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To: Chairman Burdette and Planning and Zoning Commission

From: Joe Boyer, Building and Zoning Coordinator

Zoning: R-2 (Multi-Family Residential)

Comprehensive Plan: Single and Two-Family Residential

Summary: Roni Roos is requesting a two-foot fence height variance at 1513 Flossmoor (PIN 02-02-15-410-010). The property is zoned R-2 (Multi-Family Residential). The purpose of the variance is to allow for a taller privacy fence than is allowed for in City Code. Staff recommends disapproval as indicated below.

Background: Ms. Roos was issued a fence permit (BLDR-000584-2024) on 3/5/24 for a six-foot privacy fence within her rear yard and spoke of her desire for a 12-foot portion to be eight feet in height for “aesthetic reasons” to match the height of the fence separating the decks at the neighboring 1515 Flossmoor duplex unit. She was informed any height increase would require a variance. Ms. Roos also stated the neighbor has a dog which has bitten her on two occasions, but no vicious dog complaint has been made. She also states the neighbor’s fence would overtop hers by two feet if the variance is not granted. A permit was issued in 2020 for a four-foot chain link fence at 1515 Flossmoor. That permit did not include the small section of eight-foot fence that separates the decks between the two units. Staff suspects that the eight-foot deck fence was installed concurrently with the rebuild of the structure in 2014 following the 2013 tornado. Attached are photos showing the fence on the 1515 Flossmoor property.

Staff is uncomfortable with the variance as it would tend to “open the floodgate” allowing anyone to build beyond the City Code. The property owner has also not demonstrated a verifiable hardship.

Staff recommends the denial of the two-foot height variance request.

A public hearing will be held by the Planning and Zoning Commission at their meeting on May 1, 2024.

Joe Boyer

Building and Zoning Coordinator

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): Roni Roos

Applicant Phone Number: [REDACTED] Property ID Number (PIN): _____

Applicant Address: 1513 Flossmoor Avenue Washington, IL

Property Owner: Roni Roos

Owner Address: 1513 Flossmoor Avenue Washington, IL

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

Current zoning classification of the property: Residence Current use of the property: Residence

Describe the nature of the variation you are requesting (attach dimensioned site plan): one part of privacy fence will be 8ft to cover the neighbors fence that would be sticking up 2ft over mine if left 6ft

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: N/A

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.) N/A

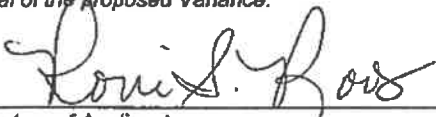
Describe how your situation is unique or different from any other property: It would basically be for aesthetic reasons but the neighbor also has a dog that has bitten me twice and one of my dogs as well, so I never spend time on my deck

Describe the alteration or change, if any, in the basic character of the neighborhood the variation, if granted, would make: I don't believe there would be any change in the character of the neighborhood

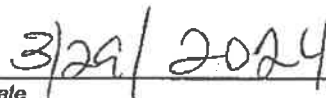
PUBLIC HEARING: Your case will be referred with staff's recommendation to the next regularly scheduled Planning and Zoning Commission (PZC) meeting for a public hearing. The PZC meets the first Wednesday of every month at 6:30 p.m. at the Washington District Library meeting room at 380 N. Wilmor Road. 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



Date



Signature of Owner (if different)

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 Joe Boyer, Building & Zoning Coordinator, at (309) 444-1122.

Tazewell County, Illinois

generated on 4/23/2024 2:34:31 PM CDT

Parcel

Parcel ID	Alt. PIN	Parcel Address	Data as of
02-02-15-410-010		1513 FLOSSMOOR AVE, WASHINGTON	11/18/2023

Tax Payer Information

Tax Payer	ROOS RONI
Tax Payer Address	1513 FLOSSMOOR AVE WASHINGTON IL 61571
Transfer Date	04/05/2021

Location Information

GIS		Section & Plat	
District No.	02021	State Assigned District No.	020
Township No.	002,	Routing No.	
Parcel Address	1513 FLOSSMOOR AVE, WASHINGTON	Legal Desc.	SEC 15 T26N R3W GRANDYLE ARMS SEC III ELY PT LOT 19 SE 1/4

Parcel Information

Property Class Code	40 IMPROVED RESIDENTIAL LOT
Neighborhood Code	215
Neighborhood Factor	113.00
Neighborhood Type	
Street or Road Code	

Topography

Level	N
High	N
Low	N
Rolling	N
Swampy	N
Flood Hazard	
Waterfront Property Type	

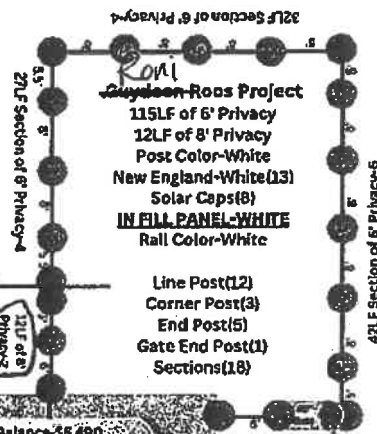
Services

Water	
Sewer	
Gas	
Electricity	N
Sidewalk	
Alley	N

Not allowed

Transitions to 6' Privacy

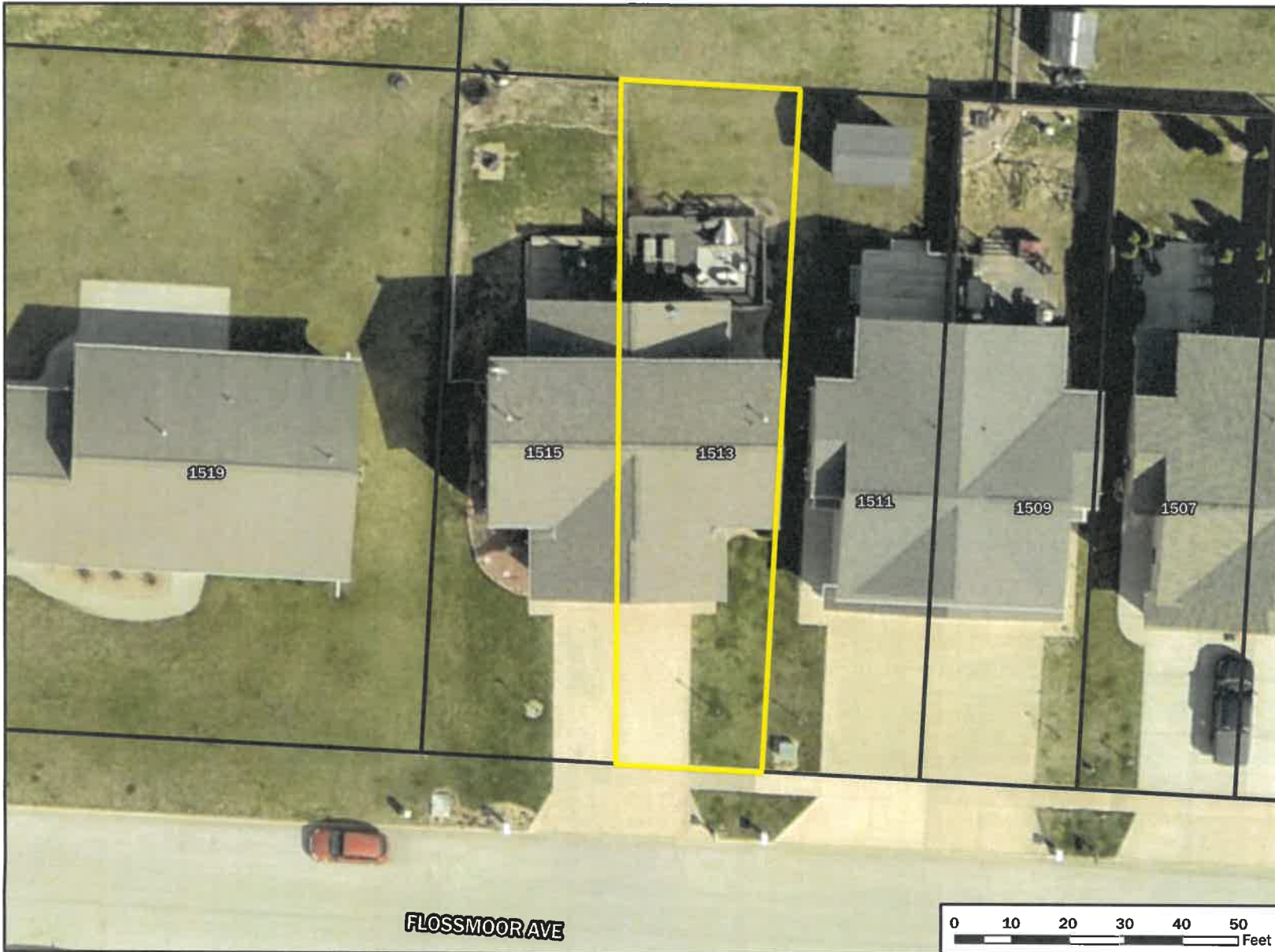
12LF of 6' Privacy



ROI
Guydon-Ross Project
 115LF of 6' Privacy
 12LF of 6' Privacy
 Post Color-White
 New England-White(13)
 Solar Caps(8)
IN FILL PANEL-WHITE
 Rail Color-White

Line Post(12)
 Corner Post(3)
 End Post(5)
 Gate End Post(1)
 Sections(18)

Balance-\$5,490
 Payment-Check of Cash



1513 Flossmoor Avenue

PIN: 02-02-15-410-010

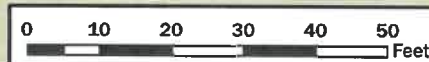
Legend

-  1513 Flossmoor Ave
-  Parcels

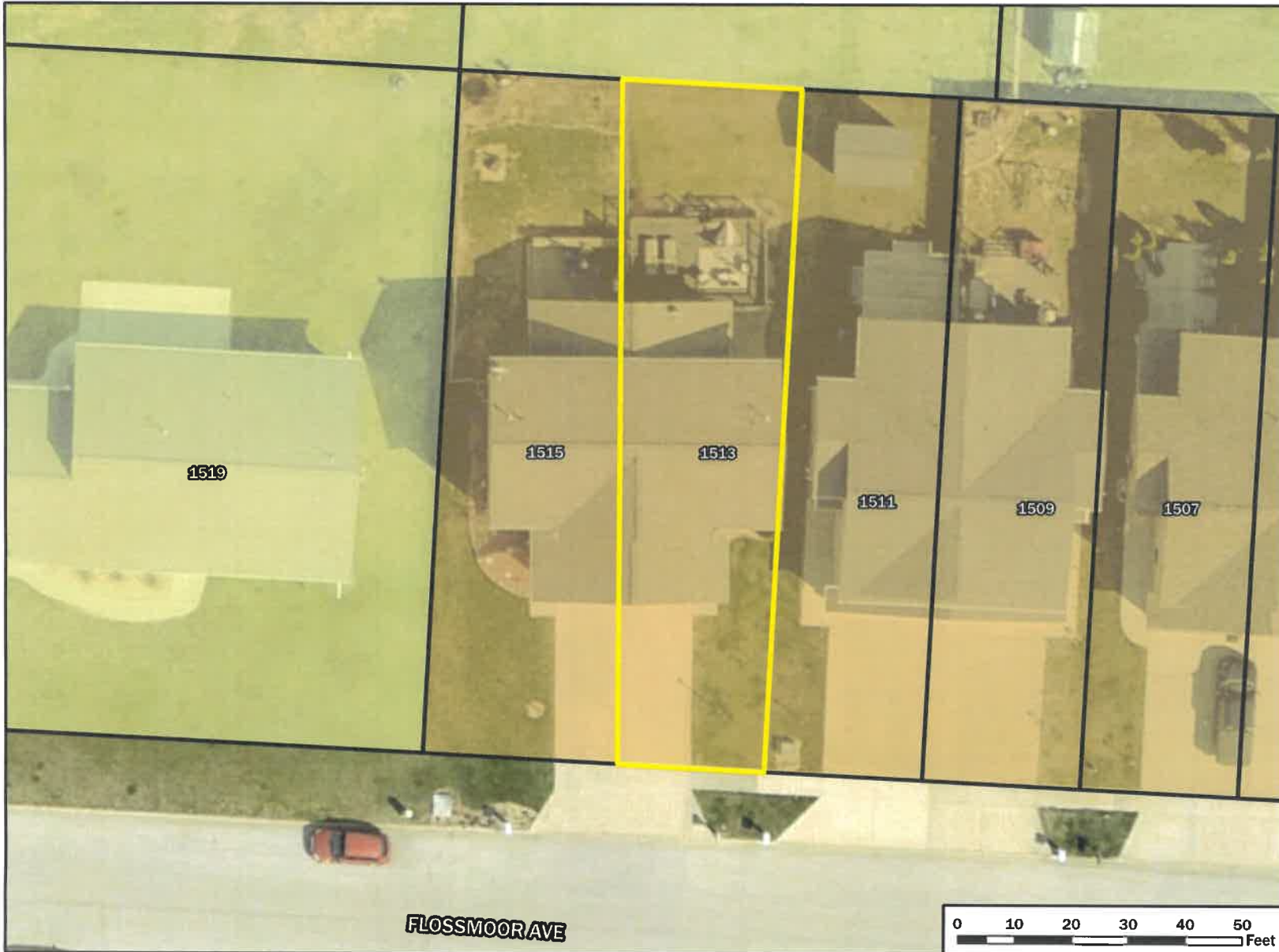


Date: 4/23/2024

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



FLOSSMOOR AVE



1513 Flossmoor Avenue

PIN: 02-02-15-410-010

Legend

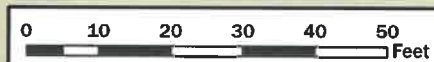
-  1513 Flossmoor Ave
-  Parcels
- Zoning**
-  R-1A
-  R-2



Date: 4/23/2024

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

FLOSSMOOR AVE





CITY OF WASHINGTON

Building Division
 Phone # 309-444-1122
 Fax # 309-444-9779

Building Permit Application – Residential Fence

Site Address: 1513 Flossmoor Ave	Application Date: 3/5/24
Subdivision Name: Grandyle Lot Number: 19	Anticipated Start: 3/7/24
Type of Fence: Privacy	Anticipated Completion: 3/7/24
Height of Fence: 6ft Linear Feet of Fence: 127	Estimated Cost of Construction: \$8,650
Known Easements:	Items Submitted: <input type="checkbox"/> Site Plan Contract

	Name
Owner	Roni Roos
Contractor	Revamp Fence + Deck

City of Washington Residential Fence Ordinance

§ 154.057 -058 (Fences)

(1) Front yard fences:

- (a) Front yard fences on interior lots must be ornamental fences, not more than forty-eight (48) inches in height above grade. Any fence other than an ornamental fence is not permitted in front yards on interior lots.
- (b) Front yard fences on corner lots must be ornamental fences, not more than forty-eight (48) inches in height above grade; provided, however, any other fence including an ornamental fence, not more than six (6) feet in height above grade is permitted in that front yard which the principal building or structure does not face, and provided that such fence is set back from the street line no less than ten (10) feet or one-half (½) the distance of that front yard, whichever is greater.

(2) Side and rear yard fences. Side yard and rear yard fences may be either ornamental fences or any other fence, but may not exceed six (6) feet in height above grade.

Fences may be placed within utility easements. However, they may be removed at any time by the utility company and/or the City without reimbursement and at the expense of the property owner. Fences are not permitted within any surface drainage easement or a 100-year floodplain.

Applicant's signature: Roni Roos Date: 3/5/24

FOR OFFICE USE ONLY

Meets Zoning Code Requirements: Yes No

Are there any easements that would restrict the location? Yes No

Date: _____ By: _____