

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 Thomas and Inger Harrell, 1513 Shellbark Ct., for a 17 foot 6 inch side yard variance to construct an addition to a detached garage.
DATE: September 28, 2020

PZC REQUEST: To allow the petitioners to construct a 16 foot by 24 foot addition to their existing detached garage. The proposed garage addition would be 7 foot 6 inches (including overhang) from the south property line, 25 feet is the required side yard setback in Country Estates zoning.

BACKGROUND: The property is zoned CE (Country Estates), is 2.02 acres with a lot width of 220 feet. The petitioners are requesting to construct an addition to their existing detached garage.

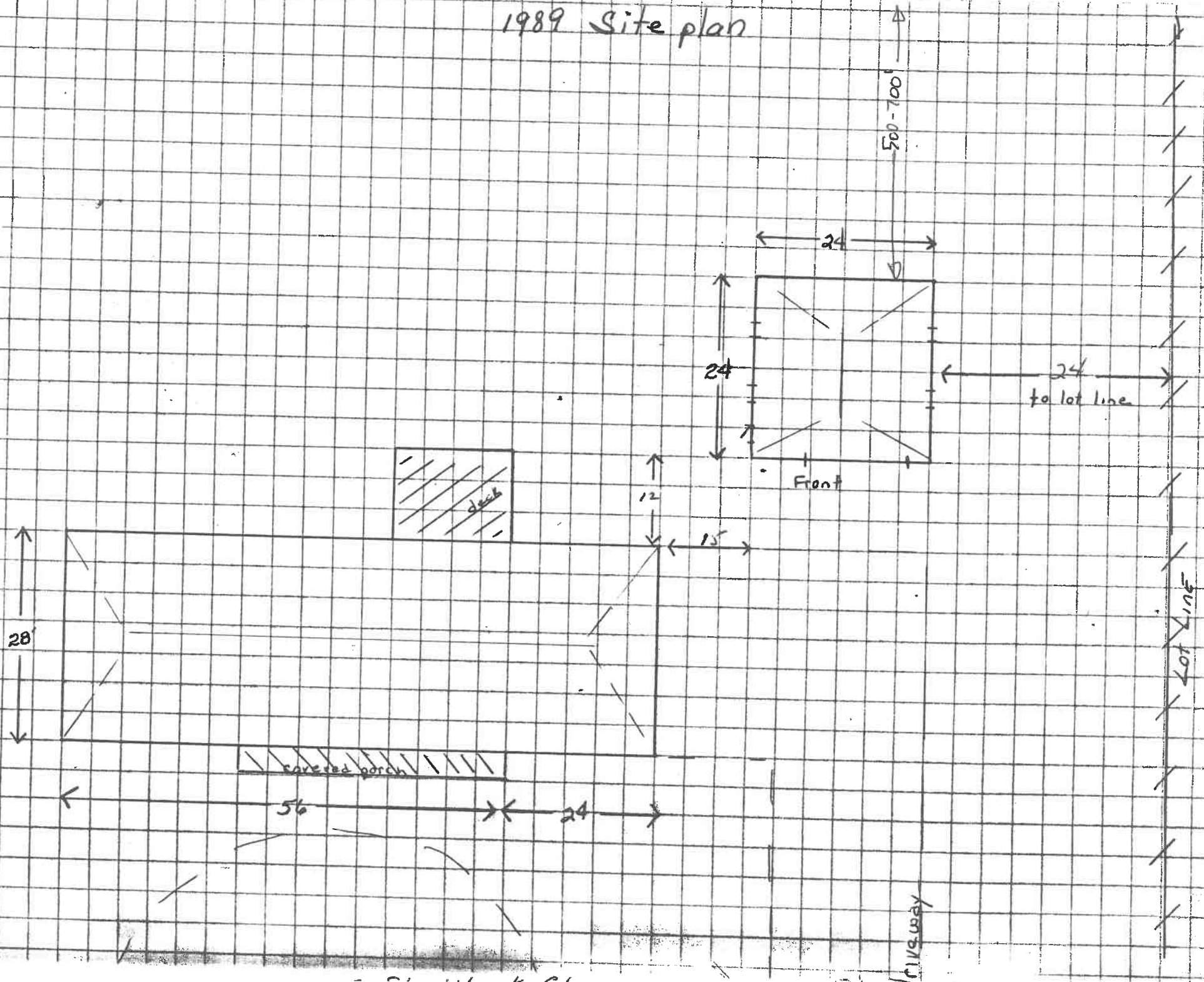
The existing garage, built in 1989 by a previous owner, is 7 feet 6 inches from the south property line. The site plan (attached) that was submitted for that permit showed 24 feet to the side lot line and was approved for construction. The petitioners, assuming the garage was compliant, want to extend an addition along the same south building line.

STAFFS OBSERVATIONS:

- It appears that the petitioners may not be able to receive reasonable return on their property without constructing an addition as most properties have large outbuildings for additional storage.
- There does appear to be unique circumstance.
- It does not appear that there would be a change to the character of the neighborhood as the addition will not encroach any further into the side yard setback than the existing garage. In addition, there is over 100 feet to the adjacent house to the south.

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

1989 Site plan



ALL LAYOUTS MUST BE FOLLOWED IN ORDER FOR JOISTS & ROOF TRUSSES TO FIT PROPERLY.
ALL WINDOW CALL OUTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. WINDOW COMPANIES USE DIFFERENT CRITERIA, SO VERIFICATION OF INCHES OR FEET AND INCHES ON SIZE, FRAME SIZE, ETC. MUST BE VERIFIED BY GENERAL CONTRACTOR.

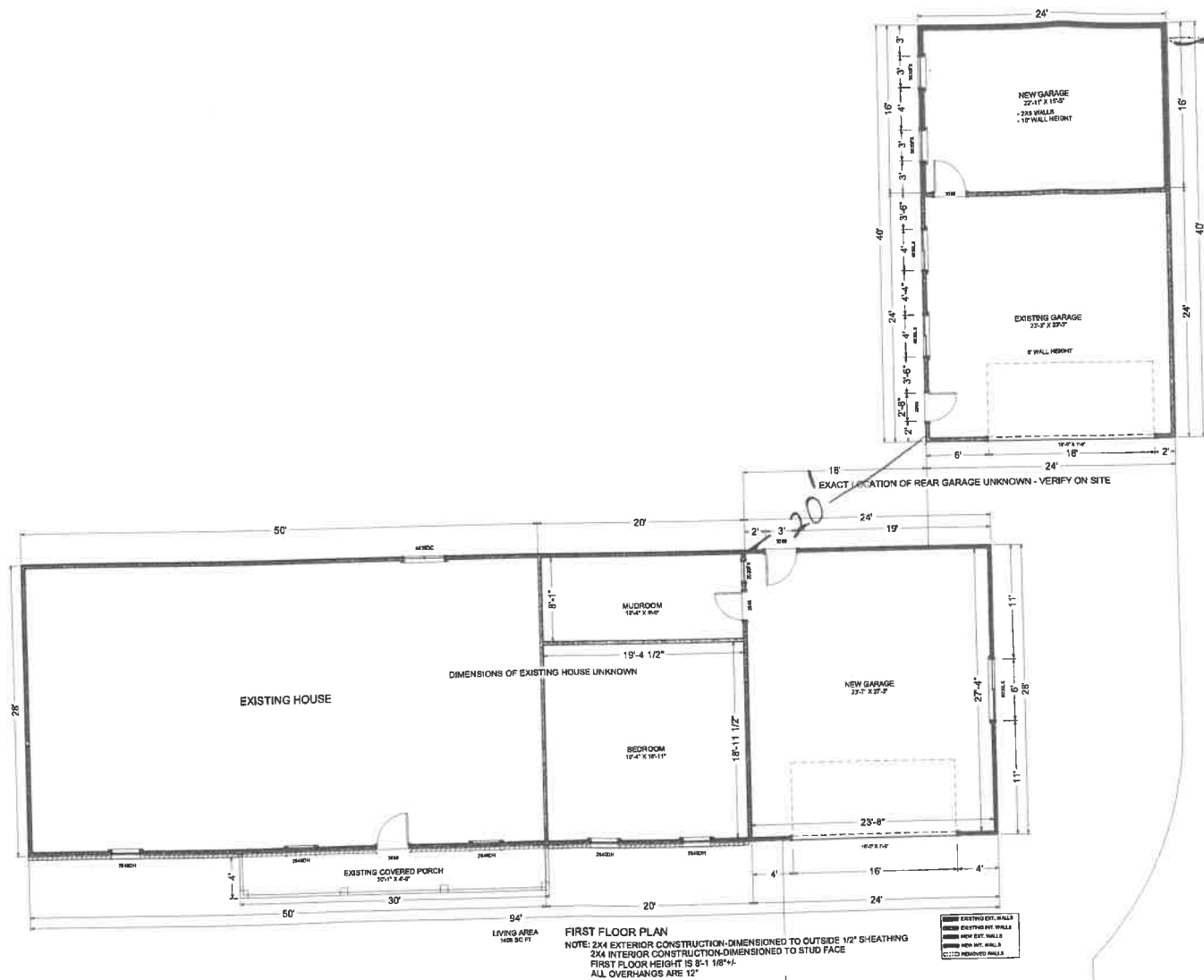
LS BUILDING PRODUCTS CAN NOT BE HELD RESPONSIBLE FOR ANY MATERIAL NOT SUPPLIED BY LS BUILDING PRODUCTS. THE GENERAL CONTRACTOR HAS THE RESPONSIBILITY TO MAKE SURE ALL MATERIALS WORK TOGETHER PROPERLY.

ACTUAL GRADE CANNOT BE DETERMINED. ALL GRADE FACTORS MUST BE CHECKED ON SITE PRIOR TO CONSTRUCTION.

THE GENERAL CONTRACTOR HAS THE RESPONSIBILITY TO REVIEW THESE DRAWINGS PRIOR TO CONSTRUCTION TO ENSURE THEY ARE CORRECT, CONSISTENT, AND COMPLY WITH ALL APPLICABLE CODES. ALL DIMENSIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION.

LS Building Products does not have the capability to solve wall bracing issues with wall studs exceeding 12' in height. Any wall with a stud height more than 12' will most likely need engineering to pass code enforcement. The contractor is held liable for all code enforcing issues and expenses.

In accordance with the Illinois Architecture Practice Act of 1981 allowing for the design and construction of single family residences by a non-licensed designer, these plans are not intended to be relied upon as being structurally certified. LS Building Products and all Affiliates neither assumes nor warrants any responsibility or liability for damages or losses resulting in the use of these plans, drawings and specification documents. It is expressly acknowledged that these plans etc. were not in any form constructed by an architect, engineer or other licensed individual, and therefore can not be relied upon for structural integrity. It is the sole responsibility of the purchaser/contractor/builder to verify all plans, drawings and specification documents for suitability for design and construction. It is recommended by all parties that a licensed professional review all documents before construction.



SCALE = 3/32" = 1'-0"

CONCEPT ONLY

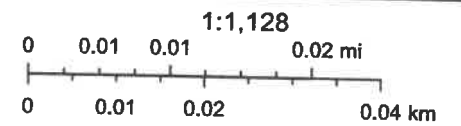
2015/10/10/10

1513 Shellbark Ct



28/2020 9:09:59 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): THOMAS J. JAGER HARRELL

Phone Number of Applicant: [REDACTED]

Address of Applicant: 1513 SHELLBACK CT

Owner of Property: THOMAS J. JAGER HARRELL

Address of Owner: 1513 SHELLBACK CT

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

Property Tax ID (PIN) number: 02 - 02 - 27 - 401 - 004

Current zoning classification of the property: Res CE Current use of the property: Personal Res.

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:

Property will receive a greater return due to the addition of shop space and overall size of garage

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.)

It was not self-imposed. The garage was built in the wrong place by zoning plan. Asking for variance to add on to garage for a better garage and workshop

Describe how your situation is unique or different from any other property: The garage was placed wrong on the lot when it was built. Asking for that an addition can be put on for better use.

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

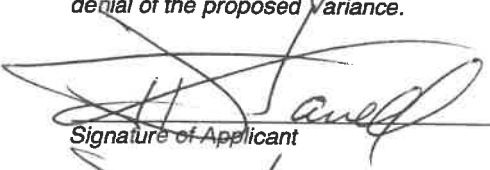
No basic change will occur in the neighborhood

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:

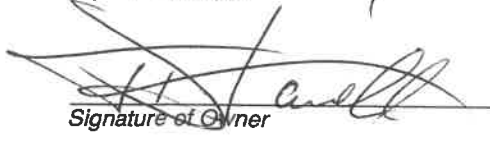
1. To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
2. To permit the reconstruction of a nonconforming building which has been destroyed or damaged to an extent of more than fifty percent (50%) of its value, by fire or act 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

9/1/20


Signature of Owner


Date

9/1/20

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.