



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MAY 4, 2016
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Goss, Jouron, Skluzacek, and Hayden were present. Mr. Greenman was absent.

Kathryn Cowlin and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

APPROVE MINUTES OF THE APRIL 20, 2016 PLANNING AND ZONING COMMISSION MEETING

Mr. Batastini moved to approve the minutes from the April 20, 2016 Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, all members present voted aye. Motion passed.

2015-45 UDO Amendments – PUBLIC HEARING

This petition was continued from the April 6, 2016 PZC meeting.

The petitioner is requesting to be continued to the June 1, 2016 PZC meeting.

Mr. Jouron moved to continue 2015-45 UDO Amendments to the June 1, 2016 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

2016-13 KAY – 755 Blackthorn Dr. – PUBLIC HEARING

Simplified Residential Variation from the required 20-foot rear yard setback to allow for a garage expansion for a third car which would extend to create a setback of 17.1 feet, a variation of 2.9 feet per Article 3-200(A)(3).

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

George Kay was present to represent his petition. Mr. Kay said they would like to add a third car stall to their garage on the property. They purchased the home 6 months ago. It was hard for them to find a first floor bedroom and a three car garage that is not a 4,000 square foot home. He said there is 30 feet from the garage to lot line and was not aware of the different requirements for corner lots. Mr. Kay said over the winter it was apparent that the City piles snow at end of dead end street adjacent to their driveway. He

added that the City did clear out the snow when it got high. He said this is an unusual corner lot. It is almost a square lot and it is just above the requirement for square footage for the zoning district. Mr. Kay added that his lot butts up against Northern Illinois Tree Service and another lot that is unincorporated. Also, the buildings that are on the adjacent lots are over 300 feet away from the his lot.

Mr. Hayden said the petitioner discussed the hardship earlier with the shape and size of the lot. He asked if the petitioner had any concerns with the conditions listed in the Staff Report. Mr. Kay said two of the conditions are automatic. He has been in contact with the Homeowners' Association and the garage addition will match the architecture.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Batastini said he lives down the street from Mr. Kay. He also chairs the architectural committee for the subdivision because no one wants to do it. Mr. Batastini said he spoke with the neighbor and they have no issues with the addition. He asked if additional sidewalk will be constructed toward the lot line from the driveway. Mr. Kay said they are not planning on doing it. They plan to extend the asphalt driveway to the third bay at an angle from the current curb cut. Mr. Batastini said this addition will match the rest of the home and the request meets the Findings of Fact. He added that the City pushes the snow to the end of the stub street and snow removal from this driveway is hard. Also no one on the architectural review committee had a problem with this request.

Mr. Skluzacek asked about the fence along the lot line. Mr. Kay said the garage addition will be 17 feet on the inside property line. The Plat of survey showed the fence is on the lot line. Mr. Skluzacek said he is ok with the request.

Mr. Goss said this request meets the Findings of Fact. He said the City has had a lot of trouble with corner lots in town. It is difficult to use the lot and this is a dead end stub street.

Mr. Hayden agreed with all of the comments that have been made by the other Commissioners.

Mr. Batastini moved to approve the Simplified Residential Variation from the required 20-foot rear yard setback to allow for a garage expansion for a third car which would extend to create a setback of 17.1 feet, a variation of 2.9 feet per Article 3-200(A)(3) for Kay at 755 Blackthorn Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Kay, dated 04/11/16, received 04/11/16)
 - B. Survey (Schlaf-Sedig & Associates, dated 09/12/15, received 04/11/16)
 - C. Plans (ALA, dated 04/06/16, received 04/11/16)
2. The proposed third car garage should incorporate architecture styling and elements that complement the existing house and garage.

3. The petitioner shall address all of the review comments and requirements of the Fire Rescue, Public Works and Community Development Departments.

Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

2016-14 BUELOW – 179 Edgewater Dr. – PUBLIC HEARING

Simplified Residential Variations from the front yard setback, interior side yard setback and total side yard setback to allow two proposed house additions onto the side and lakeside portions of the existing home, detailed as follows:

- A) Front yard setback standard of 75-foot averaged front yard to allow 59 feet, a variation of 16 feet (Article 3-300 B3);
- B) Side yard setback standard of 4 foot 7 inch minimum interior side yard to allow 4 feet 1 inch, a variation of 6 inches (Article 3-300 B4); and
- C) Side yard setback standard 7 foot 6 inch combined interior sides, to allow 4 feet 6 inches, a variation of 3 feet (Article 3-300 B4).

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Robert Buelow was present to represent his petition. Mr. Buelow said he has a similar situation with moving back to Crystal Lake. They purchased this home a couple of years ago and would like to add a three-season room with a basement on the lake side of the home, as well as additional storage to the back of the garage. He said lake lots are a different situation with the front of the home measured on the lake side. The setback is based on measuring the setbacks of lots adjacent to his for 200 feet in each direction. In one direction the homes are about 15 feet off lake while in other direction one neighbor's home is 120 feet from the lake. He showed photos of the adjacent homes and lake. Mr. Buelow said he has a great view of the lake from his home and if the addition is put on his home his neighbor's view will change slightly. He showed aerials of the setbacks in area and sight lines. His hardship is he can't put on this addition without a variation yet he can add a boat house along the water line up to 600 square feet. He is shocked that this can take place. Mr. Buelow feels these additions won't have any effect on the character of the homes along the lake. The variation will not change anything around the neighborhood. His home is set behind the general building line and won't be detrimental to area.

Mr. Hayden asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Buelow said he has no problem with the conditions.

Mike Rumford, 175 Edgewater, said he lives to the north and his only concern is that he will lose the sight of the entire south shore line of the lake. The challenge is that his home is set back more than others. This addition will create a tunnel vision of the lake. He is objecting to this request.

Rich Waters, 185 Edgewater, said the garage addition would be 3 feet from his front door. Both lots are non-conforming to begin with. He is objecting to it being so close to his front door. Mr. Waters added that this addition is very tight and not in the spirit of the neighborhood.

There was no one else in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Goss said he was on the City Council when we spent years to get lake lots changed. Originally he did not have a problem with the garage addition until he heard that it was next to the neighbor's front door. Mr. Goss said he does have a problem with the other two variations. It is significant and this is what they were trying to keep from happening.

Mr. Esposito said he hates looking at lake lots especially where the lake turns. He wants the homeowner to enjoy the lake, but also neighbors want to do the same thing. It's a 3-season room and will probably increase the values of the properties, but everyone purchased their home because of the view. As for the addition of the garage - it is very close to the neighbor's front door.

Mr. Skluzacek said originally he did not see a problem with the garage addition, but not sure he can support it. It's too much. He understands that the neighbor's home is farther back and it is what it is. He didn't know the addition was so close to the front door.

Mr. Jouron asked if the three-season room takes up the deck area. Mr. Buelow said the deck and the bushes. Mr. Jouron asked what will happen when another deck off the 3-season room is requested. Mr. Buelow said he doesn't want another deck. Mr. Jouron said that may the petitioner doesn't but possibly a future owner would. He said he can't support the request.

Mr. Batastini said he read through the packet and it made a strong argument. The restrictions on lake lots are as good as we can get it. They tried to balance property rights for each owner. He added that the addition is tight and he knows these are narrow lots. Mr. Buelow said there is 20 feet between the neighbor's patio and his deck. Mr. Batastini understands the need for additional space in the garage, but doesn't want the neighbor to walk out front door and into the petitioner's garage. Also the sun room would cut off the view of entire south shore of the lake. He added that they need to look out for everyone especially when it concerns lake lots. The neighbors on both sides will lose.

Mr. Hayden reviewed the Findings of Fact and the hardship. He said the statement reads that the hardship is not self created but the rules associated with lake lots creates the hardship. Those rules are for all lots along the lake. He can't find a hardship. These variations will alter the character of the neighborhood and it could set a precedent for the area. Mr. Hayden added that they have heard from the neighbors. What concerns him is he comes from a family of fire fighters this addition would come very close to the home next door. These additions would also impede light and air to adjacent property and could diminish property values.

Mr. Batastini moved to deny the Simplified Residential for Buelow at 179 Edgewater Drive. Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion to deny passed.

REPORT FROM PLANNING

Ms. Maxwell said there are no items for the May 18, 2016 PZC meeting so that meeting will be cancelled. The next meeting will be June 1.

COMMENTS FROM THE COMMISSION

Mr. Goss asked if the legal notice published for Kensington that shows the site plan would give the petitioner certain rights. Ms. Cowlin said she will check into it. Mr. Goss said he doesn't want the structures shown. He doesn't want the plan approved. Ms. Cowlin said the petitioner wants to amend the zoning only through the Annexation Agreement Amendment and would come back for Preliminary approval.

The meeting was adjourned at 8:20 p.m.