

## STAFF REPORT

**DATE:** November 21, 2024  
**TO:** Zoning Board of Appeals  
**FROM:** Planning Staff  
**RE:** Petition Number: 2024-58  
Applicant: James V. Foster  
Status of Applicant: Owner  
Owner: James V. Foster  
Location: Southwest Corner of Woodruff Road and McKay Street  
Request: A Variation of Use to allow a contractor shop, a B-3 (General Business District) use, in an R-2 (Single-Family Residential) zoning district, located at the southwest corner of Woodruff Road and McKay Street.

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### Purpose

The petitioner is requesting a Variation of Use to allow a contractor shop, a B-3 (General Business District) use, in an R-2 (Single-Family Residential) zoning district. The petitioner wishes to develop a 60-ft. x 60-ft., single-story detached garage that would house the operations for his electrical contracting business. The subject property consists of five lots located at the southwest corner of Woodruff Road and McKay Street, which are owned by the petitioner. The easternmost three lots are currently not annexed into the City. The two westernmost lots contain R-2 (Single-Family Residential) zoning. The petitioner is also filing for a petition to annex the easternmost lots and rezone the lots to R-2 zoning. The proposed contractor shop use is not an allowed use in the R-2 zoning designation, thereby necessitating the Variation of Use petition. The petitioner also wishes to construct a 1.5-story single-family residence on the subject property.

### Site Specific Information

The subject property consists of approximately .7 acres and is currently undeveloped. The five subject lots were platted for compact, single-family residential development, with a lot size of approximately 6,500 square feet. Most properties to the west are located within the city limits and contain R-2 (Single-Family Residential) zoning and single-family residential uses. An assemblage of unincorporated land can be found to the east, with an agricultural ranch to the east of McKay Street and a landscaping business to the south. Both entities contain County A-1 (Agricultural) zoning.

The proposed concept plan for the site shows the contractor shop building and single-family residence, utilizing a shared driveway off Woodruff Road. The contractor shop building would contain one overhead door, which would face the west. Buildings would

be required to meet R-2 setbacks and additional landscaping would be required on the north and east sides of the contractor shop building.

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

- \* North: R-2 (Single-Family Residential); Single-Family Residential
- \* East: County A-1 (Agricultural); Agricultural Ranch and Woodlands
- \* South: County A-1 (Agricultural); Residential and Woodlands
- \* West: R-2 (Single-Family Residential); Single-Family Residential

### **Applicable Regulations**

- Section 47-17.28 – Variation of Use
- Section 47-19.8 - Criteria for granting a Variation (refer to attachment)

### **Discussion**

Approval of the requested petition would allow future development of a contractor shop for an electrical contracting business and a single-family residence. The petitioner met with staff several times prior to applying for subject petition. Staff expressed concern over developing a contractor shop, a general business or light industrial use, in a residential zone. While there are a couple uses that are typically more common in business or industrial zones that are adjacent to the subject property, these uses are not located within the city limits and contain County Agricultural zoning. The subject lots were platted for single-family residential use and are situated within a block-front that contains single-family residential uses and zoning. The petitioner has indicated that only a small number of service trucks would utilize the contractor shop. Even if the contractor shop building is designed with a farmhouse or residential aesthetic, staff has concerns over the intensity of the proposed use within the residential neighborhood the subject property is situated.

### **Conditions**

If the Zoning Board of Appeals desires to approve the Variation of Use petition, staff recommends the following conditions be included. All conditions must also be satisfied before issuance of a building permit.

1. That all associated trucks or vehicles associated with the proposed business be parked inside the proposed garage outside of normal business hours (08:00 a.m. – 5:00 p.m.).
2. That any repair work be conducted inside the proposed contractor shop building.
3. Any additional equipment or supplies that may be needed for the business will be always stored inside the proposed contractor shop building.

4. That the petitioner submits a landscape plan for the contractor's shop building upon development.
5. That a City business license shall be obtained.
6. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit.
7. That the Special Uses granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started, or the use is commenced within such period. The Board may grant an extension of this period, valid for no more than one hundred and eighty (180) additional days, upon written application and good cause shown without notice or hearing. Whether or not there is an intention to abandon the Special Uses, if any special use is discontinued for a continuous period of one year, or if an intent to abandon the Special Use is evident in a shorter period of time, the Special Use for such use shall become void, and such use shall not thereafter be reestablished unless a new Special Use Permit is obtained.

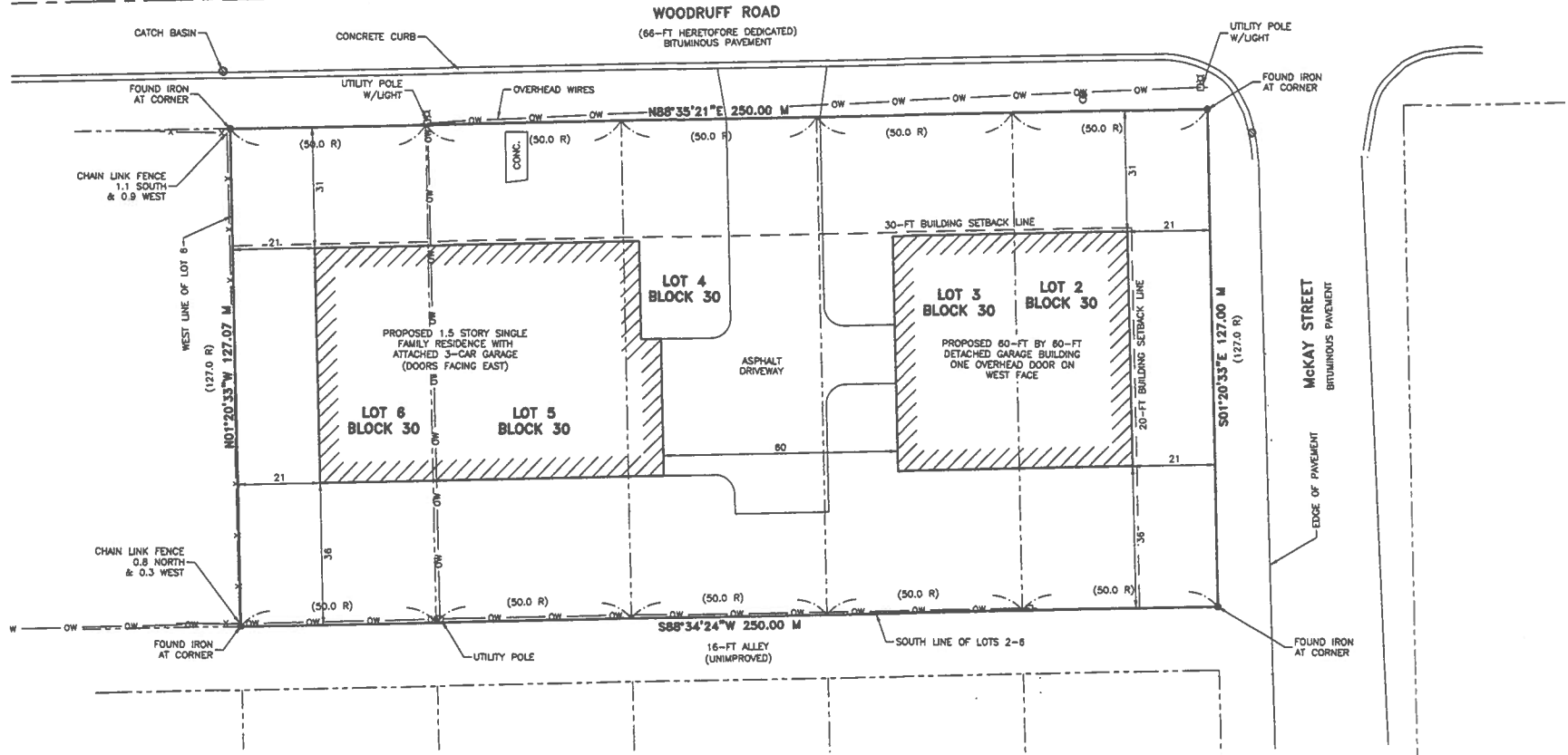
# CONCEPTUAL SITE PLAN

LOTS 2, 3, 4, 5 AND 6 IN BLOCK 30 IN ANTRAM'S GREENWOOD SUBDIVISION OF BLOCK 23, 27, 28, 30, 31 AND 32 IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1916, AS DOCUMENT NUMBER 299032, IN WILL COUNTY, ILLINOIS.

P.I.N. 30-07-02-411-005  
 30-07-02-411-006  
 30-07-02-411-007  
 30-07-02-411-008  
 30-07-02-411-009

SCALE 1" = 20'

C OR CALC = CALCULATED  
 D = DEED  
 M OR MEAS = MEASURED  
 R OR REC = RECORD  
 ○ = UTILITY POLE  
 ⊙ = STORM SEWER CATCH BASIN



**NOTES:**

1. THE BOUNDARY SURVEY FOR THESE FIVE LOTS WAS COMPLETED BY GEOTECH, INC. ON JUNE 23, 2023 FOR MR. JAMES FOSTER.
2. GEOTECH INCORPORATED IS PROFESSIONAL DESIGN FIRM NUMBER 184-000185.
3. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
4. THE LEGAL DESCRIPTION OF THESE PARCELS ARE BASED ON THE CURT CLAW DEED RECORDED AS DOCUMENT NUMBER R2014043983.
5. THE BASIS OF BEARING FOR THE CONCEPT PLAN, SHOWN HEREON, IS THE STATE PLANE OF ILLINOIS, ZONE EAST (NAD83 (2011)), BASED ON GROUND OBSERVATIONS UTILIZING THE TRIMBLE HOW VRS NETWORK.
6. THE AREA OF THE SURVEYED PARCEL IS 0.729 ACRES.
7. LOTS 5 AND 6 ARE LOCATED WITHIN THE CITY OF JOULET AND ARE CURRENTLY ZONED R-2. LOTS 2, 3, AND 4 ARE PROPOSED TO BE ANNEXED TO THE CITY OF JOULET AND ZONED R-2 AS WELL.
8. THE OVERHEAD WIRE RUNNING FROM THE SOUTH TO THE NORTH ALONG THE COMMON LOT LINE OF 5 AND 6 WILL BE RELOCATED.
9. THE OUTLINE OF THE HOUSE IS ONLY SHOWN FOR REFERENCE, AS IT MATCHES THE OVERALL WIDTH AND DEPTH FOR THE HOME. THE ACTUAL SHAPE OF THE HOUSE WILL BE BASED UPON THE ARCHITECTURAL PLANS FOR THE HOUSE AND WILL BE SHOWN ON THE DETAILED SITE PLAN PRIOR TO BUILDING PERMIT.
10. THE DETACHED GARAGE WILL BE 40 FEET BY 60 FEET IN SIZE AND IS CORRECTLY REPRESENTED ON THIS CONCEPTUAL SITE PLAN.

PREPARED BY: *Christopher M. Papesh*  
 CHRISTOPHER M. PAPERESH, L.P.L.S. NO. 3366  
 EXPIRATION DATE 11/30/2024

DATE: **September 4, 2024**



**GEOTECH INC.**  
 CONSULTING ENGINEERS - LAND SURVEYORS

1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730-1010

PROJECT: JAMES FOSTER FIELD BOOK #: BH 38-10 PG 79

DRAWN BY: CP DATE: 08.04.24 SCALE: 1"=20' JOB NO. 21738

COMPARE THIS PLAN WITH YOUR RECORDS AND IMMEDIATELY REPORT ANY DISCREPANCIES













McKay St







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: WOODRUFF & MCKAY STREETS

PETITIONER'S NAME: JAMES V. FOSTER

HOME ADDRESS: 1107 GARVIN STREET ZIP CODE: 60432

BUSINESS ADDRESS: 1107 GARVIN STREET ZIP CODE: 60432

PHONE: (Primary) (815) 260-9473 (Secondary) \_\_\_\_\_

EMAIL ADDRESS: NEWFRONTIERPOWER@msn.com FAX: n/a

PROPERTY INTEREST OF PETITIONER: OWNER

OWNER OF PROPERTY: JAMES V FOSTER

HOME ADDRESS: 1107 GARVIN STREET ZIP CODE: 60432

BUSINESS ADDRESS: 1107 GARVIN STREET ZIP CODE: 60432

EMAIL ADDRESS: NEWFRONTIERPOWER@MSN.COM FAX: N/A

**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*):

GREG HILL 1026 MOEN AVE ROCKDALE, IL. ghill@indicomelectricco.com

JAY HABERKORN 1400 BLUFF RD ROMEOVILLE, IL. jhaberkorn@bonuselectric.com

ALEX DOPPLER 4100 S. EMERALD, CHICAGO, IL. alex@reliablecontracting.net

OTHER PROJECTS AND/OR DEVELOPMENTS:

HOPE MANOR JOLIET

EMPRESS CASINO

PETER CLAVER CENTER

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 07-02-411-005 ;  
07-02-411-006 ; 07-02-411-007 ; \_\_\_\_\_.

*\*\*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):

SEE ATTACHED

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LOT SIZE: WIDTH: 150' DEPTH: 127' AREA: 19,050 SF

PRESENT USE(S) OF PROPERTY: VACANT

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

VARIATION OF USE REQUESTED: BUILD A GARAGE/SHOP FOR OUR UNION ELECTRICAL CONTRACTING BUSINESS

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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?*  
PROPERTY IS CURRENTLY IN WILL COUNTY, AND NOT ZONED FOR OUR FUTURE USE

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2. What unique circumstances exist which mandate a variance?

I JAMES FOSTER AM A LIFELONG RESIDENT OF THE FOREST PARK AREA(54 YRS). I HAVE BEEN IN THE ELECTRICAL INDUSTRY FOR OVER 35 YEARS, MY FIRM NEW FRONTIER ELECTRICAL IS SIGNATORY WITH IBEW LOCAL 176 & 134 AND REQUESTING A VARIANCE TO BUILD AN ELECTRICAL SHOP FOR OUR BUSINESS.

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.

THE IMPACT ON THE AREA WOULD TOTALLY BE POSITVE BRINGING A NEWLY CONSTRUCTED STRUCTURE TO AN AREA THAT HAS MINIMAL ECONOMIC GROWTH.

THIS BUILDING WOULD ALSO SERVE AS A FACILITY TO INTRODUCE YOUTH TO THE BUILDING TRADES

**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)

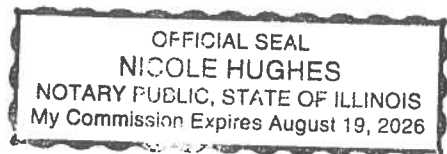
I, JAMES V. FOSTER, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

James V. Foster  
Petitioner's Signature

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

Subscribed and sworn to before me  
this 18 day of October, 2024

Nicole Hughes



## 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:

3 VACANT LOTS WOODRUFF RD & MCKAY STREETS

PIN(s): 07-211-411-005, 006, 007

### 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

JAMES V FOSTER 1107 GARVIN ST. JOLIET, IL. 60432 (815) 260-9473

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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:** \_\_\_\_\_

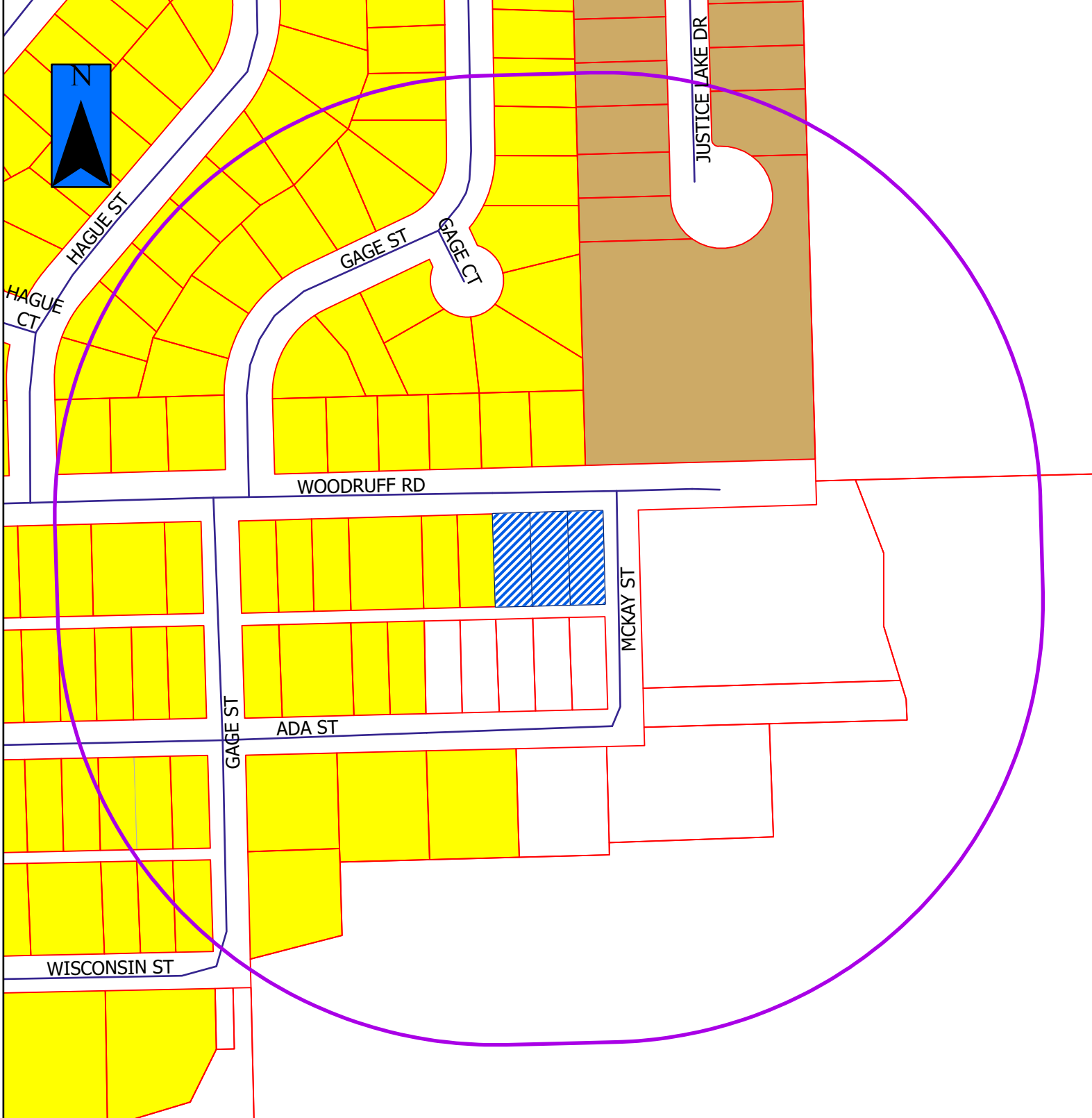
**NOTE:**  
If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property 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:** \_\_\_\_\_

**DATE:** 10/18/2024



**Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:**  
JAMES V FOSTER PRESIDENT (815) 260-9473


**PRINT**



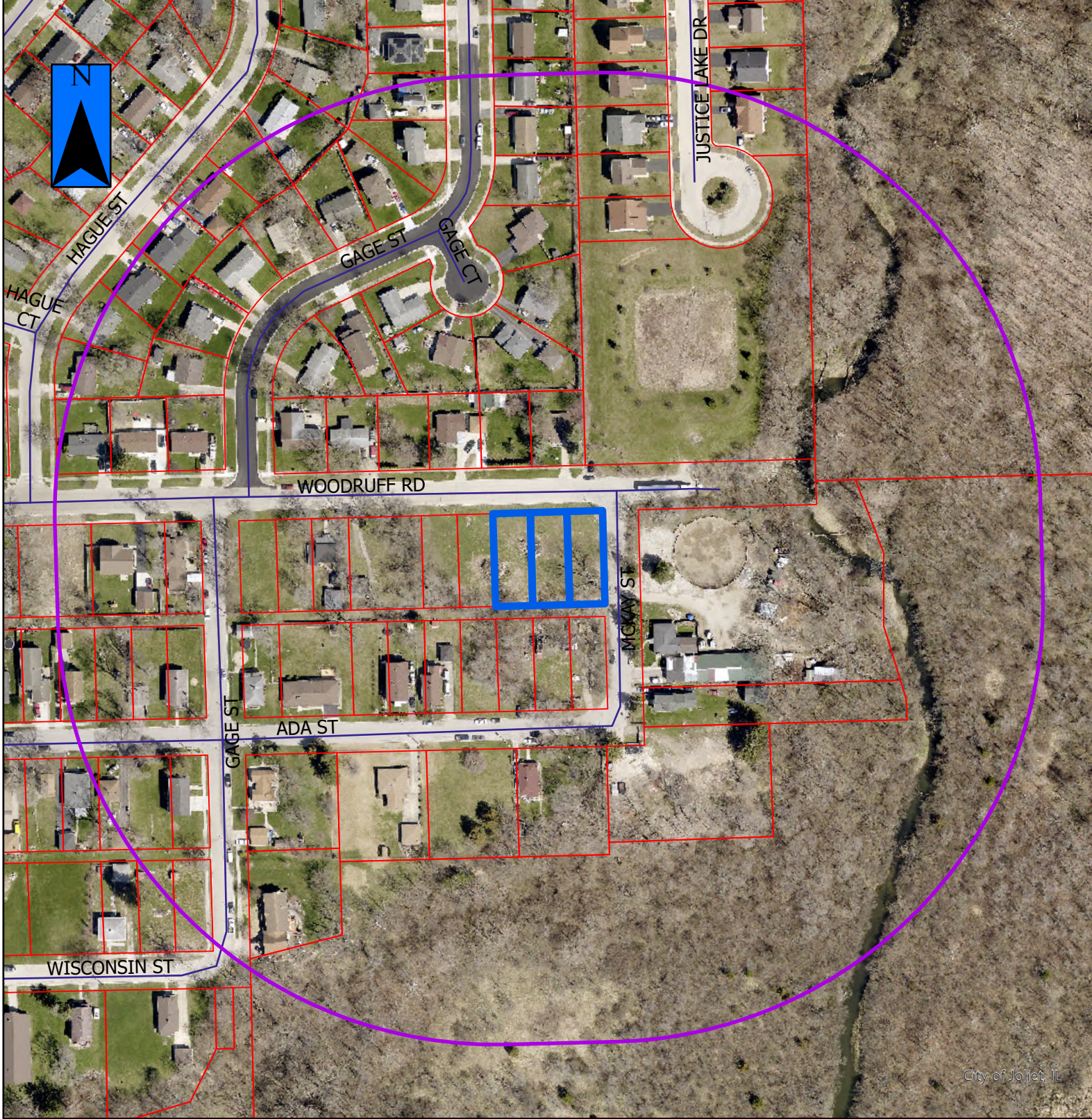
2024-58



 = Property in Question  
 = 600' Public Notification Boundary

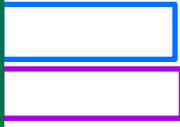
Legend			
	B-1		R-2
	B-2		I-TA
	B-3		I-TB
	I-1		I-TC
	I-2		R-3
	I-T		R-1
			R-1A
			R-4
			R-5
			R-1B
			R-B





City of Joliet, IL

2024-58



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



**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).		