



#2017-30
509 Nash – Variation
Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	October 4, 2017
<u>Request:</u>	Construction of a sunroom addition on the Everett Avenue side of the home, a variation of 7.75 feet into the 40.75-foot average front-yard setback.
<u>Location:</u>	509 Nash Road
<u>Acreage:</u>	approximately 7,750 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 contains an existing single-family residence. The home is positioned so the front door faces Nash Road, but front yard is defined as the narrowest street side of the lot, causing Everett Avenue to be considered the front yard.
- Established residential neighborhoods with varying setbacks have a front yard setback that is determined by the average of the homes within 400 feet, provided the setback varies more than 10 feet from the required district setback. The average setback was determined to be 40.75 feet.
- The proposed addition would extend 12 feet into the front yard setback from Everett Avenue.

Development Analysis:

General

- **Request:** Variation to allow the construction of a sunroom off the side of the house, which is considered the front yard, 7.75 feet into the 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 7.75-foot encroachment to allow the construction of a sunroom.

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, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Wilson, received 09/08/17)
 - B. Plat of Survey (Unnamed, undated, received 09/08/17)

C. Site Drawing Sketch (Cortese, received 09/08/17)

2. The addition shall match the architectural style of the home. Petitioner to provide architectural plans for review and approval.
3. The petitioner shall address all of the review comments and requirements of Community Development Department.

2017-30 Wilson – 509 Nash Road



Application for Simplified Residential Variation

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

I. Applicant

Robert & Jessica Wilson

Name

509 NASH Rd.

Street

Crystal Lake IL 60014

City

State

Zip Code

815-212-4917 CONJESSICA@YA400.COM

Telephone Number

Fax Number

E-mail address

H. Owner of Property (if different)

Name

Address

Telephone Number

III. Project Data

1. a. Location/Address: 509 NASH Rd. Crystal Lake IL

b. PIN #: 19-06-479-012

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

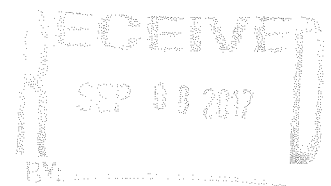
DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY: With the way the lot is situated it makes it hard and almost impossible to add a deck/porch on to the house without a variance.

IS THE HARSHIP SELF-CREATED?

No it was not.

Contractor:
VINCE CORTESE
847-987-3727
toptierconstructionllc@ya400.com

2017-030



ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? Yes. Several other homes in the area have the same difficulties.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? No. It will add character.

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY? No not at all

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. Not at all.

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

IV. Signatures

Robert C. With 9/15/17
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.
Jessica A. Wilson 9/15/17
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
Robert and Jessica Wilson

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 Robert and Jessica Wilson for approval of a variation relating to the following real estate known as 509 Nash Road, Crystal Lake, Illinois 60014, PIN: 19-06-479-012.

This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from Article 3-300 3. Front Setback to allow an addition to the principal structure which would encroach 7.75 feet into the required average front yard setback, 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, October 4, 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.

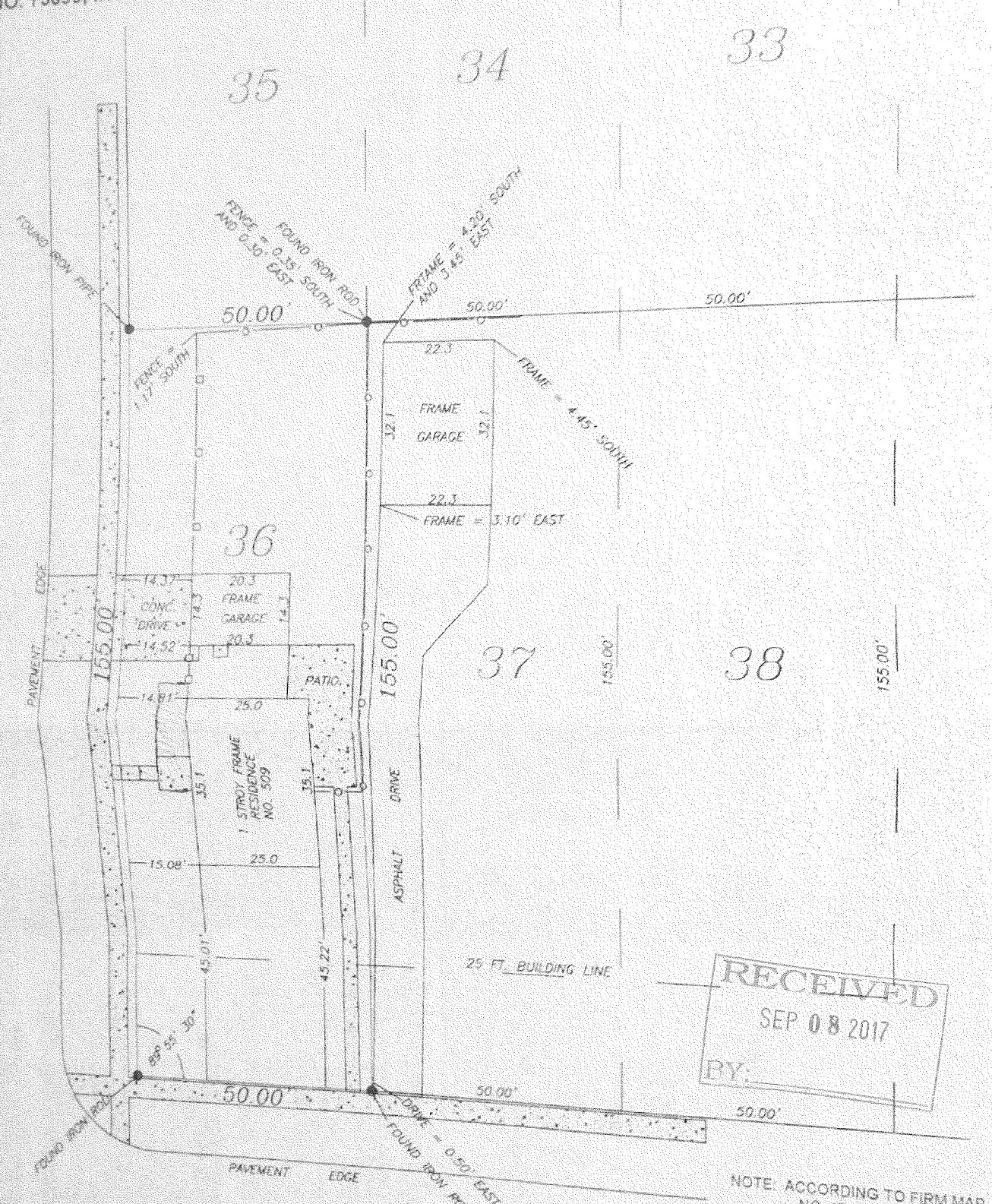
Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
on September 17, 2017)1458672

LOT 36 IN BLOCK 1 IN RIGBY'S GOLF ROAD SUBDIVISION (PART)
 SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 12 EAST
 OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1926 AS
 DOCUMENT NO. 73699, IN BOOK 5 OF PLATS, PAGE 62, IN MCHENRY COUNTY, ILLINOIS.

ROAD

NASH



RECEIVED
 SEP 08 2017
 BY:

NOTE: ACCORDING TO FIRM MAP, C
 NO. 170476-0003C EFFECTIVE
 THIS PROPERTY DOES NOT
 FLOOD HAZARD AREA

EVERETT AVENUE

OWNER COPY

6.91 - setback

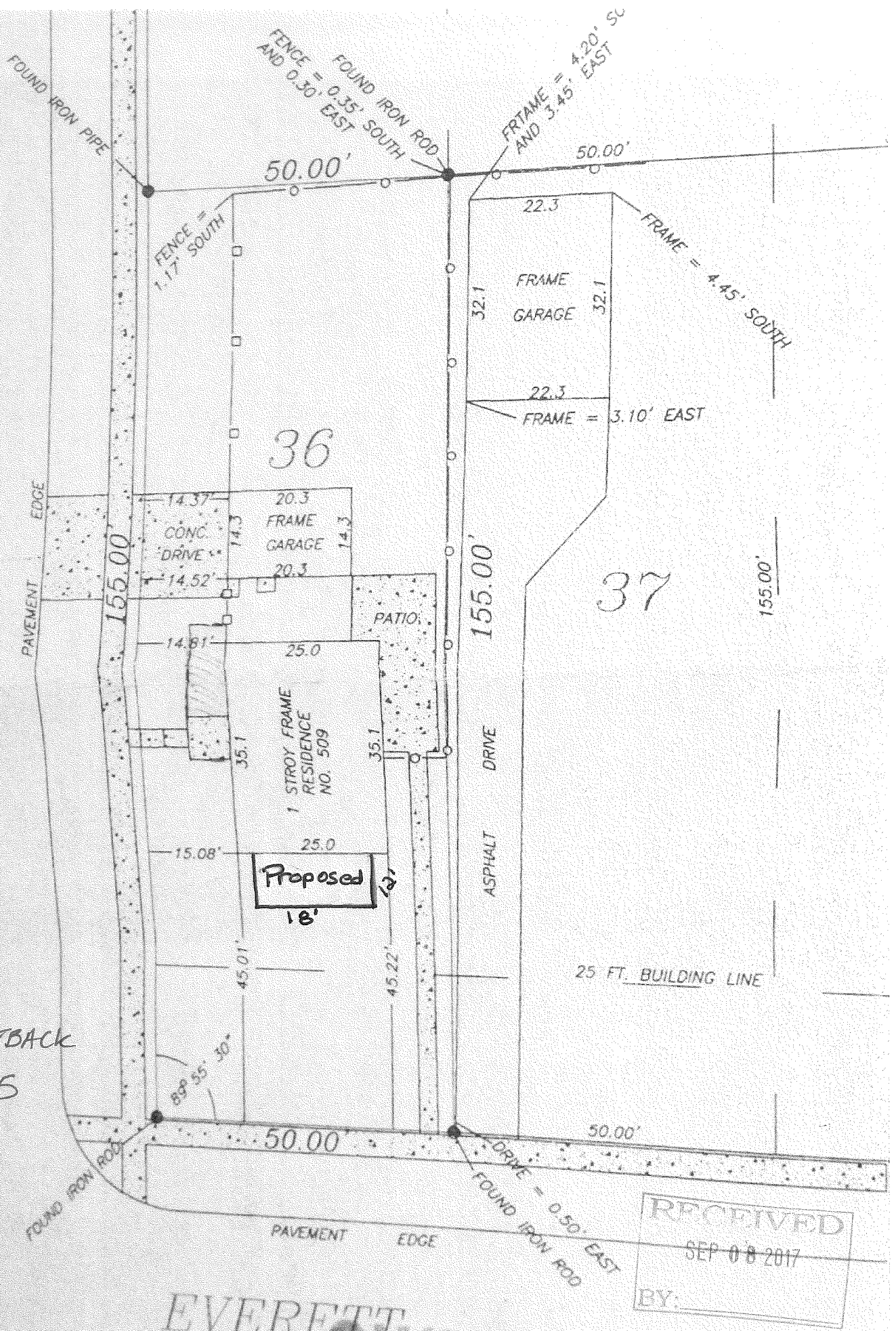
NOTE FOR BUILDING LINES AND EASEMENTS, REFER TO ABSTRACT OF TITLE FOR POSSIBLE ADDITIONAL EASEMENTS, COVENANTS, RESTRICTIONS OR OTHER ENCUMBRANCE UPON SUBJECT PROPERTY. REFER TO VILLAGE, CITY OR COUNTY CODES FOR FRONT, SIDE AND/OR REAR BUILDING SETBACK RESTRICTIONS. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BUILDING...

Scale 1" = 25'
 Iron stakes set ●
 Iron stakes found ◊
 Distances are given in feet & decimals

RONALD LEIP

ROAD

NASH



36

37

AVG. SETBACK
 40.75
 4.26'

6.91 - setback

RECEIVED
 SEP 08 2017
 BY:

EVERETT

OWNED COMPANY

To Whom it May Concern,

We are the neighbors to the Wilson's living across the street on Nash Road. Our view is directly to their side yard with the present Pergola. My Husband and I both feel that a covered front porch would be a beautiful addition to their home causing no obstruction or issues for our house or other neighbors.

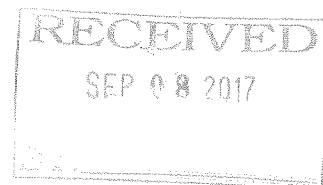
Thank you,

Kristine Calhan

510 Nash Road

Crystal Lake

815-715-0257



To Whom it May Concern,

I live next door to the Wilson's and I am ok with the Wilson's adding a Covered Front Porch past my set back. Thanks.

Darin O'Brien

510 Everett Ave

Crystal lake, IL 60014

815-276-9164

