#2010-38
340 Poplar Ave. (Duggins)
Project Review for Planning and Zoning Commission

Meeting Date:	June 2, 2010
Zoning Requests:	1) Variation from Article 7-200 of the Unified Development Ordinance to allow a second story addition to be as close as 11 feet from the property line instead of the required 21 feet; 2) Variation from Article 7-300 B of the Unified Development Ordinance to allow the enlargement of a non-conformity.
Location:	340 Poplar Avenue
Acreage:	≈ 10,054 sq. ft. (0.23 acres)
Existing Zoning:	"R-2" Single-Family Residential
Surrounding Properties:	North: "R-3B" Multi-Family Residential South: "R-2" Single Family Residential East: "R-2" Single Family Residential West: "R-2" Single Family Residential
Staff Contact:	Latika Bhide 815.356.3615

Background:



The property in question is an existing non-conforming lot in the "R-2" single-family district with a lot area of 10,054 square feet. The property is improved with a 2-story-frame residence with a detached garage. The petitioner is requesting a second story addition that will necessitate variations.

Land Use Analysis:

The property is located at the northwest intersection of Poplar Avenue and Morgan Street. The property does not meet the minimum lot width requirement for the "R-2" district and is therefore classified as a non-conforming lot. Based on the configuration of the property, the front yard is along Poplar Avenue and the side abutting Morgan Street is considered corner side. For a non-conforming lot, the corner side setback is calculated at 21 feet. It is the petitioner's intent to add a second story addition that will be located as close as 11 feet from the property line. A

variation will also be required to allow an existing non-conformity to enlarge. The minimum interior side setback for a property in the "R-2" district is 7 feet.

It should be noted that even though the Morgan Street and Short Street right-of-ways are platted, the streets are not completely constructed and do not connect. Morgan Street provides access to one residence located at northeast intersection of Morgan Street and Poplar Avenue.



Findings of Fact:

UNIFIED DEVELOPMENT ORDINANCE VARIATION

The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the Unified Development Ordinance requirements as they relate to the property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing. Before recommending any Variation, the Planning and Zoning Commission and City Council shall first determine and record its findings that the evidence justifies the conclusions that:

1. 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.
   ☐ True ☐ False

2. Also, that the variation, if granted, will not alter the essential character of the locality.
   ☐ True ☐ False

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:

1. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;
   ☐ True ☐ False

2. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;
   ☐ True ☐ False

3. 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
   ☐ True ☐ False

4. 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.
   ☐ True ☐ False

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 the petitioner's request for a variation is approved, staff suggests that the following as conditions of the approval of the variation at 340 Poplar Avenue:

1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application, received 5-14-10
   B. Plat of Survey, Luco, received 5-14-10
   C. Site Plan, ALA, received 5-14-10

2) The petitioner shall address all comments of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.

City of Crystal Lake
Simplified Residential Variation Application

Office Use Only
File #: 3 8 2010

RECEIVED
MAY 14 2010
BY:

Petitioner Information

Name: Jessica Duggins
Address: 340 Poplar St.
Crystal lake IL 60014
Phone: 312-714-6652
Fax:
E-mail: Jblue1976@Yahoo.com

Owner Information (if different)

Name:
Address:
Phone:
Fax:
E-mail:

Property Information

Project Address/Location: 340 Poplar St.
Crystal lake IL 60014

Project Description/Hardship

Please describe the proposed project and any unique circumstances of the property or particular hardship that, in your opinion, necessitates the variation request.

There is no heat or A.C. Ductwork to second floor
Need new construction to provide An avenue to
bring ductwork up. We have a new baby
We can't keep her in her bedroom w/ no heat
or air

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.

JESSICA DUGGINS Jessica Duggins 5/13/2010
OWNER: Print and Sign name Date

10-38

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF Jessica Duggins)

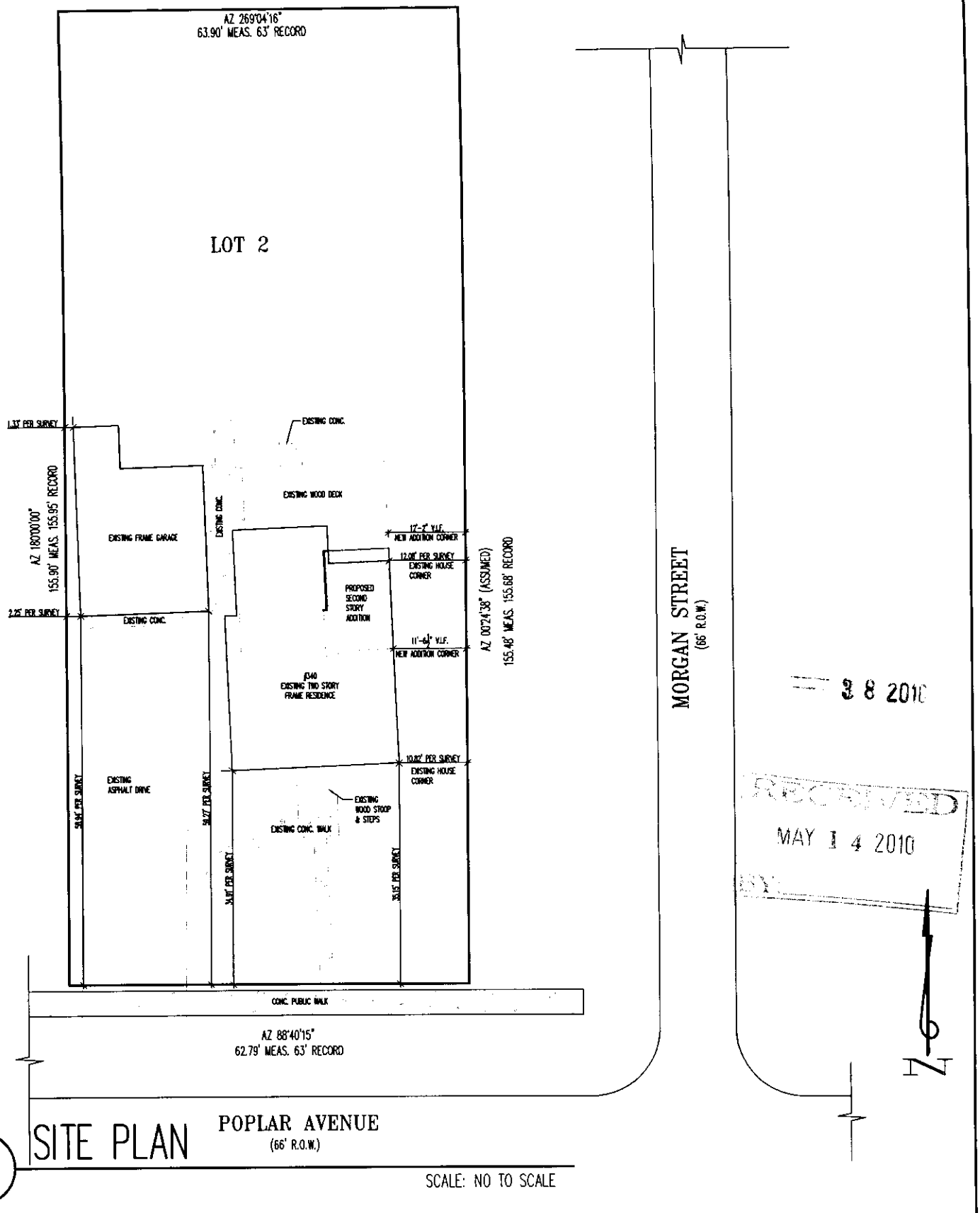
LEGAL NOTICE

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 of the City of Crystal Lake upon the application of Jessica Duggins relating to the following described real estate commonly known as 340 Poplar Street, Crystal Lake, Illinois 60014. PIN: 14-33-377-014

This application is filed for the purposes of seeking a variation from Article 7-200 to allow a second story addition to be as close as 11 feet from the property line instead of the required 21 feet; a variation from Article 7-300 B to allow the enlargement of a non-conformity; as well as any other variations that may be necessary to allow the plans as presented. 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 7:30 p.m. on Wednesday, June 2, 2010, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald May 18, 2010)



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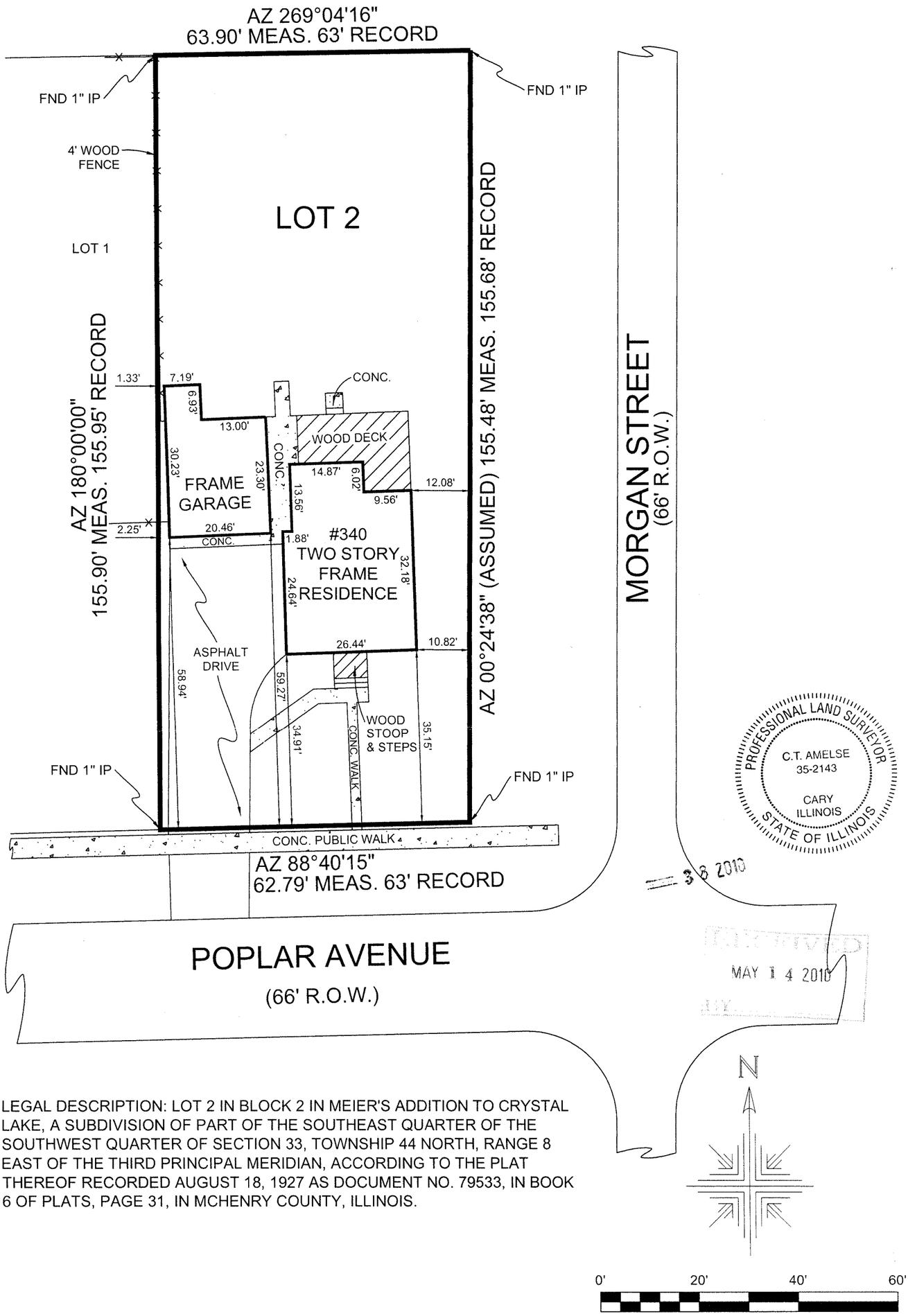
1 SITE PLAN

SCALE: NO TO SCALE

ALA Architects & Planners, Inc.
ALA Architects & Planners, Inc.
2600 Behan Road, Crystal Lake, IL 60014
Telephone: 815-788-9200 Fax: 815-788-9201

DUGGINS RESIDENCE	PROJECT NO.: 10050	A01
SECOND STORY ADDITION		
SITE PLAN	DATE: 5.13.10	
SHEET 1 OF 1	REF. SHEET: A000	

PLAT OF SURVEY



LEGAL DESCRIPTION: LOT 2 IN BLOCK 2 IN MEIER'S ADDITION TO CRYSTAL LAKE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 18, 1927 AS DOCUMENT NO. 79533, IN BOOK 6 OF PLATS, PAGE 31, IN MCHENRY COUNTY, ILLINOIS.

STATE OF ILLINOIS

COUNTY OF MCHENRY

I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, ACCORDING TO THE OFFICIAL RECORD AND THAT THIS ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
I FURTHER CERTIFY THAT UNLESS OTHERWISE SHOWN, THE BUILDINGS ON THE PARCEL ARE WITHIN PROPERTY LINES AND THE ADJOINING VISIBLE IMPROVEMENTS DO NOT ENCROACH ON THE ABOVE DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THE PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

C.T. Amelse MY LICENSE EXPIRES: 11-30-2010

C.T. AMELSE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2143

COMPARE THE DESCRIPTION OF THE PLAT WITH DEED. REFER TO TITLE POLICY FOR ITEMS OF RECORD NOT SHOWN ABOVE UNLESS OTHERWISE NOTED. NOTED UTILITIES WITHIN EASEMENTS ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES INCLUDING BUT NOT LIMITED TO CONDUITS AND CABLES (IF ANY) HAVE NOT BEEN SHOWN HEREON. VOID WITHOUT RAISED SEAL OR RED STAMP.

LEGEND

- FENCE
- CONCRETE
- WOOD
- BRICK
- PAVERS

LUCO CONSTRUCTION CO.
PROFESSIONAL DESIGN FIRM NO. 184.004829
8813 S. Route 31
Cary, IL 60013
847.658.8537
847.458.0714 fax

CLIENT NAME:	CLIENT REFERENCE:	FIELD WORK COMPLETED:	SURVEY COMPLETED:	DRAWN BY:	PROJECT NO.
DEAN	OGREN	05-12-09	05-14-09	LAH	09-24489