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July 23, 2021

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

RE: Report from Zoning Board of Appeals for July 22, 2021, Meeting.

The Zoning Board of Appeals convened at 5:00 p.m. on July 22, 2021, in the Council Chambers at Kewanee City Hall. All ZBA members were present. For business, there was one variance petition application upon which to conduct a public hearing.

CASE ONE:

311 McKinley Ave., A variance of 320 square feet to the 720 sq. ft. maximum allowable square footage of a garage on a curb footing foundation in an R-2 One-Family Dwelling District to allow for the construction of a 26 feet by 40 feet (1040 square feet) garage on a slab foundation with 12 inch by 12 inch curb footing perimeter.

Background Information:

Jennifer Lang & Keith Edwards are planning to build a 26' x 40' garage (1040 square feet) in the side yard of their residence at 311 McKinley Ave. The garage will not be attached to the dwelling or any other structure on the property. For financial reasons, Lang and Edwards would like to place the garage on a 5" slab foundation with a 12" x 12" curb footing perimeter. Lang and Edwards plan to demolish the existing one and a half car garage after completing the construction of the new garage. The larger new garage is needed for storage of tools, yard, and pool equipment and to allow for a driveway off of McKinley Ave. and off-street parking of their vehicles.

The foundation for the proposed garage will be on undisturbed soil and there will be minimal fill/base material (less than 4 inches) used. Base material will be thoroughly compacted prior to concrete being poured. Rebar will be used throughout the curb footing as well as the garage floor.

Edwards has been advised by area concrete contractors that there are other communities that allow garages up to 1250 square feet on slab foundations. Further research has found that the City of Galesburg allows up to 1000 square feet for garages on slab foundations and Cedar Rapids Iowa allows up to 1250 square feet. Edwards also spoke with Ray Nees, Building Official

for Eldridge Iowa, and President of ILLOWA (Illinois & Iowa Building Officials Association). Nees advised that his community and others he has had communication with are considering amending their codes to allow garages (residential use only) up to 1250 square feet on slab foundation providing there is no plumbing and the perimeter of the slab is thickened (curb style foundation).

The Subject Property:

Address: 311 McKinley Ave.

Legal Description: LOT 10 & 11 BLK 1 MORTON PLACE ADD CITY OF KEWANEE, County of Henry, State of Illinois.

Location: 300 Block of McKinley Ave on the South side of the street.

Zoning: R-2 One-Family Dwelling District.

Dimensions: 140 feet North to South by 100 feet East to West., 14,000 Sq Ft area.

Existing Buildings or Uses: Single family dwelling and one car garage.

Existing Land Use Map: Low Density Residential.

Proposed Land Use Map: Low Density Residential.

The Surrounding Area:

Zoning District(s): Surrounding land is zoned R-2 One-Family Dwelling District.

Uses of Land:

The surrounding land contains single-family dwellings.

Variance Requested:

A variance of 320 square feet to the 720 sq. ft. maximum allowable square footage of a garage on a curb footing foundation in an R-2 One-Family Dwelling District to allow for the construction of a 26 feet by 40 feet (1040 square feet) garage on a slab foundation with 12 inch by 12 inch curb footing perimeter.

Additional Information:

Edwards spoke with City Manager Gary Bradley prior to beginning this variance process. Bradley expressed no argument against the variance being granted.

I would encourage all Zoning Board of Appeals members to perform their own onsite inspection of the property.

The Public Hearing:

At 5:00 p.m. July 22, 2021, the hearing on the variance request at 311 McKinley Ave was held. Keith Edwards and Jennifer Lang were present to represent the petition.

- Edwards read the background information to the Zoning Board.

- Edwards stated that he reached out to Galesburg and got a copy of their code that allows up to 1000 square feet of accessory structure on a slab foundation with an 8" by 8" curb footing. He also got a copy of the code from Cedar Rapids that allows up to 1250 square feet; however, they require a 12" by 12" curb footing. Edwards said that he would like to do a 12" curb footing with #4 rebar installed and #4 rebar or 6" wire mesh throughout the floor area.
- Edwards said that he would also like to take this topic to the City Council for discussion and potentially amend the existing code to allow other residents to build larger garages without the need to file a variance. However, there will need to be several qualifying factors to consider, such as:
 - The structure will be for residential use only.
 - Can not be attached to any other structure.
 - No plumbing.
 - No second floor.
 - No living quarters in the structure.
 - No fill material over 18 inches.
 - The slab must be one continuous monolithic pour.
 - A minimum of two #4 bars must be installed in the curb footing.
- Edwards also found that the International Residential Code refers to a document from the American Society of Civil Engineers (ASCE) that discusses Design and Construction of Frost-Protected Shallow Foundations. The document suggests a few methods to protect a slab foundation. One way is to heat the structure which Edwards stated he is going to do. The other way is to insulate the slab foundation.
- Edwards invited Terry Neiryck from Rattliff Bros. to help answer any questions the board might have. Neiryck has an extensive background with excavation and concrete work and has poured 1000 square foot concrete slab foundations in other communities that allow it.
- Neiryck stated that he could see no reason to not allow this large of a concrete slab foundation.
- Edwards pointed out that the home that he grew up in (in the 400 block of East College Street) is actually on a slab foundation as is many of the houses in that area of the City.
- Peart stated that he didn't see any problems with the request and agreed that the City should change the ordinance to allow for larger garages on slab foundations. Peart asked for the reasoning behind the 12" curb footing. Edwards said it is to add strength to the slab where the walls make contact.
- City Manager Gary Bradley, who was present to call the roll, stated that larger garages are becoming more common around the country is because people have more vehicles, larger vehicles, more yard equipment, toys, etc.
- Bradley also stated that suggesting a code change right now would not be the appropriate thing to do since Edwards is the building official. Bradley said the correct thing to do is exactly what we are doing and that is the variance process.

- Edwards stated that he will put together a discussion item in the coming City Council meetings so the Council can discuss the potential change which would just make it simpler for residents in the future to build larger garages on slab. This will save the residents money on their project materials and could result in for real estate tax revenue as well.
- There was soft discussion on older garage sizes.
- Bracket expressed no concerns with the variance requested.
- Kuffel stated that she reached out to surrounding communities. Some that she spoke with limited the maximum size of garages which was smaller. Kuffel felt that the existing ordinance should be changed rather than Edwards applying for a variance.
- Edwards explained that the current process, if one wishes to build something not compliant with the existing code in some way, is to apply for a variance. Changing the code at this point would be inappropriate. Edwards stated that he needs to follow the current process just as anyone else would need to.
- Edwards, in response to Kuffel's comment about other communities limiting garage sizes, stated that the City also has limitations but instead of actual building size, our code limits lot coverage of 35% for buildings. This is also something that one can apply for a variance and residents have done this in the past as well.
- Kuffel asked Neiryneck what the appropriate strength of concrete for a garage foundation would be. Neiryneck stated that 4000 would be ok.
- There was soft discussion on codes and the amendment process.
- Kuffel asked if other communities that allow larger garages on slab foundations have had any problems with those structures. Edwards stated that he spoke with other building officials and asked that exact same question. Those officials stated they have had no problems with these structures that have been built to specifications and inspected as they should.
- Ensley asked how thick the floor should be. Edwards stated that the code only requires 4" but Edwards intends to do at least 5".
- There was discussion on setbacks from property lines. Edwards' project is well within all required setbacks.
- McIntyre asked why plumbing is not allowed in a slab. Edwards stated it is because plumbing and sewer comes from below and through the slab. Because of this, if there is any slab movement, those lines could potentially be damaged.
- Martinez spoke about the proposed variance and expressed no concerns.
- Edwards and Lang stated that they are looking forward to a street access driveway to help with traffic congestion and snow removal too.
- Thompson expressed no concerns with the requested variance.
- There were no objectors.

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 7 in favor of the application, none opposed, 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 Keith Edwards and Jennifer Lang at 311 McKinley Ave.

Variance to be recommended to the City Council:

A variance of 320 square feet to the 720 sq. ft. maximum allowable square footage of a garage on a curb footing foundation in an R-2 One-Family Dwelling District to allow for the construction of a 26 feet by 40 feet (1040 square feet) garage on a slab foundation with 12 inch by 12 inch curb footing perimeter.

There being no further business, the meeting adjourned at 5:32 p.m.

Respectfully yours,


Jerry Thompson, Chairman

OTO 5:00

Zoning Board

Date 7/22/2021

Attendance

PEART Jeremy	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
BRACKETT Stephen	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
KUFFEL Brenda	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
ENSLEY Jim	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
THOMPSON Jerry	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MCINTYRE David	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MARTINEZ Daniel	X	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
		yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
		yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
		yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
		yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent

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5:34 AZ