

# CITY OF WASHINGTON

## PLANNING & DEVELOPMENT DEPARTMENT

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### MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission  
FROM: Aaron Paque, Planner  
SUBJECT: Public Hearing – Request from Satnam Singh for a Reduction of the Front Yard Setback to Construct a Larger Canopy  
DATE: April 29, 2022

**Zoning:** C-1 (Local Retail)

**Comprehensive Plan:** General Commercial

**Summary:** Satnam Sigh, owner of the Quick Stop Mart at 802 Peoria Street, is requesting a variance from the front yard setback. This relief from the regulation would allow for the construction of a canopy extending from the principal structure over all the existing fuel stations on the site instead of just those closest to the building.

**Background:** Chapter 154.091 of the zoning code states:

#### § 154.091 C-1 DISTRICTS

E) Yards required:

- (1) Front yard: there shall be provided on every lot a front yard not less than forty (40) feet in depth on new construction.

Based on the submitted drawing, the Peoria Street front yard setback would be reduced to approximately nine (9) feet, necessitating a variance of about thirty-one (31) feet. While this is a corner property with two front yards, the canopy would adhere to the front yard setback adjacent to Franklin Street.

802 Peoria is a part of the Garrisons addition in Washington. The gas station was built in 1953, eight years prior to the original zoning code being adopted by the City of Washington. Neither the C-2 or C-3 zoning districts have a front yard setback. The ten properties in the C-1 district comparatively are more challenged to conform to the more significant front yard setback. The C-1 district yard requirements also state: "The above yard requirements shall only apply to new construction or the expansion of existing structures." This language is unclear whether the canopy was subject to the front yard setback regulation. Staff felt that it would be best to view this as an expansion of the existing structure and to require approval of a variance before its construction.

Staff recommends approval of the variance request because of the hardship presented by the C-1 front yard setback regulation. It would modernize a long-term gas station while not interfering with public safety or dramatically changing the character of the neighborhood.

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, May 4<sup>th</sup> 2022.

**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): Satnam Singh

Phone Number of Applicant: [REDACTED]

Address of Applicant: 201 Bittersweet Ave., Germantown Hills, IL 60548

Owner of Property: Satnam Singh

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

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

Property Tax ID (PIN) number: 02 - 02 - 23 - 105 - 011

Current zoning classification of the property: C-1      Current use of the property: Convenience store with gas station

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:  
Canopy need updated to increase sales

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: Our site being updated will better the city and make the area look modern.

Describe the alteration or change, if any, in the basic character of the neighborhood the variation, if granted, would make:  
This upgrade will make the surrounding area look new and modern

Describe the nature of the variation you are requesting (attach dimensioned site plan):  
Remove existing fuel canopy and install new canopy to cover and illuminate all fuel islands.

**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.*

Satnam Singh  
Signature of Applicant

3/29/22  
Date

Satnam Singh  
Signature of Owner

3/29/22  
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 Aaron Paque, Planner, at (309) 444-1122.

Tazewell County, Illinois

generated on 4/8/2022 8:44:47 AM CDT

Parcel

<b>Parcel ID</b> 02-02-23-105-011	<b>Alt. PIN</b>	<b>Parcel Address</b> 802 PEORIA ST, WASHINGTON	<b>Data as of</b> 4/2/2022
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**Tax Payer Information**

<b>Tax Payer</b>	SRAI REAL ESTATE INC
<b>Tax Payer Address</b>	802 PEORIA ST WASHINGTON IL 61571
<b>Transfer Date</b>	02/24/2021

**Location Information**

<b>GIS</b>		<b>Section &amp; Plat</b>	
<b>District No.</b>	02027	<b>State Assigned District No.</b>	020
<b>Township No.</b>	002,	<b>Routing No.</b>	
<b>Parcel Address</b>	802 PEORIA ST, WASHINGTON	<b>Legal Desc.</b>	SEC 23 T26N R3W GARRISONS ADDN LOTS 1 & 2 ( EXC S 70') NW 1/4

**Parcel Information**

**Topography**

**Services**

<b>Property Class Code</b>	60 COMMERCIAL BUSINESS	<b>Level</b>	N	<b>Water</b>	
<b>Neighborhood Code</b>	229	<b>High</b>	N	<b>Sewer</b>	
<b>Neighborhood Factor</b>	.00	<b>Low</b>	N	<b>Gas</b>	
<b>Neighborhood Type</b>		<b>Rolling</b>	N	<b>Electricity</b>	N
<b>Street or Road Code</b>		<b>Swampy</b>	N	<b>Sidewalk</b>	
		<b>Flood Hazard</b>		<b>Alley</b>	N
		<b>Waterfront Property Type</b>			

