#2019-02
337 Mary Lane – Variation
Project Review for Planning and Zoning Commission

Meeting Date:	February 6, 2019
Request:	1. Variation from Article 3-200 to allow a 14-foot front yard setback, a variation of 16 feet for a garage addition. 2. Variation from Article 7-300 to allow an addition to a nonconforming structure.
Location:	337 Mary Lane
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 subject property is single-family home with an existing one-car attached garage.
- UDO Requirements: Additions to nonconforming structures cannot increase the nonconformity. The front yard setback for the R-2 zoning district is 30 feet.

Development Analysis:

General

- Request: The petitioner is requesting variations to allow an addition to a nonconforming structure and to allow a 14-foot front yard setback.
- 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.

Nonconforming Structure

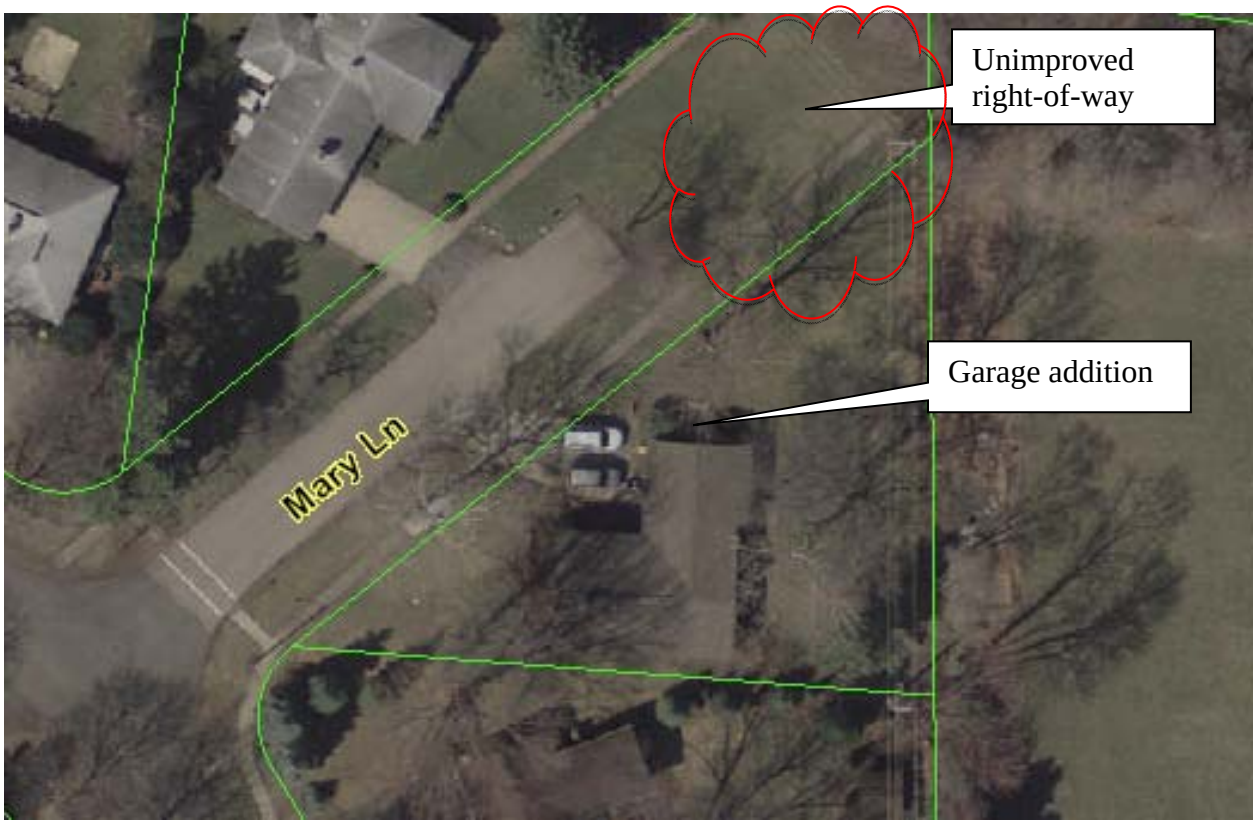
- The lot is a unique triangle lot located at the end of Mary Lane. Mary Lane is a dead end street.

- The existing home is "L" shaped and is situated on the lot so that the side of the garage where the addition is proposed would extend north towards the front property line.

- The petitioner is requesting to add a second car garage to the existing structure with a proposed setback of 14 feet. The addition is approximately 14 feet by 22 feet.

- The existing front yard setback of the home is 25 feet, which does not meet the required 30-foot front yard setback.

- The existing home was constructed prior to the current Unified Development Ordinance and is a legal nonconforming structure due to the existing setback.



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 variations from Articles 3-200 and 7-300 to allow an addition to a nonconforming structure and a front yard setback of 14 feet, a variation of 16 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:

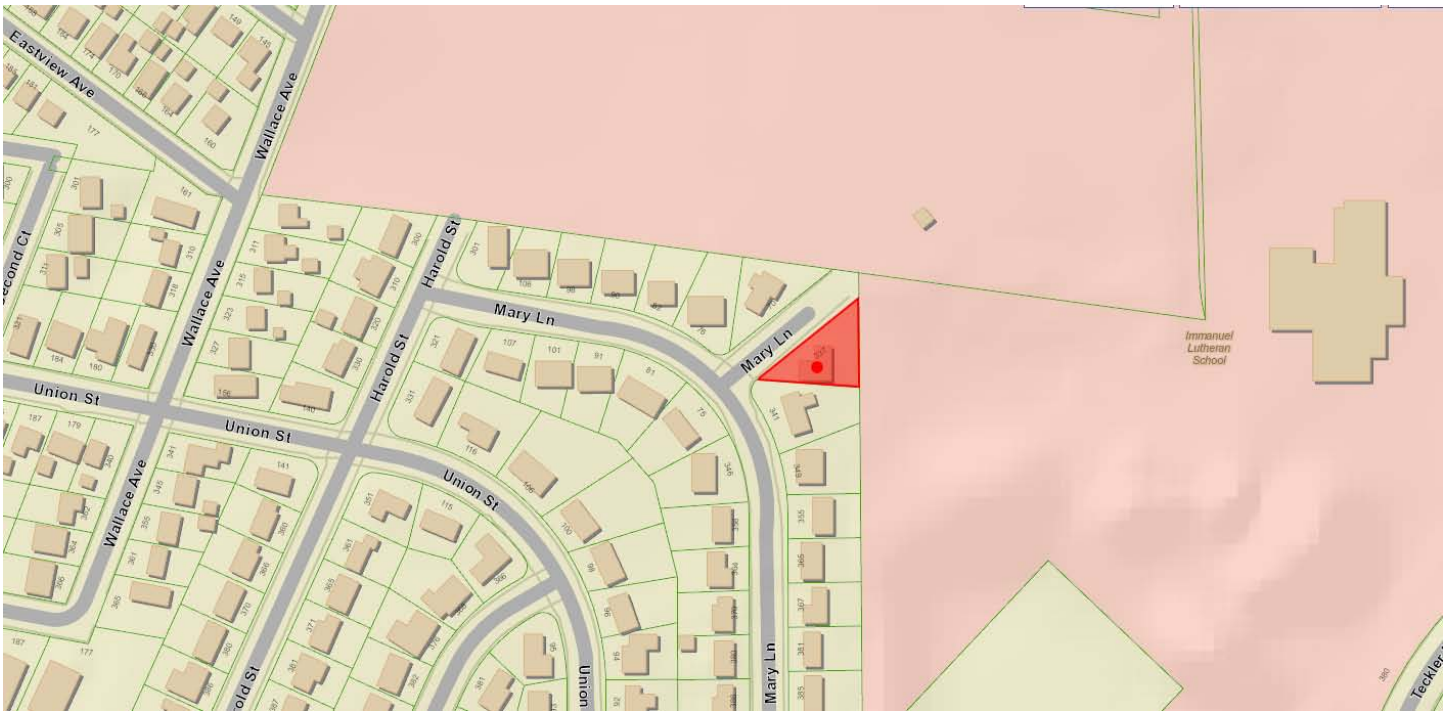
If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

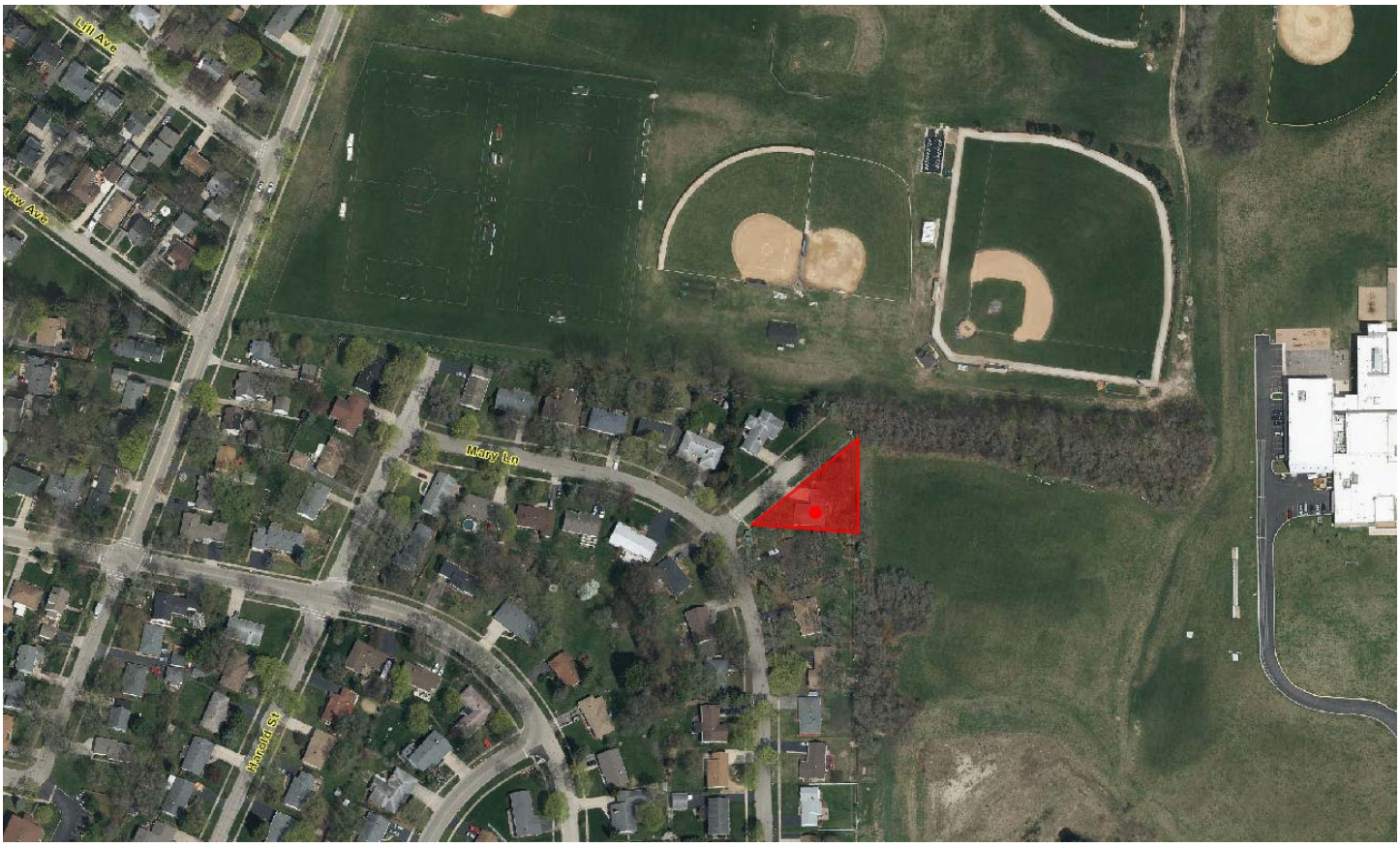
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Farr, dated 01/04/19, received 01/04/19)
   B. Site Plan (Flynn, dated 10/27/18, received 01/04/19)
   C. Sketch of garage (received 01/04/19)

2. The addition must match the existing siding in material and color.

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

PLN-2019-00002 FARR – 337 MARY LN – VARIATION





Application for Simplified Residential Variation

Application Number: _____ FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____

I. Applicant

Dean Farr

Name

337 Mary Lane

Street

Crystal Lake, IL 60014

City State Zip Code

815-893-0540 dean.farr@sbcglobal.net

Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Name

Address Telephone Number

III. Project Data

1. a. Location/Address: 337 Mary Lane

   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:

The lot is unique pie shape with no neighbor (home) to east and north side; adequate lot space.

See attachements: Builder plot layout garage Farr and Garage variance pictures Farr

IS THE HARDSHIP SELF-CREATED?

No

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

Addition will comply with all other building conditions/codes.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

The intent is to add second garage that mirrors first garage and look as though it was original design

See attached: Builder Garage Front View graphic

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

To the north there is room and not neighboring homes north or east.

Garage will comply with neighboring homes and add value to overall neighborhood.

Nearby neighbors concur and support idea.

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?

Home is on dead end street; adequate room to build; will add value to neighborhood.

Will not impact public safety.

3. List any previous variations that are approved for this property: Yes, two front corners of home have variances to setback (see attached Builder plot layout garage Farr).

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.

Dean Farr Digitally signed by Dean Farr Date: 2019.01.04 12:09:35 -06'00' 4 January 2019

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
Dean Farr

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 Dean Farr, seeking variations located at

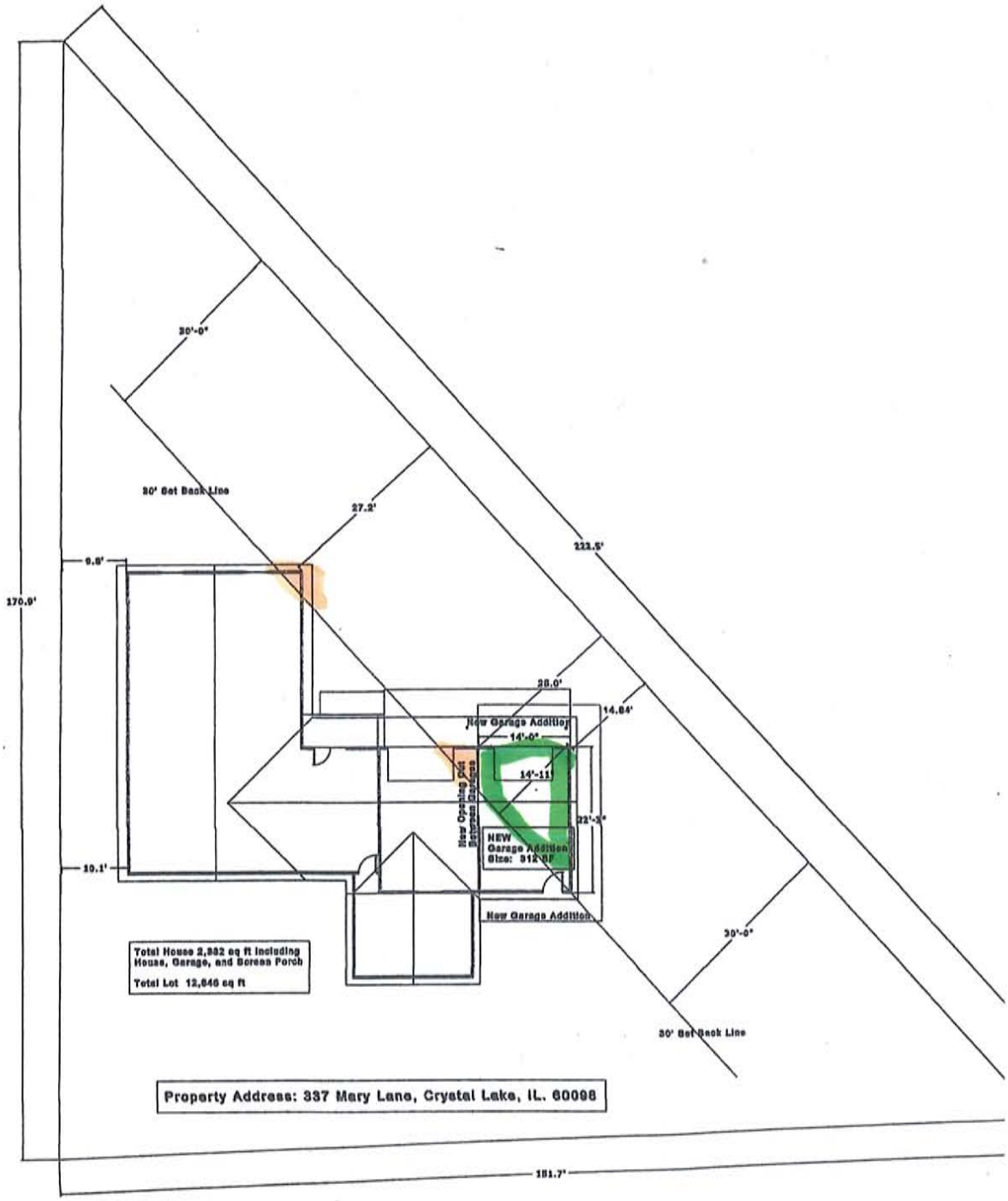
337 Mary Ln.,
Crystal Lake, Illinois.
PIN 19-05-404-001.

This application is filed for the purpose of seeking a 16-foot variation from the 30-foot minimum front yard setback for a garage addition to a nonconforming structure pursuant to Article 3-200 Dimensional Standards, Article 7-300 Nonconforming uses and structures and Article 9-200(C) Variations, 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, February 6, 2019, 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 January 18, 2019) 1623980



Current variances

Proposed added variance

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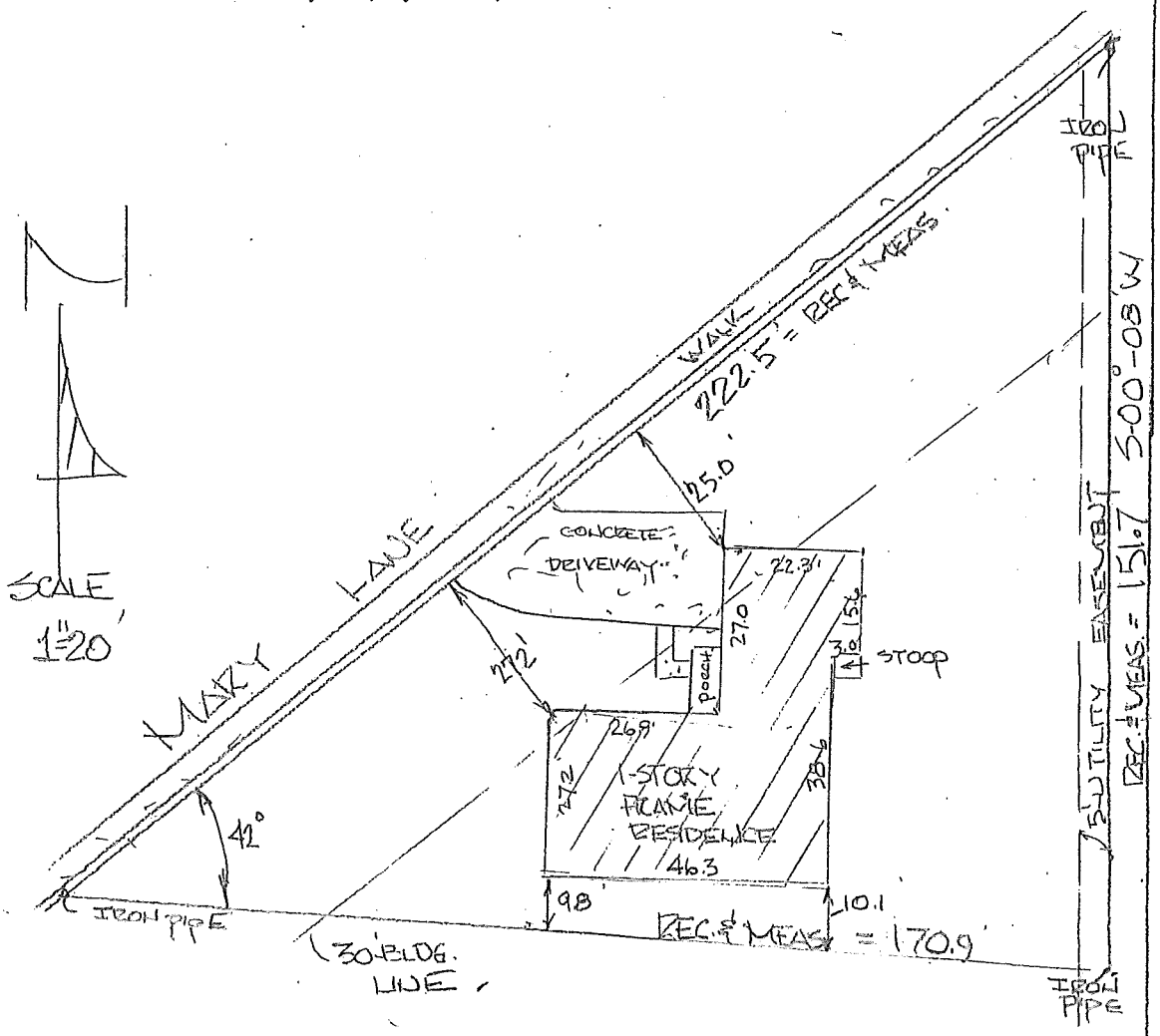
Plot Layout 337 Mary Lane Crystal Lake, IL. 60014	Scale	1/16" : 1'
	Date:	10/27/18
	Drawn By:	Tom Flynn
	Revision Date:	

PLAT OF SURVEY

OF

LOT 8 IN COLBY'S HOME ESTATES, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 1955 AS DOCUMENT NO. 291238, IN BOOK 12 OF PLATS, PAGE 18, AS AMENDED BY AFFIDAVIT RECORDED JUNE 27, 1955 AS DOCUMENT NO. 294534, IN MCHENRY COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 337 Mary Lane, Crystal Lake, Illinois.



I, PATRICK MCKIERNAN, A REGISTERED ILLINOIS LAND SURVEYOR HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE MENTIONED PARCEL OF LAND AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, DATED THIS 5th DAY OF MAY, 2017.

THIS PROFESSIONAL SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

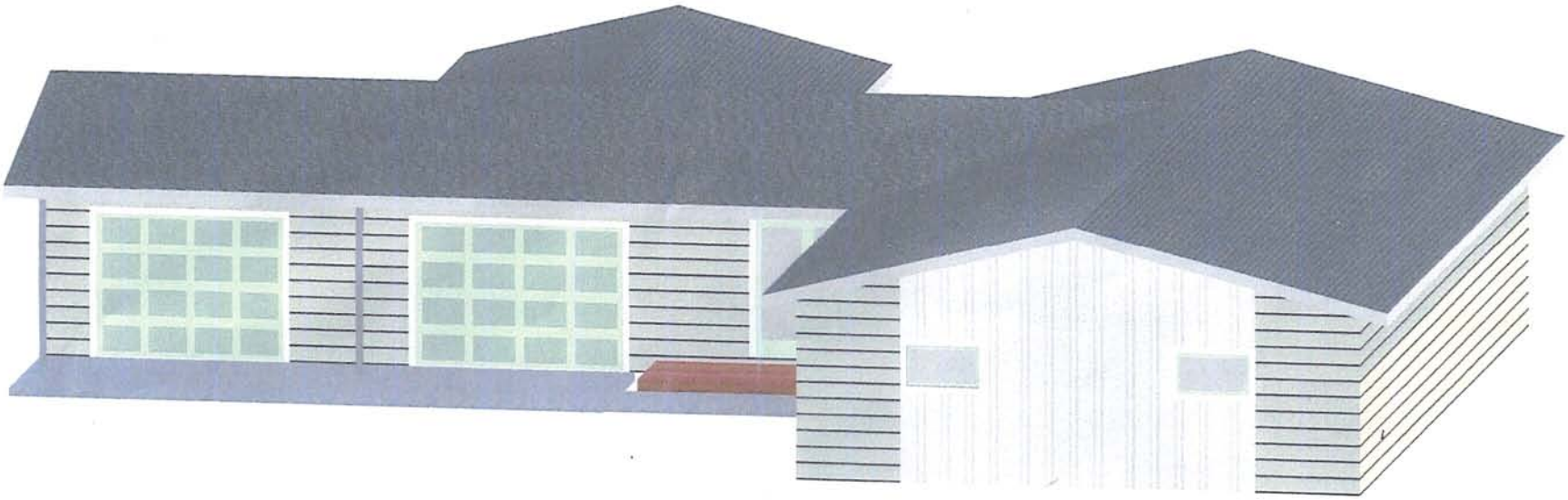
STATE OF ILLINOIS
PATRICK McKIERNAN
No. 35-2131
REGISTERED LAND SURVEYOR

PATRICK MCKIERNAN #2131
680 SADDLE RIDGE
CRYSTAL LAKE, IL 60012
815-477-8255

LICENSE EXPIRES:
NOVEMBER 30, 2018
ORDERED BY: Attorney Tracey Annen
FIELD WORK DONE ON 5/5/2017

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FIELD WORK DONE ON 5/5/2017



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	CUSTOMER:	DRAWING:	REVISIONS:	DRAWN BY:	PAGE NO:
	Crystal Lake, IL. 60014	3D Elevation 2		DATE: 10/30/18	3
	337 Mary Lane	SCALE: None		APPROVED BY:	



Front view; adding second garage left (north side) of house.



Looking north from garage corner; adequate lot room. Note dead end and no neighboring homes.

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East view from garage corner; will add second one car garage at this site.



West view from garage corner; neighbor stated they have variance and support my second garage.

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