

*Everything You Need!*

Phone 309-852-2611  
Fax 309-856-6001

March 16, 2017

Honorable Mayor and City Council  
Kewanee City Hall  
401 E. Third Street  
Kewanee, Illinois 61443-2365

RE: Report from Zoning Board of Appeals for March 15, 2017 Meeting.

The Zoning Board of Appeals convened at 7:00 p.m. on March 15, 2017 Kewanee City Hall, Council Chambers. ZBA members Peart, Brackett and Clark were absent. For business there was one variance petition application upon which to conduct a public hearing.

**Case Number 1:**

**816 Florence Street, front yard setback for addition for a handicap accessible shower and bathroom.**

Baysingar applied for a building permit to remove the front porch of the house and construct an addition in place of the porch. The addition would extend the full width of the house and come out an additional 4 feet further than that of the existing porch.

**The Subject Property:**

**Address:** 816 Florence St.

**Legal Description:** W1/2 of S1/2 Lot 3 and W1/2 of N1/2 Lot 2 Blk 5 McMullens Add, City of Kewanee {EZ}.

**Location:** Mid-way between Railroad Ave. and June St on the East side of Florence St.

**Zoning:** R2 Single-Family Dwelling District.

**Dimensions:** 124.46 North to South by 160 feet East to West, 19,913.6 Sq Ft area.

**Existing Buildings or Uses:** One family dwelling with detached garage.

**Existing Land Use Map:** Low Density Residential.

**Proposed Land Use Map:** Commercial.

**The Surrounding Area:**

**Zoning District(s):** Surrounding land is zoned R2 Single-Family Dwelling District to the North, East, South and West. There is a parcel to the Northwest that is Zoned B2 Business District General Retail which fronts Railroad Ave.

**Uses of Land:**

The surrounding land contains single family dwellings with exception to the Northwest which contains Baysingar's antique store which fronts Railroad Ave.

## *Everything You Need!*

Phone 309-852-2611  
Fax 309-856-6001

### Variance Requested:

A variance of 26 feet (87%), to the West front yard setback for the proposed addition to allow a 4 foot setback versus the 30 feet setback required by §155.061-(E)-(1), building setback in the Front Yard, required in an R-2 One Family Dwelling District of the City Code.

### Background Information:

Patricia Baysingar contacted me and applied for a Building Permit to remove the existing front porch that extends 8 feet out from the front of the house into the front yard area and is 15 feet wide centered across the front of the house. After removal of the front porch, Baysingar wishes to construct an addition that would extend the full 30 feet width of the house and would extend 12 feet from the front of the house into the front yard area. This would be 4 feet further into the front yard area 5 feet including the overhang.

Baysingar has stated that the current floor plan of the existing house is causing hardship for her and her husband Harvey due to Harvey being handicapped. The addition would allow the Baysingars to make changes to the current floor plan which includes moving their bedroom and constructing a new bathroom which would include a handicap accessible shower. The new addition would also allow for a new entry door at the North side of the addition. This entry door would face to the North towards the driveway giving easier access and a ramp for handicap entry to the house.

The closest neighbor to the North is approximately 85 feet away to the lot line and 100 feet to the house and is separated by a row of landscaping. The closest neighbor to the South is approximately 10 feet to the lot line and 35 feet to the house.

According to the Henry County Assessor's Office the existing house was built in 1907. This makes the current house and 9 feet front yard lawful nonconforming to current zoning codes. It appears that all of the houses in the immediate area are also nonconforming to varying amounts to the front yard setback.

With consideration to the surrounding neighborhood characteristics and after speaking with the City Manager about this petition, the City can see no adverse effect on anyone if the variance is granted and has no issues with the request.

### The Public Hearing:

At 7:00 p.m. on March 15, 2017, the hearing on the variance request at 816 Florence St. was held. **Patricia Baysingar** of 816 Florence St., Kewanee, Illinois, was present to represent the petition for the variance request.

- Patricia stated that her husband is 80 years old and she is 70 years old and they both live at 816 Florence St.
- Patricia's husband has become handicapped and their current bathroom is too small which makes it very difficult for him to get in and out of the bathtub.

*Everything You Need!*

Phone 309-852-2611  
Fax 309-856-6001

- If the variance is granted they plan to make over the existing floor plan of the first floor which will include an enlarged bathroom with a tub/shower that will allow Patricia's husband to walk into it rather than having to step over the side of the existing bathtub.
- They also will move their bedroom and add an entrance on the North side of their house with a ramp that will be easier to access from the driveway than the current ramp at the back (East) side of the house.
- Board member Thompson asked if there was any other way she could make the changes that wouldn't require the variance. Patricia stated that there wasn't another solution that would work without major work and expense.
- Director of Community Development stated that he met with Patricia a couple of different times to discuss her options. Edwards felt that Patricia had put quite a bit of thought into how they could change the current floor plan of the house to make it something they could live with.

No others were present to speak in support of the variance petition.

No others were present to speak in opposition to the variance petition.

**Recommendation:**

After discussing the facts and testimony presented, the Zoning Board of Appeals recommends, based on the authority of §33.062 of the City Code, by a vote of four in favor of the application, none opposed to the application, three absent, that the City Council grant the variance petition as filed.

Specifically, the Zoning Board of Appeals recommends the City Council grant the following variance to Harvey and Patricia Baysingar for their property at 816 Florence St, as to the required West front yard setback to allow the proposed addition to the existing house:

**Variance Requested:**

A variance of 26 feet (87%), to the West front yard setback for the proposed addition to allow a 4 foot setback versus the 30 feet setback required by §155.061-(E)-(1), building setback in the Front Yard, required in an R-2 One Family Dwelling District of the City Code.

There being no further business, the meeting adjourned at 7:12 p.m.

Respectfully yours,



Martin Medley, Chairman