

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>

joliphant@ci.washington.il.us

MEMORANDUM

TO: Chairman Burdette and Planning and Zoning Commission
FROM: Aaron Paque, Planner
SUBJECT: Public Hearing – Request by Brian Johns of 106 S. Cedar Street for a 10-foot front yard setback variance
DATE: August 3, 2022

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

Comprehensive Plan: Single- and Two-Family Residential

Summary: Brian Johns is requesting a 10-foot reduction of the front yard setback at 106 S. Cedar Street. The property is zoned R-1 (Single- and Two-Family Residential). The purpose of the variance is to allow for the replacement and extension of the front porch.

Background: Chapter 154 of the City Code states:

“Front yard setback: Front yard: not less than twenty-five (25) feet unless the dwelling unit is constructed in an established area on one side of the street between two (2) intersecting streets which is improved with buildings that have observed a front yard depth of less than twenty-five (25) feet.”

Based on the submitted drawing, the front yard setback would be reduced to fifteen (15) feet.

106 S. Cedar is part of the Holland, Dorsey, Wathan & Robinson Addition on the east side of Washington. The home was built in 1946. Like many other homes in that neighborhood, it was built prior to the development of building codes, making many of the lots non-conforming to today's standards. Currently, most of the front yard setbacks on the 100 block of S. Cedar are fifteen feet or less. The front façade of 106 S. Cedar is approximately 22 feet from the front property line, which would make any porch a non-conformity. Because of the hardship, staff recommends approval of the requested variance.

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, August 3rd 2022.

**CITY OF WASHINGTON
WASHINGTON, ILLINOIS**

Department of Planning & Development

***Request for Publication
Notice of Public Hearing***

| | |
|---------------------------------------|-------------------------|
| <i>Transmitted to:</i> | Valeri Brod, City Clerk |
| <i>Transmitted by:</i> | Aaron Paque, Planner |
| <i>Date of transmittal:</i> | 7/8/2022 |
| <i>Send notice by:</i> | 7/8/2022 |
| <i>For publication on:</i> | 7/13/2022 |
| <i>Date of Public Hearing:</i> | 8/3/2022 |

| | |
|---|--|
| <i>Purpose of public hearing:</i> | Variance of the front yard setback to replace the front porch. |
| <i>Legal description</i> | SEC 24 T26N R3W HOLLAND, DORSEY, WATHAN & ROBINSON ADDN S 15FT LOT 5 & N 50FT LOT 6 BLK 7 NW 1/4 |
| <i>Property address</i> | 106 S. Cedar St |
| <i>Property tax ID (PIN #)</i> | 02-02-24-114-021 |
| <i>Suggested language to include:</i> | Variance to allow a porch to encroach into the front yard setback |
| <i>Ordinance needed?</i> | No |
| <i>Petition or application attached?</i> | Yes |
| <i>If yes, petitioner's name:</i> | Brian Johns |
| <i>If yes, fees paid?</i> | Yes |
| <i>Other notes/requests</i> | Property is zoned R-1, Front yard setback is 25 feet. The request is a 10-foot reduction of the front yard setback |
| <i>List of attachments</i> | Application, site plan, tax bill |

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 Johns

Phone Number of Applicant: _____

Address of Applicant: 106 S. Cedar St.

Owner of Property: same

Address of Owner: _____

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

Property Tax ID (PIN) number: 02 - 02 - 24 - 114 - 021

Current zoning classification of the property: R1 Current use of the property: Main 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:

Existing house is on setback line. Setback does not allow replacement of front porch which needs replaced.

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: Other properties on my block are much closer to ROW as indicated on attached "precedence" document

Describe the alteration or change, if any, in the basic character of the neighborhood the variation, if granted, would make: No Change

Describe the nature of the variation you are requesting (attach dimensioned site plan): Plans are attached. I would like to rebuild front porch to 15' from back of sidewalk similar to other existing properties on same block.

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

7-6-2022
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 Becky Holmes, Building and Zoning Supervisor, at (309) 444-1122.



CITY OF WASHINGTON
 301 WALNUT ST
 WASHINGTON, IL 61571
 (309) 444-3196 www.ci.washington.il.us

Receipt Number: R00068277

Cashier Name: PLA

Terminal Number: 10

Receipt Date: 7/6/2022 3:25:19 PM

Trans Code: 3 - MCB GENERAL ACCT. RECEIPTS Name: BRIAN JOHNS \$100.00

Product: ZONING VARIANCE & PLAT FEES Description: 106 S CEDAR ST

GL Account: 100-010-370-5000 - ZONING VARIANCE & PLAT FEES Amount: \$100.00

BRIAN JOHNS 100.00 100-010-370-5000 -100.00

Total Applied Amount: \$100.00

Payment Method: Payor: BRIAN JOHNS Reference: | I-Authorized Amount: \$100.00

Total Payment Received: \$100.00

Change: \$0.00

Cardmember acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth by the cardmember's agreement with the issuer.

X _____

Tazewell County, Illinois

generated on 7/8/2022 11:46:18 AM CDT

Parcel

| | | | |
|--------------------------------------|-----------------|---|-------------------------------|
| Parcel ID 02-02-24-114-021 | Alt. PIN | Parcel Address 106 S CEDAR ST, WASHINGTON | Data as of 7/2/2022 |
|--------------------------------------|-----------------|---|-------------------------------|

Tax Payer Information

| | |
|--------------------------|---|
| Tax Payer | JOHNS BRIAN K & MARGARET R |
| Tax Payer Address | 106 S CEDAR ST WASHINGTON IL 615710000 |
| Transfer Date | 11/12/2013 |

Location Information

| | | | |
|-----------------------|----------------------------|------------------------------------|---|
| GIS | | Section & Plat | |
| District No. | 02027 | State Assigned District No. | 020 |
| Township No. | 002, | Routing No. | |
| Parcel Address | 106 S CEDAR ST, WASHINGTON | Legal Desc. | SEC 24 T26N R3W HOLLAND, DORSEY, WATHAN & ROBINSON ADDN S 15FT LOT 5 & N 50FT LOT 6 BLK 7 NW 1/4 |

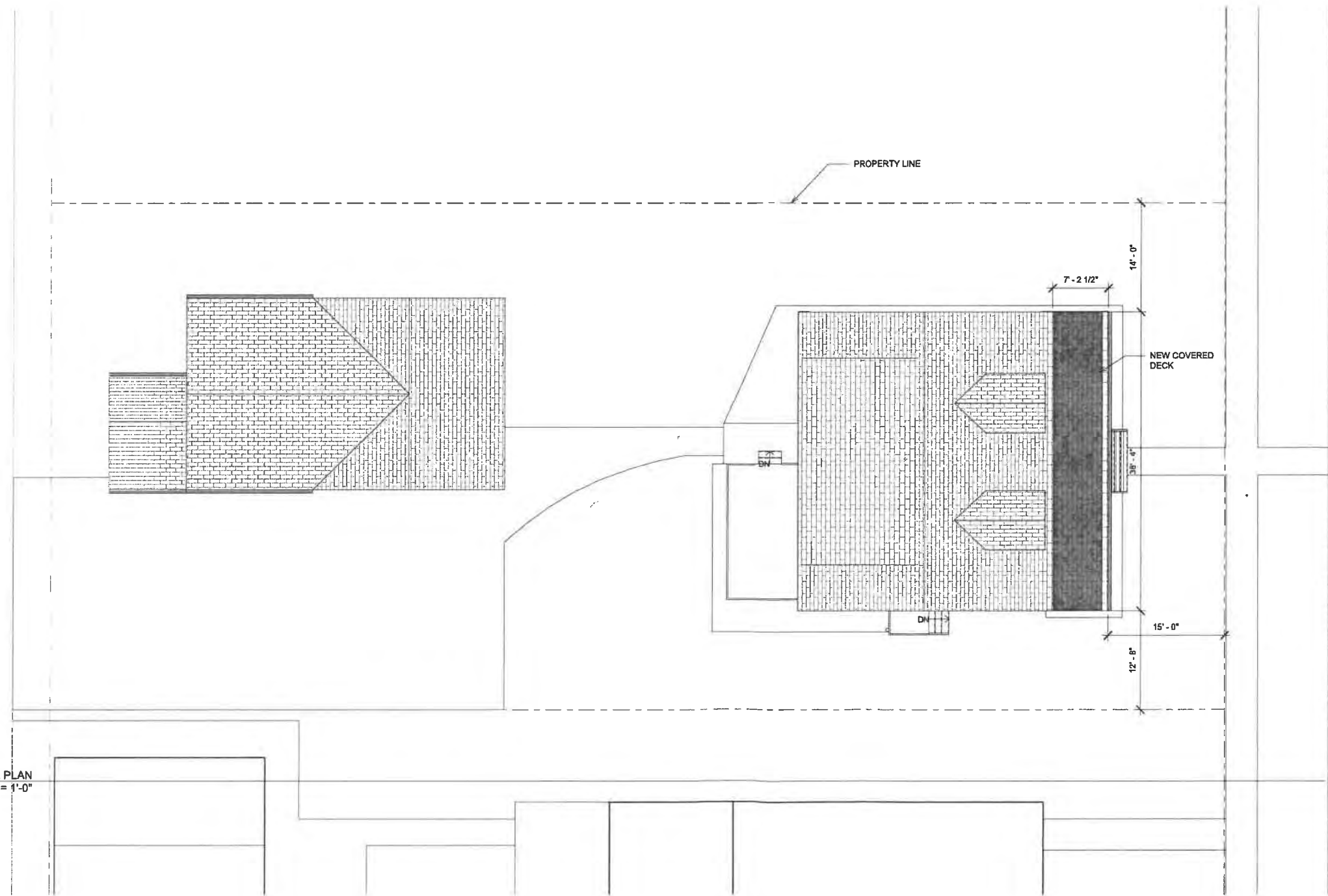
Parcel Information

Topography

Services

| | | | | | |
|----------------------------|-----------------------------|---------------------------------|---|--------------------|---|
| Property Class Code | 40 IMPROVED RESIDENTIAL LOT | Level | N | Water | |
| Neighborhood Code | 210 | High | N | Sewer | |
| Neighborhood Factor | 112.00 | Low | N | Gas | |
| Neighborhood Type | | Rolling | N | Electricity | N |
| Street or Road Code | | Swampy | N | Sidewalk | |
| | | Flood Hazard | | Alley | N |
| | | Waterfront Property Type | | | |

1 SITE PLAN
1/8" = 1'-0"



| No. | Description | Date |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

NEW DECK
106 S CEDAR ST
SITE PLAN

Project number
Date 06/20/2022
Drawn by BKJ
Checked by

C100

Scale 1/8" = 1'-0"



