#2012-14
Hanssler - 305 Elmwood Avenue
Project Review for Planning and Zoning Commission

Meeting Dates: March 7, 2012

Requests: Variation from Article 7, Nonconformities, to allow a new residence on a non-conforming lot, permitting a reduction in the minimum lot width to allow 44 feet instead of the required 49 feet for nonconforming lots;

Location: 305 Elmwood Avenue

Acreage: ≈ 7,543 SF (0.17 acres)

Existing Zoning: "R-2" Single-Family Residential

Surrounding Properties:
North: "R-2" Single-Family Residential
South: "R-2" Single-Family Residential
East: "B-1" Neighborhood Residential
West: "R-2" Single-Family Residential

Staff Contact: Latika Bhide (815.356.3615)

Background:

- Location: Lot 6, Block 28 Park Addition to Crystal Lake Gardens (Vacant lot immediately south of 301 Elmwood Avenue)
- Zoning: "R-2" Single-Family Residential
- Development: Park Addition to Crystal Lake Gardens, approved in 1938
- Existing Improvements: Vacant
- Request: Variations for a new residence on a non-conforming lot allowing a reduction in the lot width to allow 44 feet instead of 49 feet



Land Use Analysis:

- Nonconformity: Properties in the "R-2" district are required to be 70 feet wide and at least 8,400 square feet in area. A residence on a previously platted tract of land that does not meet these standards is permitted as long as the lot meets 70 percent of the required lot width and area requirements. This lot is 45 feet in width instead of the required 49 feet.
- Details: The request is to allow a new residence on a vacant lot on Elmwood Avenue. The lot is 45 feet in width and has a lot area of approximately 7,543 square feet. The

proposed residence will meet the required interior and combined side setbacks for a non-conforming lot. All bulk regulations (Building Coverage, Impervious Coverage, FAR, etc.) must be met per district requirements.

- Hardship: The petitioner has indicated that the hardship is not self created and relates to the lots being platted at these widths.
- Other pertinent information: As part of Special Assessment No. 106 for the construction of sanitary sewer system, in 1977, this lot was assessed as a separate zoning lot and utilities were stubbed to the property. **By virtue of the assessments paid by this property, the buildability of this lot is vested.**

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 a motion is made to recommend approval of the petitioner's request, the following conditions are suggested:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Development Application (Hanssler, received 2-16-12)
   B. Plat of Survey (Luco, dated 5-19-10, received 2-16-12)
   C. Site Plan (Hanssler, received 2-16-12)
   D. Sample Home Plans (familyhomeplans, received 2-16-12)

2. A variation from Article 7, Nonconformities, to allow a new residence on a non-conforming lot, permitting a reduction in the minimum lot width to allow 44 feet instead of the required 49 feet for nonconforming lots is hereby granted.

3. The proposed residence must meet all other requirements of the UDO, including building coverage, impervious coverage, FAR, building height and other requirements.

4. No variations from the interior side and combined side setbacks are granted with this request. The new residence must meet a minimum 4.9 feet and a combined 12.6 feet setback requirement.

5. A grading plan consisting of existing and proposed grades with proposed top of foundation grade will be required to show how the existing drainage will be affected by the new construction. Water will not be allowed to drain onto neighboring property. The direction of the drainage cannot be changed and grades within 12 inches of the property line cannot be changed.

6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

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BY:

Application for Simplified Residential Variation

Application Number: _____ FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____

I. Applicant

Kyla E. Hanssler
Name

301 Elmwood Ave.
Street

Crystal Lake | IL | 60014
City | State | Zip Code

815-382-8273 | 815-893-6972 | kyla.hanssler@gmail.com
Telephone Number | Fax Number | E-mail address

II. Owner of Property (if different)

Name

Address | Telephone Number

III. Project Data

1. a. Location/Address: Lot 6 block 28 park addn to Crystal Lake Gardens

   b. PIN #: 18-01-326-006

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:

Property is less than standard R-2 width and the property is 45 feet wide

IS THE HARDSHIP SELF-CREATED?

No the property was plotted this way originally.

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

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

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

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?

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

IV. 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.

Kyla Hanssler Kyla Hanssler 2/15/12

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.

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF KYLA HANSSLER

LEGAL NOTICE

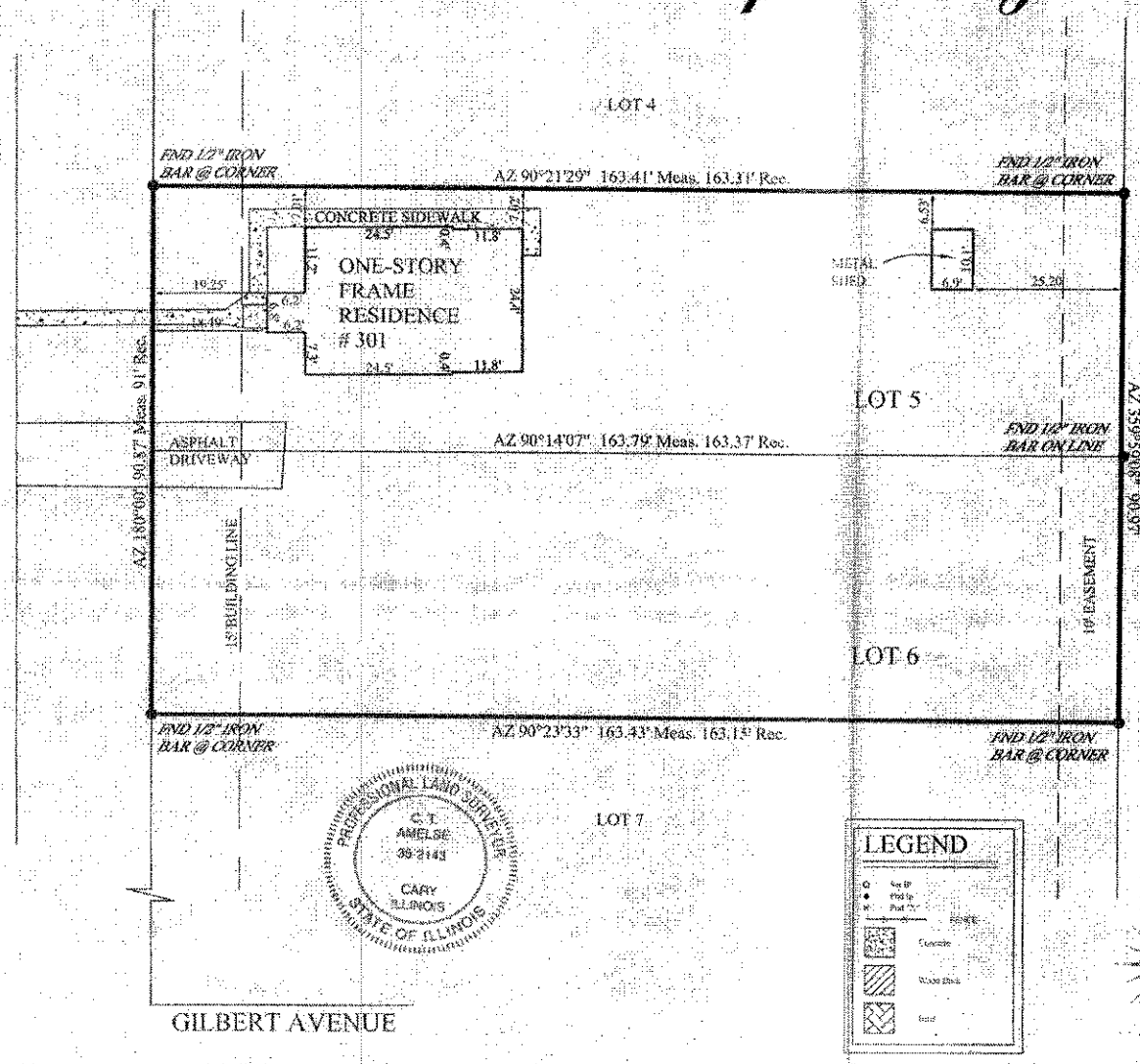
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of Kyla Hanssler for approval of variations relating to the following described real estate: Lot 6, Block 28 in Park Addition to Crystal Lake Gardens, which is the vacant lot immediately south of 301 Elmwood Avenue, Crystal Lake, Illinois 60014, PIN: 18-01-326-006

This application is filed for the purposes of seeking variation from Article 7, Nonconformities, to allow a new residence on a non-conforming lot, permitting a reduction in the minimum lot width to allow 44 feet instead of the required 49 feet for nonconforming lots, 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, March 7, 2012, 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 February 20, 2012)

Plat of Survey



LEGAL DESCRIPTION: LOTS 5 & 6 IN BLOCK 28 IN PARK ADDITION TO CRYSTAL LAKE GARDENS, A SUBDIVISION OF THE NORTH 509 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (EXCEPT THE WEST 14.0 FEET THEREOF) OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 8, 1938 AS DOCUMENT 133974 IN BOOK 9 OF PLATS PAGE 10, IN MCHENRY COUNTY, ILLINOIS.

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FEB 16 2012
BY:

STATE OF ILLINOIS
COUNTY OF MCHENRY

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON HAS BEEN SURVEYED, UNDER MY SUPERVISION, ACCORDING TO THE OFFICIAL RECORD AND THAT THE PLAT HEREON CORRECTLY REPRESENTS SAID SURVEY.

ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS 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 PROPERTY DESCRIBED HEREON.

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

C.T. Amelse — MY LICENSE EXPIRES: 11-30-10
C.T. AMELSE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2143

COMPARE THE DESCRIPTION OF THE PLAT WITH DEED. REFER TO THE TITLE POLICY FOR ITEMS OF RECORD NOT SHOWN. 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.

0' 20' 40' 60'

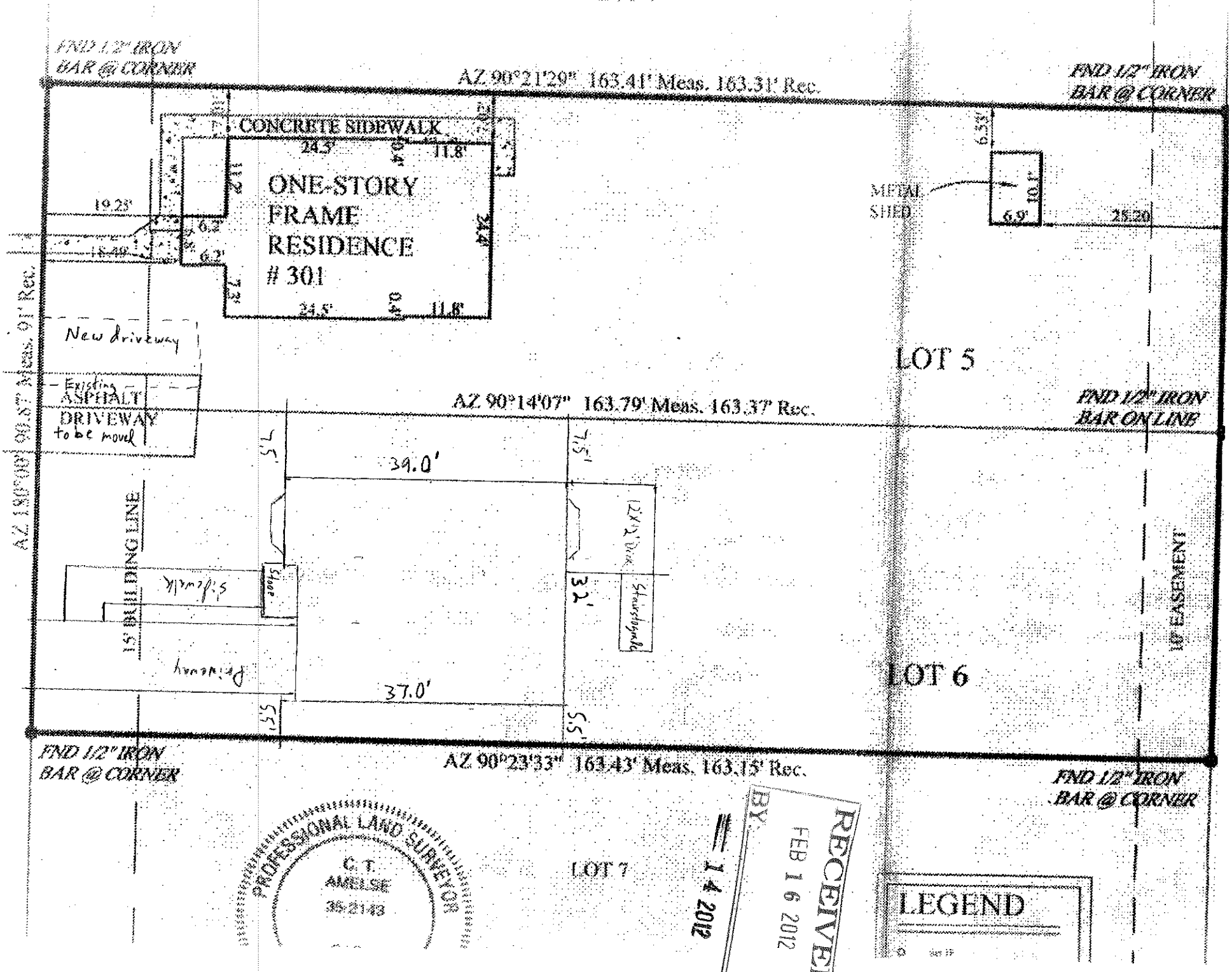
LEGEND

Concrete
Wood Deck
Sand

N

LUCO CONSTRUCTION CO.			
PROFESSIONAL DESIGN FIRM NO. 184.004829			
CLIENT NAME: GODEK			8813 S. Route 31 Cary, IL 60013
CLIENT REFERENCE: WILSON			847.658.8537 847.458.0714 fax
FIELD WORK COMPLETED: 05-17-10	SURVEY COMPLETED: 05-19-10	DRAWN BY: JAC	PROJECT NO. 10-25959

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MAR 14 2012


LOT 4
FND 1/2" IRON BAR @ CORNER
AZ 90°21'29" 163.41' Meas. 163.31' Rec.
FND 1/2" IRON BAR @ CORNER
CONCRETE SIDEWALK
24.5'
11.8'
ONE-STORY FRAME RESIDENCE # 301
19.28'
6.2'
6.2'
34.4'
24.5'
11.8'
METAL SHED
6.53'
10.1'
6.9'
25.20'
New driveway
Existing ASPHALT DRIVEWAY to be moved
LOT 5
AZ 90°14'07" 163.79' Meas. 163.37' Rec.
FND 1/2" IRON BAR ON LINE
AZ 180°00'00" 98.87' Meas. 91' Rec.
5.5'
39.0'
5.5'
15' BUILDING LINE
Sidewalk
Stoop
12.5' x 12.0'
Stairs/porch
32'
Driveway
10' EASEMENT
LOT 6
37.0'
5.5'
5.5'
FND 1/2" IRON BAR @ CORNER
AZ 90°23'33" 163.43' Meas. 163.15' Rec.
FND 1/2" IRON BAR @ CORNER
PROFESSIONAL LAND SURVEYOR
C. T. AMELSE
35-2143
LOT 7
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BY:
14 2012
LEGEND

familyhomeplans
Home Designs for Better Living

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BY:
14 2012

Plan Number 55171 | Order Code: 00WEB
FamilyHomePlans.com
U.S. customers call 1-800-235-5700 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse Plan



Plan Number: 55171

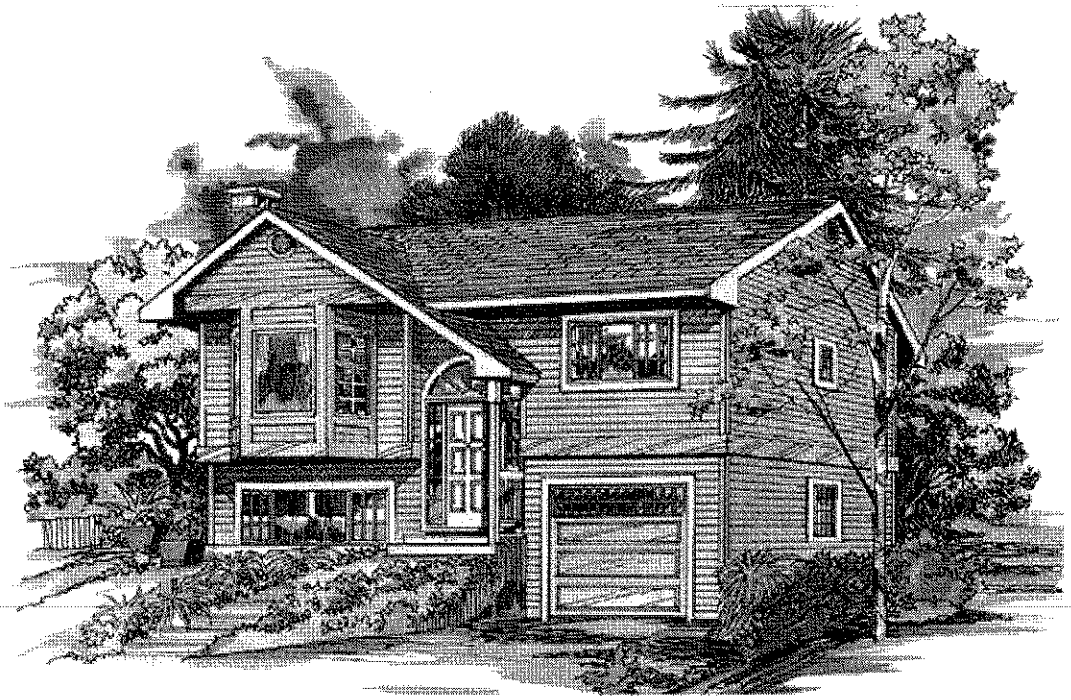
- 1116 Total Living Area
- 1116 Main Level
- 3 Bedrooms
- 2 Full Bath(s)
- 1 Car Garage
- 32' Wide x 39' Deep

Available Foundation Types:

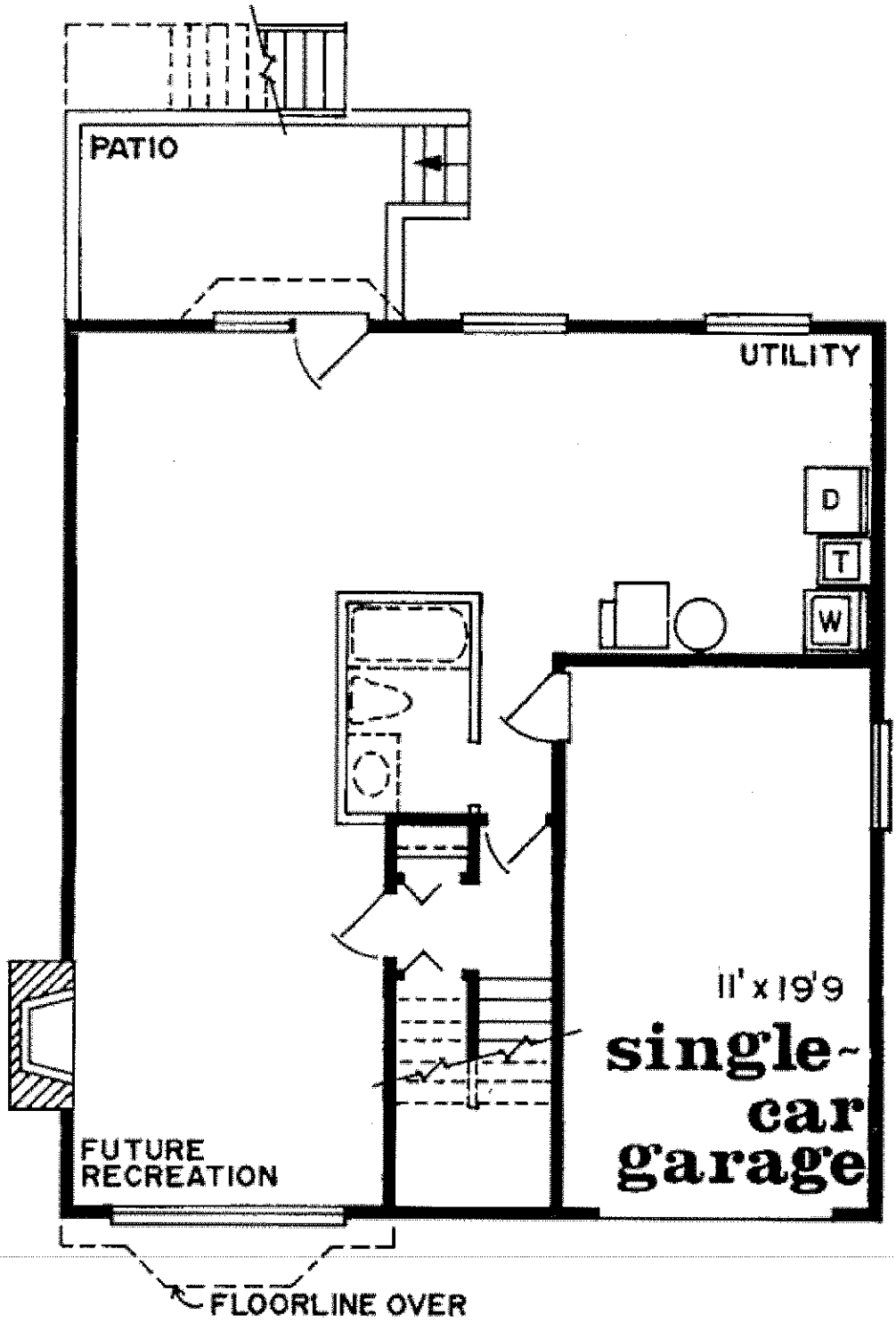
- Basement

Order Code: 00WEB

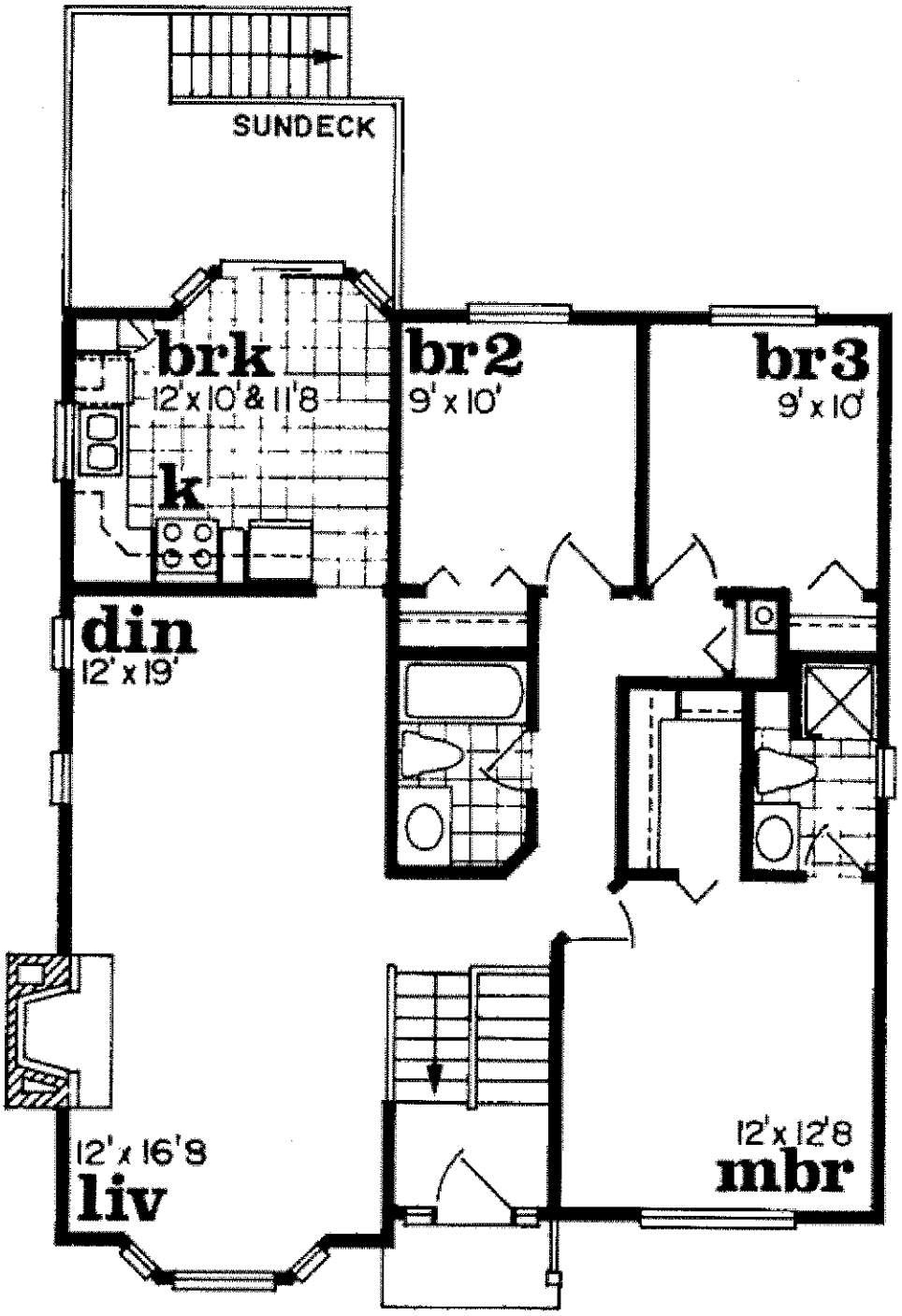
- 1 Set: $515.00 - 1 Set order (Study Set) does not include a License-To-Build. For bidding purposes only. Customer can upgrade order within 90 days.
- 4 Sets: $585.00
- 8 Sets: $685.00
- Reproducible Set: $765.00
- PDF File: $765.00
- Materials List: $75.00
- Additional Sets: $50.00



Plan Number 55171 | Order Code 00WEB | Front Elevation
FamilyHomePlans.com
U.S. customers call 1-800-235-5700 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse



Plan Number 55171 | Order Code 00WEB | Lower Floor Plan
FamilyHomePlans.com
U.S. customers call 1-800-235-5700 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse



Plan Number 55171 | Order Code 00WEB | First Floor Plan
FamilyHomePlans.com
U.S. customers call 1-800-235-5700 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse

Plan Number 55171 Specifications:

- **Total Living Area: 1116**
- Main Living Area: 1116
- Garage Type: Drive Under
- Garage Bays: 1
- House Width: 32'

Plan Number 55171 Plan Pricing:

- 1 Set: $515.00 - 1 Set order (Study Set) does not include a License-To-Build. For bidding purposes only. Customer can upgrade order within 90 days.
- 4 Sets: $585.00

- House Depth: 39'
- Number of Stories: 1
- Bedrooms: 3
- Full Baths: 2
- Max Ridge Height: 30'
- Primary Roof Pitch: 8:12
- Roof Load: 42 psf
- Roof Framing: Truss
- FirePlace: Yes
- 1st Floor Master: Yes
- Main Ceiling Height: 8'

Available Foundation Types:
- Basement

- 8 Sets: $685.00
- Reproducible Set: $765.00
- PDF File: $765.00
- Materials List: $75.00

- Additional Sets: $50.00

Plan Number 55171 | Order Code 00WEB | Specifications and Pricing
FamilyHomePlans.com
U.S. customers call 1-800-235-5700 | Canadian customers call 1-800-361-7526

Receive a FREE modification estimate in one of 3 ways:

1) **Call 1-913-856-7735 or 1-800-235-5700 ext. 410 between the hours of 8:00 AM - 5:00 PM CST to discuss the modification process.** You will be able to talk to a live person that can give you and FREE modification estimate right over the phone!

2) Email your changes to modifications@familyhomeplans.com. (Itemized list of changes with details)

3) Download our Modification Request Form (Word Doc format) or alternate (PDF format), complete and fax to 913-856-7751. If you cannot download either file, simply fax your modifications along with a cover sheet containing your contact information and please make attention: **Family Home Plans Modification Department.**

Plan Number 55171 | Order Code 00WEB | Specifications and Pricing
FamilyHomePlans.com
U.S. customers call 1-800-235-5700 | Canadian customers call 1-800-361-7526

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