

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 Brian Barton, 706 W Jefferson St., for a variance of fence height
DATE: August 25, 2020

PZC REQUEST: To allow the petitioner to construct a privacy fence 8 feet in height. The allowed height for a privacy fence in an R-1 District is 6 feet.

BACKGROUND: The property is zoned R-1 and has a lot width of 171 feet and a lot depth of 220 feet. The petitioner is requesting to construct a privacy fence near his west property line which abuts the high school. He is requesting a variance to increase the height of the fence to 8 feet to achieve some privacy from the high school property.

STAFFS OBSERVATIONS:

- It appears that the petitioner may be able to receive reasonable return on his property without constructing a higher fence than is allowed.
- There does appear to be unique circumstance as the lot is nearly an acre and abuts high school property.
- It does appear that there may be a change to the character of the neighborhood as there are no other fences in the area that are higher than 6 feet.

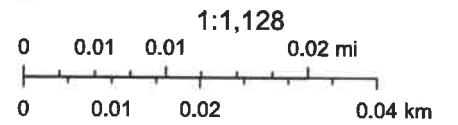
STAFF RECOMMENDATION: Staff recommends denial of the fence height variance request.

706 W Jefferson St.



25/2020 8:23:44 AM

Parcels



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):

Brian Barton

Phone Number of Applicant:

[REDACTED]

Address of Applicant:

706 W JEFFERSON ST

Owner of Property:

BRIAN BARTON

Address of Owner:

706 W. JEFFERSON ST

I would like to receive correspondence by:

Mail

☒ Email

Email Address:

[REDACTED]

Property Tax ID (PIN) number:

02 02 23 103 002

Current zoning classification of the property:

R-1

Current use of the property:

RESIDENCE

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:

would like to install 8' FENCE instead of 6'. Not on property line but 10' off to isolate area in front of barn

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:

Lot 2 Barn on High School lot line, camera's and security lights along with traffic

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

8' FENCE will yield bunny pile, equipment, garden, and debris from traffic.

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

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

Date

8/6/20

Signature of Owner

Date

8/6/20

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.

706 West Jefferson Street
Washington, IL. 61571

Owner: Brian J. Barton (309)-550-2280

Seeking approval to build an **8 foot** fence from near residential driveway East roughly () feet to 12 foot from High School Fence Chain link. Then turning South and connecting to Barn

Lighting at Each corner is planned and the fence will consist of 6x6 posts with cedar planks horizontally mounted. Each post will be buried 3.5 feet with concrete,

Owner is trying to accomplish 2 things

- Coverage for vehicles, equipment, burn pile, garden. (clean it up)
- Coverage from some of lights and cameras from the high school

Just trying to be a good neighbor to high school as safety in that dark area especially in the winter months really needs that lighting. An obviously to clean the area of for curb appeal.









