

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 – A variance request by Aaron and Kendra Karlix of 824 Anne St to reduce the front yard setback
DATE: October 28, 2022

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

Comprehensive Plan: Single- and Two-Family Residential

Summary: Aaron and Kendra Karlix are requesting a variance to reduce of the front yard setback. The purpose for this request is to allow for the construction of an inground pool within the northern section of the back yard.

Background: The variance requested is of Chapter 154.057(D)(1) of the City Code which states:


“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. In such established districts, the front yard depth may be the same as, but not less than, the building immediately adjacent to either side of the proposed building structure. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the lot, except that the buildable width of such lot shall not be reduced to less than thirty-two (32) feet. No accessory building shall project beyond the front yard line on either street.”

Based on the submitted drawing, the front yard setback would be reduced to eighteen feet six inches (18' 6").

824 Anne Street is a part of Trails Edge Section 3, which was recorded in 2004 and is located at the intersection of Kelsey Street and Anne. While this is a corner lot, there are 14 such homes on Kelsey and eight homes on Anne. The subject lot's size and dimensions are similar to a majority of the properties within the neighborhood. The applicant's suggested location of the pool does not pose any life safety concerns and would not require special considerations for fire barriers. On the attached map produced by staff, the available locations are shown on the lot that would meet the setback requirements to place a pool. Staff does not recommend the approval of the variance due to the lack of hardship on the property.

A public hearing will be held by the Planning and Zoning Commission at their meeting on Wednesday, November 2, 2022.

Aaron Karlix
824 Anne St.
Washington, IL 61571



Karlix Variance Request - Additional Information

First of all, I appreciate you taking the time to consider this request. I hope that after reviewing the included information you will see that what we are requesting is reasonable and will not have any negative impact on the surrounding properties or the neighborhood as a whole.

We try to be very considerate of our neighbors and that is one of the reasons we would like to locate the pool on the north side of the yard. We are on a corner lot so there is not another house directly next door on that side. Along with the pool, we would like to add a patio area and fire pit and feel it would cause more of a disturbance if we had to locate the pool on the other side of the yard where it would be right up against the south side neighbors property.

If the variance is not approved, the unusually large setback on the side of my property would cause the following hardships by relocating the pool to the south end of the yard:

- Tear down nice existing shed built on concrete foundation
- Cut down mature oak tree
- Remove / Relocate marked electricity and telecommunication lines on south side of yard. There were no utility lines marked by Julie in proposed pool location.
- Moving pool to south side of yard would cause additional noise / activity around pool to be directly next to neighbors house / property. Proposed location keeps pool and patio furthest away from any surrounding properties.

I would also like to point out that the proposed pool location still has a substantial setback from the north side property line. Our existing 6' privacy fence is 10.5' from the property line and the pool would start 8' inside the fence. Total of 18.5' setback from property line. While I understand the need for setback requirements, we feel the 25' applied to our side yard is excessive and unnecessarily limits how we are able to use our back yard.

Thanks for your consideration,

Aaron and Kendra Karlix

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): Aaron and Kendra Karlix

Phone Number of Applicant: [REDACTED]

Address of Applicant: 824 Anne St. Washington, IL 61571

Owner of Property: Aaron and Kendra Karlix

Address of Owner: 824 Anne St. Washington, IL 61571

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

Property Tax ID (PIN) number: 02 - 02 - 15 - 206 - 001

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:

Locating the pool 25' from the north side property line would cause the concrete surround to encroach on existing deck.

Moving the pool to the other side of the yard would require tearing down the shed and cutting down the tree.

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: _____

Property is on a corner lot which is considered "double frontage" and therefore requires 25' setback from both the front and north side yard property lines.

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

The requested variance would not make any alteration or change to the character of the neighborhood. There is already a 6' privacy fence 10.5' from the property line and the pool would start 8' inside the fence. Total of 18.5' from the north side property line. The pool will not even be visible from the street or sidewalk.

Describe the nature of the variation you are requesting (attach dimensioned site plan): _____

Request to allow the pool to be 18.5' from the north side property line.
Layout drawing is 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.*

Aaron Karlix
Signature of Applicant

9/25/22
Date

Aaron Karlix
Signature of Owner

9/25/22
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 10/5/2022 11:08:07 AM CDT

Parcel

Parcel ID	Alt. PIN	Parcel Address	Data as of
02-02-15-206-001		824 ANNE ST, WASHINGTON	10/1/2022

Tax Payer Information

Tax Payer	KARLIX AARON & KENDRA
Tax Payer Address	824 ANNE ST WASHINGTON IL 615710000
Transfer Date	06/09/2016

Location Information

GIS		Section & Plat	
District No.	02021	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	824 ANNE ST, WASHINGTON	Legal Desc.	SEC 15 T26N R3W TRAILS EDGE SEC 3 LOT 144 NE 1/4

Parcel Information		Topography		Services	
Property Class Code	40 IMPROVED RESIDENTIAL LOT	Level	N	Water	
Neighborhood Code	231	High	N	Sewer	
Neighborhood Factor	122.00	Low	N	Gas	
Neighborhood Type		Rolling	N	Electricity	N
Street or Road Code		Swampy	N	Sidewalk	
		Flood Hazard		Alley	N
		Waterfront Property Type			

PROPOSED SWIMMING POOL PROJECT



Contractor: Premier Pools & Spas
 550 Pekin St, Lincoln, IL 62656
 217-747-8448 Phone

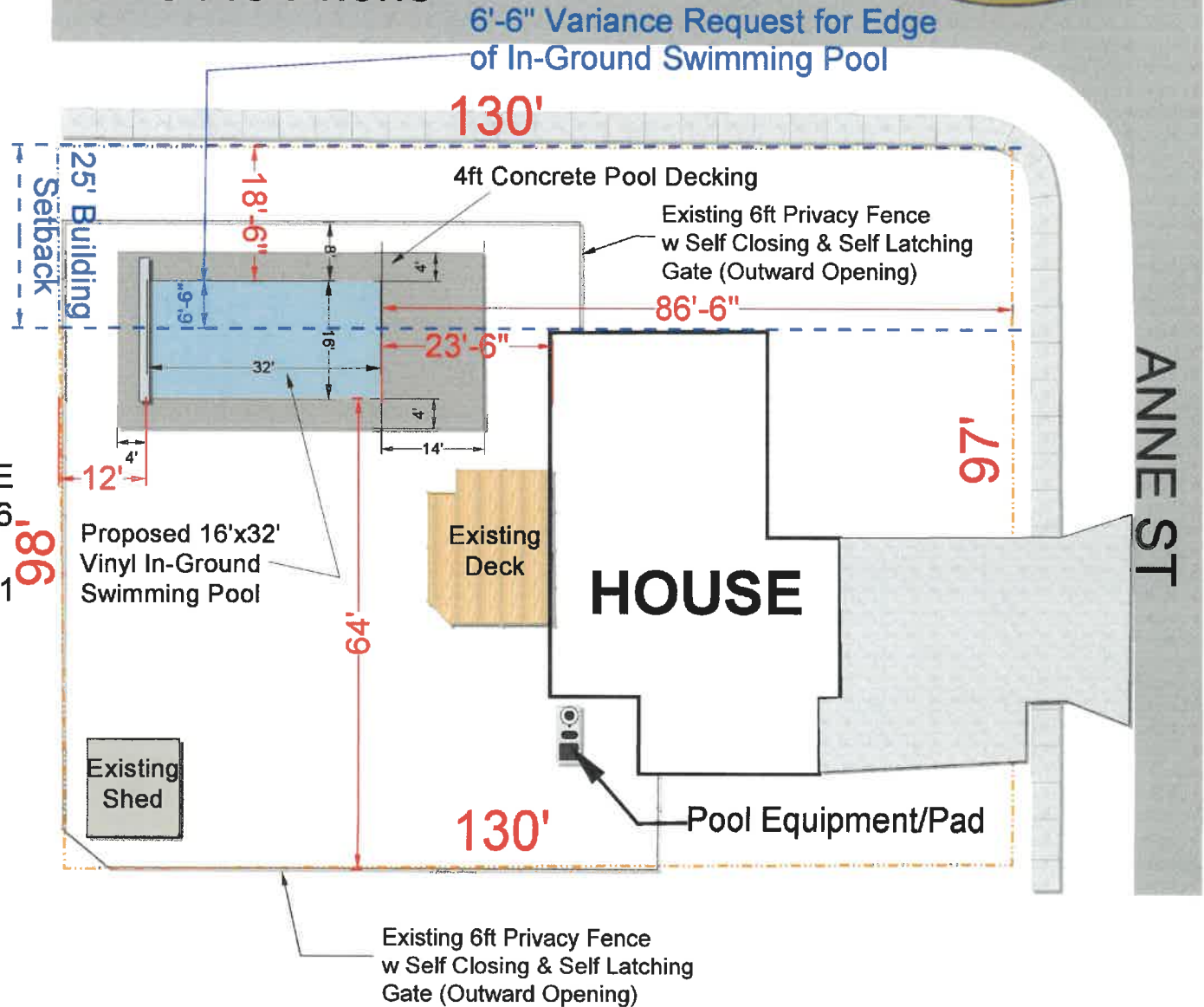


Variance Request Items In Blue

Name & Property Address
 KARLIX, AARON & KENDRA
 824 ANNE ST
 WASHINGTON, IL, 61571-0000

Legal Description
 SEC 15 T26N R3W TRAILS EDGE
 SEC 3 LOT 144 NE 1/4 AAA 85-86

Selected Parcel: 02-02-15-206-001
 Tazewell County
 Township: Washington



Proposed pool location at 824 Anne St. showing requested 18.5' setback from north side property line. Image from City of Washington GIS map.



-12'

18.5'

16'

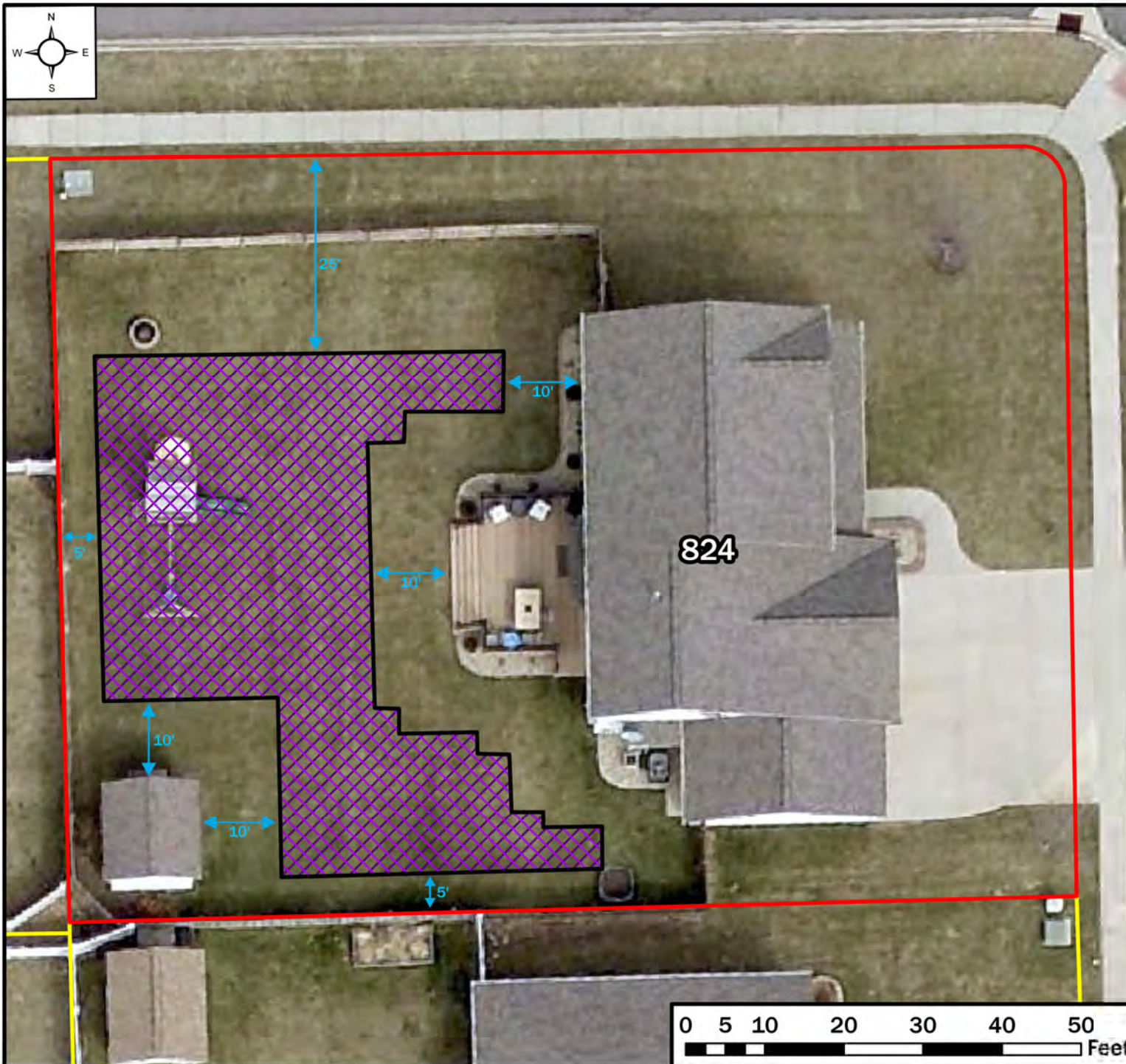
32'

98'

824




Location of existing mature oak tree



824 Anne St.

PIN: 02-02-15-206-001

Legend

-  Meets Setback Requirement
-  824 Anne St.
-  Parcels

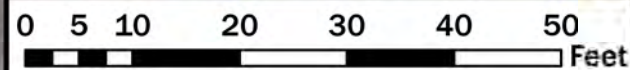
Setback Requirements

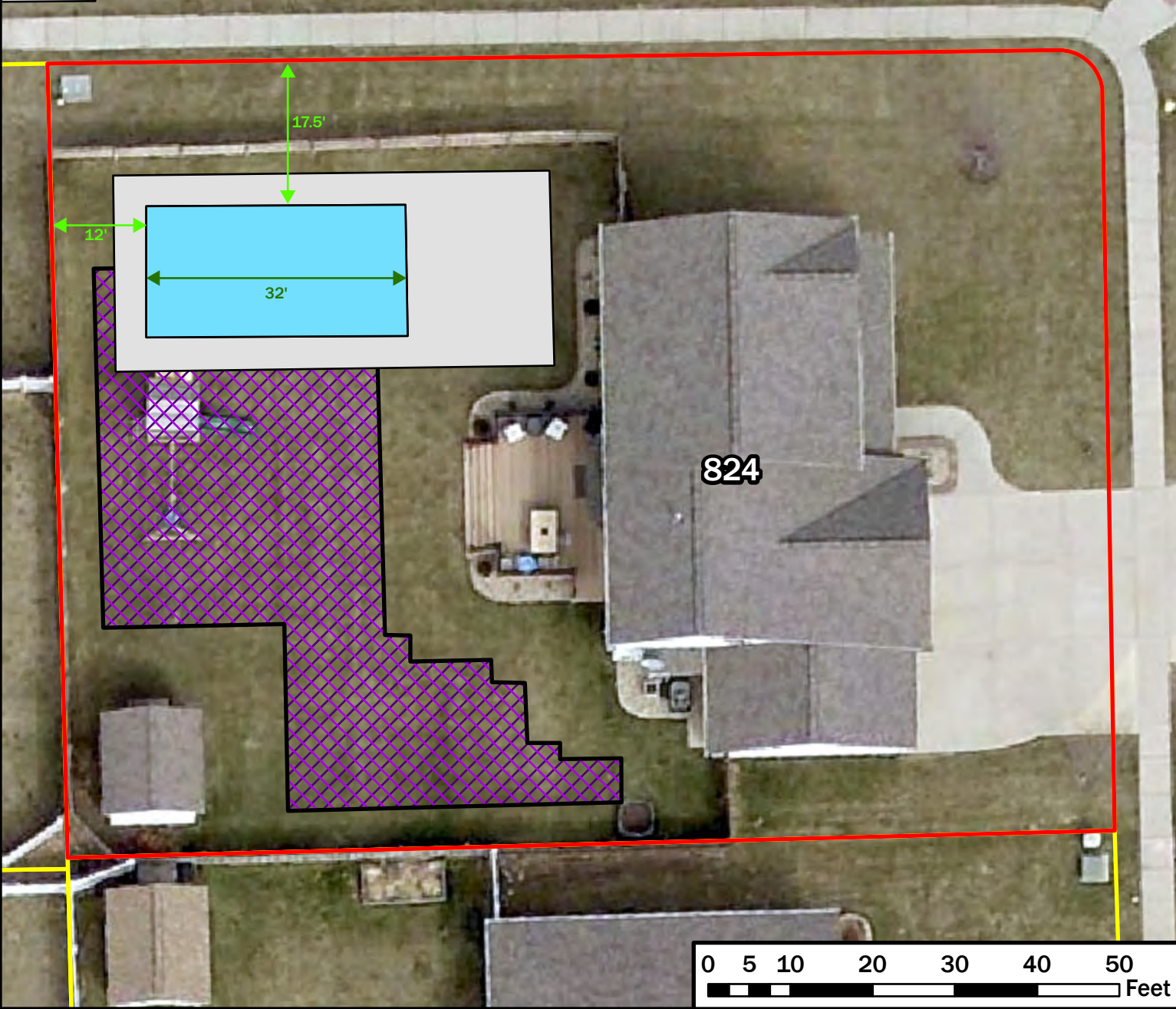
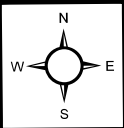
- North Property Line: 25'
- South Property Line: 5'
- East Property Line: 5'
- West Property Line: 5'
- 10' from Structures



Date: 10/28/2022

This map indicates approximate data locations and may not be 100% accurate. 2019 Aerial Imagery & Parcels are provided and maintained by Tazewell County.





824 Anne St.

PIN: 02-02-15-206-001

Legend

- Meets Setback Requirement
- 824 Anne St.
- Parcels
- Pool
- Pool Deck

Setback Requirements

- North Property Line: 25'
- South Property Line: 5'
- East Property Line: 5'
- West Property Line: 5'
- 10' from Structures



Date: 10/28/2022

This map indicates approximate data locations and may not be 100% accurate. 2019 Aerial Imagery & Parcels are provided and maintained by Tazewell County.

