#2021-14
1027 North Shore – Variation
Project Review for Planning and Zoning Commission

Meeting Date: March 3, 2021

Request: Variation from Article 3 Yard Abutting a Street Setback from the required 30-foot setback to allow 10 feet, a variation of 20 feet.

Location: 1027 North Shore

Acreage: Approximately 16,000 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:

- The property is an existing single-family residential lot. There was a house and garage on the property, which has been demolished to allow a new residence to be constructed.
- The lot is unique because the property line is removed from the main roadway to allow for utility lines and an adjacent driveway. This creates an unusually large setback from the roadway.
- The previous detached garage was only a few feet from the north property line, so the construction of the new attached garage being 10 feet from the property line would not seem out of character for the area.



Development Analysis:

General

- Request: The petitioner is requesting a variation from the yard abutting a street setback of 30 feet, to allow 10 feet.
- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family residence.
- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.

Project Analysis:

- The front yard setback was calculated to be 97.40 feet from the lake. This is calculated from the average setback of the homes within 400 feet.
- The yard abutting a street is the standard 30-foot setback.
- An attached garage is part of the principal structure and would need to meet principal structure setbacks. If the garage were detached and 600 square feet or less, it could be 5 feet from the property line.
- Pulling the house closer to the street side allows for a larger front yard and a greater setback from the lake, reducing blocked sight lines and allowing for expansion of the house and deck in the future.

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: Provide for a reasonable rate of residential growth, especially infill growth and mixed-use development which take advantage of existing City services.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3 from the required 30-foot yard abutting a street setback to allow a 10-foot setback.

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:

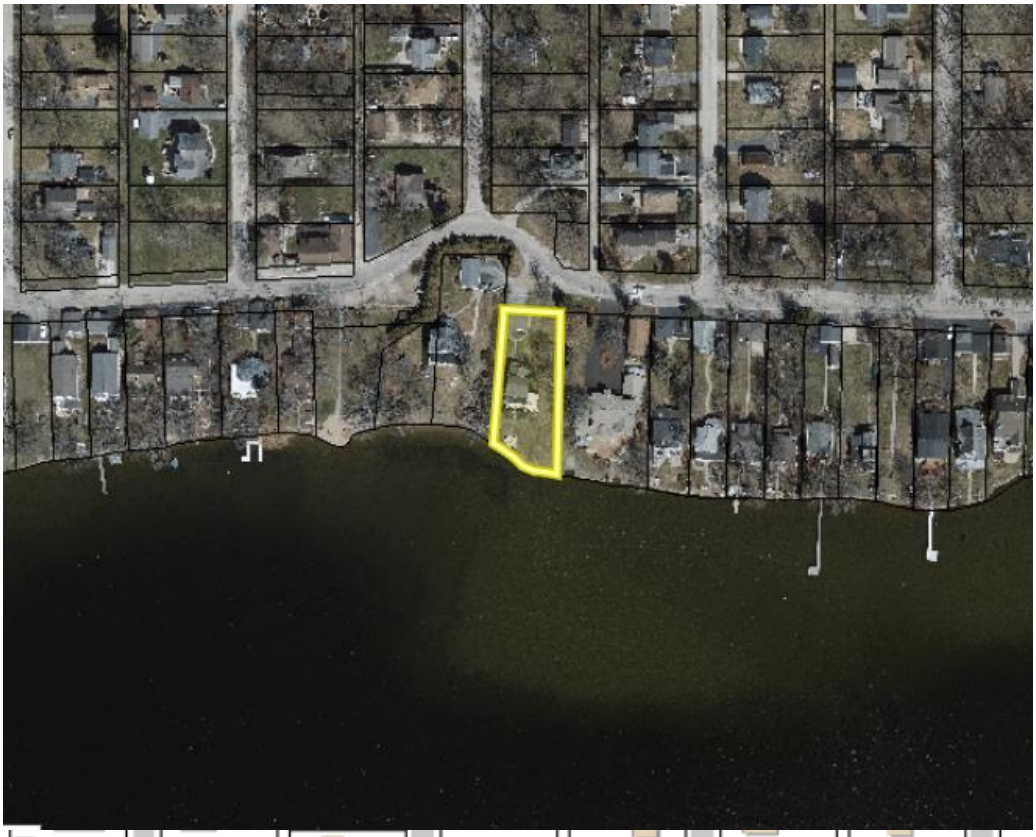
If a motion to recommend approval of the petitioner's request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Heyen, received 02/11/21)
   B. Site Plan (Midwest Design Group. dated 02/05/21, received 02/11/21)

2. Work with the City on any plats of vacation, plats of dedication, and plats for utility easements as a result of any vacated right-of-way along the frontage of this lot.

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

PIQ MAP
1027 North Shore Drive





City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: Keith L. & Michele Heyen

Address: 1027 NorthShore
Crystal Lake, IL 60014

Phone: [redacted]

E-mail: [redacted]

Project Name & Description: set back variance

Project Address/Location: 1027 North Shore

Signature [redacted]

Michele Heyen Keith L. Heyen 2.9.21

Owner: Print and Sign name Date

NOTE: If the property is held in a 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 Michele and Keith Heyen 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 by Michele and Keith Heyen for approval of a variation allowing the construction of a new home in the required yard abutting a street setback at the following real estate known as 1027 North Shore Drive, Crystal Lake, Illinois 60014, PIN: 18-01-229-027. This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from the required 30-foot yard abutting a street setback to allow a new home to be constructed 10 feet from the property line, a variation of 20 feet pursuant to Article 3, Article 4, and Article 9. 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 7:00 p.m. on Wednesday, March 3, 2021, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present. Jeff Greenman, Chairperson Planning and Zoning Commission City of Crystal Lake (Published in the Northwest Herald February 13, 2021)1859720

STATE OF ILLINOIS

COUNTY OF MCHENRY

IN THE MATTER OF THE APPLICATION OF
Michele and Keith Heyen;

AFFIDAVIT

Keith DuShane, being first duly sworn on oath deposes and states as follows:

A. That a copy of the legal notice, concerning the hearing date for the above mentioned Petitioner, was sent to each of the persons named on the attached list by regular mail notifying them of the hearing before the Planning and Zoning Commission on March 3, 2021, at 7:00 p.m., at the City of Crystal Lake City Hall, 100 West Woodstock Street in Crystal Lake, Illinois. Said notice was mailed to each of the below mentioned persons by regular mail on FEB. 16, 2021

B. That the posting requirements of the Zoning Ordnance have been complied with by placing the customary public notice sign on the subject property on FEB 16, 2021

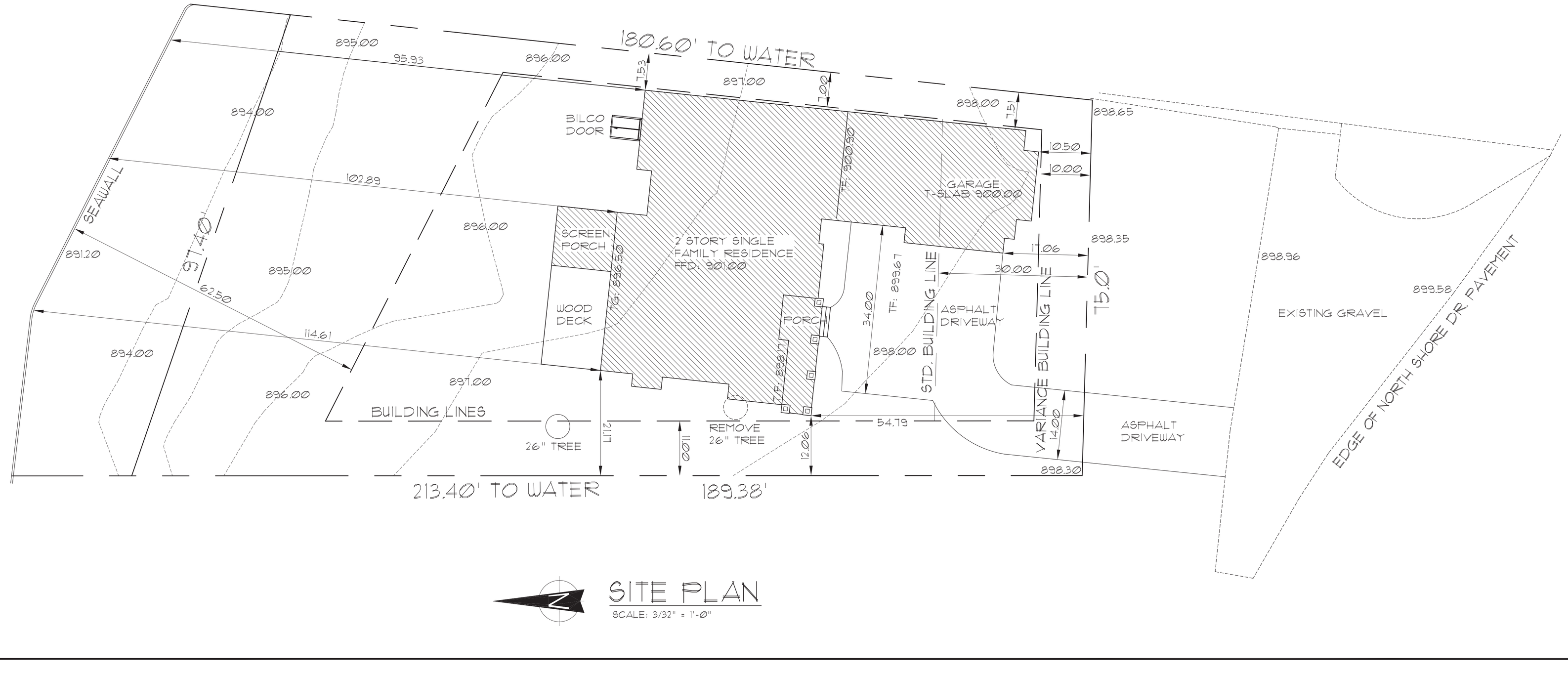
Keith DuShane (Your Signature)

Subscribed and Sworn to ~~me~~ before
This 18th day of February 2021

Notary Public

CAROLYN A DUSHANE
Official Seal
Notary Public - State of Illinois
My Commission Expires Sep 20, 2022

Scanned with CamScanner



SITE PLAN

SCALE: 3/32" = 1'-0"

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MIDWEST DESIGN GROUP

ARCHITECT OF RECORD
HUNTLEY, IL. 60142
OFFICE: 224-800-3030
EMAIL: ADAM.MDG@GMAIL.COM
PROFESSIONAL DESIGN FIRM
LICENSE# 184-004261

V2 CONSTRUCTION INC.
2110 SOUTH SHORE DRIVE
CRYSTAL LAKE, IL. 60014
PH: 847-602-4452

SINGLE FAMILY RESIDENCE
THE HEYEN RESIDENCE
1027 N. SHORE DRIVE
CRYSTAL LAKE IL. 60014

STAMP

DATE	REV#	DESCRIPTION OF REVISION
11-5-20	1	SITE PLAN STUDY
2-5-21	2	PRELIMINARY PLANS FOR REVIEW

X-HEYEN.dwg