# #2012-97
# Nagel - 215 Union Street
# Project Review for Planning and Zoning Commission

**Meeting Dates:** September 19, 2012

**Requests:** Simplified Residential Variation from Article 7, Nonconformities, to allow an addition to the residence to encroach into the required front setback and be as close as 10 feet from the front property line instead of the required 35.5 feet

**Location:** 215 Union Street

**Acreage:** ≈ 8,437 SF (0.19 acres)

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

**Surrounding Properties:**
North: "R-2" Single-Family Residential
South: "R-3A" Two-Family Residential
East: "R-2" Single-Family Residential
West: "R-2" Single-Family Residential

**Staff Contact**: Latika Bhide (815.356.3615)

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**Background:**

- Location: 215 Union Street, west of Wallace Avenue
- Zoning: "R-2" Single-Family Residential
- Development: Uteg's 3rd addition, platted in 1930
- Existing Improvements: Brick residence with one car detached garage
- Request: Variation to allow an addition to the residence to encroach into the required front setback and be as close as 10 feet from the front property line instead of the required 35.5 feet




**Land Use Analysis:**

- Details: The request is to allow expansion of the existing residence along the front to add a two-car attached garage. The existing one car detached garage will be demolished. The proposed attached garage will be side loaded and the portion of the driveway leading to the detached garage will be removed.

- Dimensional Standards: The property is considered an existing non-conforming property as it does not meet the minimum required 70 feet lot width for a property in the "R-2" district. Per Article 7, Nonconformities of the UDO, the required front setback is the average existing setback of the dwellings on the two closest lots. For this property, it is calculated to be 35.5 feet. The proposed addition will be as close as 10 feet to the front property line.
- Hardship: The petitioner has indicated that lot layout does lend itself for another location on the property to add an attached garage.

**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. Application, received 8-31-2012
   B. Plat of Survey, Site Plan, Sketches, received 8-31-12

2. A variation from the required front yard setback of 35.5 feet to allow the proposed addition to be 10 feet is hereby granted.

3. The existing detached garage and the portion of the driveway leading to it will be removed with six months of receiving approval of the final inspection.

4. The proposed addition will be architecturally compatible with the existing residence.

5. A grading plan consisting of existing and proposed grades is required. Existing grading and drainage patterns must be maintained.

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.

9 7 2012

# Application for Simplified Residential Variation

Application Number: 2012-97 FOR OFFICE USE ONLY
Project Name: NAGEL
Date of Submission: 08/31/2012

RECEIVED
AUG 31 2012
BY:

## I. Applicant

DANIEL NAGEL
Name

215 Union St
Street

Crystal Lake IL 60014
City State Zip Code

815-814-6040 Cell 773-710-1090 215Union@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: 215 Union St Crystal Lake IL 60014

   b. PIN #: 19-05-332-003

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:

IS THE HARDSHIP SELF-CREATED?

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

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?
NO

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY? NO

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

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

## IV. Signatures

8/31/12

PETITIONER: Print and Sign name (if different from owner) Date

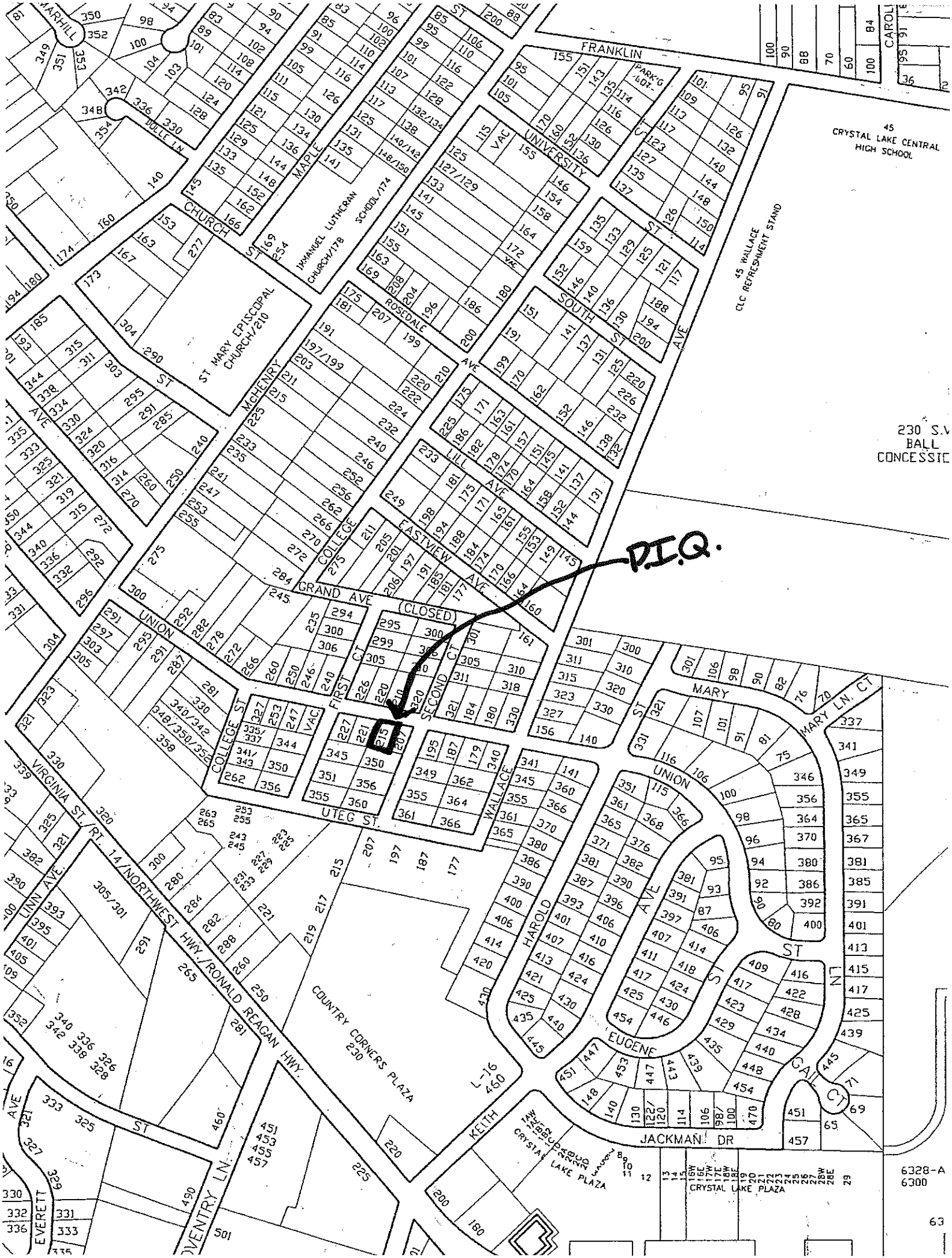
As owner of the property in question, I hereby authorize the seeking of the above requested action.

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.

The 1950's layout and lot design of my property at 215 union st does not meet the needs of the modern family. First the one car unattached garage is in a poor location. The driveway that connects the garage to the street is very large and very wasteful space. My proposal addresses both making the garage a more usable feature of the property as well as eliminating a large part of the impermeable surfaces contained on the property. The long rectangular shape of the lot has created a large amount of unpractical space. Property is expensive and not being able to utilize the space in an efficient manner has lead to other expenditures that have added hardship on me and my family. We have had two trees on the south side of the property, a large evergreen and a honey willow, die. I cannot determine how they died, but only speculate that the large amount of impermeable surfaces may have played lead to their demise. This also has added expenses. With the lack of shade the home has been hard to keep cool, and the cost of removing the trees. The goal of receiving this variance is to create more useable space on the property and do it in a more sustainable way.




FRANKLIN
MARHILL
DOLLE LN
CHURCH ST
MAPLE
IMMANUEL LUTHERAN CHURCH/178
SCHOOL/174
UNIVERSITY
PARK'G LOT
45 CRYSTAL LAKE CENTRAL HIGH SCHOOL
45 WALLACE CLC REFRESHMENT STAND
SOUTH AVE
ST MARY EPISCOPAL CHURCH/210
MCHENRY
ROSEDALE
LIL AVE
EASTVIEW AVE
COLLEGE
GRAND AVE (CLOSED)
UNION
FIRST CT
SECOND CT
COLLEGE ST
UTEG ST
WALLACE
MARY
MARY LN. CT
HAROLD AVE
EUGENE ST
CAIL CT
JACKMAN DR
VIRGINIA ST./RT. 14/NORTHWEST HWY./RONALD REAGAN HWY.
LINN AVE.
COUNTRY CORNERS PLAZA 230
KEITH
COVENTRY LN.
EVERETT
CRYSTAL LAKE PLAZA
P.I.Q.
230 S.V
BALL
CONCESSIC
6328-A
6300
63

# PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF DANIEL NAGEL

**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 Daniel Nagel for approval of variations relating to the following described real estate commonly known as 215 Union Street, Crystal Lake, Illinois 60014, PIN: 19-05-332-003.

This application is filed for the purposes of seeking variations from Article 7, Nonconformities, to allow an addition to the residence to encroach into the required front setback and be as close as 10 feet from the front property line instead of the required 35.5 feet; 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, September 19, 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 September 4, 2012)

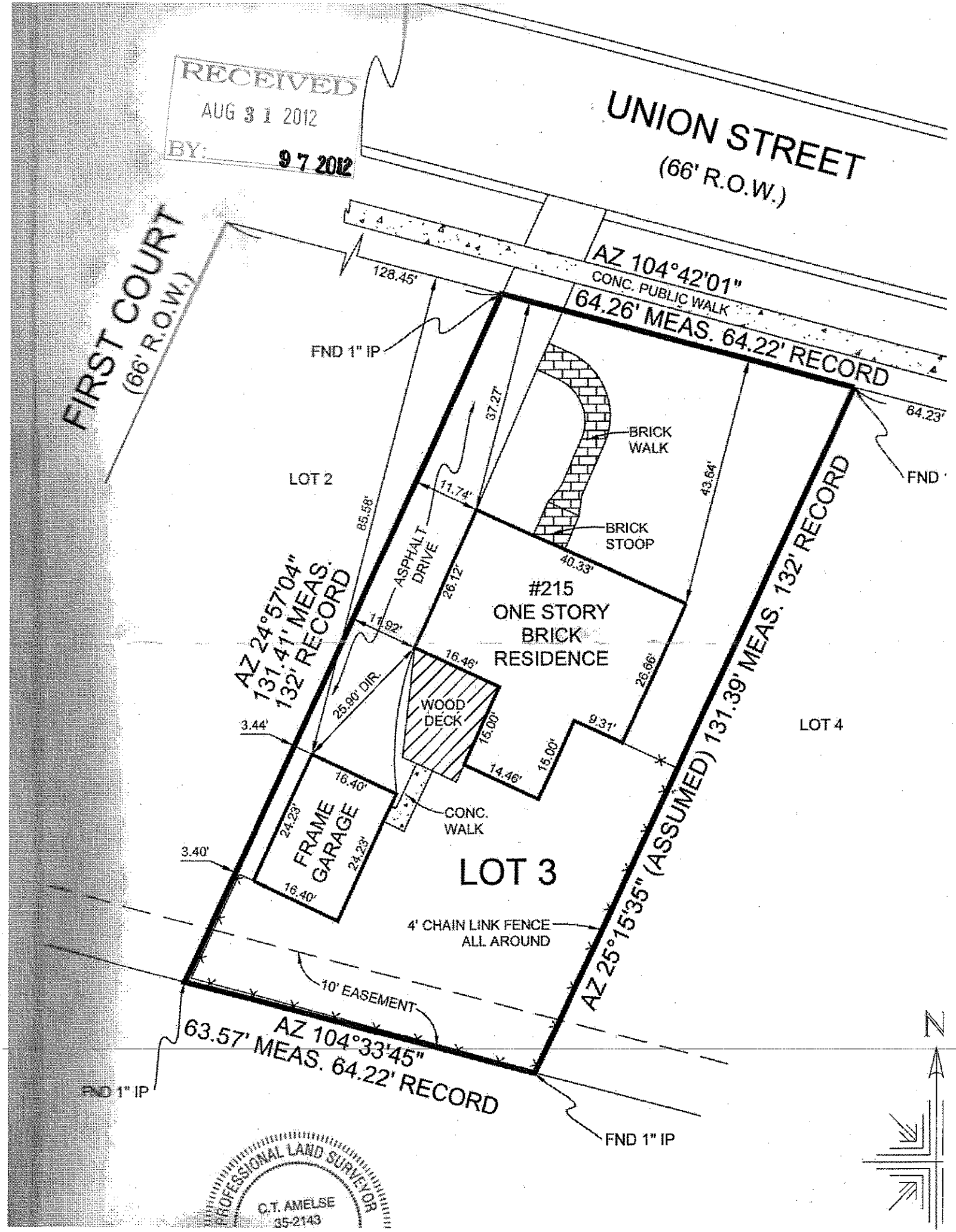
12-97

No Way

Union St

207

09-05-12P01:58 RCVD


RECEIVED
AUG 31 2012
BY: 9 7 2012
UNION STREET
(66' R.O.W.)
FIRST COURT
(66' R.O.W.)
AZ 104°42'01"
CONC. PUBLIC WALK
64.26' MEAS. 64.22' RECORD
128.45'
FND 1" IP
64.23'
FND
BRICK WALK
37.27'
11.74'
43.64'
LOT 2
85.58'
BRICK STOOP
40.33'
ASPHALT DRIVE
26.12'
#215
ONE STORY
BRICK
RESIDENCE
AZ 24°57'04"
131.41' MEAS.
132' RECORD
11.92'
16.46'
26.66'
25.90' DIR.
WOOD DECK
15.00'
9.31'
LOT 4
3.44'
14.46'
15.00'
16.40'
CONC. WALK
24.23'
FRAME GARAGE
24.23'
3.40'
16.40'
LOT 3
4' CHAIN LINK FENCE
ALL AROUND
AZ 25°15'35" (ASSUMED) 131.39' MEAS. 132' RECORD
10' EASEMENT
AZ 104°33'45"
63.57' MEAS. 64.22' RECORD
FND 1" IP
FND 1" IP
PROFESSIONAL LAND SURVEYOR
C.T. AMELSE
35-2143
N

RECEIVED
AUG 3 1 2012
BY: 9 7 2012

