

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

301 Walnut St. · Washington, IL 61571

Ph. 309-444-1135 · Fax 309-444-9779

<http://www.washington-illinois.org>

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MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: Public Hearing – Request by Richard and Pamela Robertson for a 3-foot side yard setback variance and a 1-foot distance-between-structures variance at 305 Lynnhaven Drive
DATE: August 7, 2023

Zoning: R-1 (Single- and Two-Family Residential)
Comprehensive Plan: Single- and Two-Family Residential

Summary: Richard and Pamela Robertson are requesting a 3-foot reduction of the north side yard setback and a 1-foot reduction in the distance-between structures setback at 305 Lynnhaven Drive. The property is zoned R-1 (Single- and Two-Family Residential). The purpose of the variance is to allow for the replacement of an existing shed with a slightly larger shed.

Background: The minimum setback for accessory structures is five feet from the side and rear property lines and ten feet from other structures. An existing 10' x 10' shed is approximately one foot from the north side property line. Mr. and Mrs. Robertson would like to replace it, as it is currently in poor shape, with a 10' x 16' shed that would be placed one foot further to the south, which would place it two feet from the north property line. A pool is located in the middle of the back yard. The proposed new shed would be nine feet from the north side of the pool, which is one foot less than the minimum distance-between-structures setback. The property is approximately 6,777 square feet with an average width from north-to-south of 60 feet.

Many accessory structures in the subdivisions on the west side of the city do not conform with the five-foot side and rear yard setbacks. This proposed accessory structure replacement would move the shed slightly further from the north property line. The location of the pool in the middle of the yard combined with the average lot width being five feet shorter than the minimum required of 65 feet for a new R-1 lot makes it challenging to place another accessory structure on the property without necessitating at least one variance request.

The request would not appear to create any impacts to adjacent properties and the smaller lot size and lot width are hardships that are common to many lots on the west and east sides of Washington. An attached map shows the accessory structures that encroach upon the five-foot setback within the Rolling Meadows South subdivision according to the City's GIS. Additionally, while the width of the proposed shed is the same as the existing shed, its placement one foot further to the south that positions it within the 10-foot distance-between-structures setback is not as concerning when neither of the structures is habitable. This would allow for the replacement of an older shed that is in disrepair. The requested variance would not appear to pose substantial impacts on the basic character of the neighborhood. **Staff recommends approval of the 3-foot side yard setback variance and 1-foot distance-between-structures variance requests at 305 Lynnhaven Drive.**

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, August 16, 2023.

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): RICHARD & PAMELA ROBERTSON

Phone Number of Applicant: [REDACTED] PAMELA [REDACTED] RICHARD

Address of Applicant: 305 LINDHAVEN DR WASH, IL 61571

Owner of Property: RICHARD & PAMELA ROBERTSON

Address of Owner: 305 LINDHAVEN DR. WASH, IL 61571

I would like to receive correspondence by: ☐ Mail ☒ Email Email Address [REDACTED]

Property Tax ID (PIN) number: 02 - 02 - 20 - 310 - 010

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:

UNDER CURRENT ZONING REGULATIONS WE COULD ONLY BUILD A 5' WIDE SHED DUE TO THE POOL WE HAVE.

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: WE CURRENTLY HAVE A 10X16 SHED THAT CAME WITH TO HOUSE, THE POOL WAS ALSO HERE WHEN WE MOVED IN. THE SHED IS CURRENTLY NEAR THE FENCE AND IN TERRIBLE DISREPAIR

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

NONE- WE HAVE AN EXISTING SHED WHERE WE WANT TO BUILD THE NEW ONE, SAME WIDTH.

Describe the nature of the variation you are requesting (attach dimensioned site plan): WE WANT TO REPLACE THE EXISTING METAL SHED BUILT ON SITE WOODEN SHED, WE ARE CONSIDERING A 10X16 SHED. WE WOULD KEEP THE CURRENT WIDTH AND GO FURTHER BACK IN THE YARD.

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

6/30/2023
Date


Signature of Owner

6-30-2023
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.

Tazewell County, Illinois

generated on 8/7/2023 11:11:53 AM CDT

Parcel

Parcel ID	Alt. PIN	Parcel Address	Data as of
02-02-20-310-010		305 LYNNHAVEN DR, WASHINGTON	8/5/2023

Tax Payer Information

Tax Payer	ROBERTSON RICHARD A & PAMELA K
Tax Payer Address	305 LYNNHAVEN DR WASHINGTON IL 615710000
Transfer Date	04/19/1994

Location Information

GIS		Section & Plat	
District No.	02015	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	305 LYNNHAVEN DR, WASHINGTON	Legal Desc.	SEC 20 T26N R3W ROLLING MEADOWS SEC 5 LOT 139 SW 1/4

Parcel Information

Topography

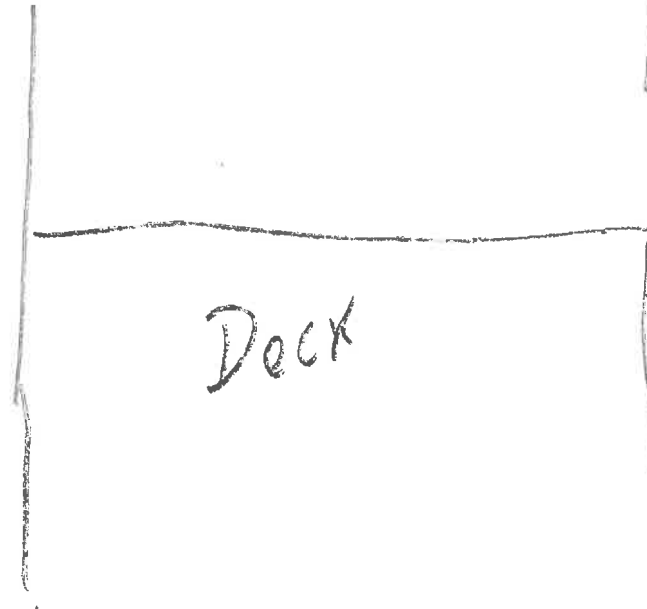
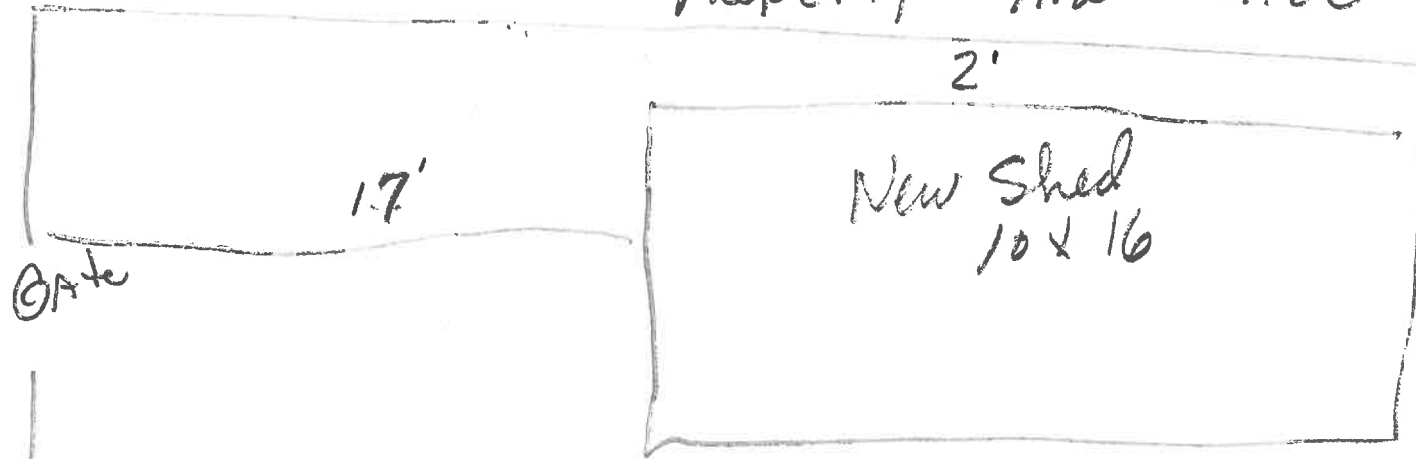
Services

Property Class Code	40 IMPROVED RESIDENTIAL LOT	Level	N	Water	
Neighborhood Code	203	High	N	Sewer	
Neighborhood Factor	115.00	Low	N	Gas	
Neighborhood Type		Rolling	N	Electricity	N
Street or Road Code		Swampy	N	Sidewalk	
		Flood Hazard		Alley	N
		Waterfront Property Type			

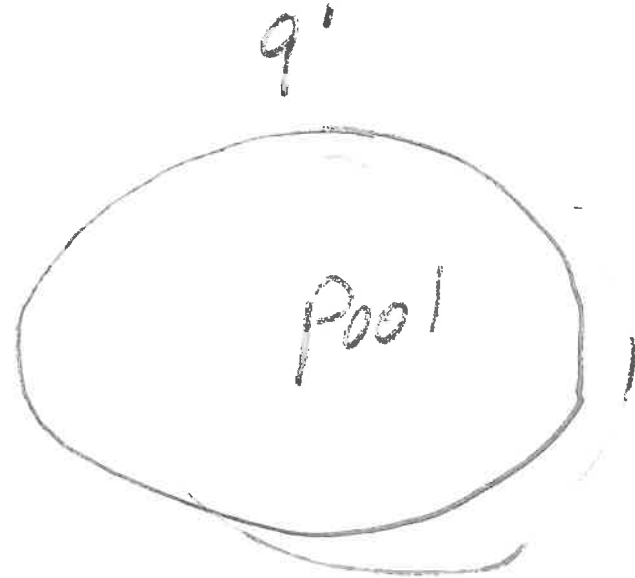


New Shed

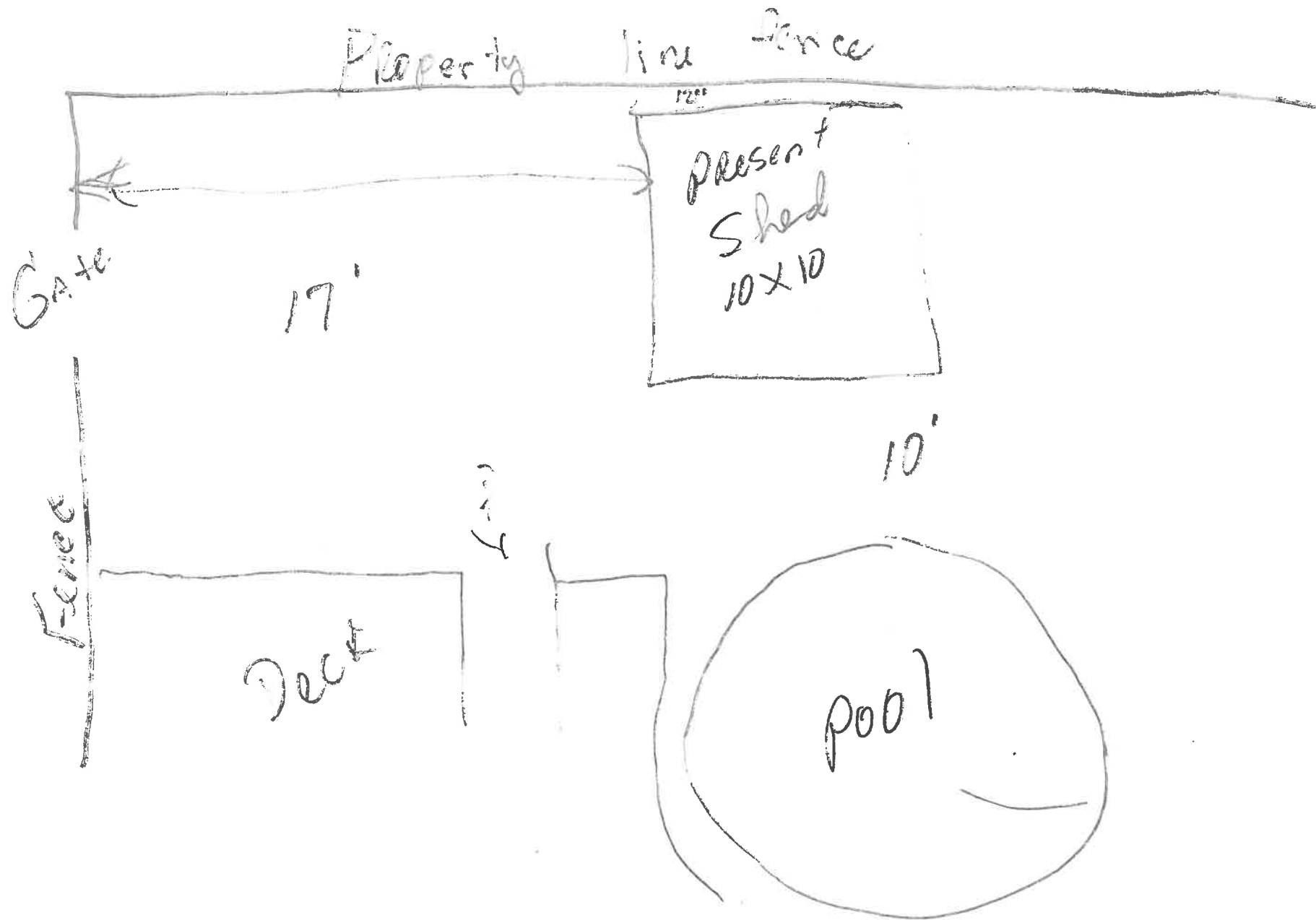
Property line fence

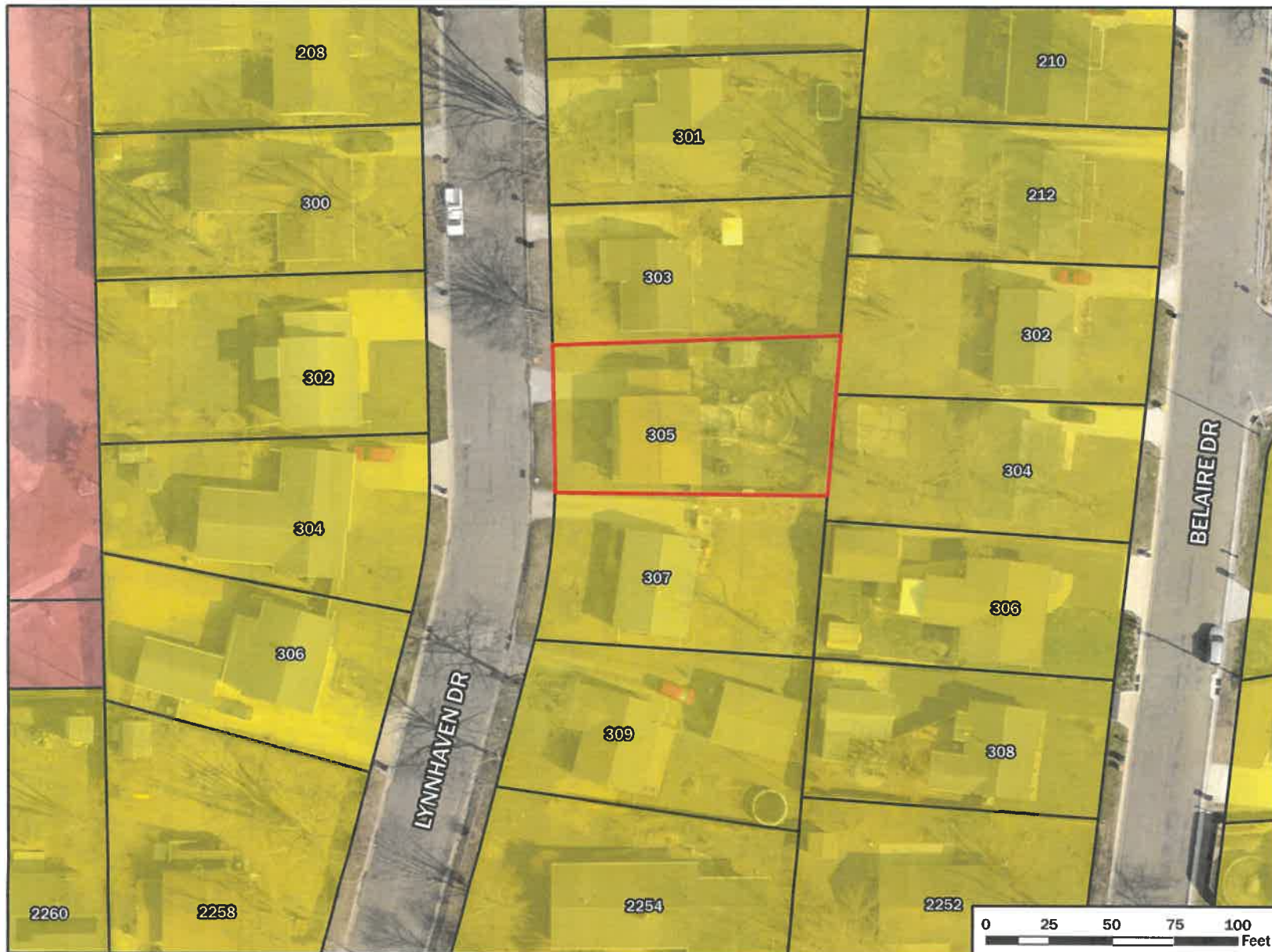


DECK



Present Shed









305 Lynnhaven Dr.

PIN: 02-02-20-310-010

Legend

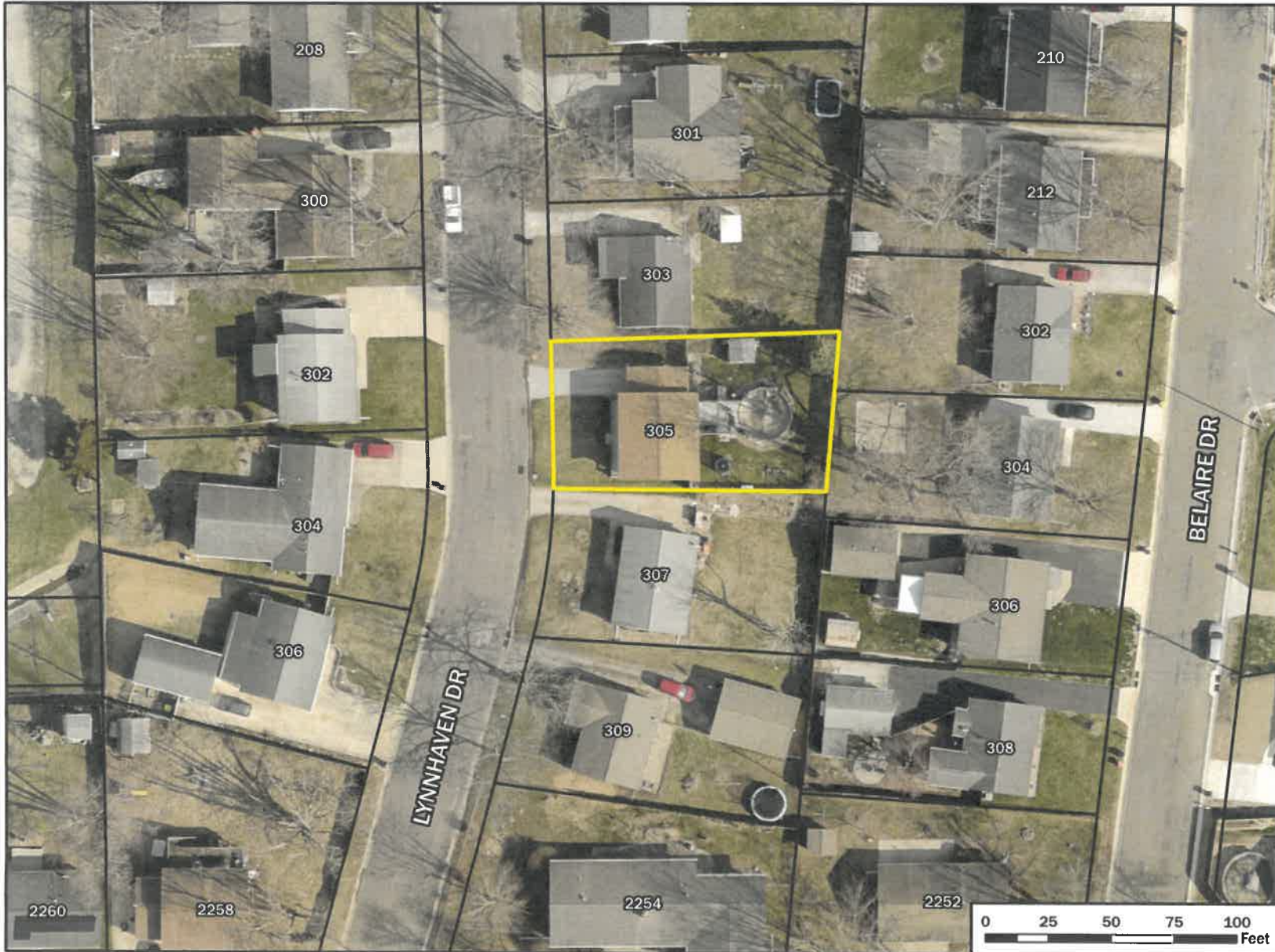
-  305 Lynnhaven Dr.
-  Parcels
- Zoning**
 -  R-1
 -  C-2



Date: 7/25/2023

This map indicates approximate data locations and may not be 100% accurate. Parcels are provided and maintained by Tazewell County.



0 25 50 75 100
Feet



305 Lynnhaven Dr.

PIN: 02-02-20-310-010

Legend

-  305 Lynnhaven Dr.
-  Parcels



Date: 7/25/2023

This map indicates approximate data locations and may not be 100% accurate. Parcels are provided and maintained by Tazewell County.





Accessory Structures

Rolling Meadows South

Legend

- City Boundary
- Parcels
- Structures <5ft. Setback

88 Structures less than 5ft. from side or rear property lines



Date: 8/8/2023

This map indicates approximate data locations and may not be 100% accurate. Parcels are provided and maintained by Tazewell County.