

**ROCHELLE CITY COUNCIL  
AGENDA ITEM MEMO  
REGULAR MEETING**

**SUBJECT:** Ordinance Approving Variance for Lot Coverage at 903 4th Avenue, Parcel 24-24-313-011

**Staff Contact:** Michelle Pease, Community Development Director, Michelle Knight, Community Development Specialist & Geoff Starr, Building Official

**Summary:** The petitioner, Felipe Monroy, is seeking a variance of lot coverage for a proposed garage and potential driveway reconfiguration for the property located at 903 4th Avenue. The property is zoned R3, single family high density residential. Currently, the property is covered approximately 43%. The petitioner is requesting to cover approximately 50%, which is an additional 7% lot coverage with the proposed garage and potential driveway reconfiguration, putting the lot over the allowed lot coverage by 17%.

The requested variance of lot coverage for a garage is for personal use on his property which is approximately 124' x 66'. There is an existing detached small one car garage which is not positioned properly on the property to add onto. The small corner lot inhibits the petitioner from additional garage space without a variance of lot coverage.

Sec. 110-111 (1) d. On a single-family lot no more than forty (40%) percent of the rear yard, and thirty-three (33%) percent of the combined front and side yards, may be occupied by accessory buildings or uses. Accessory buildings or uses located in the rear yard do not count toward the maximum lot coverage of thirty-three (33%) percent of the lot.

Sec. 110-55 (e). Percentage of required yard occupied. Detached accessory buildings or structures shall not occupy more than 40 percent of the area of a required rear yard or more than 33 percent of all other combined yards. This requirement is in addition to any maximum lot coverage or maximum impervious area coverage requirements that may apply, and under no circumstances shall this requirement lower the minimum established yard setback requirements.

Sec. 110-29 (f). Standards for a granting a variance. The planning and zoning commission shall not recommend, and the city council shall not grant, a variance from the regulations of the zoning ordinance unless it makes findings based on evidence presented to it in each specific case that: (1) The variance is in harmony with the general purpose and intent of the zoning ordinance; (2) The plight of the owner is due to unique circumstances (65 ILCS 5/11-13-4) and thus strict enforcement of the zoning ordinance would result in practical difficulties, or impose exceptional hardships, due to the special and unusual conditions that are not generally found on other properties in the same zoning district; (3) The property cannot yield a reasonable return if permitted only under the conditions allowed by the zoning ordinance; and (4) The variance, if granted, will not alter the essential character of the locality, and will not be a substantial detriment to adjacent property.

Sec. 110-29 (g). Burden of proof. In each case of a requested variance, the applicant must satisfy the proof that the proposed variance meets the standards of subsection (f) of this section, even if there is no testimony or other evidence opposing or rebutting the requested variance.

On Monday, May 6, 2024, the Planning and Zoning Commission voted 5-0 to approve the variance of code for 903 4th Avenue, Parcel 24-24-313-01.

**Funding Sources:**

Source:	Budgeted Amount:	Proposed Expenditure:

**Strategic Plan Goal Application:** Community Engagement and Inclusivity.