

STAFF REPORT

DATE: September 3, 2021
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2021-53
Applicant/Owner: Flor E. Fuentes
Location: 800 Elizabeth Street
Request: A Variation

Purpose

The petitioner is requesting a variation of the required front yard setback from 30' to 16' to allow the continuation of an enclosed front porch. The Zoning Board of Appeals makes the final decision on this request.

Site Specific Information

The 36.86' x 125.5' (4,626 sq. ft.) lot currently contains a single-family house and a rear gravel parking area. The property is zoned R-2 (single family residential). This case was filed on August 13, 2021.

Surrounding Zoning, Land Use and Character

The property is located on the NEC of Elizabeth and Ruby Streets in the Cunningham Neighborhood. It is surrounded by other mixed residential uses. Zoning to the north and east is R-3 (one and two family residential) district and to the south and west is B-3 (general business) district.

Applicable Regulations

- Section 47-6.4 - Yard and Lot Requirements
- Section 47-19.8 - Findings of Facts Supporting a Variation (refer to attached petition for criteria)

Discussion

The petitioner enclosed their open front porch without receiving building permits and it was brought to the city's attention by a complaint. The Joliet Building Department responded to the complaint, visited the property, and informed the property owner that they needed a building permit. When the petitioner applied for the permit, it was discovered that the house had nonconforming setbacks due to the age of the house. The Zoning Ordinance allows pre-existing non-conformities to remain as long as the structures are not enlarged or altered in a way that increases their non-conformity. The alteration of enclosing the porch increases the nonconformity. Pictures of the house and porch alteration are attached.

The petitioner has stated that the enclosed area will be utilized as a mudroom only. The petitioner stated that the alteration was done for the safety of their

children due to a steep drop from the grade of their yard area to the sidewalk and to make the house more energy efficient. The dimensions of the vinyl sided porch are approximately 7' x 20'.

Conditions:

If the Zoning Board desires to approve this request, the following condition should be included:

1. That the gravel driveway be paved.

FOR OFFICE USE ONLY

Verified by Planner (please initial): _____

Payment received from: MYO
Flor Fuentes

Petition #: 2021-53
Common Address: 800 Elizabeth St.
Date filed: 08/13/21
Meeting date assigned: 09/16/21

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: 800 Elizabeth St Joliet IL 60435

PETITIONER'S NAME: Flor E Fuentes

HOME ADDRESS: 800 Elizabeth St Joliet IL ZIP CODE: 60435

BUSINESS ADDRESS: N/A ZIP CODE: _____

PHONE: (Primary) 815-995-0986 (Secondary) _____

EMAIL ADDRESS: floresita.1980.ft@gmail.com FAX: _____

PROPERTY INTEREST OF PETITIONER: OWNER

OWNER OF PROPERTY: same as above

HOME ADDRESS: _____ ZIP CODE: _____

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.): 3007044170110000 ;
0441 ; 7011 ; 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):
attach is the plat survey

LOT SIZE: WIDTH: 36.86' DEPTH: 125.5' AREA: _____

PRESENT USE(S) OF PROPERTY: Single-family home /

PRESENT ZONING OF PROPERTY: _____

VARIATION/APPEAL REQUESTED: close the porch that was already built, put the walls, door and 2 windows on front

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?

because I need to close the porch to save money in cost of bills, plus it will help a lot ~~to~~ to avoid to tape with plastic the door in winter and I could not use the 5 entrance to access to home so is not safe for us to close this exit in case of any emergency we are 8 in the family so we can't parking in the back more than 2 cars and it is unsafe to walk to the back door with the snow.

2. What unique circumstances exist which mandate a variance?

My house is located in a hill and in winter a lot cold air ~~comes~~ is filtered, and summer the hot air, so if we closed the porch that will help to reduce bills a lot, plus I don't have to put plastic in the door in winter so I be able to use this door to go inside home with my 3 little ones

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.

- reduce bills	/	high bills
- space to living		unsafe for my kids.
- safety for my little girls		

REQUIRED SUPPORTING ATTACHMENTS

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

NOTARIZATION OF PETITION

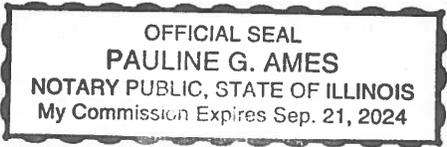
STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Flor E. Fuentes, 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.

[Signature]
Petitioner's Signature

[Signature]
Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me
this 13 day of August, 2021
Pauline G. Ames



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:

800 Elizabeth St Joliet IL 60435
 PIN(s): 3007-0441-7011-0000

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

Flore E Fuentes 815-995-0986

E-MAIL: floresita.1980.ff@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:

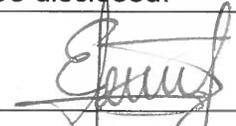
Select the type of business owner associated with this application and fill in the contact information below:

- 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: 8/13/2021

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

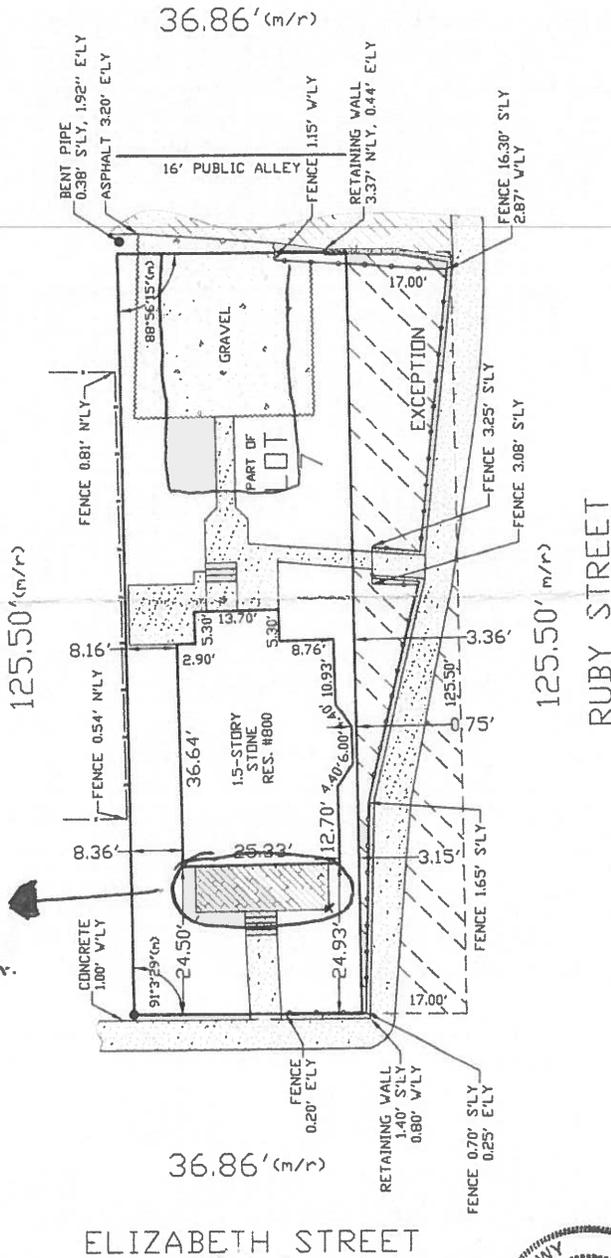
PRINT

PLAT OF SURVEY

Associated Surveying Group, LLC
 Illinois Prof. Design Firm No. 184-004973
 Bolingbrook, IL 60440
 P.O. Box 810
 PH: 630-759-0205 FAX: 630-759-9291

LOT 7, EXCEPT THE SOUTH 17 FEET THEREOF, IN MICHAEL WAGNER'S SUBDIVISION OF LOT 17, IN A. DOTY'S SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SECTION 4, TOWNSHIP 35 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 31, 1888 AS DOCUMENT 192922, IN WILL COUNTY, ILLINOIS.

Just we close the porch.



- LEGEND:**
- ASPHALT
 - WOOD/PVC
 - IRON PIPE
 - REBAR/ROD
 - PIPE
 - WALL
 - BRICK
 - CROSS
 - NOTCH
 - WOOD FENCE
 - WOOD LINK FENCE
 - ALL OTHER FENCE TYPES
 - CONCRETE
 - ENCLOSED/COVERED
- ABBREVIATIONS:**
- A = ARC LENGTH
 - R = RADIUS
 - CH = CHORD LENGTH
 - (M) = MEASURED VALUE
 - (P) = RECORD VALUE
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
 - N/LY = NORTHERLY
 - S/LY = SOUTHERLY
 - E/LY = EASTERLY
 - W/LY = WESTERLY
 - TYP = TYPICAL



State of Illinois }
 County of Will } SS
 I, Michael G. Hervey, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the parcel of Land hereon described and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 28TH day of JUNE, A.D., 2018 at Bolingbrook, IL.

Michael G. Hervey
 Illinois Professional Land Surveyor No. 35-002900
 License Expires: November 30, 2018

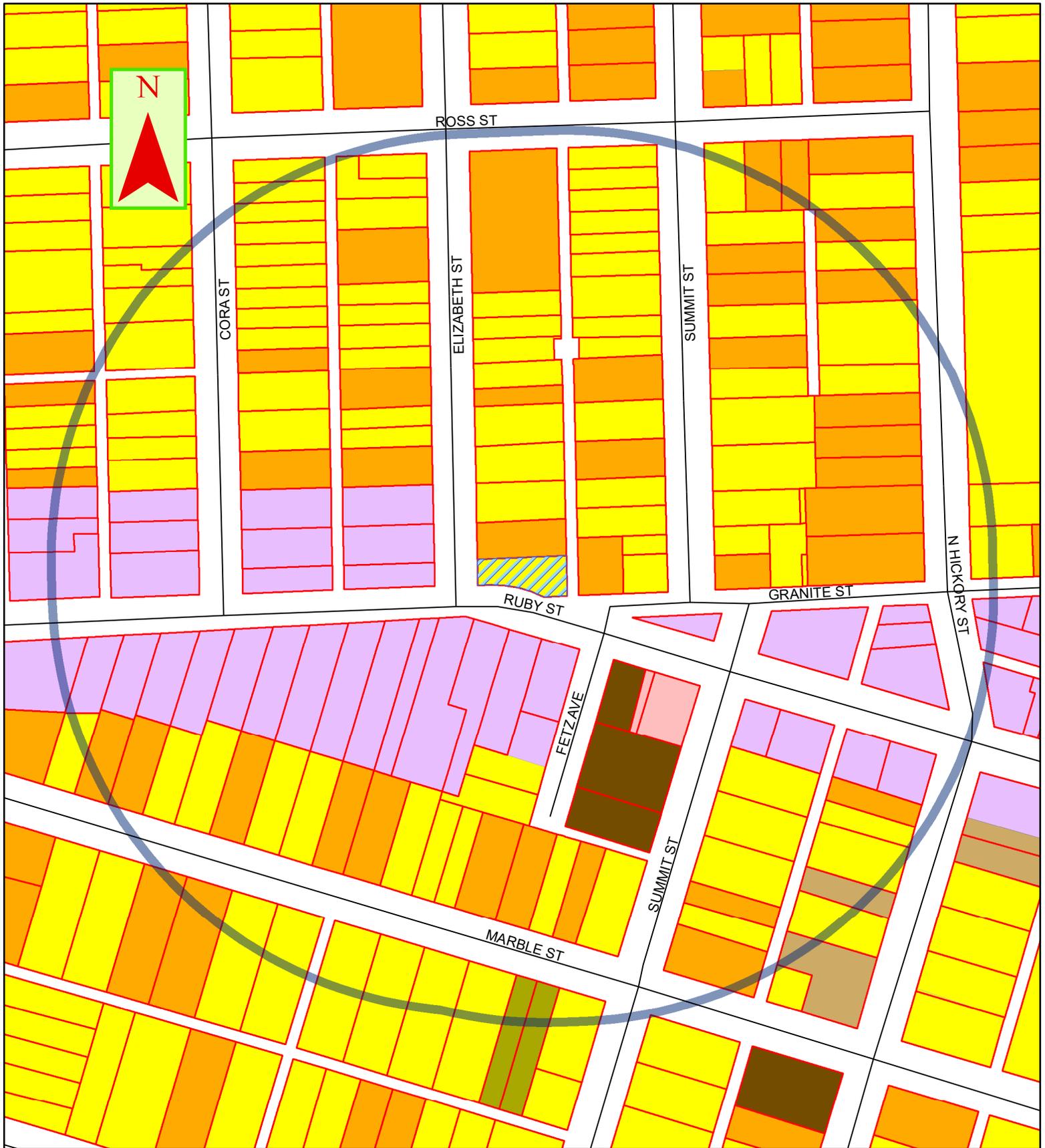
CLIENT: HOUSE LANNISTER HOLDINGS, LLC
 JOB NO.: 80623-18

FIELDWORK DATE: JUNE 23, 2018

NOTES:
 1. THIS IS THE LEGAL DESCRIPTION OF THE PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE. ALSO, COMPARE ALL FIELD MEASURED LOT CORNERS & BUILDING TIES WITH THIS PLAT BEFORE CONSTRUCTION AND BEFORE ANY REFERENCE AT ONCE. 2. NO IMPROVEMENTS SHOULD BE CONSTRUCTED ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF CONSTRUCTION. 3. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO DEPICTED ON THE RECORDED SUBDIVISION PLAT. REFER TO YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE FOR ADDITIONAL ENCUMBRANCES. 4. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORD DIMENSIONS BY 0.15 FEET OR MORE. 5. CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED. 6. AREA IS BASED ON MEASURED DISTANCES AT TIME OF SURVEY.

ASSAULT NORTH
 SCALE 1" = 20'





2021-53



 = Area in Question
 = 600' Public Notification Boundary

Legend		
Zoning		
 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



2021-53a



-  = Area in Question
-  = 600' Public Notification Boundary