#2023-84
186 Lake Shore Drive – Simplified Residential Variation
Project Review for Planning and Zoning Commission

Meeting Date: August 16, 2023

Request: Simplified Residential Variations from the required 5-foot setback for a 4-foot tall fence in the side yard abutting a street, allowing a 0-foot setback, and from the required 30-foot setback for a 6-foot tall fence in the side yard abutting a street, allowing a 0-foot setback.

Location: 186 Lake Shore Drive

Acreage: Approximately 33,655 square feet

Existing Zoning: R-3A Two-Family Residential

Surrounding Properties:

North:	R-1 Single-Family and R-3B Multi-Family Residential
South:	R-2 Single Family and R-3A Two-Family Residential
East:	R-3A Two-Family and R-3B Multi-Family Residential
West:	R-1 and R-2 Single Family Residential

Staff Contact: Katie Rivard (815.356.3612)

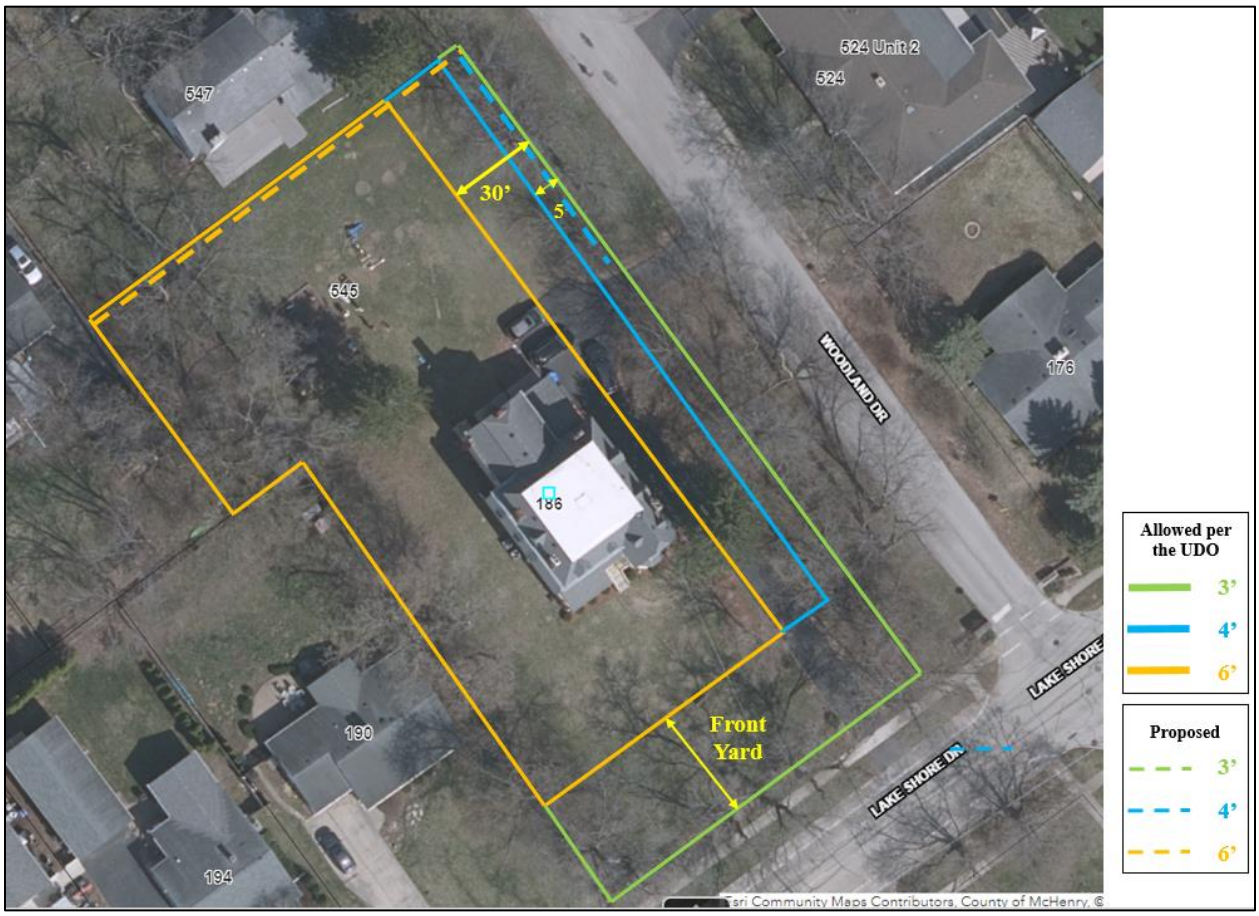
Background:

- Existing Use: The subject property is currently improved with a single-family residence.
- The subject property is a corner lot. The UDO standards are:
    - Fences in any front yard or yard abutting a street shall not exceed three feet in height.
    - Fences in any yard abutting a street shall not exceed four feet in height, provided it is set back a minimum of five feet from the property line.
    - Fence over four feet in height must meet the building setbacks of 30 feet from the property line.

Development Analysis:

General

- Request: To construct a 4-foot high fence located on the lot line abutting Woodland Drive, instead of the minimum 5-foot setback; and, 30 feet of 6-foot high fence to the lot line abutting Woodland Drive instead of the minimum 30-foot setback.



Allowed vs. Proposed



Fence Style – Traditional Solid Cedar Wood

- Zoning: The site is zoned R-3A Two-Family Residential and used as a single-family home.
- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- There is approximately 25 feet from of right-of-way between the lot line and edge of street.
- The fence will be adjacent to the neighbor's driveway.

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.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting variations from Article 4 to allow:

1. A 4-foot high fence to be located on the lot line abutting Woodland Drive instead of the minimum 5-foot setback, allowing a 0-foot setback; and,
2. A 6-foot high fence to extend to the lot line abutting Woodland Drive instead of the minimum 30-foot setback, allowing a 0-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.

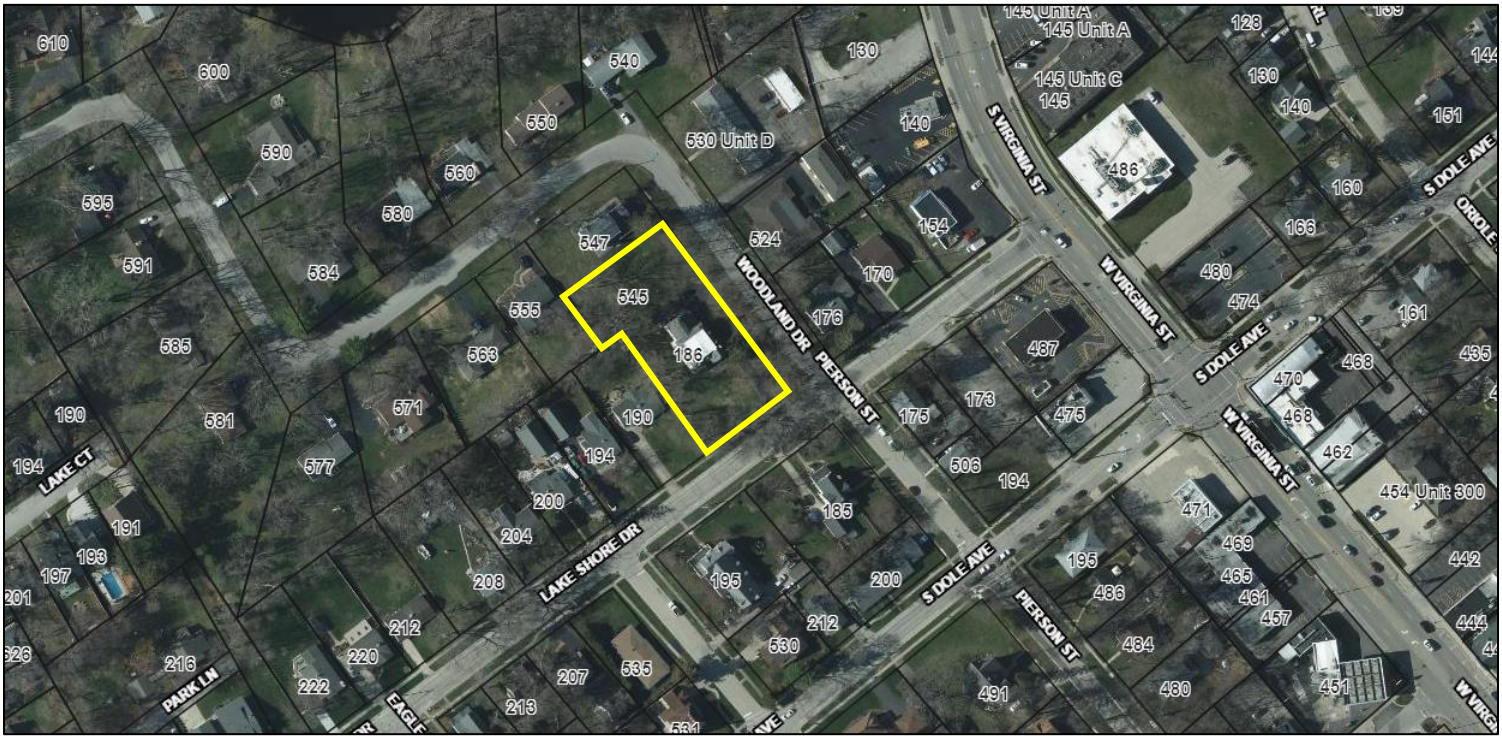
Recommended Conditions:

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Philpot, dated 05/01/23, received 06/19/23)
   B. Plat of Survey/Site Plan (Philpot undated, received 06/19/23)

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

PIQ Map
186 Lake 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: Erin Philpot

Address: 186 Lake Shore Drive

Crystal Lake, IL 60014

Phone:

E-mail:

Project Name & Description: Fence variations 186 Lake Shore:

Our property is made of 2 parcels. We are looking to add a fence to 2 sides of the back parcel for additional privacy and safety. Our unique lot size and elevation means that the sight into our property from Woodland Dr will be mostly unaffected.

Project Address/Location: 186 Lake Shore Drive, Crystal Lake, IL 60014

Signature

erin philpot 05/01/2023

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.

Northwest Herald

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Saturday, July 29, 2023

Notice Content

PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE APPLICATION OF Erin Philpot 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 Erin Philpot for approval of variations allowing a fence in the side yard abutting a street at the following real estate known as 186 Lake Shore Drive, Crystal Lake, Illinois 60014, PIN: 19-06-253-036. This application is filed for the purposes of seeking Simplified Residential Zoning Variations from the required 5-foot setback for a 4-foot tall fence in the side yard abutting a street, allowing a 0-foot setback, and from the required 30-foot setback for a 6-foot tall fence in the side yard abutting a street, allowing a 0-foot setback, and any other changes or variations as presented at the hearing, 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, August 16, 2023, 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 July 29, 2023) 2097370

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Plat of Survey

LEGAL DESCRIPTION: LOTS 2 AND 3 IN JOHN DRURY'S RESUBDIVISION OF LOT 15, AND THE NORTHEASTERLY 50 FEET OF LOT 16 IN LAKE ACRES, AND ALSO PART OF THE NORTHEAST QUARTER OF SECTION 6, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 3, 1990 AS DOCUMENT 90R28627 IN MCHENRY COUNTY, ILLINOIS.

PARCEL AREA: 33,655 SQ. FEET

4-feet high (proposed)

6-feet high (proposed)

LOT 1

(150.04' Rec.) N 58°50'08" E 150.00' Meas.

Found 1" Iron Pipe @ Property Corner

Found 1" Iron Pipe @ Property Corner

Fence 0.1' SW

6' WOOD FENCE

S 31°08'45" E 80.06' Meas. & Rec.

30' BUILDING LINE

10' UTILITY EASEMENT

10' UTILITY EASEMENT

S 58°50'08" W 121.22' Meas. (121.18' Rec.)

Lot 2

Found 1/2" Iron Bar 0.34' SE'ly of Prop. Corner

ASPHALT DRIVE

CONC. WALK

CONC. STEPS

42.10'

N 31°12'08" W 256.06' Meas. & Rec.

178.00'

PIERSON DRIVE

66' Right of Way

TWO STORY FRAME RESIDENCE #186

45.00'

40.11'

WOOD PORCH & STEPS

GRAVEL

ASPHALT DRIVE

86.85'

Found 1/2" Iron Bar 0.15' SE'ly of Prop Corner

N 58°50'08" E 28.85' Meas.

Found 1/2" Iron Bar @ Property Corner

Fence Corn. 0.7' S & 0.4' W

5' WOOD FENCE

Lot 3

Fence End 0.3 SW

S 30°03'35" E 178.02' Meas. (175.72' Rec.)

LOT 8 (LAKE ACRES SUBDIVISION)

92.59'

30' BUILDING LINE

Found 1/2" Iron Bar @ Property Corner

FENCE

S 58°50'28" W 124.73' Rec.

CONC. WALK

ASPHALT

LAKESHORE DRIVE

66' Right of Way

Found 1/2" Iron Bar 0.14' N & 0.17' W of Prop. Corner

Fence End 1.7' S & 0.8' E

JEFFREY A. SPIREK 3698 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS CRYSTAL LAKE, ILLINOIS

THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.

STATE OF ILLINOIS } ss
COUNTY OF MCHENRY }

IN MY PROFESSIONAL OPINION, AND BASED ON MY OBSERVATIONS, I HEREBY CERTIFY THAT THE PLAT HEREON DRAWN IS A TRUE REPRESENTATION OF SAID SURVEY.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 20th DAY OF July A.D. 2020

JEFFREY A. SPIREK
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3698
REGISTERED AGENT FOR LUCO SURVEYING
LICENSE TO BE RENEWED NOVEMBER 30, 2020

NOTES:
*COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED AND REPORT ANY DIFFERENCE IMMEDIATELY.
*ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
*BEARINGS AS SHOWN ARE ASSUMED AND ARE SO INDICATED FOR INTERIOR ANGLES ONLY.
*BUILDING LINES AND EASEMENTS AS SHOWN ARE BASED SOLELY ON PROVIDED DOCUMENTS.
*UTILITIES WITHIN EASEMENTS ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES, INCLUDING BUT NOT LIMITED TO CONDUITS AND CABLES (IF ANY) HAVE NOT BEEN SHOWN HEREON.

LEGEND

0' 20' 40' 60'

Luco Surveying
Professional Design Firm No. 184.007972
34 Lib Avenue, Crystal Lake, IL 60014
Phone: 815.526.3974 Email: admin@lucosurveying.com

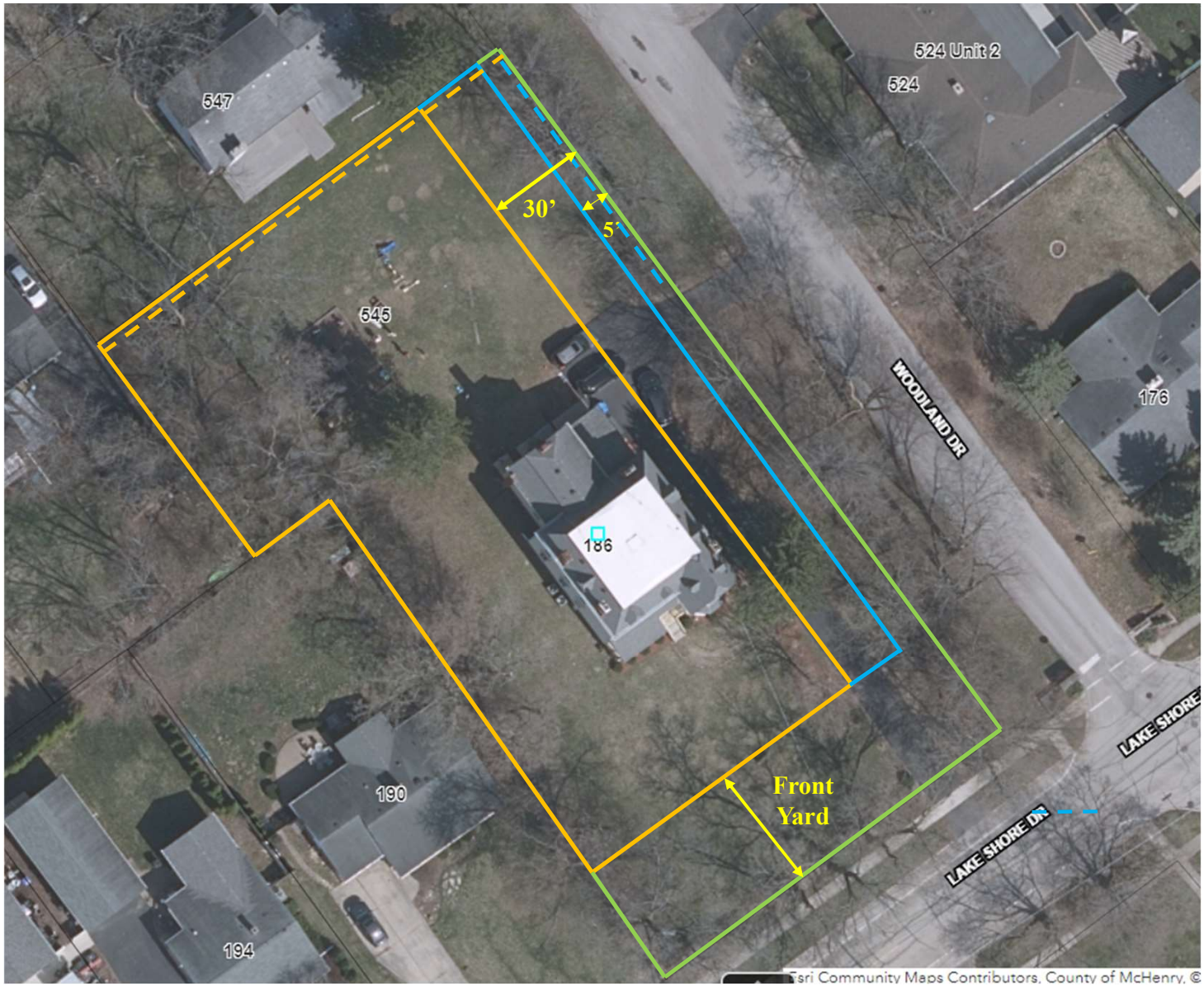
Common Address: 186 Lakeshore Drive, Crystal Lake, IL
PIN # 19-06-253-036

Job Number: 20-81083 Drawn By: LAH

Client: LAWRENCE RAFFERTY Reference: BRISTOW

Field Work Completion: 07-17-2020

Revisions:


524 Unit 2
524
547
30'
5'
545
WOODLAND DR
176
186
190
194
LAKE SHORE
LAKE SHORE DR
Front
Yard
Esri Community Maps Contributors, County of McHenry, ©
Allowed per the UDO
3'
4'
6'
Proposed
3'
4'
6'

CURRENT

View from Back Door

ALLOWED

View from Back Door

VARIATION (PROPOSED)

View from Back Door


CURRENT
View from Back Ground


ALLOWED
View from Back Ground


VARIATION (PROPOSED)
View from Back Ground

CURRENT

View from Side Ground

ALLOWED

View from Side Ground

VARIATION (PROPOSED)

View from Side Ground