

STAFF REPORT

DATE: June 10, 2025
TO: Zoning Board of Appeals
FROM: Helen Miller, Planner
RE: Petition Number: 2025-18
Applicant: Eduardo Mimiaga
Status of Applicant: Owner
Location: 407 S. Des Plaines Street
Request: Variation to allow a second story addition

Purpose

The applicant is requesting the following variation to allow a second story addition on their existing residence at 407 S. Des Plaines Street:

- Variation to reduce the required side yard setback from 8 feet to 6 feet

The Zoning Board of Appeals makes the final decision on this variation request.

Site Specific Information

The subject site is 7,500 square feet (50 feet by 150 feet) and contains a one-and-a-half-story residence built around 1900. The house has around 1,400 square feet of living area on the first floor and 330 square feet in the upper half-story. The main floor measures approximately 21 feet by 73 feet and contains three bedrooms, living and dining areas, a kitchen, and two bathrooms. The proposed addition will have around 1,045 square feet of living area and contain two bedrooms and a bathroom. The property is zoned R-2 (single-family residential).

Surrounding Zoning, Land Use and Character

The property is located in the Southside neighborhood and is surrounded by residences with R-2 (single-family residential) and R-3 (one- and two-family residential) zoning on the north, west, and south sides. To the east is the former Eliza Kelly School property, which is zoned R-2 (single-family residential).

Applicable Regulations

- Section 47-6.4 R-2 District Yard and Lot Requirements
- Section 47-19.8 Findings of Facts Supporting a Variation (refer to attachment)

Discussion

The approval of the requested variation would allow the owner to construct an approximately 21-foot by 54-foot second-story addition on their one-and-a-half-story home. The addition would contain two bedrooms and a full bathroom. The front of the addition would be set back around 19 feet from the front wall of the main house and would meet the required front yard setback of 30 feet. The house has an existing side yard setback of 6 feet, which meets the requirement for a one-and-a-half-story structure but is less than the required side yard of 8 feet for two-story structures. Therefore, the petitioner needs a variation to build a full second story with the existing side yard setback.

The attached plans show the existing and proposed floor plans and the proposed elevations of the house. The addition will have a gable roof visible behind the existing front façade, which will remain unchanged. The new addition will have siding to match the existing house.

Staff finds that the request meets the following criteria for variations: the house has an existing side yard setback that does not meet the requirement for a full second story. It would be architecturally insensitive to build a second-story addition that is slightly offset from the first floor. Additionally, approval of the requested variation will not alter the essential character of the area, as there are other homes with second stories in the neighborhood.

Conditions

None

Figure 1: Aerial view of 407 S. Des Plaines Street (2024)

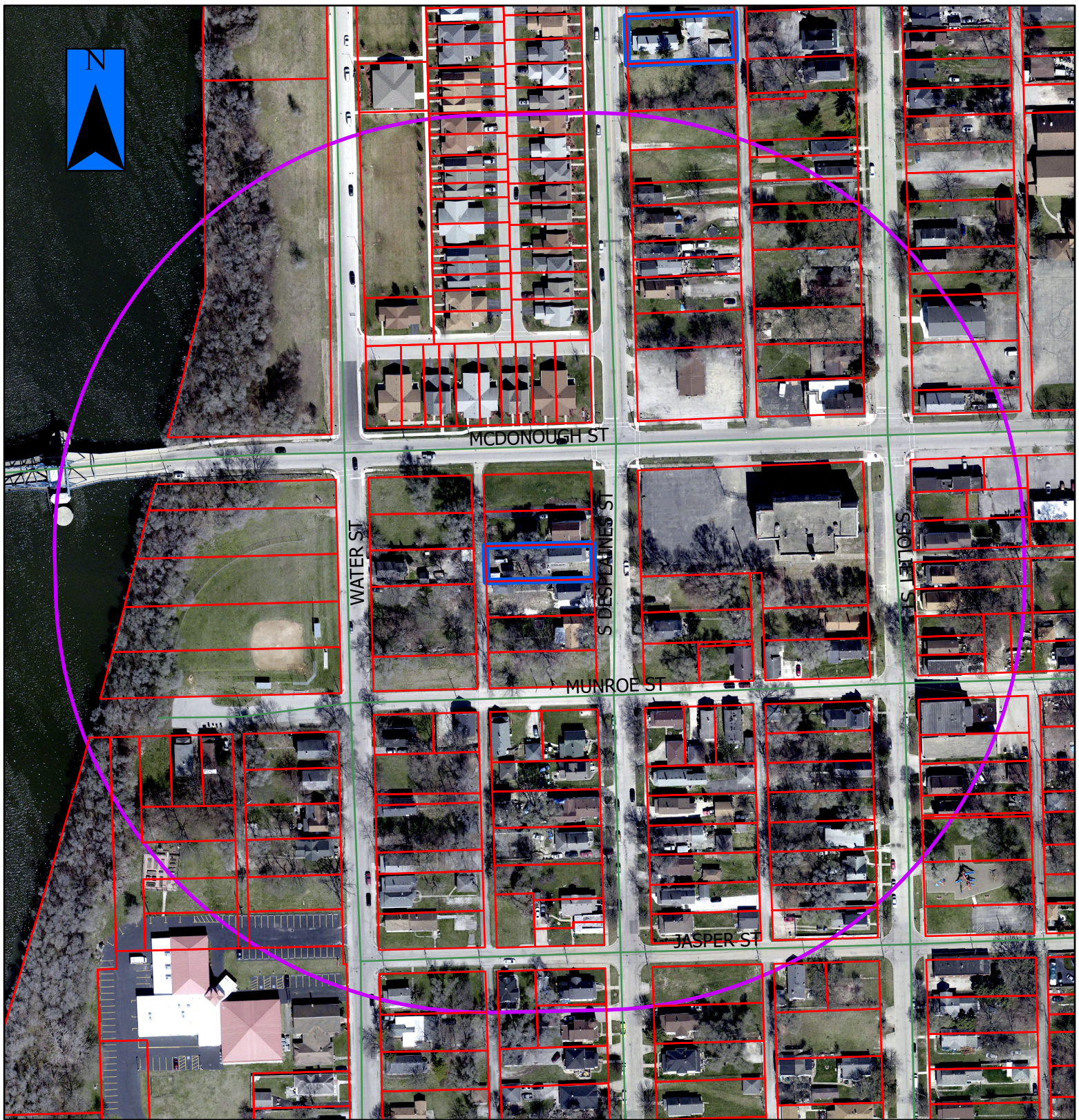


Figure 2: 407 S. Des Plaines Street, view west from Des Plaines Street (June 2025)





Figure 3: 407 S. Des Plaines Street, view west from Des Plaines Street (June 2025)

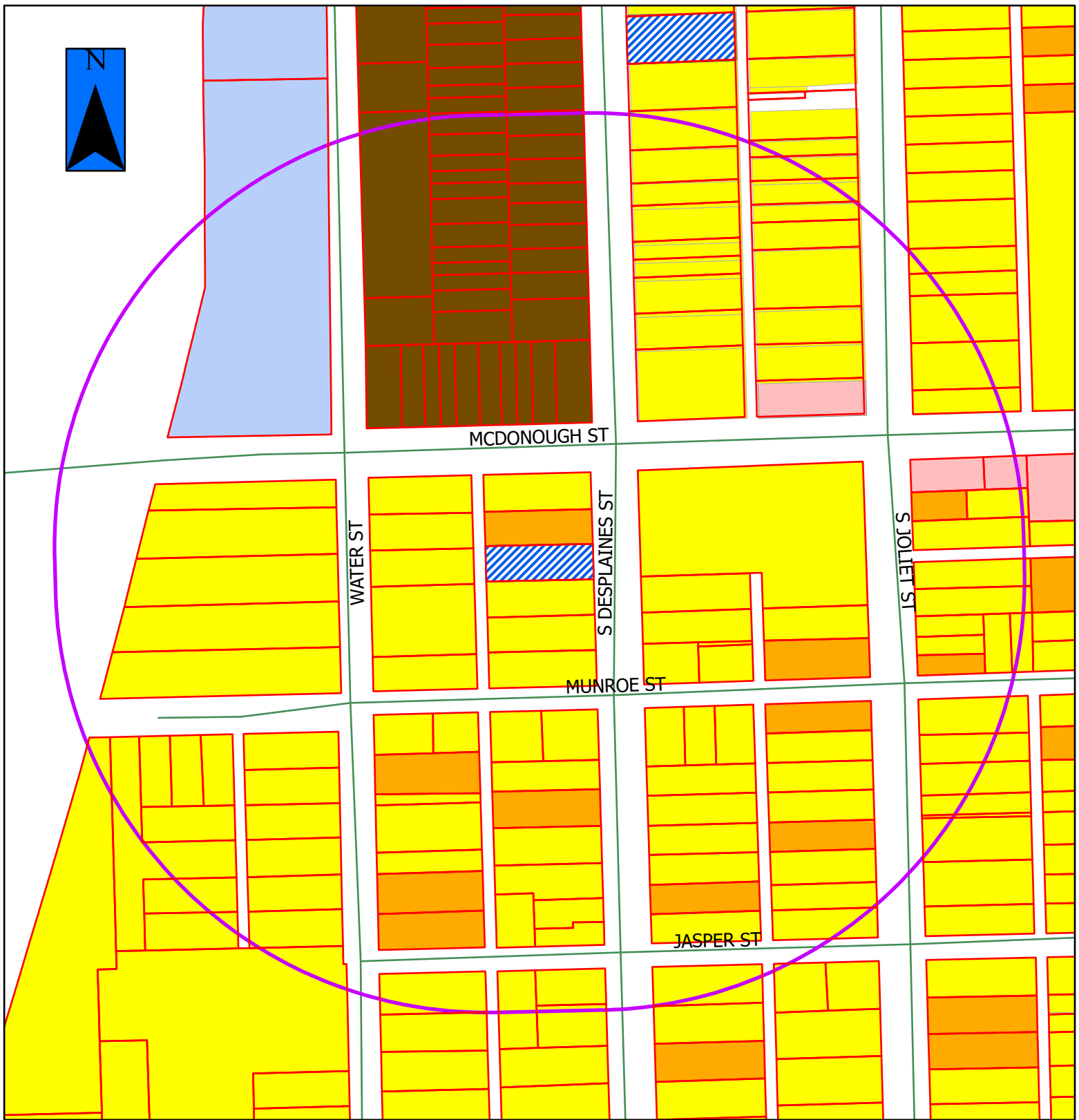




2025-18a



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



2025-18



= 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

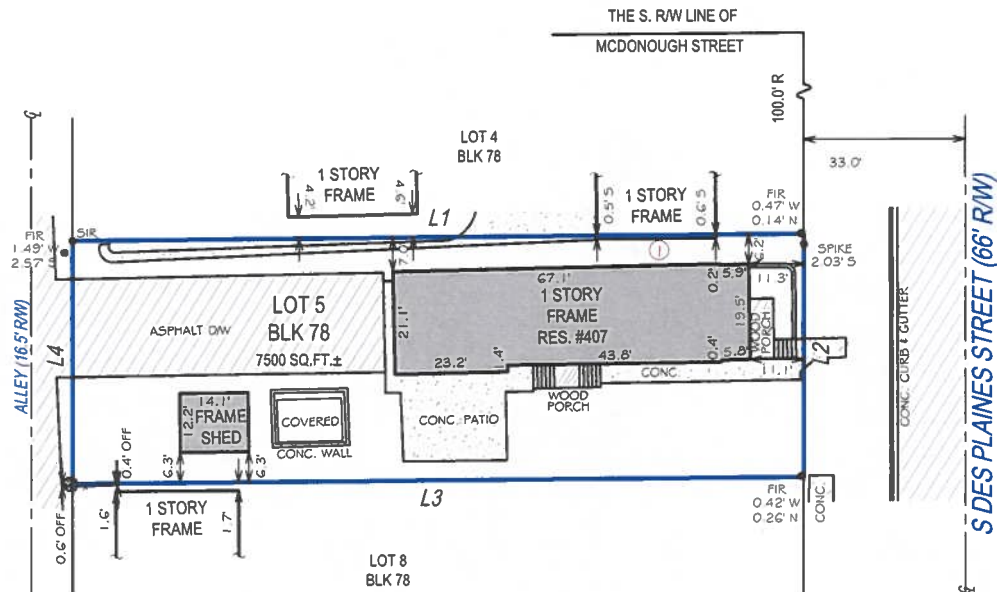
606



PROPERTY ADDRESS: 407 S DES PLAINES STREET, JOLIET, ILLINOIS 60436

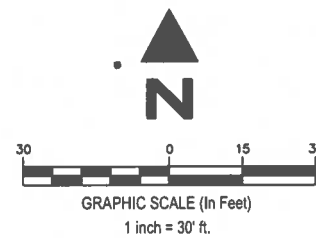
SURVEY NUMBER: 2501.1031

2501.1031
PLAT OF SURVEY
WILL COUNTY, ILLINOIS



LINE TABLE:

- L1 N 89°36'17" E 150.00' (M)
150.00' (R)
- L2 S 00°00'00" W 50.00' (M)
50.00' (R)
- L3 S 89°36'17" W 150.00' (M)
150.00' (R)
- L4 N 00°00'00" E 50.00' (M)
50.00' (R)



STATE OF ILLINOIS SS
COUNTY OF GRUNDY

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

Kenneth Kennedy



ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403
LICENSE EXPIRES 11/30/2026
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

POINTS OF INTEREST:
NONE VISIBLE

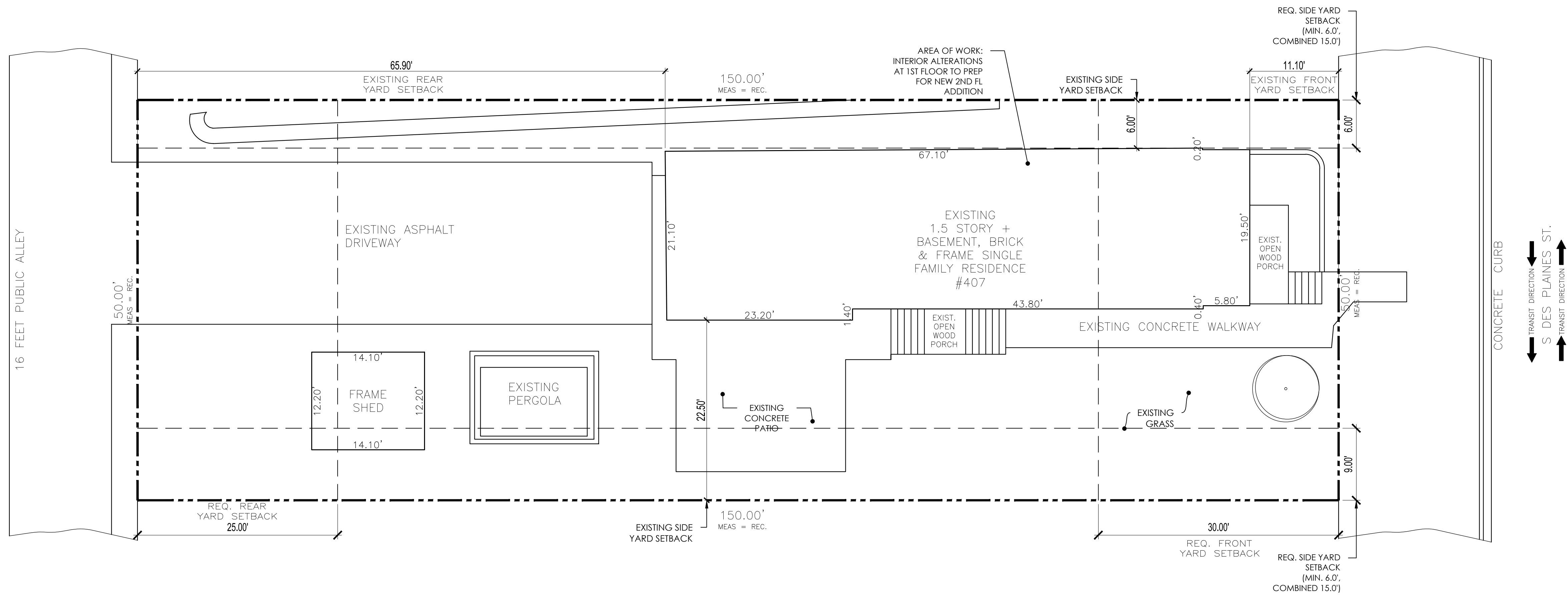


Exacta Land Surveyors, LLC
PDF #184008059
O: 773.305.4011
316 East Jackson Street | Morris, IL 60450

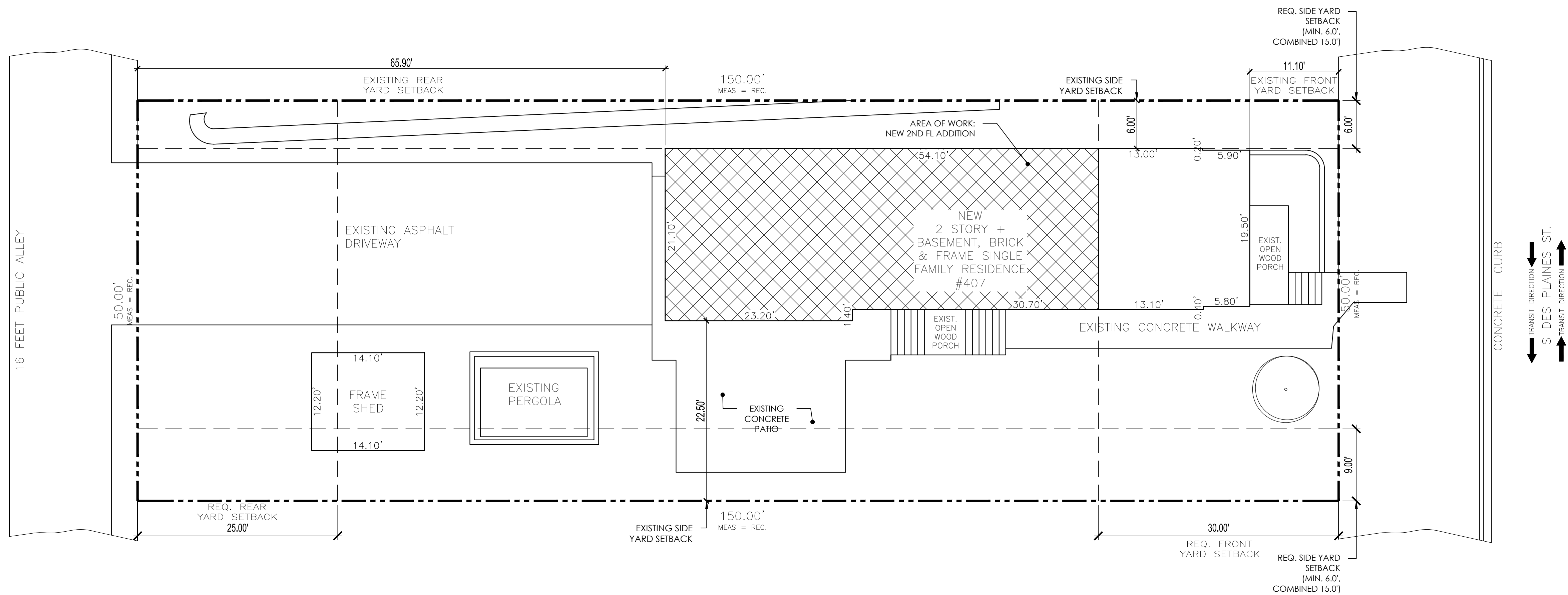


DATE OF SURVEY: 01/14/25
FIELD WORK DATE: 1/13/2025
REVISION DATE(S): (REV. 0 1/14/2025)

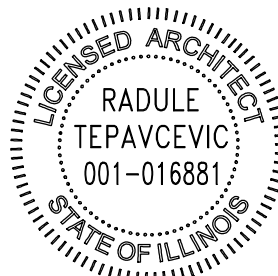
SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



1 EXISTING SITE PLAN
SCALE: 1/8"=1'-0"



1 PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"



REVISIONS:		NO.	BY:	DATE:	DESCRIPTION:
		1	DD	03/24/25	FOR PERMIT

407 S. DES PLAINES ST.
JOLIET, IL. 60436

T: 312-945-6061
F: 312-244-3062
www.606dc.com
6 N. Western Avenue
Chicago, IL 60612

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DESIGN + CONSTRUCTION

RT ARCHITECT INC.
RADULE TEPAVCEVIC, AIA
6 N WESTERN AVE.
CHICAGO, IL. 60612

PROJECT ARCHITECT:
--
DRAFTPERSON:
DD
APPROVED :
JG
PREPARED FOR :
--
LOCATION :
407 S. DES PLAINES ST.
JOLIET, IL 60436
JOB NUMBER :
240-2024

CS1.1

SEE DOCUMENTS PREPARED BY STRUCTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING ENGINEERS AND ALL OTHER CONSULTANTS FOR ADDITIONAL DEMOLITION WORK, INCLUDING BUT NOT LIMITED TO DEMOLITION OF STRUCTURE, HEATING, VENTILATING, AIR CONDITIONING, ELECTRICAL, VOICE/DATA, PLUMBING, AND OTHER MATERIALS AND SYSTEMS. COORDINATE DEMOLITION OF ALL TRADES.

3. ALL ITEMS OF EXISTING EQUIPMENT, MATERIALS, FIXTURES, ETC., SHALL REMAIN THE PROPERTY OF THE TENANT. ALL SALVAGED AND/OR REUSABLE ITEMS SALVAGED DURING DEMOLITION OPERATIONS SHALL BE REMOVED AND RETAINED FOR LATER REINSTALLATION. ITEMS INSPECTED AND REJECTED BY THE OWNER'S DESIGNER SHALL BE DISPOSED OF BY THE CONTRACTOR.

4. WHERE DEMOLITION AND/OR REMOVAL OF EXISTING CONSTRUCTION IS INDICATED, IT IS INTENDED THAT THE SUBSTANCE AND NATURE OF EXISTING CONDITIONS AND EXTENT OF WORK, IT IS NOT TO BE CONSIDERED A RECORD DRAWING OF EXISTING CONDITIONS.

5. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE ACTUAL CONDITION OF STRUCTURES TO BE DEMOLISHED. CONDITIONS EXISTING AT THE TIME OF INSPECTION FOR BIDDING PURPOSES WILL BE MAINTAINED BY THE OWNER INsofar AS PRACTICABLE. HOWEVER, VARIATIONS WITHIN THE STRUCTURE MAY OCCUR. THE CONTRACTOR'S REMOVAL AND SALVAGE OPERATIONS PRIOR TO THE START OF DEMOLITION WORK, THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THESE CONDITIONS PRIOR TO AND DURING THE PROGRESS OF THE WORK.

6. THE CONTRACTOR SHALL SUBMIT A SCHEDULE OF METHODS AND OPERATIONS FOR ALL DEMOLITION AND REMOVAL WORK FOR THE OWNER'S INFORMATION. THE SCHEDULE SHALL INDICATE COORDINATION REQUIRED WITH THE BUILDING MANAGEMENT AND ALL TRADES. THIS INCLUDES SHUT OFF, CAP OFF, OR SHUTTING OF UTILITIES, AND THE CONSTRUCTION OF ANY TEMPORARY UTILITY LINES AND PROTECTIVE MEASURES.

7. PRIOR TO DEMOLITION AND BEFORE SUBMISSION OF PROPOSED METHODS AND SEQUENCE OF OPERATIONS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING FOR REFERENCE ANY EXISTING RECORD DRAWINGS AND FOR CONDUCTING APPROPRIATE FIELD TESTING TO DETERMINE THE NATURE OF THE STRUCTURE.

8. THE CONTRACTOR SHALL DISCONNECT OR SHUT OFF AND CAP ALL MECHANICAL, ELECTRICAL AND PLUMBING SERVICES TO ALL AREAS WHERE WORK IS TO BE REMOVED OR RELOCATED. REMOVE ALL HVAC AND PLUMBING EQUIPMENT AND RELATED DUCTWORK, AND PIPING IN ALL AREAS WHERE WORK IS TO BE PERFORMED. RETURN ALL ITEMS AS REQUIRED BY THE OWNER AND/OR BUILDING MANAGEMENT.

9. PROVIDE TEMPORARY AND PERMANENT SUPPORTS AS NECESSARY TO MAINTAIN THE INTEGRITY OF ADJACENT AND EXISTING STRUCTURES. THIS INCLUDES, BUT IS NOT LIMITED TO PROVIDING SUPPORT BRACING, FRAMING, LINTELS, BEAMS AND/OR COLUMNS AS REQUIRED FOR SUPPORT OF PARTITIONS, BEARING WALLS, WALL OPENINGS, FLOOR OPENINGS, AND/OR BUILDING STRUCTURE.

10. PROVIDE CLEAN AND STRAIGHT CUT BETWEEN EXISTING AREAS TO REMAIN AND EXISTING AREAS TO BE DEMOLISHED.

11. DEMOLITION WORK SHALL BE CARRIED OUT IN A CAREFUL AND ORDERLY MANNER AND IN ACCORDANCE WITH ANY AND ALL REQUIREMENTS SET FORTH BY STATE AND LOCAL AUTHORITIES. CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION TO PERSONS AND PROPERTY WITHIN THE BUILDING.

12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE TEMPORARY BRACING OF ALL WALLS AS REQUIRED DURING DEMOLITION AND CONSTRUCTION.

13. THE CONTRACTOR SHALL COMPLY WITH ALL CITY, STATE AND FEDERAL HEALTH STANDARDS DURING DEMOLITION OPERATIONS.

14. EXISTING WALLS AND CEILINGS SCHEDULED TO REMAIN THAT ARE DISTURBED DURING DEMOLITION SHALL BE PATCHED AND REPAIRED AS REQUIRED TO ACCEPT NEW CONDITIONS. SURROUNDING SURFACES AND MATERIALS THAT CAN NOT BE REPAIRED SHALL BE REPLACED WITH NEW MATERIALS.

15. CONTRACTORS SHALL PATCH AND REPAIR ALL FLOOR SURFACES AS MAY BE REQUIRED AT AREAS OF EXISTING WALLS OR FLOORING SCHEDULED TO BE REMOVED.

16. CONTRACTOR SHALL REMOVE PORTIONS OF EXISTING CONCRETE FLOOR SLAB AS MAY BE REQUIRED FOR INSTALLATION OF NEW UNDER SLAB SANITARY WASTE AND VENT PIPING. BACKFILL AND PATCH FLOOR SURFACES AS REQUIRED TO CREATE A SMOOTH CONTINUOUS FLOOR FINISH, LEVEL WITH EXISTING ADJACENT FLOOR SURFACES.

17. MATERIALS SCHEDULED FOR REMOVAL SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A PROPER MANNER.

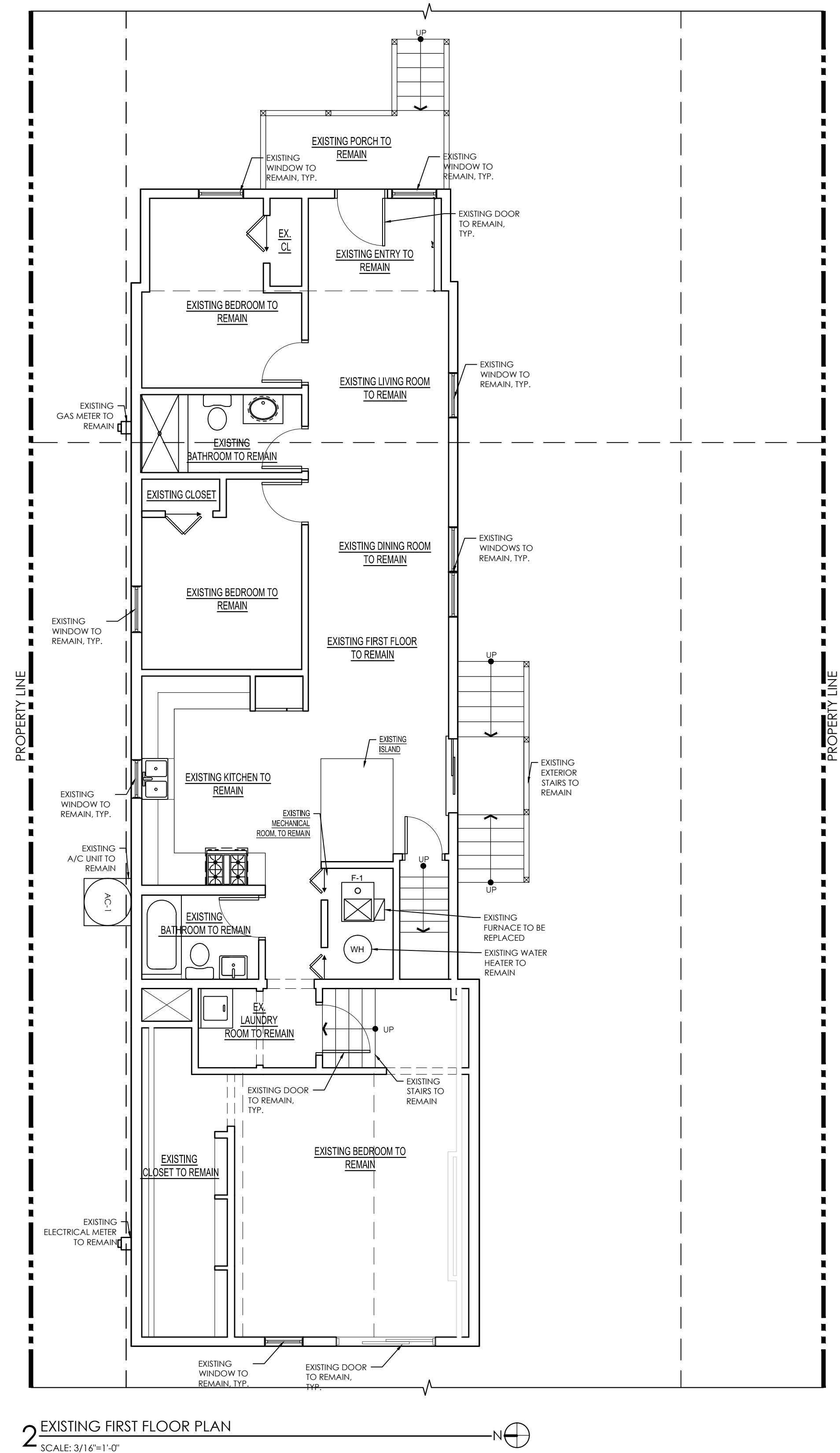
18. IT IS THE INTENTION THAT UPON COMPLETION OF DEMOLITION, THE BUILDING BE FREE AND CLEAR OF ALL STRUCTURE AND FINISHES NOT SCHEDULED TO BE REUSED IN THE NEW DESIGN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ANY AND ALL ITEMS AS REQUIRED TO ACHIEVE SUCH A STATE.

19. THE CONTRACTOR SHALL CONSULT WITH THE OWNER FOR THE POSITION OF ALL ITEMS NOT SCHEDULED FOR RE-USE.

20. THE CONTRACTOR SHALL NOT COMMENCE WORK UNTIL ITEMS TO BE SAVED HAVE BEEN ADEQUATELY PROTECTED. TAKE ALL POSSIBLE PRECAUTIONS TO AVOID DAMAGING THOSE ITEMS WHICH HAVE BEEN SPECIFIED BY THE OWNER TO BE SALVAGED, STOCKPILED.

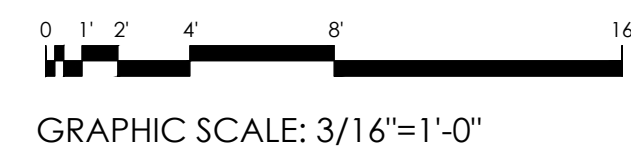
21. IT IS THE INTENTION THAT ALL FLOOR DRAINS AND FLOOR CLEANOUTS REMAIN IN PLACE UNLESS NOTED OTHERWISE ON R.O.D. REMOVE GRATES AND DRAIN COVERS AS REQUIRED FOR CLEANING AND REPLACEMENT.

22. CONTRACTOR TO SHORE STRUCTURE PRIOR TO DEMOLITION OF WALL AND MAINTAIN SHORING IN PLACE UNTIL NEW SUPPORTS ARE INSTALLED.

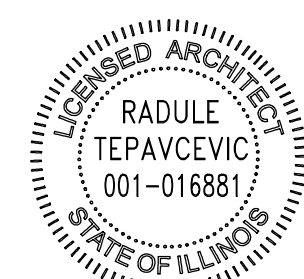


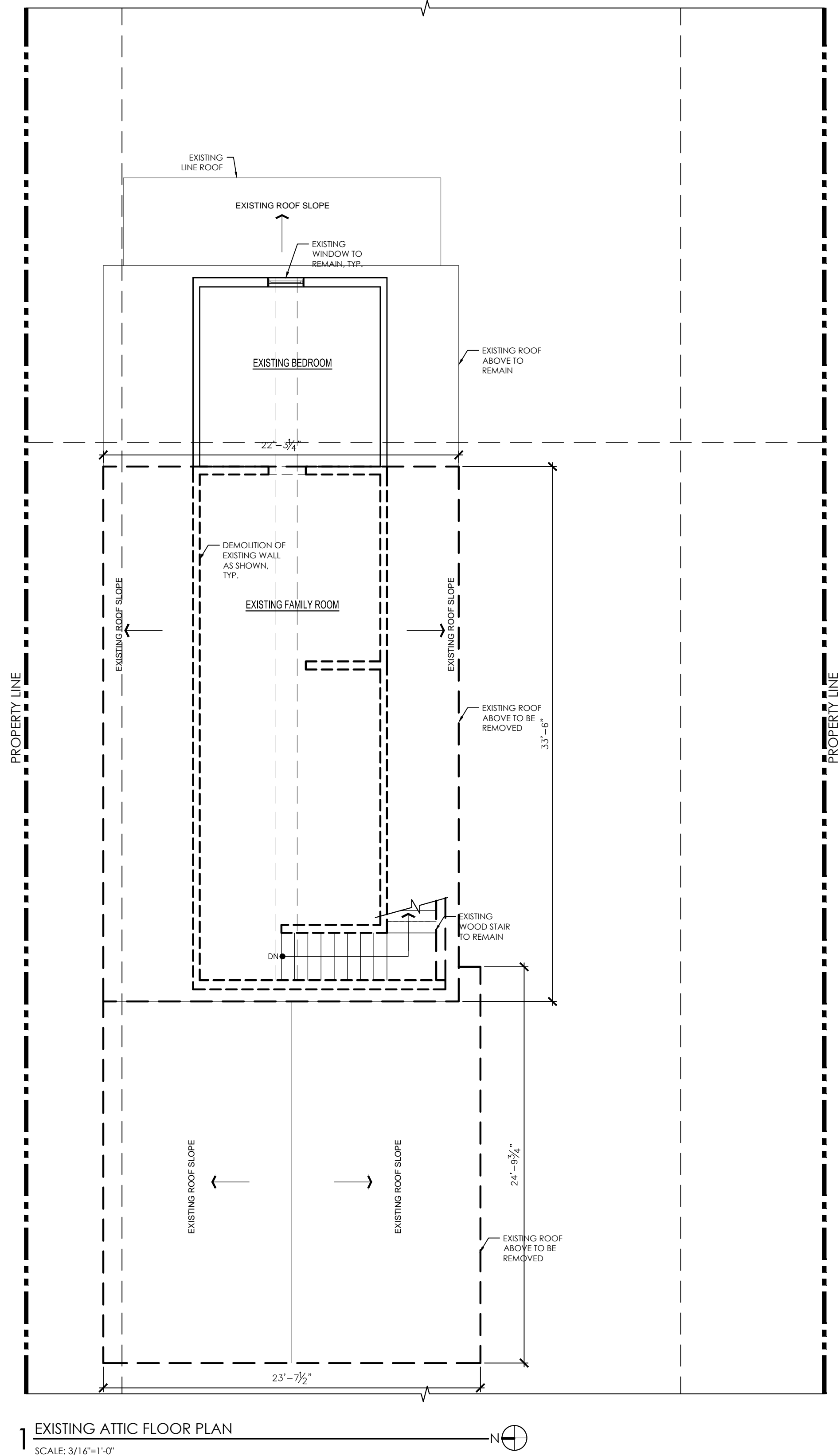
EXISTING WALL TO REMAIN

EXISTING WALL TO BE DEMOLISHED



D1.0





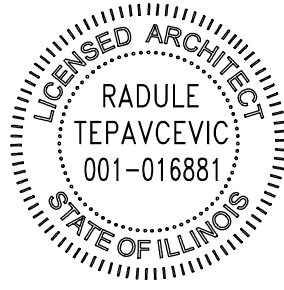
NOTE:
- DEMOLITION NOTES SEE SHEET D1.0

KEY NOTES:

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED



GRAPHIC SCALE: 3/16"=1'-0"



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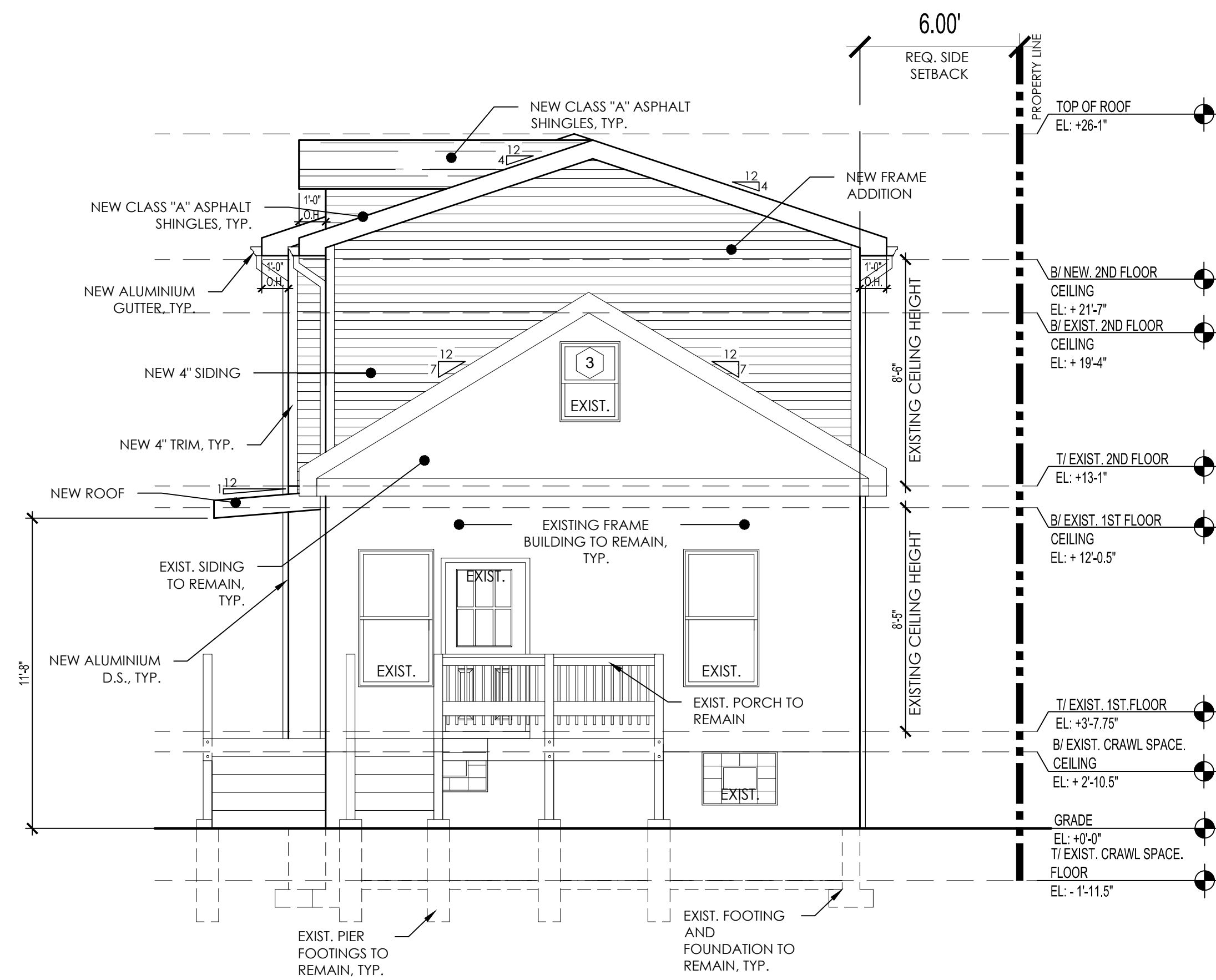
RT ARCHITECT INC.

RADULE TEPAVCEVIC, AIA
6 N WESTERN AVE.
CHICAGO, IL. 60612

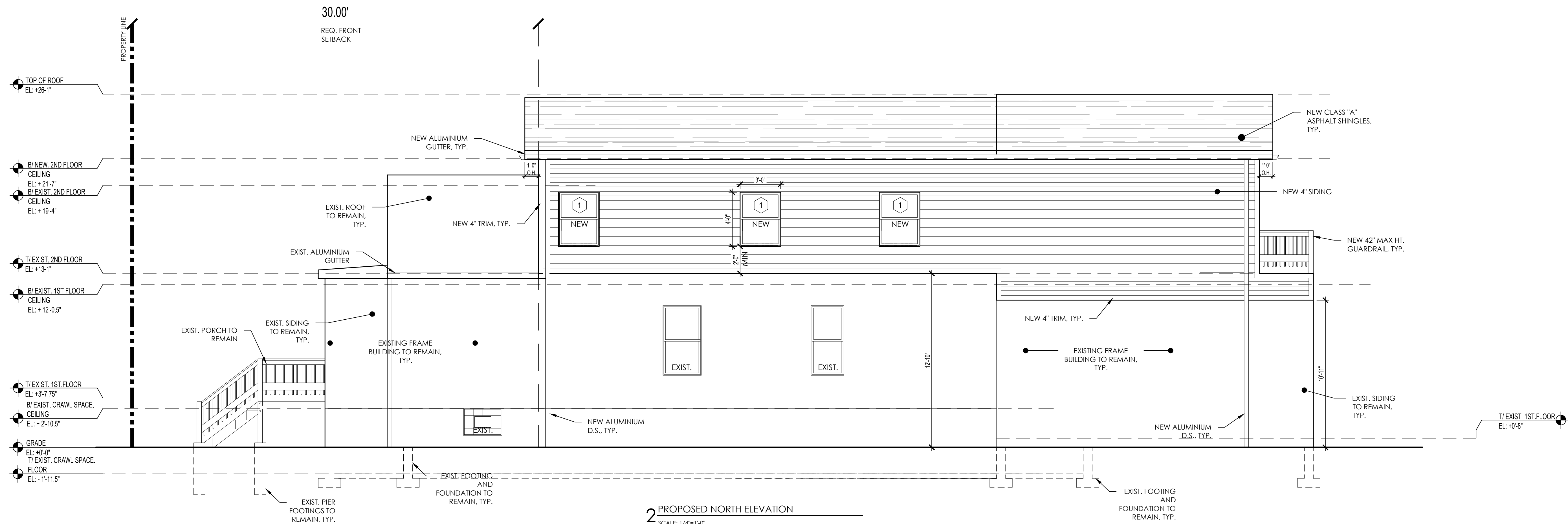
PROJECT ARCHITECT:
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DRAFTPERSON:
DD
APPROVED :
JG
PREPARED FOR :
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LOCATION :
407 S. DES PLAINES ST.
JOLIET, IL 60436
JOB NUMBER :
240-2024

D1.1

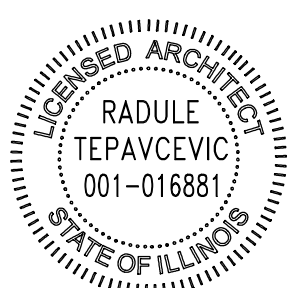
A1.0



1 PROPOSED EAST ELEVATION
SCALE: 1/4"=1'-0"



2 PROPOSED NORTH ELEVATION
SCALE: 1/4"=1'-0"



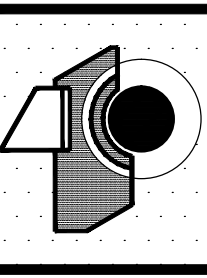
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		1	DD	03.24.25	FOR PERMIT

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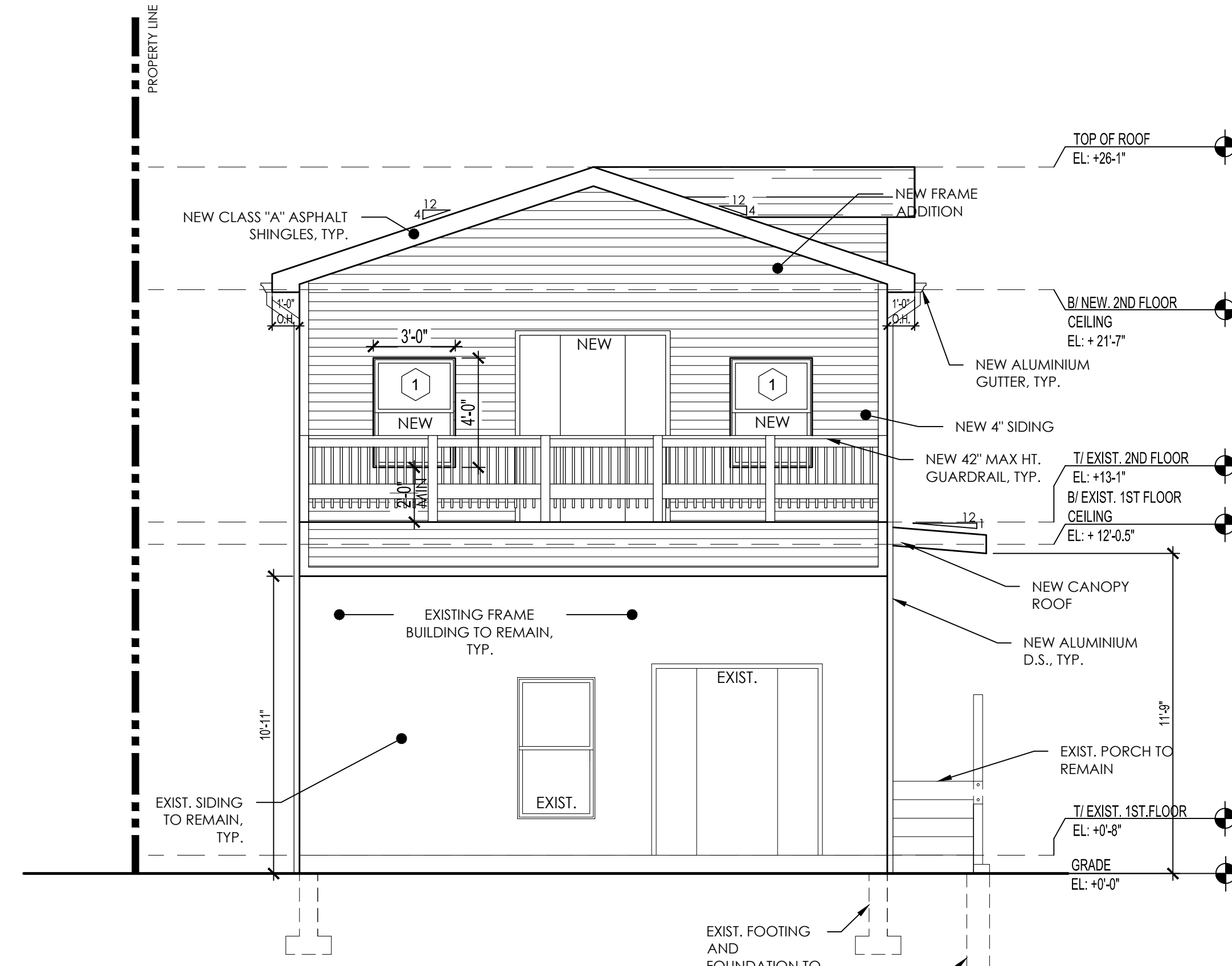
RT ARCHITECT INC.



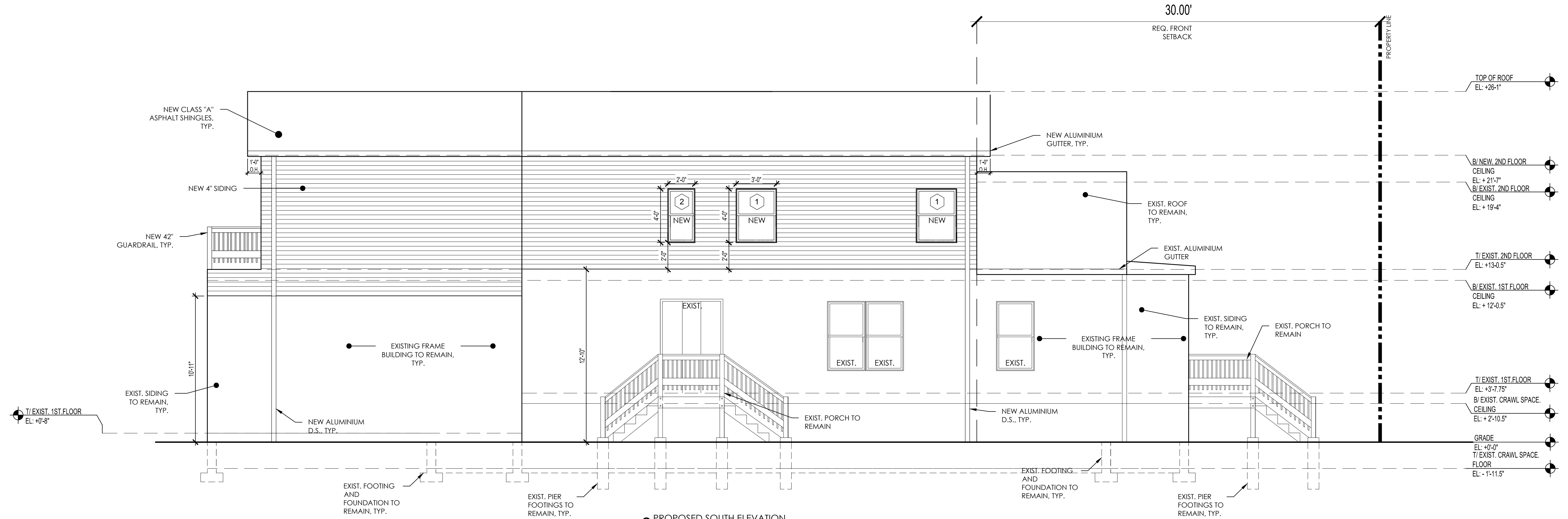
RADULE TEPAVCEVIC, AIA
6 N WESTERN AVE,
CHICAGO, IL 60612

PROJECT ARCHITECT: ---
DRAFTSPERSON: DD
APPROVED : JG
PREPARED FOR : ---
LOCATION :
407 S. DES PLAINES ST.
JOLIET, IL 60436
JOB NUMBER :
240-2024

A2.0

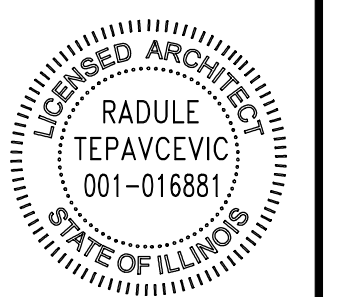
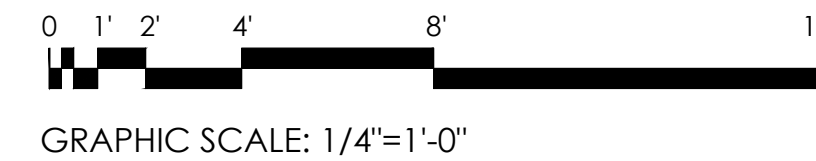


1 PROPOSED WEST ELEVATION
SCALE: 1/4"=1'-0"



2 PROPOSED SOUTH ELEVATION
SCALE: 1/4"=1'-0"

KEY NOTES:			
007	DOOR TAG, SEE DOOR SCHEDULE ON A1.1		
5	WINDOW TAG, SEE WINDOW SCHEDULE ON A1.1		



REVISIONS:			
NO.	BY	DATE	DESCRIPTION
1	DD	03/24/25	FOR PERMIT

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CHICAGO, IL 60612

PROJECT ARCHITECT:
--
DRAFTSPERSON:
DD
APPROVED :
JG
PREPARED FOR :
--
LOCATION :
407 S. DES PLAINES ST.
JOLIET, IL 60436
JOB NUMBER :
240-2024

A2.1

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/APPEAL

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: 407 S Des Plaines St

PETITIONER'S NAME: Eduardo Mimiaga

HOME ADDRESS: 407 S Des Plaines St ZIP CODE: 60436

BUSINESS ADDRESS: _____ ZIP CODE: _____

PHONE: (Primary) (708)714-4298 (Secondary) _____

EMAIL ADDRESS: qualitypaintersd@gmail.com FAX: _____

PROPERTY INTEREST OF PETITIONER: _____

OWNER OF PROPERTY: Eduardo Mimiaga

HOME ADDRESS: 407 S Des Plaines St ZIP CODE: 60436

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.): 30-07-16-404-009-0000 ;
_____ ; _____ ; _____ .

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):

LOT SIZE: WIDTH: 65' DEPTH: 149.8' AREA: 9,737

PRESENT USE(S) OF PROPERTY: Single Family Residenal

PRESENT ZONING OF PROPERTY: R-2

VARIATION/APPEAL REQUESTED: _____

RESPONSE TO VARIATION 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? Applicable zoning code prevent the construction of an addition of typical size and shape.

2. What unique circumstances exist which mandate a variance? Applicable zoning code prevents the construction of an addition of typical size and shape and context with neighbors.

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.

No negative impact will be created with the approval of this variance. Approval of the variance will help the property maintain continuity and context throughout the street.

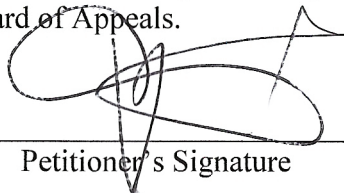
REQUIRED SUPPORTING ATTACHMENTS

- ☒ 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, JAMES GARCIA, 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.

 JAMES GARCIA
Petitioner's Signature

Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me
this 6th day of May, 2025

Sharon Aguilera



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:

407 S Des Plaines St

PIN(s): 30-07-16-404-009-0000

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

Eduardo Mimiaga

E-MAIL: qualitypaintersd@gmail.com 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

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: _____

DATE: 5/02/25

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

JAMES CASLOW, PRESIDENT OF GOG DESIGN & CONSTRUCTION
212/622-1070

PRINT

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).		