#2024-203
45 N. Virginia St. – Variation
Project Review for Planning and Zoning Commission

Meeting Date:	December 4, 2024
Request:	A variation from Articles 3-200 to allow a covered roof over existing stairs to encroach 5 feet into the 10-foot side yard setback, a variation of 5 feet.
Location:	45 N. Virginia Street
Existing Zoning:	O – Office
Surrounding Properties:	North: O – Office & R-1 Single-Family Residential South: O – Office East: O – Office West: O – Office
Staff Contact:	Elizabeth Maxwell (815.356.3738)

Background:

- Existing Use: The subject property is an office building.
- UDO Requirements: The Office zoning district requires a 10-foot side yard setback for the principal structure.

Development Analysis:

General:

- Request: The petitioner is requesting a variation to allow a covered roof over existing stairs to encroach 5 feet into the 10-foot side yard setback, a variation of 5 feet.
- Land Use: The Comprehensive Land Use map shows the area as Office which is an appropriate land use designation.
- Zoning: The site is zoned Office.

Request Overview:

- The petitioner is requesting a variation to allow a covered roof over existing stairs to encroach 5 feet into the 10-foot side yard setback, a variation of 5 feet.
- The property is improved with an existing office building. The building has a stairwell to access the basement level. The variation is needed to add a roof to the stairwell.

Comprehensive Land Use Plan 2030 Vision Summary Review:
The Comprehensive Plan designates the subject property as Office, which allows for existing and future office uses. The following goal is applicable to this request:

Land Use - Office
Goal: Maintain and expand the availability of professional and research office in appropriate locations throughout the city to complement commercial and manufacturing uses.

Providing jobs for residents and members of the surrounding communities is critical to establishing a healthy daytime population, promoting a live, work, play environment and encouraging a skilled workforce.

This can be accomplished with the following supporting action:

Supporting Action: Encourage office development along major roadways, near transit stops and bicycle routes, and in proximity to residential uses.

Findings of Fact:
ZONING ORDINANCE VARIATION
The petitioner is requesting a variation from Articles 3-200B.1 to allow a covered roof over existing stairs to encroach 5 feet into the 10-foot side yard setback, a variation of 5 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, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Flynn, received 11/05/2024)
   B. Plat of Survey with mark-up (received 11/05/2024)

2. The petitioner shall address all of the review comments and requirements of the Fire Rescue and Community Development Departments.

PIQ

45 N Virginia St



City of Crystal Lake
Development Application

Office Use Only
File # _____

RECEIVED
NOV 04 2024
By VWpm

Project Title: _____

Action Requested

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

Petitioner Information

Name: Tom Flynn
Address: 71 N. Paddock St.
Crystal Lake, IL 60014
Phone: 815-814-1211
Fax: _____
E-mail: tomflynn512@gmail.com

Owner Information (if different)

Name: Tom Neis
Address: 45 N. Virginia St.
Crystal Lake IL. 60014
Phone: 815 482 6768
Fax: _____
E-mail: Tom@neisinsurance.com

Property Information

Project Description: Add roof over existing basement stair well.

Project Address/Location: 45 N. Virginia St. C.L.

PIN Number(s): 14-31-479-001

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Tom Flynn Tom Flynn Nov. 4, 2024

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.

Thomas J. Flynn Nov. 4 2024

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.

STATE OF ILLINOIS

COUNTY OF MCHENRY

IN THE MATTER OF THE APPLICATION OF
Tom Neis (NAME);

AFFIDAVIT

Tom Neis (Name), 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 December 4, 2024, 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 November 19, 2024 (date)

B. That the posting requirements of the Unified Development Ordinance have been complied with by placing the customary public notice sign on the subject property on November 19, 2024
(date)

(Tom Neis) (Signature)

Subscribed and Sworn to me before
This 19th day of November, 2024

Notary Public

OFFICIAL SEAL
JENNIFER HAGEN
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 10/22/26

SHAW MEDIA
EST. 1851
PO BOX 250
CRYSTAL LAKE IL 60039-0250
(815)459-4040

ORDER CONFIRMATION

Salesperson: BARBARA BEHRENS Printed at 11/18/24 11:38 by bbehr-sm

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Acct #: 101629 Ad #: 2207925 Status: New

NEIS INSURANCE AGENCY
45 N. VIRGINIA
CRYSTAL LAKE IL 60014

Start: 11/19/2024 Stop: 11/19/2024
Times Ord: 1 Times Run: ***
CLEG 1.00 X 68.00 Words: 232
Total CLEG 68.00
Class: C8100 PUBLIC NOTICES
Rate: LEGAL Cost: 106.62
Affidavits: 1
Ad Descrpt: VARIATION -NEIS
Descr Cont: 2207925
Given by: JUNE JOHNSON
P.O. #:
Created: bbehr 11/18/24 11:33
Last Changed: bbehr 11/18/24 11:38

Contact: JUNE JOHNSON
Phone: (815)455-6960
Fax#:
Email: june@neisinsurance.com
Agency:

URL: _____

Source: _____ Section: _____ Page: __
Camera Ready: N Group: LEGALS AdType: _____
Misc: _____
Proof: __ _____ Pickup Date: _____ Ad#: _____
Delivery Instr: _____ Pickup Src: _____
Changes: None __ Copy __ _____ Art __ Size __ Copy Chg Every Run __
Coupon: __ Color: _____ Gang Ad #: _____
Ad Copy Method: _____
Special Instr: _____

COMMENTS:
COPIED from AD 2207617

PUB	ZONE	EDT	TP	RUN DATES
NW	CL	97	S	11/19
WEB	CL	99	S	11/19
APNW	CL	97	S	11/19

(CONTINUED ON NEXT PAGE)

SHAW MEDIA
EST. 1851
PO BOX 250
CRYSTAL LAKE IL 60039-0250
(815)459-4040

ORDER CONFIRMATION (CONTINUED)

Salesperson: BARBARA BEHRENS Printed at 11/18/24 11:38 by bbehr-sm

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Acct #: 101629 Ad #: 2207925 Status: New

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF
Tom Neis

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 Tom Flynn, representing Tom Neis, for owner Wintrust Assel Managment for approval of a Variation for the following real estate known as 45 N. Virginia Street, Crystal Lake, Illinois 60014, PIN: 14-31-479-001.

This application is filed for the purpose of seeking a Variation to encroach five (5) feet into the required 10-foot side yard setback for a covered roof and any other variations as presented at the public hearing pursuant to Unified Development Ordinance 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, December 4, 2024, 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 Northwest Herald November 19, 2024) 2207925

From: Elizabeth Maxwell AICP emaxwell@crystallake.org
Subject: public notification requirements
Date: Nov 14, 2024 at 10:38:41 AM
To: tomflynn512@gmail.com, tom@neisinsurance.com

Good Morning,

I have received your request for a variation. Please review the steps below to ensure you complete the legal notification requirements on time to keep the petition moving forward. There is a lack of dimensions on the site plan so I am taking my best guess on the variation.

Here is the steps and dates:
Please review the legal notice to make sure that the variation is properly listed.

- Review the legal notice and send to NWH LEGALS < mchenrylegals@shawlocal.com by TODAY Thursday November 14th for a one-time publication by Tuesday November 19th . You will be contacted by the newspaper to pay for the notice.
- Mail the legal notice by Tuesday November 19th to the list of surrounding property owners. The notice needs to be by regular stamped mail (not certified not return receipt)
- Pick up and post a sign on site by Tuesday November 19th . Pay the $305 fee online or at the time of sign pick up.
- Fill out the affidavit after you complete the legal notification steps and return it to staff by November 22nd .

Yes - Outside Division

I will prepare a staff report and get that to you by November 27th . You will need to attend the hearing on Wednesday December 4h at 7:00 pm.

Thanks

Elizabeth Maxwell AICP | City Planner | Community Development
City Of Crystal Lake | 100 W. Woodstock St. | Crystal Lake, IL 60014
Website: www.crystallake.org | Phone: 815-356-3738

Parcel Number	Owner	Mail To Address 1	Mail To Address 2	Mail To City	Site Address Street	Site Address City
14-31-479-002	WAYNE HUMMER TR CO NA	C/O NEIS THOMAS	45 N VIRGINIA	CRYSTAL LAKE, IL 60014	41 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-479-001	WINTRUST ASSET MGMT	7781 OAK RIDGE CT		CRYSTAL LAKE, IL 600121600	45 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-451-046	RINK OF CRYSTAL LK INC	44 N VIRGINIA ST	STE 1A	CRYSTAL LAKE, IL 600144106	44 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-477-002	MEISTER CL GAWRONSKI MJ	531 ROCKLAND AVE		CRYSTAL LAKE, IL 60014	531 ROCKLAND RD	CRYSTAL LAKE, IL
14-31-477-003	DEBRA L CLINE	521 ROCKLAND RD		CRYSTAL LAKE, IL 60014	521 ROCKLAND RD	CRYSTAL LAKE, IL
14-31-477-056	KATHLEEN A REV LIV TR CLARK	2609 STACY CT		WOODSTOCK, IL 60098	59 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-451-043	CRYSTAL LK HOME ST BK TR 1347	50 VIRGINIA ST		CRYSTAL LAKE, IL 60014	VIRGINIA ST	CRYSTAL LAKE, IL
14-31-451-044	CRYSTAL LK HOME ST BK TR 1347	50 VIRGINIA ST		CRYSTAL LAKE, IL 60014	50 VIRGINIA ST	CRYSTAL LAKE, IL
14-31-477-004	JENIFER M RICHARD LOWELL	511 ROCKLAND RD		CRYSTAL LAKE, IL 60014	511 ROCKLAND RD	CRYSTAL LAKE, IL
14-31-451-040	CRYSTAL LK ALANO CLUB OF INC	36 N VIRGINIA ST		CRYSTAL LAKE, IL 600144126	36 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-451-045	SS SYED SF ASGHAR	11 GOOSE LAKE DR		BARRINGTON HILLS, IL 600105140	80 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-477-030	NICHOLAS CLAIRE HODGE	501 ROCKLAND RD		CRYSTAL LAKE, IL 60014	501 ROCKLAND RD	CRYSTAL LAKE, IL
14-31-477-053	HOME ST BK NA TR 4664	1516 N NORTH PARK AVE		CHICAGO, IL 606101229	21 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-477-054	HOME ST BK NA TR 4664	1516 N NORTH PARK AVE		CHICAGO, IL 606101229	N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-477-055	KARNEY HLDGS LLC	31 N VIRGINIA ST		CRYSTAL LAKE, IL 60014	31 N VIRGINIA ST	CRYSTAL LAKE, IL
14-31-451-015	DKF PROP HOLDINGS 3 LLC	9510 TURNBERRY TRL		VILLAGE OF LAKEWOOD, IL 600146730	30 GREEN OAKS DR	CRYSTAL LAKE, IL
14-31-451-024	LEBLANC BLDG CO LLC	143 S CRAIG PL		LOMBARD, IL 60148	20 GREEN OAKS DR	CRYSTAL LAKE, IL
14-31-451-013	LULIK RM VALENZIO TS	584 GREEN OAKS DR		CRYSTAL LAKE, IL 60014	584 GREEN OAKS DR	CRYSTAL LAKE, IL
14-31-451-021	DONATO MGMT GRP LLC	7743 ELMGROVE DR		ELMWOOD PARK, IL 60707	40 GREEN OAKS DR	CRYSTAL LAKE, IL
14-31-476-010	REBECCA HARRISON	528 ROCKLAND RD		CRYSTAL LAKE, IL 600144122	528 ROCKLAND RD	CRYSTAL LAKE, IL
14-31-476-011	CHRISTOPHER JON MORDI	520 ROCKLAND RD		CRYSTAL LAKE, IL 600144122	520 ROCKLAND RD	CRYSTAL LAKE, IL
14-31-476-036	HULS FAM IRREV DECL OF TR	1879 ANDOVER LN		CRYSTAL LAKE, IL 60014	530 ROCKLAND RD	CRYSTAL LAKE, IL

Mailed
11/19/2024

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF)
Tom Neis)

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Jeff Greenman, Chairperson
Planning and Zoning Commission

City of Crystal Lake

(TO BE PUBLISHED IN THE NORTHWEST HERALD ON OR BEFORE NOVEMBER 19, 2024)

EXISTING STORM DRAINAGE SYS.

16'x20' H.C. STALL

NEW 2" SUGAR MAPLES

MWC LIGHTING S/H. BG/ 175MH CG-SX11-DBZ METAL HALIDE ON 16' H. POLE - 3 SUCH

CUT CURB FOR RAMP

CUT EXISTING CONC. CURB

TRIM BACK EXISTING BUSH

EXISTING EVERGREEN BUSH

RAMP

GROUND SIGN

HANDICAP PARKING SIGN

24.0' - 18.0' - 3.0'

9'x19' STALL

NEW BARRIER CURB

NEW PAVEMENT

landscape screening

INSPECTION MANHOLE

EXISTING SEWER LINE

40.0'

BUFFALO BOX

EXISTING 1" WATER MAIN

EXISTING 18" ELM

TOP OF FDN - 909.33'

FINISH FLOOR - 911.25'

8'x15' COMPACT CAR STALLS

SUMP DISCHARGE

23'-0"

15.0'

3.0'

PARKING LOT

+909.75

8'x5' CONC. PAD W/ 6' HIGH CEDAR SCREEN AROUND FOR SMALL DUMPSTER

EXISTING SCRUB TREES TO REMAIN

NOTE: SEE SHEET A5 FOR SITE DETAILS

EXISTING 16" ELM

EXISTING SIDEWALK

166.23'

existing basement floor

stair well

SITE PLAN

SCALE: 1" = 20'-0"

COWLIN/NEIS OFFICE

CRYSTAL LAKE, ILLINOIS

SEPTEMBER 5, 1990

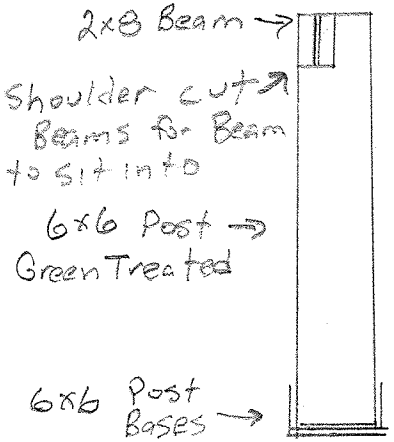
SPECIFICATION FOR CONSTRUCTION

1. GENERAL

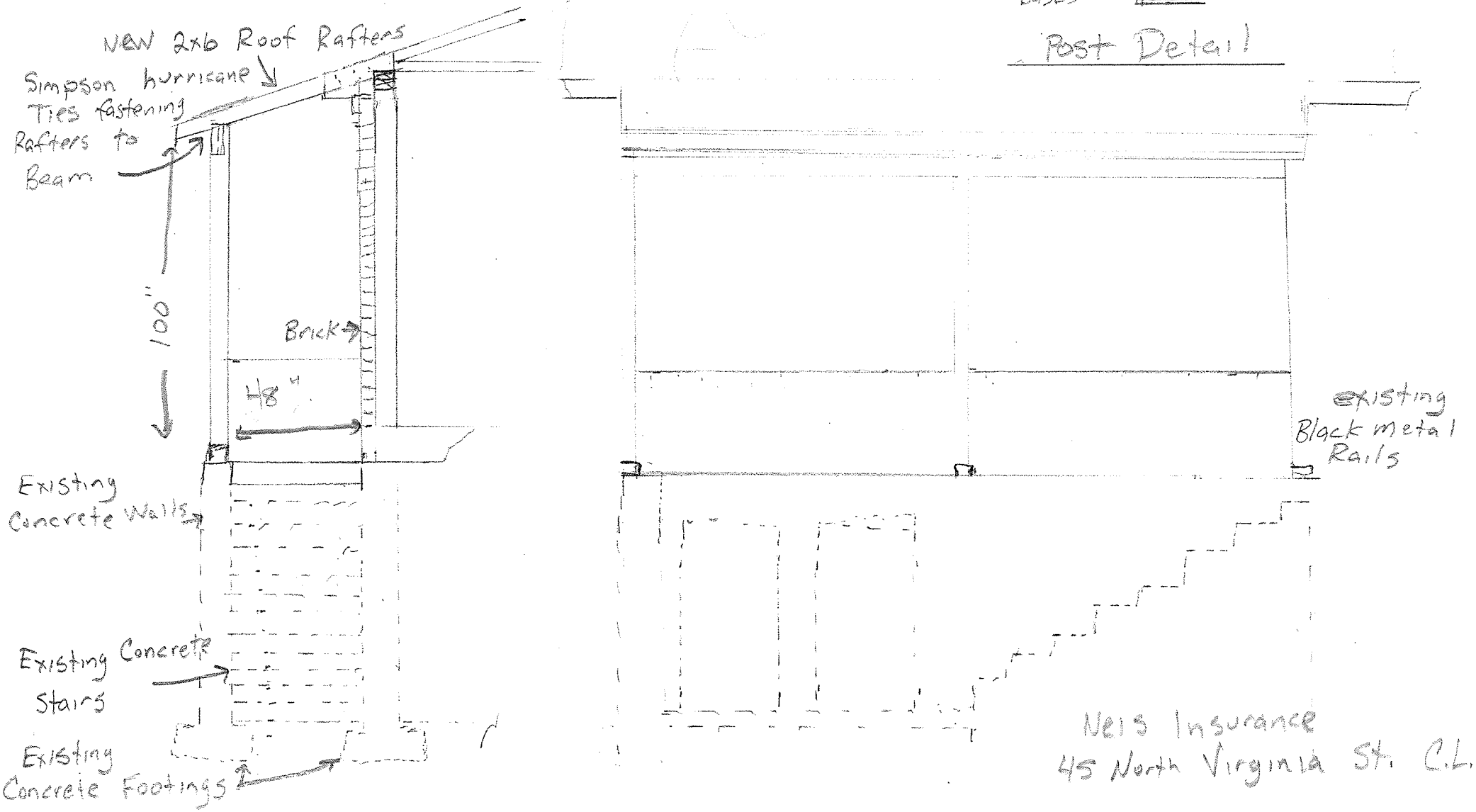
1.1. The General Conditions of the Contract as published by the American Institute of Architects will

ATTIC DRAFTSTO

New roof rafters will be sistered to existing 2x4 Roof Trusses



Post Detail




existing
Light

