#2017-29
349 Second Court – Variation
Project Review for Planning and Zoning Commission

Meeting Date: November 1, 2017

Request: Construction of a shed on an existing slab 3 feet from the side yard lot line, a variation of 2 feet.

Location: 349 Second Court

Acreage: approximately 7,800 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-3a Two-Family

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- A previous shed existing on the property. The shed was in very poor shape and the only way to properly maintain the structure was to remove it.
- Previously the City's ordinance allowed sheds to be 3 feet from a side yard lot line and 5 feet from the rear yard lot line. The existing slab meets those requirements. Since the shed was removed, it lost all non-conformity protection. The current requirement is 5 feet from the side or rear property lines.
- The slab was in good condition and a new shed is being constructed in the same location the previous shed existed for years.

Development Analysis:

General

- Request: Variation to allow the construction of a shed, which is 3 feet from the side lot line.
- 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.

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: 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.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 4-600 Accessory Structure from the requirement that accessory structures under 600 square feet be located 5 feet from a side yard lot line to allow a 2-foot encroachment.

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.

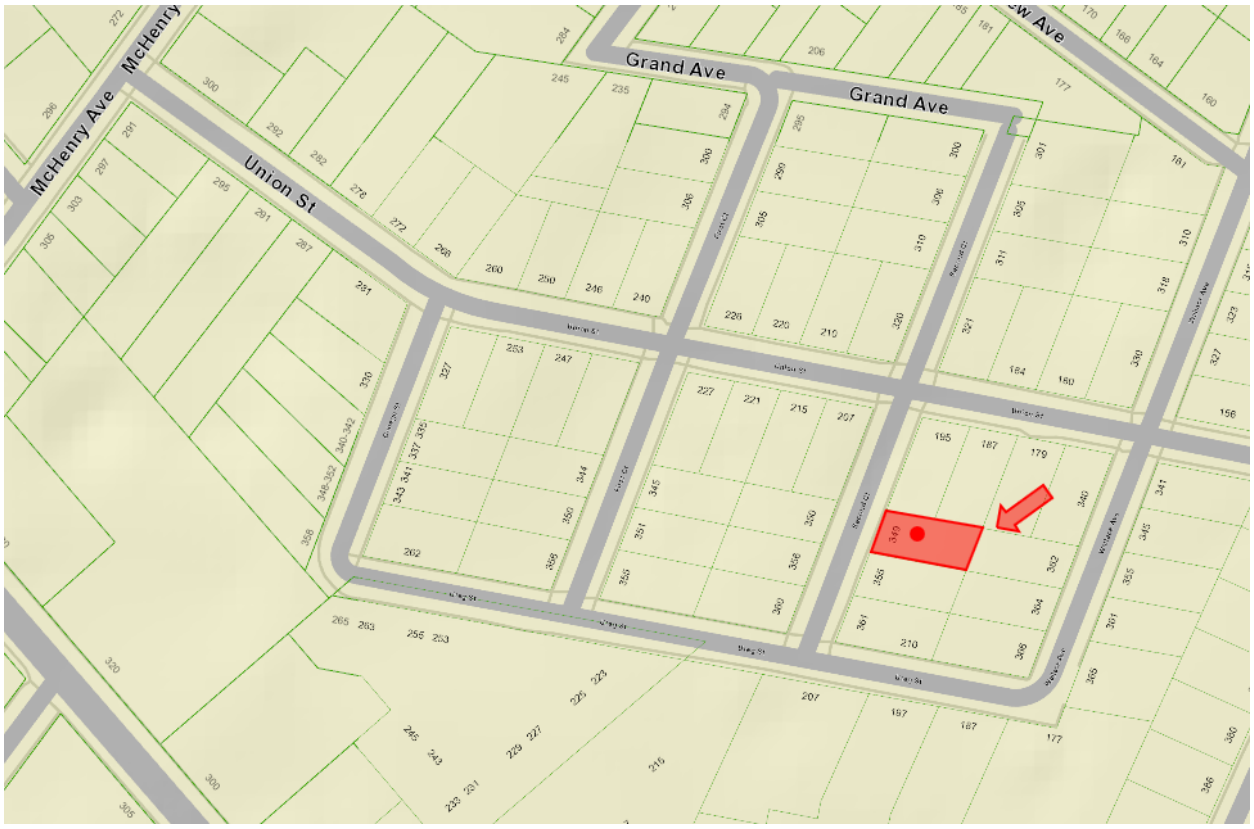
Recommended Conditions:

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 (Esquivel, received 08/31/17)
   B. Shed plans (Esquivel, received 07/07/17)
   C. Plat of Survey (Unnamed, undated, received 07/07/17)

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

2017-29 ESQUIVEL – 349 2ND CT – VARIATION





2017-0029
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BY:
2017 29

Application for Simplified Residential Variation

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

I. Applicant

Jose Esquivel
Name

349 second ct
Street

Crystal lake IL 60014
City State Zip Code

815-575-1061 Lobosluis@icloud.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: _____

b. PIN #: _____

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:

Building a storage shed using the existing slab

IS THE HARDSHIP SELF-CREATED?

because it was there before

19-05-333-005

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION?

NO because Im putting a shed wher it used To be

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

NO because wher a shed was There before

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

NO it didnT effect any one it, Fence all around back and sides of property

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 its a small shed on The back conner of The property where noone walks around or it not in any bodys way

3. List any previous variations that are approved for this property:

None no changes To The property of all

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.

JOSE ESQUIVEL Jose Esquivel 08/31/17

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 Jose Esquivel

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 from Jose Esquivel for approval of a variation relating to the following real estate known as 349 Second Street, Crystal Lake, Illinois 60014, **PIN:** 19-05333-005.

This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from Article 4-600 Accessory Structures to allow an accessory structure 3 feet from the interior side yard property line, a variation of 2 feet, 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.

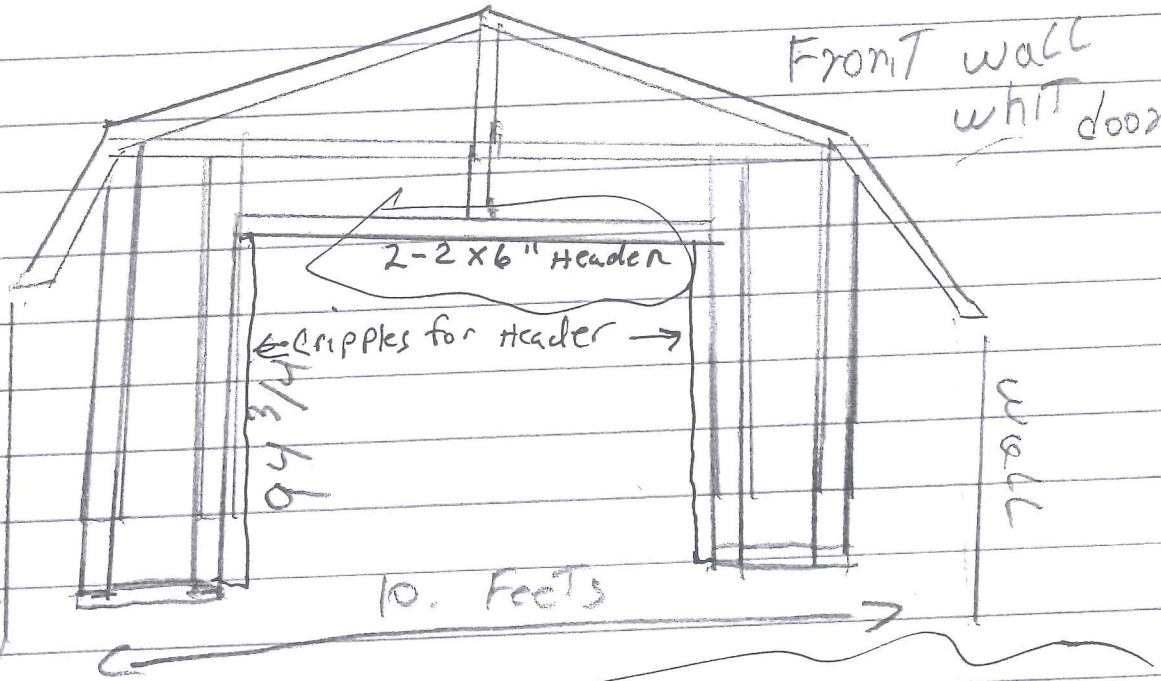
A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on Wednesday, October 18, 2017, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

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

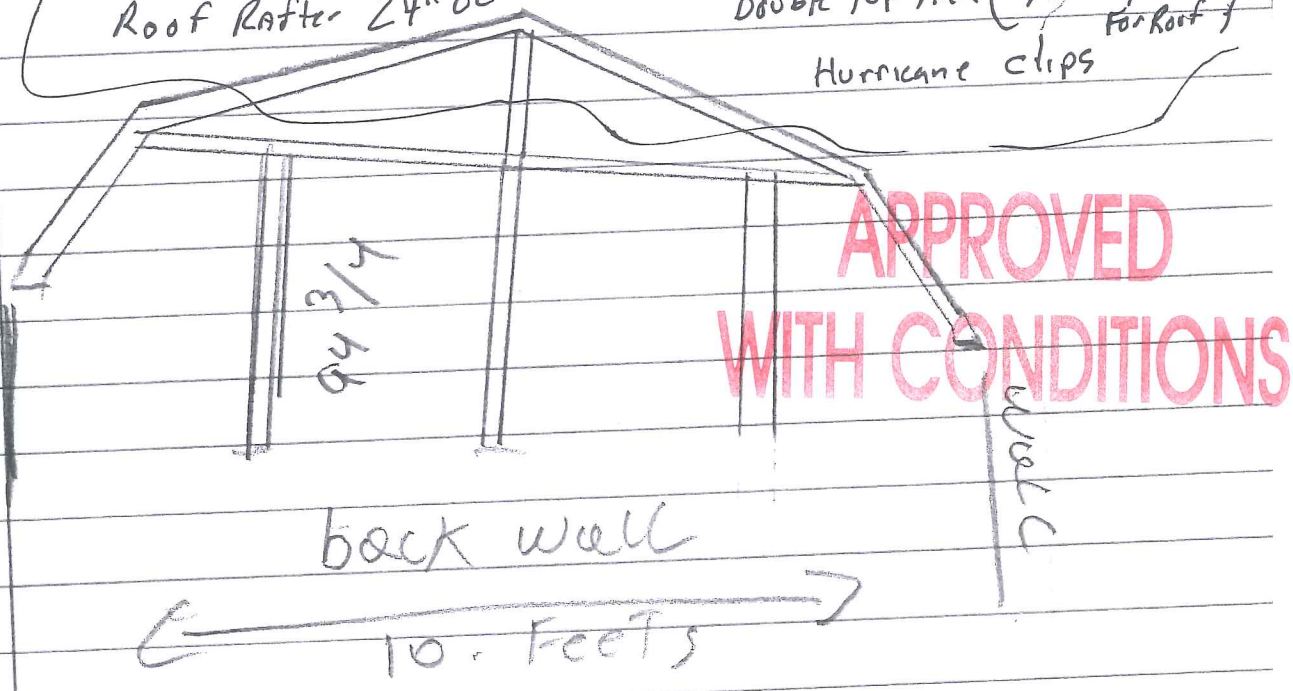
(Published in the Northwest Herald on September 30, 2017)1460168

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6 PCS



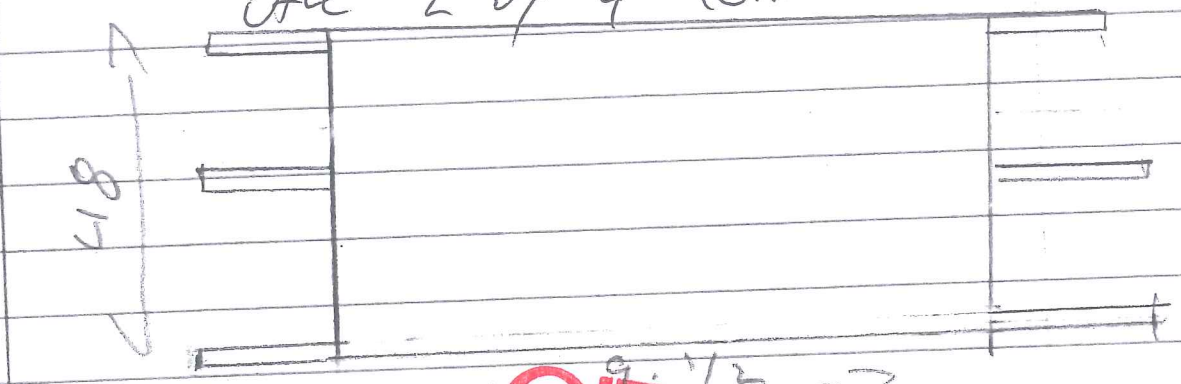
WALL studs 24" oc MAXIMUM
Roof Rafter 24" oc "
Double top Plate (1/2" Plywood For Roof)
Hurricane clips



APPROVED
WITH CONDITIONS

RECEIVED
JUL 07 2017
BY:

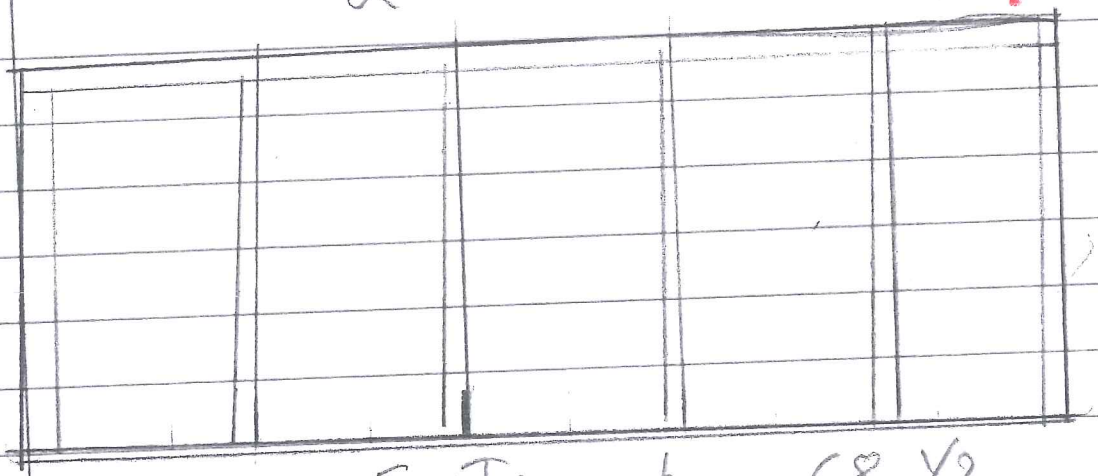
All 2 by 4 connections



9 1/2

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2 walls



10 Feets by 68 1/2

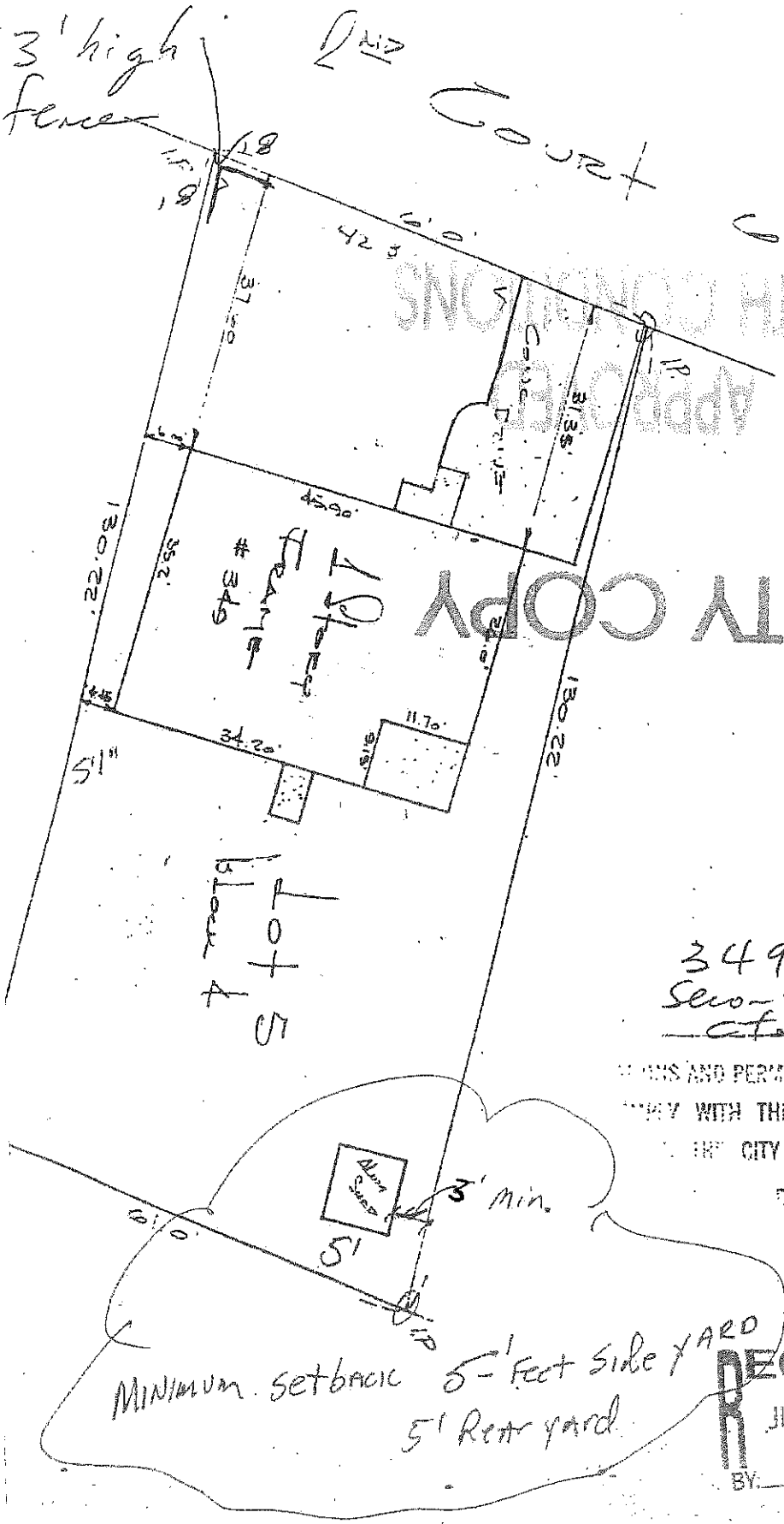
Exterior Sheathing for Walls

6. Pcs



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PLAT OF SURVEY



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349
Second cf. DATED 6/16/88

ILDING AND PERMIT NO. 88-719

COMPLY WITH THE REGULATIONS AS

OF THE CITY OF CRYSTAL LAKE

BY: DATE: 6/16/88

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