



#2017-27
400 Buckingham Dr. (Wedwick) –Variation
Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	September 20, 2017
<u>Request:</u>	Simplified Residential Variation to allow for a 4-foot fence in the corner side yard setback, a height variation of one foot per Article 4-700B(3).
<u>Location:</u>	400 Buckingham Drive
<u>Acreage:</u>	10,888 square feet
<u>Existing Zoning:</u>	R-2 (Single Family Residential)
<u>Surrounding Properties:</u>	North: R-2 (Single Family Residential) South: R-2 (Single Family Residential) East: R-2 (Single Family Residential) West: R-2 (Single Family Residential)
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The property is currently improved with a single-family dwelling.
- The property is a corner lot, the front yard is considered to be the yard fronting Buckingham Drive and the yard abutting Sussex Lane is considered a corner side yard.

Development Analysis:

General

- **Request:** The petitioner is requesting a variation to allow a 4-foot fence in the required 30-foot corner side yard setback.
- **Land Use:** The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- **UDO Requirements:**
 - The minimum corner yard setback is 30 feet in the R-2 Single-Family zoning district.
 - Fences located in the corner side yard setback are allowed to be 3 feet in height.

Proposed Fence

- There is currently a hedgerow along the property line within the corner side yard setback.
- The proposed fencing material is chain link and 4 feet in height.
- The proposed fence would be in the location of the current hedgerow, see picture below.



Comprehensive Land Use Plan 2030 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. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 4-700B(3) to allow a 4-foot fence in the required 30-foot corner side yard setback, a height variation of one foot. 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.

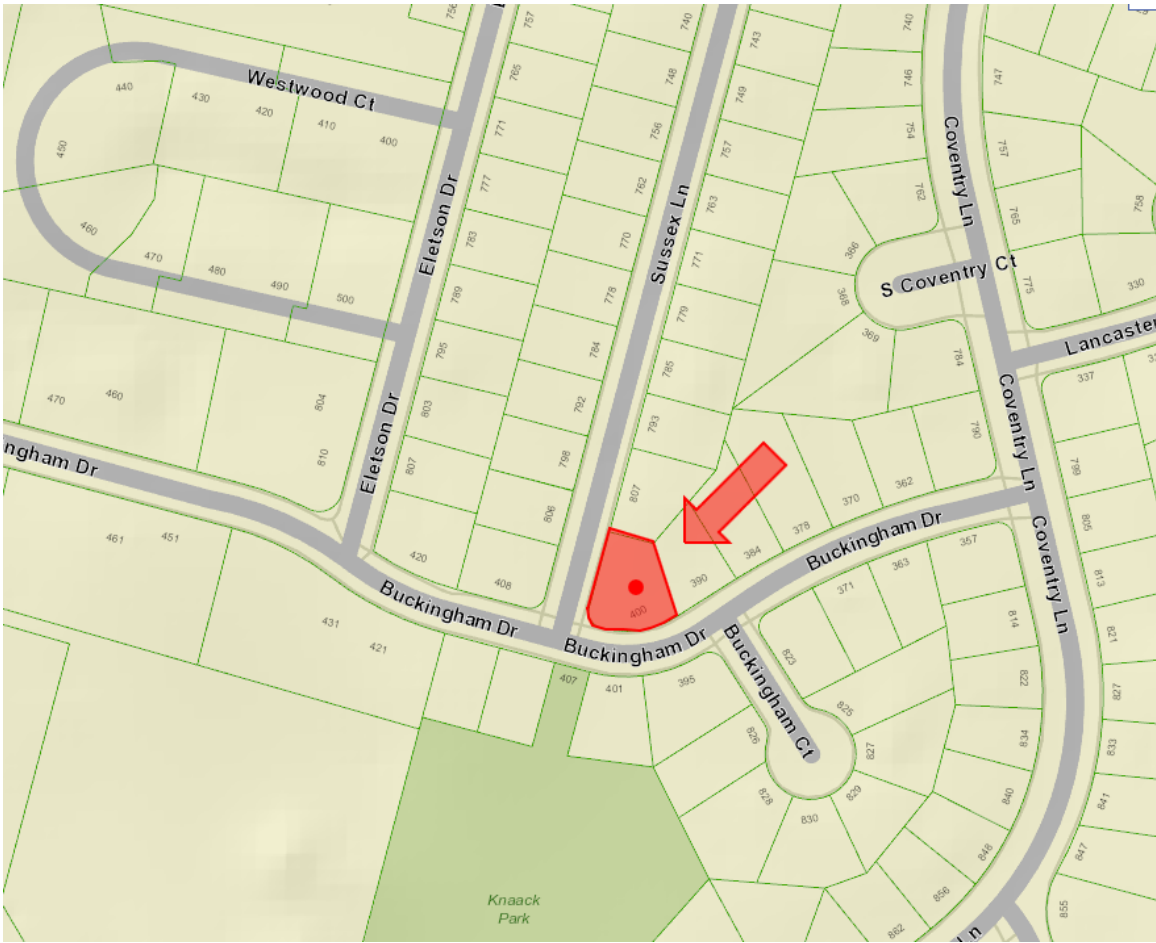
Recommended Conditions:

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 (Wedwick, dated 08/08/17, received 08/09/17)
 - B. Survey with drawing of fence (Wedwick, received 08/09/17)
2. The petitioner shall address all of the review comments and requirements of the Community Development Department.

2017-27 WEDWICK – 400 BUCKINGHAM DR



2017 27

Application for Simplified Residential Variation

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

I. Applicant

Elijah & Kelsey Wedwick

Name

400 Buckingham Dr

Street

Crystal Lake

IL

60014

City

State

Zip Code

262-232-5241

Telephone Number

Fax Number

ejwedwick@gmail.com

E-mail address

II. Owner of Property (if different)

Same

Name

Same

Address

Telephone Number

III. Project Data

1. a. Location/Address: 400 Buckingham Dr. Crystal Lake, IL

b. PIN #: 19-08-301-003-000

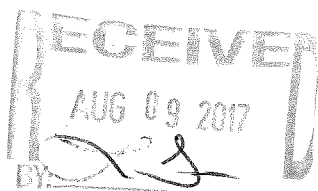
2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:

The property is a corner lot with a curve in the street directly in front of the home. This creates a uniquely shaped lot, with the 30ft building line for the property running through the middle of the yard. If a 4ft fence were constructed along the 30ft building line, it would create a small and odd-shaped backyard. A variance to construct a 4ft fence along the perimeter is requested for safety of the homeowners children and pets, and to allow maximum use of the property. The proposed fence would also replace a hedge row, increasing the line of sight on the street.

IS THE HARDSHIP SELF-CREATED?

No



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

No, the shape of the lot is not consistent with other corner lots as a result of the curve of Buckingham Dr. directly in front of the property.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No, it will increase safety for the homeowners and their family, while fitting in with the established style and specifications of the majority of homes in this neighborhood.

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: None

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.

Elijah Wedwick Elijah Wedwick 8-8-17
Kelsey Wedwick Kelsey Wedwick
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)
Elijah and Kelsey Wedwick)**

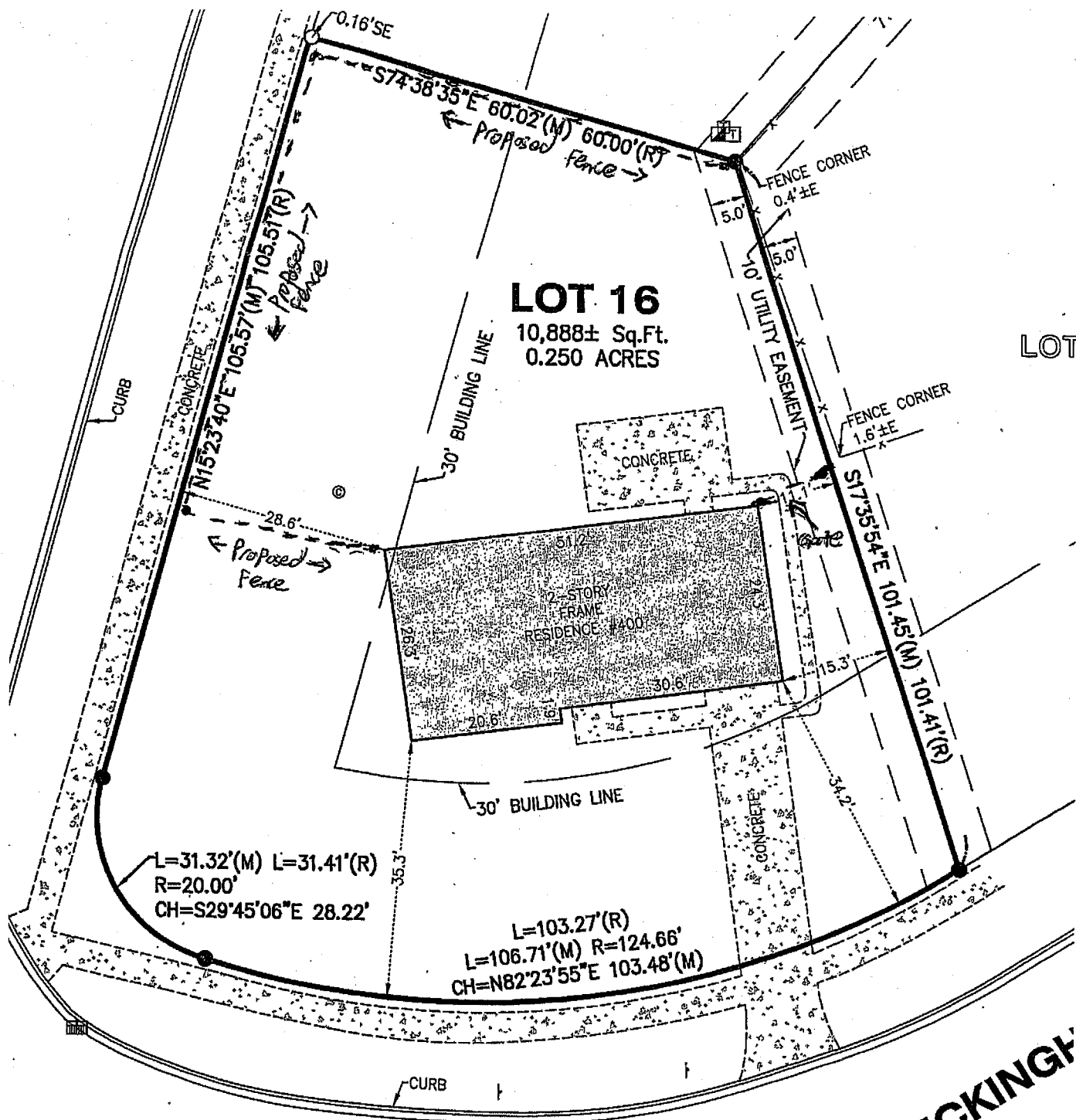
LEGAL NOTICE

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 of Elijah and Kelsey Wedwick seeking a simplified residential variation at 400 Buckingham Drive, Crystal Lake, Illinois. PIN 19-08-301-003.

This application is filed for the purpose of seeking a simplified residential variation pursuant to Article 4-700B(3) to allow a 4-foot fence in the corner side yard setback, a variation of 1-foot in height, as well as any other variations as necessary to complete the project as proposed. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday September 20, 2017 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 on September 5, 2017) 1451021



L=31.32'(M) L=31.41'(R)
R=20.00'
CH=S29°45'06"E 28.22'

L=103.27'(R)
L=106.71'(M) R=124.66'
CH=N82°23'55"E 103.48'(M)



SCALE: 1" = 20'

2017 27
RECEIVED
AUG 09 2017
BY:

STATE
COUNT

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains