



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Zoning Board of Appeals
FROM: Marcus Ricci, AICP, Planner II
DATE: April 14, 2022
SUBJECT: **ZBA-2023-MIN-01:** A request by Samuel Beshers and Lynn Wiley to reduce the minimum required front yard by 4 feet, 10 inches, to allow for expansion of the house at 606 West Washington Street in the R-2, Single-Family Residential, zoning district.

Introduction

Samuel Beshers and Lynn Wiley request a minor variance to reduce the minimum required front yard by 4 feet, 10 inches, at 606 West Washington Street in the R-2, Single-Family Residential, zoning district. This would allow construction of a full bathroom and laundry room and enlarged foyer by enclosing a portion of the existing open porch and extending the front of the house towards the street approximately six feet.

Table VI-3 of the Urbana Zoning Ordinance requires a minimum front yard equal to the average of front yards for existing buildings on the block face, or 19 feet, 4 inches in this case. The house's front yard is currently 20 feet, 8 inches. Granting the request would reduce the required front yard to 14 feet, 6 inches, allowing the construction. The requested reduction is less than 25% of the front yard and therefore requires a minor variance.¹

Staff recommends approval of the variance request, as the request satisfies the variance criteria.

The Zoning Board of Appeals must review the variance application and hold a public hearing. The Board may approve, approve with conditions, or deny the request; if denied, reasons based on the relevant criteria should be provided.

Background

The two-story house at 606 West Washington Street was built in 1924. It is approximately 1,900 square feet with three upstairs bedrooms. There is one full bathroom upstairs and no bathroom on the main floor. An older full bathroom in the basement had problems created by earlier construction; these proved too expensive to bring up to current code, so it is now being used only as a half-bathroom. The laundry room is in the basement. The small foyer with its two doors does not have much room to navigate.

The applicants wish to continue living in their home as they get older – to “age in place” – and want to make it more age-friendly. They want to install a bathroom and a laundry room on the main floor so they do not need to go up and down stairs as often. They would also like to enlarge the foyer to

¹ Urbana Zoning Ordinance, Section XI-3.C.2.b.1

make it easier to navigate. Meeting both these desires would involve moving and enlarging the foyer, and reconfiguring the old foyer and part of the open porch to create the bathroom and laundry room. A gable roof would be installed over the foyer and bathroom (Exhibit D – Application: Plans and Renderings).

Description of Site and Area

The property is 7,672 square feet in area and is located on the north side of West Washington Street, between South Coler Avenue and South Orchard Street (see Exhibit A). The property and adjacent properties are all zoned R-2, Single-Family Residential. Table 1 below identifies the current zoning and the existing and future land uses of the site and surrounding properties (see Exhibits B and C).

Table 1. Zoning and Land Use

Location	Zoning	Existing Land Use	Future Land Use
Site	R-2, Single-Family Residential	Single-Family Residential	Residential
North	R-2, Single-Family Residential	Single-Family Residential	Residential
South	R-2, Single-Family Residential	Single-Family Residential	Residential
East	R-2, Single-Family Residential	Single-Family Residential	Residential
West	R-2, Single-Family Residential	Single-Family Residential	Residential

Discussion

The applicant proposes expanding the front of the house south by approximately six feet, converting the entryway and some porch area into living space, relocating the front door, and extending the rest of the porch. The renovations would add a new porch roof and modify the front face of the house (Exhibit D – Application: Renderings). The materials and finishes used in the renovations would be similar to the existing home.

The effects to the neighborhood of granting the request would be minimal. No additional bedrooms or occupancy are proposed. No additional parking spaces or traffic would be generated. No new or intensified activities, noise, or other nuisance would be created. The sole effect would be shifting the front of the house approximately six feet closer to the street.

The Zoning Ordinance calculates the minimum front yard for buildings in the R-2 zoning district as the average of the front yards for the existing buildings on that block face: in this case, that includes the 13 houses that line the north side of the 500 and 600 blocks of West Washington (Exhibit D – Application: Setback Distances). The front yards² on this block face range from 12 feet, 2 inches to 29 feet, 5 inches: a wide range. The front yard of the applicant’s house is 20 feet, 8 inches, right in the midpoint of this range. The adjacent houses’ front yards are 29 feet (604 Washington) and 14 feet, 8 inches (608 Washington), almost as wide a range as that of the block face itself. Granting the request

² The front yard is defined as the distance from the front property line to the front face of the house. The front face would include the exterior wall of a porch or a living space room of the house, but would not include roof eaves, steps, a landing, or a stoop.

would allow the applicant's house to be extended toward the street approximately 6 feet to 14 feet, 8 inches from the property line, in line with its east neighbor. An additional consideration in this case is that the property line is approximately six feet north of the sidewalk, which makes all of the yards appear six feet deeper than they technically are, further lessening the effect of the reduced front yard.

In summary: the applicants want to add a bathroom, laundry room, and larger foyer with closet to the main floor. The proposed plans would extend the house approximately six feet toward the street, requiring a reduction of the minimum required front yard from 19 feet, 4 inches to 14 feet, 6 inches.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. The Zoning Board of Appeals must first determine, based on the evidence presented, whether there are special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance. This criterion is intended to serve as a minimum threshold that must be met before a variance request may be evaluated.

The following is a review of the criteria outlined in the ordinance, followed by staff analysis:

1. *Are there any special circumstances or practical difficulties with reference to the parcel concerned, in carrying out the strict application of the zoning ordinance?*

The primary practical difficulty in this case applies more to the house than to the parcel: other alternatives to install a bathroom and laundry room on the first floor are more complicated or cost-prohibitive. The applicants strongly desire to continue living in their historic, two-story home as long as possible. The house was built during a time when bathrooms were a luxury, and not built on every floor. To continue living in their home, the applicants need to have toilet and laundry facilities on the first floor. The applicants and their architect have considered alternatives to add a bathroom without the need for a variance, but the configuration of the house would make it cost-prohibitive to do so. A special circumstance is that the right-of-way in front of the house extends six feet to the north of the sidewalk, so the required yard is less deep than it appears to be. If the yard began at the sidewalk, which is typical, a variance would not be necessary. Staff find that the configuration of the house is a practical difficulty, and that the property boundary is a special circumstance, both weighing in favor of granting the variance.

2. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof, which is not generally applicable to other lands or structures in the same district.*

Although it might be possible to add a bathroom and laundry room to many houses without a variance, the configuration of the applicants' house does not offer other practicable options. They did explore an alternative of building a full bathroom and laundry room at the rear of the house, but that would require demolishing a recently-replaced rear deck and reconstructing the entire back of the house from the foundation through the second floor, a much costlier alternative. The lack of alternatives for having toilet and laundry facilities on the main floor of a house may not be generally applicable to other structures in the same district. Staff find that the requested variance would not serve as a special privilege to the applicants, weighing in favor of granting the variance.

3. *The variance requested is not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The applicants have lived in their home for almost twenty years, maintaining it and renovating it, none of which created or exacerbated the current situation of not having toilet and laundry facilities on the main floor. The significant right-of-way extending into what appears to be the front yard also was not the applicants' fault. Staff find that the variance request is not a result of a situation created by the applicants, weighing in favor of granting the variance.

4. *The variance will not alter the essential character of the neighborhood.*

The proposed extension of the applicant's home six feet closer to the street would not significantly affect how the houses on the block face relate to the street: the front of the house would still be in line of one neighbor's house and behind the other neighbor's house (Exhibit E – Photos). While the front entrance and walkway would shift and would alter the appearance of the house, the change would be subtle with respect to the entire neighborhood. Staff find that the variance would not alter the essential character of this neighborhood, weighing in favor of granting the variance.

5. *The variance will not cause a nuisance to the adjacent property.*

The variance would not create additional bedrooms or occupancy, additional parking spaces or vehicle traffic. It would not intensify activities on site, add noise, or create any other nuisance. Staff find that the variance would not create a nuisance to the adjacent property, weighing in favor of granting the variance.

6. *The variance represents generally the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The proposed activities are enlarging the foyer and building a reasonably-sized bathroom and laundry room, allowing the current property owners to “age in place.” The main alternative the applicants considered would require reconstructing the entire rear of the house from the foundation through the second floor to add a bathroom, which would be cost-prohibitive. It is possible that there is some other alternative that would allow a bathroom and laundry room to be constructed with a lesser variance, or no variance, but that would require removing other useful living space, such as part of the sunroom or living room. Staff therefore finds that the requested reduction of the required front yard by 4 feet, 10 inches generally represents the minimum deviation from the Zoning Ordinance, and weighs in favor of granting the variance.

Public Input

Staff published a legal ad in *The News-Gazette* to notify the public of the request and public hearing fifteen days prior to the Zoning Board of Appeals meeting. Staff also sent letters to 35 neighboring property owners (within 250 feet of the subject property), notifying them of the request, and posted a public hearing sign on the property. Staff received one comment of support for the requested variance (Exhibit F – Public Comments).

Summary of Findings

1. Samuel Beshers and Lynn Wiley request a minor variance to reduce the minimum required front yard by 4 feet, 10 inches, to allow for expansion of the house at 606 West Washington Street in the R-2, Single-Family Residential zoning district.

2. The variance addresses the applicants' desire to "age in place" in their home of twenty years, which has a layout that presents the practical difficulty of not providing practicable alternatives to add a main floor bathroom or laundry room, complicated by the special circumstance of the right-of-way extending six feet into what appears to be the front yard. For these reasons, the requested variance would not serve as a special privilege.
3. The variance addresses the lack of main floor toilet and laundry facilities and the extensive right-of-way, neither of which are the result of a situation created by the applicants.
4. The variance would not shift the front of the house closer to the street than either of its neighbors, nor would it be the house closest to the street on its block, and would therefore not alter the essential character of the street or neighborhood.
5. The variance allows the house to extend closer to the street without adding occupancy, traffic, or noise, and therefore would not cause a nuisance to the adjacent properties.
6. The variance is the minimum deviation necessary from the requirements of the Zoning Ordinance possible to accommodate the request to add a bathroom and laundry room and enlarge the foyer, without having to extensively reconstruct major portions of the house.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2023-MIN-01:

1. Approve the variance as requested based on the findings outlined in this memo;
2. Approve the variance with certain terms and conditions, and if so, articulate all terms, conditions, and findings; or
3. Deny the variance request, and if so, articulate findings supporting the denial.

Recommendation

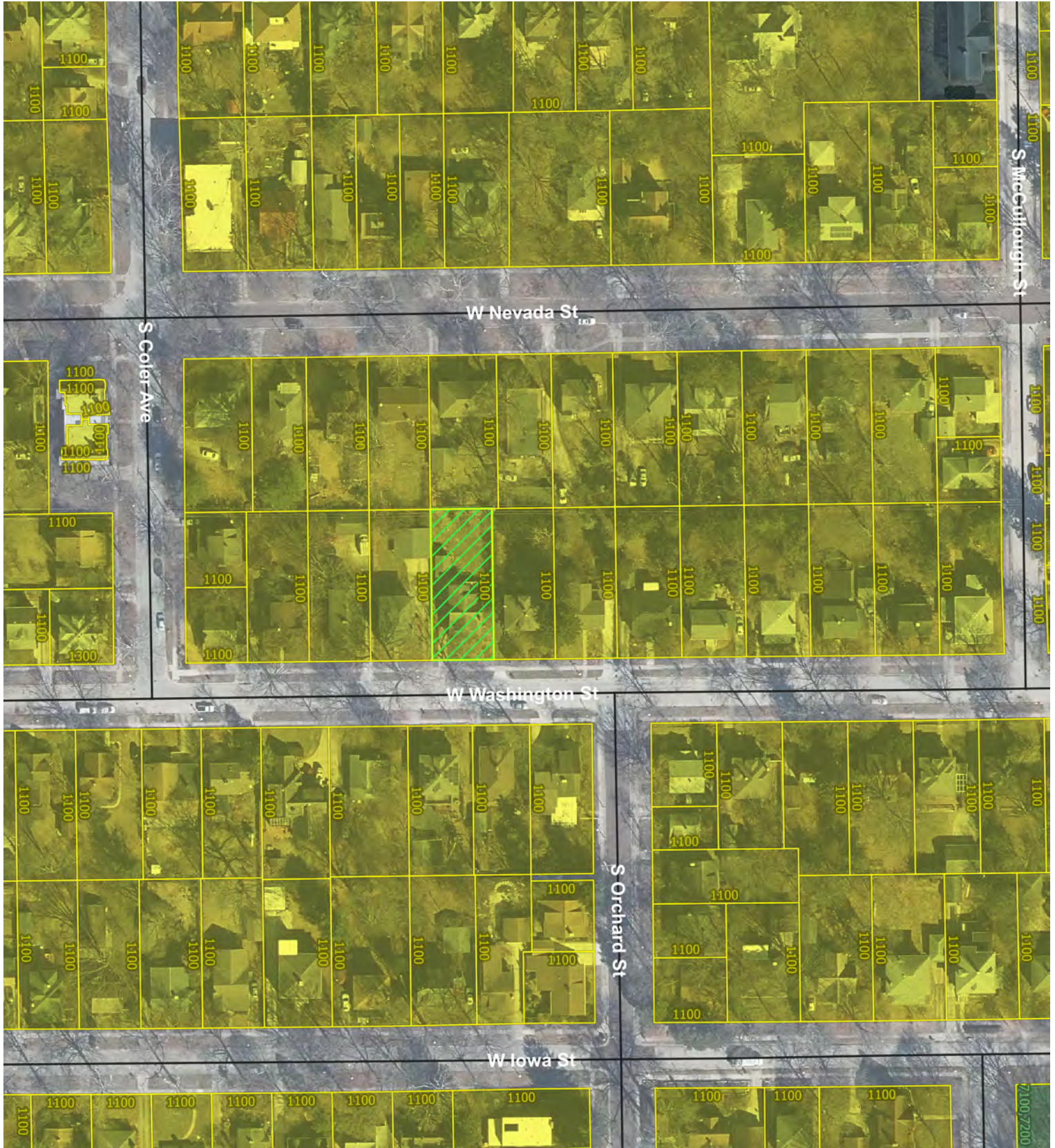
Staff recommends that the Zoning Board of Appeals **APPROVE** a Minor Variance with the following condition:

1. That the addition generally conforms to the site plan in Exhibit D.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Variance Application, with Plans, Renderings, and Setback Distances
Exhibit E: Photos
Exhibit F: Public Comments

cc: Samuel Beshers and Lynn Wiley, Applicants
Andrew Fell, Architect

Exhibit A - Location & Land Use



Case: ZBA-2023-MIN-01
 Subject: Minor Variance - Front Yard
 Location: 606 West Washington Street
 Applicant: Samuel Beshers & Lynn Wiley

 Subject Property

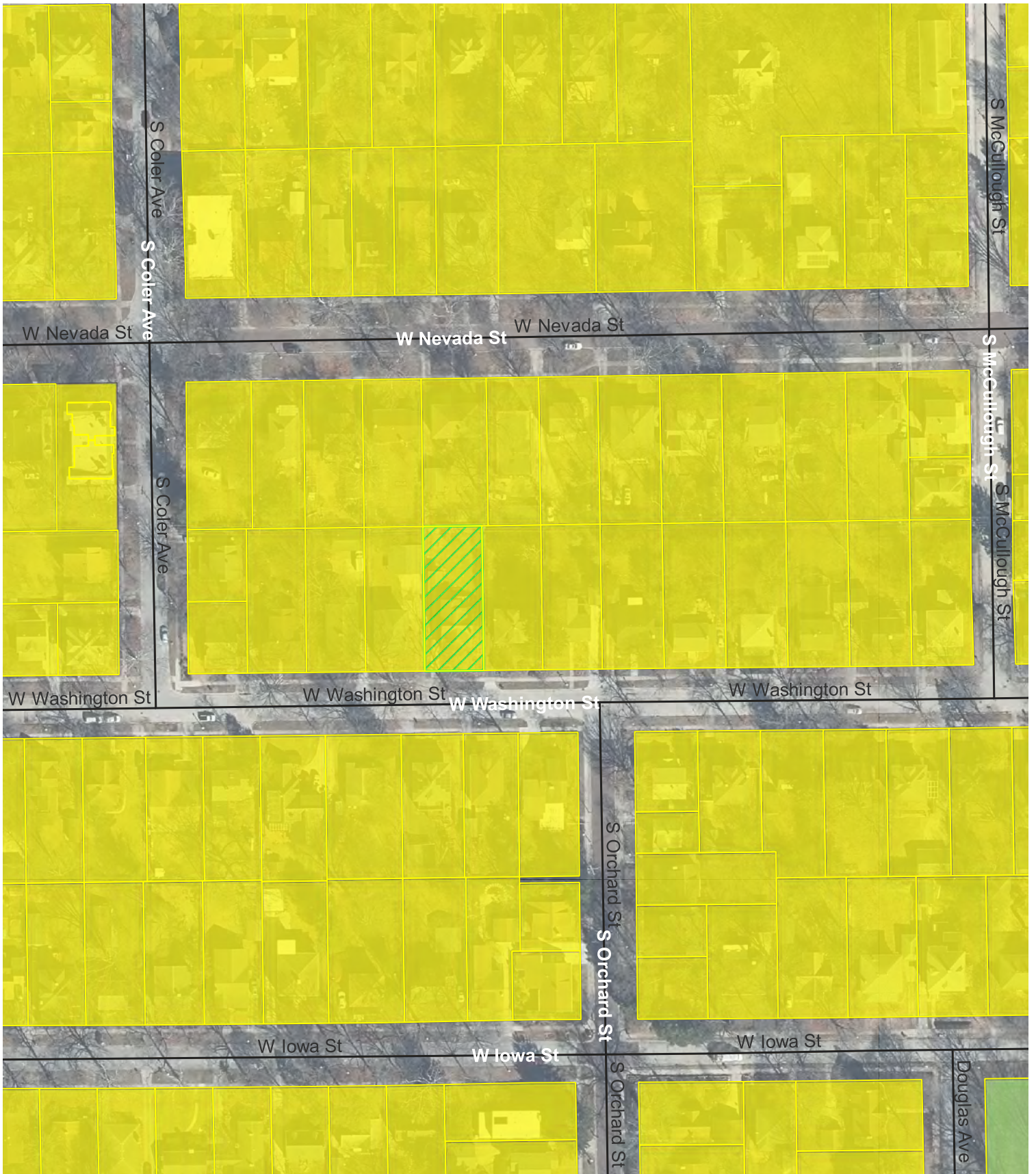
Parcel - Activity

 Residential

 Natural resources-related



Exhibit B - Current Zoning



Case: ZBA-2023-MIN-01
Subject: Minor Variance - Front Yard
Location: 606 West Washington Street
Applicant: Samuel Beshers & Lynn Wiley

 Subject Property

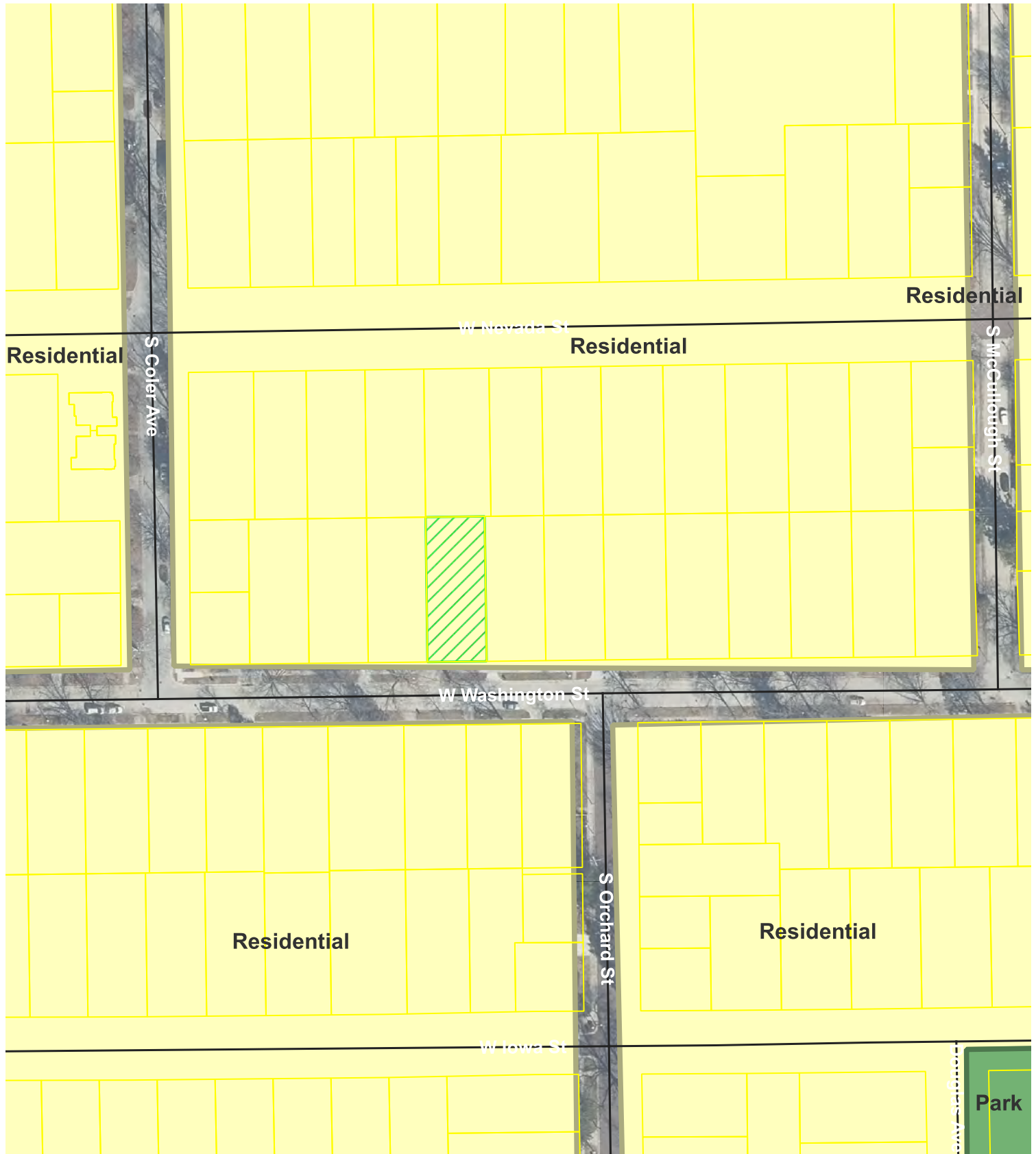
 CRE

 R-2

0 100 200 300 400 ft



Exhibit C - Future Land Use



Case: ZBA-2023-MIN-01
Subject: Minor Variance - Front Yard
Location: 606 West Washington Street
Applicant: Samuel Beshers & Lynn Wiley

 Subject Property



Exhibit D - Application



Application for Variance

ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanainillinois.us/fees> for the current fee associated with this application. The Applicant is also responsible for paying the cost of legal publication fees. Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 03-09-2023 ZBA Case No. _____
Fee Paid - Check No. 4860 Amount \$175.00 Date 03-09-2023

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following variation (*Describe the extent of the Variation Requested*)

Push west half of front of house six feet south to allow for addition of a full bathroom on the property described below, and in conformity with the plans described on this variance request.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Lynn Wiley Samuel Beshers Phone: 217-390-5705 217-390-3279
Address (street/city/state/zip code): 606 West Washington, Urbana IL 61801
Email Address: lnwiley@illinois.edu beshers@illinois.edu
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Owners

2. OWNER INFORMATION

Name of Owner(s): Lynn Wiley Samuel Beshers Phone: 217-390-5705 217-390-3279
Address (street/city/state/zip code): 606 West Washington, Urbana IL 61801
Email Address: lnwiley@illinois.edu beshers@illinois.edu
Is this property owned by a Land Trust? Yes No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: 606 West Washington, Urbana IL 61801
PIN # of Location: 92-21-17-162-020
Lot Size: 7672 sq ft

Exhibit D - Application

Current Zoning Designation: **R-2**

Current Land Use (*vacant, residence, grocery, factory, etc*): **Residence**

Proposed Land Use: **Residence**

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

Lot 48 Block 4 Hubbard's Elmwood addition

4. CONSULTANT INFORMATION

Name of Architect(s): Andrew Fell

Phone: (217) 363-2890

Address (*street/city/state/zip code*): 515 N Hickory St, Champaign IL 61820

Email Address: andrewfell@comcast.net

Name of Engineers(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Surveyor(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Professional Site Planner(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Attorney(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

Our main goal is to put a full bath on the first floor; a second goal is to provide a more accessible entrance with a closet. Neither exists on the first floor now and the variance is needed to fit them in. There is not room to fit them within the existing 1st floor plan (980 sq ft). Both of these will extend the time that we are able to occupy the house (we are both approaching 70) and will accommodate guests who can not get up the stairs. The proposed design moves the entrance from center to west of the front, and is both attractive and maintains the Arts and Crafts appearance of the house.

Exhibit D - Application

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

The variance is necessary because, as we were informed by our architect, Andrew Fell, the property line is actually not the edge of the sidewalk but six feet north of that edge. We currently have 26 1/2 feet of clearance from the sidewalk and the proposed addition will still leave over 20 feet from the sidewalk, but less from where we are told the property line is.

The other possibility for putting a full bath on the first floor is at the back of the house; there is an existing deck (we recently replaced the deck that was present when we bought the house) and there is a second floor room that extends out over the back stairs, built by previous owners. Adding a bathroom would require demolishing the deck and recreating the entire back of the house from foundation up, which would be far more expensive.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

We are doing our best to work with the house as we bought it; nothing we have done with the house has contributed to creating this situation.

Explain why the variance will not alter the essential character of the neighborhood.

The variance will allow us to move one side of the house front six feet outward; the house will still be over 20 feet from the sidewalk. Three out of four houses on our block to the west of us are either as close or closer to the sidewalk than what we are proposing. If anything, we expect the improvements to the home to enhance the character of the neighborhood.

Explain why the variance will not cause a nuisance to adjacent property.

We expect the variance to have no impact at all on either adjacent property. It does not impinge on their spaces in any way, nor does it lead to us doing anything that impinges on their properties.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

Yes, it does represent the minimum deviation. The requested variance allows us to build a bathroom and new entrance that will conform to codes and be of useful size.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

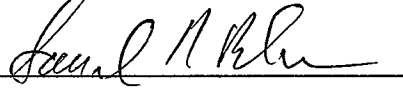
By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

Exhibit D - Application

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.


Applicant's Signature

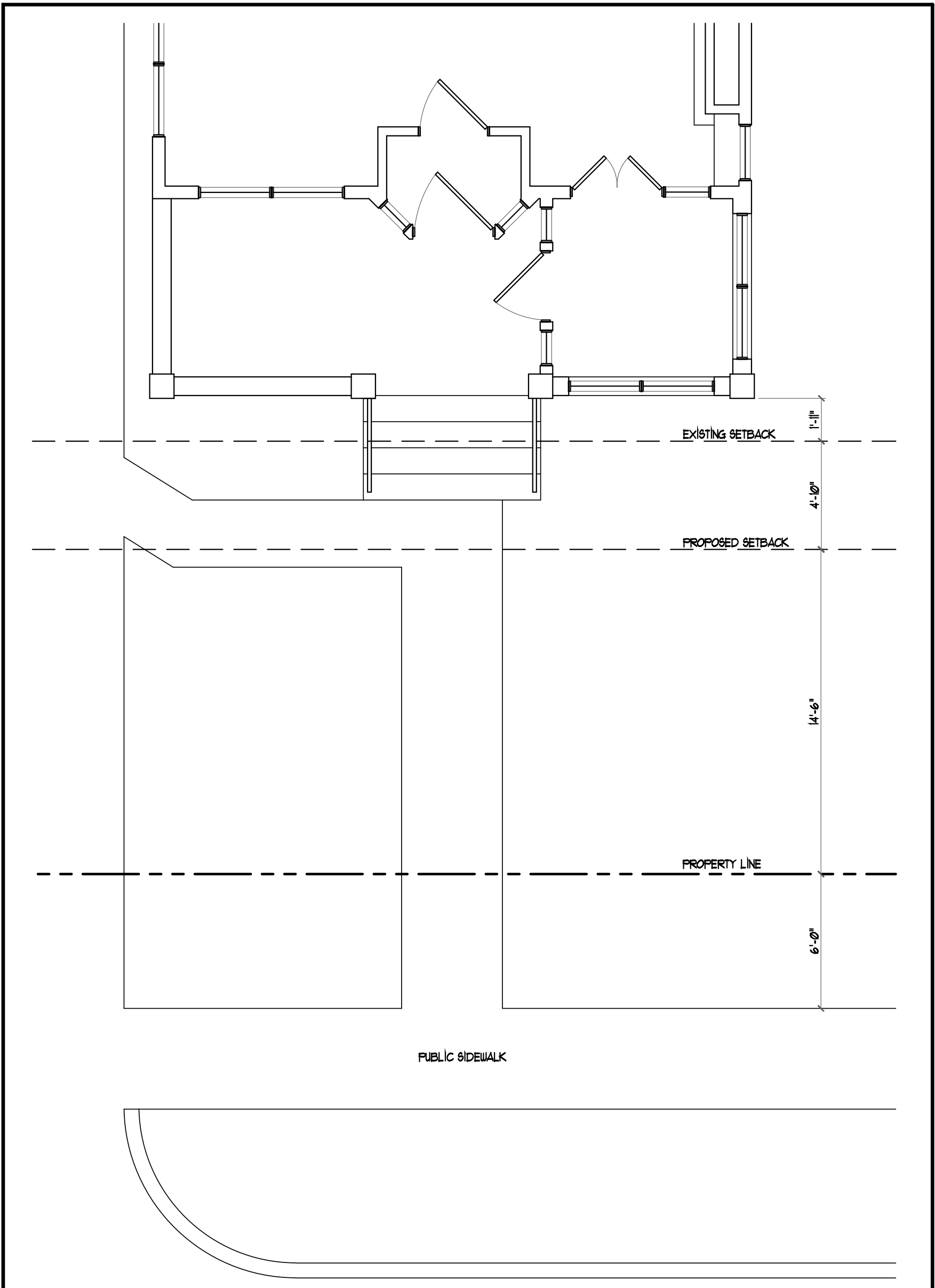


3-8-2023
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

Exhibit D - Application: Plans

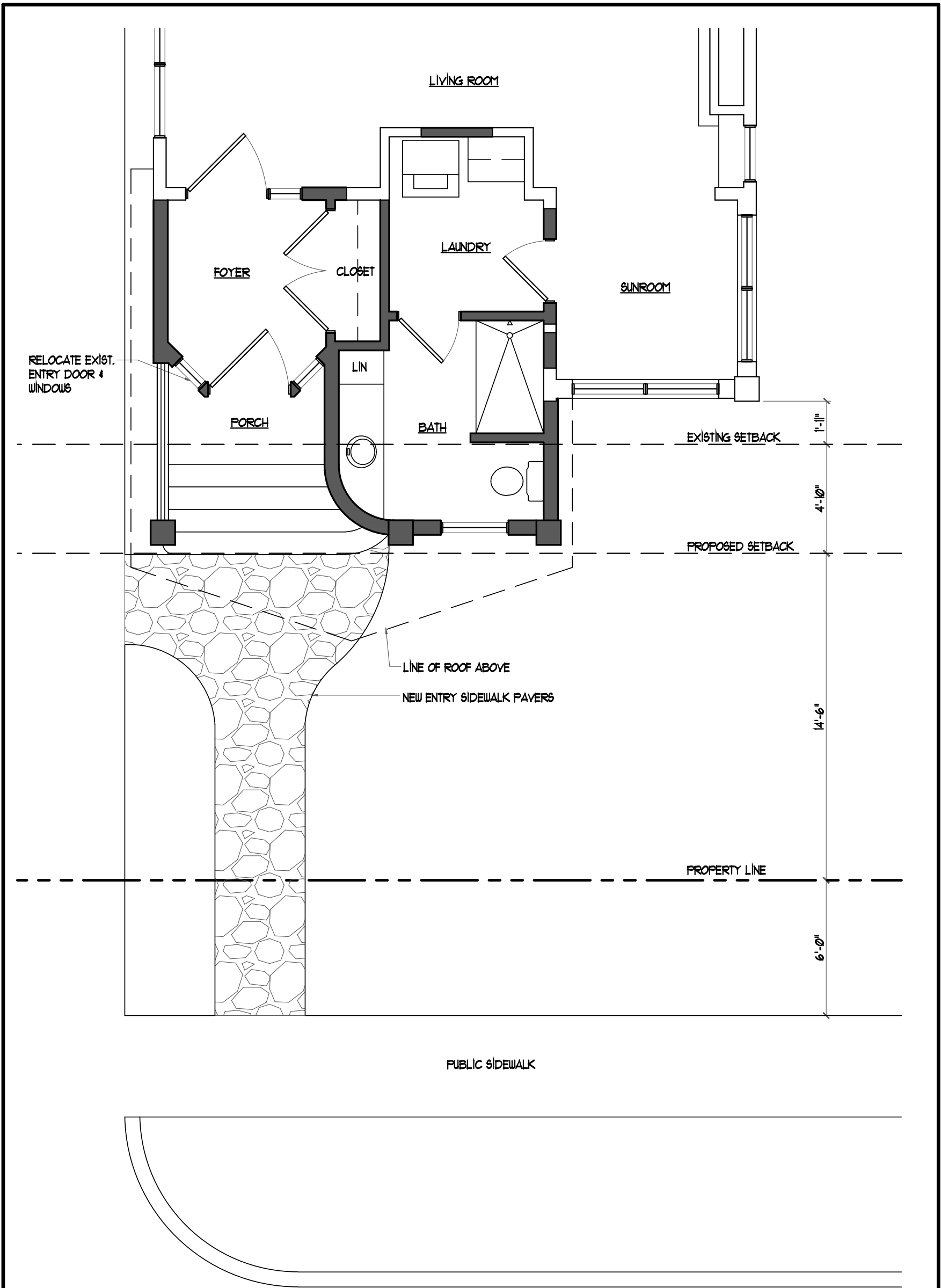


2 EXISTING HOUSE PLAN
 A1 SCALE: 1/4" = 1'-0" NORTH

WEST WASHINGTON STREET

A1	606 WEST WASHINGTON REMODEL	These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.	ANDREW FELL ARCHITECTURE AND DESIGN	PROJECT # 25010
	606 WEST WASHINGTON STREET URBANA, ILLINOIS 61801		515 NORTH HICKORY STREET, SUITE 101 CHAMPAIGN, ILLINOIS 61820 PHONE: 217.363.2880 WWW.ANDREWPELL.COM EMAIL: andrewfell@comcast.net	DATE: 2023.APRIL.05
				REV/NO/DATE:

Exhibit D - Application: Plans

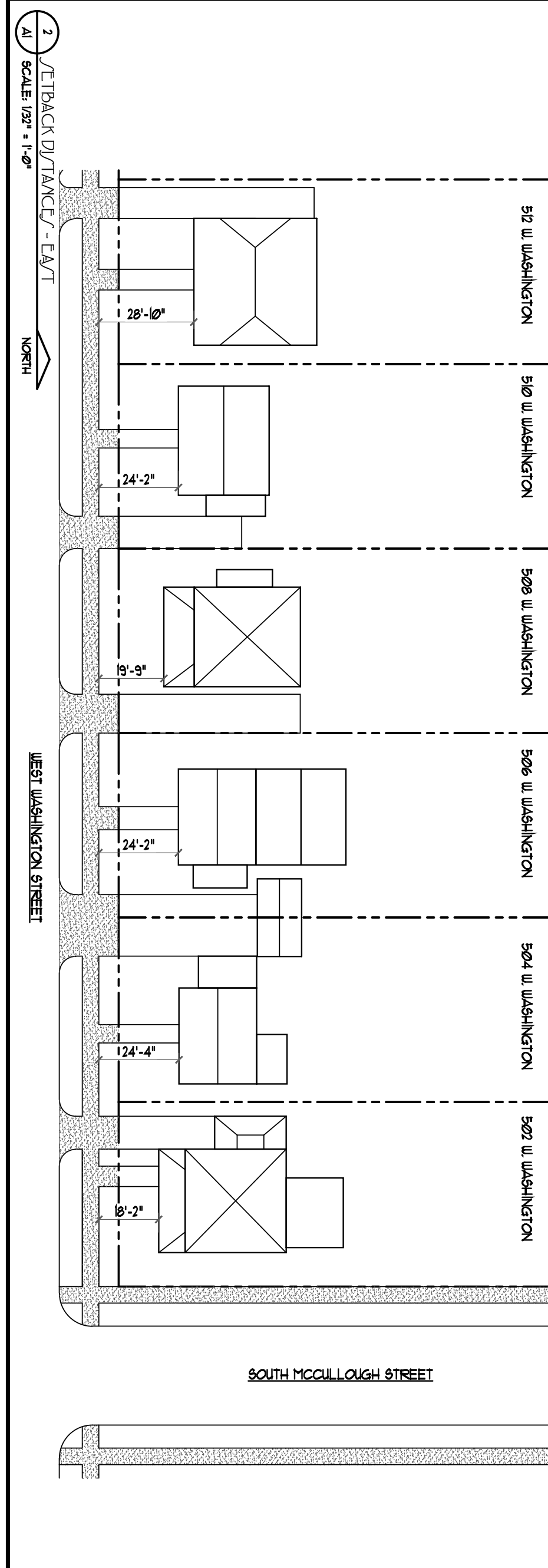
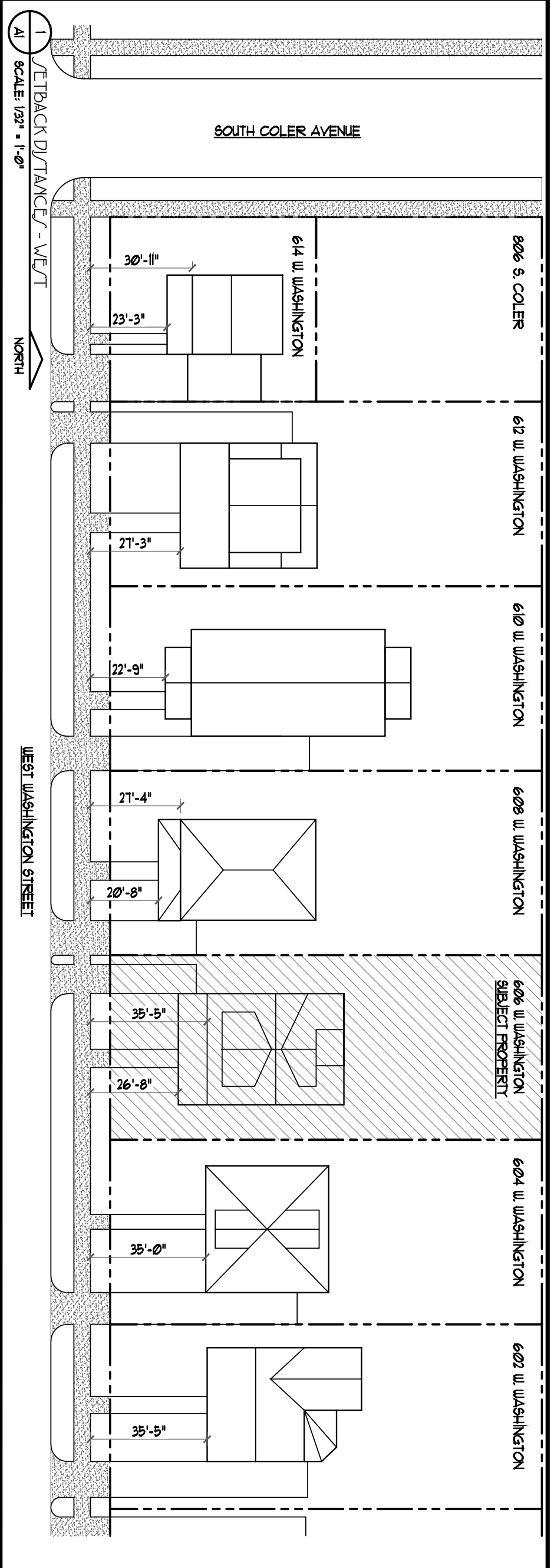


2 PROPOSED ADDITION PLAN
 A2 SCALE: 1/4" = 1'-0" NORTH

WEST WASHINGTON STREET

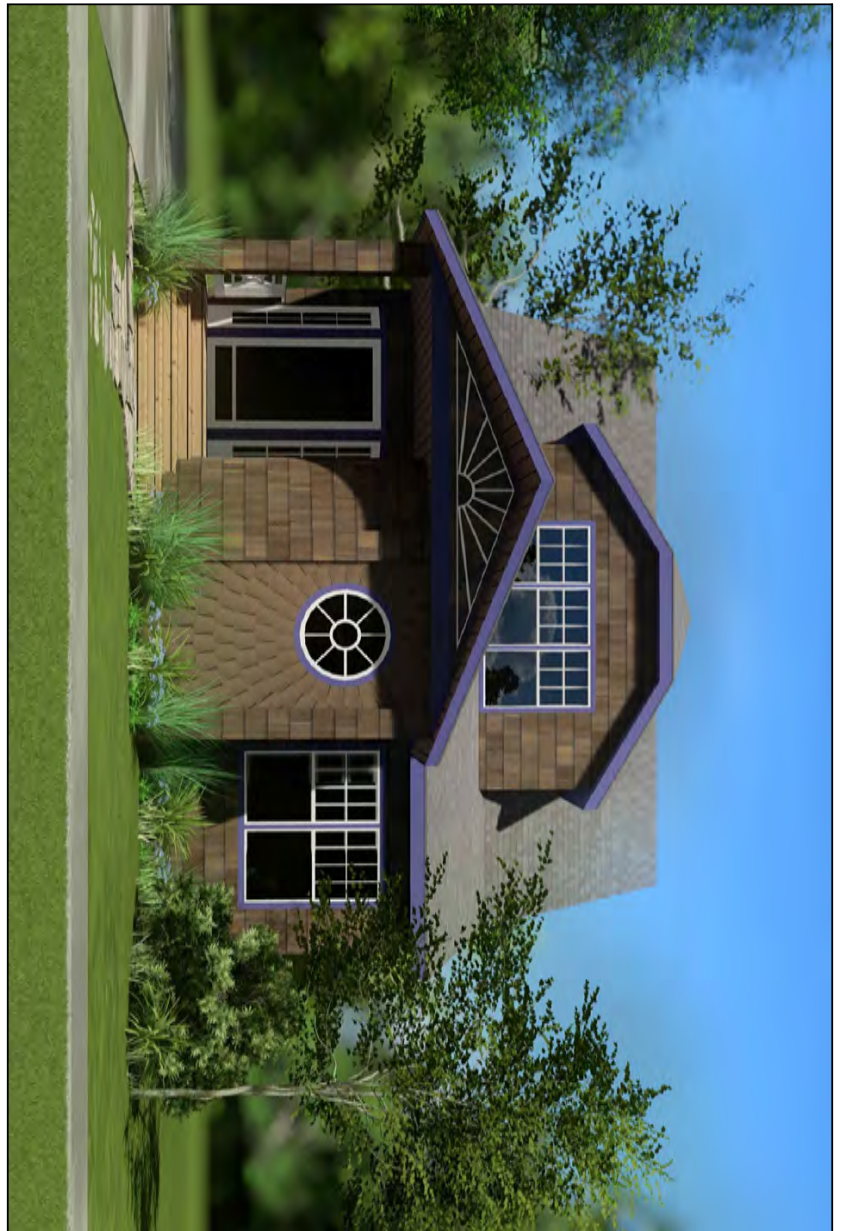
A2	606 WEST WASHINGTON REMODEL	These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.	ANDREW FELL ARCHITECTURE AND DESIGN	PROJECT # 25010
	606 WEST WASHINGTON STREET URBANA, ILLINOIS 61801		515 NORTH HICKORY STREET, SUITE 101 CHAMPAIGN, ILLINOIS 61820 PHONE: 217.383.2890 WWW.ANDREWPELL.COM EMAIL: andrewfell@comcast.net	DATE: 2023.APRIL.05
				REV./NO./:

Exhibit D - Application: Setbacks



A1	606 WEST WASHINGTON ADDITION	These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.	ANDREW FELL ARCHITECTURE AND DESIGN	PROJECT # 23010
	606 WEST WASHINGTON STREET CITY, STATE ZIP			DATE: 2025.MAR.27
			615 NORTH HICKORY STREET, SUITE 101 CHAMPAIGN, ILLINOIS 61820 PHONE: 217.363.2890 WWW.ANDREWFELL.COM EMAIL: andrewfell@comcast.net	REV: 10/1/17

Exhibit D - Application: Renderings



A3

606 WEST WASHINGTON
 REMODEL
 606 WEST WASHINGTON STREET
 URBANA, ILLINOIS 61801

These drawings and specifications are the property and copyright of Andrew Fell, Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.

ANDREW FELL
ARCHITECTURE AND DESIGN
 515 NORTH HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.563.2880
 WWW.ANDREWFELL.COM
 EMAIL: andrewfell@comcast.net

PROJECT # 23010
 DATE : 2023.APRIL.05
 REVISIONS :

Exhibit E - Photos



Fig. 1: Subject Property, closeup.



Fig. 2: Subject Property, from street.

Exhibit E - Photos



Fig. 3: Looking east along West Washington: note street wall of house fronts; 606 in yellow box.



Fig. 4: Looking west along West Washington: note street wall of house fronts; 606 in yellow box.

Exhibit F - Public Comments

From: [Plewa, Michael Jacob](#)
To: [Ricci, Marcus](#)
Cc: [Wiley, Lynn Norine](#)
Subject: PUBLIC COMMENTS - 606 West Washington Avenue variance request
Date: Wednesday, April 12, 2023 1:32:35 PM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Marcus Ricci, AICP

Planner

Community Services Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801

Hi Marcus,

My wife Elizabeth Wagner Plewa and I support the request by Lynn Wiley and Sam Beshers at 606 West Washington St., Urbana, for a variance to extend their home about 4 feet south. This is for a renovation to build a first floor bathroom and extend their roofline. We believe that this work will enhance not only the enjoyment of their home but also make a positive contribution to the stability and beauty of our west Urbana neighborhood.

Sincerely,

Michael Plewa
Elizabeth Plewa
708 W. Iowa Street
Urbana, IL 61801
217-775-4943
mplewa@illinois.edu