Development Application

Administrative Variation

City of Crystal Lake
Planning & Economic Development

Phone: (815) 356-3615 ▪ Fax: (815) 479-1647 ▪ Web: www.crystallake.org

100 West Woodstock Street ▪ P.O. Box 597 ▪ Crystal Lake, Illinois 60039-0597

Standards for Approval

To be eligible for an administrative variation, the petition shall meet at least one of the following standards:

1. The petitioner is performing maintenance, on a legally permitted structure, which may include removal and replacement, but shall not increase the nonconformity.
2. The improvement is to meet a building code requirement; such as a stoop or landing for egress purposes that would encroach into the setback, provided the improvement is the minimum necessary to meet the code.
3. The construction of an accessory structure (deck, fence, etc.) which does not increase the nonconformity as established by the principal structure (e.g., A deck may be constructed off the rear of the house, provided it does not extend farther into the setback than the farthest point of the house. A fence, which does not meet the setback requirement for the proposed height, may be constructed, provided it does not extend farther into the setback than the house.).
4. The addition/enlargement to a nonconforming structure which does not increase the nonconformity into the setback, as established by the farthest point of the existing structure.
5. The variation is the result of right-of-way taking.
6. The minimum parking space requirements of Section 4-200 cannot be met and if one of the following is met:
    a. The parking requirements of a specific use or development necessitate fewer parking spaces than required by this Ordinance. In support of such request, the applicant must present a trip generation and parking demand study or such other information deemed to be reliable by the Zoning Administrator which demonstrates the reduced parking demand for the development.
    b. For existing buildings in the Downtown District and Virginia Street Corridor, when a change of use to a more intensive use makes compliance with the required number of parking spaces impossible because of specific site constraints, the applicant may request to reduce the required number of off-street parking spaces.
7. The variation cannot be for a setback encroachment in the front yard of a lake lot.
8. An existing front porch, stoop, or deck can be covered with a roof, provided the sides remain open and the stoop or deck does not exceed a five-foot-by-five-foot area.
9. The removal of an existing detached garage without the replacement of an enclosed garage for single-family detached, two-family and single-family attached dwelling units.

Review Process

Pre-Application Review

- ☐ Pre-application review meeting with the Planning Department (optional)

Staff Review

- ☐ Submittal of one (1) full-size set of materials for staff review
- ☐ Staff review of materials
- ☐ Revisions/responses by petitioner, if necessary
- ☐ Staff review and recap

Public Review

- ☐ Scheduling of Public Meeting/Public Hearing by Planning Department
- ☐ Neighbor Notification and Sign Posting
- ☐ Public Hearing before the Zoning Administrator

Approved petitions

- ☐ Notification of approval by Zoning Administrator
- ☐ Application to Building Department for permits

Application Documents

Planning & Economic Development Department staff will notify you of which additional materials are required. Plans over 8.5 x 11 must be folded. Please do not roll plan sets.

☐ **Application Form** (1 copy - 8½" x 11")

☐ **Ownership information** (1 copy) (title insurance, warranty deed, most recent tax bill etc. – if the applicant is not the owner of the property, the owner must also sign the application or submit written acknowledgement of the application)

☐ **Plat of Survey** (1 copy) (must show all dimensions of existing buildings, existing easements and any other structures)

Project Drawings:

☐ Preliminary or Final Site Plan (1 copy) (include project data [i.e., building area, land area, FAR, coverage, parking and landscaping calculations, etc.] and all site improvements, such as sign location, screened trash container area, loading docks, fire lanes, lighting details, parking, drainage easements)

☐ Floor Plans (1 copy)

☐ Building Elevations (1 copy)

☐ Landscape Plan (1 copy) (indicate species, plant location, quantity, size at planting, spacing, and utility easement locations)

Other Documents or Requirements:

☐ Preliminary or Final Engineering (1 copy) (grading plan, preliminary or final stormwater analysis and supporting calculations, utility plan, erosion control, road profiles, City details)

☐ Sign elevations (1 copy)

☐ Annexation and/or Zoning Petition (1 copy)

☐ Preliminary or Final Plat of Subdivision (1 copy)

☐ Traffic Study

☐ Tree Survey (1 copy)

☐ Watershed Analysis

Notification - Procedure

The following procedures are required.

1 Neighbor notification (15-30 days prior to public hearing)

- Petitioner is required to mail a copy of the Legal Notice (produced by City staff) by First Class Mail to all property owners adjacent to the subject property. "Adjacent" shall mean across the street and kitty-corner, on either side of the lot and behind, including kitty-corner.
- Names and addresses of surrounding property owners can be obtained from the County Treasurer's Office at the County Administration Center in Woodstock.
- Treasurer's Office contact info: 2200 N. Seminary (Rt. 47) Woodstock, IL 60098
  (815) 334-4260 (phone) ▪ www.co.mchenry.il.us (web)

2 Post "Public Notice" sign (15-30 days prior to public hearing)

- Petitioner is required to post a "Public Notice" sign on the property in question.
- Sign must be visible from the street for which the property's street address is located.
- Large properties with more than one frontage may require more than one sign.

3 Signed and notarized affidavit (no later than public hearing)

- A signed and notarized affidavit verifying that the legal notice has been mailed to property owners and "Public Notice" Sign has been posted must be submitted to Staff.
- An Affidavit Template is provided on page 6 to serve as a guide.

Notification – Legal Notice Template

The Planning Department will review the legal notice to ensure that it is sufficient prior to submission for publication. The italicized text depends on the type of request.

BEFORE THE *ZONING ADMINISTRATOR* OF
THE CITY OF CRYSTAL LAKE

IN THE MATTER OF THE APPLICATION OF
(Name of Applicant, Trust, etc.)

LEGAL NOTICE

Notice is hereby given in compliance with the Zoning Ordinance of the City of Crystal Lake, Illinois, that a public hearing will be held before the *Zoning Administrator* of the City of Crystal Lake upon the application of (**Name of Applicant, Trust, etc.**) relating to the property located at (**Address of property**).

This application is filed for the purpose of (**action requested**), pursuant to the requirements of Section (**XXX**) of the Crystal Lake Zoning Ordinance.

A public hearing before the *Zoning Administrator* on the request will be held at X:XX a.m./p.m. on (**if applicable, date of hearing, as determined by Planning staff**), at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Kathryn Cowlin
Zoning Administrator
City of Crystal Lake

Notification – Affidavit Template

The italicized text depends on the type of request.

STATE OF ILLINOIS

COUNTY OF MCHENRY

IN THE MATTER OF THE APPLICATION OF
(**Name and address of Applicant, Trust, etc.**)

AFFIDAVIT

(**Name of the Applicant, Trust, etc.**), 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 below by regular mail notifying them of the hearing before the *Zoning Administrator* on (**Date**), at X:XX a.m./p.m., at the 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 (**Date**).

B. That the posting requirements of the Zoning Ordinance have been complied with by placing the customary public notice sign on the subject property on (**Date**).

_____
(**Printed name of Applicant, Trust, etc. here and signed above**)

Subscribed and Sworn to me before
This ____ day of _____ , 202___ .

_____
Notary Public

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: _____

Action Requested

__ **Administrative Variation**

Petitioner Information

Name: _____

Address: _____

_____

Phone: _____

Fax: _____

E-mail: _____

Owner Information (if different)

Name: _____

Address: _____

_____

Phone: _____

Fax: _____

E-mail: _____

Property Information

Project Description: _____

_____

_____

Project Standard of Approval Being Applied for:

☐ The petitioner is performing maintenance, on a legally permitted structure, which may include removal and replacement, but shall not increase the nonconformity.

☐ The improvement is to meet a building code requirement; such as a stoop or landing for egress purposes that would encroach into the setback, provided the improvement is the minimum necessary to meet the code.

☐ The construction of an accessory structure (deck, fence, etc.) which does not increase the nonconformity as established by the principal structure (e.g., A deck may be constructed off the rear of the house, provided it does not extend farther into the setback than the farthest point of the house. A fence, which does not meet the setback requirement for the proposed height, may be constructed, provided it does not extend farther into the setback than the house.)

☐ The addition/enlargement to a nonconforming structure which does not increase the nonconformity into the setback, as established by the farthest point of the existing structure.

☐ The variation is the result of right-of-way taking.

☐ The minimum parking space requirements of Section 4-200 cannot be met and if one of the following is met:

- ☐ The parking requirements of a specific use or development necessitate fewer parking spaces than required by this Ordinance. In support of such request, the applicant must present a trip generation and parking demand study or such other information deemed to be reliable by the Zoning Administrator which demonstrates the reduced parking demand for the development.
- ☐ For existing buildings in the Downtown District and Virginia Street Corridor, when a change of use to a more intensive use makes compliance with the required number of parking spaces impossible because of specific site constraints, the applicant may request to reduce the required number of off-street parking spaces.

☐ The variation cannot be for a setback encroachment in the front yard of a lake lot.

☐ An existing front porch, stoop, or deck can be covered with a roof, provided the sides remain open and the stoop or deck does not exceed a five-foot-by-five-foot area.

☐ The removal of an existing detached garage without the replacement of an enclosed garage for single-family detached, two-family and single-family attached dwelling units.

Project Address/Location: _____

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Other: _____

Signatures

_____

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.