#2025-79
783 Oak Court – Variation
Project Review for Planning and Zoning Commission

Meeting Date: June 18, 2025

Request: The construction of a new garage with the following variations:

a. Two-story garage with dormers that exceed the allowable 20% of the side to allow 92%, a variation of 13 feet in length per side, and

b. Increase of 143 square feet of hard-surface coverage for a lot total of 76%, which exceeds the allowable 50% by 26%.

Location: 783 Oak Court

Acreage: Approximately 4,757 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.
- The site is improved with a house, detached garage, parking area, wood deck, patio, walkway and gravel swales. The total existing hard surface coverage is estimated to be about 75%.
- The existing garage would be demolished and a new garage constructed. The proposed garage would have dormers, which due to their proposed size act as a second story (92% of the width). Dormers cannot exceed 20% and a maximum of two dormers per side. The new garage would add 143 square feet of hard-surface coverage. The lot already exceeds the maximum hard-surface coverage. The new coverage would be approximately 76%.
- A variation for larger dormers was approved at 775 Oak Court in September 2022, 795 Oak Court in July 2023, and 771 Oak Court in November 2023. A Variation for larger dormers at 142 Edgewood was requested, but the discussion was not going well. The petitioner decided to withdraw the dormer request and was only granted the variation setback sat the May 2024 Council meeting.
- Legal counsel has stated a previous variation does not set precedent.

- The Unified Development Ordinance was amended to reduce the need for dormer variations. The current ordinance increased the height from 1 story to 1 ½ stories and from 15 feet in height to 18 feet in height for detached accessory structures.

Development Analysis:

General

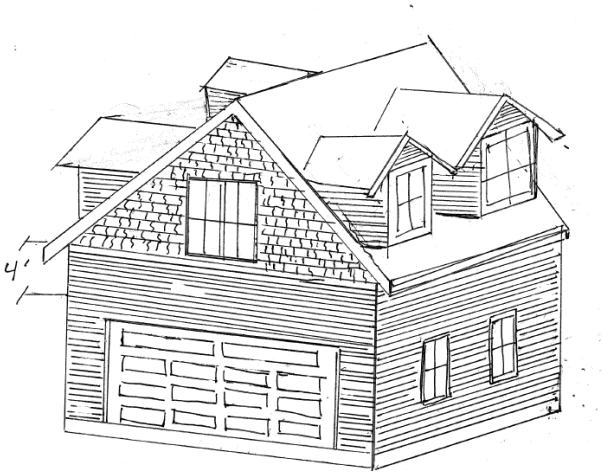
- Requests: To construct a new two-story garage with dormers that exceed the allowable 20% of the side to allow 92%, a variation of 13 feet in length per side, and increase of 143 square feet of hard-surface coverage for a lot total of 76%, which exceeds the allowable 50% by 26%.
- Zoning: The site is zoned R-2 Single Family 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.

The petitioner is requesting variations from Article 3 and Article 4 from the maximum dormer length of 5 feet each to allow 23 feet, creating a second story in the structure.

Proposed garage:

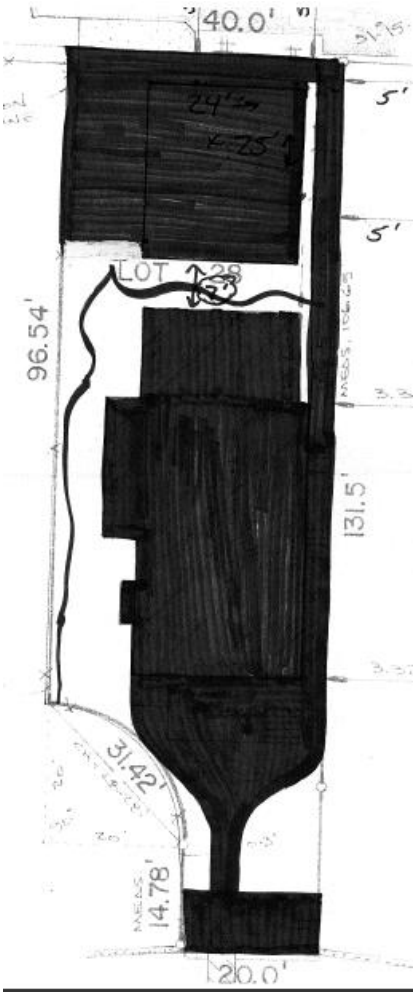


An example of a garage without any variations:



The additional impervious coverage of 143 square feet adds to the existing non-conformity bringing the lot total to 76%.

The image to the right illustrates the proposed total coverage on the lot. The areas in black are the buildings, decks and any gravel or paved areas.



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 3 and Article 4 from the maximum dormer length of 5 feet each to allow 23 feet, creating a second story in the structure. The additional impervious coverage of 143 square feet adds to the existing non-conformity bringing the lot total to 76%.

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. Be consistent with the information and testimony provided by the petitioner in the hearing and the following provided documents:
   A. Application (Dietrich, received 05/16/25)
   B. Site Plan (Plat of Survey drawing, dated 08/22/18, received 05/16/25)
   C. Architectural Plans (Unnamed, undated, received 05/16/25)

2. Provide accurate engineering plans illustrating the hard-surface coverage. Not to exceed 75% on the lot total. A reduction in existing hard-surface coverage and permeable pavers or surface should be considered to help reduce the coverage to meet this requirement.

3. An infiltration trench is required to accommodate the additional hard-surface coverage.

4. The petitioner shall address all of the review comments and requirements of the Stormwater Consultant, Public Works and Engineering Department, and Community Development Department.

PIQ Map
783 Oak Court



Application for Simplified Residential Variation

Application Number: _____ FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____

I. Applicant

Elizabeth Dietrich and Christopher Benesh

Name

783 Oak Ct

Street

Crystal Lake	IL	60014
City	State	Zip Code

847-650-5306.		steelthx@sbcglobal.net
Telephone Number	Fax Number	E-mail address

II. Owner of Property (if different)

Elizabeth Dietrich

Name

same as above

Address Telephone Number

III. Project Data

1. a. Location/Address: 783 Oak Ct., Crystal Lake IL 60014

   b. PIN #: 19-06-176-008

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:

3 story home with detached one story 2 car garage on Crystal Lake. The property has a unique frontage not typical with other homes on the lake, in that it has only 30 feet of frontage to the lake with a very small yard between the home and the water.

IS THE HARDSHIP SELF-CREATED?

No, due to the small yard and limited storage in the home and existing one story garage, our hardship is lack of storage space.

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

Yes

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No, there are currently 3 new garage structures of identical plan and characteristics on the street that have been approved and built during the past two years.

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

No, it will not.

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?

No, it will satisfy our hardship and increase the quality of the neighborhood.

3. List any previous variations that are approved for this property:

None, under our ownership.

IV. Signatures

Elizabeth Dietrich 5-14-25

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.

ELIZABETH DIETRICH 5-14-25

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.

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: ELIZABETH DIETRICH + CHRISTOPHER BENESH

Address: 783 OAK CT.
CRYSTAL LAKE, IL. 60014

Phone: 847-650-5306

E-mail: steelthx@sbcglobal.net

Project Name & Description: REPLACE EXISTING ONE STORY 2 CAR GARAGE W/ A TWO STORY 2½ CAR GARAGE.

Project Address/Location: 783 OAK CT., CRYSTAL LAKE, IL 60014

Signature E. Dietrich

ELIZABETH DIETRICH 5-14-25

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.

RECEIVED
MAY 15 2025
By RH

PM

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

IN THE MATTER OF THE PETITION OF Elizabeth Dietrich

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 Elizabeth Dietrich for approval of a Variation at the following real estate known as 783 Oak Court, Crystal Lake, Illinois 60014, PIN: 19-06-176-008.

This application is filed for the purpose of seeking Simplified Residential Zoning Variations to allow a two-story garage, exceeding the maximum stories by 1, with dormers exceeding the maximum 20% allowed per side to allow 92%, a variation of 13 feet in length, and to exceed the maximum 50% hard-surface coverage with an existing 73% increasing to 76%, as well as any other variations as presented at the public hearing pursuant to Unified Development Ordinance 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, June 18, 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.

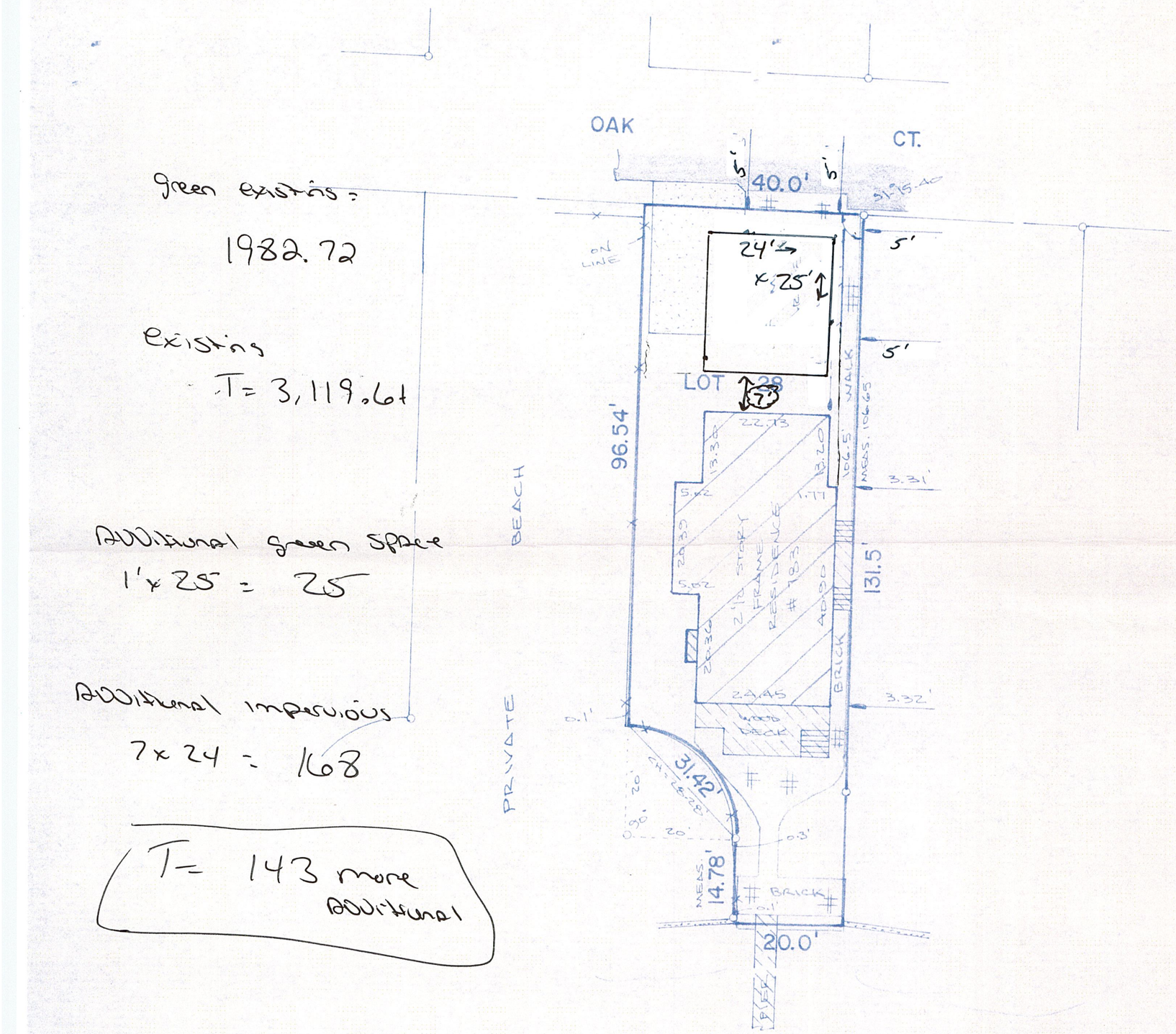
Jeff Greenman, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in Northwest Herald May 31, 2025) 2249966

Plat of Survey

Scale: 1" = 20'

OF PROPERTY DESCRIBED AS: LOT 28 IN FIRST ADDITION TO CLOW'S CRYSTAL LAKE PARK, A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1923 AS DOCUMENT 58798, IN BOOK 4 OF PLATS, PAGE 83, IN MCHENRY COUNTY, ILLINOIS.



CRYSTAL LAKE

Order # 18094

Ordered by Hal Stinespring & Assoc.

Prop. address 783 Oak Ct.
Crystal Lake, IL

Distances are given in feet and decimal parts thereof.
No dimension or angle shall be assumed by scale.

- o indicates iron stake found
- • indicates iron stake set
- -x-x- indicates fencing
- indicates concrete

State of Illinois)
County of McHenry) SS

I, William M. TenBusch, an Illinois Professional Land Surveyor, do hereby certify that I have located the above shown buildings as of this 22 nd day of AUGUST, 2018

Professional Land Surveyor # 2767

This survey does not constitute a title search.
Refer to current title policy, deeds, local ordinances or any other documents which might affect ownership, easements, building setbacks, encumbrances or restrictions not shown.

State of Illinois)
County of McHenry) SS

I, William M. TenBusch, an Illinois Pr Surveyor, do hereby certify that I hav above described property and that this representation of said survey as of this AUGUST

Professional Land Surveyor # 2

Plat not valid without embossed seal
License expires 11-30-2018
Design Firm # 184-3300

This professional service conforms to the current Illinois minimum standards for a boundary survey.

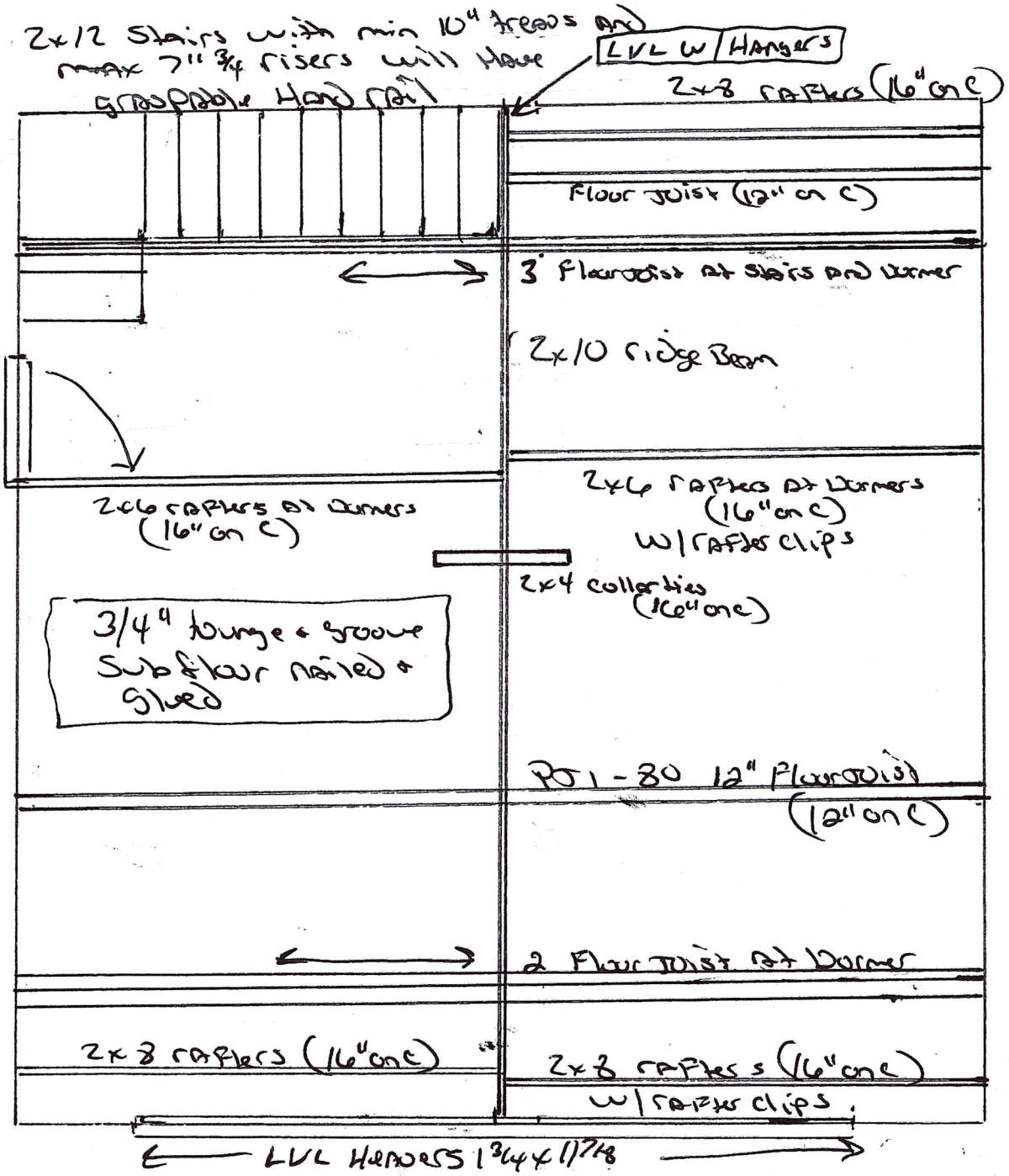
REVIEW LEGAL DESCRIPTION AND RECORD MEASUREMENTS ON THIS PLAT AND AT ONCE REPORT ANY APPARENT DIFFERENCES TO THE SURVEYOR



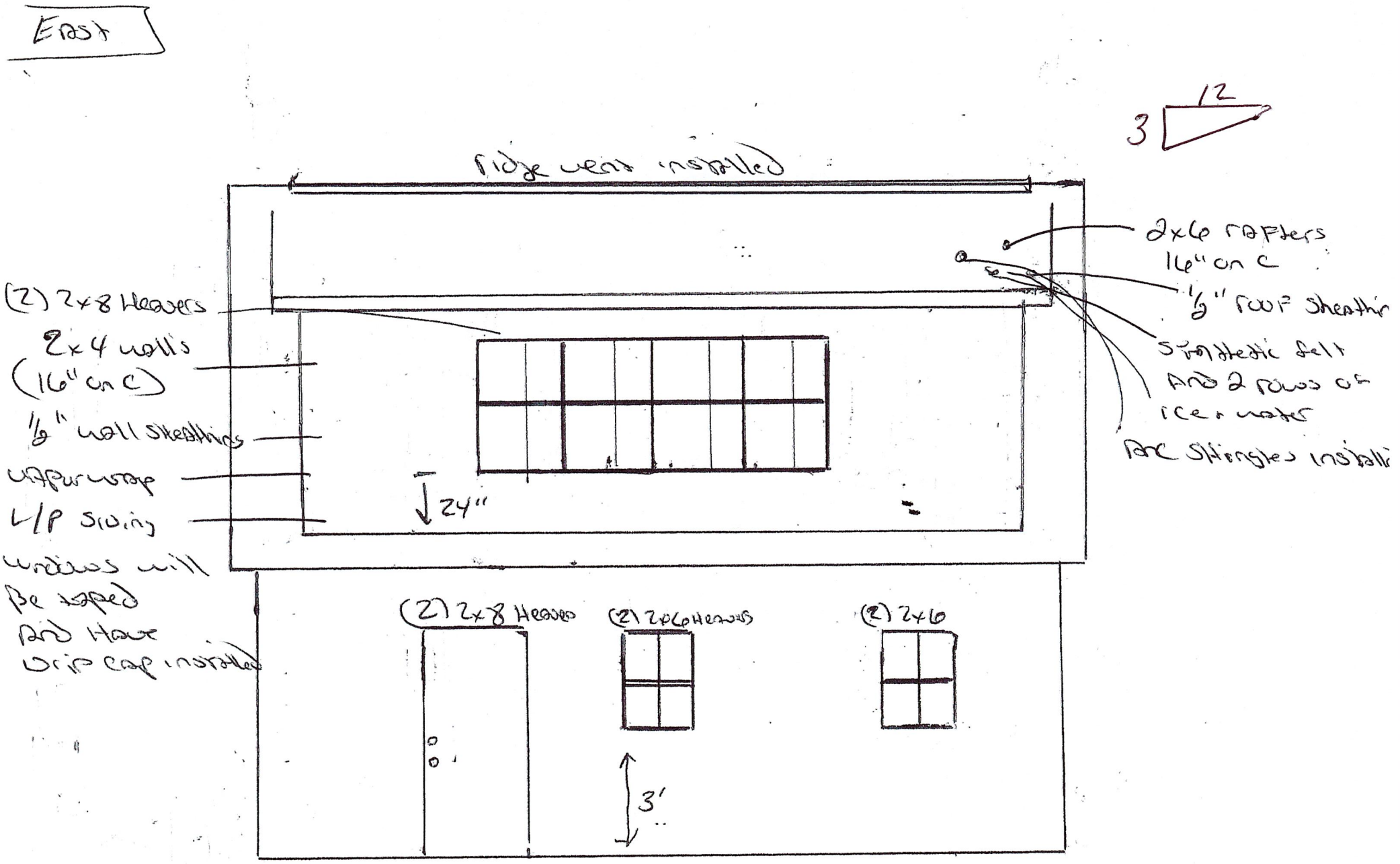
783 OAK CT
CRYSTAL LAKE, IL 60014

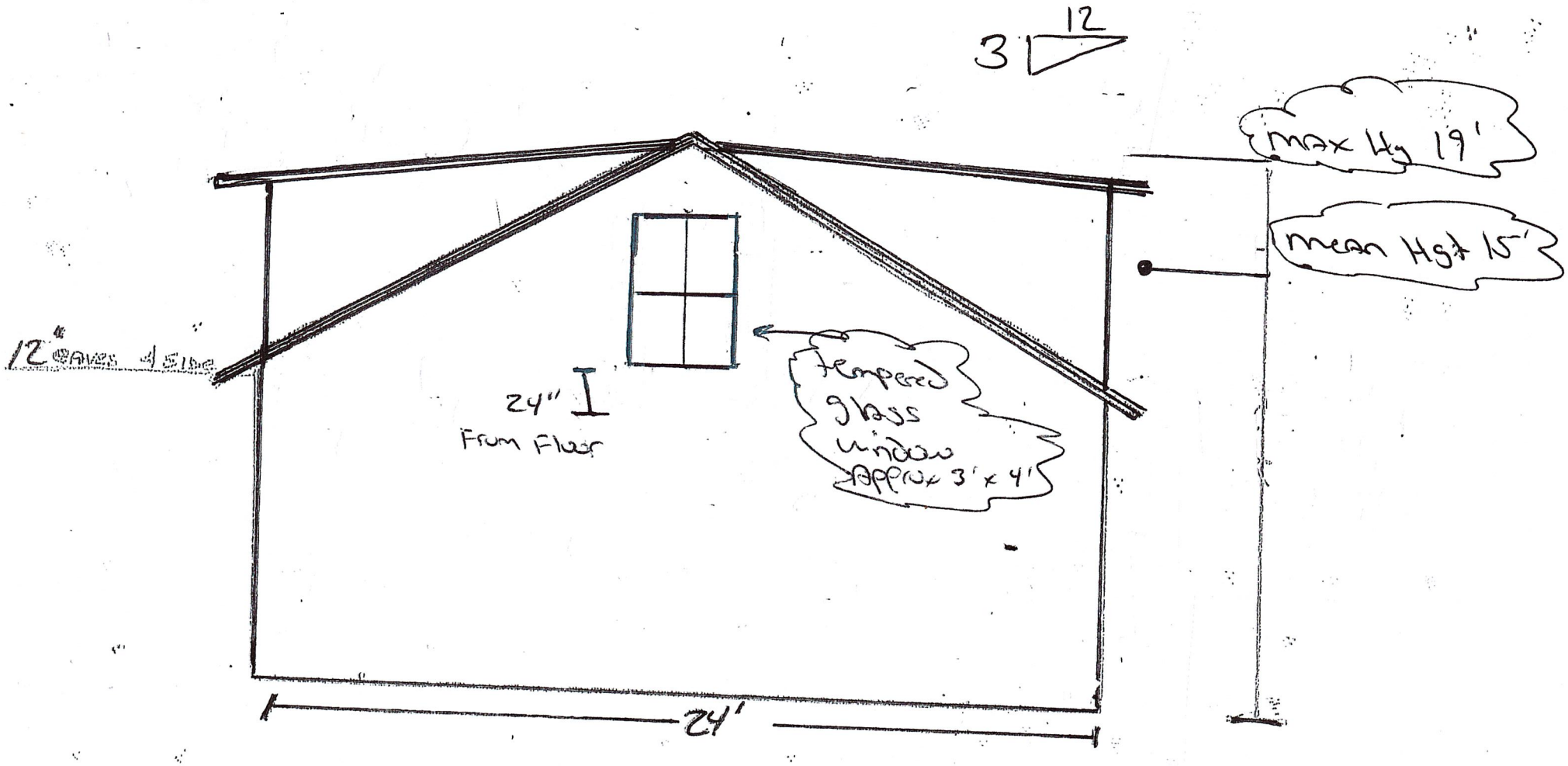
HOME OWNER

Betty Dietrich
Chris Benesh
783 Oak Street
Crystal Lake, IL 60013


2x12 Stairs with min 10" treads and max 7" 3/4 risers will have graspable Hand rail
LVL w/ Hangers
2x8 rafters (16" on c)
Floor joist (12" on c)
3' Floorjoist at stairs and Dormer
2x10 ridge Beam
2x6 rafters at Dormers (16" on c)
2x6 rafters at Dormers (16" on c) w/ rafter clips
2x4 collar ties (16" on c)
3/4" tounge & groove Sub floor nailed & glued
PJI-80 12" Floorjoist (12" on c)
2 Floor joist at Dormer
2x8 rafters (16" on c)
2x8 rafters (16" on c) w/ rafter clips
LVL Headers 1 3/4 x 11 7/8
25'
24'

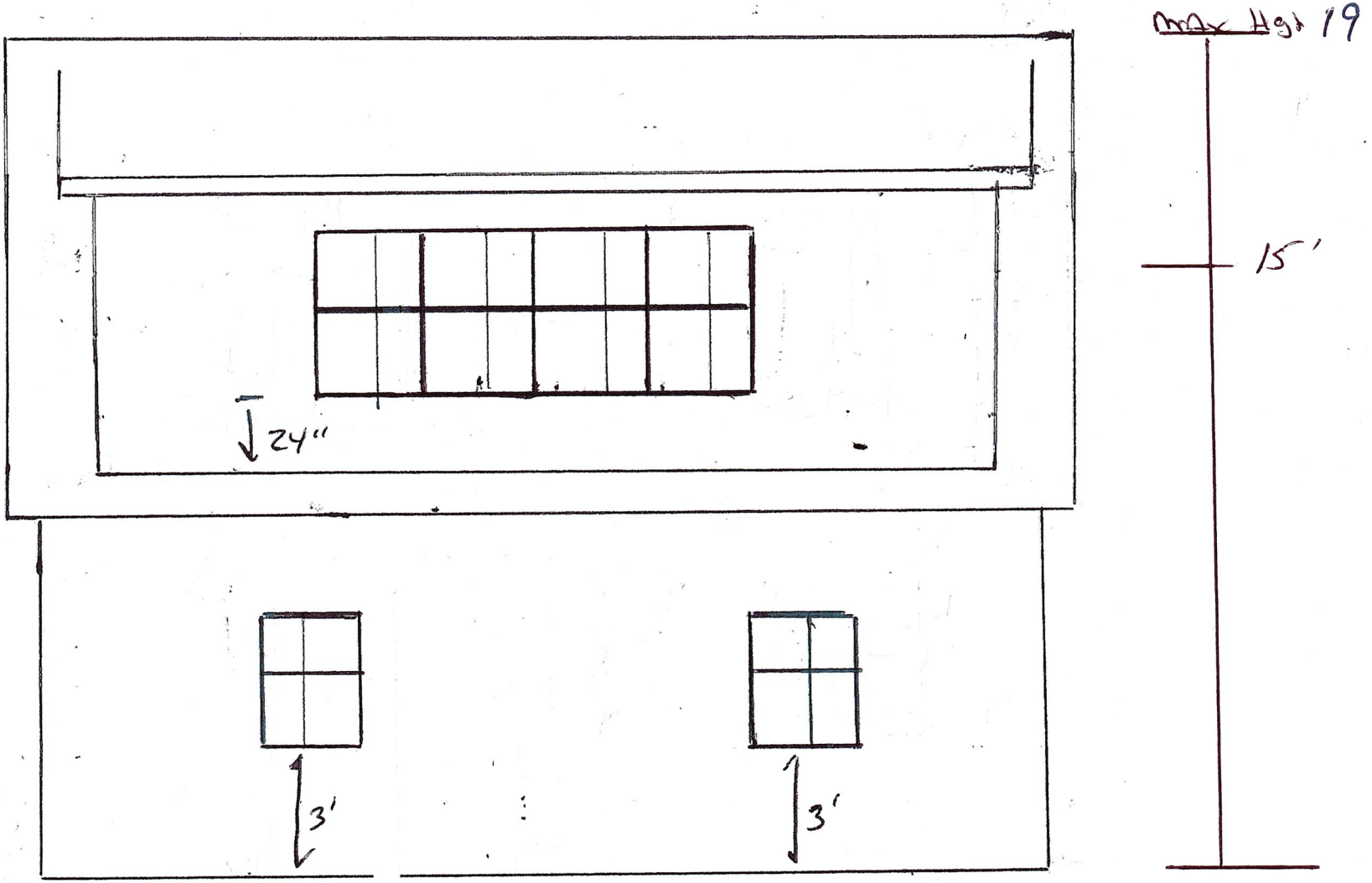
EAST

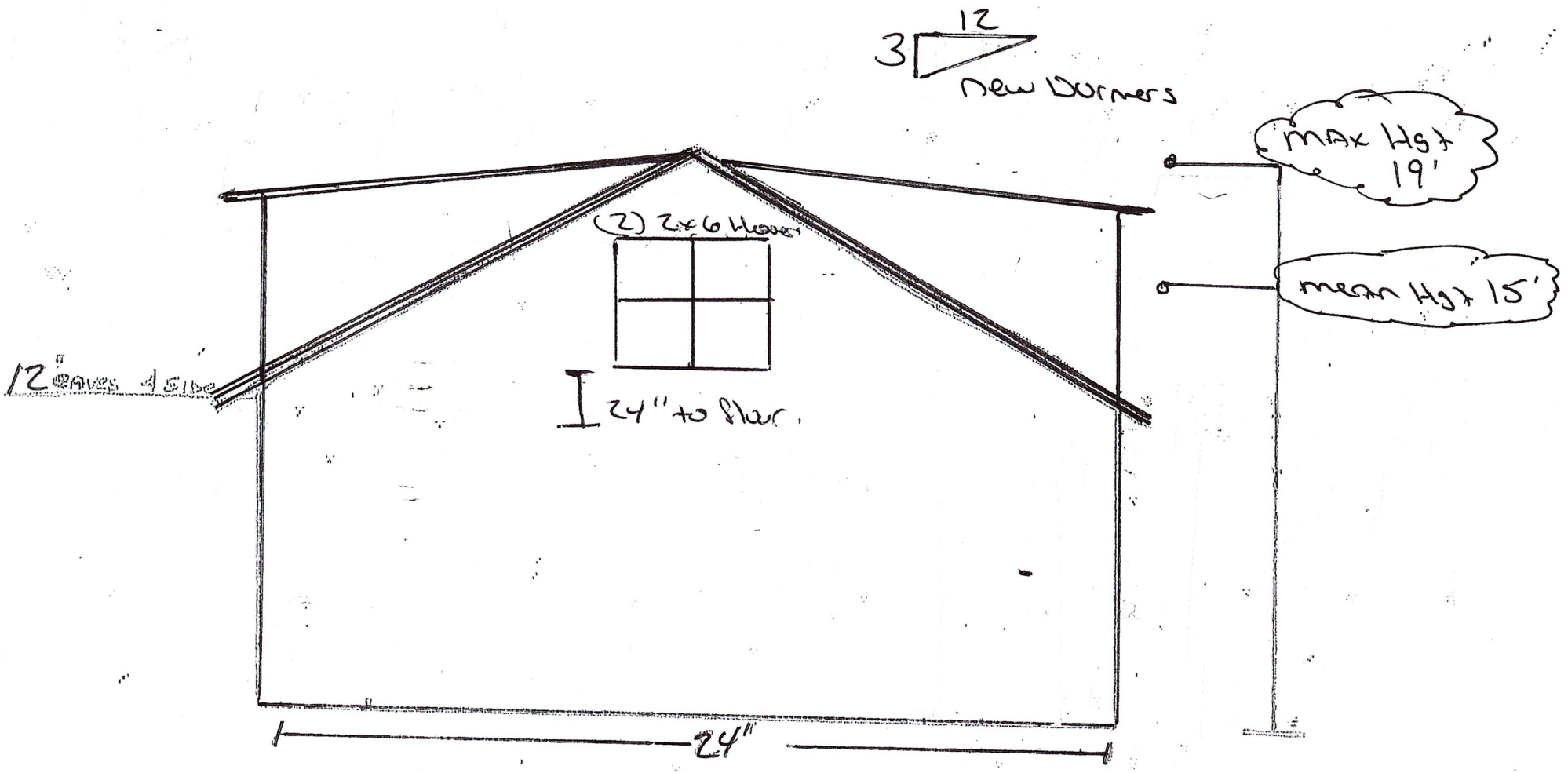

3 12
Ridge vent installed
2x6 rafters 16" on C
½" roof sheathing
Synthetic felt AND 2 rows of ice & water
Asphalt shingles installed
(2) 2x8 Headers
2x4 walls (16" on C)
½" wall sheathing
Vapor wrap
L/P siding
Windows will be taped and have drip cap installed
24"
(2) 2x8 Headers
(2) 2x6 Headers
(2) 2x6
3'



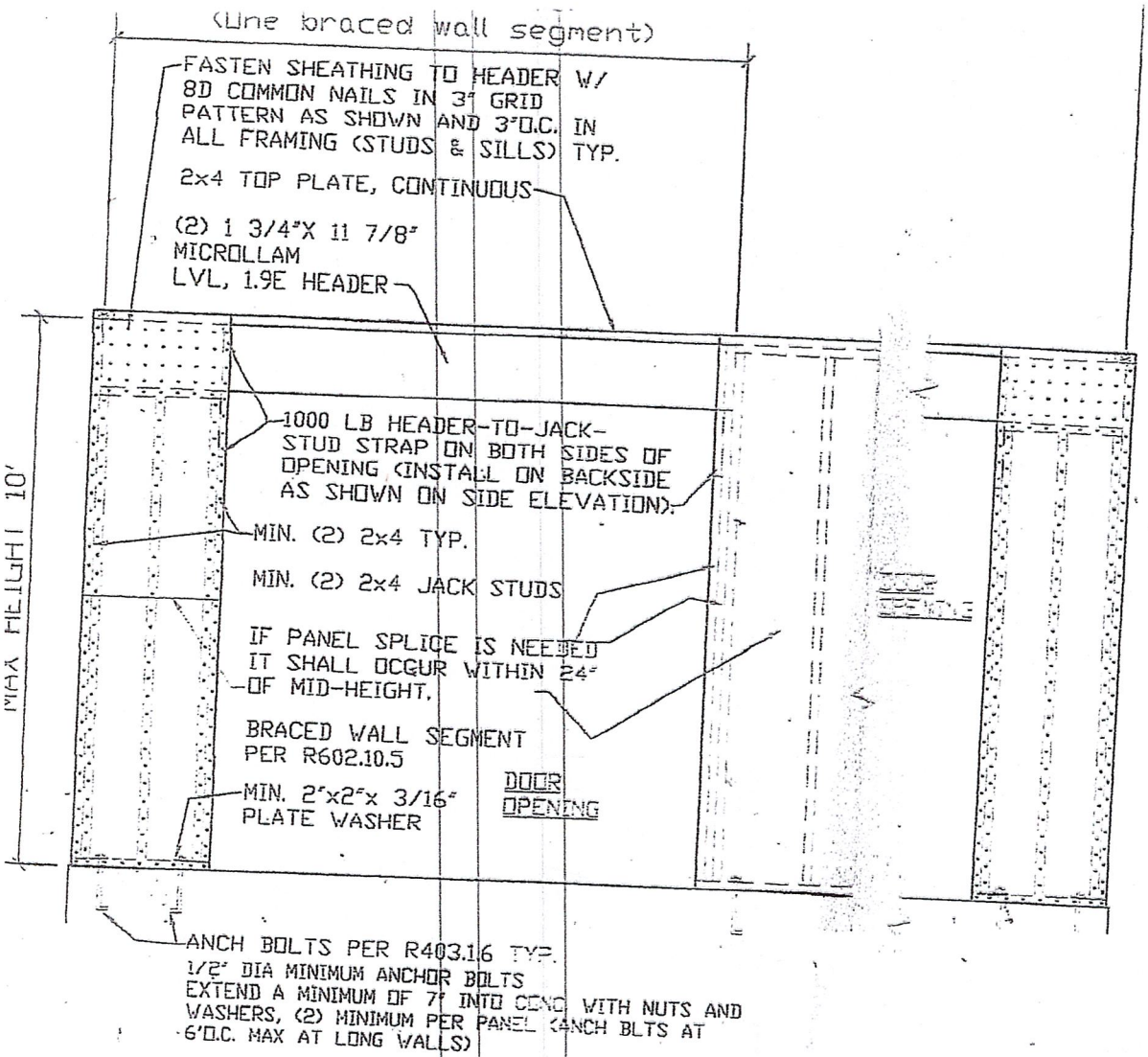
SCALE 1/4" = 1'	APPROVED BY
DATE	
Email	
Elevation South View	DRAWING NUMBER

West



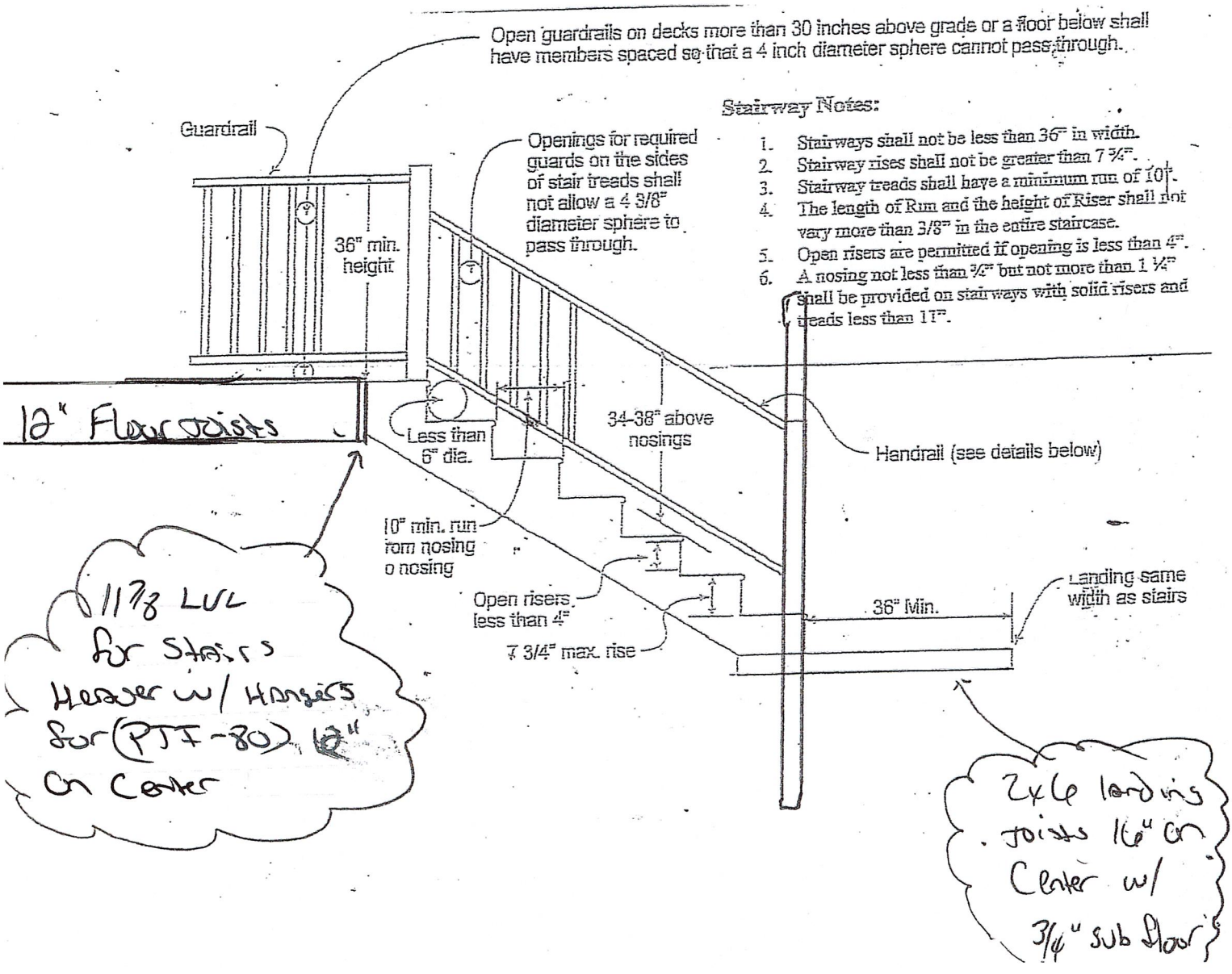


SCALE 1/4" = 1'	APPROVED BY:	
DATE		
Elevation North view		DRAWING NUMBER


(One braced wall segment)
FASTEN SHEATHING TO HEADER W/ 8D COMMON NAILS IN 3" GRID PATTERN AS SHOWN AND 3"O.C. IN ALL FRAMING (STUDS & SILLS) TYP.
2x4 TOP PLATE, CONTINUOUS
(2) 1 3/4"X 11 7/8" MICRO=LAM LVL, 1.9E HEADER
1000 LB HEADER-TO-JACK-STUD STRAP ON BOTH SIDES OF OPENING (INSTALL ON BACKSIDE AS SHOWN ON SIDE ELEVATION).
MIN. (2) 2x4 TYP.
MIN. (2) 2x4 JACK STUDS
IF PANEL SPLICE IS NEEDED IT SHALL OCCUR WITHIN 24" OF MID-HEIGHT.
BRACED WALL SEGMENT PER R602.10.5
MIN. 2"x2"x 3/16" PLATE WASHER
DOOR OPENING
MAX HEIGHT 10'
ANCH BOLTS PER R403.1.6 TYP.
1/2" DIA MINIMUM ANCHOR BOLTS EXTEND A MINIMUM OF 7" INTO CONC. WITH NUTS AND WASHERS, (2) MINIMUM PER PANEL (ANCH BLTS AT 6'O.C. MAX AT LONG WALLS)

Allowable Spans for P3 Floor Joist

Load		Series	Depth (in)	Single Floor Span			
				Glued & Nailed Subfloor			
				On center joist spacing (in)			
Live	Dead			12	16	19.2	24
40	10	PJI-40	9.5	18'-0"	16'-5"	15'-7"	14'-6"
			11.875	21'-5"	19'-7"	18'-6"	16'-8"
			14	24'-4"	22'-2"	20'-6"	18'-4"
			16	26'-11"	24'-2"	22'-1"	19'-9"
		PJI-60	9.5	18'-11"	17'-3"	16'-3"	15'-2"
			11.875	22'-7"	20'-7"	19'-5"	18'-1"
			14	25'-8"	23'-5"	22'-1"	20'-7"
			16	28'-6"	25'-11"	24'-6"	22'-9"
		PJI-65	11.875	23-6"	21'-5"	20'-2"	18'-9"
			14	26'-8"	24'-3"	22'-10"	21'-3"
			16	29'-6"	26'-10"	25'-4"	23'-6"
		PJI-80	9.5	20'-9"	18'-11"	17'-9"	16'-6"
			11.875	24'-9"	22'-6"	21'-3"	19'-9"
			14	28'-2"	25'-7"	24'-1"	22'-5"
			16	31'-2"	28'-4"	26'-8"	24'-10"
		PJI-80ws*	18	34'-0"	30'-11"	29'-1"	27'-0"
			20	36'-10"	33'-6"	31'-6"	29'-3"
			24	42'-2"	38'-4"	36'-1"	33'-6"
		PJI 90	11.875	25'-6"	23'-2"	21'-9"	20'-3"
			14	28'-11"	26'-3"	24'-9"	22'-11"
			16	32'-0"	29'-1"	27'-4"	25'-4"
		PJI-90ws*	18	34'-11"	31'-9"	29'-10"	27'-9"
			20	37'-10"	34'-4"	32'-4"	30'-0"
			24	43'-3"	39'-4"	37'-0"	34'-4"


Open guardrails on decks more than 30 inches above grade or a floor below shall have members spaced so that a 4 inch diameter sphere cannot pass through.
Guardrail
36" min. height
Openings for required guards on the sides of stair treads shall not allow a 4 3/8" diameter sphere to pass through.
Stairway Notes:
1. Stairways shall not be less than 36" in width.
2. Stairway rises shall not be greater than 7 ¾".
3. Stairway treads shall have a minimum run of 10".
4. The length of Run and the height of Riser shall not vary more than 3/8" in the entire staircase.
5. Open risers are permitted if opening is less than 4".
6. A nosing not less than ¾" but not more than 1 ¼" shall be provided on stairways with solid risers and treads less than 11".
12" Floor joists
Less than 6" dia.
34-38" above nosings
Handrail (see details below)
10" min. run from nosing o nosing
Open risers less than 4"
7 3/4" max. rise
36" Min.
Landing same width as stairs
11 7/8 LVL for Stairs Header w/ Hangers for (PJI-80) 16" On Center
2x6 landing joists 16" On Center w/ 3/4" sub floor