



To: Plan Commission

From: Ron Mentzer, Interim Community and Economic Development Director
Zoe Gates, Administrative Clerk

Date: September 12, 2024

Re: Front-Yard Setback Variation for Chaney-Monge School

Project Details

Project	Chaney-Monge School Addition
Request	Front-Yard Setback Variance (30' to 15')
Location	400 Elsie Ave.

Site Details

Lot Size:	2.591 acres
Existing Zoning	R1

Zoning Details

Subject Parcel	Land Use	Comp Plan	Zoning
Subject Parcel	Single Family Residential	Single Family Residential	R1
North	Single Family Residential	Single Family Residential	R1
South	Single Family Residential	Single Family Residential	R1
East	Single Family Residential	Single Family Residential	R1
West	Single Family Residential	Single Family Residential	R1

Attachments

Supporting documents submitted by the applicant and staff include:

- Application for Development-Appendix C prepared by Ronald Mentzer and dated August 8, 2024
- Plat of Dedication prepared by Compass Surveying and dated June 26, 2024
- Site Plan prepared by Kimely Horn and dated March 3, 2024

Project Summary

School District 88 (the “School District”) has submitted plans to the City for a new 4,765 sq ft building addition to Chaney-Monge School. The new addition is planned along the east side of the school adjacent to N. Center Street. During the review of the plans, it was found that the School District property extends to the center line of N. Center St. The existing N. Center Street roadway is constructed on School District property.

As part of building expansion work, the School District has indicated it will voluntarily dedicate the portion of N. Center St currently owned by the School district between the existing centerline of N. Center Street and the edge of the west curblane of N. Center Street to the City at no charge provided the City coordinates and pays for the zoning variation/public hearing process that that would culminate in the City’s approval of a setback variation that ensures the school building’s setbacks are **not** considered non-conforming. The standard front-yard setback in the underlying R-1 Zoning District is 30’ feet.

As reflected on the attached June 26, 2024, Plat of Dedication prepared by Compass Surveying, the School District has committed to dedicate an approximately 18-foot wide, approximately 122-foot long, 2,410 square foot section of their property as public right-of-way (ROW) for N. Center Street. As a result of this proposed dedication, the School District has requested approval of a front-yard setback variation that would allow the proposed building addition and ancillary handicapped ramp to maintain a minimum front-yard setback of at least 15-feet along on along N. Center Street as measured from the proposed new front property line, post dedication.

Analysis

In consideration of the request, the key points of discussion and details are as follows:

1. Prior to the proposed ROW dedication, the proposed building addition complies with the 30-foot minimum front yard setback requirement in the underlying R-1 Zoning District.
2. The School District has no legal obligation to voluntarily dedicate any portion of the N. Center Street right-of-way. The School District is dedicating the additional ROW at the request of the City of Crest Hill.
3. If approved, the requested front-yard setback variation would ensure the proposed new building addition’s minimum front-yard setback along N. Center Street would be considered legally conforming with applicable City Zoning requirements post ROW dedication.

4. City Engineer Wiedeman and Interim Community and Economic Development Director Mentzer support the approval of this variation request.

Section 12.6-2 of the Zoning Ordinance states the Plan Commission shall recommend, and the City Council shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;
2. That the plight of the owner is due to unique circumstances; and
3. That the variation, if granted, will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Plan Commission, in making the determination, whenever there are particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

1. That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.
3. That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.
4. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
5. That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council, as "similar and compatible uses."
6. That the variation granted is the minimum adjustment necessary for the reasonable use of the land.
7. That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the City.
8. That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land.

In addition, the City Council, upon the recommendations of the Plan Commission, may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or

minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.

Recommended Plan Commission Action

Recommend approval of a front-yard setback variation that would reduce the required front-yard setback along N. Center Street for the new building addition on the northeast corner of the Chaney-Monge School located at 400 Elsie Avenue from 30-feet to 15-feet.

Please contact Ron Mentzer at 815-741-5107 or rmentzer@cityofcresthill.com with any questions or concerns.