VILLAGE of ROSCOE

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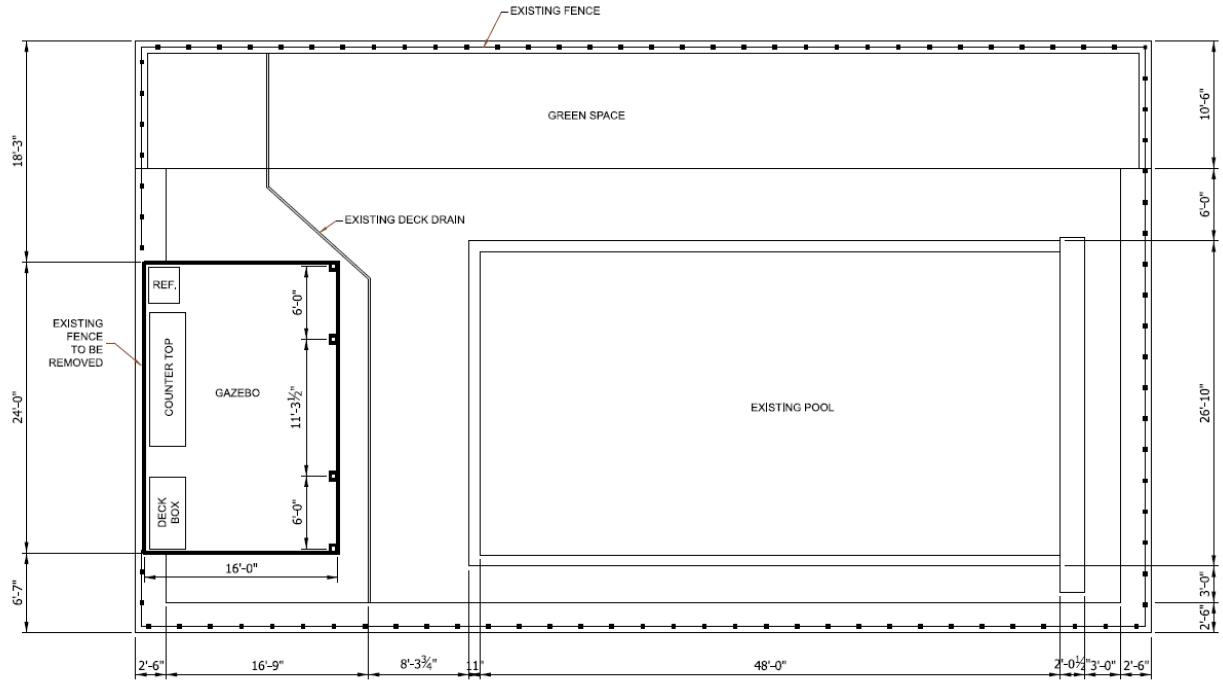
Zoning Board of Appeals Meeting of October 14, 2026

Application No. ZBA 2026-____

Applicant:	Tim Burns, on behalf of Laurie A. Burns Trust
Location:	10970 2nd Street
Requested Action:	Variances from Section 15-517(b) of the Zoning Ordinance
Existing Use:	Single-Family Residential
Proposed Use:	Single-Family Residential
Existing Zoning:	R-1, Single-Family Residential
Adjacent Zoning:	**North:** R-1, Single-Family Residential
	East: R-1, Single-Family Residential
	South: R-1, Single-Family Residential
	West: CR, Retail Commercial

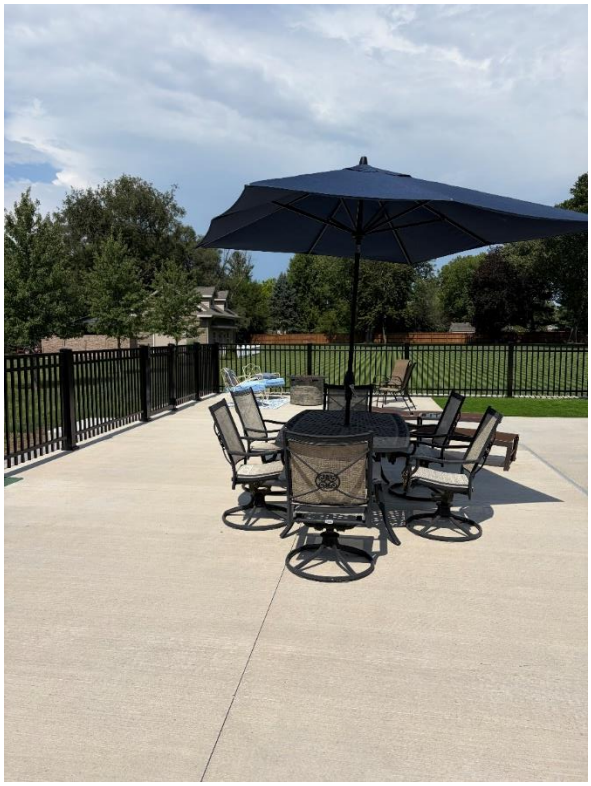
Description: The applicant requests a variance to expand beyond the size limitations to construct an accessory structure. Section 15-517(b) of the Zoning Ordinance states that accessory structures shall be limited to 200 square feet in area.

Staff Review: The subject property has a two-story home with a detached garage. The property owner recently installed an in-ground pool and has very little shade for his west-facing backyard and is looking to construct a 24' x 16' (384 sq. ft.) structure, 184 square feet larger than the maximum accessory structure allotment. The poolside shade structure plans show a permanent metal roof, 6×6 posts anchored to the existing concrete pool deck, siding/partial enclosure, and countertop. The proposed accessory structure exceeds all setback requirements.

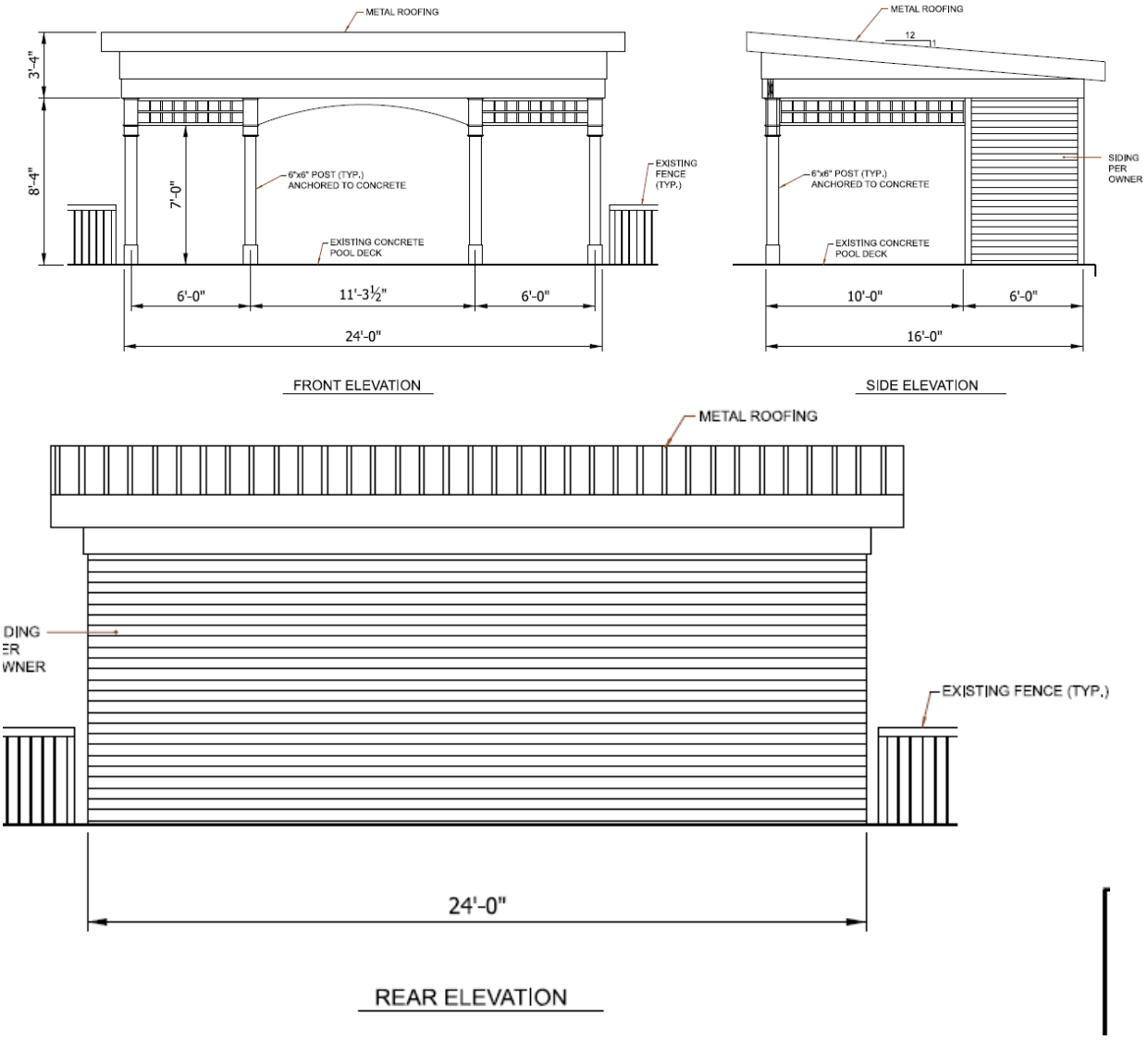


Site Plan





Site Photos



Elevations

Background on Variance: A variance is a grant of permission by the Zoning Board of Appeals (ZBA) that authorizes the recipient to develop or use property in a manner that is not otherwise legally permitted by the zoning ordinance.

The ZBA is empowered to recommend variances to prevent or to lessen "practical difficulties" and "unnecessary physical hardships" that result from a strict or literal interpretation and enforcement of the zoning ordinance. A "practical difficulty" or "unnecessary physical hardship" may result from the size, shape, or dimensions of a site or the location of existing structures, from geographic, topographic, or other physical conditions on the site or in the area, or from population densities, street locations, or traffic conditions in the immediate vicinity.

Variance Procedure: The ZBA must hold a public hearing for a variance request. At a public hearing, the ZBA must review the application and pertinent evidence concerning the variance, particularly with respect to the findings of fact described below. The ZBA must recommend to

the Village Board that the variance be approved, approved with conditions, or denied. The concurring vote of four members of the ZBA is necessary to recommend the variance to the Village Board. Finally, the Zoning Board of Appeals shall make written findings of fact, which are provided in the following section.

If the variance is approved, the applicant will be required to submit a Zoning Permit for the proposed accessory structure.

Required Findings by the Zoning Board of Appeals: Per Section 15-781(e), 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.

a. **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 200-square-foot limitation to this single-family residential property would result in a hardship beyond mere inconvenience. The property is unusually large for the R-1 District, containing 2.81 acres, or approximately 12.9 times the minimum required lot area. The 200-square-foot limitation is intended to regulate accessory structures on typical 9,500-square-foot residential lots, where a larger structure could be disproportionate to the size of the property.

   In this case, the requested 384-square-foot structure would represent only approximately 0.3% of the total lot area and would not create a comparable proportional impact. The property currently has approximately 18.6% lot coverage, leaving approximately 13,920 square feet of additional coverage before reaching the 30% maximum permitted. The Board therefore finds that the strict application of the 200-square-foot limitation, given the exceptional size of the property and the existing site conditions, would impose a hardship that is disproportionate to the purpose of the limitation.

b. **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 finds that the subject property is unique due to its unusually large size and configuration within the R-1 Zoning District. These characteristics create site conditions that are not generally applicable to other properties in the district.

c. **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 structure is for the owner's personal recreational use at their personal pool. The application doesn't indicate rental, commercial use, or income. The request is not based exclusively on a desire to increase property value.

d. **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. At 384 sq. ft. on a 2.81-acre lot, the structure is small relative to the parcel and would sit within the existing improved pool area, which exceeds the minimum setback requirements.

e. **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 accessory structure does not increase density or traffic generation.

Staff Recommendation: Staff recommends **approval** of the requested variance, including the recommended findings of fact, and any conditions of approval recommended by the Zoning Board of Appeals.