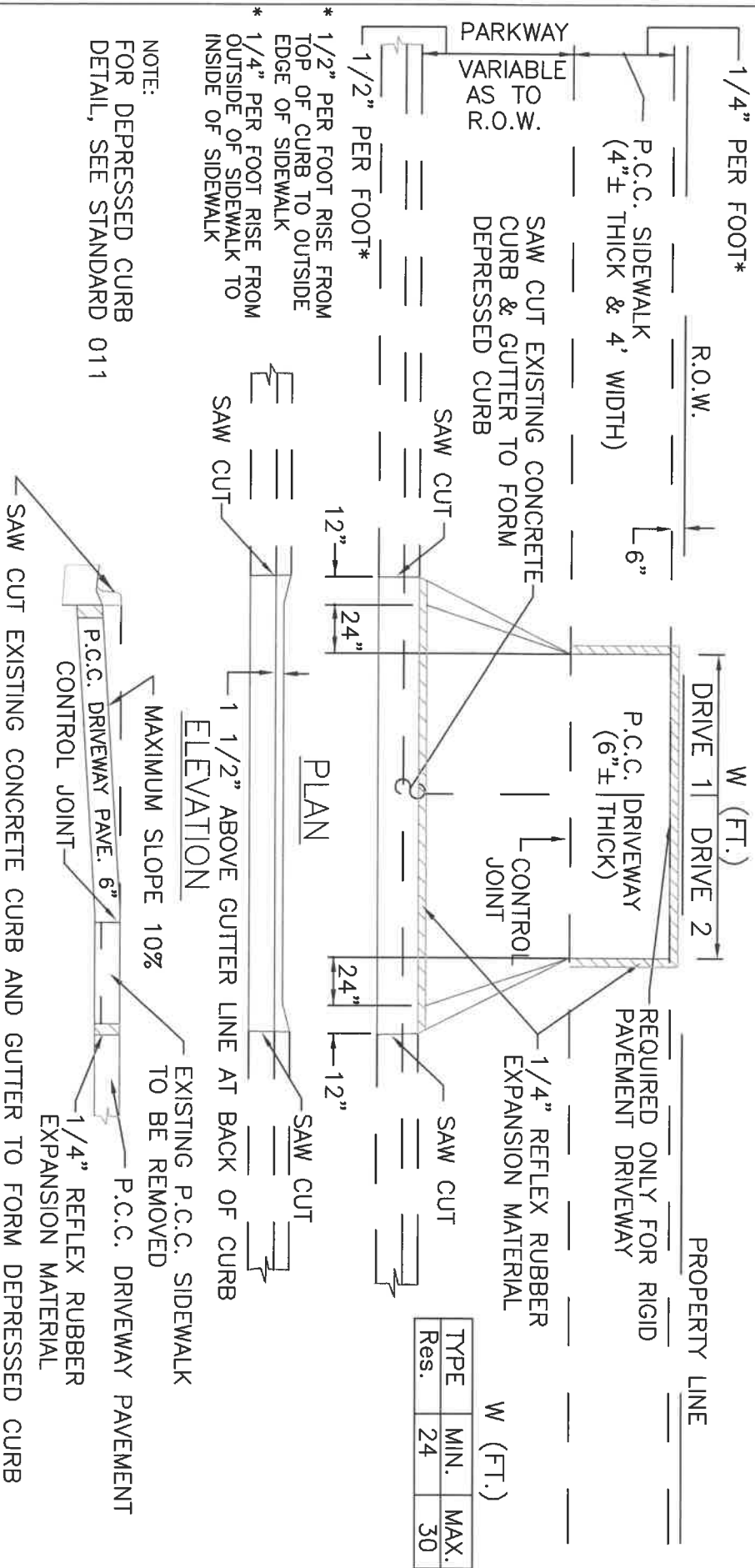
BACKGROUND: The property is zoned R-1 (Single and Two Family Residential) and has a lot width of 73 feet and a lot depth of 148 feet. The petitioners are requesting to construct a driveway on the east side of their property. The driveway entrance would be required to be in compliance with construction standard 015A (attached). The portion of the driveway on private property would be gravel. Prior to the E Jefferson St. improvements in October of 2017, there was a curb cut in the location requested. Because there was no driveway in use at that time, the existing curb cut was replaced with curbing.

STAFFS OBSERVATIONS:

- It appears that the petitioners should be able to receive reasonable return on their property without the additional driveway.
- There does appear to be unique circumstance as the original lot had a curb cut and driveway in the location requested.
- It does not appear that there would be a change to the character of the neighborhood as there are many shared driveways in that area of town.

STAFF RECOMMENDATION: Staff recommends denial of the 5 foot side yard variance request.

COMBINED DRIVEWAY ENTRANCE DETAIL FOR SHARED DRIVEWAYS – RETROFIT ONLY



TYPE	MIN.	MAX.
Res.	24	30

GENERAL NOTES:

1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STATE OF ILLINOIS "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION"
2. CURRENT EDITION AND SUPPLEMENTAL SPECIFICATIONS, UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.
3. 2% CROSS SLOPE MUST BE MAINTAINED THROUGH SIDEWALK PORTION OF DRIVEWAY.
4. SIDEWALK AND CURB & GUTTER SHALL BE SAWED AT THE BEGINNING AND END OF THE REMOVAL SECTION.
5. WHERE NO SIDEWALK EXISTS, THE DRIVE SHALL BE CONSTRUCTED AS SHOWN TO ACCOMMODATE FUTURE SIDEWALK.
6. WHEN DRIVEWAY OPENING IS PROVIDED AT THE TIME OF CURB CONSTRUCTION, CONTRACTION JOINTS SHALL BE PLACED AT THE LOCATION OF THE SAW CUTS AS SHOWN.
7. ALL SAW CUTS MUST BE A MINIMUM OF 1" DEEP.
7. THIS DETAIL SHALL ONLY BE ALLOWED WHERE AN EXISTING SHARED DRIVEWAY EXISTS. THIS SHALL NOT BE USED FOR NEW CONSTRUCTION.

SECTION

City Of Washington

CONSTRUCTION STANDARD

DATE:	STANDARD NO.
JUNE 2018	015A

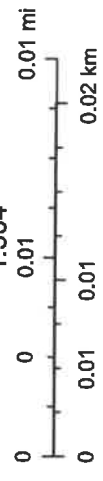
301 E Jefferson St.



28/2020 7:51:13 AM

Parcels

1:564



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): Trevor Bartolomucci + Audrey Bartolomucci

Phone Number of Applicant: _____

Address of Applicant: 301 E. Jefferson St.

Owner of Property: Trevor Bartolomucci + Audrey Bartolomucci

Address of Owner: 301 E. Jefferson St.

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

Property Tax ID (PIN) number: 02-02-13-311-017

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:

~~Q2~~ In 2005 when we purchased this home, it had a cut in for a driveway that we could use if needed, and it added value for resale. This has been taken away.

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.)

n/a

Describe how your situation is unique or different from any other property: Over 100 year old house that originally had a driveway/parking off the street on the east side of the house but cut in off street was removed by city without owner knowledge.

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

No change. It was originally this way. Also houses on same street have shared drive on property lines.

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

Asking for a variance of the 5ft. property line ordinance for a driveway. (see attached)

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

5-5-2020
Date


Signature of Owner

5-5-2020
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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