#2018-148
140 Pomeroy Ave – Variation/Special Use Permit
Project Review for Planning and Zoning Commission

Meeting Date:	December 5, 2018
Request:	1. Variation from Article 4-600(E)(2) to allow a 4.89-foot rear yard setback, a variation of 15.11 feet for a garage addition. 2. Variation from Section 7-300(B)(4) enlargement of a non-conforming structure. 3. A Special Use Permit for a 1,028 square-foot accessory structure.
Location:	140 Pomeroy Ave
Existing Zoning:	R-1 – Single-Family Residential
Surrounding Properties:	North: R-1 – Single-Family Residential South: R-1 – Single-Family Residential East: R-1 – Single-Family Residential West: R-1 – Single-Family Residential
Staff Contact:	Kathryn Cowlin (815.356.3798)

Background:

- Existing Use: The subject property is a single-family home with an existing 717 square-foot detached garage.
- The subject property is located in the Crystal Lake Watershed.
- UDO Requirements: Accessory structures greater than 900 square feet are required to obtain a special use permit and meet principal structure setback requirements for the zoning district the property is classified. Also, the UDO has a provision that non-conforming structures may not be enlarged if it increases the non-conformity.

Development Analysis:

General

- Request: The petitioner is requesting a variation from the 20-foot rear yard setback requirement, a variation to enlarge a nonconforming structure and a special use permit for an accessory structure greater than 900 square feet to allow for an addition to the existing detached garage.

- Land Use: The Comprehensive Land Use map shows the area as Urban Residential which is an appropriate land use designation.
- Zoning: The site is zoned Single-Family Residential.

DETACHED GARAGE

- The existing 717 square-foot detached garage has a rear yard setback of 4.89 feet. The subject property is a corner lot and the yard abutting Pomeroy Avenue is considered the front yard.

- Accessory structures greater than 900 square feet are required to meet the principal structure setback requirements. The existing garage is a nonconforming structure since the setback is not currently met.

- The addition would extend the garage by 14 feet and maintain the existing setback and increases the nonconforming structure.

- The addition to the garage would increase the overall square footage of the garage to 1,028 square feet, therefore requiring a special use permit.



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 VARIATIONS

The petitioner is requesting a variation from Article 4-600(E)(2) to allow a rear yard setback of 4.89 feet, a variation of 15.11 feet. Also, a variation from Article 7-300(B)(4) enlargement of a non-conforming structure for an addition to a nonconforming garage.

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.

The petitioner has requested a Special Use Permit for an accessory structure greater than 900 square feet to allow for an addition to the existing detached garage. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 B of the Unified Development Ordinance establishes standards for all Special Uses in Crystal Lake. The criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.

   ☐ *Meets* ☐ *Does not meet*

2. The use will not be detrimental to area property values.

   ☐ *Meets* ☐ *Does not meet*

3. The use will comply with the zoning districts regulations.

   ☐ *Meets* ☐ *Does not meet*

4. The use will not negatively impact traffic circulation.

   ☐ *Meets* ☐ *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and

municipal service delivery systems.

☐ *Meets* ☐ *Does not meet*

6. The use will not negatively impact the environment or be unsightly.

   ☐ *Meets* ☐ *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.

   ☐ *Meets* ☐ *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.

   ☐ *Meets* ☐ *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.

   ☐ *Meets* ☐ *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.

    ☐ *Meets* ☐ *Does not meet*

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 (Cahill, dated 10/26/18, received 10/26/18)
   B. Plat of Survey (received 10/30/18)
   C. Sketch of garage (Cahill, received 10/26/18)

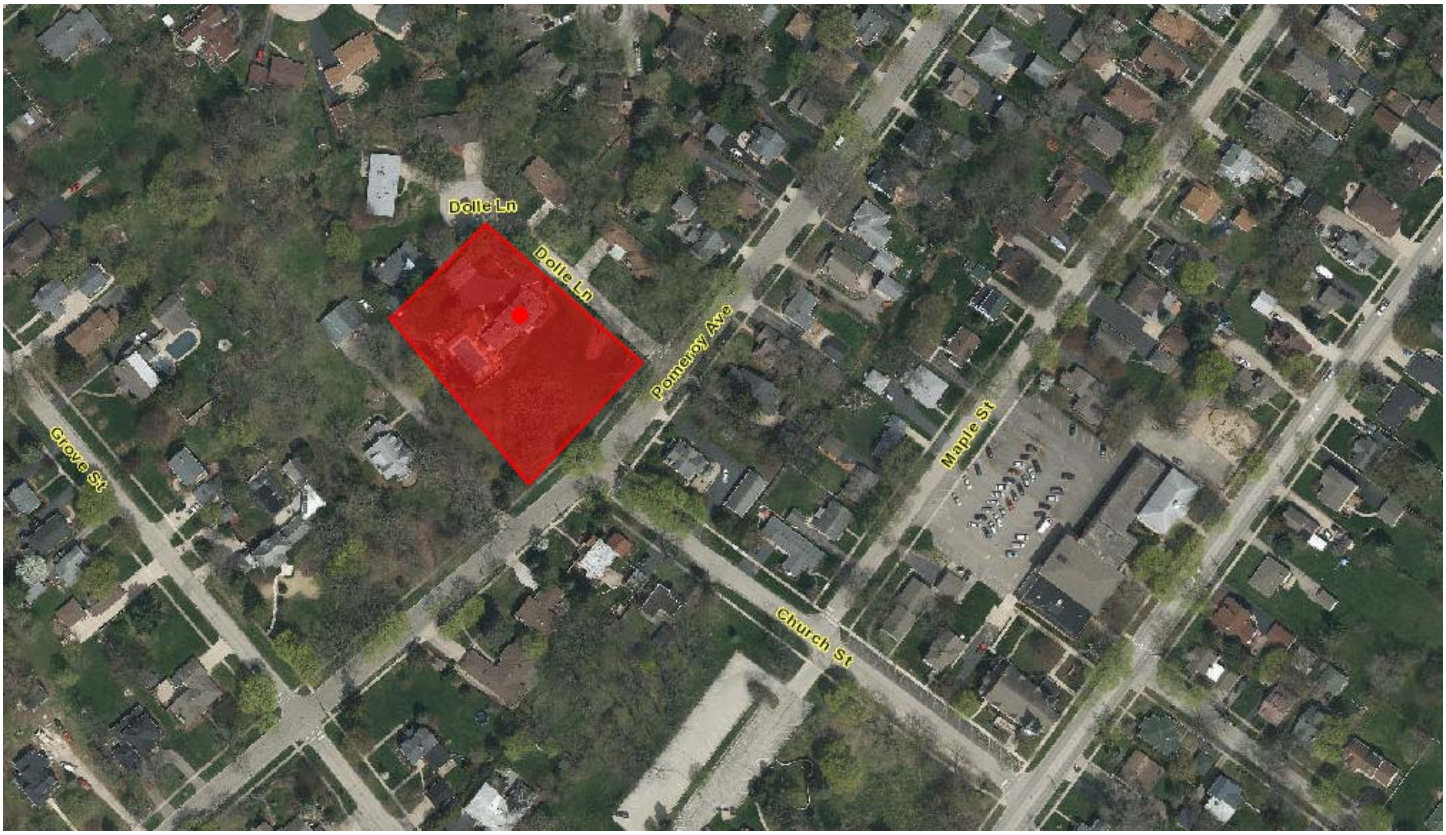
2. The addition must match the siding and roofing material of the existing garage.

3. All improvements must comply with the watershed ordinance requirements.

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

PLN-2018-00148 CAHILL – 140 POMEROY AVE





PLN-2018-00148

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: CAHILL GARAGE ADDITION
140 POMEROY AVE

Action Requested

__ Annexation	__ Preliminary PUD
__ Comprehensive Plan Amendment	__ Preliminary Plat of Subdivision
__ Conceptual PUD Review	__ Rezoning
__ Final PUD	X Special Use Permit
__ Final PUD Amendment	X Variation
__ Final Plat of Subdivision	__ Other

Petitioner Information

Name: ROBERT J CAHILL
Address: 140 POMEROY AVE
CRYSTAL LAKE, IL. 60014
Phone: 815-526-3123
Fax: —
E-mail: CAHILLR@COMCAST.NET

Owner Information (if different)

Name: _____
Address: _____
_____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: GARAGE ADDITION

Project Address/Location: 140 POMEROY AVE
CRYSTAL LAKE, IL. 60014

PIN Number(s): 19-05-104-010

RECEIVED
OCT 26 2018
BY: .....

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

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.

ROBERT J. GAHL Robert J Gahl 10-26-2018

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
Robert Cahill

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 Robert Cahill, seeking a Special Use Permit and Variations located at 140 Pomeroy Ave., Crystal Lake, Illinois. PIN 19-05-104-010.

This application is filed for the purpose of seeking a Special Use Permit and variation for a 315 square-foot addition to an accessory structure (detached garage) and a variation from the required 20-foot rear yard setback to allow the existing 4.89-foot setback to remain, a variation of 15.11 feet pursuant to Article 3-200 Dimensional Standards and Article 4-600 Accessory Structures and Uses, 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, December 5th, 2018, 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

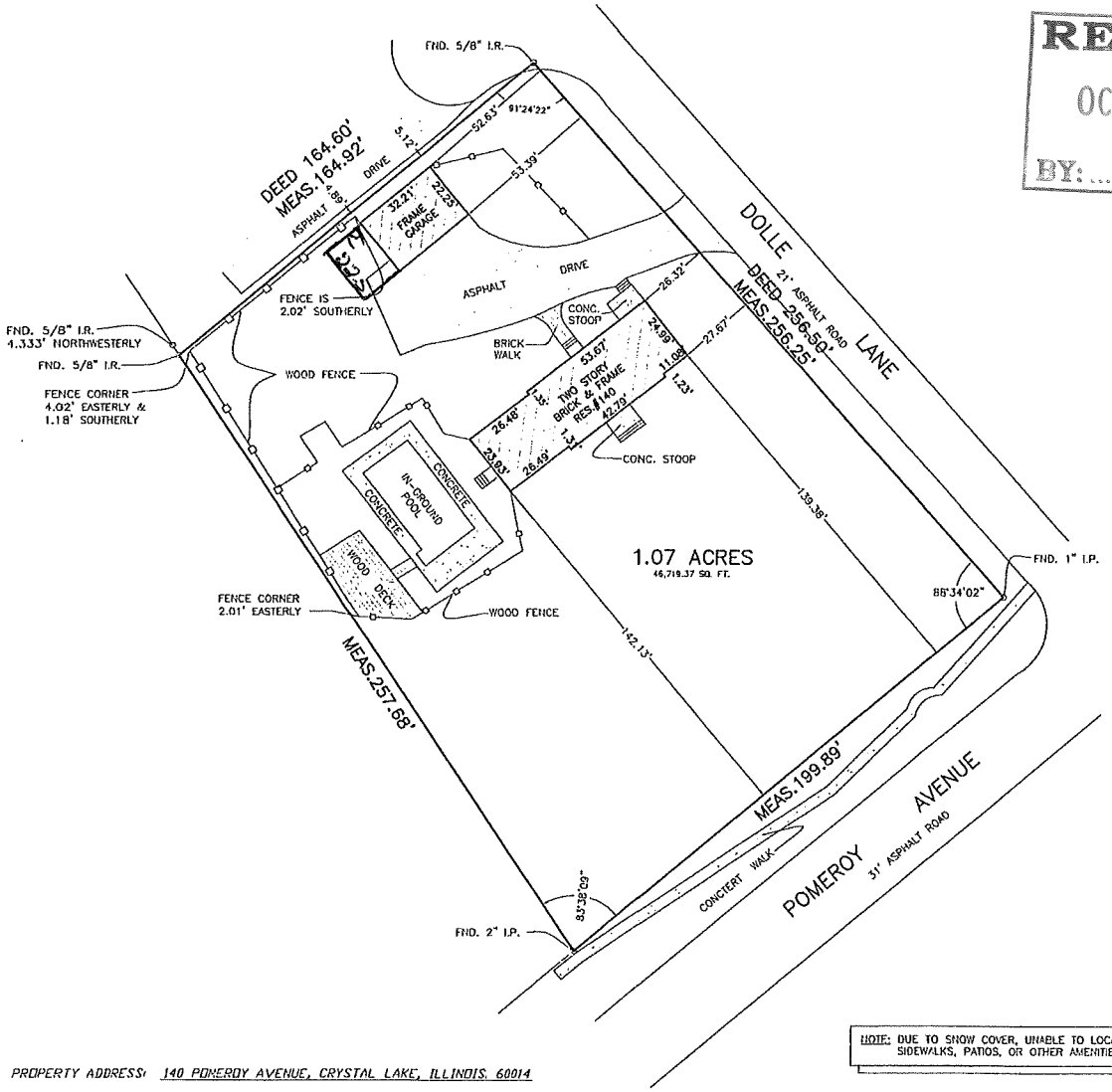
(Published in Northwest Herald November 20, 2018)1605021

PLAT OF SURVEY

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NORTH

GRAPHIC SCALE



RECEIVED
OCT 30 2018
BY:

NOTE: DUE TO SNOW COVER, UNABLE TO LOCATE SOME SIDEWALKS, PATIOS, OR OTHER AMENITIES.

PROPERTY ADDRESS: 140 POMEROY AVENUE, CRYSTAL LAKE, ILLINOIS. 60014

CLIENT: STEVE ENGLISH (MUELLER)

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A PROFESSIONAL LAND SURVEYING AND MAPPING COMPANY
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PHONE (815)-578-9646
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ORDER NO. 10-00121

COMPARE ALL POINTS AND REPORT ANY DIFFERENCE AT ONCE.

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NO DIMENSION IS TO BE ASSUMED BY SCALING THIS PLAT.

THIS PLAT IS NOT VALID WITHOUT EMBOSSED SURVEYORS SEAL.

FIELD WORK PERFORMED ON DECEMBER 29, 2010.

STATE OF ILLINOIS)
COUNTY OF McHENRY) S.S.

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, ACCORDING TO THE OFFICIAL RECORD, AND THAT THE ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
DATED THIS 29TH DAY OF DECEMBER

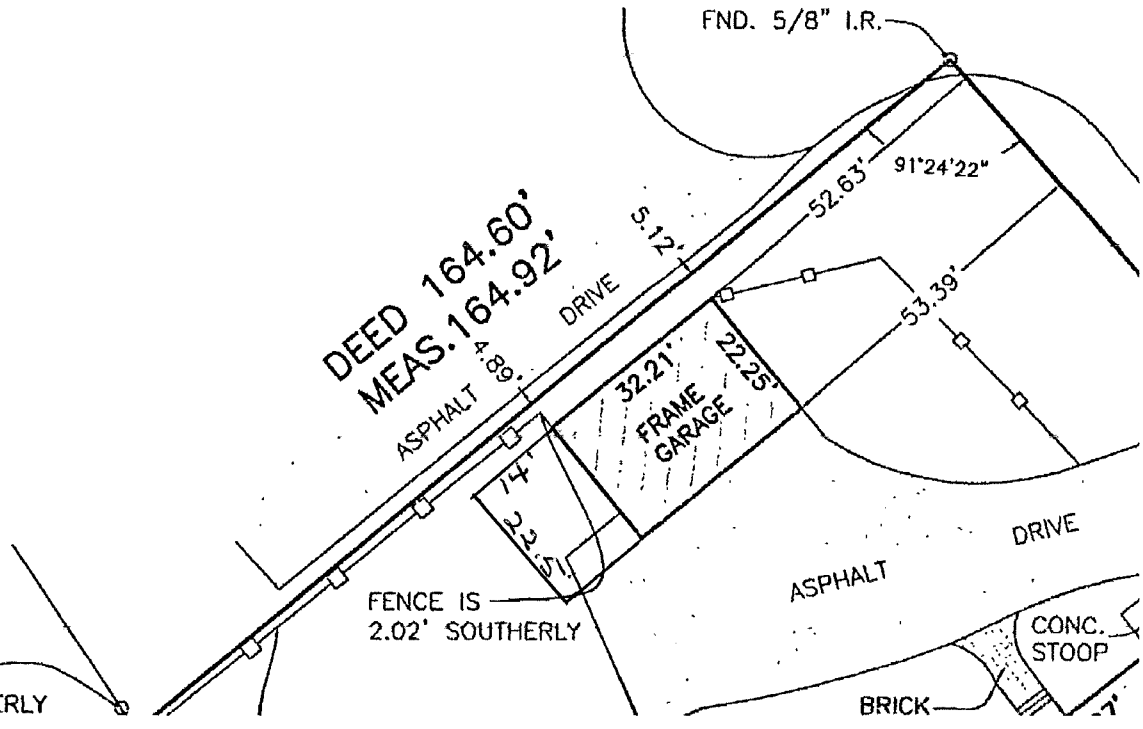
STEVEN M. SLOOT

ILLINOIS REGISTERED LAND SURVEYOR NO.35-003279
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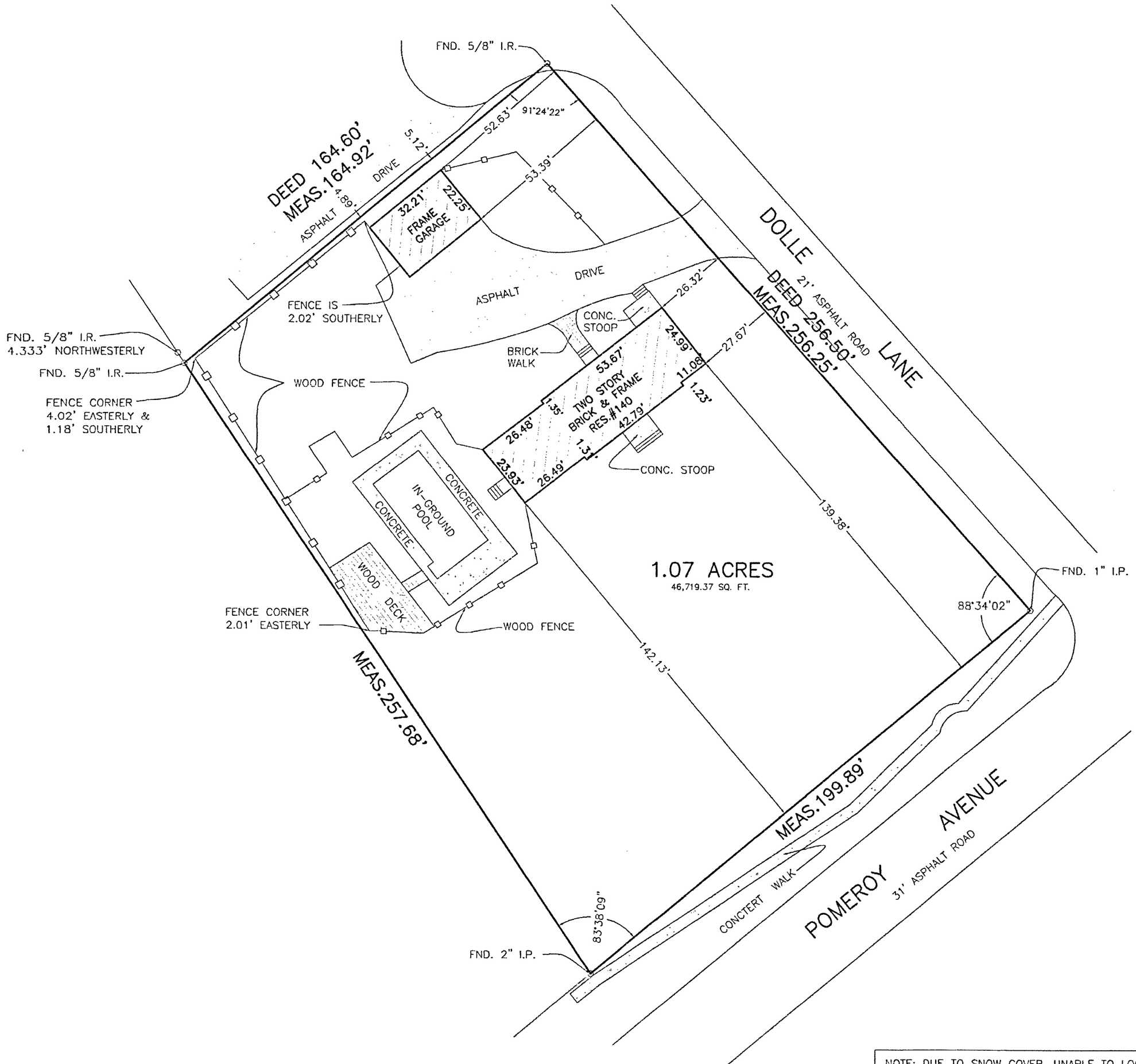


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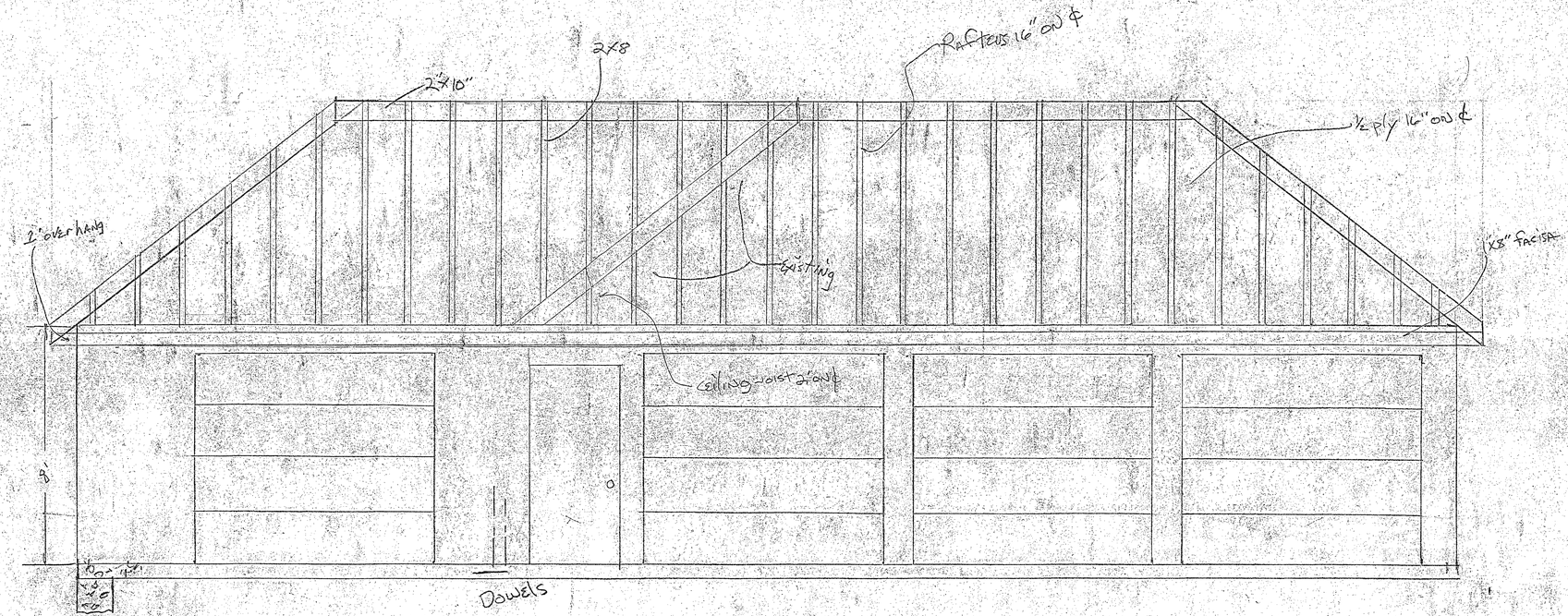
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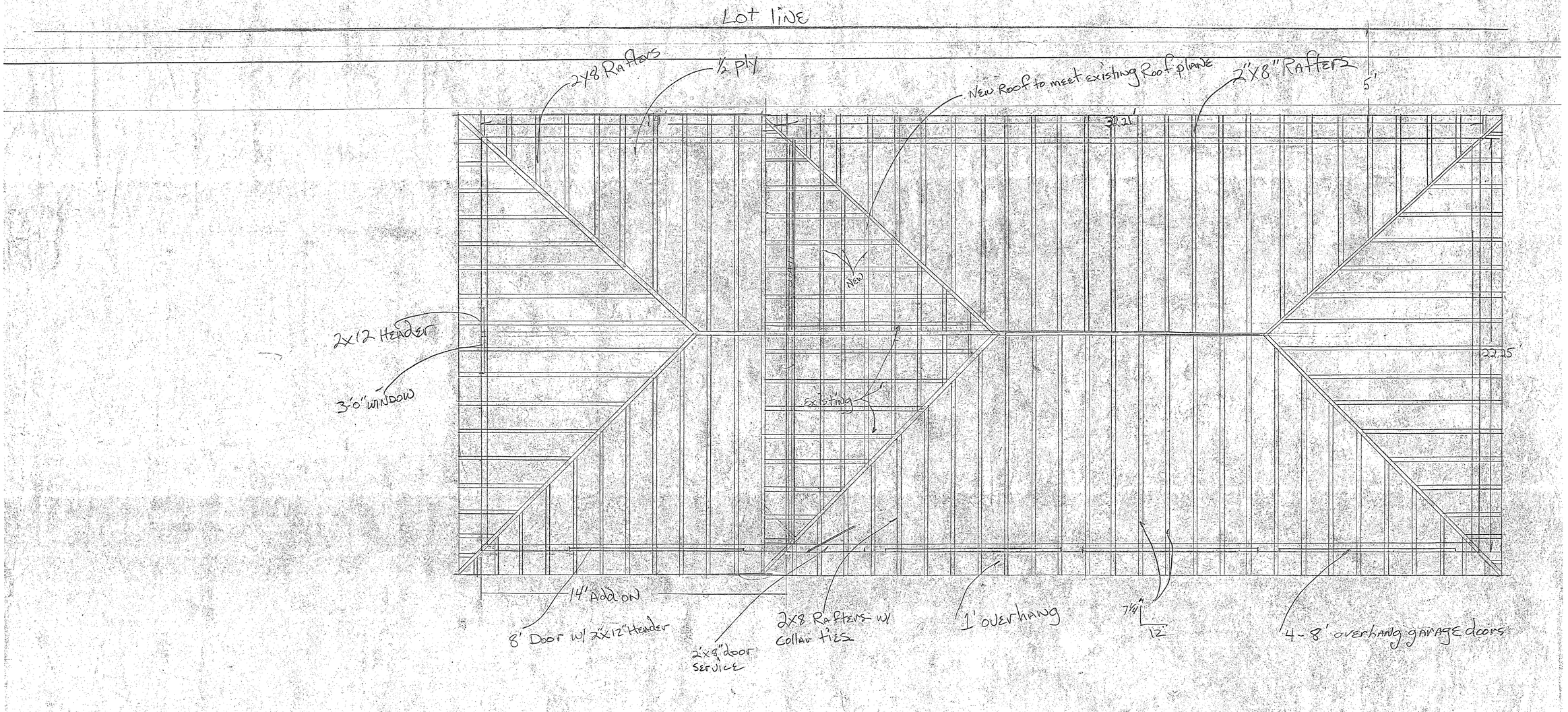
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DATED THIS 29TH DAY OF DECEMBER

STEVEN M. SLOOT

ILLINOIS REGISTERED LAND SURVEYOR NO.35-003279
MY PROFESSIONAL LICENSE EXPIRES ON NOVEMBER 30, 2012.


2x8
Rafters 16" oc &
2x10"
½ ply 16" oc &
2' overhang
existing
x8" fascia
ceiling joist 2' oc
9'
Dowels



For Bob Cahill Residence
1/4"=1' Mike Foran 224 430 4212

Lot line

2x8 Rafters

½ ply

New Roof to meet existing Roof plane

2"x8" Rafters

5'

32.21'

New

2x12 Header

3'0" window

existing

22.75'

14' Add on

8' Door w/ 2"x12" Header

2"x8" door service

2x8 Rafters w/ collar ties

1' overhang

7½"

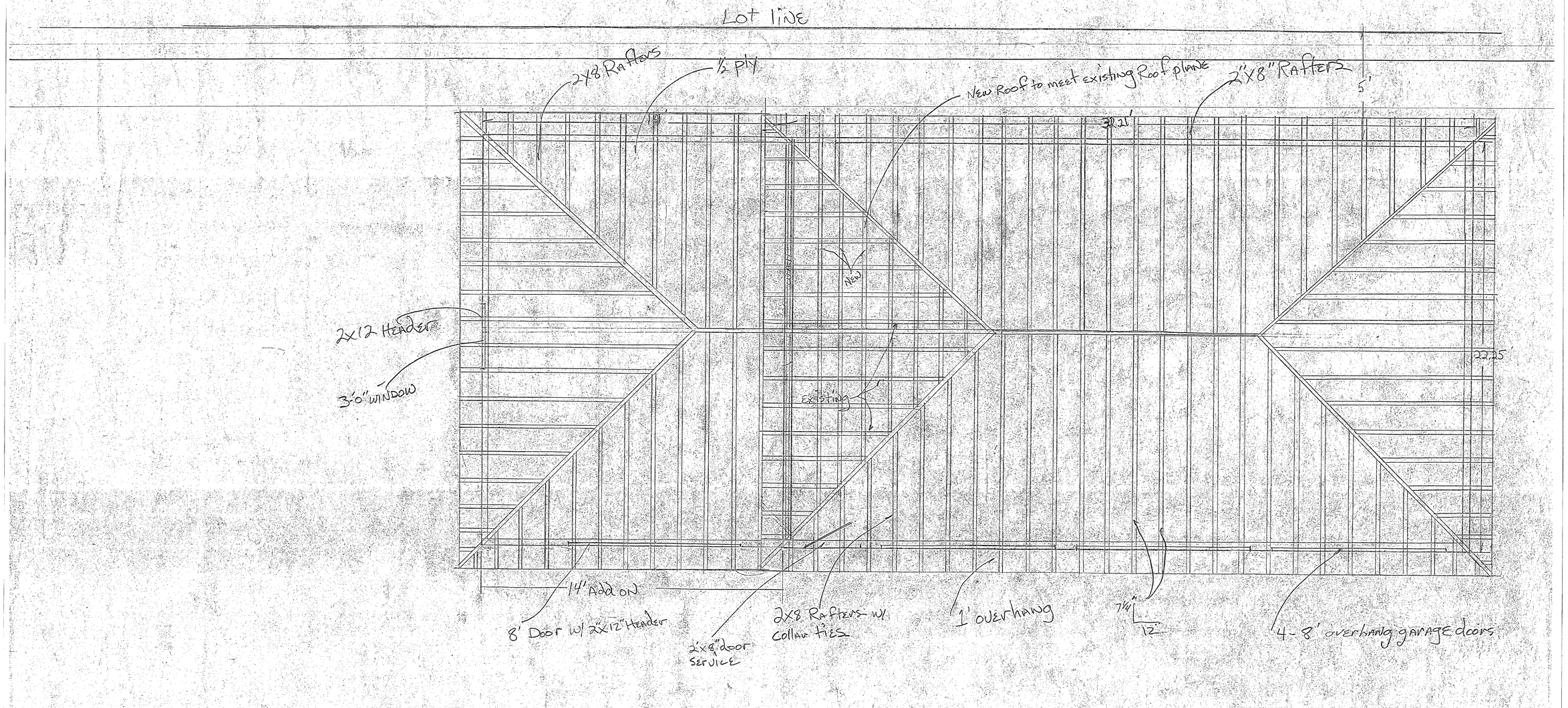
12"

4-8' overhang garage doors

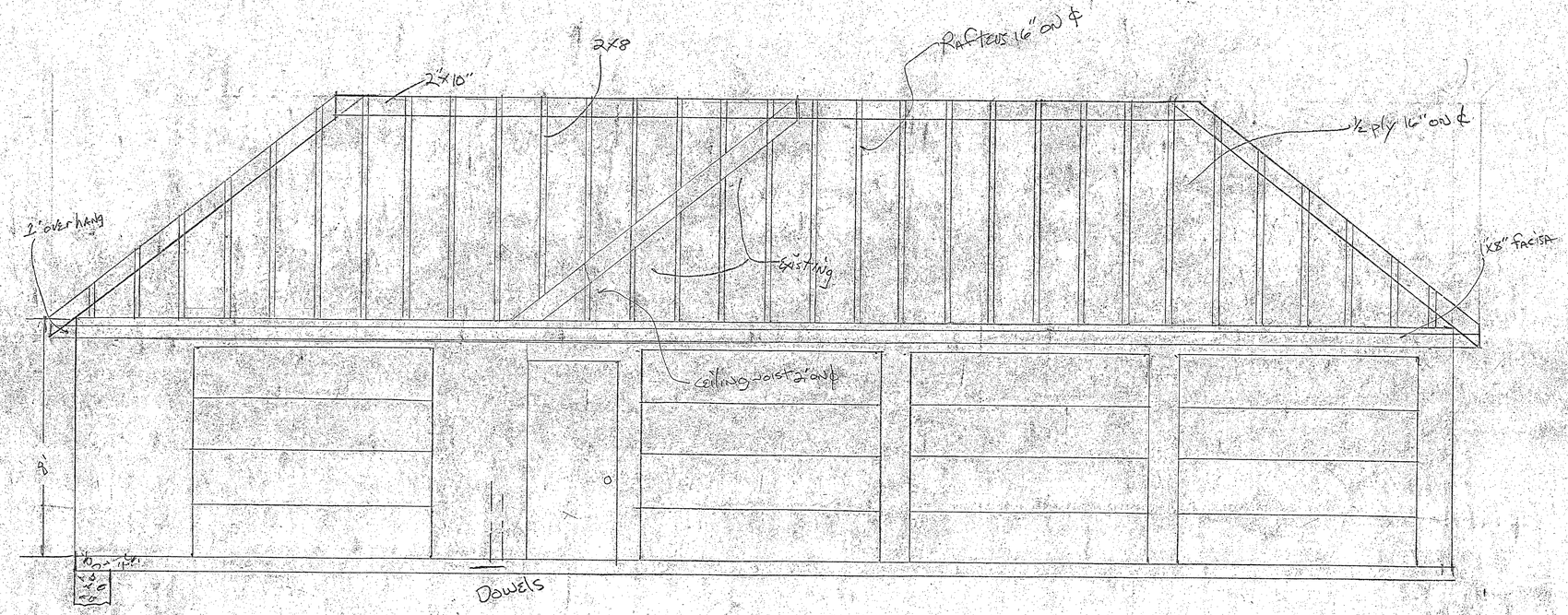
For Bob Cahill Residence

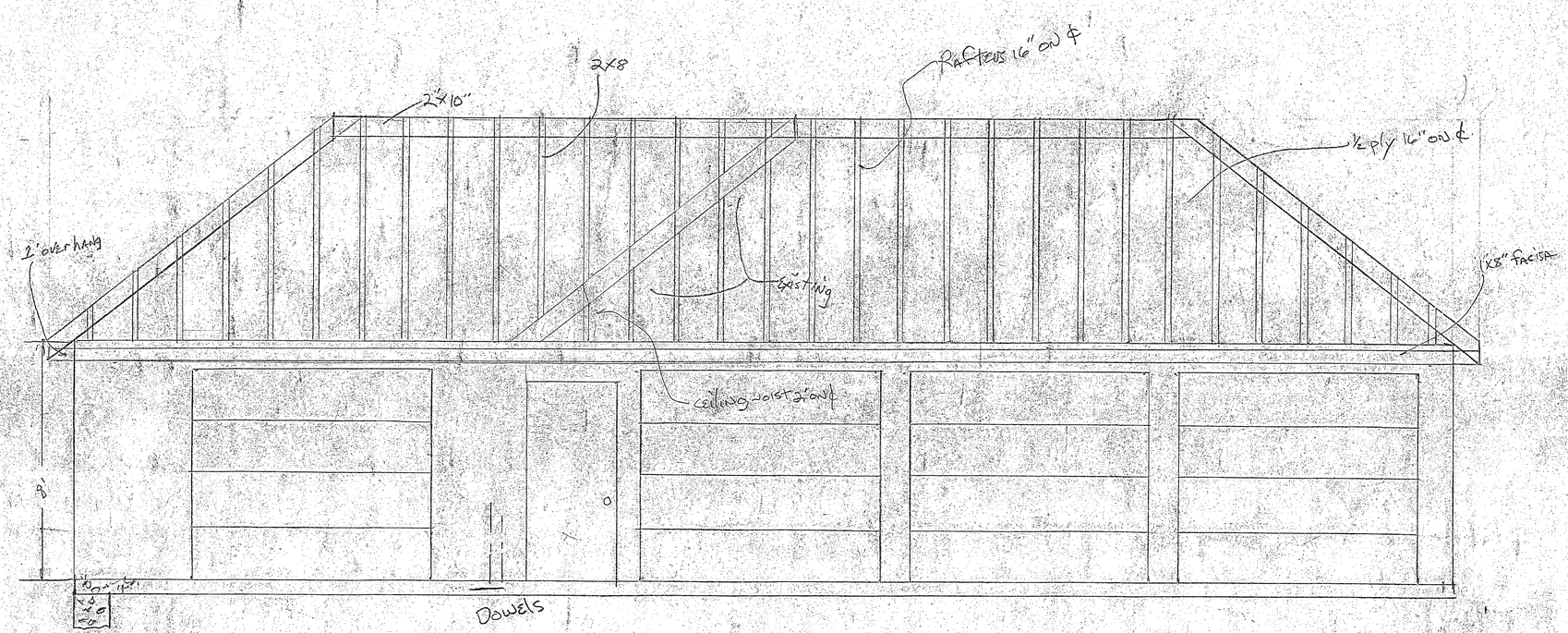
1/4"=1'

Mike Tofan 224 430 4212



1/4"=1' For Bob Walsh Residence
Mike Foran 224 430 4212


2"x10"
2x8
RAFTERS 16" ON ℄
½ PLY 16" ON ℄
2" OVERHANG
EXISTING
X5" FACIA
CEILING JOIST 24" ON ℄
9'
DOWELS


2x8
Rafters 16" on ¢
2'x10"
2x8
½ ply 16" on ¢
2' overhang
existing
x8" fascia
ceiling joist 2'on¢
8'
Dowels