

**DATE:** May 15, 2025  
**TO:** Zoning Board of Appeals  
**FROM:** Planning Staff  
**RE:** Petition Number: 2025-09 and 1995-48  
Applicant/Owner: Felimon Deltoro  
Location: 1507 E. Cass Street  
Request: 2025-09: A Variation of Use to allow a two-unit residence, an R-3 (One- and Two-family Residential) use, in the R-2A (Single-Family Residential) zoning district and a series of Variations to allow a two-unit residence, located at 1507 E. Cass Street.

REPEAL OF PETITION 1995-48: A Variation of Use to allow the continuation of an existing pizza business, a B-1 (Neighborhood Business) use, in an R-2A district, located at 1507 E. Cass Street.

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### **Purpose**

The applicant is requesting a Variation of Use to allow the addition of one residential unit, for a total of two residential units, located at 1507 E. Cass Street. The property contains R-2A (Single-Family Residential) zoning. A recent rental inspection of the property revealed that the building currently contains two dwelling units. The requested Variation of Use petition, if approved, would allow for the two dwelling units to remain on the subject property. As part of the requested Variation of Use petition, a previously approved Variation of Use petition from 1995 to allow the continuation of an existing pizza business, a B-1 (Neighborhood Business) use in an R-2A zoning district at the subject property, would be repealed. The Variation of Use requests must be considered by the City Council following the recommendation of the Zoning Board of Appeals.

The applicant is also requesting a Variation to reduce the minimum lot area per family from 4,800 sq. ft. to 2,750 sq. ft. This Variation is needed to allow two dwelling units to operate on the subject property. The subject property has an existing front yard setback nonconformity, with a 3.67-ft. front yard setback when the R-2A zoning district requires a setback of at least 25 feet. Since the property was annexed into the City and zoned to R-2A (Single-Family Residential) zoning in 1995, an additional Variation is needed to reduce the front yard setback distance from 25 feet to 3.67 feet. The Variations pertaining to lot area per family and front yard setback reduction only require approval from the Zoning Board of Appeals.

### **Site Specific Information**

The subject property is approximately 5,500 square feet in size and contains a two-story building, with a 1-story addition to the north (rear) side. The property was annexed into the City in 1995 with a pizza business operating on the first floor, and an apartment dwelling unit on the top floor. The property owner is looking to obtain a Variation of Use that would allow the previously made conversion of the lower floor into a legal studio apartment. The upper floor unit contains two bedrooms.

Both units have separate means of exterior access. The lower floor unit is accessed off the building's south side, fronting E. Cass Street. The upper floor unit contains access from the east side. A common area that can be entered from the north side of the building provides a secured entrance to each dwelling unit. Access between the two units has been closed off inside the building.

The property contains off-street parking for eight vehicles, with five spaces dedicated along E. Cass Street, and an additional three spaces to the rear of the building, which are accessed off an alleyway. The R-2A zoning district requires each dwelling unit to have no less than two (2) off-street parking spaces on the lot on which the dwelling is situated.

### **Surrounding Zoning, Land Use and Character**

The zoning and land use for the adjacent properties are as follows:

- North: R-2A (Single-Family Residential), single-family residence
- South: County R-5 (Single-Family Residence), single-family residences
- East: R-3 (One and Two Family-Residential), single-family residence
- West: R-2A (Single-Family Residential), single-family residence

### **Applicable Regulations**

- Section 47-17.28 – Variation of Use
- Section 47-19.8 - Criteria for granting a Variation (refer to attachment)
- Section 47-6A – R-2A (Single-Family Residential) Zoning District

**Section 47-17.28: Variation of Use:** *A "variation of use" shall be defined to mean relief from strict compliance with the use limitations of this Ordinance regarding the classification, regulation, and restriction of the location where trades, industries, businesses, and residences may exist.*

## **Discussion**

The petitioner is requesting a Variation of Use to allow the use of two dwelling units, an R-3 (One and Two-Family Residential) use in an R-2A (Single-Family Residential) zoning district. The petitioner believes having a second dwelling unit in the building will be a more sustainable use of the ground floor space than a separate commercial unit.

The neighborhood, while mostly single-family residential in nature, contains smaller lot sizes with older, early to mid-20<sup>th</sup> century structures. Lot sizes in the surrounding area are generally between .10 and .25 acres in size, which allows for the continuation of greater population density than is seen in other single-family residential zoning districts. Approximately 13% of adjacent lots within the same block of the subject property, east and west of the property, contain R-3 (One and Two-Family) residential zoning. Therefore, precedent exists to allow a mechanism for duplex residential development within the existing neighborhood. Given current local demand for increased housing volume and diversity, staff supports the petitioner's request to add a second dwelling unit in the main building. If the Variation of Use is approved, the petitioner will need to obtain all necessary building permits and complete all renovations prior to occupancy of the unit.

Since the main building is being altered to allow two dwelling units on the subject property, a variation to reduce the minimum lot area per family (or per dwelling unit), is required to avoid a nonconformity with the underlying zoning district. In this instance, the variation would reduce the required minimum lot area per family from 4,800 square feet, which is the minimum requirement for an R-2A (Single-Family Residential) zoning district, to 2,750 square feet per dwelling unit. When the subject property was annexed into the City in 1995, it was zoned to its current zoning designation of R-2A, with a variation to allow continuation of the pizza business. The petitioner has suggested that a commercial use at the subject property is not sustainable. Regarding the front yard setback Variation request, the structure's placement on the lot predates the lot's annexation into the City and its rezoning to R-2A (Single-Family Residential) zoning. Due to the preexisting density in the surrounding neighborhood and higher concentration of vehicular traffic on E. Cass Street, the proposed Variations should not alter the essential character of the locality.

## **Conditions**

If the Zoning Board desires to approve this Variation of Use to allow a two-unit residence, an R-3 (One and Two-Family Residential) use, in an R-2A (Single-Family Residential) zoning district and a series of Variations, and to repeal the existing Variation of Use granted in 1995 (Petition 1995-48), staff recommends the following conditions be included:

1. That all outstanding Building and Property Maintenance Code violations shall be remedied as directed by the City of Joliet Department of Neighborhood Services.
2. That the property shall remain in and comply with the City's Rental Inspection Program.
3. Should the property be declared a public nuisance by the City Council, the Variation of Use shall be subject to a rehearing and possible revocation of the Variation of Use.



**ZONING BOARD OF APPEALS**  
**CRITERIA FOR VARIATIONS**

Section 47-19.8 of the Zoning Ordinance states:

A variation shall not be granted in any case unless the Board shall find and clearly state in its record of the case that:

	Does the evidence presented sustain this criteria?	Comments
(1) Reasons sustaining the contention that strict enforcement of the Ordinance would involve practical difficulties or impose exceptional hardship were found as follows: (a) _____ (b) _____ (c) _____ (list of reasons)		
(2) Adequate evidence was submitted to establish practical difficulties or particular hardship so that, in the judgment of the Board, a variation is permitted because the evidence sustained the existence of each of the three following conditions:  (a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the particular district or zone.  (b) The plight of the owner is due to unique circumstances.  (c) The variation, if granted, will not alter the essential character of the locality.		
(3) A public hearing was held on such variation of which at least 15 days and not more than 30 days notice was published in the _____ (name of newspaper) on _____ (date).		

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(3) A public hearing was held on such variation of which at least 15 days and not more than 30 days notice was published in the _____ (name of newspaper) on _____ (date).		

FOR OFFICE USE ONLY

\*\*\*Verified by Planner (please initial): \_\_\_\_\_\*\*\*

Payment received from: \_\_\_\_\_

Petition #: \_\_\_\_\_

Common Address: \_\_\_\_\_

Date filed: \_\_\_\_\_

Meeting date assigned: \_\_\_\_\_

ZONING BOARD OF APPEALS

JOLIET, ILLINOIS

**PETITION FOR VARIATION OF USE**

City of Joliet Planning Division, 150 W. Jefferson St., Joliet, IL 60432  
Ph (815)724-4050 Fax (815)724-4056

ADDRESS FOR WHICH VARIATION IS REQUESTED: 1507 E Cass Street

PETITIONER'S NAME: Felimon DeToro

HOME ADDRESS: 3507 Indian Head Ln ZIP CODE: 60435

BUSINESS ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE: (Primary) (815) 207-9134 (Secondary) \_\_\_\_\_

EMAIL ADDRESS: alonsoDe10929@gmail.com FAX: \_\_\_\_\_

PROPERTY INTEREST OF PETITIONER: 1507 E Cass Street

OWNER OF PROPERTY: Felimon DeToro

HOME ADDRESS: 3507 Indian Head Ln ZIP CODE: 60435

BUSINESS ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

**Any use requiring a business license shall concurrently apply for a business license and submit a copy with this petition.** Additionally, if this request is for operation of a business, please provide the following information:

BUSINESS REFERENCES (name, address, phone or email):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER PROJECTS AND/OR DEVELOPMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 30-07-11-410-030-0000  
\_\_\_\_\_;

*\*\*Property Index Number/P.I.N. can be found on tax bill or Will County Supervisor of Assessments website\*\**

LEGAL DESCRIPTION OF PROPERTY (an attached copy preferred):

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LOT SIZE: WIDTH: \_\_\_\_\_ DEPTH: \_\_\_\_\_ AREA: \_\_\_\_\_

PRESENT USE(S) OF PROPERTY: \_\_\_\_\_

PRESENT ZONING OF PROPERTY: \_\_\_\_\_

VARIATION OF USE REQUESTED: \_\_\_\_\_

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### **RESPONSE TO VARIATION OF USE CRITERIA**

The Zoning Board of Appeals is authorized to grant or recommend relief only when it has received adequate evidence to establish a practical difficulty or hardship. The evidence must support each of the following three conditions:

- (a) The property in question cannot yield a reasonable return by use permitted and subject to the conditions allowed by the regulations in the particular district or zone.
- (b) The plight of the owner is due to unique circumstances.
- (c) The variation, if granted, will not alter the essential character of the locality.

**Please describe how this request meets the criteria by responding to the following questions in your own words.**

*1. How do the applicable zoning regulations prevent the property in question from yielding a reasonable return?*

We are not able to rent the bottom portion of the home

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2. What unique circumstances exist which mandate a variance?

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3. What impact would the granting of this variance have upon the essential character of the general area? Please include both positive and negative impacts.

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**REQUIRED SUPPORTING ATTACHMENTS**

- ☐ Site plan / concept plan / floor plan / building elevation plan
- ☐ Joliet Ownership Disclosure form
- ☐ Business license application (if applicable)

**NOTARIZATION OF PETITION**

STATE OF ILLINOIS) ss  
COUNTY OF WILL)

I, Patricia Del Toro, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

Patricia Del Toro

Petitioner's Signature

\_\_\_\_\_  
Owner's Signature  
(If other than petitioner)

Subscribed and sworn to before me  
this 4 day of March, 2025

Lauren A Helland



## CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

### I. INFORMATION ABOUT THE APPLICATION

This form is submitted as part of an application for the following (check all that apply):

- ☒ Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)  
☐ Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)  
☐ Building Permit (Complete Sections II and III)  
☐ Business License (Complete All Sections)

### II. INFORMATION ABOUT THE PROPERTY

The address and PIN(s) of the real property associated with this application are:

1507 E  
PIN(s): 30-07-11-410-030-0000

### III. PROPERTY OWNERSHIP

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

- ☒ **Individual:** State the names, addresses, and phone #'s of the individual owner(s)  
☐ **Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders  
☐ **Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member  
☐ **Land Trust:** State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries  
☐ **Partnership:** State the names, addresses, and phone #'s of all partners  
☐ **Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

Felimon Del Toro  
3507 Indian Head Ln Joliet IL 60435  
#(815) 207-9134

E-MAIL: \_\_\_\_\_ FAX: \_\_\_\_\_

#### **IV. BUSINESS OWNERSHIP**

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

Select the type of business owner associated with this application and fill in the contact information below:

- ☐ **Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- ☐ **Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- ☐ **Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- ☐ **Partnership:** State the names, addresses, and phone #'s of all partners
- ☐ **Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

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**E-MAIL:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

#### **NOTE:**

If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

**SIGNED:** Felimon De la Torre

**DATE:** 3-2-25

**Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:**

Felimon De la Torre (owner of building)  
# (815) 207-9134

**PRINT**



Residential  
Commercial  
ALTA

# PLAT OF SURVEY

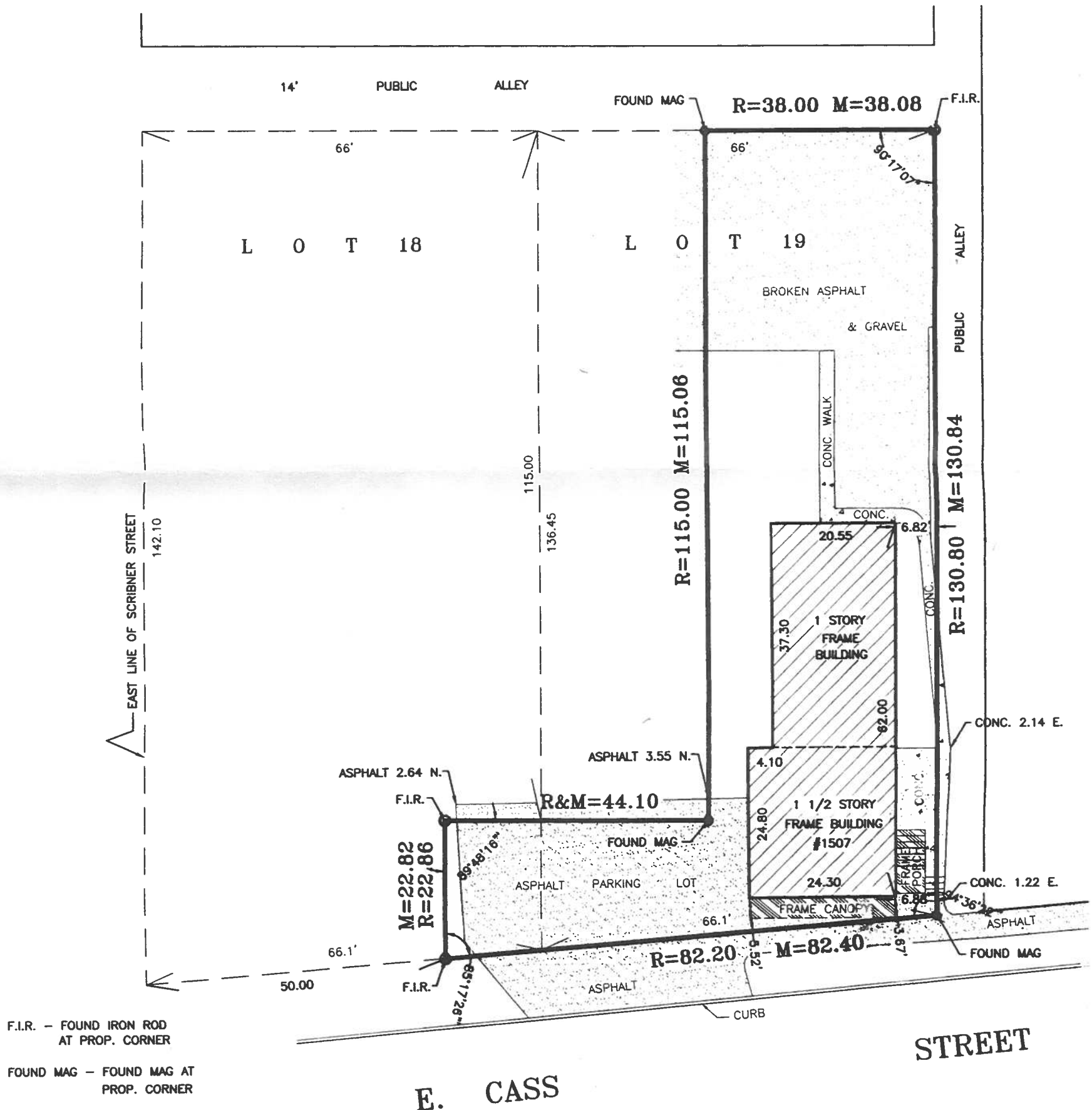
Studnicka and Associates, Ltd.

Topographical  
Condominium  
Site Plans

Tel. 815 485-0445  
Fax 815 485-0528

17901 Haas Road  
Mokena, Illinois 60448

THE EAST 38 FEET OF LOT 19 AND THAT PART OF LOT 18 (EXCEPT THE WEST 50 FEET THEREOF) AND THE WEST 28 FEET OF LOT 19 LYING SOUTH OF THE NORTH 115 FEET THEREOF, IN H.A. CAGWIN'S SUBDIVISION OF BLOCK 4 OF CAGWIN HEIR'S SUBDIVISION OF THE NORTH PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 28, 1893 AS DOCUMENT NO. 172228, IN WILL COUNTY, ILLINOIS.



Scale: 1" = 20 feet

Distances are marked in feet and decimals.

Ordered by: Bill Shouldice

Order No.: 10-9-10

Compare all points before building by same and at once report any difference.

For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.

Field work completed: 9/9/10

Drawn by: S. K.

Proofed by: T.S.

Design Firm Registration # 184-002791

STATE OF ILLINOIS }  
COUNTY OF WILL } ss

Studnicka and Associates, Ltd., an Illinois Land Surveying Corporation does hereby certify that this professional service conforms to the current Illinois standards for boundary survey.

Mokena, IL. September 9, A.D. 2010

by *[Signature]*

License No. 3304 Expires 11/30/10



AN ORDINANCE GRANTING A VARIATION OF USE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, AS FOLLOWS:

SECTION 1: A variation from the Zoning Ordinance of the City of Joliet, Ordinance No. 5285, as amended and ratified, is hereby granted to allow the specific use identified in Exhibit A on the real property described in Exhibit A and subject to the conditions set forth in Exhibit A. The variation is granted subject to the terms and conditions of all applicable federal, state, and local laws, ordinances, and regulations. The zoning classification of the subject property for which this variation is granted remains the same and is not changed in any way by the passage of this Ordinance. This Ordinance shall be strictly construed to prohibit any use not specifically granted herein or otherwise allowed by the Zoning Ordinance of the City of Joliet. Noncompliance with the mandatory conditions set forth in this Ordinance shall subject the variation of use to repeal.

SECTION 2: The findings of fact and recommendation of the Zoning Board of Appeals on the granting of this variation of use are hereby adopted and made a part of this Ordinance (unless the Zoning Board of Appeals has recommended against the approval of the variation of use, in which case this Ordinance has been passed by a favorable vote of at least two-thirds of the members of the City Council then holding Office).

SECTION 3: This Ordinance shall be considered severable, and the invalidity of any section, clause, paragraph, sentence, or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 4: This Ordinance shall be in effect upon its passage.

PASSED this 18th day of July, 1995.

  
MAYOR

  
CITY CLERK

VOTING YES MAYOR SCHULTZ and COUNCILMEN BROPHY, HACKER,  
LEDESMA, SHETINA, TURK and WINTERROSE.

VOTING NO NONE.

NOT VOTING COUNCILMEN DORRIS and UREMOVIC (absent).

PIN: 7-11-410-027

ADDRESS: 1507 E. Cass Street

ZBA APPROVED: yes, 6-15-95

LEGAL DEPT. FORM 111-01-15-92-TAT

PREPARED BY: Corporation Counsel, City of Joliet

MAIL TO: City Clerk, City of Joliet, 150 West Jefferson Street  
Joliet, Illinois 60431

**EXHIBIT A**

**VARIATION OF USE FOR: 1507 E. Cass Street**

**1. LEGAL DESCRIPTION OF SUBJECT PROPERTY:**

That part of lot 19 lying easterly of a line described as commencing at a point on the north line of said lot 19, said point being 38 feet westerly of the northeast corner of said lot (as measured along said north line) and terminating at a point on the southerly line of said lot, said point being 37' feet westerly of the southeast corner of said lot (as measured along said southerly line) all in H. A. Cagwin's Subdivision of Block 4 of the Cagwin Heir's Subdivision of the north part of the east half of the southeast quarter of section 11, in township 35 north, and in range 10 east of the third principal meridian, according to the plat thereof recorded January 28, 1893, as Document No. 172228, in Will County, Illinois.

**2. SPECIFIC USE TO BE ALLOWED ON SUBJECT PROPERTY:**

A Variation of Use to allow the continuation of an existing pizza business (B-1, Neighborhood Business use) in an R-2A district.

**3. MANDATORY CONDITIONS IMPOSED UPON USE OF SUBJECT PROPERTY:**

1. That the structure not be expanded in the future;
2. That nine off-street parking spaces remain in the future; and,
3. Should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use.

At a meeting of the Zoning Board of Appeals of the City of Joliet, Illinois, held Thursday, June 15, 1995 at the hour of 1:30 p.m. in the Municipal Building, 150 West Jefferson Street, Joliet, Illinois with the following members present:

Mr. Paul Briese  
Mr. Michael Fisk  
Mr. Jack Susner  
Mr. Don Walden  
Mr. Ed Hennessy

Absent:

Mr. Bill Greiner  
Mr. Gus Gutierrez

Thereupon the following matters were discussed:

PETITION 95-48: A Variation of Use to allow the continuation of an existing pizza business (B-1, Neighborhood Business use) in an R-2A district. The property is located at 1507 East Cass Street.

THIS CASE WAS HEARD SECOND ON THE AGENDA.

Mr. Fisher read the staff report into the record.

The petitioner, Robert Weder, 1419 Dickens, Joliet, was sworn in by the Chairman. Mr. Weder said they will tie into city sewer and water. He said that contractors are hard to get to do the work on Cass Street, and he thinks that this will be a problem for him.

The Chairman said that the Board is going to be voting on the variation of use and the problem with obtaining a contractor would be the petitioners concern.

The Chairman asked if anyone wished to speak in favor of the petition and no one came forward.

The Chairman asked if anyone wished to speak in opposition to the petition and no one came forward.

The Chairman closed the petition and asked the board for a discussion and a vote.

Mr. Walden moved to approve the petition subject to the following conditions:

that the structure not be expanded in the future;

that off street parking remain in the future;

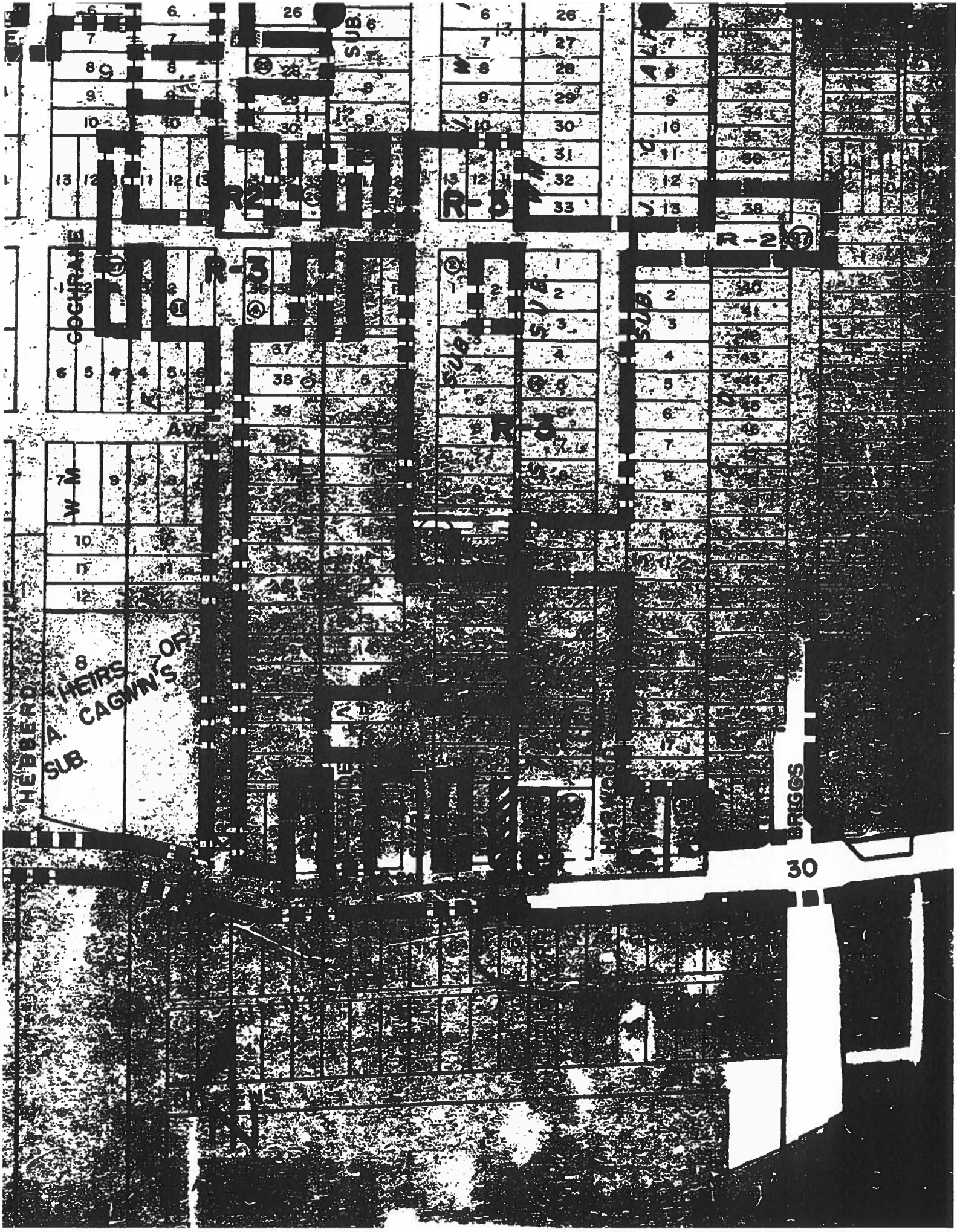
should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use.

Mr. Briese seconded the motion.

The Secretary polled the Board:

Mr. Briese voted aye  
Mr. Fisk voted aye  
Mr. Susner voted aye  
Mr. Walden voted aye  
Mr. Hennessy voted aye

Petition 95-48 will go before the Mayor and City Council for a final decision with the Zoning Board's recommendation for approval.



SUB.

R-3

R-2

R-3

R-3

SUB.

SUB.

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BRIGGS

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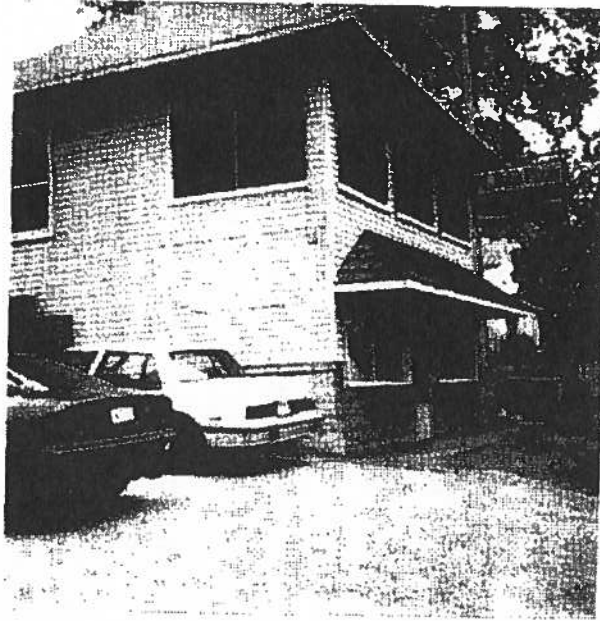
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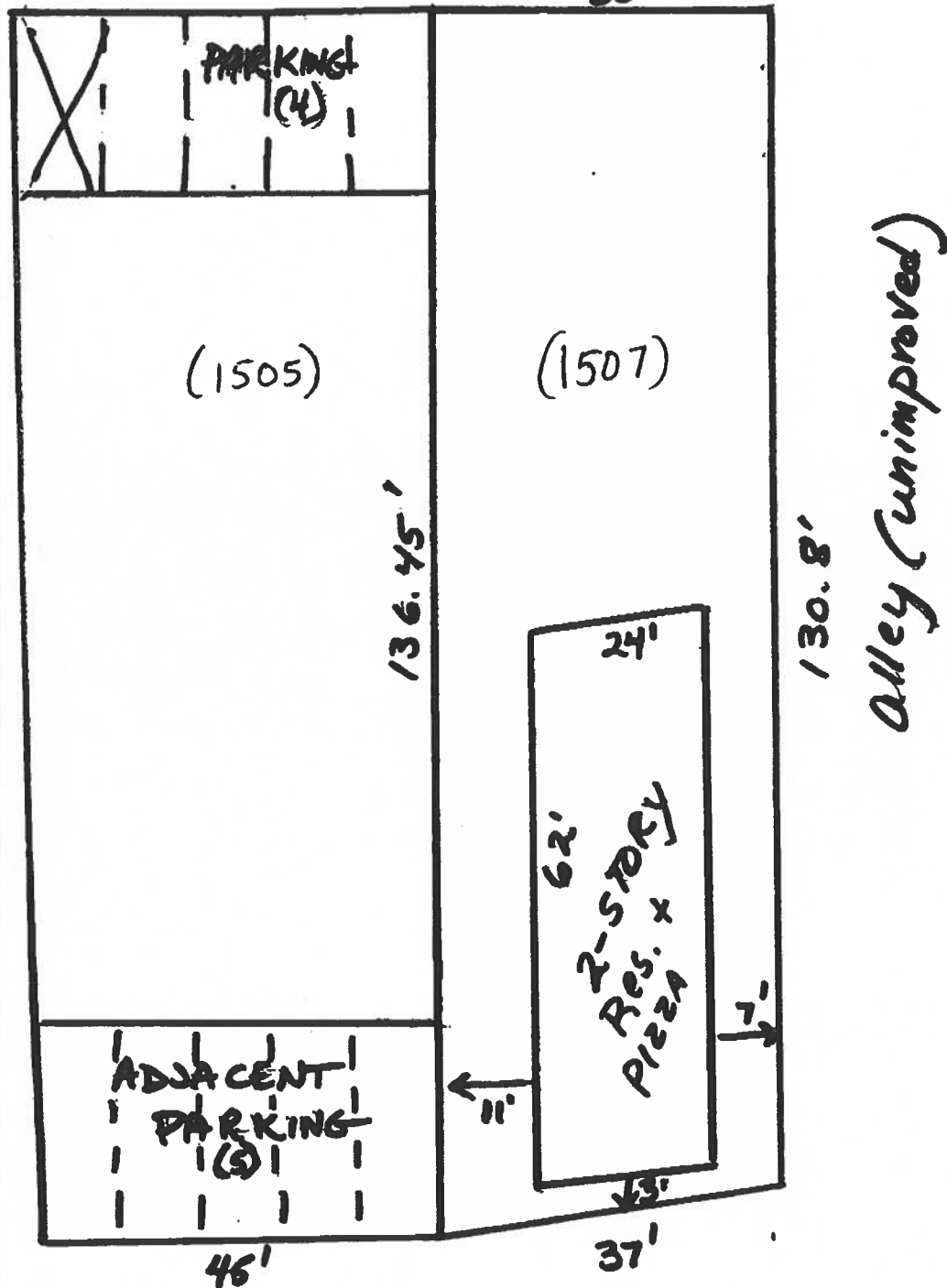
1557 E. Cass



1507 E. CASS



- Alley -  
38'

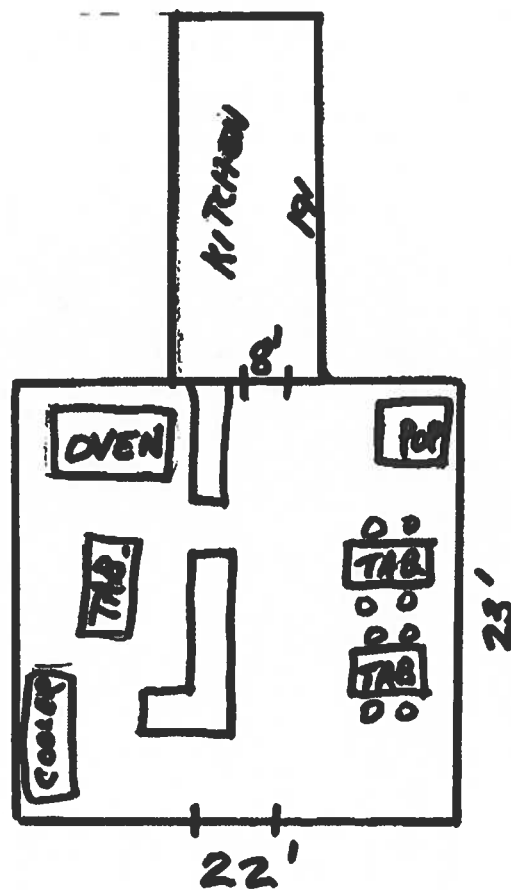


Alley (unimproved)

CASS ST.

1507 E. CASS

# Floor Plan



CASS ST.



STAFF REPORT

DATE: June 6, 1995  
TO: Zoning Board of Appeals  
PETITION NO.: 95-48

PREPARED BY: Planning Staff  
DATE FILED: 4/16/95

GENERAL INFORMATION:

APPLICANT: Robert Weder  
STATUS OF APPLICANT: Owner  
REQUESTED ACTION: A Variation of Use and a variation of front yard setback from 25' to 3'.  
PURPOSE: To allow continuation of pizza business  
EXISTING ZONING: R-2a (single-family)  
LOCATION: 1507 E. Cass Street, north side of Cass St East of Scribner St.  
SIZE: 38' x 136' = 5,168 sq. ft.  
EXISTING LAND USE: commercial with rental unit  
SURROUNDING LAND USE & ZONING:

NORTH: Residential, R-2a (City)  
SOUTH: Residential, R-5 (County)  
EAST: Residential, R-2a (City)  
WEST: Residential, R-2a (City)

SITE HISTORY: This property was annexed to the City in May, 1995 and zoned R-2a to conform to surrounding area.

APPLICABLE REGULATIONS:

47-17.28 Variation of Use  
47-16 Schedule of Yard & Lot Requirements

SPECIAL INFORMATION:

This request would allow the continuation of an existing pizza business (Al & Bob's Pizza) in an R-2a zoning district. The owner has operated the business for the past 29 years. The property was annexed to allow connection to City sewer and water services. The City did not allow business zoning because of the surrounding residential properties. There is adequate parking on the adjacent property which the owner also owns.

Should the Zoning Board of Appeals approve the requested variation of use, Staff recommend that the following conditions be attached:

that the structure not be expanded in the future;

that off street parking remain in the future;

should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use.

**ANALYSIS:**

The approval of the requested variation of use will allow an existing business, with no adverse impact upon the surrounding area.

95-48  
4-16-95  
Pd.

# PETITION FOR VARIANCE

ADDRESS: 1419 Dickens, Joliet 60432

PROPERTY INTEREST OF PETITIONER: Owner

OWNER OF PROPERTY: Robert + Alice Weder

ADDRESS: Same

LEGAL DESCRIPTION OF PROPERTY: (see attached)

COMMON ADDRESS: 1507 E. Cass

PERMANENT INDEX NUMBER (TAX NO., OR P. I. N.): 7-11-410-027

LOT SIZE: WIDTH: 46 DEPTH: 131 AREA: 6026 s.f.

PRESENT USE & ZONING: pizza business, R-2A

### USE OF SURROUNDING PROPERTIES:

NORTH: Res EAST: Res  
SOUTH: Res WEST: Res.

VARIANCE(S) REQUESTED: pizza business in R-2A dist.

The Zoning Board of Appeals is authorized to grant or recommend relief only when it has received adequate evidence to establish a practical difficulty or particular hardship. The evidence must support each of the following three conditions:

- (a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the particular district or zone.
- (b) The plight of the owner is due to unique circumstances.
- (c) The variation, if granted, will not alter the essential character of the locality.

Please describe how this request meets the criteria by responding to the following questions in your own words.

1. How do the applicable zoning regulations prevent the property in question from yielding a reasonable return? annexed -

2. What unique circumstances exist which mandate a variance?

annexed MAY 1995 for sewer & water  
- business operated for 29 years  
- zoned for residential to be in character  
with area

3. What impact would the granting of this variance have upon the essential character of the general area? This should include both positive and negative impacts.

none - been in area  
surrounding long time - co-existed  
with residential

A site (plot) plan is required in order to consider a petition. Please attach a site plan to this application. If a site plan is not included with the petition it will not be accepted as an agenda item for the Board.

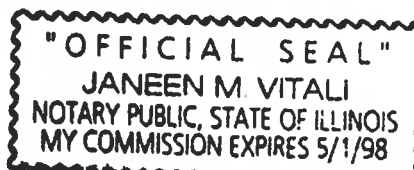
The ownership of all property held in a trust must be submitted on a Certificate of Ownership.

STATE OF ILLINOIS) ss  
COUNTY OF WILL)

I, Robert Weder, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

Robert Weder  
Petitioner's Signature

Subscribed and sworn to before me  
this 16th day of April, 1995  
Janeen M. Vitali



In accordance with Resolution No. 1694 of the City of Joliet, all persons residing within 300 ft. of the property referred to in this application must be notified of the proposed rezoning. Please list the NAMES and ADDRESSES of all RESIDENTS within 300 ft. of the subject property.

OFFICE OF THE CITY MANAGER  
JOHN M. MEZERA  
CITY MANAGER  
815/740-2211

FAX 815/740-1221

CITY MEMO NO. 403 - 95

CITY OF



JOLIET

July 10, 1995

150 W. JEFFERSON ST.  
JOLIET, IL 60431-1144

TO: Mayor and City Council

FROM: John M. Mezera, City Manager

SUBJECT: Zoning Board of Appeals Petition 95-48: A Variation of Use to Allow a Pizza Business (B-1, Neighborhood Business use) in an R-2a (Single Family Residential) district. The property is located at 1507 E. Cass Street, Joliet, Illinois.

BACKGROUND:

Robert and Alice Weder, owners of the subject property, are requesting approval of a variation of use to allow a pizza business in an existing structure at 1507 E. Cass Street. The pizza business, known as Al & Bob's Pizza, has been operated by the owners at this location for the past 29 years. The property was annexed and zoned R-2a (single family residential) by the City Council in May, 1995 in order to obtain City sanitary sewer and water services. The property was zoned R-2a to conform to the surrounding residential area. The pizza business occupies approximately 658 square feet on the first floor of the building. The property also contains a rental unit on the second floor. There are nine off-street parking spaces on the adjacent lot, which the owners also own.

PUBLIC HEARING:

The Zoning Board of Appeals reviewed the petition at their meeting held June 15, 1995. Mr. Robert Weder, petitioner, spoke on behalf of the variation request. No one appeared in opposition to the petition. Minutes of the meeting are attached.

RECOMMENDATION OF THE ZONING BOARD OF APPEALS:

Mr. Walden moved to approve the petition subject to the following conditions:

1. That the structure not be expanded in the future;
2. That nine off-street parking spaces remain in the future; and,

3. Should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use.

Mr. Briese seconded the motion, which was passed with an unanimous vote. Voting aye were: Mr. Briese, Mr. Fisk, Mr. Susner, Mr. Walden, and Mr. Hennessy.

RECOMMENDATION OF THE ADMINISTRATION:

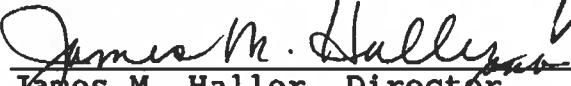
The Administration concurs with the Zoning Board of Appeals and recommends that the Mayor and City Council adopt the attached Ordinance approving a variation of use to allow a pizza business in the existing structure located at 1507 E. Cass Street, subject to the following conditions:

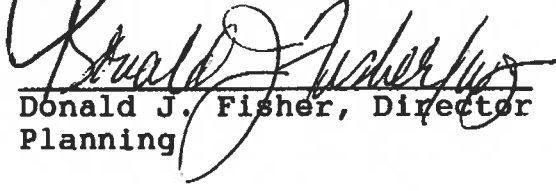
1. That the structure not be expanded in the future;
2. That nine off-street parking spaces remain in the future; and,
3. Should the property be declared a public nuisance, it shall be subject to rehearing and possible revocation of the Variation of Use.

Respectfully submitted,


  
John M. Mezera  
City Manager

CONCURRENCE:

  
James M. Haller, Director,  
Community & Economic Development

  
Donald J. Fisher, Director  
Planning

Prepared by:

  
Janeen M. Vitali, Planner II





















**2025-09 & 1995-48**



= Property in Question

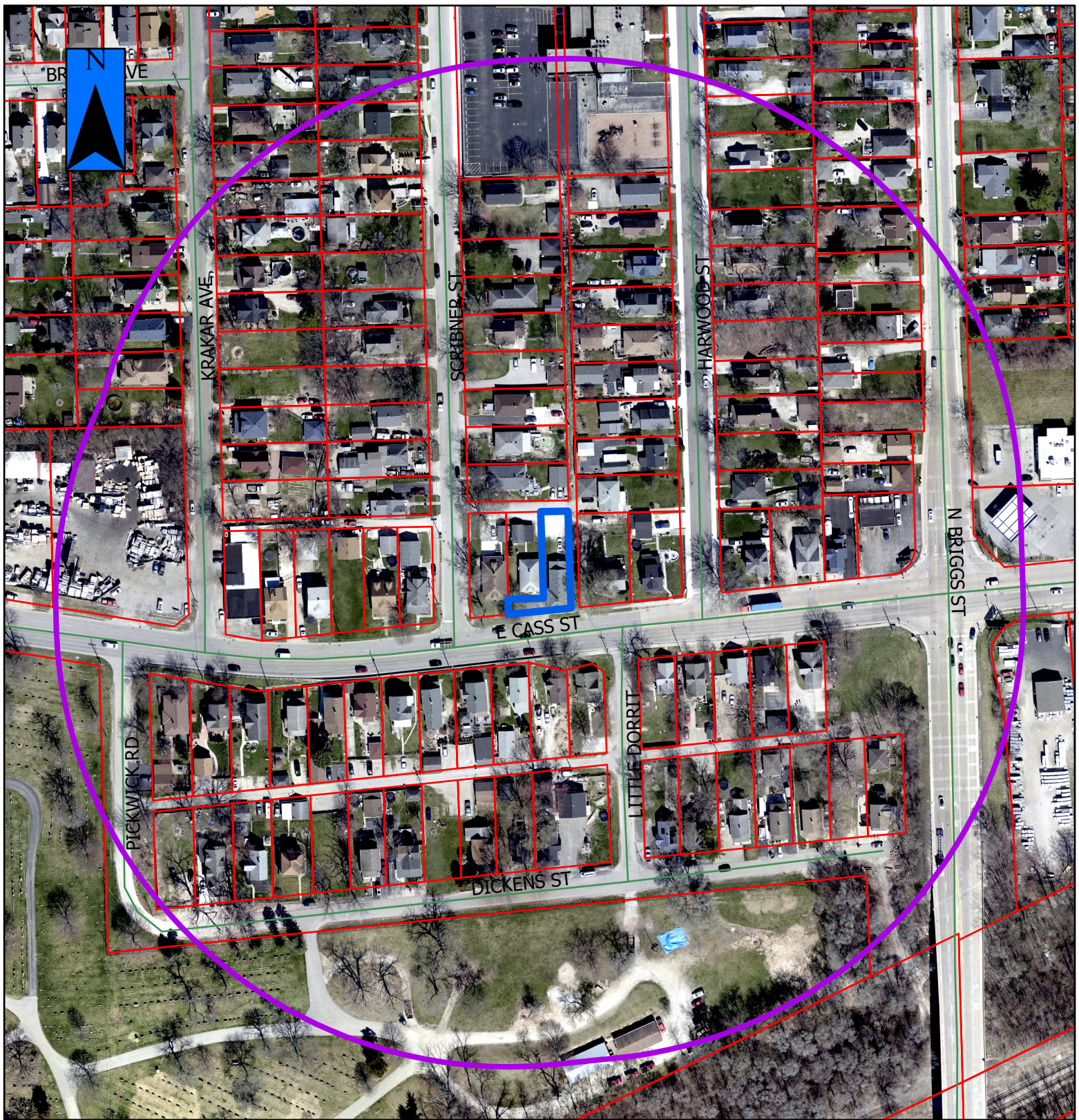


= 600' Public Notification Boundary

### Legend



B-1	I-TA	R-2
B-2	I-TB	R-2A
B-3	I-TC	R-3
I-1	R-1	R-4
I-2	R-1A	R-5
I-T	R-1B	R-B





**2025-09a & 1995-48a**



 = Property in Question / Propiedad en cuestión  
 = 600' Public Notification Boundary /  
 Límite de notificación pública de 600 ft (180 m)