



**ZONING ORDINANCE VARIATION APPLICATION - FORM A**

Blumenschein Addition - 2S260 Riverside Parkway

Name of Development/Project

Project Number *(for office use only)*

Because of special characteristics of particular properties in the City, the literal application of the provisions of the Zoning Ordinance may, in certain circumstances, create hardships or practical difficulties not intended by the zoning regulations. The Zoning Board of Appeals may accordingly recommend, and the City Council may grant, variances from the literal application of the provisions of this Ordinance based on findings of fact as provided below:

A. List specific provisions of the Zoning Ordinance (Chapter and Subsection) from which a Variation is being sought and the precise Variation(s) there from being sought *(Attach separate sheet if additional space is required.)*:

1. Zoning Ordinance Chapter and Section: 4. Districts - Table 4A: Residential District Requirements  
Description of requested Variation:  
Variation to Minimum FRONT yard reduced to 31'.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Zoning Ordinance Chapter and Section: \_\_\_\_\_  
Description of requested Variation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Zoning Ordinance Chapter and Section: \_\_\_\_\_  
Description of requested Variation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- B. In recommending or granting approval or conditional approval of a variance, the Zoning Board of Appeals and the City Council shall prepare written findings of fact that all of the conditions below apply to the application. **Please review and provide a written response indicating how each of the six following criteria support the approval of the requested variation(s).**  
*(Attach separate sheet if additional space is required.):*

1. Special Circumstances

Special Circumstances exist relating to the physical character of the property that are peculiar to the property and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it practical to provide, in the form of an amendment to this Ordinance, a general rule to cover them.

Applicant Response:

~~Aproximately 80% of our lot exists within the flood plain, including the current detached garage. We plan to build an addition, which includes an attached garage, in the area above the 100 year flood plain but have to infringe on the front setback in order to build a garage with an opening for 2 side-by-side stalls.~~

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2. Hardship or Practical Difficulties

Because of these special circumstances, the literal application of the provisions of this Ordinance would, without a variance, result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Applicant Response:

~~We cannot build a structure (i.e. garage) within the flood plain that will not continue to flood repeatedly. Without the variance on the front/east side of the property, we cannot replace/build a practical garage on the property.~~

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3. Not Resulting from Applicant Action

The special circumstances, practical difficulties, or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of any party with a present interest in the property.

Applicant Response:

The hardship is due to the existance of the flood plain and topography of the property. We attempted to rebuild ~~the detached garage outside of the setback but would need to raise the elevation of the portion of the property~~ where the garage sits to prevent frequent flooding. We paid for professional environmental engineering plans to ~~determine the compensatory storage required to reposition/replace the garage structure in the flood plain and~~ requested that compensatory storage from DuPage County, but were denied. The County will not grant any ~~amount of compensatory storage so the structure must be built entirely outside of the flood plain or be subject to~~ repeated flooding events.

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4. Reasonable Use and Return

Without the requested variance, the property cannot yield a reasonable return, or cannot be reasonably used consistent with the intent of the zoning district and the use of other properties therein, but the purpose of the variance is not otherwise to increase the return from the property or to confer special privileges not ordinarily enjoyed by other properties in the same district.

Applicant Response:

Without the variance we could not build a garage that is not subject to frequent, repeated flooding and that allows two cars to park side-by-side. It is consistent with a residential property in the area to have a 2-car-wide garage.

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5. Not Alter Local Character

The variance will not alter the essential character of the locality or substantially impair public safety or welfare or property values in the area.

Applicant Response:

There is no adverse impact to public safety or welfare. The property will maintain its essential character and green space. With the proposed addition, we expect that the value of the property/house will increase but not exceed other houses in the neighborhood.

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6. Minimum Variance Needed

The variance approved is the minimum required to allow reasonable use and enjoyment of the property.

Applicant Response:

Yes, this is the minimum required to allow 2 cars to be housed side-by-side and reasonably granted entry/exit without significant inconvenience to the home owners.

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I HEREBY CERTIFY THAT THE ABOVE STATEMENTS AND ALL ACCOMPANYING STATEMENTS AND APPLICATION INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

  
\_\_\_\_\_  
Signature of Applicant/Agent

Kristin Blumenschein  
\_\_\_\_\_  
(Print Name)

3/29/2021  
\_\_\_\_\_  
Date