



## Zoning Board of Appeals

Case #: 19-06-03-V

Prepared by: Mercy Davison, Town Planner

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**Variation Description:** The owner of 510 Grant would like to replace his existing garage at the current side-yard setback of approximately 2 feet where code requires a side-yard setback of least 5 feet.

**Property Location:** 510 Grant

**Staff Recommendation:** Denial

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**Background:** The property at 510 Grant currently has a single-family home and a 1-car garage, which sits 1-2 feet off the west property line. The garage is quite small (12' x 20') and in poor condition. The owner proposes to replace the garage with a larger garage to better suit his needs. The proposed new garage would be 14' x 30', a size that is well within the code-permitted size for a detached garage. The owner would like to build the new structure at the same setback, where code requires at least a 5-foot setback.



### Adjacent Zoning and Surrounding Land Use:

The property at 510 Grant is zoned R-1A as are all surrounding properties. All are residential uses.

### Variation Standards Section 15.12-4(D)

The Zoning Board of Appeals shall prepare findings of fact from the evidence adduced at the administrative public hearing indicating the extent to which the following items are demonstrated:

1. Granting of the variation will be in harmony with the purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
2. The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the bulk, sign, or off-street parking and loading regulations of the zoning classification of the property in question.
3. The plight of the owner is due to special circumstances.

Under Illinois state law and Town of Normal code, the Zoning Board of Appeals shall grant a variation only if each of the above standards has been satisfied.

**Staff Analysis:**

1. In older neighborhoods such as this, it is not uncommon for garages to be closer to the side-yard lot line than the required 5 feet. Thus, it is not likely that granting the variance would disrupt the harmony and purpose of the R-1 zoning nor be detrimental to the neighborhood.
2. A true determination of reasonable return would require the analysis of an appraiser; however, Town staff does not believe that requiring a garage to be built to the required minimum side-yard setback would prevent the owners from getting a reasonable return on this property because there is adequate space in the backyard to build the new garage 5 feet off the property line.
3. Town staff has found no circumstance unique to this property, as there are no obstructions in the rear yard that would make a code-compliant setback difficult to meet.

**Recommendation:** Staff recommends denial.

**Zoning Board Action**

\_\_\_ Approved

\_\_\_ Conditionally Approved

\_\_\_ Denied

To all Applicant(s) - Please note that:

- a. The approved variation will expire within one year from the date of the Board decision if the applicant failed to obtain a building permit (Section 15.12-5(E)(3))
- b. No application for variation which has been denied wholly or in part by the Zoning Board shall be submitted for a period of one year from the date of said order of denial except on the grounds of error in the original proceedings or change of conditions found to be valid by the Zoning Board of Appeals (Sec. 15.12-5(E)(2))
- c. Decisions of the Zoning Board of Appeal concerning a variation request in R-2, R-3A, R-3B, B-1, B-2, C-1, C-2, C-3, M-1, and M-2 Zoning Districts shall be considered a provisional decision for a period of 10 days. During the 10-day provisional period, any member of the Town Council may file in writing with the City Clerk a stay of decision. This provision gives the Council the opportunity to review the action of the Zoning Board and render a final decision, which may only be reviewed in the courts in accordance with the applicable statutes and law of the State of Illinois. Please see Sec. 15.12-5(E)(1)(a) of the Zoning Code for additional information.

	AYE	NAY	OTHER		AYE	NAY	OTHER
Randy Schaab				Corrine Brand			
Gary Blakney				Tony Penn			
Keith Palmgren				Todd Anderson			

\_\_\_\_\_  
Chairman / Date

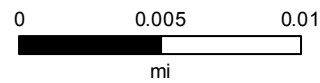




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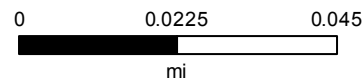




# 510 Grant



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Normal

# APPLICATION FOR: ZONING VARIATION (R1 AND R2)

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**PROJECT NAME:** 510 Grant St - Garage Replacement

### APPLICANT/REPRESENTATIVE

**NAME:** Jacob Duquenne

**ADDRESS:** 510 Grant St, Normal, IL 61761

**PHONE #:** 309-831-6406      **FAX #:** 309-827-9370

**E-MAIL ADDRESS:** jacob@thegreatdisplaycompany.com

**PROPERTY INTEREST:** owner  
(of applicant)

### OWNER

**NAME:** Jacob Duquenne

**ADDRESS:** 510 Grant St, Normal IL, 61761

**PHONE #:** 309-831-6406      **FAX #:** 309-827-9370

**E-MAIL ADDRESS:** jacob@thegreatdisplaycompany.com

### PROPERTY IDENTIFICATION NUMBER:

14-21-380-010

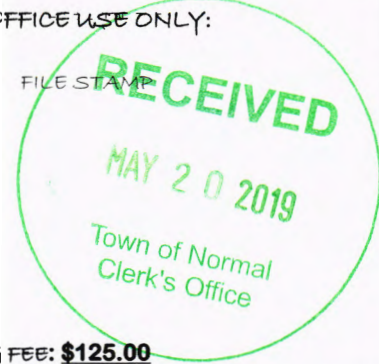
### LEGAL DESCRIPTION:

WALGLEN RESUB BLK 1,2 (EX LOT 33&34)  
& BLK 3( EX LOT 1,2,3&30) NORMAL LOT 23

**SECTION FROM CODE VARIATION  
IS BEING REQUESTED: SEC. 15.7-2**

### FOR OFFICE USE ONLY:

FILE STAMP



**FILING FEE: \$125.00**

**CASE NUMBER:** \_\_\_\_\_

**PUBLICATION DATE:** \_\_\_\_\_

**PUBLIC HEARING DATE:** \_\_\_\_\_

**COUNCIL ACTION DATE:** \_\_\_\_\_

**APPROVED** \_\_\_\_\_ **DENIED** \_\_\_\_\_

**ORDINANCE #:** \_\_\_\_\_

### PROPERTY INFORMATION:

**ADDRESS:** 510 Grant St, Normal, IL 61761

**LOT SIZE IN SQUARE FEET:** 7,464.7 Sq Ft

**PRESENT USE:** single family residence

**ZONING DISTRICT:** R-1A

**ADJACENT ZONING:**

**NORTH:** R-1A

**SOUTH:** R-1A

**EAST:** R-1A

**WEST:** R-1A

### Reason for Variation Request: (Lot Area, Width, Front/Rear/Side Yard Setback or Parking):

West Side Setback - Garage

**Purpose of Variation Request:** Will allow me to have the garage maintain the same side setback as existing

**rather than** moving 5 feet into the yard towards our house, or not being rebuilt at all.



**VARIATION STANDARDS (Attach Separate Page if Necessary):**

1. The granting of the variation will be in harmony with the purpose and intent of the Zoning Code and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

**EXPLAIN:** We are trying to make the garage safe, usable, and more attractive for ourselves and the surrounding community.

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2. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by bulk, sign, or off-street and loading regulations of the zoning classification of the property in question.

**EXPLAIN:** The placement of our garage was made many years ago, and there is not a suitable place for it to be rebuilt other than where it is currently placed.

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3. The plight of the owner is due to special circumstances. (circumstances that prevent the property – not the structure of the property from meeting the minimum required by Code)

**EXPLAIN:** The garage structure will be made to meet current code standards. It is only the placement that we are addressing.

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HAS A PREVIOUS VARIATION BEEN REQUESTED? YES or **NO**

DATE REQUEST WAS MADE: \_\_\_\_\_ APPROVED OR DENIED

**REQUIRED ATTACHMENTS (Twenty-Two (22) Copies of the Following)**

1. Attach Twenty –Two (22) copies of a plot plan drawn to scale, noting the scale used, showing the actual size and shape of the lot or property; location, ground area, dimensions and identification of use of all existing and proposed buildings and structures and dimensions of front, side and rear yards. **PLEASE NOTE:** If plot plan is on 8 ½ x 11” paper, you need only attach the original and additional copies will be made with your application.

2. \_\_\_\_\_

3. \_\_\_\_\_

**CERTIFICATION BY THE APPLICANT**

I certify all the information contained in this application form or any attachments, documents, or plans submitted herewith are true to the best of my knowledge and belief.

Jacob Duquenne  
APPLICANT SIGNATURE

5/20/2019  
DATE

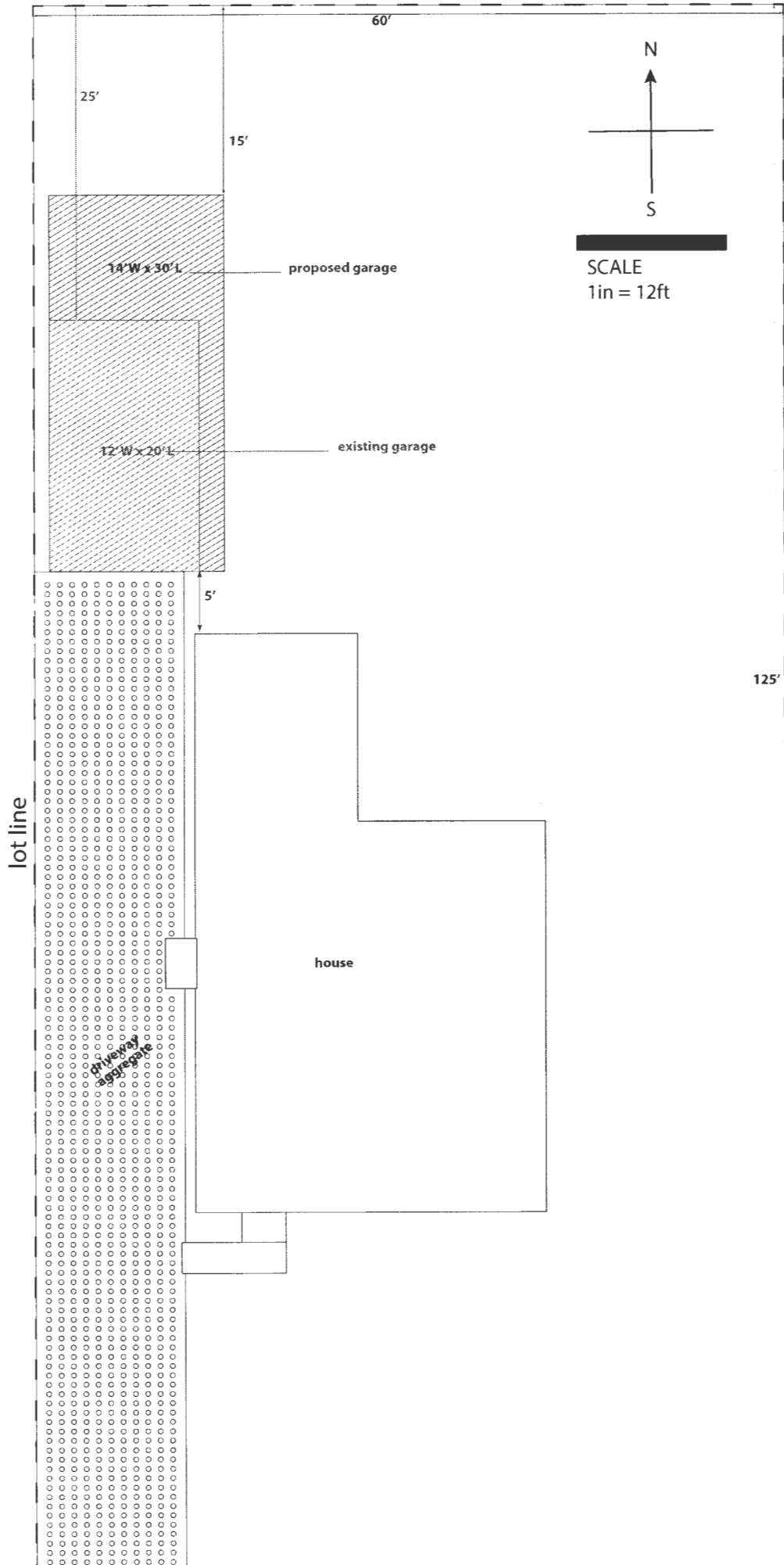
**CERTIFICATION BY PROPERTY OWNER**

I certify that I am the owner of the property, which is subject of this request. The applicant has received my approval to proceed with this request.

Jacob Duquenne  
OWNER SIGNATURE

5/20/2019  
DATE

You will be notified of the date and time of the Zoning Board of Appeals Meeting. You and/or your representative must be present at the meeting and be prepared to present your case to the Zoning Board of Appeals. If you and/or your representative are not present, the Commission may not hear your request.



## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held in the Council Chambers, City Hall, 11 Uptown Circle, Normal, McLean County, Illinois, at 5:00 p.m., prevailing time on the 20<sup>th</sup> day of June 2019. Consideration will be given to certain proposed changes or amendments to Chapter 15 ZONING of the Municipal Code of the Town of Normal, Illinois, 1969, as amended. Considerations will be given to the following request:

APPLICANT JACOB DUQUENNE of 510 Grant Street, Normal, Illinois is petitioning for the property legally described as follows:

WALGLEN RESUB BLK 1, 2 (EX LOT 33 & 34) & BLK 3 (EX LOT 1, 2, 3 & 30)  
NORMAL LOT 23

Pin: 14-21-380-010

Common Location: 510 Grant Street, Normal, McLean County, Illinois

The applicant requests a variation to the Town of Normal Municipal Code Sec. 15.7-2 to replace a garage and allow for a decreased setback.

A copy of the application and sketch plan is on file in the office of the Town Clerk at 11 Uptown Circle, Normal, Illinois, for public review and will be available at the public hearing.

Individuals with disabilities, who plan to attend the hearing, require certain accommodations in order to allow them to observe and participate, have questions regarding the accessibility of the facilities, or any individuals with limited English proficiency who need assistance communicating are requested to contact the Assistant City Manager, Eric Hanson at (309) 454-9502.

**Questions concerning this zoning matter should be directed to the City Planner at (309) 454-9590.**

TOWN OF NORMAL, ILLINOIS  
ZONING BOARD OF APPEALS  
Todd Anderson  
Chairman

PUBLICATION DATE: May 30, 2019  
The Normalite.