



**CITY OF RACINE
DEPARTMENT OF CITY DEVELOPMENT
STAFF REPORT**

Meeting Date: 6/15/2025

To: Board of Appeals Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Steven Madsen – (262) 636-9151 steven.madsen@cityofracine.org

Case Manager: Steven Madsen

Location: 831 Jackson Dr

Applicant: Gustavo Vargas Perez and Sheila Campos Reyes

Property Owner: Gustavo Vargas Perez and Sheila Campos Reyes

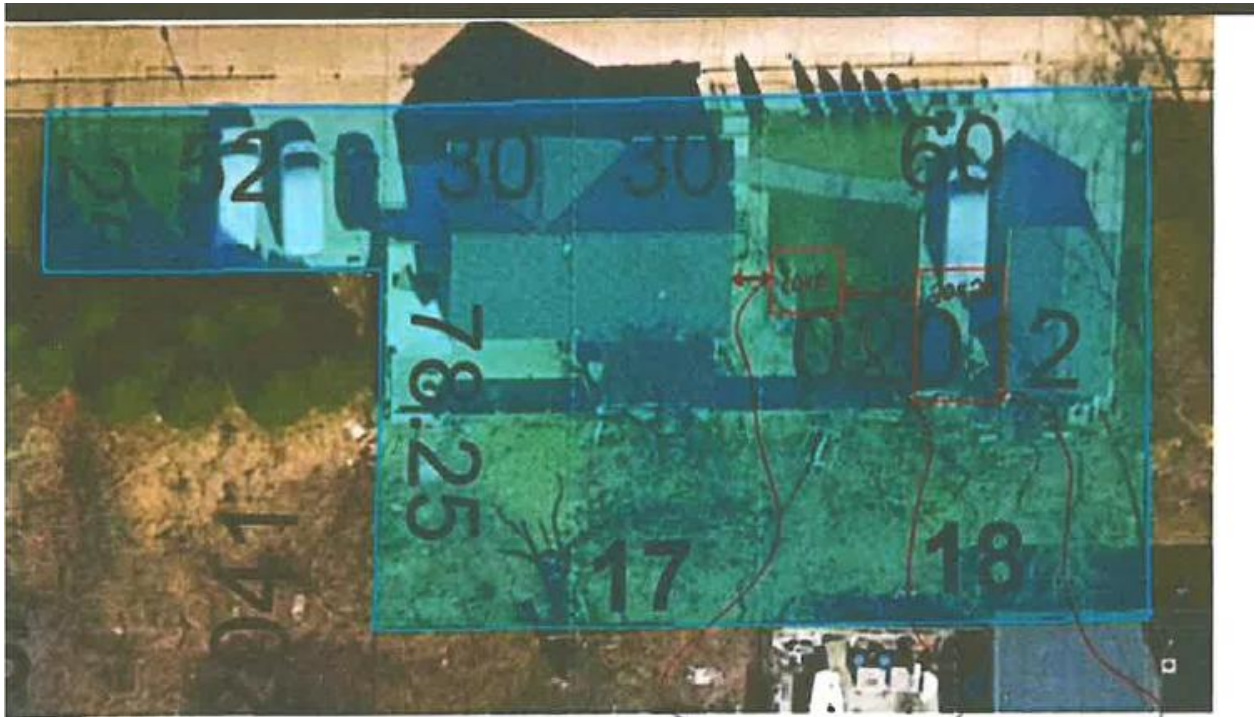
Request: The application requests relief from the front yard setback for accessory structures per Sec 114-310(c).

BACKGROUND AND SUMMARY:

The applicant is requesting a variance from the front setback requirements for accessory structures for a gazebo and an addition to their garage. The existing garage had gotten approved in error without the granting of a variance previously. The rear 30 feet of the lot has 10 feet of elevation change making it impractical to build in the rear of the lot.



Birdseye view of the property, indicated in blue (image from pictometry) (North is Left)



Birdseye view of the property, indicated in blue (image from pictometry) (North is Left)

GENERAL INFORMATION

Parcel Number: 02012000

Property Size: 11,107.80 square feet

Comprehensive Plan Map Designation: Medium Intensity

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: R-3 Limited General Residence

Purpose of Zone District: The R3 limited general residence district is intended to provide areas which are to be occupied substantially by single-family and two-family dwellings and attached dwellings. It is designed to accommodate limited apartment dwellings while maintaining a low density owner-occupancy character.

Additional Planning and Zoning Comments: N/A

STANDARDS FOR VARIANCE:

Sec 114-48

- 1) Because of the particular physical surroundings, shape, or topographical conditions of the 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.**

Staff Comments: This lot and its steep elevation to the south side of the property has resulted in the lot being non-conforming. They are unable to meet the 60 feet front setback for accessory structures which does not begin until 10ft after elevation begins to change. A structure could not be built in the rear yard due to the grade change. Any changing of the grade could also be detrimental to the properties on the South side of the block.

- 2) The conditions upon which an application for a variance is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.**

Staff Comments: The hill and the elevations it creates are a unique topographical feature that makes these issues unique to this lot. This variance would not be applicable to the majority of the houses in the City or other properties within the same zoning classification.

- 3) The purpose of the variance is not based exclusively upon a desire to increase financial gain.**

Staff Comments: This variance is not requested for financial gain but rather for the ability to add function to this property.

- 4) The alleged difficulty or hardship is caused by the provisions of this chapter and has not been created by any persons presently having an interest in the property.**

Staff Comments: The current owners of this lot cannot be credited with the creation of this typology. This hardship was not created by any persons presently having an interest in the property.

- 5) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.**

Staff Comments: The accessory structure's proposed proximity to the front of the lot will not be detrimental to the public welfare. If permitted to be located within the side yard the structure will still be required to meet the side setback requirements. These side setbacks will prevent it from affecting nearby neighbors. The side setbacks will not be any different than other nearby accessory structures. The existence of the accessory structure here should not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

- 6) The proposed variance 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, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Staff Comments: The addition of this structure is not expected to be substantial or create risk of fire, natural disaster, or drainage problems. This will not endanger public safety or impair property values.

POSSIBLE ACTIONS FOR THE ZONING AND BUILDING BOARD OF APPEALS

1. Approve the request as submitted; or
2. Approve the request with conditions deemed necessary to mitigate any adverse impacts that could arise from the project; or
3. Deny the request; or
4. Defer the request to obtain more specific information about the request.

STAFF RECOMMENDATION: BASED ON THE STANDARDS REVIEWED IN THIS REPORT, THAT THE REQUEST FROM GUSTAVO VARGAS PEREZ AND SHEILA CAMPOS REYES, SEEKING A VARIANCE FROM SECTION 114-310(c) TO ALLOW FOR AN ACCESSORY STRUCTURE TO BE BUILT WITHIN THE FRONT SETBACK BE APPROVED SUBJECT TO CONDITIONS OUTLINED BELOW:

- a) That the plans presented to the Zoning and Building Board of Appeals on June 15, 2026 be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That no minor changes be made from these conditions without approval of the Zoning and Building Board of Appeals.

ATTACHMENTS:

- 1) Property owner notification map indicating the subject property;
- 2) Aerial Photo indicating the subject property;
- 3) Zoning Map indicating the subject property;
- 4) Land Use Map from Comprehensive Plan, indicating the subject property;
- 5) Submittal documents (view in legistar).

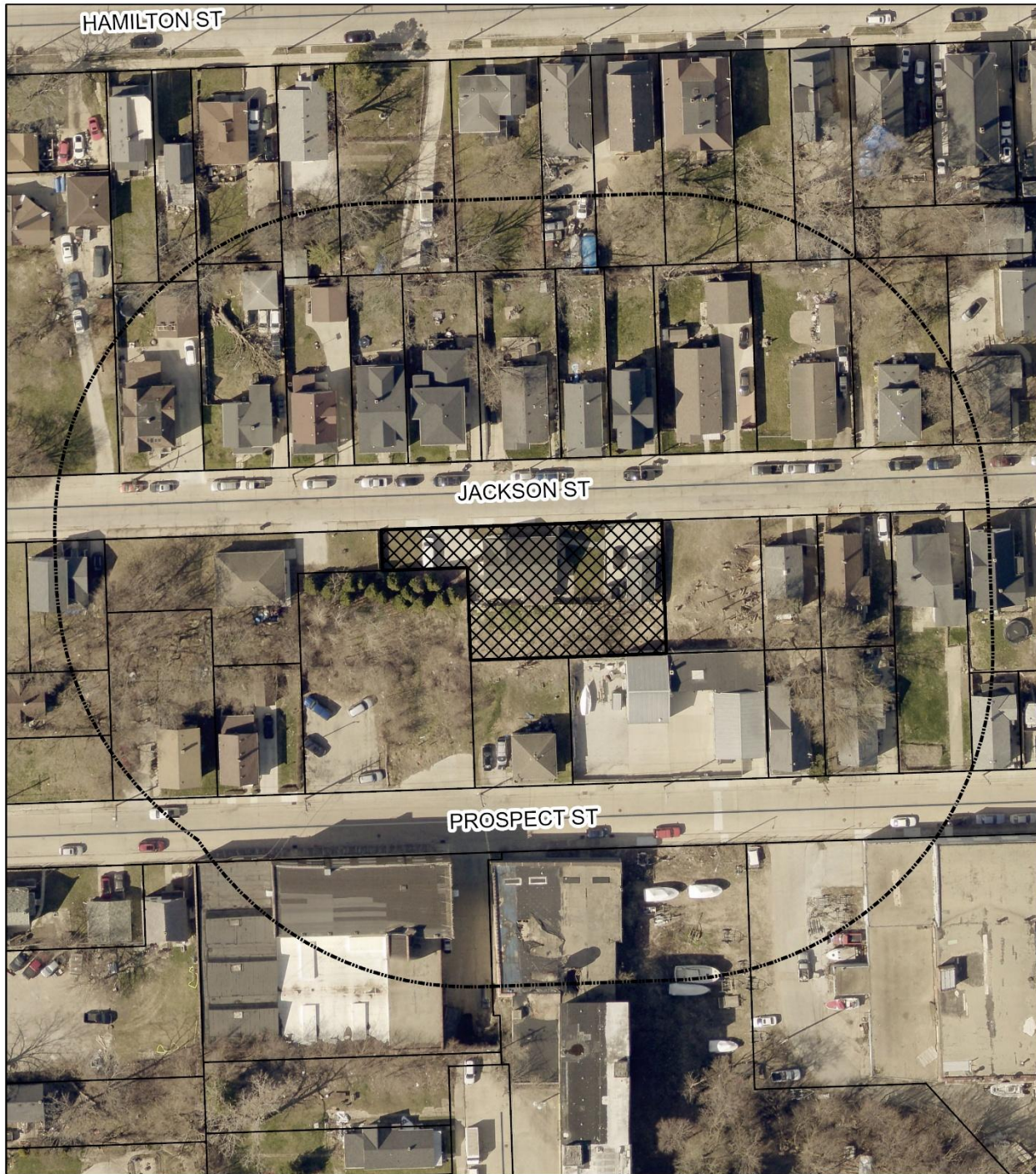


831 Jackson Street - Variance

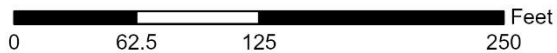




831 Jackson Street - Variance

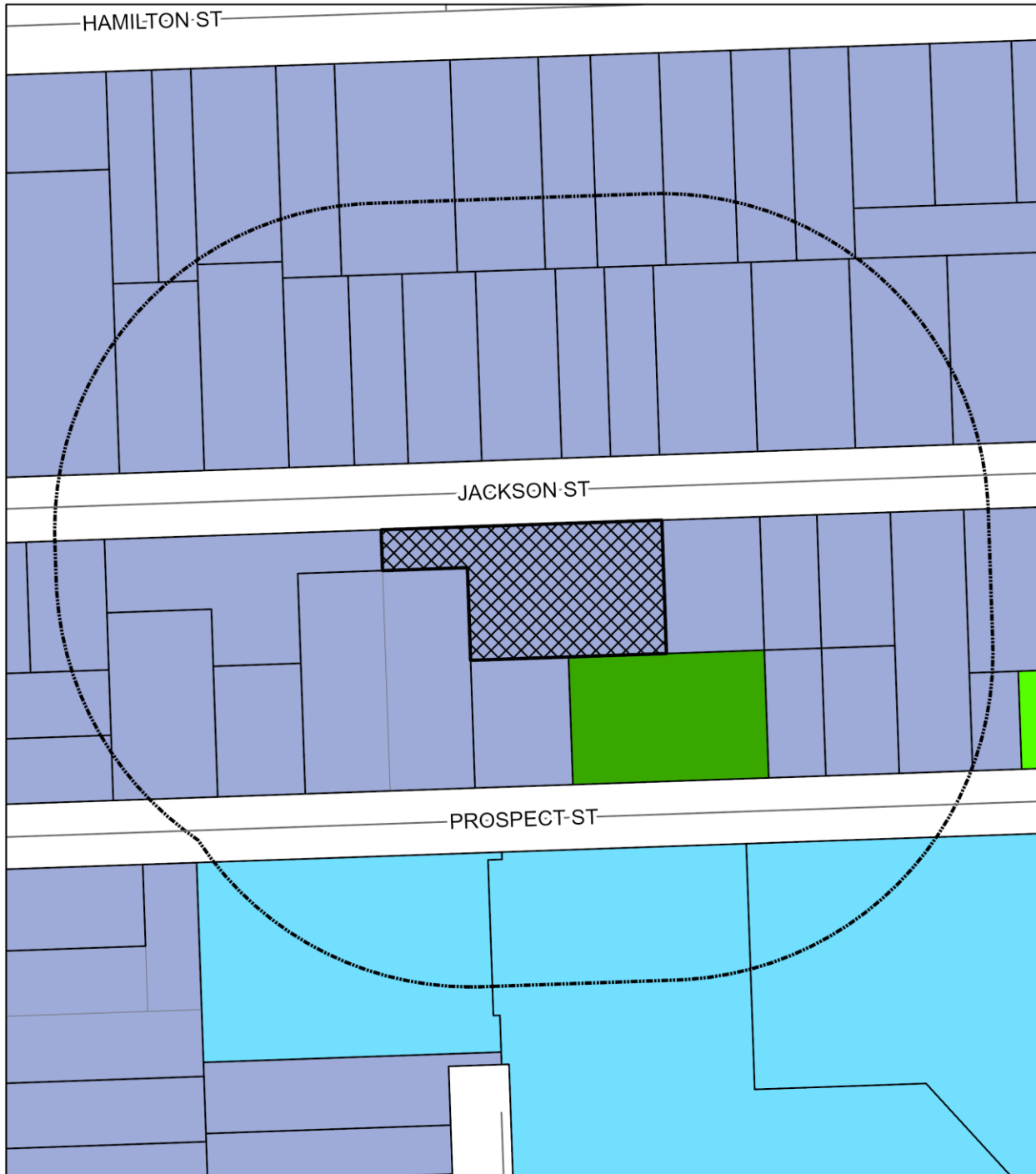


- Tax Parcel Boundary
- Street Centerlines
- ▣ Subject Area
- Notification Area





831 Jackson Street - Variance



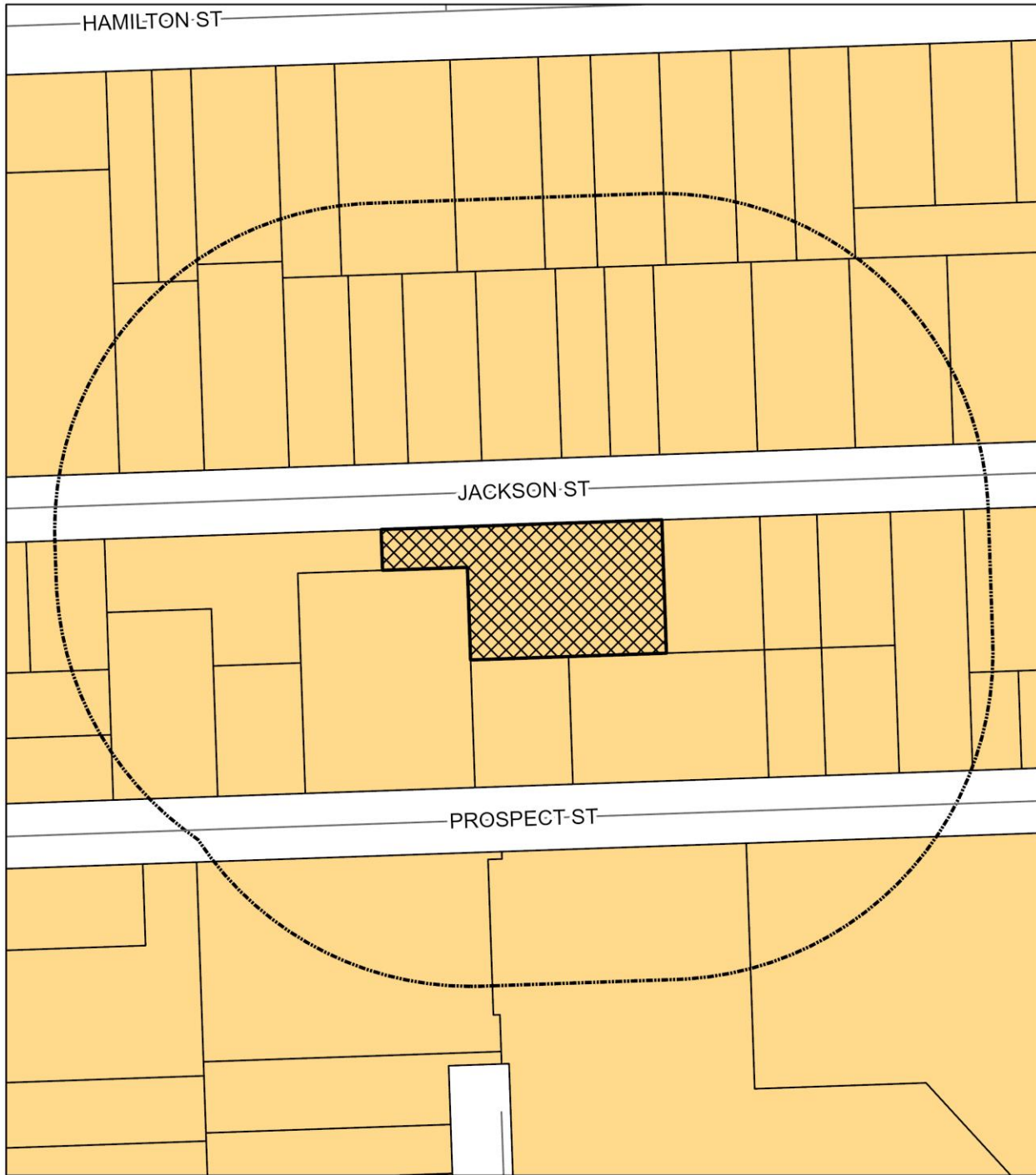
Zoning Designation
R-3
I-1
B-3

Tax Parcel Boundary
Street Centerlines
Subject Area
Notification Area
0 62.5 125 250 Feet





831 Jackson Street - Variance



Land Use Designation
Medium Intensity

Tax Parcel Boundary
Street Centerlines

Subject Area
Notification Area



Site Photos



Looking South at proposed area



Looking South at Gazebo



Looking East at neighboring property



Looking North across Jackson St



Looking East down Jackson St



Looking West down Jackson St