#2016-18
Hanrahan – Variation
Project Review for Planning and Zoning Commission

Meeting Date:	June 1, 2016
Request:	Variation to allow a 6-foot-high fence 15.9 feet from the property line, a variation of 14.1 feet into the required 30-foot corner side yard setback.
Location:	28 Holly Drive
Acreage:	Approximately 5,100 square feet
Existing Zoning:	R-2 Single Family
Surrounding Properties:	North: R-2 Single Family South: R-2 Single Family East: R-2 Single Family West: R-2 Single Family
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- Existing Use: The property is improved with a single-family home. The house is set on a corner lot and is only located 15.7 feet from the right-of-way on Thornwood Lane. The typical corner side setback is 30 feet.
- Background: Previously, a fence permit was issued for a 5-foot fence between the two structures. This fence has been removed.

Development Analysis:

General

- Request: Variation to allow a 6-foot fence in the required corner side yard.
- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family home.

Site Information

- The petitioner's house is on an existing non-conforming lot. The front yard and corner side yard setbacks are determined by the average setback of the adjacent houses for a total of

400 feet or the length of the block, whichever is less. Unfortunately, these are small blocks and only this house and one other house are on the block, causing the corner side yard to be the standard 30-foot.

- The petitioner is requesting to install a 6-foot fence to connect the two structures, the garage and the house.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use - Residential

Goal: Promote strong neighborhoods by preserving their character and historical significance and ensuring that they are well served by a variety of community facilities and services.

This can be accomplished with the following supporting action:

Supporting Action: Preserve the unique character of existing neighborhoods.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting one variation:

- Article 4-700 Fences, Walls and Screening to allow a 6-foot fence within the 30-foot required corner side yard. The fence would be located 15.9 feet from the property line, a variation of 14.1 feet.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

☐ *Meets* ☐ *Does not meet*

b. Also, that the variation, if granted, will not alter the essential character of the locality.

☐ *Meets* ☐ *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

☐ *Meets* ☐ *Does not meet*

b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

☐ *Meets* ☐ *Does not meet*

c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

☐ *Meets* ☐ *Does not meet*

d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

☐ *Meets* ☐ *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Hanrahan, received 05/13/16)
   B. Site Plan (Hanrahan, undated, received 05/13/16)

2. The petitioner shall address all of the review comments and requirements of Community Development Department.

2016 18

Application for Simplified Residential Variation

Application Number:	FOR OFFICE USE ONLY
Project Name:	
Date of Submission:	

I. Applicant

Timothy & Elizabeth Hanrahan
Name

28 Holly Dr.
Street

Crystal Lake IL 60014
City State Zip Code

(773)317-9174 t.hanrahan@sbcglobal.net
Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Same as above
Name

Address Telephone Number

III. Project Data

1. a. Location/Address: 28 Holly Dr. Crystal Lake

b. PIN #: 18-01-106-012

2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:
We are asking for a variation on the height of our fence connecting our house and garage. We feel the limited 3' height affords us no privacy. We would like to have a 5' fence. This would be replacing a 6' fence, for which we had a permit, that was blown down in a microburst in November of 2013.

IS THE HARDSHIP SELF-CREATED? No.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? NO

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? NO

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY? NO

WILL THE VARIATION AS PROPOSED IMPAIR ADEQUATE SUPPLY OF LIGHT OR AIR TO ADJACENT PROPERTY; DIMINISH PROPERTY VALUE; INCREASE CONGESTION IN PUBLIC STREETS; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY? NO

3. List any previous variations that are approved for this property: We had a 6' fence approved and permitted approxiamatley 10 years ago, until November of 2013 when it was blown down in a microburst.

IV. Signatures

PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

Timothy Hanrahan Timothy Hanrahan 5/3/16

OWNER: Print and Sign name Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF
Timothy and Elizabeth Hanrahan

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application of Timothy Hanrahan relating to the following real estate known as 28 Holly Drive, Crystal Lake, Illinois 60014, **PIN:** 18-01-106-012.

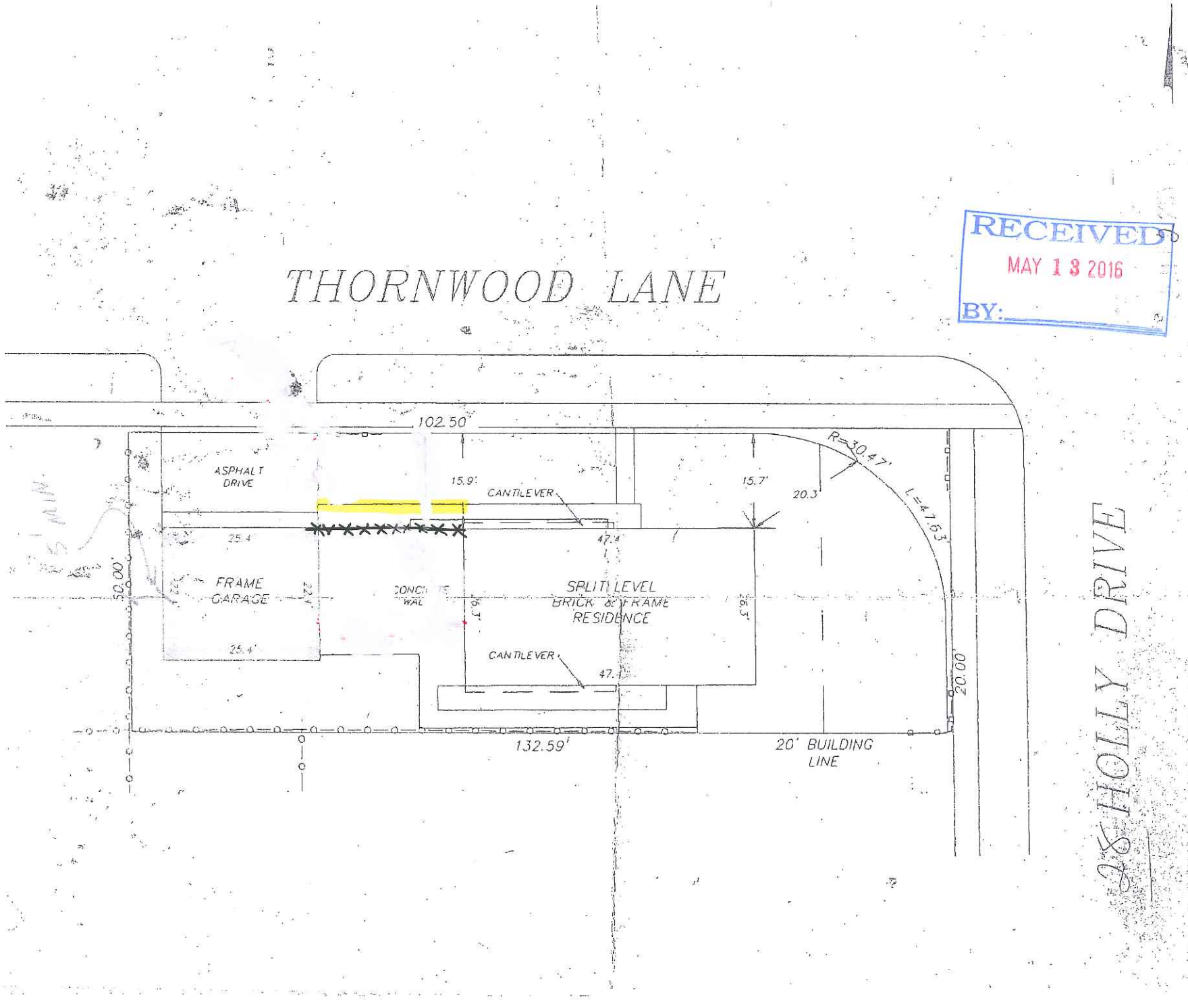
This application is filed for the purposes of seeking a Variation from Article 4 Section 4-700 Fences, Walls and Screening to allow a 6-foot high fence at 15.9 feet from the property line a variation of 14.1 feet from the required 30-foot setback as well as any other variations that may be necessary to allow the plans as presented. Plans for this project can be viewed at the City of Crystal Lake Planning and Economic Development Department at City Hall.

A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on Wednesday, June 1, 2016, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

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Fairway Ln
Golf Ln
Juanita Vis
Buena Vis
Bunker Dr
Bunker Ln
Cottonwood Ln
Teakwood Ln
Thornwood Ln
Linpoint Park
P.I.Q.
Honeysuckle Ln
Burr Oak Dr
Holly Dr
Clover Dr
Barberry Dr
Woodbine Dr
0
200
400ft


THORNWOOD LANE
RECEIVED
MAY 13 2016
BY:
102.50'
ASPHALT DRIVE
15.9'
CANTILEVER
15.7'
20.3
R=30.47'
L=47.63'
25.4
47.4
50.00'
FRAME GARAGE
22.7'
SPLIT LEVEL BRICK & FRAME RESIDENCE
16.3'
25.4'
CANTILEVER
47.4'
200.02'
132.59'
20' BUILDING LINE
HOLLY DRIVE