#2024-222
132 Heather Drive – Variation
Project Review for Planning and Zoning Commission

Meeting Date: February 5, 2025

Request: Variation to reconstruct a garage on an existing slab 16.76 feet from the rear yard setback, an encroachment of 48 feet into the 64.68-foot setback and 3.88 feet from the side property line, an encroachment of 1.1 feet into the 4.9-foot side yard setback.

Location: 132 Heather Drive

Acreage: Approximately 6,200 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 in Crystal Lake that had an existing detached garage off Briarwood Road.
- The garage was destroyed due to a vehicle crash into the structure.
- The lot is non-conforming and so the street side setback is averaged. The average looks at principal structures and was determined to be 64.68 feet back.
- The owner needs to reconstruct the garage and would like to reuse the existing slab. The accident caused the need to rebuild the garage and therefore the hardship was not created by the property owner.

Development Analysis:

General

- Request: To reconstruct a detached garage on an existing slab. The slab encroaches into the setbacks as calculated in the current UDO.
- Zoning: The site is zoned R-2 Single Family.
- Land Use: The land use map shows the area as Urban Residential.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting Simplified Residential Zoning Variations to allow a garage to be built upon an existing slab that encroaches into the street side setback and interior side yard 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.

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.

Supporting Actions: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines.

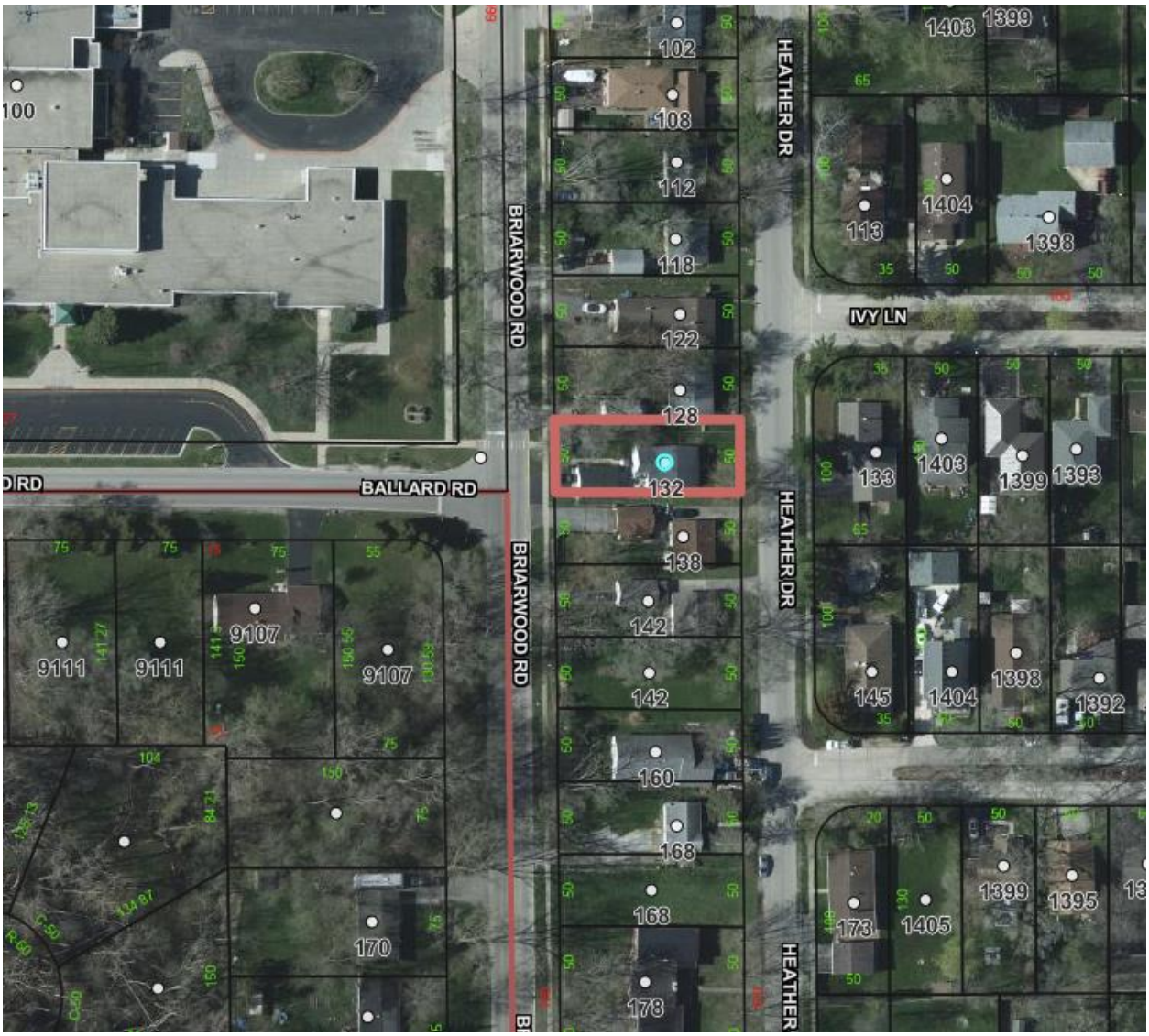
Recommended Conditions:

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 (Sims, received 01/28/25)
   B. Architectural Plans (Sims, undated, received 12/18/24)
   C. Plat of Survey (Luco, dated 07/03/19, received 12/18/24)

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

PIQ Map
132 Heather



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: Shane Sims

Address: 132 Heather Dr. Crystal Lake, IL 60014

Phone: 815-404-3842

E-mail: linemansims50@gmail.com

Project Name & Description: Garage Build

I am rebuilding the garage on the existing foundation.

Project Address/Location: 132 Heather Dr. Crystal Lake, IL 60014

Signature

Shane Sims 1/27/2025

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 PETITION OF
Shane Sims

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission upon the application by Shane Sims for a Variation for the property at 132 Heather Drive in Crystal Lake, Illinois 60014. PIN: 18-01-101-023.

This application is filed for the purpose of seeking a Simplified Residential Variation to reconstruct a garage on existing slab 48 feet into the 64.68-foot average street side setback 1 foot into the required 4.9-foot side yard setback, as well as any other variations as necessary to approve the plans as presented, pursuant to Article 3, Article 4. Article 7, and Article 9. Plans for this project can be viewed at the City of Crystal Lake Planning and Economic Development Department at City Hall.

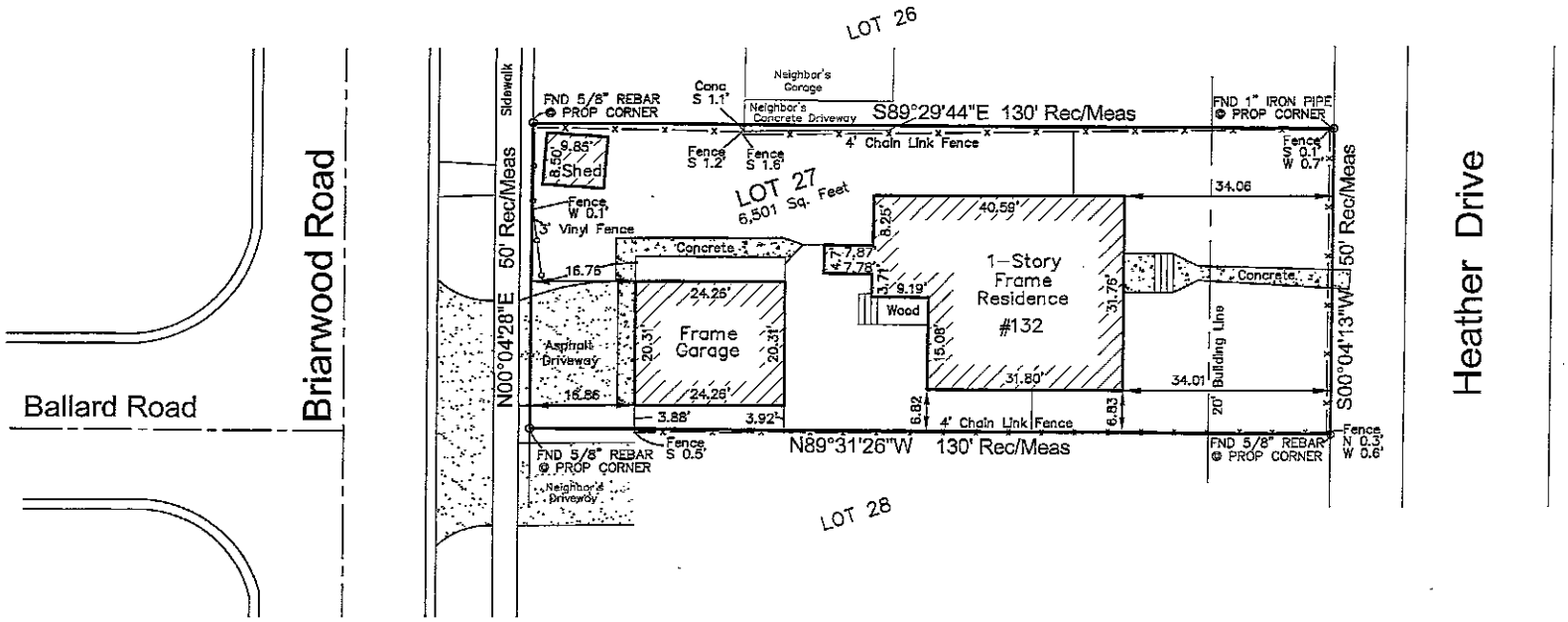
A public hearing before the Planning and Zoning Commission for this request will be held at 7:00 p.m. on Wednesday, February 5, 2025, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Jeff Greenman, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in Northwest Herald January 14, 2025) 2218953

Plat of Survey

LEGAL DESCRIPTION: LOT 27 IN BLOCK 15 IN R.A. CEPEK'S VISTA, BEING A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 11, 1927 AS DOCUMENT 75823, IN BOOK 6 OF PLATS, PAGE 18, IN MCHENRY COUNTY, ILLINOIS.



THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYORS SEAL.

STATE OF ILLINOIS
COUNTY OF MCHENRY } SS.

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

GIVEN UNDER MY HAND AND SEAL THIS 10th DAY OF July A.D. 2017

JEFFREY A. SPIREK

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3898
REGISTERED AGENT FOR LUCO CONSTRUCTION COMPANY
LICENSE TO BE RENEWED NOVEMBER 30, 2018

PROFESSIONAL LAND SURVEYOR
JEFFREY A. SPIREK
35-3898
CRYSTAL LAKE, IL
STATE OF ILLINOIS

NOTES:
*COMPARE THIS DESCRIPTION ON THIS PLAT WITH YOUR DEED AND REPORT AND 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 NORTH SHOWN HEREON. UNDERGROUND UTILITIES INCLUDING BUT NOT LIMITED TO CONDUITS AND CABLES (IF ANY) HAVE NOT BEEN SHOWN HEREON.

0' 20' 40' 60'

LEGEND
- Set IP
- Fnd IP
- Fnd "X"
- Fnd P.K.
- Wood Fence
- Ch. Fence
- Concrete
- Wood Deck
- Brick

Luco Construction Company
Professional Design Firm No. 184.004829
54 Lou Ave., Crystal Lake, Illinois 60014
Phone: 815.526.3874 Email: Lucoland@gmail.com

Common Address: 132 S Heather Dr., Crystal Lake
PIN # 18-01-101-023

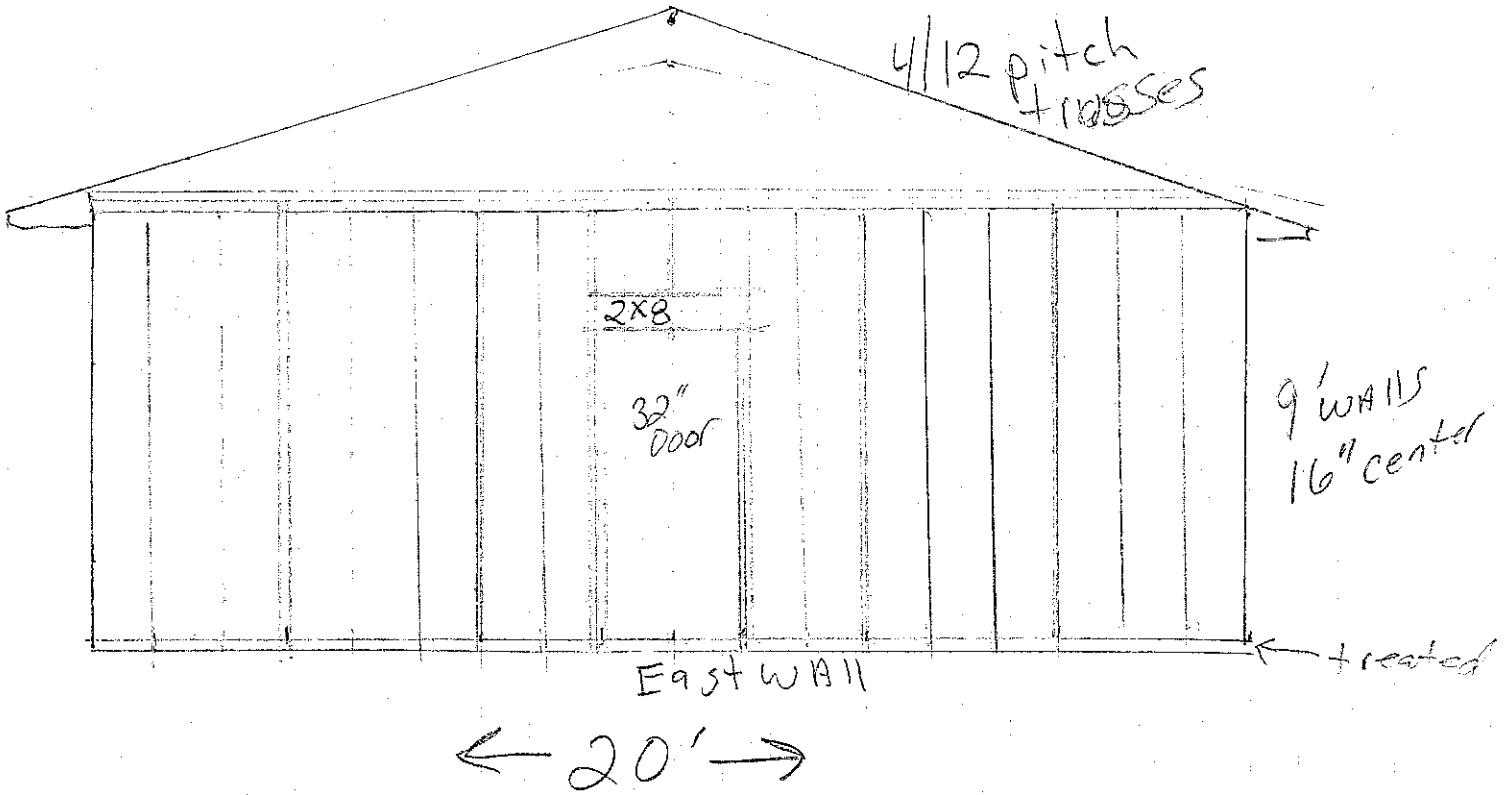
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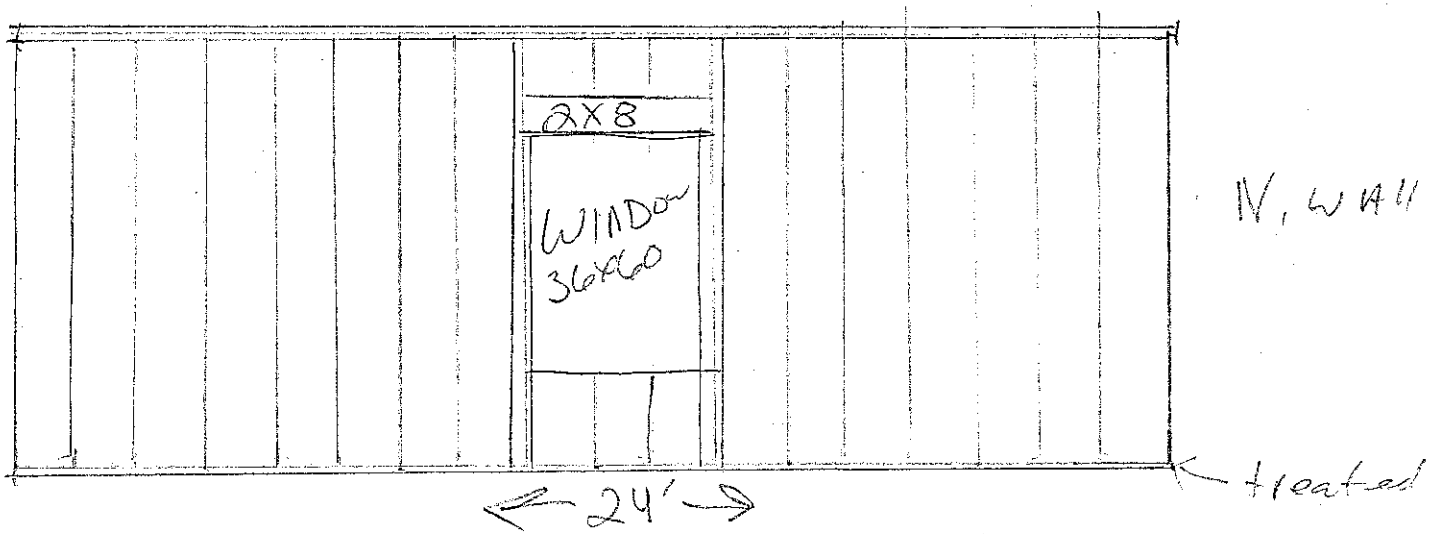
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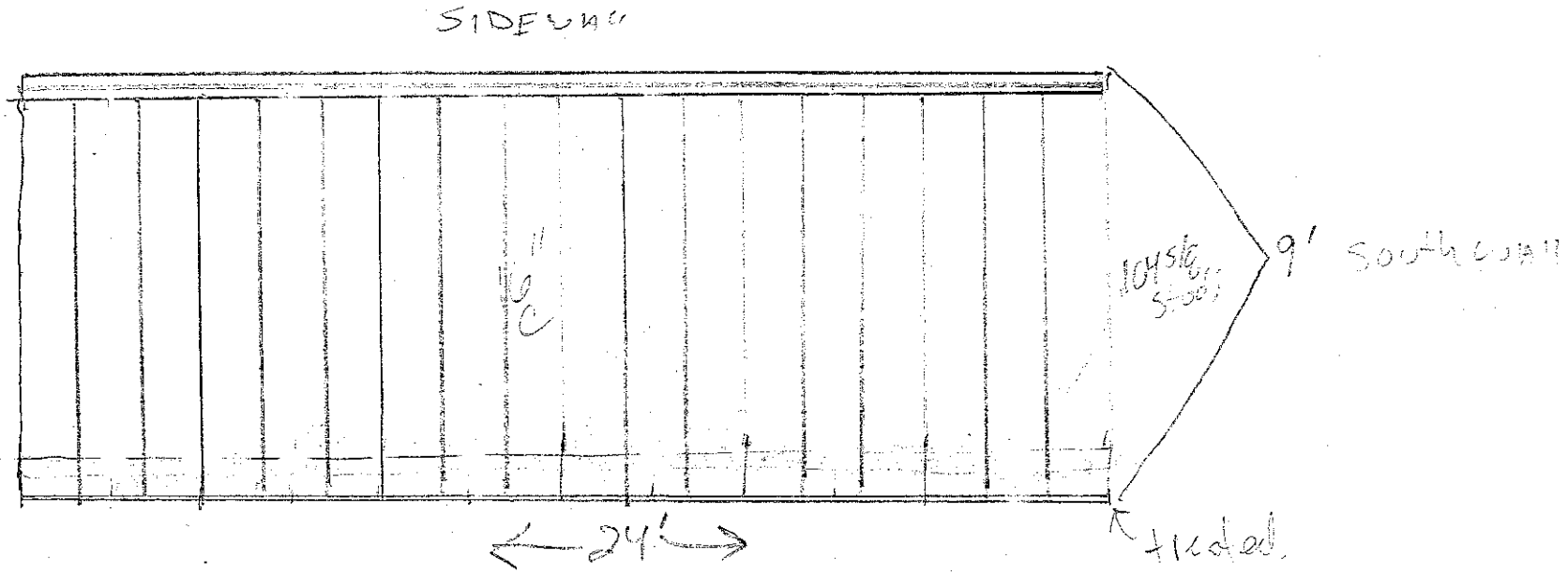
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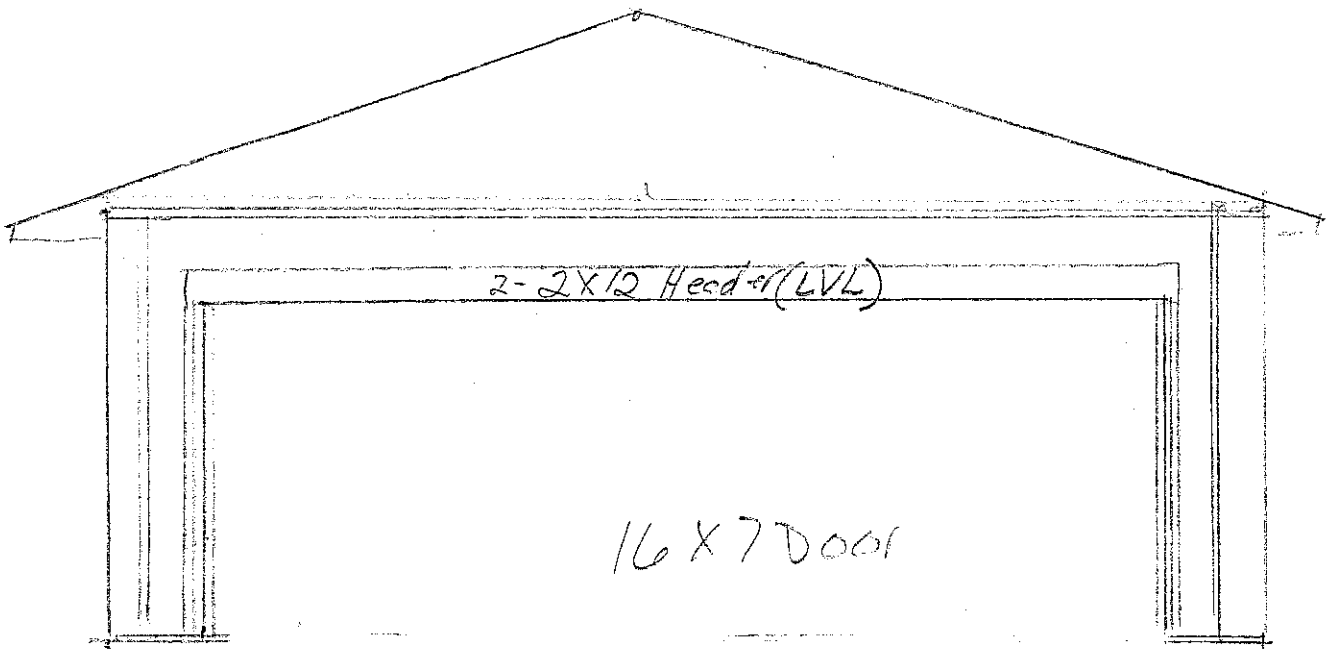
Revisions:

- Trusses 24" center
- wall studs 16" center



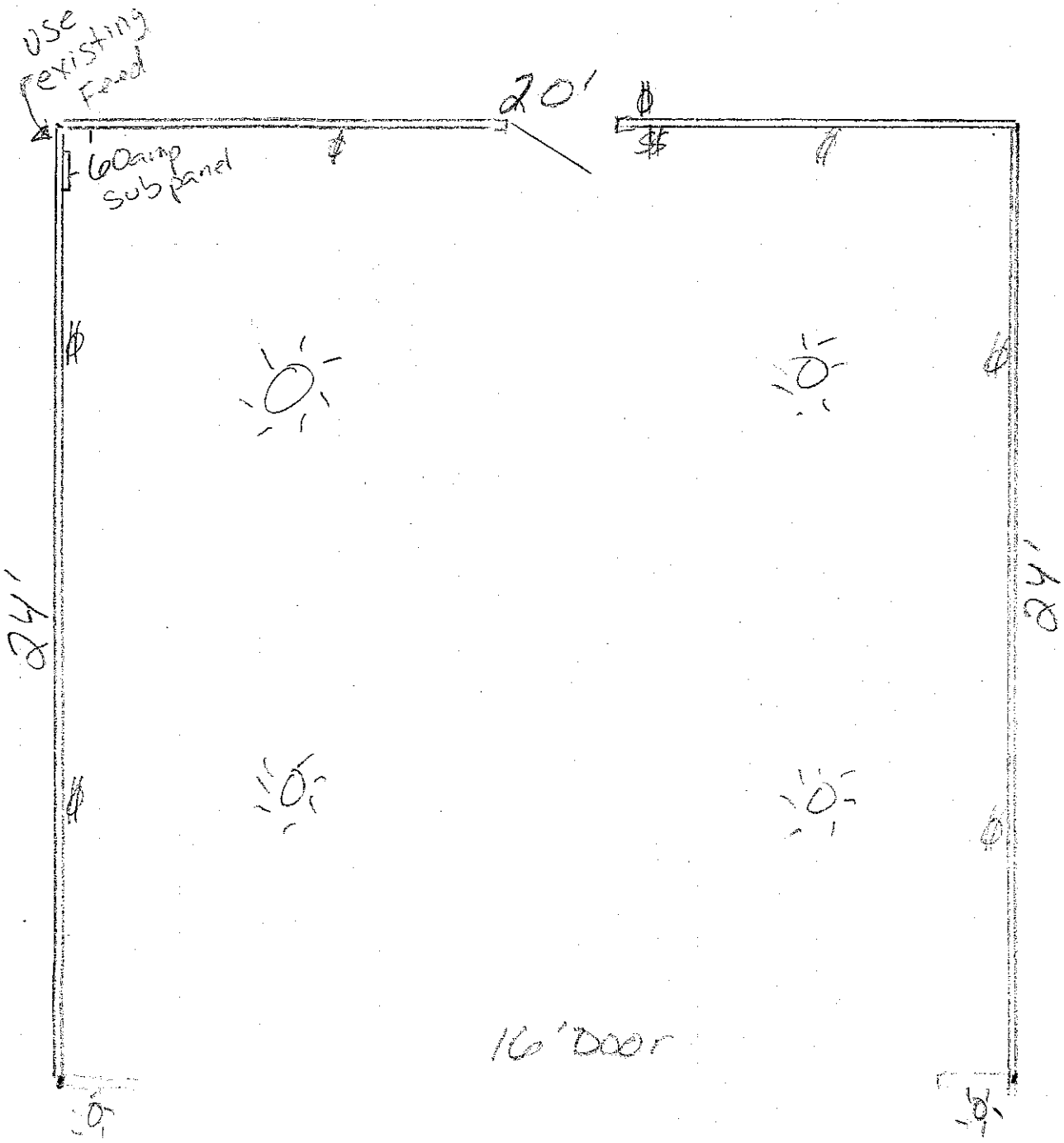

2X8
WINDOW
36X60
N. WALL
treated
24'


SIDE WALL
9'
24'
treated



West Wall

* Vinyl siding
* Shingled roof
* Aluminum soffit & Fascia


use existing Feed
20'
60amp sub panel
24'
24'
16' Door