

STAFF REPORT

DATE: July 5, 2024
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2024-33
Applicant / Owner: Charlie and Sue Havelka
Location: 512 McDonough Street
Request: Variation to reduce the corner side yard setback to allow a gazebo

Purpose

The applicant is requesting the following variation to allow a gazebo in their rear yard at 512 McDonough Street:

- Variation to reduce the required corner side yard setback from 20 feet to 10 feet

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

Site Specific Information

The subject site is around 4,356 square feet and contains a circa 1889 two-story residence, two sheds, and a rear patio. The property is zoned R-2 (single-family residential) and was designated as a local historic landmark in 2019. The same property owners received approval of a variation in 2000 to build the roof for the wraparound porch on the front side of the house.

The property is located at the southeast corner of McDonough Street and Market Street. Corner lots have a required side yard setback of 20 feet along the side street. The owners recently installed a 22-foot by 28-foot concrete patio in their rear yard. The proposed gazebo is located on this existing patio and is 10 feet from the side lot line. The gazebo will be 4 feet from the rear shared property line, which meets the required setback of 3 feet for an accessory structure.

Surrounding Zoning, Land Use and Character

The property is located at the southeast corner of McDonough Street and Market Street, in the St. Pat's neighborhood. The property is surrounded by residences with R-2 (single-family residential) zoning.

Applicable Regulations

- Section 47-6.4 R-2 District Yard and Lot Requirements
- Section 47-17.3 Yards Required for Corner and Through Lots
- Section 47-19.8 Findings of Facts Supporting a Variation (refer to attachment)

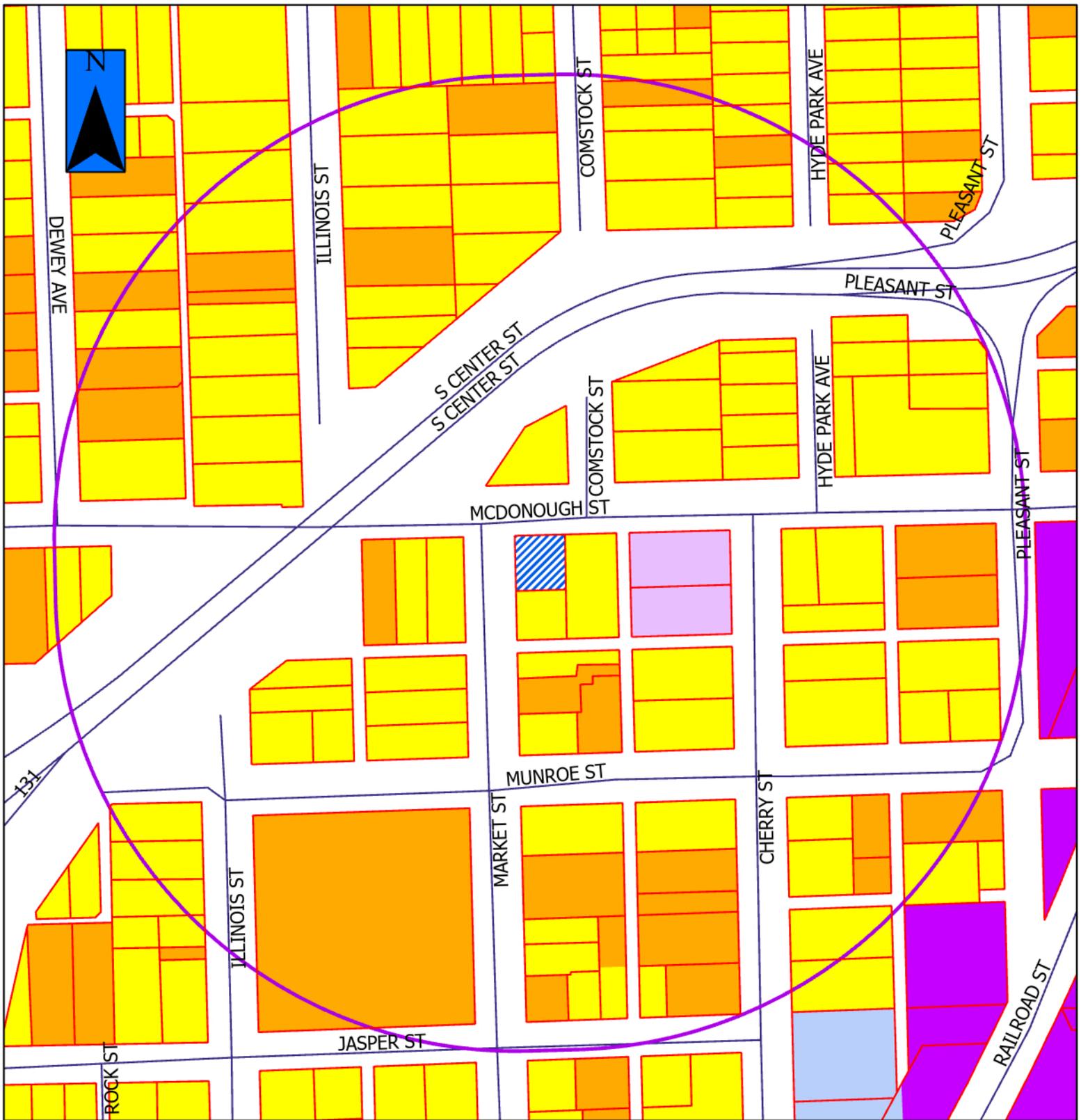
Discussion

The approval of the requested variation would allow a 14-foot by 10-foot gazebo to be installed 10 feet from the side property line on a corner lot. The owners wish to install the gazebo on their existing patio and to leave some open space in their backyard. The owners must request a variation to build the addition closer than 20 feet in the corner side yard.

The property has a depth of only 66 feet and a total lot area of around 4,300 square feet, which is smaller than the R-2 district minimum lot size of 7,500 square feet. The nonconforming lot size reduces the area of the rear yard. Other properties in the area, including the house directly south of the subject property, have main and accessory structures with reduced setbacks. A plat of survey and plans are attached.

Conditions

None

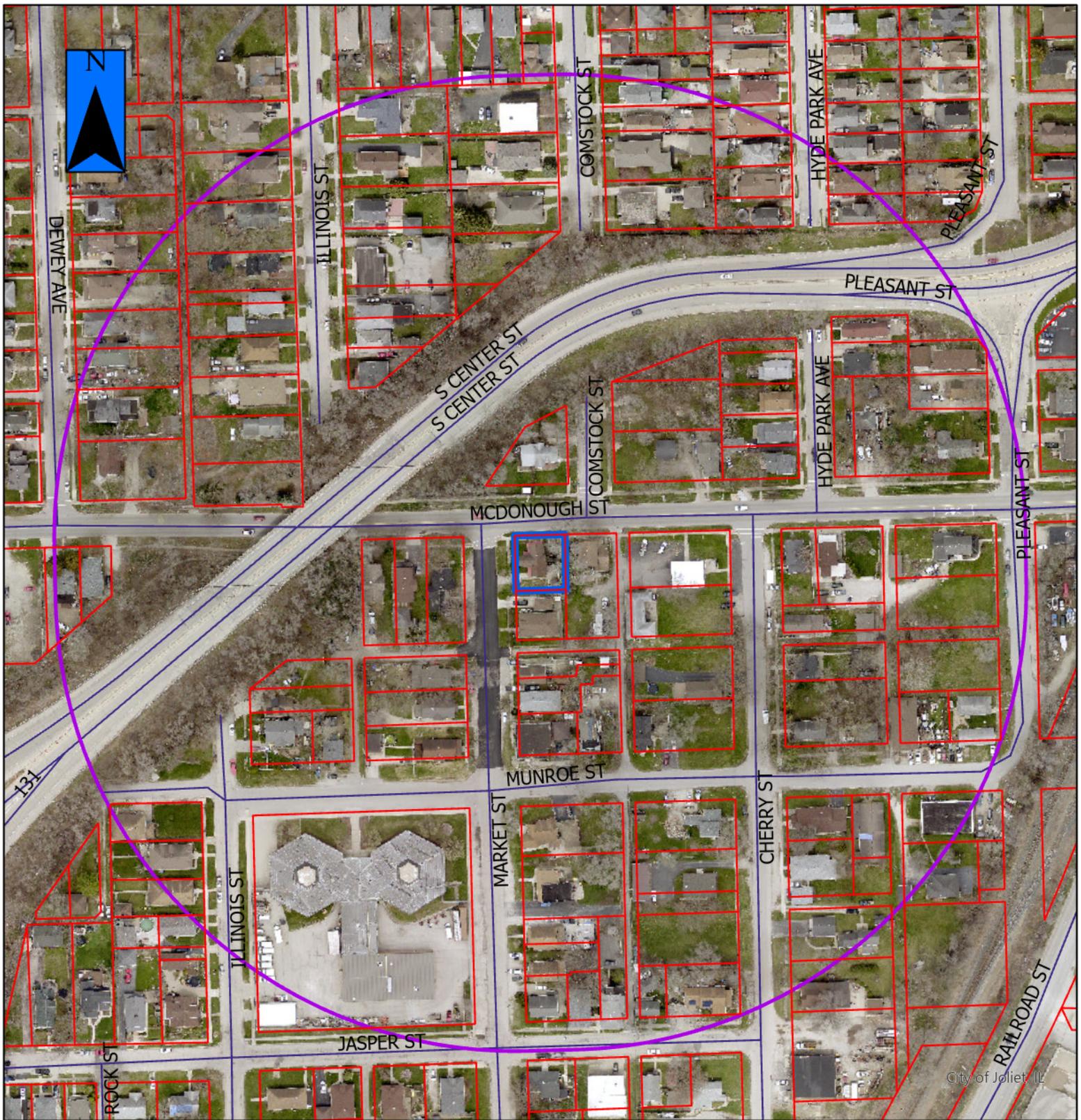


2024-33



= 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



2024-33a



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

Figure 1: 512 McDonough Street, view southeast from the intersection of McDonough Street and Market Street



Figure 2: Existing patio and gazebo at 512 McDonough Street, view east from Market Street



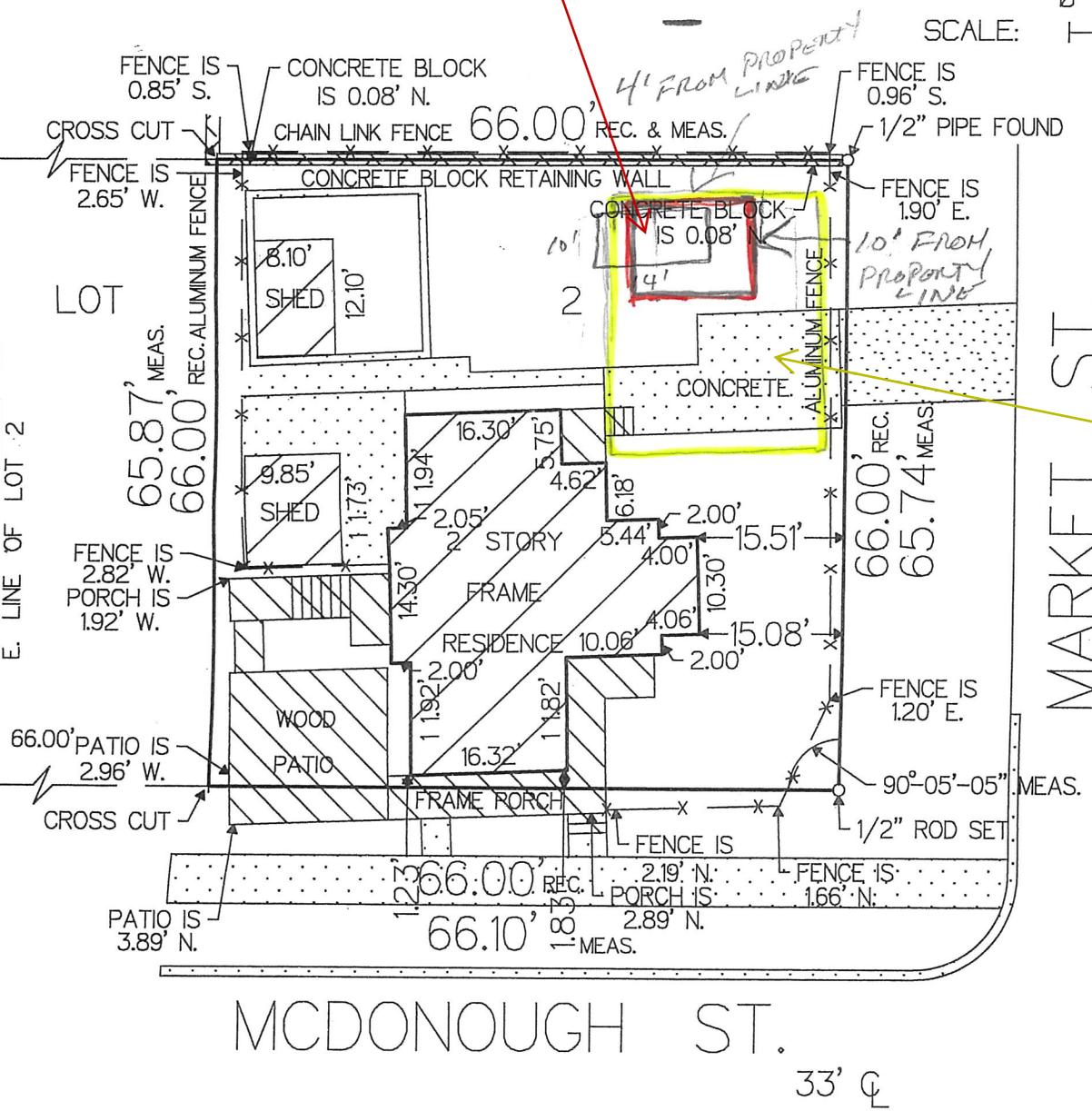
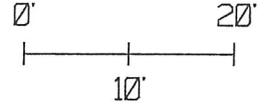
PLAT OF SURVEY

THE WEST 1/2 OF LOT 2 IN WILLIAM B. EGAN'S SUBDIVISION, OF BLOCK 83, IN SCHOOL SECTION ADDITION TO JOLIET, BEING A SUBDIVISION OF SECTION 16, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

512 MCDONOUGH STREET
JOLIET, IL



Proposed 14' by 10' gazebo



Existing patio



COMMUNITY SURVEY INC.

81 N. CHICAGO STREET, SUITE 207
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax

EMAIL: kvcommunitysurvey@att.net

DESIGN FIRM NO. 184-002899

CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY. COMPARE POINTS BEFORE BUILDING.

WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED FOR SUE HAVELKA UNDER MY HAND AND SEAL THIS 23RD DAY OF APRIL 2024. FIELD WORK 4/22/2024. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SURVEY NUMBER 24-30393

ILLINOIS LAND SURVEYOR NO. 3701
EXPIRES 11/30/2024



FOR OFFICE USE ONLY

***Verified by Planner (please initial): _____ ***

Payment received from: _____

Petition #: 2024-33

Common Address: 512 McDONOUGH ST.

Date filed: 6/5

Meeting date assigned: 7/18

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: 512 McDONOUGH ST

PETITIONER'S NAME: CHARLIE + SOE HAVELKA

HOME ADDRESS: 512 McDONOUGH ST ZIP CODE: 60436

BUSINESS ADDRESS: _____ ZIP CODE: _____

PHONE: (Primary) 815-260-3794 (Secondary) 815-260-3325

EMAIL ADDRESS: CHARLIEHAVELKA1@GMAIL.COM FAX: _____

PROPERTY INTEREST OF PETITIONER: OWNER

OWNER OF PROPERTY: CHARLIE + SOE HAVELKA

HOME ADDRESS: 512 McDONOUGH ST ZIP CODE: 60436

BUSINESS ADDRESS: _____ ZIP CODE: _____

EMAIL ADDRESS: CHARLIEHAVELKA1@GMAIL.COM 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.): 30-07-16-304-001-0000 ;
_____ ; _____ ; _____

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):

SEE ATTACHED

LOT SIZE: WIDTH: _____ DEPTH: _____ AREA: _____

PRESENT USE(S) OF PROPERTY: SINGLE FAMILY HOME

PRESENT ZONING OF PROPERTY: R2

VARIATION/APPEAL REQUESTED: REDUCTION IN THE 20 FT SIDE YARD

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?

TO KEEP THE GAZERBO ON THE EXISTING PATIO AND KEEP MORE OF THE BACK YARD OPEN

2. What unique circumstances exist which mandate a variance?

EXISTING PATIO IS ONLY 22 FT WIDE

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.

THERE WON'T BE AN IMPACT BECAUSE OUR NEIGHBOR IS BLOCKED BY HIS FENCE

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, CHARLIE + SUE HAVELKA, 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.

Charlie Sue Havelka

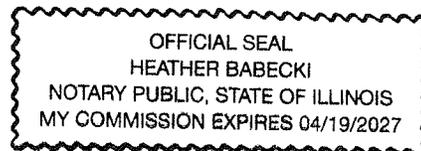
Petitioner's Signature

Charlie Sue Havelka

Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me
this 5 day of JUNE, 2024

Heather Babecki



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:

512 McDONOUGH ST
 PIN(s): 30-07-16-304-001-0000

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

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

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: Charlie Havelka

DATE: 6-6-24

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:
CHARLIE HAVELKA
815-260-3794

PRINT



Will County CCAO
 Dale D. Butalla, CIAO-M
 302 N. Chicago Street
 2nd Floor
 Joliet, Illinois 60432
 Phone: 1-815-740-4648

PIN 30-07-16-304-001-0000

Parcel Information

<< Prev Parcel

Next Parcel >>

JOLIET TOWNSHIP

Owner Name: HAVELKA CHARLES F JR

Street Address:
 512 MCDONOUGH ST
 JOLIET IL 60436



[View on Bing Maps](#)

Subdivision:

Property Class: 0040 Residential

Homesite Acres: 0.00
 Farm Acres: 0.00
 Open Space Acres: 0.00
 Total Acres: 0.00



<< Prev Picture

1 of 4

Next Picture >>

[GIS Map & Address Information](#)

[Will County Treasurer's Tax Information](#)

[View Local Taxing Bodies](#)

Assessment Information

Year	Assess Level	Land Unimproved/Farm	Land Improved	Building Other/Farm	Building	Total	Market Value	Instant Date	Instant Amount
2023	BOR	0	8,707	0	33,528	42,235	126,718		0
2023	SA/E	0	8,707	0	33,528	42,235	126,718		0
2023	TWP	0	7,876	0	30,328	38,204	114,623		0
2022	BOR	0	7,876	0	30,328	38,204	114,623		0
2021	BOR	0	7,356	0	28,325	35,681	107,054		0

Sale Information

Building Information

**** There is no building information currently available for this parcel. Please contact the [JOLIET TOWNSHIP Assessor](#) for more information. ****

Legal Description

THE W 1/2 OF LOT 2 IN WILLIAM B. EGAN'S SUB. OF BLK 83, IN SCHOOL SEC. ADD'N TO JOLIET, BEING A SUB OF SEC. 16 T35N-R10E.

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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).		