

**CITY OF ROCHELLE
PLANNING & ZONING COMMISSION
REPORT OF FINDINGS**

Date: May 6, 2024

Case No.: PZC-02-24

Applicant: Felipe Monroy

Address: 903 4th Avenue, Parcel 24-24-313-011

Narrative:

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.

After a duly noticed public hearing, the City of Rochelle Planning & Zoning Commission will consider all the relevant evidence presented at said hearing on May 6, 2024.

Staff Presents

Staff is presenting the request for a variance of lot coverage.

Findings:

1. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: _____

Explanation: _____

2. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: _____

Explanation: _____

3. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: _____

Explanation: _____

4. Will the proposed variance:

(a) impair light and air to adjacent property;

(b) congest public streets;

(c) increase the risk of fire;

(d) substantially diminish property values within the vicinity; or

(e) endanger the public health?

Yes: _____ No: _____

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

_____ That the Petitioner be granted a variance for the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

_____ That the Petitioner be granted a variance for the Subject Property, with the following conditions attached thereto, in addition to the requirements of the Rochelle Municipal Code:

_____ That the Petitioner be denied a variance for the Subject Property. If this is based on any reason other than a “Yes” response above, the Planning and Zoning Commission explains as follows:
