



## CITY OF WASHINGTON, ILLINOIS

### City Council Agenda Communication

**Meeting Date:** June 3, 2021

**Prepared By:** Jon Oliphant, AICP, Planning & Development Director

**Agenda Item:** First Reading Ordinance – 704 and 708 Catherine Street Rezoning Requests

**Explanation:** A fire destroyed the house at 708 Catherine Street in March. The property is zoned I-1 (Light Industrial) and a single-family house is a nonconforming use in that zoning district. Chapter 154.174(C) of the City Code states that a “nonconforming building may not be reconstructed or structurally altered during its life to an extent exceeding in aggregate cost fifty percent (50%) of the current fair value of the building unless said building is changed to a conforming use.” The Code grants the ability to the Planning and Zoning Commission (PZC) to approve a variance to allow for the reconstruction of a nonconforming building. The former house was moved to the property in 1962 according to the City’s building permit records.

The Santa Fe Railroad formerly passed through this area and a depot was generally located across the street on the north side of Catherine. Several businesses have been tied to the 704 Catherine property decades ago. This appears to be why there are five parcels that have been zoned I-1 since zoning became effective in Washington in 1961. With the exception of the parcels to the north that have direct frontage on Business Route 24 and are zoned either C-3 (Service Retail) or I-1, this area has long been exclusively residential. All of the other properties are zoned R-1 (Single- and Two-Family Residential).

Requests for variances and rezonings require public hearings. As such, staff approached the owner of the 708 Catherine property, Angela Whalen, to see if she would be willing to consider the rezoning option to allow for the rebuilding of her house. A rezoning requires City Council approval whereas a variance can be approved by the PZC. She submitted an application to have the property rezoned to R-1. Staff then reached out to the adjacent property owners of the other I-1 zoned parcels. Of those, Bill and Virginia Hexamer, owners of 704 Catherine, also agreed to the consideration of the rezoning to R-1. Staff was not able to make contact with the owner of the three undeveloped parcels to the east of 708 Catherine.

As mentioned above, this area is overwhelmingly residential and is best suited for remaining residential in the future. The comprehensive plan’s future land use designation for this area, including 704 and 708 Catherine, is Single- and Two-Family Residential.

**Fiscal Impact:** There should be little to no fiscal impact as a result of the rezoning of these parcels, though a new house would likely establish a higher assessed value upon its completion.

#### **Recommendation/**

**Committee Discussion Summary:** The Planning and Zoning Commission held a public hearing on these requests at its meeting on June 2. The PZC unanimously recommended approval of the rezonings.

**Action Requested:** Approval of the attached ordinance. A first reading ordinance is scheduled for the June 7 Council meeting and a second reading ordinance will be scheduled for the June 21 meeting.

**ORDINANCE NO. \_\_\_\_\_**

(Adoption of this ordinance would rezone the 704 Catherine and 708 Catherine Street from I-1, Light Industrial, to R-1, Single- and Two-Family Residential)

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF WASHINGTON, TAZEVELL COUNTY,  
ILLINOIS, BY REZONING PROPERTIES ON CATHERINE STREET FROM I-1 TO R-1**

**WHEREAS**, a Petition has been filed by Bill and Virginia Hexamer for the hereinafter-described tract of real property, more particularly described on Exhibit A, attached hereto, and by reference expressly made a part hereof, to have said property rezoned as R-1;

**WHEREAS**, a Petition has been filed by Angela Whalen for the hereinafter-described tract of real property, more particularly described on Exhibit B, attached hereto, and by reference expressly made a part hereof, to have said property rezoned as R-1;

**WHEREAS**, all hearings required to be held before agencies of the City took place pursuant to proper legal notice:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEVELL COUNTY, ILLINOIS**, as follows:

**Section 1.** That the minutes of the Planning and Zoning Commission made at the public hearing held on June 2, 2021, and the recommendation of staff contained in its Memorandum to the Planning and Zoning Commission of May 21, 2021, are hereby incorporated by reference as the findings of the City Council, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearing are hereby incorporated by reference as fully as if attached hereto.

**Section 2.** That the City Zoning Ordinance adopted February 20, 1961, as amended, and the Official Zoning Map which is a part of said ordinance, are hereby amended to rezone the properties more particularly described from I-1 to R-1.

**Section 3.** That the City Clerk is hereby authorized to note the zoning grant made by this ordinance on the Official Zoning Map of the City of Washington, Tazewell County, Illinois.

**Section 4.** That this ordinance shall be in full force and effect from and after its passage and approval by the City Council of the City of Washington, Tazewell County, Illinois.

**PASSED AND APPROVED** in due form of law at a regular meeting of the City Council of the City of Washington, Tazewell County, Illinois, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION**

SEC 24 T26N R3W MARLYN ADDN 2<sup>ND</sup> EXT LOT 50 INCL PT ABD RR (EXC S 25X128 & E 106) NE 1/4

PIN: 02-02-24-205-020

**EXHIBIT B**

**LEGAL DESCRIPTION**

MARLYN ADDN 2<sup>ND</sup> EXT NE ¼ SEC 24 E 106' OF LOT 50

PIN: 02-02-24-205-002





**CITY OF  
WASHINGTON**  
TAEZEVELL COUNTY, ILLINOIS

**LOCATION MAP**



**Legend**

- AG-1 (Agriculture)
- CE (Country Estates)
- R-1A (Single Family Residential)
- R-1 (1-2 Family Residential)
- R-2 (Multifamily Residential)
- C-1 (Local Retail)
- C-2 (General Retail)
- C-3 (Service Retail)
- I-1 (Light Industrial)
- I-2 (Heavy Industrial)



*Prepared by the City of Washington  
Department of Planning and Development*

*Printed: May 24, 2021*

**CITY OF WASHINGTON, ILLINOIS**  
**APPLICATION FOR REZONING**

To have a complete application for a rezoning, you must submit the following:

- Signed and completed application
- Plat showing subject property and all adjacent properties – See below for plat requirements
- Ownership documentation (lease, deed, mortgage, etc.)
- Accurate legal description obtained from the Warranty Deed
- Application fee of \$100 payable to the City of Washington

Address or location of property: 708 Catherine

Property Tax ID (PIN) number: 02-02-24-205-002

Current zoning classification of the property: R1 Proposed zoning classification of the property: R1

Current use of the property: Residential

Proposed use of the property: \_\_\_\_\_

Does the proposed zoning meet the City's Comprehensive Plan? (circle one) YES / NO

If not, what unique characteristics about your property warrant a rezoning? \_\_\_\_\_

Name of Applicant: Angela J Whalen Phone Number of Applicant: \_\_\_\_\_

Address of Applicant: 609 Wilshire Dr

Owner of Property: MARK DUBOIS

Address of Owner: \_\_\_\_\_

I would like to receive correspondence by: \_\_\_\_\_ Mail ☒ Email ☐ Email address: Angela.j.whelen@gmail

**PLAT REQUIREMENTS:** Your rezoning plat must show:

- The subject property and all adjacent properties (including across rights-of-way)
- Each property shall be labeled to show the owner or business name, address, current zoning, and proposed zoning
- Adjacent rights-of-way, streets, roads, railroads, waterways, and other physical features

**PUBLIC HEARING:** Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission meeting for a public hearing. The Planning and Zoning Commission 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 Planning and Zoning Commission meeting, you will present your request. The Planning Commission will consider the following factors before making their recommendation to the City Council:

- 1) Existing uses and zoning of nearby property; 2) Extent to which property values are diminished by particular zoning restrictions; 3) Extent to which destruction of value of some property promotes health, safety, morals or general welfare of the public; 4) Relative gain to public compared to hardship imposed upon individual property owners; 5) Suitability of property for zoned purposes; 6) Length of time property has been vacant as zoned, considered in context of land developed in vicinity; 7) Community need for the proposed use; and 8) Compatibility with the Comprehensive Plan.

**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 Rezoning.

Angela J Whalen  
Signature of Applicant

4-19-21  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
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 Jon Oliphant, Planning & Development Director at (309) 444-1135.

FOR OFFICE USE ONLY Case No.: \_\_\_\_\_

Plat Submitted? Y / N Date: \_\_\_\_\_

Date to go before the Planning and Zoning Commission: \_\_\_\_\_

Fee Paid? Y / N Date: \_\_\_\_\_

Documentation of Authority Submitted: \_\_\_\_\_

Commission Action: \_\_\_\_\_



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Address or location of property: 704 Catherine St

Property Tax ID (PIN) number: 02 - 02 - 24 - 205 - 020

Current zoning classification of the property: I-1

Proposed zoning classification of the property: R-1

Current use of the property: Storage

Proposed use of the property: Residential

Does the proposed zoning meet the City's Comprehensive Plan? (circle one) YES / NO

If not, what unique characteristics about your property warrant a rezoning? \_\_\_\_\_

Name of Applicant: Bill + Virginia Heraner

Phone Number of Applicant: \_\_\_\_\_

Address of Applicant: 704 Catherine St

Owner of Property: " "

Address of Owner: " "

I would like to receive correspondence by: \_\_\_\_\_ Mail \_\_\_\_\_ Email Email address: \_\_\_\_\_

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Date \_\_\_\_\_

Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_

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