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July 22, 2022

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

RE: Report from Zoning Board of Appeals for July 20, 2022, meeting.

The Zoning Board of Appeals convened at 5:00 p.m. on July 20, 2022, in the Council Chambers at Kewanee City Hall. ZBA members Peart, Brackett and Kuffel were absent. For business, there was one variance petition application upon which to conduct a public hearing.

**CASE ONE:**

**505 Beach Ave., A variance to the minimum lot standards in a R-4 two-family dwelling district.**

**Background Information:**

Jorge Morales contacted me in reference to the subject property which contains an abandoned/vacant church and a single-family dwelling/house. Morales would like to subdivide the parcel so the church would have its own address separate from the house after subdividing the parcel, Morales plans to renovate the church making it a duplex.

The minimum lot standard for R-4 zoning is 8500 square feet. The subject parcel has 8494.5 square feet and if subdivided, one could assume the two resulting parcels would be approximately 56.63 feet by 65 feet (3680.95 sf) and 56.63 feet by 85 feet (4813.55 sf). This is merely a rough guess on my part. These lot sizes are significantly smaller than the minimum lot standard; however, the following parcels are within close proximity to the subject parcel and are also considerably smaller than the lot standard making this request not out of character with the surrounding neighborhood.

Address	Zoning	Lot Standard	Actual Lot Size (square feet)
832 W Prospect St	R2	7200	2800
511 S Grove St	R4	8500	7704
510 S Grove St	R4	8500	4853.6
615 W Prospect St	R2	7200	2950
329 Beach Ave	R4	8500	4800

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331 Beach Ave	R4	8500	4800
335 Beach Ave	R4	8500	4800
341 Beach Ave	R4	8500	4800
328 Fifth Ave	R4	8500	3850

The City has no argument against the variance request.

**The Subject Property:**

*Address:* 505 Beach Ave.

*Legal Description:* E1/4 LTS 12, 13 & 14 DANIELSONS SUB OF PT LT 4 GUNTHERS SUB CITY OF KEWANEE 93-37-11, County of Henry, State of Illinois.

*Location:* Northwest corner of West Prospect Street and Beach Ave.

*Zoning:* R-4 Two-Family Dwelling District.

*Dimensions:* 150 feet North to South by 56.63 feet East to West, 8,494.5 Sq. Ft area.

*Existing Buildings or Uses:* Single-family dwelling and vacant church.

*Existing Land Use Map:* High Density Residential.

*Proposed Land Use Map:* High Density Residential.

The Surrounding Area:

*Zoning District(s):* Surrounding land is zoned R-4 Two-Family Dwelling District to the East, North and West. R-2 One-Family Dwelling District to the South.

Uses of Land:

The surrounding land contains single-family dwellings.

Variance Requested:

A variance to the minimum lot standards in a R-4 two-family dwelling district to allow the parcel at 505 Beach Ave to be subdivided into two parcels.

The Public Hearing:

At 5:00 p.m. July 20, 2022, the hearing on the variance request at 505 Beach Ave. was held. Jorge Morales was present to represent the petition.

- Edwards read the background information to the Zoning Board.
- Edwards stated that he is aware of concerns about how the water and sewer will be supplied to the house once the property, if the variance is granted, is subdivided. Edwards stated that City staff has discussed the concern and also had the opportunity to speak with an engineering firm about the situation. It appears that

the easiest solution would be for Morales to have a private utility easement written and recorded that would pass through the church portion of the property. Morales would need to have the easement recorded prior to the subdivision of the property.

- Morales addressed the board and stated that he wishes to subdivide the property so he could then make the church a duplex with its own address.
- Ensley expressed some concern over where Morales would have the property divided with concerns parking area. Morales will have the area between the church and the house divided with enough area for each to have space for tenant parking. There were no exact square footage numbers available.
- Ensley said that he did look at other properties in the area and noted that some were smaller than what Morales is proposing. Ensley said that even on the smaller properties, the owner's and tenants seem to make good use of the space for parking etc.
- Paul Lippens, of 501 S Grove St, stepped forward in opposition to the variance. Lippens express concerns over issues he has had with tenants at the existing house on the property.
- Thompson advised that Lippens will need to take those issues up with the proper authorities.
- Lippens also expressed concern over the water and sewer lines being routed lawfully to the house if the property is subdivided. Lippens stated that he used to work for the water department and that the EPA will not allow water and sewer to cross one parcel to another.
- Edwards assured Lippens that all EPA regulations, State and Local laws will be followed.
- Barry Schaver, 455 S Grove St, expressed concerns over where the digging for the water line would occur and if it would cause any additional flooding issues during heavy rain.
- Edwards advised that Morales would be required to repair and damages to City property, if any, caused by the installation of the proposed water and sewer installation. Edwards said that most of the digging would likely occur on the Prospect St. side and upon the private property at 505 Beach St. With this said, there should be no change to storm water run off.
- Martinez and Ensley verified that the church and the house would be two completely separate addresses if the variance is granted.
- Ensley asked about the steps at the church that go out to the sidewalk and what would happen if they need replaced. Edwards stated that repairs to the existing steps would be allowed as needed. However, should Morales wish to do something different with the steps, it may or may not need a variance depending on the height the porch landing.

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- Ensley reaffirmed that the board is here to make a decision on the variance to divide the parcel and that it is the duty of Morales to make sure that the water and sewer can be ran to the house in a lawful manner. Edwards confirmed what Ensley had stated. Edwards said that if the variance is granted, it does not mean that the subdivision will happen. If Morales finds that the cost of the water and sewer connections is not worth it for any reason or if he is not able to make the connections lawfully for any other reason, than Morales will not be able to carry out the division of the parcel and the variance will expire after 180 days.

**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 4 in favor of the application, none opposed and three absent, that the City Council grant the variance petition adding that the subdivision is done allowing for adequate parking for both dwelling units, that all utility connections are carried out in compliance with the EPA, State and Local laws and that a survey is performed by a licensed surveyor.

There being no further business, the meeting adjourned at 5:27 p.m.

Respectfully yours,

*Jerry Thompson* By: *[Signature]*  
Jerry Thompson, Chairman

Attendance

PEART Jeremy	<input checked="" type="checkbox"/>	yes abstain	no <u>absent</u>	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
BRACKETT Stephen <u>7/20 Y</u> <u>7/11 Y</u>	<input checked="" type="checkbox"/>	yes abstain	no <u>absent</u>	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
KUFFEL Brenda <u>7/12 N</u>	<input checked="" type="checkbox"/>	yes abstain	no <u>absent</u>	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
ENSLEY Jim <u>7/20 Y</u>	<input checked="" type="checkbox"/>	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
THOMPSON Jerry <u>7/14 Y</u>	<input checked="" type="checkbox"/>	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MCINTYRE David <u>7/19 Y</u>	<input checked="" type="checkbox"/>	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MARTINEZ Daniel <u>7/20 Y</u>	<input checked="" type="checkbox"/>	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
	<u>Y present</u>								