#2026-071
175 Lake Shore Drive – Simplified Residential Zoning Variation
Project Review for Planning and Zoning Commission

Meeting Date: May 6, 2026

Request: A variation to allow replacement of a four-foot picket fence and a six-foot solid fence in a front yard.

Location: 175 Lake Shore Drive

Acreage: 6,904 square feet

Existing Zoning: R-3A Two-Family Residential

Surrounding Properties:
Northeast: B-2 General Commercial
Southeast: R-3A Two-Family Residential
Southwest: R-3A Two-Family Residential
Northwest: R-3A Two-Family Residential

Staff Contact: Darrell Moore (815) 356-3612

Background:

- The property is a corner-side lot containing a single-family residence that abuts Lake Shore Drive and Pierson Street.
- Previous Approvals: None

Development Analysis:

General

- Request: To allow replacement of a four-foot picket fence and a six-foot solid fence in a front yard. This will allow for a like-for-like replacement of the two fences.
- Zoning: The site is zoned R-3A Two-Family Residential.
- Land Use: The land use map shows the area as Urban Residential.
- The fences to be replaced are to the side and rear of the house, as the front door faces Pierson Street. However, because the narrowest side of the lot fronts Lake Shore Drive, the yard the fences extend into is classified as the front yard.
- The like-for-like replacement is for: 1) a six-foot wooden privacy fence that separates the property from the Lake Roots restaurant parking lot, and 2) a four-foot wooden picket fence that extends out from the house toward the sidewalk and then ties into the six-foot fence at the property line. According to the petitioner, recent storm damage brought down sections of the fences they are seeking to replace. The petitioner reported that the condition of the fences does not allow for repair of these sections and, instead, replacement is required.

- The petitioner states that the variation for the six-foot fence is needed to function as "a buffer between residential and commercial uses" and to "maintain a uniform appearance" with the remaining six-foot fence, which has been in place "for several years." The replacement will match the existing fence in height and style, with no changes to location.
- There are no records of any fence permits on this property. Based on historical images, the portion of the six-foot fence to be replaced was erected around 2018 and the picket fence has been likely been in place since prior to 2005.



Top: View facing east (2022)
Middle: View facing southeast (2022)
Bottom: View facing south (2022)

Findings of Fact:

ZONING ORDINANCE VARIATION
The petitioner is requesting a simplified residential zoning variation to allow replacement of a four-foot picket fence and a six-foot solid fence in a front yard.

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 include the following conditions:

1. Fence application and installation shall be consistent with the information and testimony provided by the petitioner in the hearing and the following provided documents:
    A. Application (Dougherty, 4/16/26)
    B. Site Plan (Dougherty, 4/16/26)

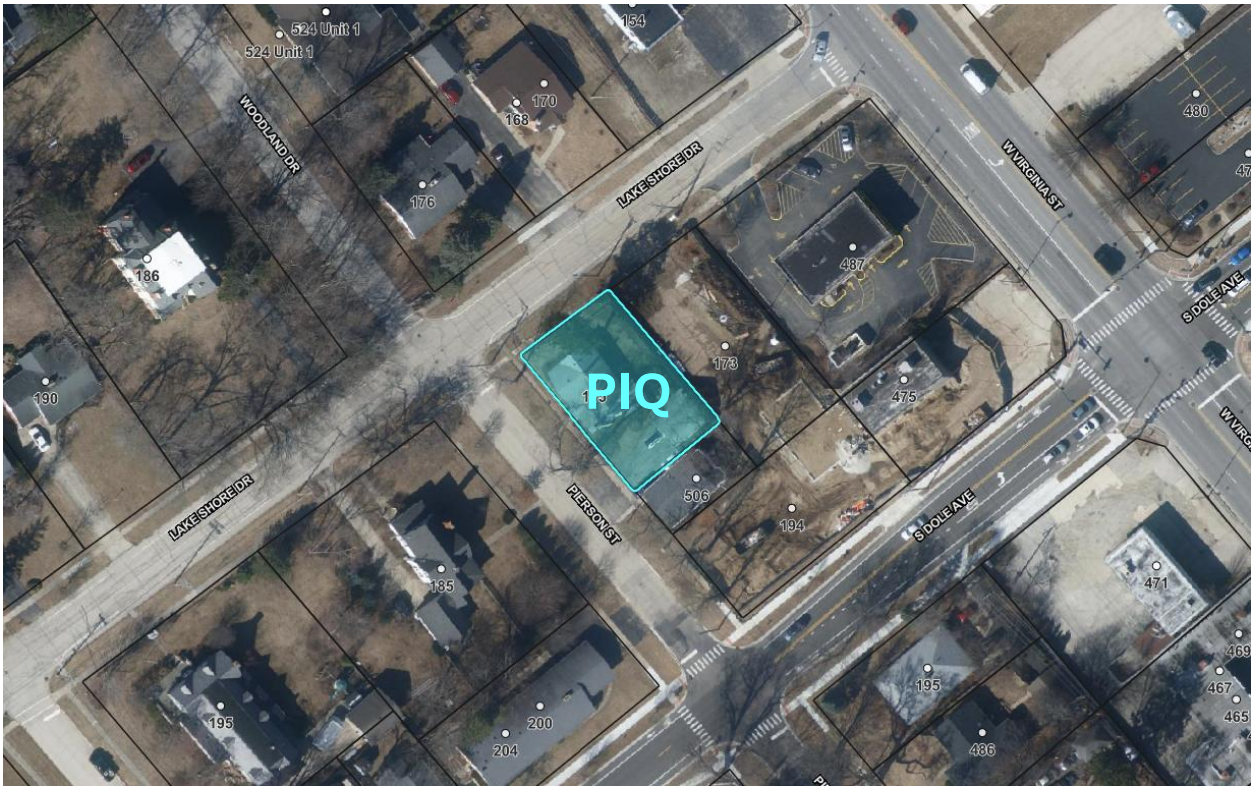
2. Replacement fences shall match as closely as possible the style, material, and color of the existing fences.

3. Comply with the requirements of Section 4-700B (Fences, walls and screening), except as provided for under this variation.

4. The petitioner shall address all review comments and requirements of the departments of Community Development and Public Works & Engineering.

PARCEL IN QUESTION

175 Lake Shore Drive



Application for Simplified Residential Variation

Application Number: _____ FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____

I. Applicant

Anke Daugherty
Name

175 Lakeshore Drive
Street

Crystal Lake IL 60014
City State Zip Code

[redacted] [redacted]
Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Name

Address Telephone Number

III. Project Data

1. a. Location/Address: 175 Lakeshore Dr Crystal Lk, IL 60010

   b. PIN #: _____

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:

   See attached

   IS THE HARDSHIP SELF-CREATED?

   see attached

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

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?
see attached

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

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? See attached

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

IV. Signatures

[redacted] 4/12/21

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.

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.

Replacement of existing fence panels along two sides of the property due to storm damage. The proposed fence will match the existing fence in height and similar style, consisting of one 6-foot section and one 4-foot section. A portion of the fence line is adjacent to a neighboring restaurant property, where an existing fence is already in place, while the remaining portion is located on my property.

In addition to replacing the damaged panels, I am also proposing to replace one remaining 6-foot panel that is still standing in order to maintain a uniform appearance along the entire fence line. This will ensure consistency in materials and appearance across the full boundary.

In an effort to maintain a uniform appearance along the shared boundary and provide continued privacy from the adjacent parking lot, the replacement fence will closely match the existing style and alignment. No changes to the fence layout, footprint, or placement relative to the property lines are proposed.

The request is to replace sections of an existing fence that were damaged during a recent wind storm. The original fence has been in place for several years and includes both 6-foot and 4-foot sections. The proposed replacement will match the existing fence in height and similar style, with no changes to the location, footprint, or overall design.

A portion of the fence line runs adjacent to a neighboring restaurant property, where a fence is already present, while the remaining portion is located on my property. The existing fence line has functioned as a buffer between residential and commercial uses. In an effort to maintain a consistent and uniform appearance along the shared boundary, as well as to preserve privacy from the adjacent parking lot, I am proposing a replacement fence that closely matches the existing style and height.

The existing fence is located along the current property boundaries, including areas that may fall within a typical utility easement. The replacement fence will remain in the same location and will not interfere with utility access, and can be removed if access is ever required.

One remaining section of the existing 6-foot fence is still intact; however, replacing this section as part of the project will ensure a consistent and cohesive appearance across the entire fence line. This is not an expansion, but rather a continuation of the same existing fence condition.

While it was recently brought to my attention that the original fence may not have been installed with a permit, this application is being submitted in good faith to bring the property into compliance while maintaining the established boundary and appearance.

Additionally, the fence is necessary for safety and containment, as I am planning to get a dog and need a secure, enclosed yard.

Denial of this request would create a hardship by preventing reasonable replacement of an existing structure, reducing privacy and safety, and negatively impacting the usability and appearance of the property—particularly given its adjacency to a commercial parking area.

The adjacent restaurant and associated parking area were approved through a rezoning process within the past year. As a result, the existing fence has become increasingly important as a buffer between the residential property and the newly introduced commercial use. The 6-foot fence provides necessary privacy, noise reduction, and visual screening from the adjacent parking area, which was not previously present.

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

IN THE MATTER OF THE PETITION OF **ANKE DOUGHERTY**.

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 **Anke Dougherty**, owner, for a **Variation** on the property at the **175 Lakeshore Drive, Crystal Lake, Illinois, 60014**. **PIN: 19-06-277-001**.

This application is filed for the purpose of seeking **a Variation to allow the replacement of a four-foot picket fence and a six-foot solid fence in a yard abutting a street, and any other Variations necessary to approve the request to allow the proposed improvements, pursuant to Articles 3 and 4 of the Unified Development Ordinance**.

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, **May 6, 2026**, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

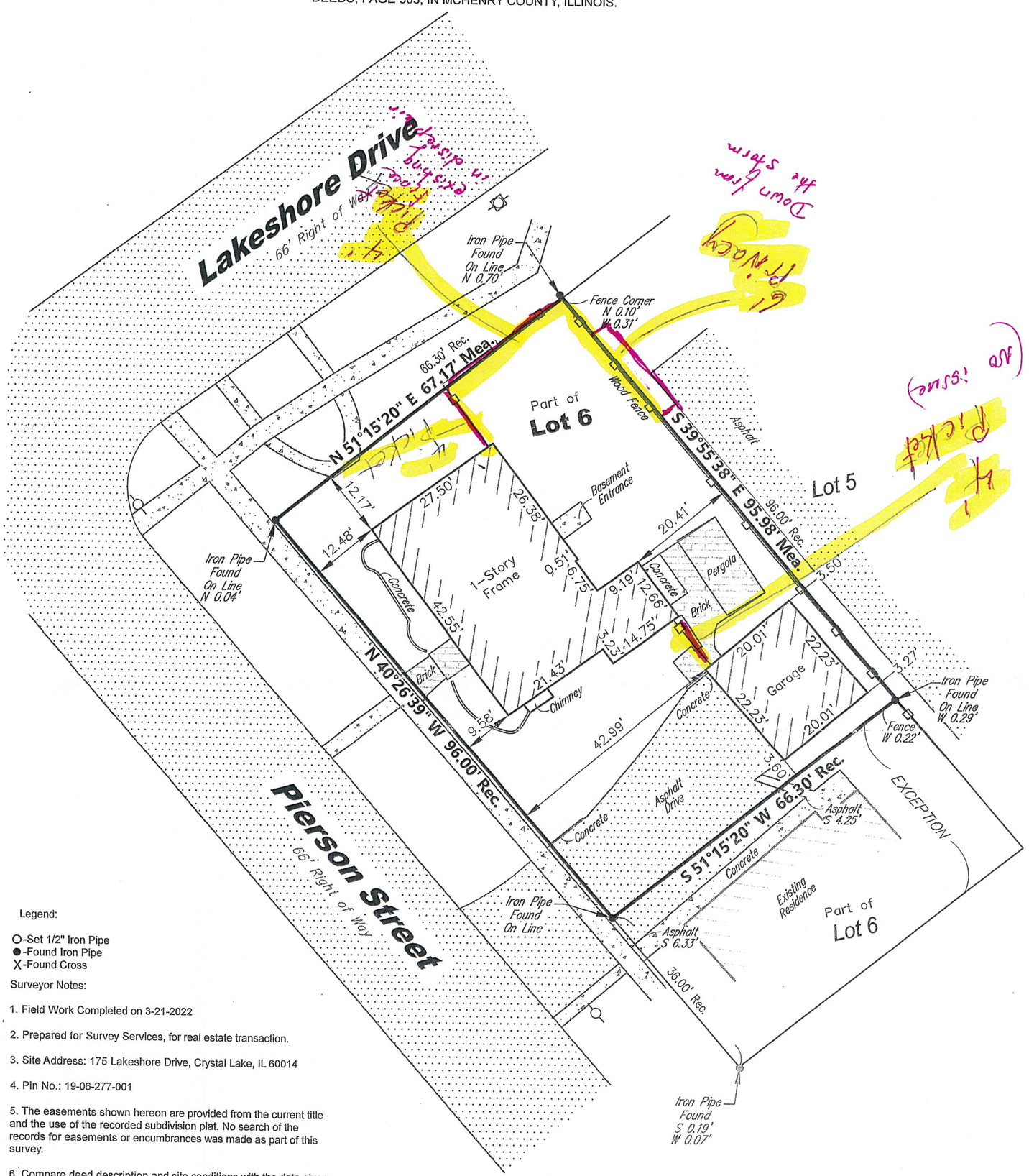
Jeff Greenman, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(For publication no later than April 21, 2026)

PLAT OF SURVEY

Scale: 1" = 20'

LOT 6 (EXCEPTING AND RESERVING THEREFROM THE SOUTHEASTERLY 36 FEET THEREOF) IN BLOCK 8 IN PIERSON'S ADDITION TO CRYSTAL LAKE, A SUBDIVISION OF PART OF SECTION 5 AND SECTION 6, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 1868 AS IN BOOK 43 OF DEEDS, PAGE 303, IN MCHENRY COUNTY, ILLINOIS.



Legend:

O-Set 1/2" Iron Pipe
●-Found Iron Pipe
X-Found Cross

Surveyor Notes:

1. Field Work Completed on 3-21-2022
2. Prepared for Survey Services, for real estate transaction.
3. Site Address: 175 Lakeshore Drive, Crystal Lake, IL 60014
4. Pin No.: 19-06-277-001
5. The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
6. Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.
7. Auto Cad Files will not be released under this contract.
8. The utilities as shown on this drawing were developed from the information available. This is not implied nor intended to be the complete inventory of utilities in this area. It is the clients responsibility to verify the location of all utilities (whether shown or not) and protect said utilities from any damage.
9. All building dimensions and ties are to the current siding material and not to the foundation.
10. No boundary corners were set at time of field survey. Boundary corners will be set a later date.
11. Bearings are assumed.
12. Title commitment issued by Acuity Title number: 41448 date: March 4, 2022

State of Illinois)
SS)
County of Lake)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found on the date of said survey.

Given under my hand and seal this 24th day of March, A.D. 2022 in Lake Zurich, Illinois.

Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-22

STATE OF ILLINOIS
GLORIA JEAN KOTER
035-003323
REGISTERED LAND SURVEYOR

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

Job Number	LS220327
Sheet Name	PLAT OF SURVEY
Sheet Number	SURVEY

Land Surveying Services, Inc.
1182 Heather Drive Lake Zurich, Illinois 60047
Ph. (847)847-1079 Fax. (847)847-1279
Professional Design Firm License No. 184-003632

Field Work Completed:	3-21-2022
Scale: 1" = 20'	Date: 3-24-2022

Site Address:
175 Lakeshore Drive
Crystal Lake, Illinois

Drafted By : ER	Field Work : KJ

Drawing Revisions

REVISION	Date