

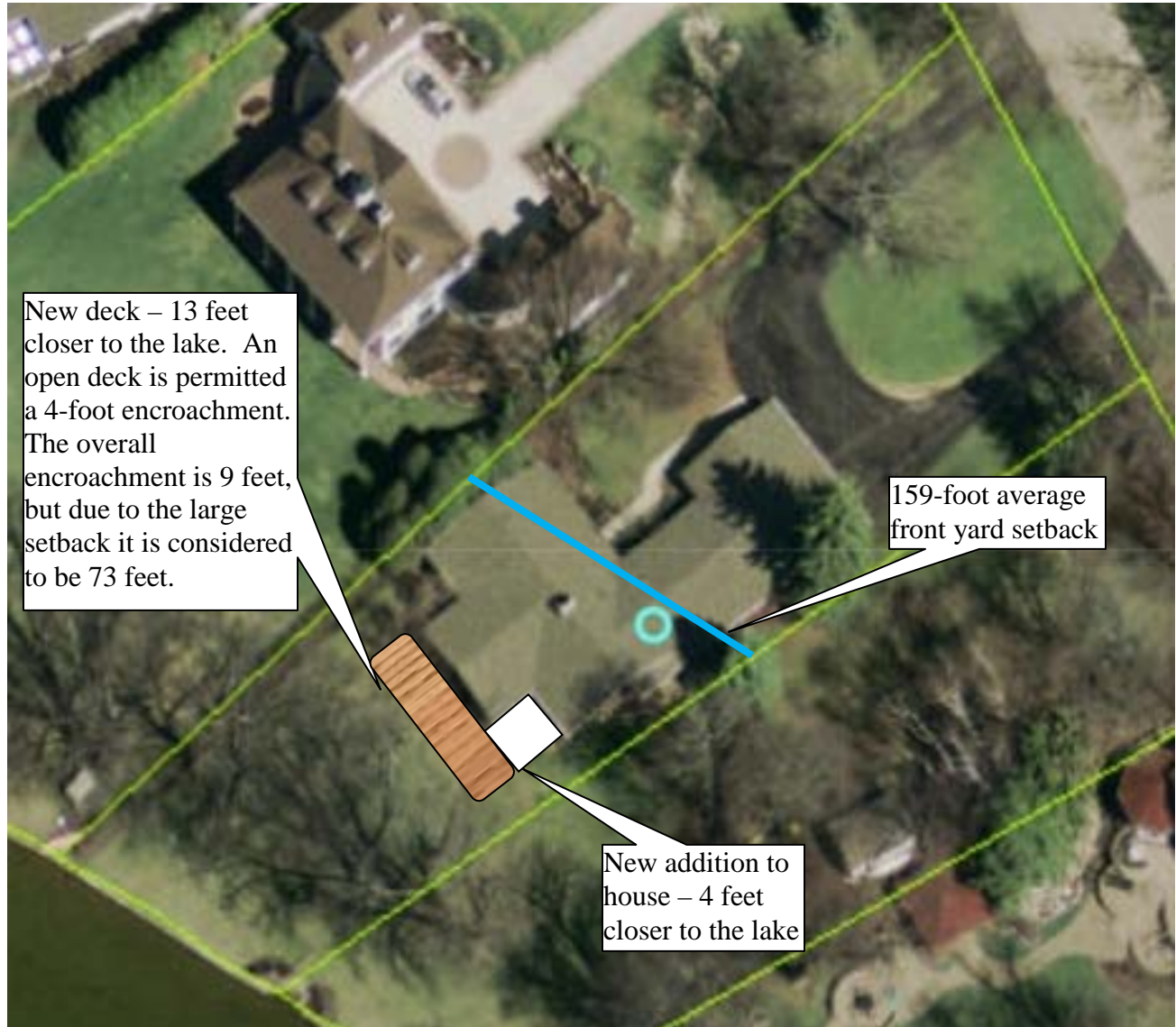


#2016-47 Cotter – Variation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	November 2, 2016
<u>Request:</u>	To construct a screen porch and deck, which extends 9 feet from the house, an encroachment of 73 feet into the required 159-foot average front yard setback.
<u>Location:</u>	651 Woodland Drive
<u>Acreage:</u>	approximately 27,000 square feet
<u>Existing Zoning:</u>	R-2 Single Family
<u>Surrounding Properties:</u>	North: R-2 Single Family South: R-2 Single Family East: R-2 Single Family West: R-2 Single Family
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

- The property is improved with a single family home.
- The current house is situated 95 feet back from the seawall.
- The front yard (lake side) setback is determined by averaging the adjacent properties over a length of 400 feet. The average setback is 159 feet, as measured from the seawall.
- The new addition of the principal structure is a screen porch and is 4 feet beyond the existing footprint of the house.
- A new deck is also proposed that extends 13 feet from the existing footprint of the house. Decks are permitted a 4-foot encroachment, making only the first 9 feet of the deck part of the variation.
- Although the property owner is only adding 4 feet of enclosed house space and a 13-foot deck off the house, the requested encroachment is 73 feet due to the large average setback.
- The illustration below helps highlight the request.



Development Analysis:

General

- Request: Variation to allow the construction of a screen porch and deck off the house in the lakeside front yard setback.
- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family home.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use - Residential

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines.

Housing – Single Family Housing

Goal: Promote strong neighborhoods by preserving their character and historical significance and ensuring that they are well serviced by a variety of community facilities and services.

This can be accomplished with the following supporting action:

Supporting Action: Preserve the unique character of existing neighborhoods.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3-300 B3. Front yard setback to allow a 73-foot encroachment to allow the construction of a screened porch and deck.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

- a. 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.

Meets

Does not meet

- b. Also, that the variation, if granted, will not alter the essential character of the locality.

Meets *Does not meet*

For the purposes of supplementing the above standards, 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:

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

Meets *Does not meet*

- b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

Meets *Does not meet*

- c. 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

Meets *Does not meet*

- d. 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.

Meets *Does not meet*

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 to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Cotter, received 10/12/16)
 - B. Plat of Survey (Luco, dated 04/30/16, received 10/12/16)
 - C. Site Drawing Sketch (staff, dated 10/12/16)
 - D. Plans (Richard Olsen, dated 07/04/16, received 10/12/16)
2. The open deck portion shall remain open and cannot contain a roof, pergola, trellis, sides or become enclosed in any way.
3. The petitioner shall address all of the review comments and requirements of Community Development Department.

2016-47 COTTER – 651 WOODLAND DR



Application for Simplified Residential Variation

Application Number: _____	FOR OFFICE USE ONLY
Project Name: _____	
Date of Submission: _____	

I. Applicant

Name DENNIS AND DINA COTTER

Street 651 WOODLAND DRIVE

City CRYSTAL LAKE State ILLINOIS Zip Code 60014

Telephone Number 815-985-5691 Fax Number _____ E-mail address dcottere.salaw@us.com

II. Owner of Property (if different)

Name _____

Address _____ Telephone Number _____

III. Project Data

1. a. Location/Address: 651 WOODLAND, CRYSTAL LAKE

b. PIN #: 19-06-177-010

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:

REQUESTING A VARIANCE TO CONSTRUCT A SCREENED IN PORCH + WOODEN DECK PER THE ATTACHED DRAWINGS. THERE IS CURRENTLY NO SCREENED OR OPEN PORCH OR DECK, THIS BEING OUTSIDE, OR EATING OUTSIDE, LOTS OF MOSQUITOS, BUGS. THE PORCH + DECK

IS THE HARDSHIP SELF-CREATED?

NO

ALSO ALLOW EXPOSURE TO THE PREVAILING WEST WINDS.

THUS, WE ARE SEEKING

A VARIANCE FROM THE SECTION 3 SETBACK REQUIREMENTS FOR R1 RESIDENTIAL PROPERTY.

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BY: _____

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? All NEIGHBORING PROPERTIES ON THE LAKE HAVE SCREENED PORCH, DECK OR BOTH.

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; SUBSTANTIALLY INCREASE THE DANGER OF FIRE; OR ENDANGER PUBLIC SAFETY?
NO. THE ONLY HOUSE THAT COULD SEE THE PORCH & DECK IS 650 Leonard Pkwy (WARRANT - GWEN WOLESZTAJER) AND THEY HAVE NO OBJECTION TO THIS PROPOSAL. THERE IS AN EMPTY LOT AND FOLIAGE BETWEEN US. WE WILL ALSO SERVE THEM NOTICE.

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

Not to my knowledge

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.

[Signature]
DENNIS COTTER

[Signature]
DINA COTTER

10/12/16

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,
MCHEMRY COUNTY, ILLINOIS**

IN THE MATTER OF THE
APPLICATION OF
Dennis and Dina Cotter

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 upon the application from Dennis and Dina Cotter for approval of a variation relating to the following real estate known as 851 Woodland Drive, Crystal Lake, Illinois 60014, PIN: 19-06-177-010.

This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from Article 3-300 Density and Dimensional Standards 3. Front Setback to allow a screened porch and deck to extend 9 feet into the 159-foot established front yard setback, a variation of 73 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.

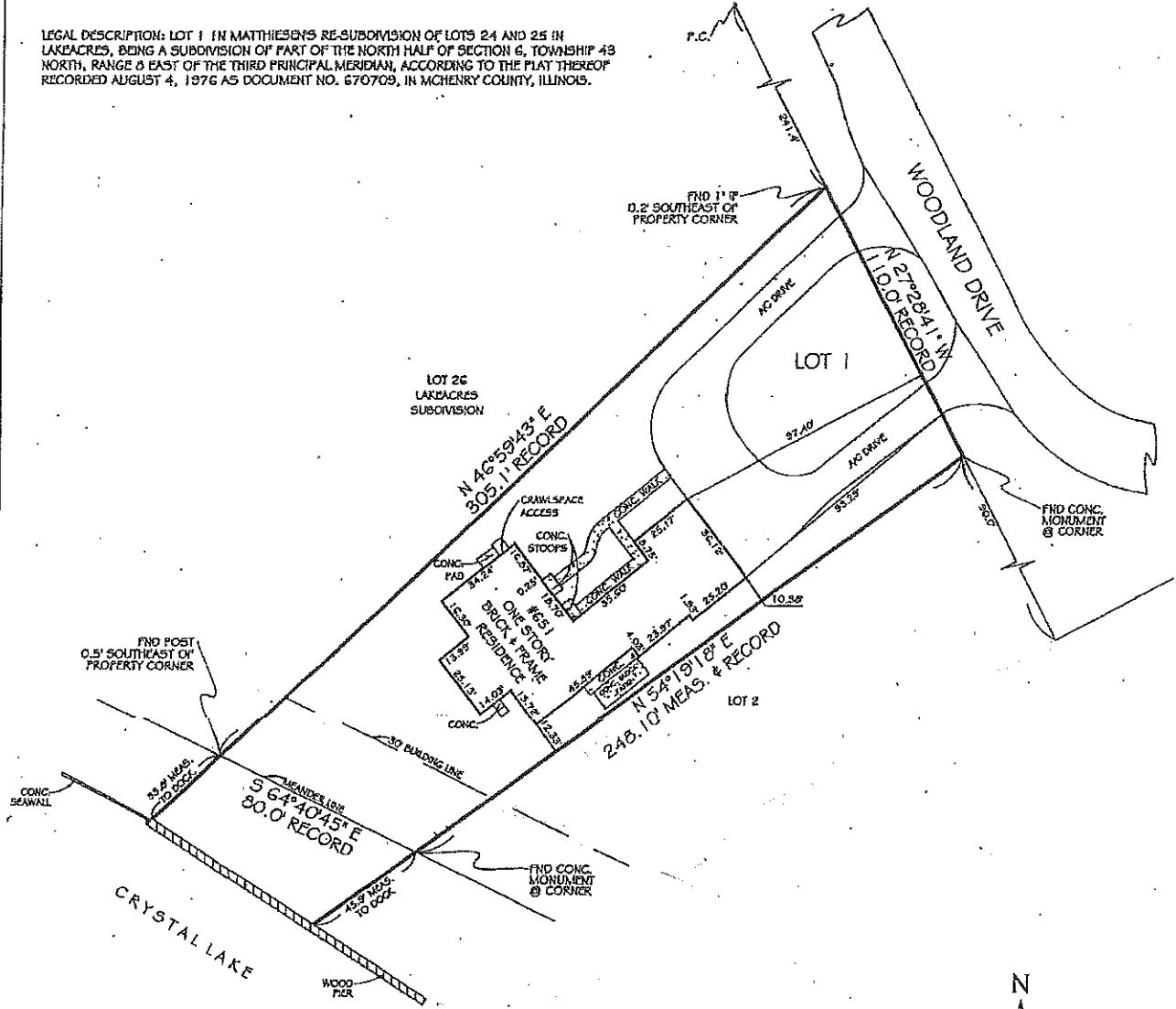
A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on Wednesday, November 2, 2016, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person desiring to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
on October 18, 2016) 1234906

PLAT OF SURVEY

LEGAL DESCRIPTION: LOT 1 IN MATTHIESENS RE-SUBDIVISION OF LOTS 24 AND 25 IN LAKEACRES, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 4, 1976 AS DOCUMENT NO. 670709, IN MCHEERY COUNTY, ILLINOIS.



THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.

STATE OF ILLINOIS }
COUNTY OF MCHEERY } S.S.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MEASUREMENT STANDARDS FOR A BOUNDARY SURVEY. COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, AND AT ONCE REPORT ANY DIFFERENCE. BUILDING LINES AND EASEMENTS AS SHOWN ARE BASED SOLELY ON THE DOCUMENTS PROVIDED TO US. REFER TO YOUR DEED OR TITLE POLICY. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. BEARINGS AS SHOWN ARE ASSUMED AND ARE SO INDICATED FOR INTERIOR ANGLES ONLY.

DATED THIS 3rd DAY OF MAY, A.D. 2016.

Joseph Spier
JOSEPH A. SPIER
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3493
REGISTERED AGENT FOR LUCO CONSTRUCTION CO.
LICENSE # TO 24 RENEWED NOVEMBER 30, 2016



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.

LEGEND	
	POLE
	CONCRETE
	WOOD
	BRICK
	PAVERS

LUCO CONSTRUCTION CO.	
PROFESSIONAL DESIGN FIRM NO. 104004028	
CLIENT NAME	WAGGONER LAW
CLIENT ADDRESS	84 LOU STREET CRYSTAL LAKE, IL 60014 815-526-3874 815-526-3884 DL
FIELD WORK COMPLETED	01-30-16
SURVEY COMPLETED	05-05-16
DRAWN BY	LAW
PLOT NO.	16-39258

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PLAT OF SURVEY

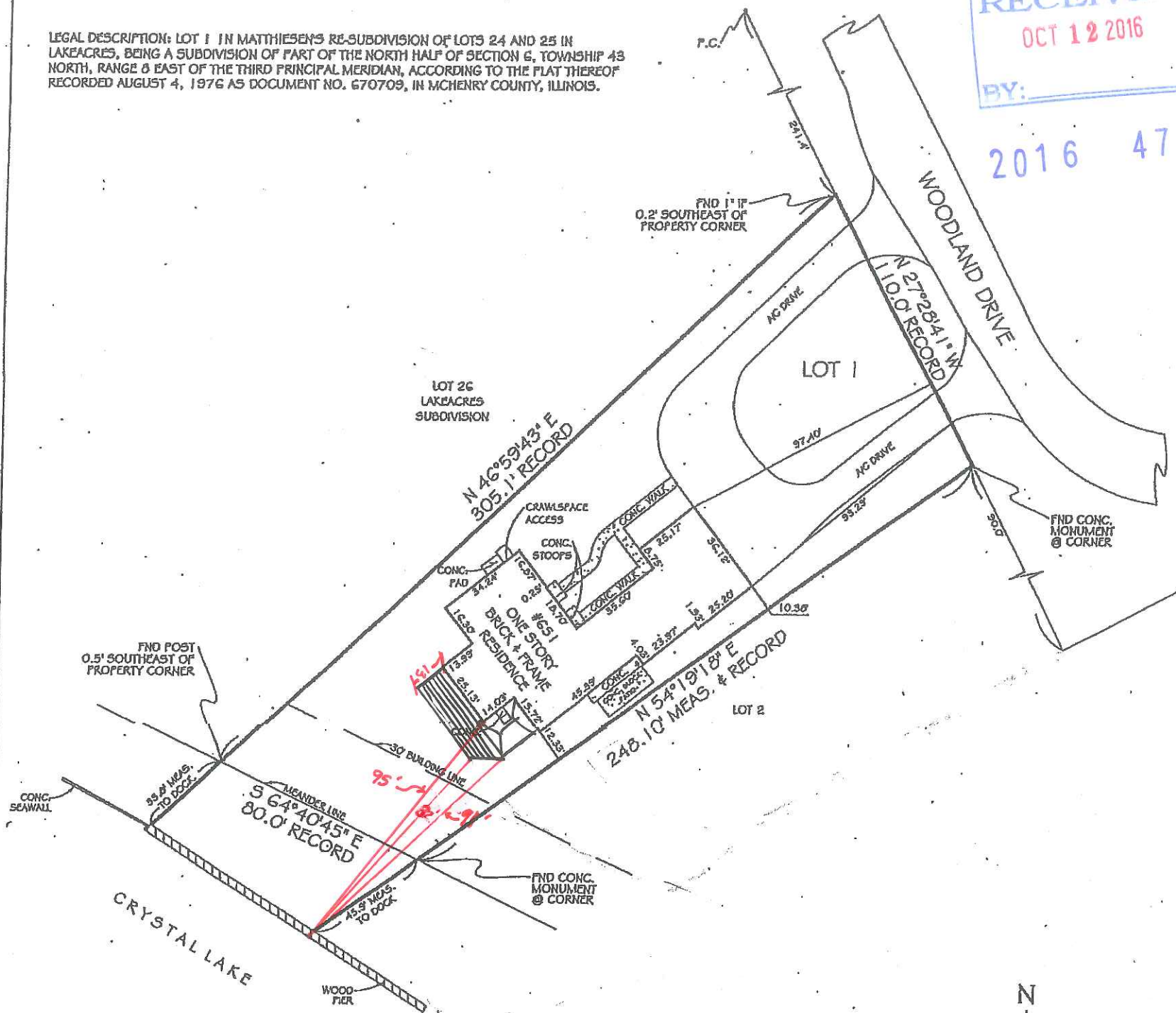
LEGAL DESCRIPTION: LOT 1 IN MATTHIESENS RE-SUBDIVISION OF LOTS 24 AND 25 IN LAKEACRES, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 4, 1976 AS DOCUMENT NO. 670709, IN MCHENRY COUNTY, ILLINOIS.

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BY:

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THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.

STATE OF ILLINOIS)
COUNTY OF MCHENRY) ss.

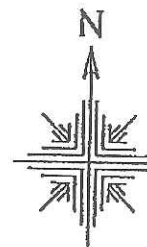
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, AND AT ONCE REPORT ANY DIFFERENCE. BUILDING LINES AND EASEMENTS AS SHOWN ARE BASED SOLELY ON THE DOCUMENTS PROVIDED TO US. REFER TO YOUR DEED OR TITLE POLICY. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. BEARINGS AS SHOWN ARE ASSUMED AND ARE SO INDICATED FOR INTERIOR ANGLES ONLY.

DATED THIS 3rd DAY OF MAY, A.D. 2016

Jeffrey A. Spirek
JEFFREY A. SPIREK
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3498
REGISTERED AGENT FOR LUCO CONSTRUCTION CO.
LICENSE # 18 RENEWED NOVEMBER 24, 2016



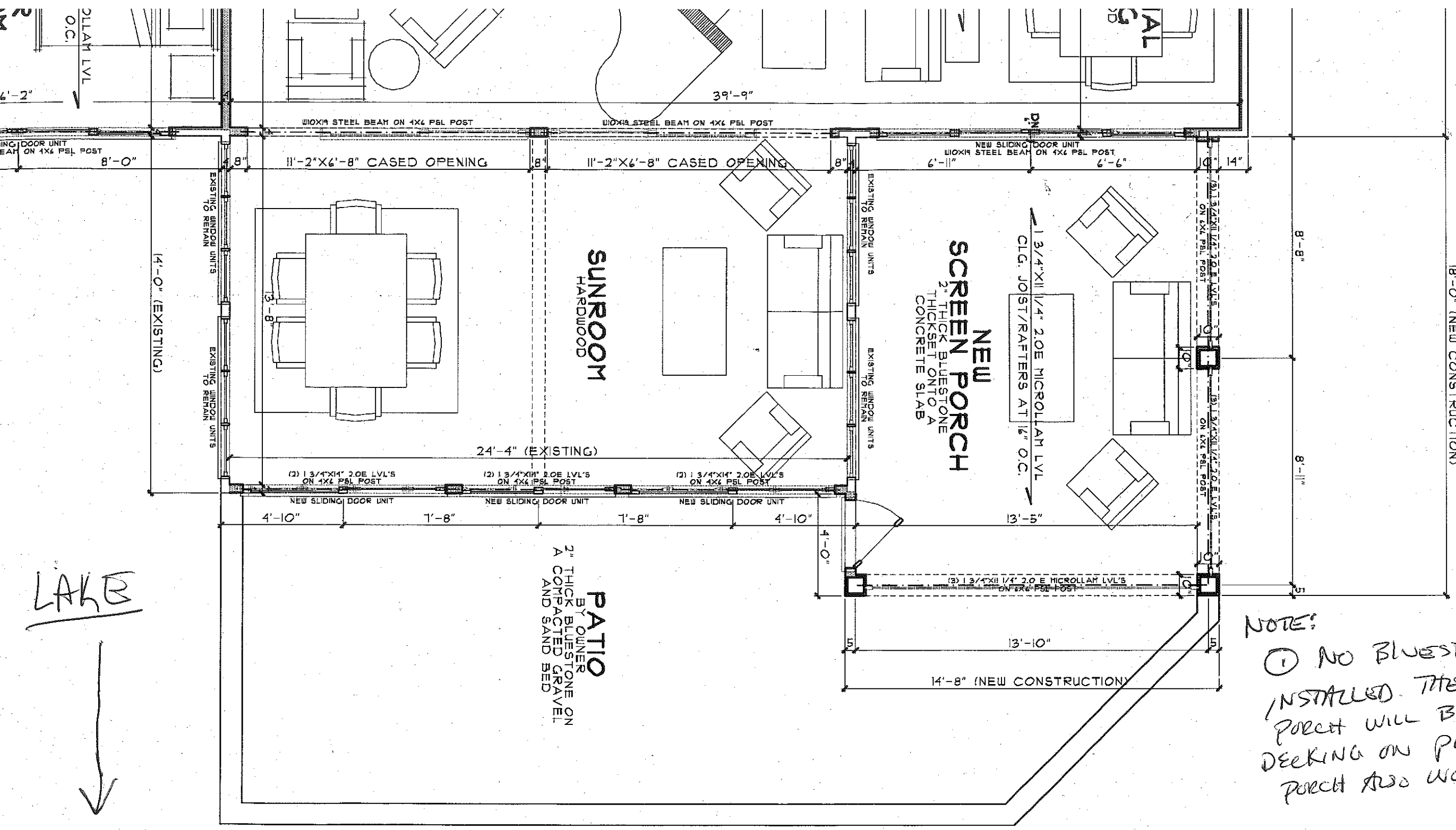
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LEGEND



LUCO CONSTRUCTION CO.	
PROFESSIONAL DESIGN FIRM NO. 104.004628	
CLIENT NAME:	WAGGONER LAW
CLIENT REFERENCE:	54101 STREET CRYSTAL LAKE, IL 60014 815-526-3374 815-526-3384 fax
FIELD WORK COMPLETED:	04-30-16
SURVEY COMPLETED:	04-03-16
DRAWN BY:	LM
PROJECT NO.:	LC 3925A



LAKE
↓

NOTE:
 ① NO BLUESTONES TO BE INSTALLED. THE SCREEN PORCH WILL BE WOOD DECKING ON PIERS. THE PORCH ALSO WOOD DECKING.

ME REMODELING:
 WOODRIVE ILLINOIS

ISSUED FOR:
 BID AND PERMIT

DATE: JULY 4, 2016
 SCALE: GIVEN
 DRAWN: RICHARD OLSEN
 PROJECT NO. 2015.55

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PROPOSED FLOOR PLAN

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RICHARD OLSEN ARCHITECT
 630.887.1405

RICHARD
OLSEN
ARCHITECT
830.887.1405

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BY: _____

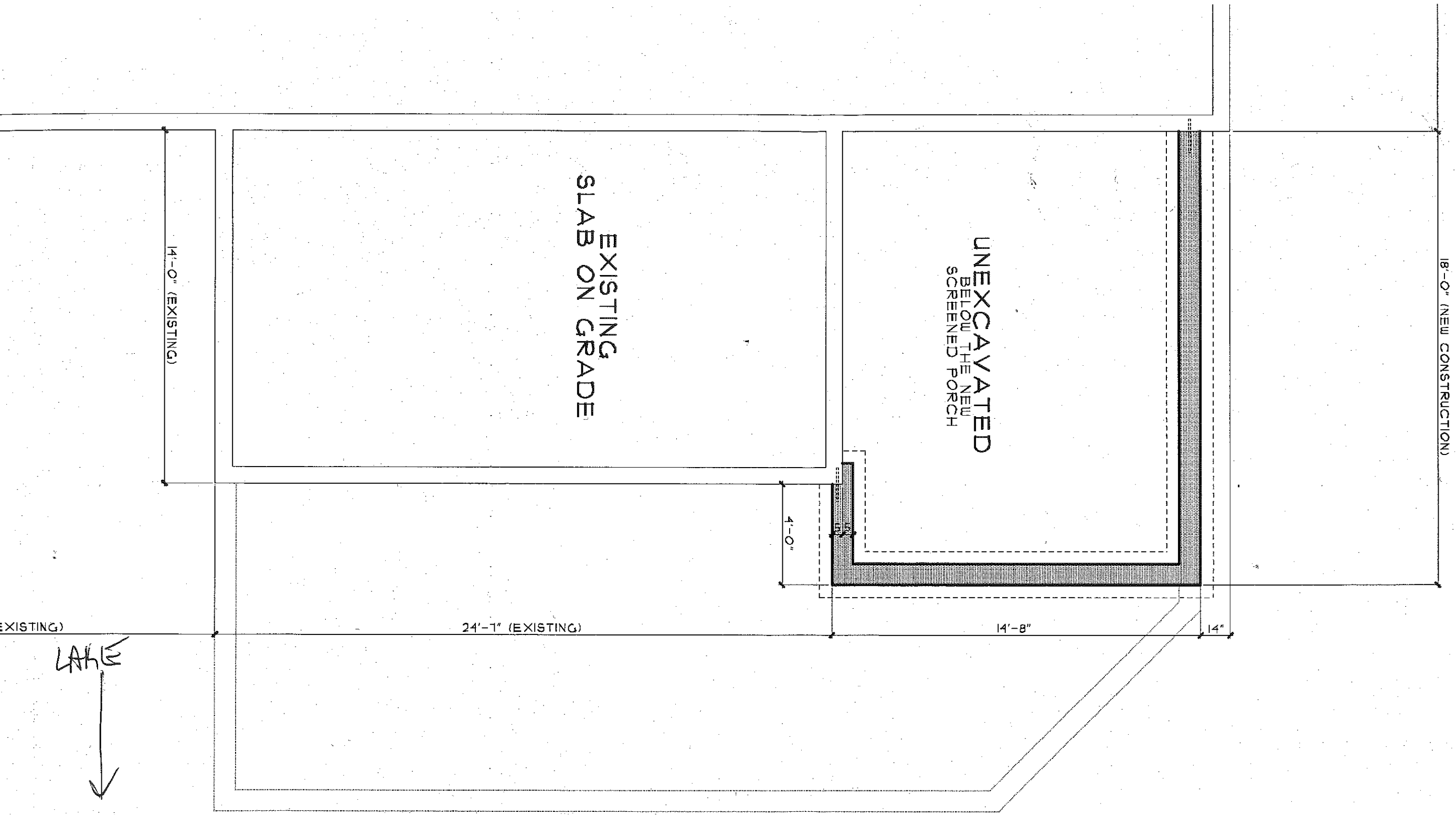
FOUNDATION PLAN

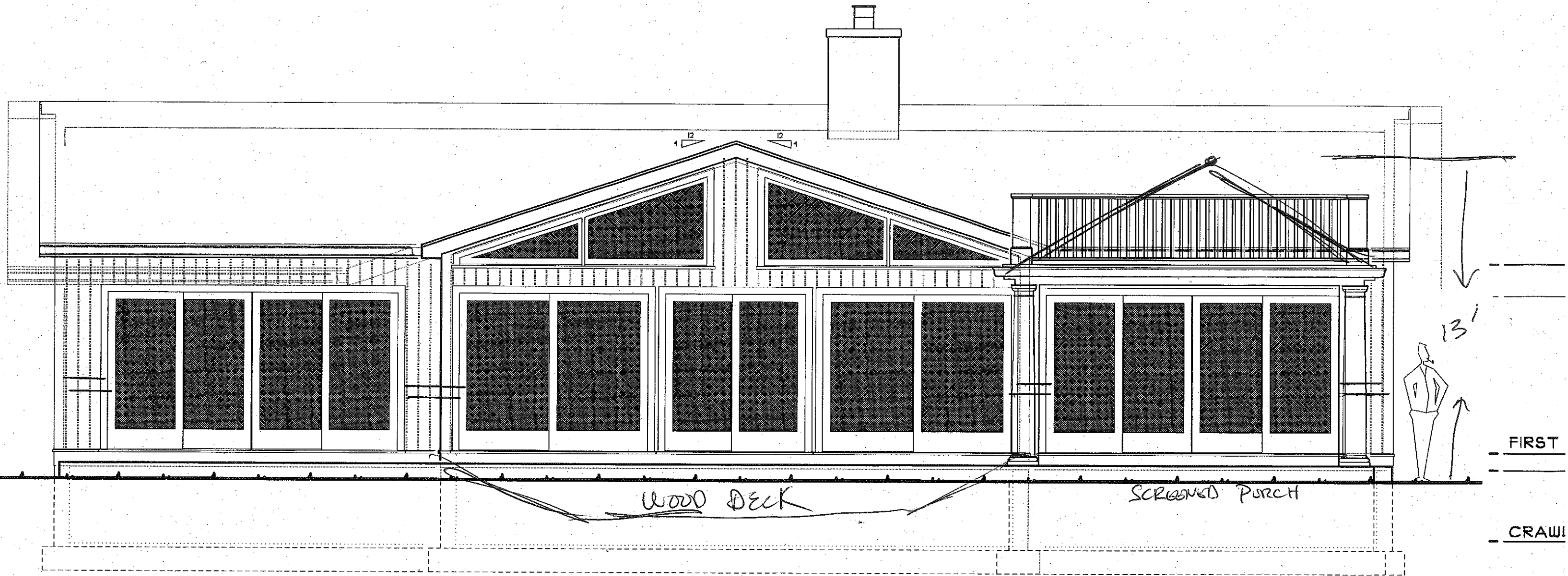
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ARCHITECT.

DATE:
JULY 4, 2016
SCALE:
GIVEN
DRAWN:
RICHARD OLSEN
PROJECT NO.
2015.55

ISSUED FOR:
BID AND PERMIT

HOME REMODELING:
2200 W
DRIVE
ILLINOIS





ELEVATION

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NOTES:

- ① THE SECOND FLOOR OUTDOOR DECK DEPICTED WILL NOT BE CONSTRUCTED. A 13' LOW SLOPE VAULTED CEILING WILL BE CONSTRUCTED.
- ② THE SCREENS ON THE PORCH WILL ELECTRONICALLY LOWER + RAISE.

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