

STAFF REPORT

DATE: August 4, 2022
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2022-46
Applicant / Owner: Yuliana Guerrero
Location: 1013 Charlesworth Avenue
Request: Variation to increase maximum lot coverage to allow construction of a detached garage

Purpose

The applicant is requesting a variation to increase the maximum allowed lot coverage from 30% to 34% to allow the construction of a detached garage, located at 1013 Charlesworth Avenue. The Zoning Board of Appeals makes the final decision on this variation request.

Site Specific Information

The property in question is a 4,609 sq. ft. lot that contains a two-story home built around 1910. There is an existing driveway along the south side of the house and an 18 ft. by 18 ft. carport over a concrete pad at the back of the property. The lot is 35 feet wide, which is less than the width of most lots in the surrounding area.

In 2004, the Zoning Board approved a variation to reduce the side yard setback from 5 ft. to 2 ft. to allow the construction of a 240 sq. ft. addition to the existing home. The property is zoned R-2 (Single-Family Residential).

Surrounding Zoning, Land Use and Character

The property is located in the Northeast Area neighborhood. The surrounding area is made up of single-family residential homes with some two-unit residences. Other lots on the block have a similar layout to the subject property, with a detached garage at the rear of the property. The zoning and land use for the adjacent properties are as follows:

- North: R-2 (Single-Family Residential), two single-family residences
- South: R-2 (Single-Family Residential), single-family residence
- East: R-3 (One- and Two-Family Residential), railroad right-of-way
- West: R-2 (Single-Family Residential), single-family residence

Applicable Regulations

- Section 47-17.29 Percentage of Ground Coverage
- Section 47-19.8 Findings of Facts Supporting a Variation (refer to attachment)

Discussion

The property owner is seeking to build a 24 ft. by 24 ft. detached garage at the rear of their property. The lot currently contains a 16.5 ft. by 45 ft. two-story home with a covered rear patio and no garage. In the southwest corner of the lot in the proposed location for the new garage, there is an 18 ft. by 18 ft. carport, which will be removed. Existing lot coverage is 29%; with the proposed garage, lot coverage would be 34%. The Zoning Ordinance allows no more than 30% of the ground area of a residential lot to be covered by structures. Therefore, the homeowner is requesting a variation to increase their lot coverage to 34% in order to construct the proposed garage.

There is an existing asphalt driveway along the south side of the house, which will be extended to the new garage. The proposed garage will meet the setback requirements for detached garages. A plat of survey and example elevation are attached.

Conditions

None

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). | | |

FOR OFFICE USE ONLY

Verified by Planner (please initial):

Payment received from:

Petition #: 2022-46

Common Address: 1013 Charlesworth Ave.

Date filed: 07/14/22

Meeting date assigned: 08/18/22

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: 1013 Charlesworth Ave Joliet

PETITIONER'S NAME: Juliana Guerrero

HOME ADDRESS: 1013 Charlesworth Ave Joliet ZIP CODE: 60432

BUSINESS ADDRESS: ZIP CODE:

PHONE: (Primary) (815) 823-2889 (Secondary) (224) 280-8032

EMAIL ADDRESS: julianaquerrero52@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.): 30-01-03-409-015-0000 ;
_____ ; _____ ; _____

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: 131.19' DEPTH: 35.13' AREA: 4,604.7

PRESENT USE(S) OF PROPERTY: Single Family Residence

PRESENT ZONING OF PROPERTY: R-2

VARIATION/APPEAL REQUESTED: Lot coverage to 34%

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?

The maximum lot coverage is 30%

2. What unique circumstances exist which mandate a variance?

I would like to build a larger garage than the zoning will allow

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 will not be any impact to the neighbors and the new garage will add value to my property

REQUIRED SUPPORTING ATTACHMENTS

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

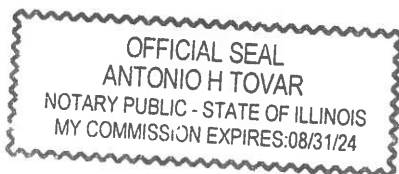
NOTARIZATION OF PETITION

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Yuliana Guerrero, 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.

Yuliana Guerrero
Petitioner's Signature

Owner's Signature
(If other than petitioner)



Subscribed and sworn to before me
this 14 day of July, 2022
[Signature]

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:

1013 Charlesworth Ave Joliet IL

PIN(s): 30-07-03-409-015-0000

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:

Yuliana Guerrero

DATE: 07/12/2022

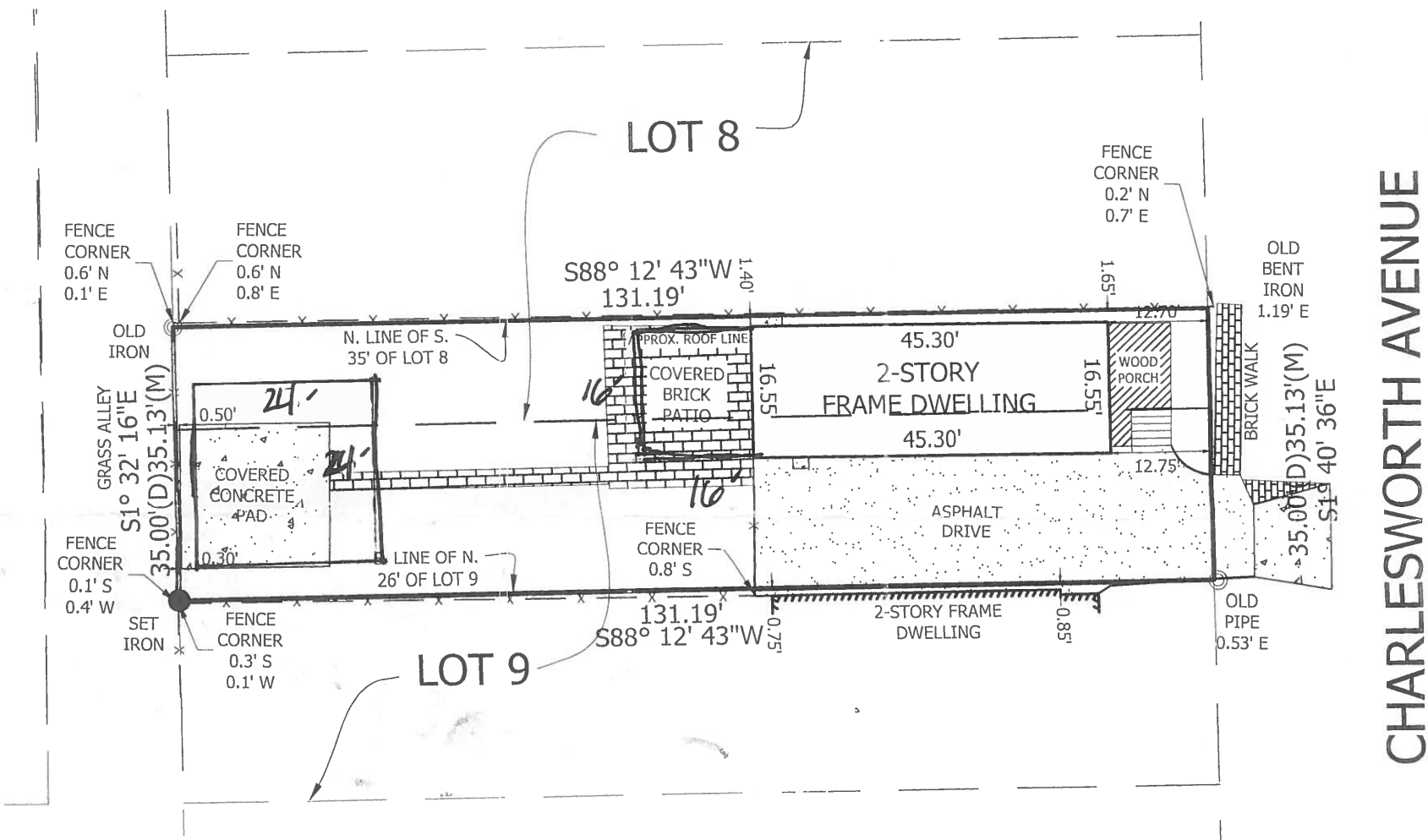
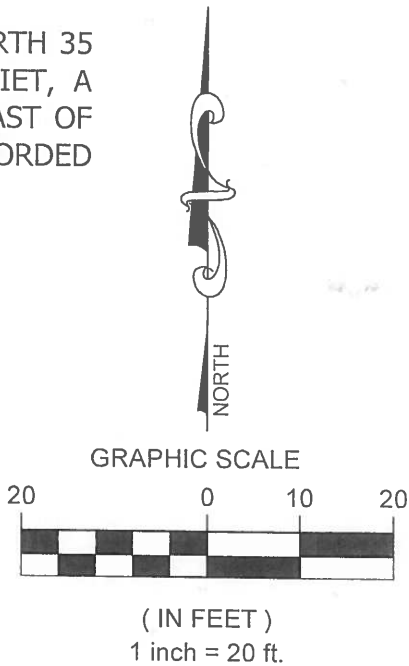
Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

Yuliana Guerrero (owner) (224) 280-8032

PRINT

PLAT OF SURVEY

LOT 9 (EXCEPT THE SOUTH 26 FEET THEREOF) AND LOT 8 (EXCEPT THE NORTH 35 FEET THEREOF), IN BLOCK 8, IN CHRISTIAN HACKER'S ADDITION TO JOLIET, A SUBDIVISION OF SECTION 3, IN TOWNSHIP 35 NORTH AND IN RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1888 IN PLAT BOOK 4, PAGE 43, IN WILL COUNTY, ILLINOIS.



NOTES:

- PUE PUBLIC UTILITY EASEMENT
BSL BUILDING SETBACK LINE
(M) MEASURED
(R) RECORD
(D) DEED

STATE OF ILLINOIS)
COUNTY OF WILL)
I, MICHAEL R. ROGINA, ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT THIS PLAT OF SURVEY IS A CORRECT REPRESENTATION THEREOF

DATED THIS 6TH DAY OF MAY 2022

MICHAEL R. ROGINA

I.P.L.S. 3516
LICENSE EXPIRES 11/30/2022

COMPARE DESCRIPTION AND POINTS BEFORE BUILDING AND REPORT ANY APPARENT DIFFERENCE TO THE SURVEYOR.
REFER TO DEED OR GUARANTEE TITLE POLICY FOR BUILDING LINE RESTRICTIONS OR EASEMENTS NOT SHOWN ON PLAT OF SURVEY.
TO INSURE AUTHENTICITY OF ANY COPIES, THEY MUST BEAR THE SURVEYOR'S IMPRESSED SEAL.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

COMMONLY KNOWN AS:
1013 CHARLESWORTH AVENUE
JOLIET, ILLINOIS 60432

PIN 30-07-03-409-015

LOT 9 (EX. THE S. 26') AND LOT 8 (EX. THE N. 35'), IN BLOCK 8, IN CHRISTIAN HACKER'S ADDITION TO JOLIET

SCALE: 1" = 20' FIELDWORK DATE: 4-22-2022 REVISED FIELDWORK DATE: DRAWN BY: CRR



ROGINA

ENGINEERS & SURVEYORS, L.L.C.
1225 Channahon Road Joliet, Illinois 815/729-0777 FAX 815/729-0782
Professional Design Firm License No. 184-006843 - Exp. 4/30/2023

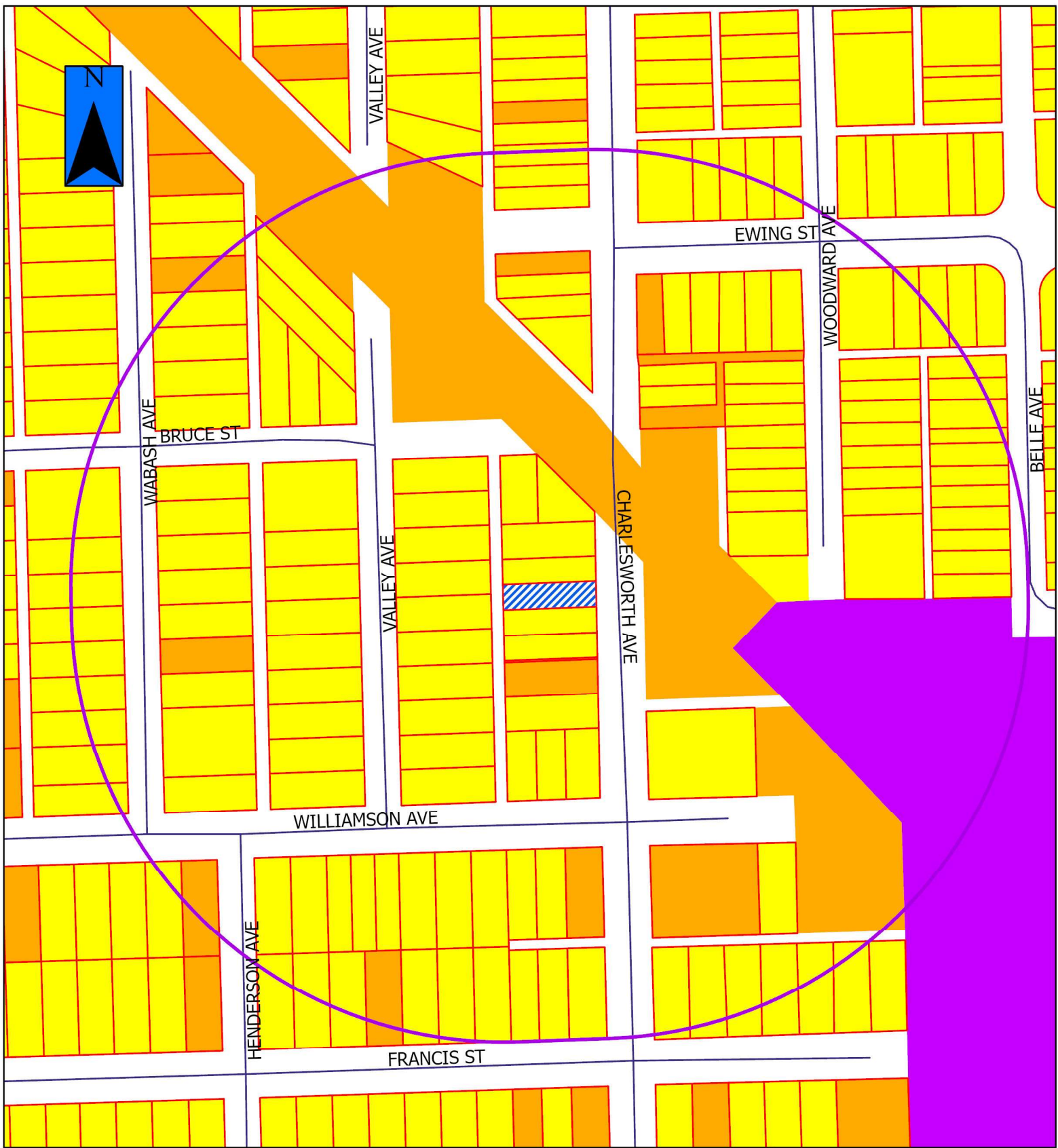
GUERRERO

FILE NO:
6730.01



Figure 1: 1013 Charlesworth Avenue, view facing west from Charlesworth Avenue





2022-46



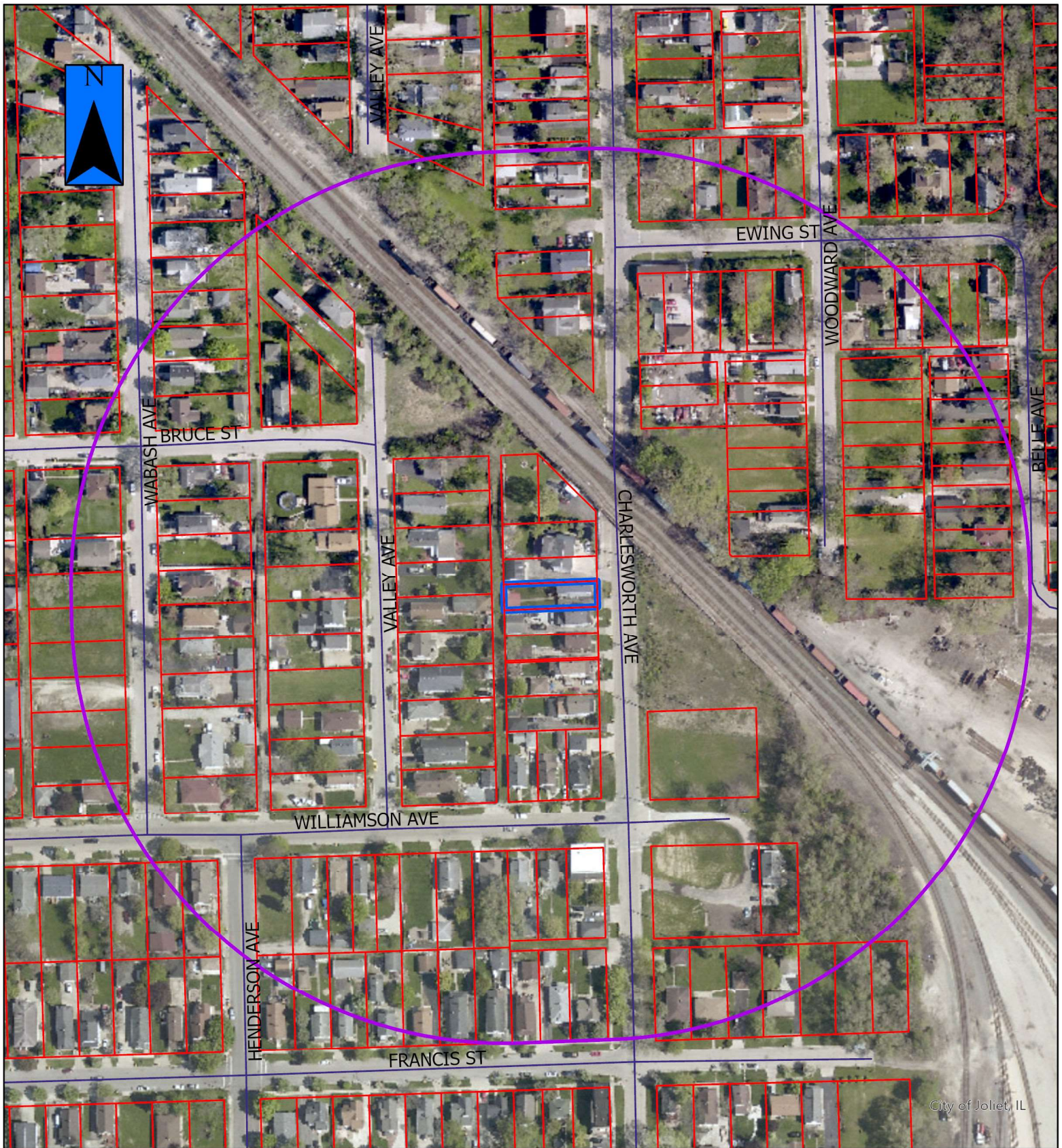
= Property in Question



= 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 |



2022-46a



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