



**To:** Plan Commission/ZBA  
**From:** Maura A. Rigoni, AICP, Interim Planner  
**cc:** Jim Marino, City Administrator  
**Date:** January 11, 2023  
**Re:** Bannon Shed Variance

---

***Project Details***

Project	Bannon Shed
Request	Variance
Location	2441 Durness Court

***Site Details***

Lot Size:	+/- 15,500 SF
Existing Zoning	R-1

***Land Use Summary***

	Land Use	Comp Plan	Zoning
Subject Parcel	Residential	Residential	R1
North	Residential	Residential	R1
South	Residential	Residential	R1
East	Residential	Residential	R1
West	Utility	Utility	N/A

***Attachments***

Aerials, Supporting Documents prepared by Applicant.

***Project Summary***

Robert Bannon has applied for a variance to permit the construction of a shed on the residential property located at 2441 Durness Court. The Zoning Ordinance requires all accessory structures to maintain a minimum setback of 4'—10' from the side rear yard. The applicant proposed to maintain a setback of 6" from the west property line.

***Analysis***

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

- The property is currently zoned R-1 and subject to accessory structure regulations. Section 8.3-6 of the Zoning Ordinance outlines the regulation of accessory structures (sheds) requiring a minimum side rear yard setback of 10' 4". As noted above, the applicant proposes a setback of 6", requesting a variation of 9' 4".

- The subject parcel is currently improved with a home, deck, and driveway. The applicant proposes to construct a 10'x 8' shed (80 SF).
- In addition to the required setback, the property is subject to lot coverage regulations. The Zoning Ordinance regulates lot coverages to a maximum of 50%. Currently, the property has a lot coverage of +/-47%, and with the newly proposed shed, the lot coverage would increase to +/-48%, therefore in noncompliance with the ordinance.
- The property immediately to the west of the subject parcel is owned and maintained by ComEd, improved with overhead utilities.

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.*

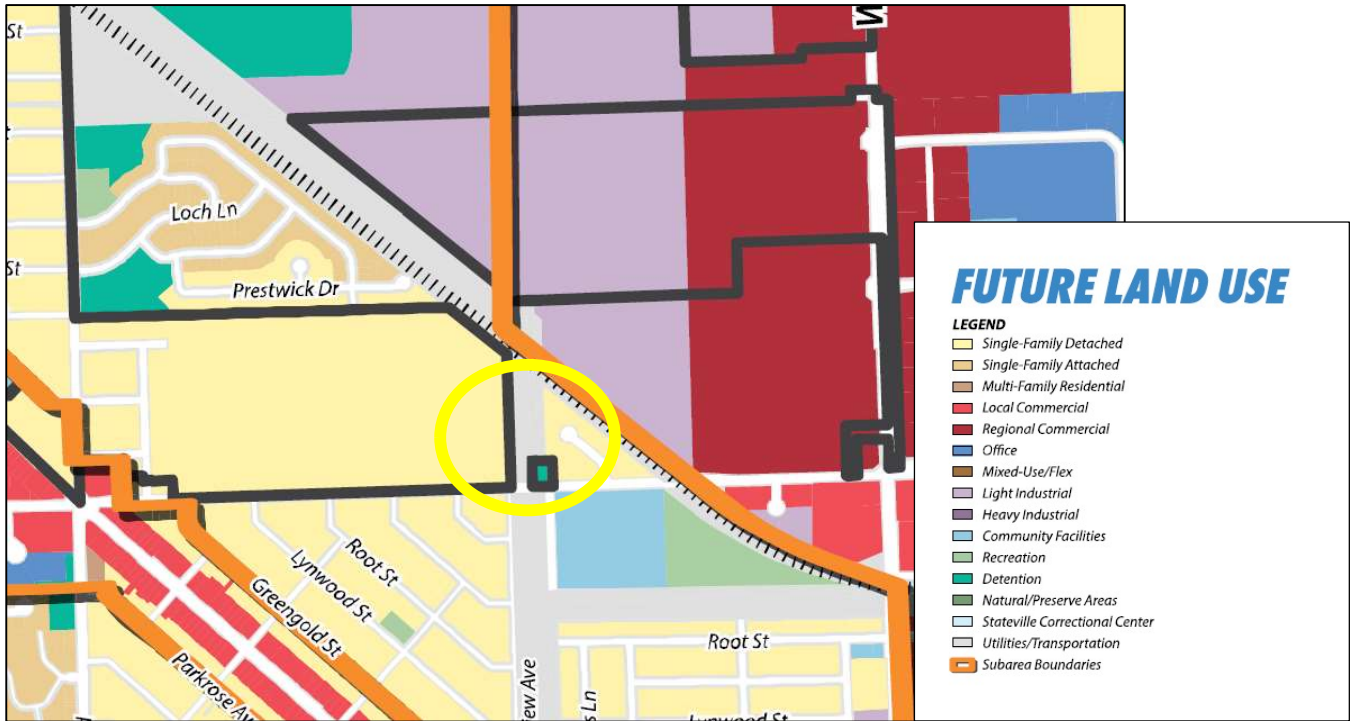
Additional supplemental standards (Exhibit A) are attached for your consideration.

Items for discussion are as follows:

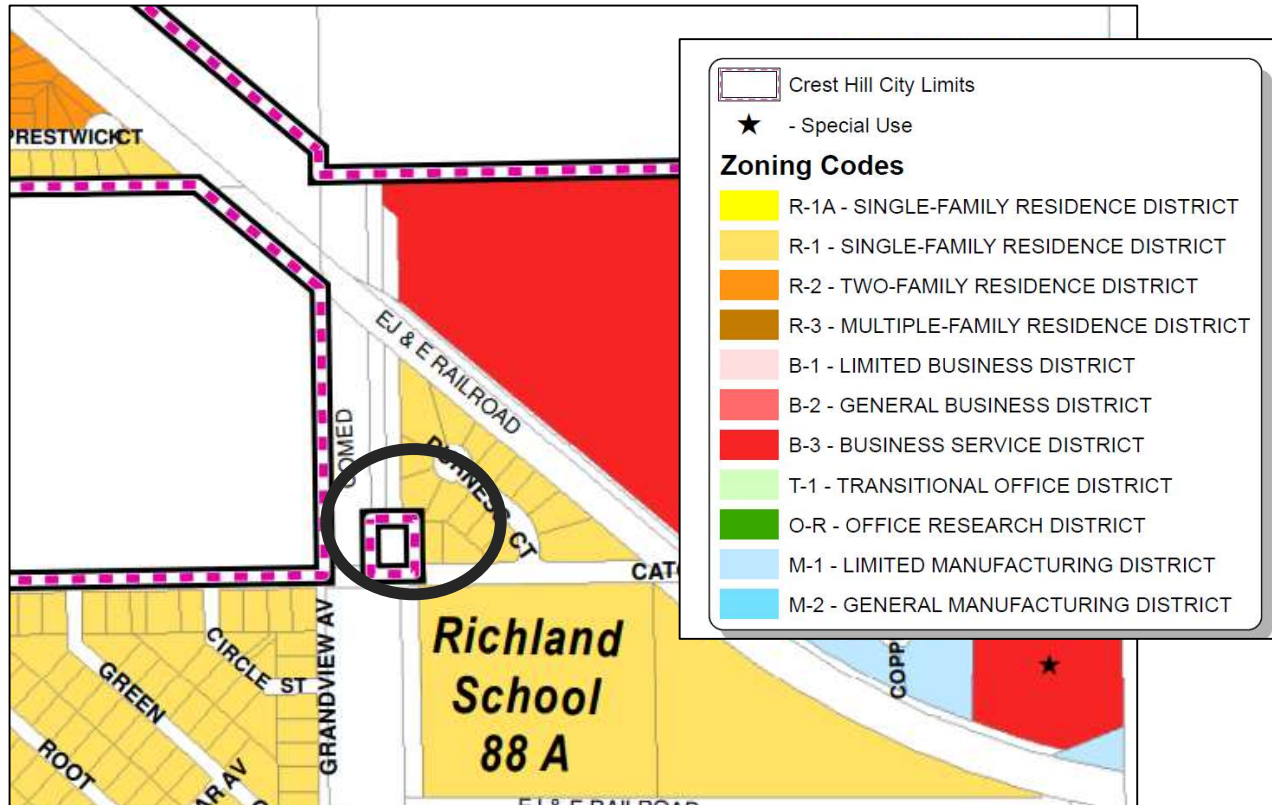
- Reduced setback from west property line.

Please contact me at 815-412-2721 or [mrighoni@reltd.com](mailto:mrighoni@reltd.com) with any questions or concerns.

## FUTURE LAND USE MAP-COMP PLAN 2014



## ZONING MAP



## **Exhibit A**

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 Administration and Enforcement City of Crest Hill.*
- 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.*

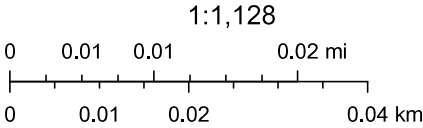


# Bannon Shed



1/5/2023, 10:00:08 AM

-  City Limits
-  Street Labels
-  Parcels



Esri Community Maps Contributors, County of Will, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, County of Will, Maxar, Microsoft