#2016-20 880 Abbington Dr. (Myers) –Variation
Project Review for Planning and Zoning Commission

Meeting Date: May 4, 2016

Request: Simplified Residential Variation from the required 30-foot front yard setback to allow for a 4-foot fence to have a setback of 23 feet, a variation of 7 feet per Article 3-200(A) and Article 3-300(B)(3).

Location: 880 Abbington Drive

Acreage: 9,562 square feet

Existing Zoning: R-2 (Single Family Residential)

Surrounding Properties:
North: R-2 (Single Family Residential)
South: R-2 (Single Family Residential)
East: R-2 (Single Family Residential)
West: R-2 (Single Family Residential)

Staff Contact: Kathryn Cowlin (815.356.3798)

Background:

- Existing Use: The property is currently improved with a single-family dwelling with a 3'6" split rail fence that has a setback of 23 feet. There are no variations or building permits on file for the existing fence.
- Background: The property is a corner lot, the front yard is considered to be the yard fronting Barrow Drive. The petitioner would like to replace an existing 3'6" fence with a solid picket 4-foot fence which would extend into the required front yard setback.

Development Analysis:

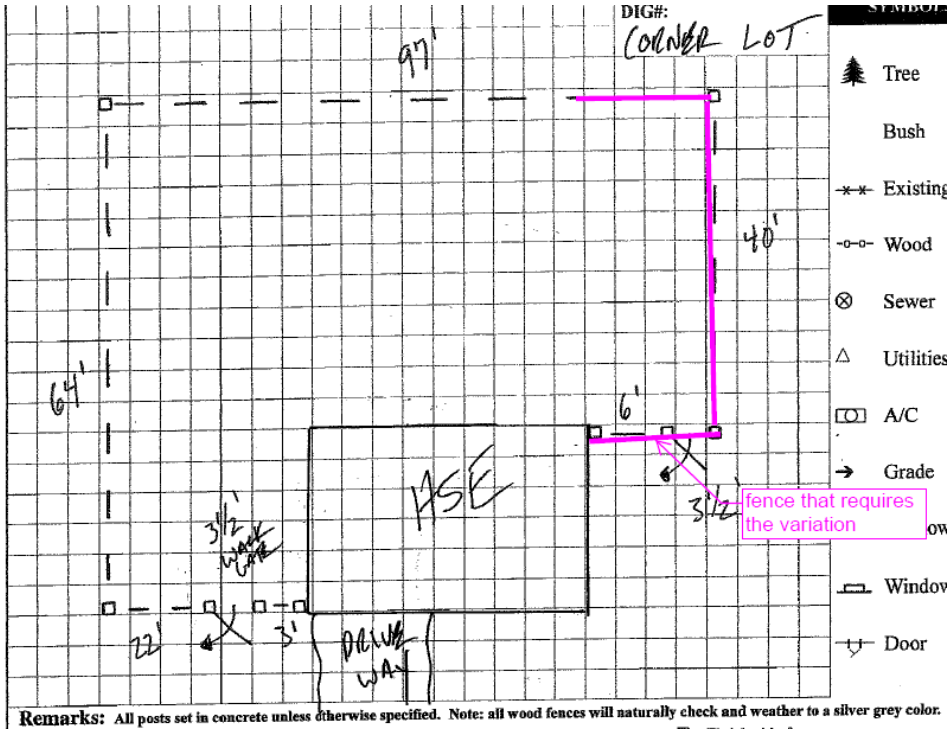
General

- Request: The petitioner is requesting a variation to allow a 7-foot encroachment into the required 30-foot front yard setback for a 4-foot fence.
- 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 Residential).

- UDO Requirements: The minimum front yard setback is 30 feet in the R-2 Single-Family zoning district.

Site Layout

- The required front yard setback is 30 feet.
- While the home faces Abbington Drive, per the UDO the yard abutting Barrow Drive is considered the front yard since it is the narrowest side.
- 3-foot fences are allowed in the front yard and corner yard setback. The petitioner is proposing a 4-foot fence which requires the variation.
- The section of the 4-foot fence which requires the variation is illustrated below.





Existing view of front yard- the proposed fence would replace the existing fence

Comprehensive Land Use Plan 2030 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: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3-200(A) and Article 3-300(B)(3) to allow a 7-foot encroachment into the require 30-foot front yard setback for a 4-foot fence. 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 (Myers, dated 05/19/16, received 05/19/16)
   B. Fence Plan (Aronson Fence, received 05/19/16)

2. The 7-foot encroachment into the front yard is granted for the 4-foot fence only.

3. The petitioner shall address all of the review comments and requirements of the Fire Rescue and Community Development Departments.

2016 20

Application for Simplified Residential Variation

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

RECEIVED
MAY 19 2016
BY:

I. Applicant

William + Sheryl Myers
Name

880 Abbington Dr
Street

Crystal Lake STATE IL 60014
City State Zip Code

815-469-1078 dsmyers75@msn.com
Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Name

Address Telephone Number

III. Project Data

1. a. Location/Address: 880 Abbington Dr.

b. PIN #: 19-08-405-020

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:
replace current fence with new fence. Fence was here when house was bought in 1979. Shrubs and garden have been in place for over 25 years fence is old replace. w/ spaced traditional picket 4' tall

IS THE HARDSHIP SELF-CREATED? Original split rail fence since 1979 landscaping has and was done to yard before 1979 when House was bought. yard has remained the same.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? Yes, hundreds of houses have a greater variance than ours with privacy fences that are 6 feet.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? NO - replacing fence to beautify the yard and the county neighborhood.

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: NONE.

IV. Signatures

William Myers 5-19-16

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.

William MYERS 5-19-16

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

William and Sheryl Myers

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 William and Sheryl Myers seeking a simplified residential variation at 880 Abbington Dr, Crystal Lake, Illinois. PIN 19-08-405-006.

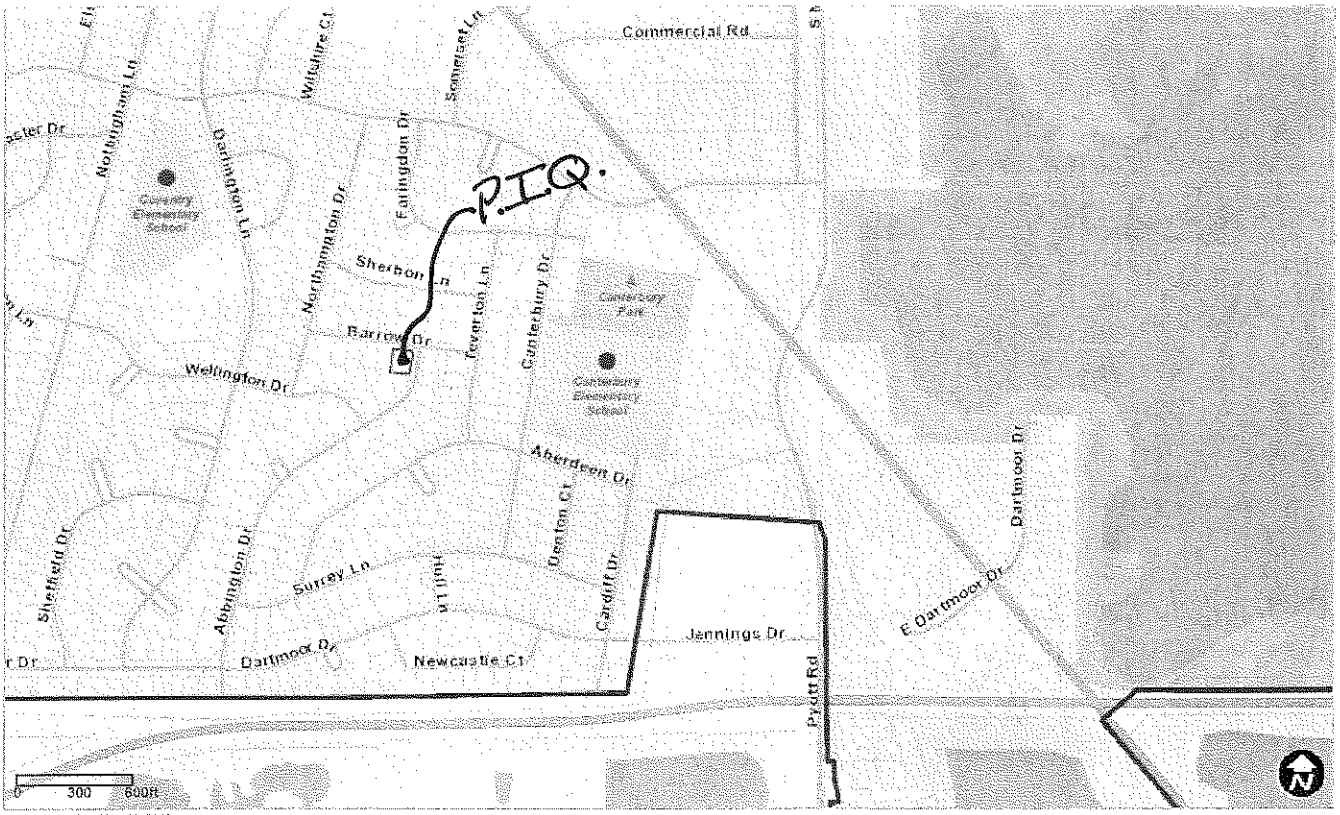
This application is filed for the purpose of seeking a simplified residential variation pursuant to Article 3-200(A)(3) and Article 3-300(B)(3) to allow a corner side setback of 23 feet for a 4-foot fence, a variation of 7 feet at 880 Abbington Drive, as well as any other variations as necessary to complete the project as proposed. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday June 15, 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

(Published in the Northwest Herald on May 30, 2016) 1192418

GIS consortium MapOffice™ Created by mgp inc



Map created on May 19, 2016
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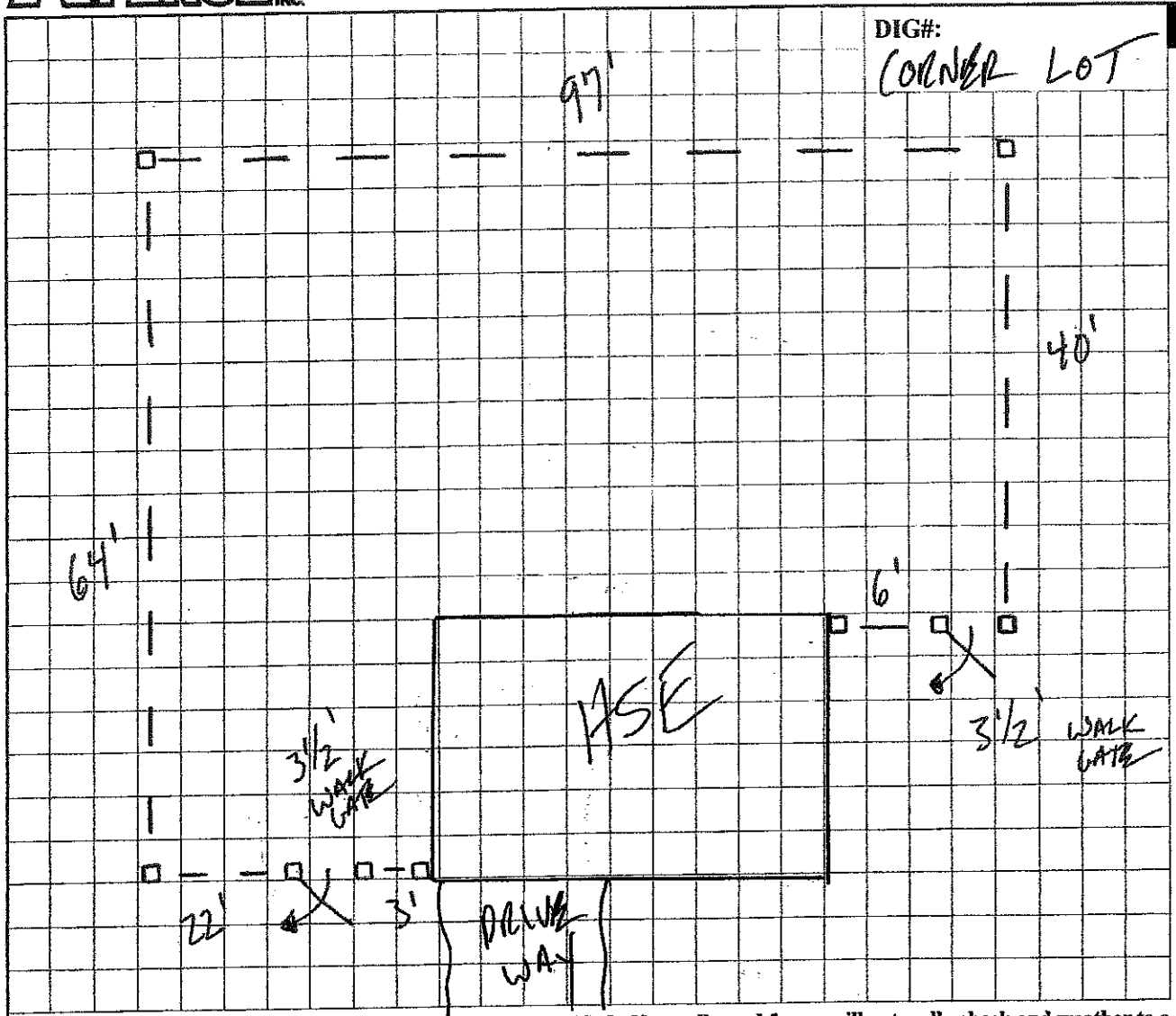
2016 20

RECEIVED
MAY - 9 2016
BY:



ARONSON FENCE CO. INC.

FENCE LOCATION DETAIL SHEET



SYMBOLS

- Tree
- Bush
- Existing C/L
- Wood
- Sewer
- Utilities
- A/C
- Grade
- Window Well
- Window
- Door

Remarks: **All posts set in concrete unless otherwise specified. Note: all wood fences will naturally check and weather to a silver grey color.**

- ☐ Follow contour of grade
- ☐ Keep level with highest grade
- ☐ Step if needed
- ☐ Finish side face-out
- ☐ Finish side face-in
- ☐ Toe-nail
- ☐ Face nail

THINGS TO DO / PRIOR TO INSTALLATION

A.F.C.	Customer	
☒	☐	Aronson Fence will contact J.U.L.I.E. buried utility services, to mark public gas, electric, telephone and cable-television lines.
☐	☒	Customer is responsible for all private buried lines, such as sprinklers, gas, electric, swimming pool, drain tile, septic and plumbing lines.
☒	☐	Obtain building permit and inspections (only if required by local ordinance). Must submit a plat of survey.
☒	☐	Locate all survey property markers (buried metal pipes or rods, at all corners of lot).
☐	☒	Clear fence lines, such as trim bushes, cut tree limbs, relocate obstructions: cleared, not cleared?
☒	☐	Fence removal? ☒ YES ☐ NO Type Split Rail
		Haul away? ☒ YES ☐ NO Pull out or cut at ground level
☒	☐	Dirt from post holes A. Level under fence B. Leave next to postholes C. Remove from job site
☐	☒	Customer must be present at start and completion of fence job.
☐	☒	Customer is responsible to satisfy homeowner assoc. convenants for type of fence, placement, and letters of permission if required.

2016 20

RECEIVED
MAY 19 2016
BY:

Balance due to be paid upon completion, job foreman to collect

We are satisfied with the installation of our fence and authorize all work completed.

Customer Signature	Date	Foreman Signature	Date

CALL FOR
FREE IN HOME
ESTIMATE

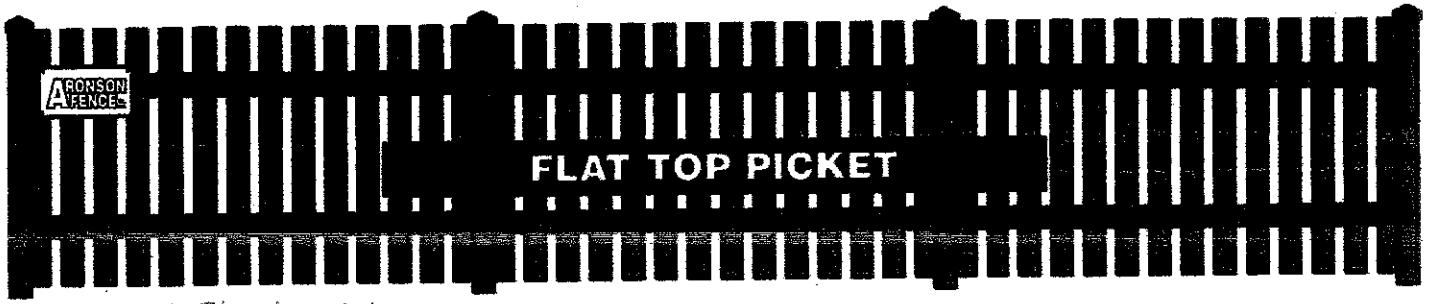
ARONSON FENCE CO., INC.

BBB

P: (847) 526-9300
F: (847) 526-9354
www.aronsonfence.com
info@aronsonfence.net

MANUFACTURER AND CONTRACTOR OF

CEDAR FENCES



4 ft tall



