

STAFF REPORT

DATE: August 18, 2022
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2022-49
Applicant: Chris Swan
Status of Applicant: Owner
Owner: Chris Swan
Location: 1225 N. Broadway Street
Request: A Variation to reduce the front yard setback from 30' to 15'10", located at 1225 N. Broadway Street.

Purpose

The petitioner is requesting the following variation from the City's Zoning Ordinance to allow construction of a new 108 square foot front porch at 1225 N. Broadway Street.

- **Reduction in front yard setback from Broadway Street from 30' to 15'10" (47-10.1).**

Site Specific Information

The subject property is approximately .2 acres and is zoned B-3 (General Business District) but contains a single-family residence. The petitioner wishes to build a new front porch, which would be approximately 15'10" away from the front lot line at its closest point. The front entrance of the house is currently accessed by six, 6'-wide concrete stairs, with two iron handrails on each side of the stairs. Both the concrete stairs and iron handrails are weathered and in need of replacement.

Surrounding Zoning, Land Use and Character

- | | |
|---|--|
| * North: B-3; Single-Family Residential | * East: B-3; Single-Family Residential |
| * South: B-3; Commercial | * West: R-2; Single-Family Residential |

Applicable Regulations

- Section 47-13.1 – Permitted Principal Uses B-3 (General Business District)
- Section 47-10.1 – Permitted Principal Uses R-B (Restricted Business)
- Section 47-7.1 – Permitted Principal Uses R-3 (One and Two-Family Residential)
- Section 47-5.1 – Permitted Principal Uses R-1 (Single-Family Residential)
- Section 47-19.8 - Criteria for granting a Variation (refer to attachment)

Discussion

The approval of the requested variation would allow the construction of the new 108 square foot front porch at 1225 N. Broadway Street, with a 15'10" front yard setback. Conceptual sketches of the proposed front porch have been included in the staff report packet. The width of the stairs leading up to the front porch will remain 6'wide. The porch will be approximately 21'8" x 5' in size.

Section 47-10.1 of the Zoning Ordinance allows those uses permitted as of right in Section 47-7, provided the uses conform to the area, bulk, and other district regulations in which the uses are typically located. Single-family residential uses are permitted uses in the B-3 (General Business District) zone, but must conform to the area, bulk, and other district regulations of a more typical single-family residential zone, such as the R-1 or R-2 zones. In both zones, the front yard setback requirement is 30'.

The finding of facts needed to support the requested variation, as outlined in Section 47-19.8 of the City Code, establishes a practical difficulty that warrants the requested variation. The subject property is located on a preexisting lot that only contains approximately 25'-30' of front yard setback distance. Without the variation, there could be no legal nonconforming accessory structure placed within the front yard setback area. Furthermore, the attached photos show that several other properties in the area have front porches similar to the proposed front porch the petitioner wishes to build. Staff finds that the proposed front porch will not be out of character with the surrounding area, and that unique circumstances exist due to lot constraints.

Conditions

If the Zoning Board desires to approve the requested variation, the following conditions would be included:

1. Construction of the new front porch will follow all applicable building City, State, and National Building Codes.

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 #: 2022-49

Common Address: 1225 N. Broadway St.

Date filed: 07/15/22

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: 1225 N. Broadway Joliet IL 60435

PETITIONER'S NAME: Chris Swan

HOME ADDRESS: 1225 N. Broadway Joliet IL ZIP CODE: 60435

BUSINESS ADDRESS: ZIP CODE:

PHONE: (Primary) 815-272-0451 (Secondary)

EMAIL ADDRESS: Swan, Chris @ A4.net FAX:

PROPERTY INTEREST OF PETITIONER: 1225 N. Broadway Joliet IL 60435

OWNER OF PROPERTY: Chris Swan

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.): 30-07-04-209-014-0000 ;
_____ ; _____ ; _____.

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: 50' DEPTH: 178.26' AREA: _____

PRESENT USE(S) OF PROPERTY: Residential/Single Family

PRESENT ZONING OF PROPERTY: Single Family

VARIATION/APPEAL REQUESTED: Front porch to impend on 20' ordinance

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?
Existing Landing & Stairs are too small & Damaged
for repair. Need a place to sit in front of house

2. What unique circumstances exist which mandate a variance?

Property Line is on angle which will not allow
A sizable porch with current ordinance

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.

Create new attractive front of home
will be 15' closer to property line

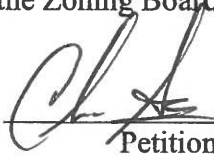
REQUIRED SUPPORTING ATTACHMENTS

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

NOTARIZATION OF PETITION

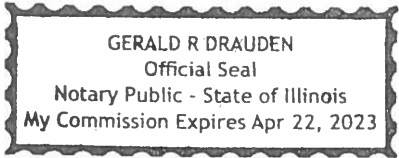
STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Chris Swan, 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.


Petitioner's Signature

Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me
this 14th day of July, 2022
Gerald R. Drauden



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:

1225 N. Broadway St., Joliet, IL 60435
PIN(s): 30-07-04-209-014-0000

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

Christopher T. Swan cell # 815-272-0451
1225 N. Broadway Joliet IL.

E-MAIL: Swan.Chris@att.net 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.

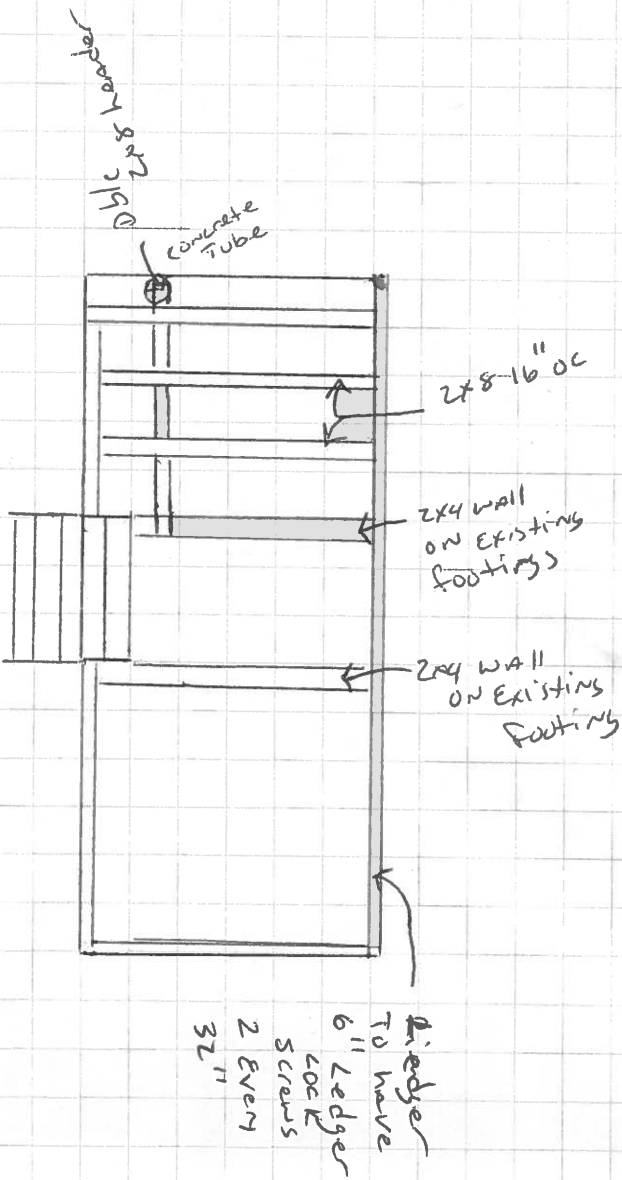
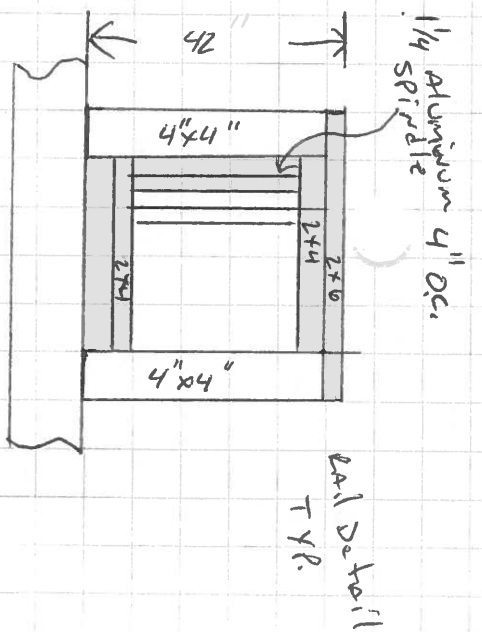
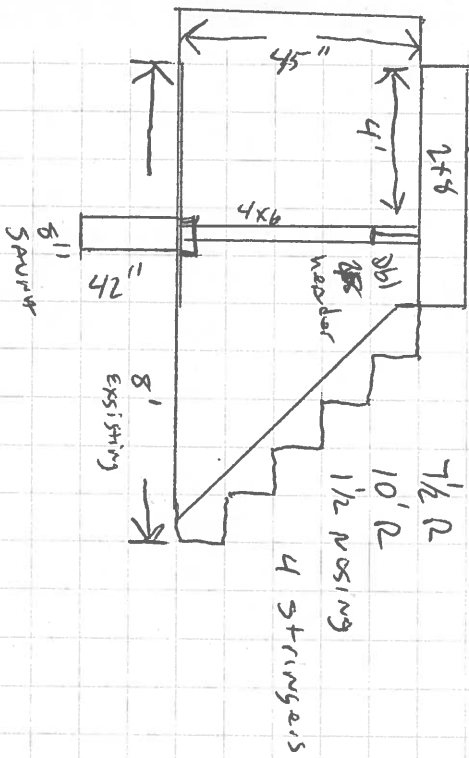
SIGNED: _____

DATE: 7-15-22

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

Chris Swan Owner 815-272-0451

PRINT



All Joist on hangers
All Joist hurricane clips on header

existing home

21'-8"

5'

15'-0"
from property line

same
as
existing
stair

6'

4

18'-8"
from property line

2

LOT 4 IN BLOCK 13, IN L.E. INGALL'S SUBDIVISION, THE NORTHEAST QUARTER OF SECTION 4, IN TOWNSHIP 10 EAST OF THE THIRD PRINCIPAL MERIDIAN THEREOF RECORDED JUNE 6, 1888, AS DOCUMENT NO. 1888-1, IN THE PUBLIC RECORDS OF DECATUR COUNTY, ILLINOIS.



I, Michael G. Henry, 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 the same.

Dated, this 11th day of OCTOBER, A.D., 19 99, at Bolingbrook, Illinois.

Figure 1: 1225 N. Broadway Street



Figure 2: 1225 N. Broadway Street



Figure 3: Area Residence

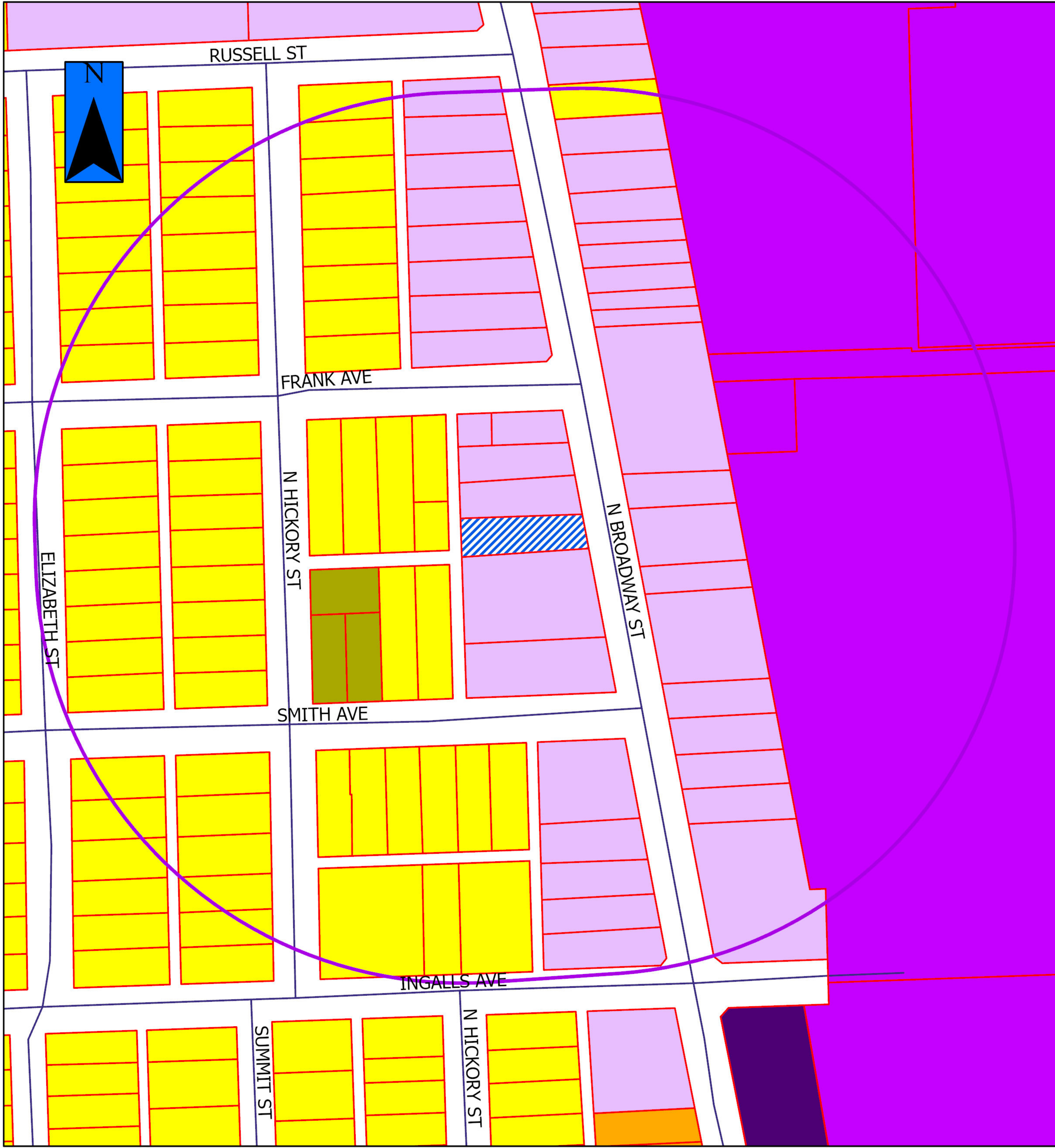


Figure 4: Area Residence




Figure 5: Area Residence
















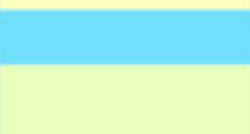






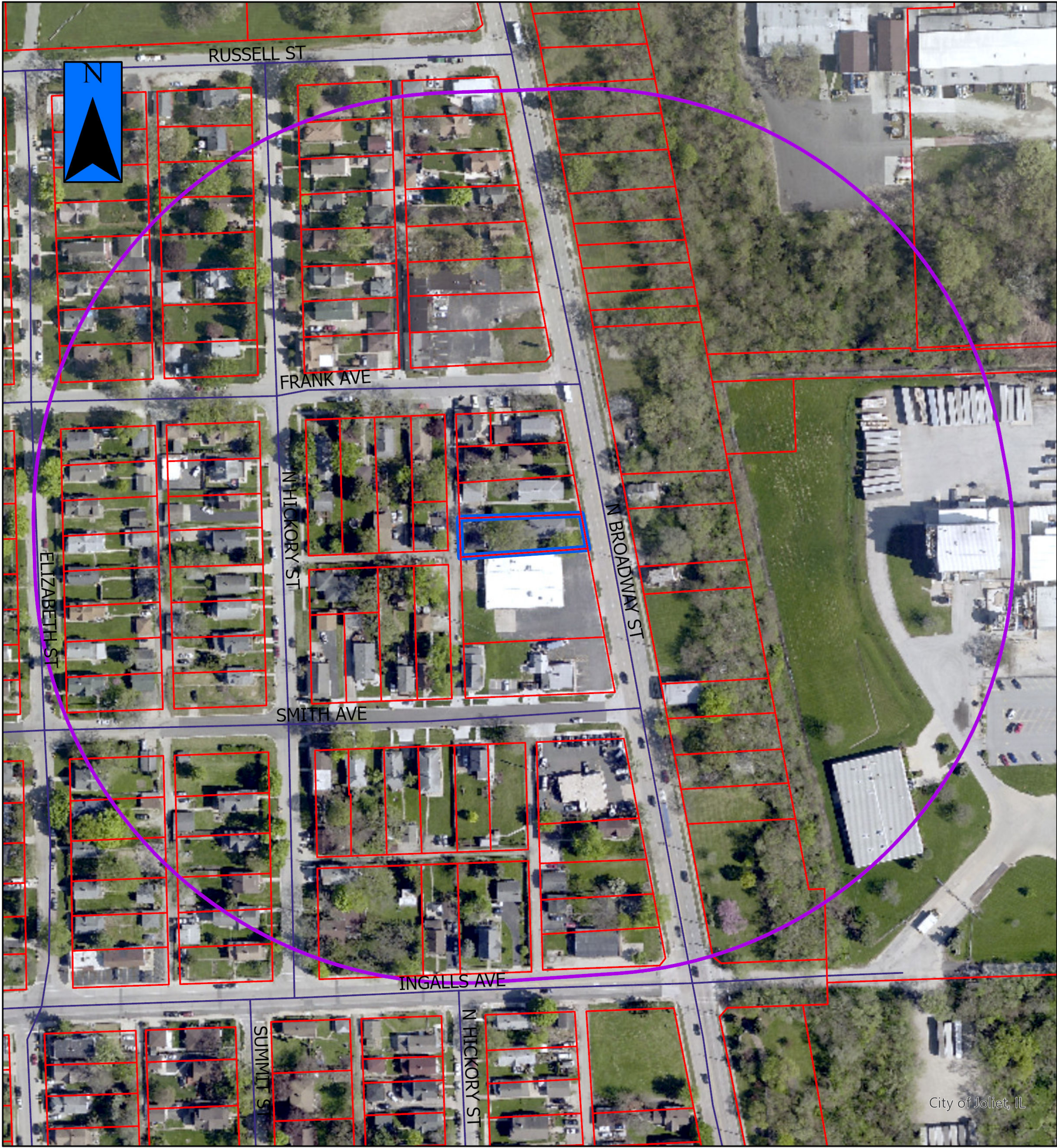
2022-49



 = 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



2022-49a



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