



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda
Highland Area Senior Center – 187 Woodcrest Drive
February 7, 2024 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
Approval of the December 1, 2023 Regular Meeting Minutes
4. Public Comment Section
Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.
5. Public Hearings and Items Listed on the Agenda
Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.
6. New Business
 - a. Joyce Buchanan of 700 Pine St., Highland, IL is requesting a variance to Section 90-125 of the City of Highland Municipal code to allow an increase from 30% to 40% lot coverage at 700 Pine St. (PIN # 02-2-18-32-19-404-018)
7. Calendar
 - a. March 6, 2024 – Combined Planning and Zoning Board Meeting
8. Adjournment

Citizens may attend in person or monitor the meeting by phone. To monitor the meeting, call 618-882-4358 and use conference ID# 434162. To have a comment read into the meeting minutes, email your comment to highlandzoning@highlandil.gov or submit it through our Citizen Request portal on our website.

Anyone requiring ADA accommodations to attend this public meeting, please contact Jackie Heimbarger, ADA Coordinator, at 618-654-9891.

MEMORANDUM

Meeting Date: February 4, 2024

From: Emily Calderon, AICP, Director of Planning, Moran Economic Development

Site Address: 700 Pine Street

Zoning Request: Variance

Description: Area/Bulk Variance to increase Maximum Lot Coverage to 40%

Summary

Applicant and property owner, Joyce Buchanan, is requesting a Variance from Section 90-125 of the Zoning Code, to increase the maximum lot coverage from 30% to 40% at 700 Pine Street. The subject property is more specifically identified as PIN# 02-2-18-32-19-404-018 and is zoned R-1-D (Single Family Residence, 50' lot width).

Comprehensive Plan Consideration

The subject property is identified as downtown on the Comprehensive Plan's Future Land Use Map. Chapter 3 of the Comprehensive Plan denotes single-family residential as an appropriate land use in the area identified as "downtown".

Surrounding Uses

Direction	Land Use	Zoning
North	Single Family Dwelling	R-1
South	Single Family Dwelling	R-1
East	Single Family Dwelling	R-1
West	Single Family Dwelling	R-1

Standards of Review for Variances

Section 90-94 of the Zoning Code identifies seven (7) factors that the Combined Planning and Zoning Board must consider when deciding whether to approve or deny a variance request.

1. The applicant acquired his property in good faith and where by reason of exceptional narrowness, shallowness, or shape of his specific piece of property at the time of the effective date of this code, or where by reasons of exceptional topographical conditions or other extraordinary circumstances, that the strict application of the terms of the zoning regulations actually prohibit the use of this property in the manner similar to that of other property in the zoning district where it is located.

Madison County records show that the applicant has owned the property for 20+ years. During this time, there have been no changes to the property that would require a variation for it to be used in a manner permitted by the Code and similar to other properties in the R-1-D District.

2. The proposed variance is consistent with the general purpose of this chapter, Section 90-1.

Generally, the requested variance would be consistent with the purpose of the zoning code, as it will not hinder the ability to adequately protect the health, safety, and welfare of the neighborhood of the City.

3. Strict application of this chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application.

Strict application of the zoning code would require a different solution to accommodate additional family living in the house, which may be more costly.

4. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties / hardship and allow a reasonable return on the property.

The applicant has provided that the proposed addition is the minimum deviation required to accommodate her family and alleviate the hardship.

5. The variance requested arises from such condition which is unique to the property in question, and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.

There are no unique physical conditions of the property which differentiate it from other properties within the R-1-D District.

6. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning).

While the circumstances surrounding this request are unique to the applicant (e.g. the applicant's son and grandchildren recently moved in), the physical conditions of the lot are not unique. The lot is similar to many others in the neighborhood (and throughout the City) where other property owners conform to the lot coverage requirements of the Zoning Code.

7. The variance, if granted, will not alter the essential character of the area in which the premises in question are located nor materially frustrate the implementation of the City's Comprehensive Plan.

If granted, the variance would not alter the character of the neighborhood. The relatively small just north of downtown provide a somewhat dense, walkable neighborhood. This proposed addition would extend 12' toward the south property line leaving a side setback of 5-feet for this property line. This is the required minimum side yard setback for the R-1-D Zoning District.

Discussion

The Zoning Code defines *Lot Coverage* as “the percentage of a lot or parcel which is, or will be, covered by the principal structure(s) and accessory structure(s). Lot coverage shall include all uses governed by a building permit, including, but not limited to, above ground pools, in-ground pools, covered patios, garages (detached and attached), sheds, car ports, porches, and other similar items.”

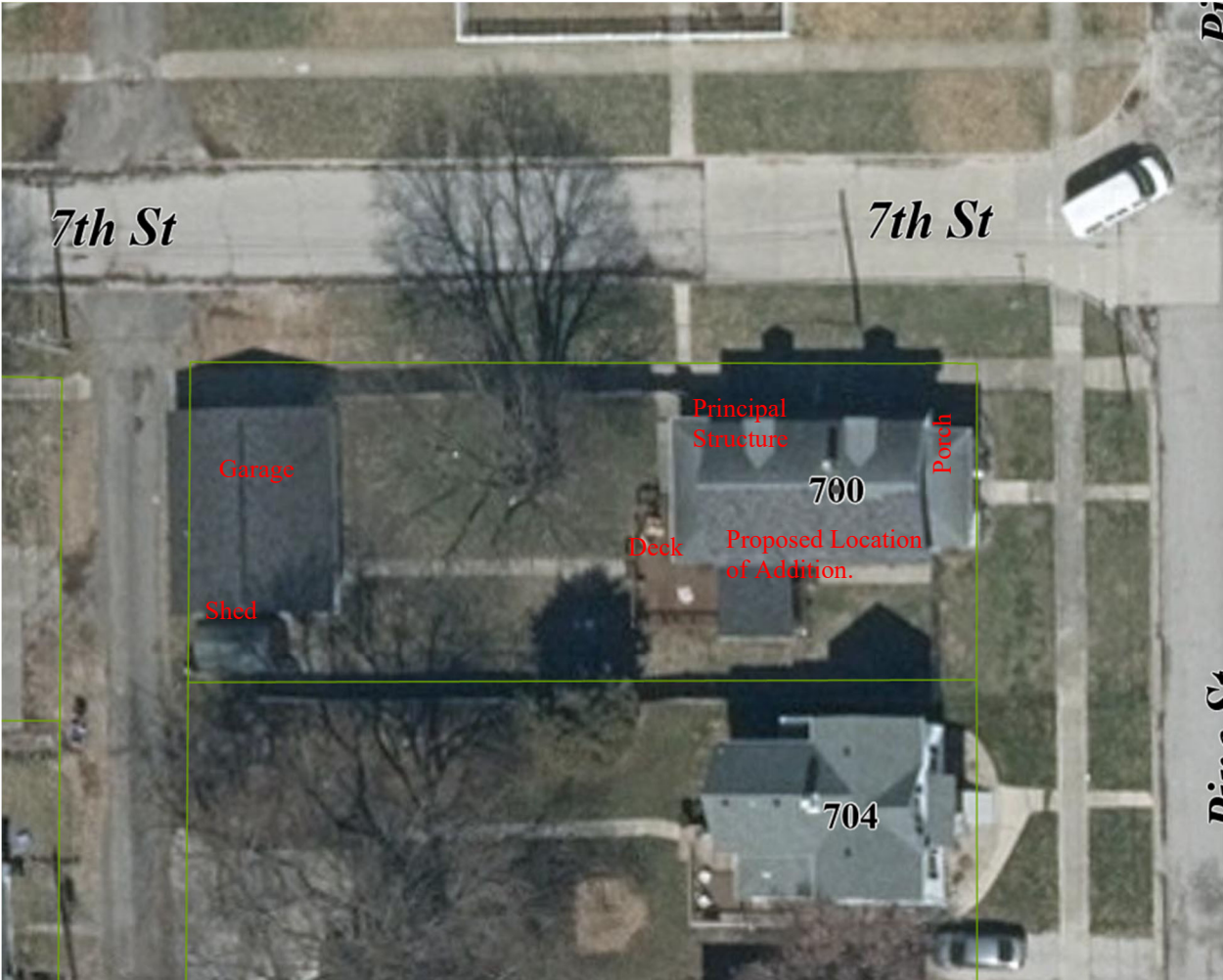
The total lot area of this 50' x 140' lot is 7,000 SF. The maximum area allowed to be covered by structures is 30% of 7,000 SF, or 2,100 SF. While all structures on the property already exceed the 30% lot coverage maximum, the applicant wishes to cover an additional 192 SF with the proposed 12' x 16' addition. This addition would bring the total lot coverage up to 2,678.5 SF, or 38.2% of the lot.

It is worth noting that the swimming pool was the most recent structure placed on the property, in June 2023. However, there was an error in processing this building permit and calculating the lot coverage at the time and the structure was approved when it should not have been, since the property already exceeded the 2,100 SF lot coverage maximum without the pool.

Building Element	Area (SF)
House	800
Pool	288
Shed	96
Garage	812.5
Porch	80
Open Deck	410
TOTAL EXISTING (35.5%)	2,486.5
Proposed Addition	196
TOTAL PROPOSED (38.2%)	2,678.5

While the lot coverage would only increase by an additional 3% with this room addition, the standards upon which the decision must be based are not met. Specifically, the hardship is created by the applicant, and may be remedied in a variety of ways, such as the addition of a room in the basement (with appropriate egress window), or the removal of any of the accessory structures on the lot.

Aerial Photograph



Site Photos

Staff Recommendation

It is recommended that the variance request be denied.

EXHIBIT "A"
Variance Application

Return Form To:
 Administrative
 Official City of
 Highland 12990
 Troxler Rd
 Highland, IL 62249
 (618) 654-9891
 (618) 654-1901 (fax)

For Office Use Only
 Date Submitted: 1-2-24
 Filing Fees: \$ 250.00
 Date Paid: 1-2-24
 Date Advertised: 1-18-24
 Date Notices Sent: 1-16-24
 Public Hearing Date: 2-7-24
 Zoning File #: VAR-0124-0013

APPLICANT INFORMATION:

Applicant: Joyce Buchanan Phone: 618-651-9435
 Address: 700 Pine St Highland IL Zip: 62249
 Email Address: Joyce.Buchanan@Rocketmail.com
 Owner: Same As Above Phone: 618-651-9435
 Address: 700 Pine St. Zip: 62249
 Email Address: Joyce.Buchanan@Rocketmail.com

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 700 Pine Street Highland IL 62249
 Present Use of Property: ~~Res~~ Residential
 Proposed Use of Property: Home Resident
 Variance Requested: To allow an increase in Lot coverage from 30% to 40%.
 Code Section: Sec. 90-125 Lot and Building Requirements

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>Single Family Res</u>	<u>R-1-D</u>
South	<u>Single Family Res</u>	<u>R-1-D</u>
East	<u>Single Family Res</u>	<u>R-1-D</u>
West	<u>Single Family Res</u>	<u>R-1-D</u>

The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that:	Yes	No
1. Property Acquisition: The property was acquired in good faith and strict application of the terms of the Zoning regulations would prohibit the use of the property.	Y	
2. Zoning Code Compliance: The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.	Y	
3. Hardship: Strict application of this Chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;	X	
4. Minimal Deviation: The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;	X	
5. Uniqueness: The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.	X	
6. Public Interest: The variance is not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning), and	X	
7. Comprehensive Plan Compliance: The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate the implementation of this City's comprehensive plan.	X	

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

Jaime Buchanan
Applicant's Signature

12-14-2023
Date

19/2

RETURN TO
COMMUNITY TITLE & ESCROW
HIGHLAND, IL 62249

CHARGE TO
COMMUNITY TITLE & ESCROW
EDWARDSVILLE, IL 62025

24
32

2002R19280

STATE OF ILLINOIS
MADISON COUNTY
FILED FOR RECORD IN
THE RECORDERS OFFICE

03-28-2002 11:46:34 A

DANIEL R. DONOHOO
RECORDER

DOC. FEE: 20.00
PAGES: 2

4485 3553

01-6700

THE ABOVE SPACE FOR RECORDER'S USE ONLY

20.00

WARRANTY DEED

THIS INDENTURE WITNESSETH, That the Grantor Marvin Louis Tindall

of the City of Crystall City
and State of Missouri

in the County of Jefferson

for and in consideration of the sum of One Dollar and other good and
valuable considerations, the receipt of which is hereby acknowledged, CONVEY and WARRANT TO
Joyce A. Buchanan

whose address is 700 PINE STREET
HIGHLAND, ILLINOIS 62249

the following described real estate to-wit:

Lot Number 7 in Block Number 51 of Joseph Koepfli's Addition to the Town (now
City) of Highland, as the same appears from Plat thereof recorded in the
recorder's Office of Madison County, Illinois in Plat Book 3 Page 29 and
recopied in Plat Book 20 Page 78. Situated in Madison County, Illinois.
(Identical Book 4393 Page 3122)

PPN #02-2-18-32-19-404-018

situated in Madison County, Illinois, hereby releasing and waiving all rights under and by virtue of
the Homestead Exemption Laws of the State of Illinois.

Dated this 12 day of MARCH, 2002.

Exempt under provisions of Paragraph
E, Section 5-1-45 of the Real Estate
Transfer Tax Act (35 ILCS 200/31-15).

3-12-02 Marvin L. Tindall
Buyer, Seller or Representative

Marvin Louis Tindall

STATE OF ~~ILLINOIS~~ MISSOURI

X St. Louis City COUNTY } ss

4485 3554

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT
Marvin Louis Tindall

personally known to me to be the same person whose name subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial Seal this X 12 day of MARCH, 2002.

LINDA K. NESSER
Notary Public - State of Missouri
City of St. Louis
My Commission Expires Apr 25, 2004

X *Linda K. Nesser*
Notary Public

Future Taxes to Grantee's Address ()
OR to Joyce A. Buchanan
700 Pine Street
Highland, Illinois 62249

Return this document to:
COMMUNITY TITLE AND ESCROW
P.O. BOX 8063
ALTON, IL 62002

This Instrument was Prepared by: MOTTAZ LAW OFFICE
Whose Address is: 112 W. HOMER ADAMS PARKWAY
ALTON, IL 62002



END OF DOCUMENT

Board of Review
 Madison County Administration Building
 157 N. Main Street, Suite 222
 Edwardsville, IL 62025-1964
 RETURN SERVICE REQUESTED

Notice of Final Decision on Assessed Value by Board of Review

PRESORTED
 FIRST CLASS MAIL
 US POSTAGE PAID
 ST. LOUIS, MO
 PERMIT #1878

Pursuant to 35 Illinois Compiled Statutes (ILCS) 200/12-50, you are hereby notified of a change in assessed value of the property listed below for the 2022 assessment year. This change was made by the Board of Review of Madison County.

Parcel ID Number 02-2-18-32-19-404-018

Date of Notice 03/30/2023

Type of Property	Assessed value Before Board action	Final assessed value After Board of Review action prior to equalization	Final assessed value After Board of Review equalization
Land / lot or farm homesite	6,410	6,410	6,900
Buildings and structures (not farms)	30,940	30,940	33,330
Farmland	0	0	0
Farm buildings	0	0	0
TOTAL	37,350	37,350	40,230

Reason for Change: Equalization
 33.33 % (statutory level of assessment) / 30.94 %
 (3 year average median level of assessment for
 SALINE Township) = 1.0772
 (2022 Equalization factor).
 Market value : 120,700

Owner of Record : BUCHANAN, JOYCE A

Legal Description : KOEPFLIS JOS ADD LOT 7 50X140

Postmaster Deliver To :

BUCHANAN, JOYCE A

700 PINE ST

HIGHLAND, IL 62249

028 CTALAP1 62249



After Recording Return To:
Scott Credit Union
101 Credit Union Way
PO Box 310
Edwardsville, IL 62025

Prepared by:
Scott Credit Union
101 Credit Union Way
Edwardsville, IL 62025

2023R14786
STATE OF ILLINOIS
MADISON COUNTY
06/08/2023 06:00 AM
LINDA A. ANDREAS
CLERK & RECORDER
REC FEE: 51.00
CO STAMP FEE:
STAMP FEE:
FF FEE:
RHSPS FEE: 9.00
OF PAGES: 2

RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: That **SCOTT CREDIT UNION**, a corporation organized and existing under and by virtue of the laws of the State of Illinois, and having its office and principal place of business in Edwardsville, in the County of Madison and the State of Illinois, for and in considerations, the receipt of which is hereby confessed, does hereby remise, convey, release and quit claim unto:

JOYCE A BUCHANAN

of the **County of Madison State of Illinois** all the right, title, interest, claim or demand whatsoever it may have acquired in, through or by a certain mortgage dated the **29TH day of JUNE A.D. 2012** recorded on the **7TH day of JULY A.D. 2012**, in the Recorder's Office of **Madison County**, in the State of Illinois, Document Number 2012R28173

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHOULD BE FILED WITH THE RECORDER OF THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED.

Together with all the Appurtenances and Privileges thereunto belonging or appertaining. WITNESS my hand and seal on this **6TH day of JUNE A.D. 2023**.



Tiffany English
Tiffany English-Mtg. Servicing Manager

STATE OF ILLINOIS
COUNTY OF MADISON

Before me the undersigned, a Notary Public in and for the County and State aforesaid, this **6TH day of JUNE A.D. 2023**, personally appeared Tiffany English-Mtg Servicing Manager of Scott Credit Union, and that said instrument was signed on behalf of said credit union by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said credit union.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year last above written.

[Handwritten Signature]

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

Lot 7 in Block 51 of Joseph Koepfli's Addition to the Town (now City) of Highland, as the same appears from the plat thereof recorded in the Recorder's Office of Madison County, Illinois, in Plat Book 3 page 29 and recopied in Plat Book 20 page 78.

Except the coal underlying the surface of said land and all rights and easements in favor of the estate of said coal. 02-2-18-32-19-404-018

Situated in the County of Madison and the State of Illinois.



1103
50

701
50

705

705

709

019
50

(6)
140

50

7th St

130

018
50

(7)

50

017
704

(8)

016
710

(9)

[51]

006

50

(1)
130

007

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130

(6)

008

45

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009

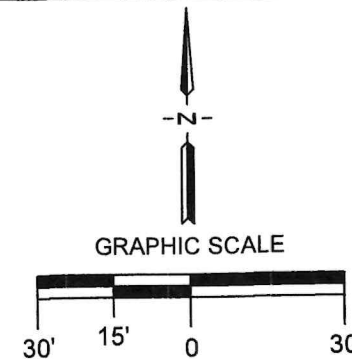
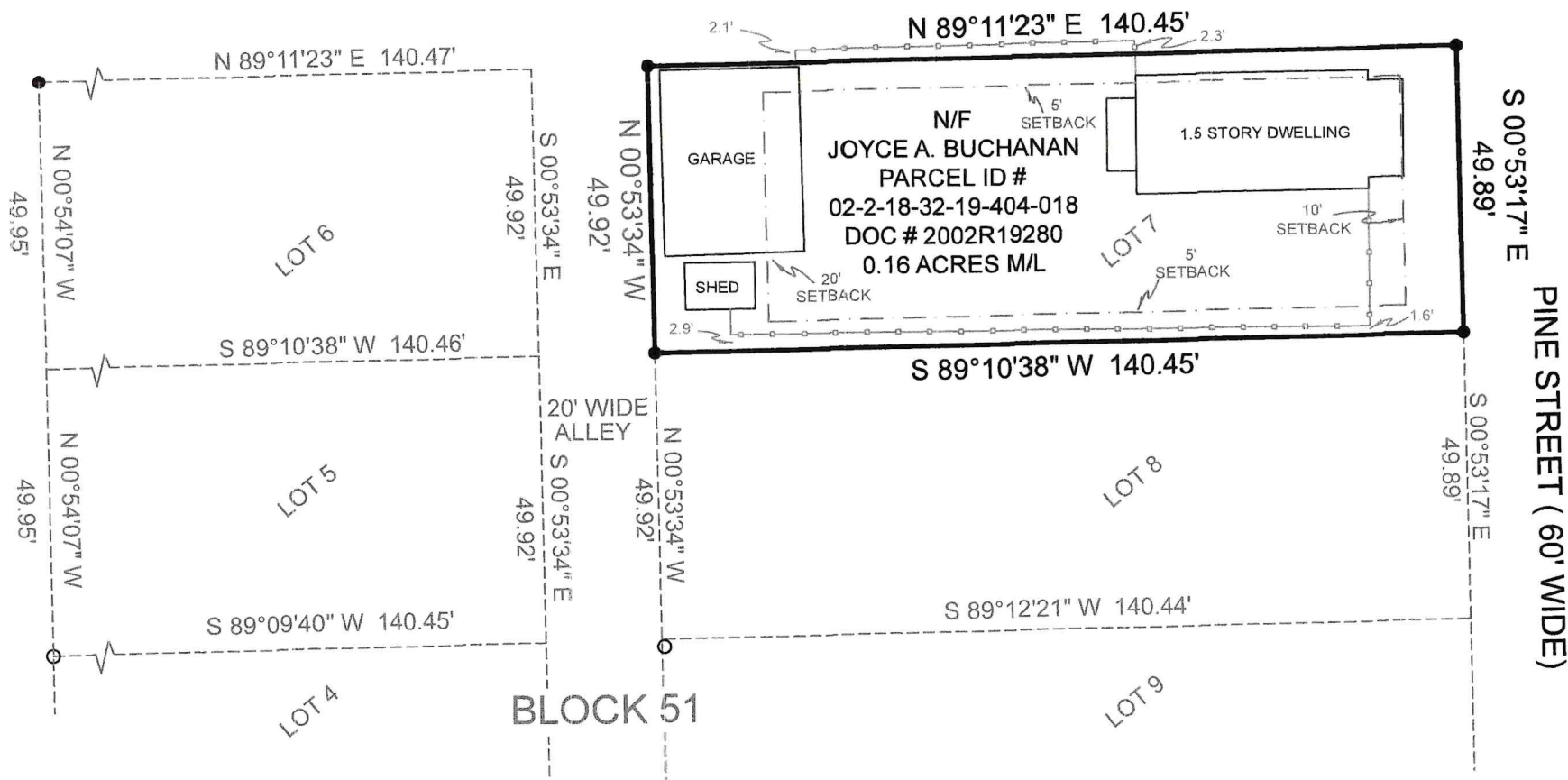
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(4)

PLAT OF SURVEY

PART OF THE SOUTHEAST 1/4 OF SEC 32, T4N, R5W,
OF THE 3RD P.M., MADISON COUNTY, ILLINOIS

7TH STREET (FORMERLY HUMBOLDT ST 60' WIDE)



LAND SURVEYOR'S NOTES:

BASIS OF BEARINGS IS ILLINOIS STATE PLANE COORDINATE SYSTEM WEST 1202.

DOCUMENT REFERENCES ARE FROM THE MADISON COUNTY RECORDERS OFFICE.

DOCUMENTS OR REFERENCE ARE PLAT BOOK 20, PAGE 78 & PLAT BOOK 45, PAGE 85.

SURVEYOR WAS NOT PROVIDED WITH A TITLE COMMITMENT.

SURVEY SUBJECT TO ALL EASEMENTS AND ENCUMBRANCES RECORDED OR OTHERWISE.

PARCEL CURRENTLY ZONED R1D.



LEGEND

- 5/8"Ø IRON PIN (SET)
- IRON PIN/PIPE (FOUND)
- PARCEL LINES
- - - SUBJECT TRACT LINE
- - - BUILDING SETBACK LINE
- □ - FENCELINE

I, ROBERT B. FUCHS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SAID SURVEY COMPLIES WITH THE CURRENT STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS IN ILLINOIS AND WAS COMPLETED DURING THE MONTH OF DECEMBER 2023.

Robert B. Fuchs 12/29/2023
ROBERT B. FUCHS - ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035 - 003631
 LICENSE EXPIRES ON NOVEMBER 30, 2024
 ILLINOIS PROFESSIONAL DESIGN FIRM # 184005952-008

BUCHANAN SURVEY

LOT 7 IN BLOCK 51 OF JOSEPH KOEPLI'S ADDITION TO THE TOWN (NOW CITY) OF HIGHLAND, MADISON COUNTY, ILLINOIS

SOUTH-CENTRAL SURVEYING, LLC.

R. Lance Brown, PLS #3459
 12368 Saraville Road
 Marion, IL 62959
 618-982-2958

R. Ben Fuchs, PLS #3631
 601 Walnut Road
 St. Jacob, IL 62281
 618-444-5613

DRAWN BY: RBF	DATE: DECEMBER, 2023	CLIENT: J. BUCHANAN HIGHLAND, ILLINOIS
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To whom it may concern,

1/2/2024

I Joyce Buchanan would like to raise my property variance to 40%. I need a room addition off the side to use as a bedroom. My home is paid for and now have my granddaughters and son now live with me. My house is only two bedrooms.

Please consider my application for a room addition.

Thank You
Joyce Buchanan
(Home owner)