

**VILLAGE OF ROSCOE
ORDINANCE NO. 2026-05**

AN ORDINANCE APPROVING A VARIANCE FOR AN INCREASE IN THE ALLOWED SIZE OF AN ACCESSORY STRUCTURE AT 5704 ANDREWS DRIVE, ROSCOE, ILLINOIS (ZONING: RM-MULTI-FAMILY RESIDENTIAL DISTRICT)

WHEREAS, A petition for a variance from Section 15-516 (c) of the Village of Roscoe Zoning Ordinance has been submitted by the owner of the property commonly known as 5704 Andrews Drive (PIN: 04-28-453-017), which is zoned RM - Multi-Family Residential District; and

WHEREAS, Section 15-516 (c) of the Village of Roscoe Zoning Code allows a maximum 700 SF accessory structure; and

WHEREAS, the applicant is requesting an 895 square foot addition to an already existing 2,500 square foot accessory structure; and

WHEREAS, the Zoning Board of Appeals (ZBA), having held a duly noticed public hearing on March 11, 2026, reviewed the evidence and testimony presented, made the required findings of fact, and voted 3-1 to sending to the Village Board of Trustees without a recommendation; and

WHEREAS, the Village of Roscoe is authorized and empowered by statutes to adopt and enforce the provisions of this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROSCOE, ILLINOIS, AS FOLLOWS:

SECTION 1. That the variance requested to allow for the 895 square foot addition by the owner of the property at 5704 Andrews Drive, Roscoe, Illinois (P.I.N.: 04-28-453-017) be and hereby is approved consistent with the findings of the Village of Roscoe Zoning Board of Appeals, attached hereto as Exhibit "A."

SECTION 2. Any portion of any other ordinance in conflict with this ordinance is hereby expressly repealed to the extent of the conflict.

SECTION 3. All other portions of the Code of Ordinances of the Village of Roscoe shall remain in full force and effect.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

[SIGNATURE PAGE TO FOLLOW]

2026-05

1st Read:

PASSED BY ROLL CALL VOTE ON:

NAME	AYE	NAY	ABSTAIN	ABSENT
Trustee William Babcock				
Trustee John Broda				
Trustee Molly Butz				
Trustee Dayne Mead				
Trustee Michael Sima				
Trustee Michael Wright				
President Carol A. Gustafson				

APPROVED APRIL 7, 2026:

ATTEST:

VILLAGE PRESIDENT

VILLAGE CLERK

Exhibit "A"
Ordinance 2026-05
5704 Andrews Drive

FINDINGS OF FACT

Required Findings by the Zoning Board of Appeals: Per Section 15-781(e), in order for the ZBA to approve a variance, it must find all of the following facts to be true. Staff has provided suggested findings for use by the ZBA.

- 1) Because of the particular physical surroundings, shape, or topographical conditions of a specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.**

The Zoning Board of Appeals finds that strict application of the 700 square foot limitation to this multifamily property, particularly given the longstanding existence of a significantly larger detached structure, creates a hardship beyond mere inconvenience. The regulation does not reasonably accommodate the operational needs associated with a multifamily property of this size and established configuration.

- 2) The conditions upon which a petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning district.**

The Zoning Board of Appeals recognizes that the request is not to build a new oversized accessory structure, but rather to expand an existing improvement that has been in place before the current regulations. This situation sets the property apart from vacant lots or properties developed under current standards.

- 3) The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property.**

The Zoning Board of Appeals finds that the purpose of the variance is not based exclusively on increasing property value or income potential. The proposed addition does not increase the number of dwelling units, expand residential occupancy, or intensify the principal use. Instead, it allows the applicant to improve and enhance an accessory structure that supports the existing residential tenants.

- 4) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity in which the property is located.**

The Zoning Board of Appeals finds that granting the variance will not be detrimental to the public welfare or injurious to nearby properties. The use of the garage will continue to serve the residential occupants of the building and will not introduce new commercial activity, additional dwelling units, or incompatible operations. The overall character of the neighborhood will remain unchanged.

- 5) **The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets or increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the vicinity.**

The Zoning Board of Appeals finds the proposed addition will not impair adequate light and air to adjacent properties, increase street congestion, create fire hazards, endanger public safety, or diminish property values in the vicinity. The expansion does not increase density or traffic generation.