



#2018-44
222 Dole Ave – Simplified Residential Variation
Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	July 18, 2018
<u>Request:</u>	Variation from Article 3-200 and Article 7-200(B) to allow a side yard setback of 3.7 feet, a variation of 1.2 feet for an addition.
<u>Location:</u>	222 Dole Ave
<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-3A – Two-Family Residential West: R-2 – Single-Family Residential
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The subject property is single-family home on a nonconforming zoning lot.
- **UDO Requirements:** Nonconforming zoning lots have to provide 70% of the district standard for the setback requirements; therefore, the side-yard setback requirement is 4.9 feet for a nonconforming lot.

Development Analysis:

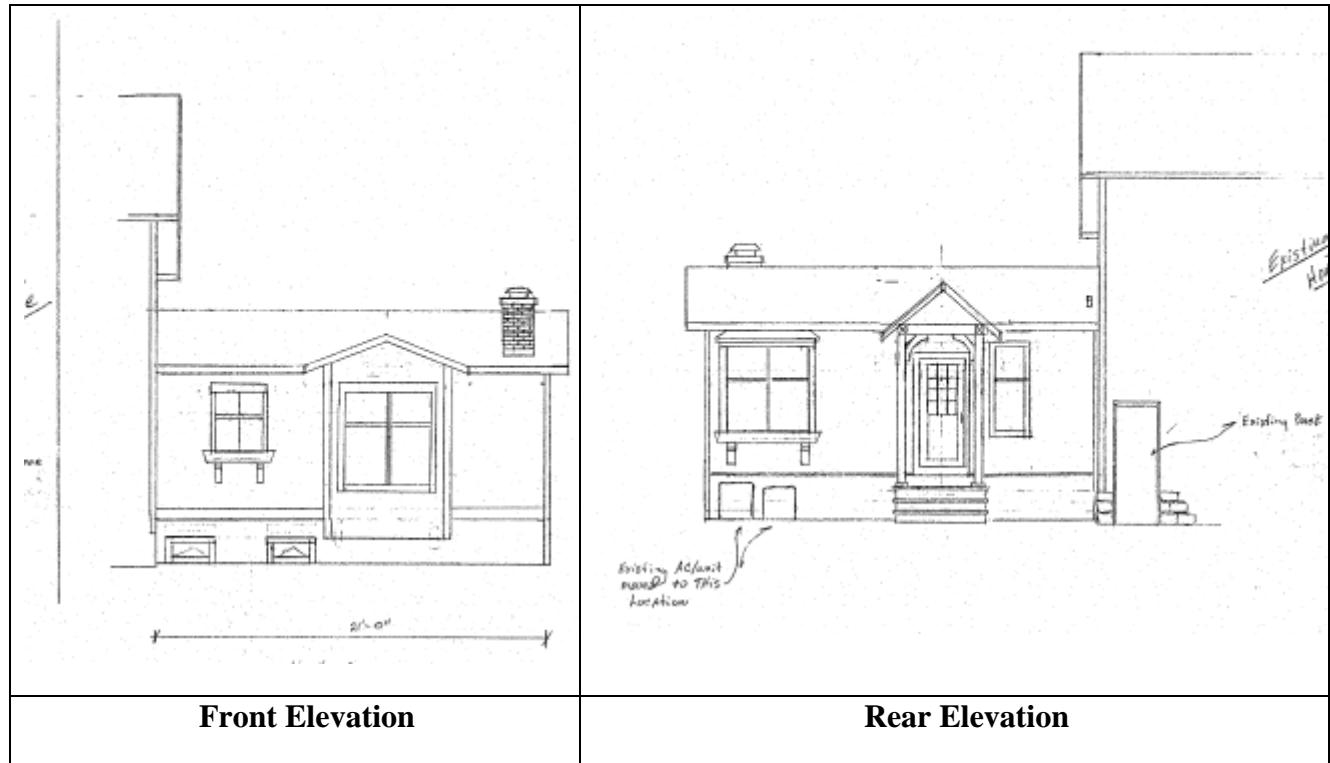
General

- **Request:** The petitioner is requesting a variation from the side-yard setback requirement to allow an addition to encroach 1.2 feet into the setback.
- **Land Use:** The Comprehensive Land Use map shows the area as Urban Residential which is an appropriate land use designation.
- **Zoning:** The site is zoned Single-Family Residential.

House Addition

- The proposed 21'x 21' addition would extend easterly of the existing house.

- The house is slightly askew which causes the addition to have a 3.7-foot setback at the rear corner and a 4.4-foot setback at the front corner.
- The proposed one-story addition matches the architectural style of the existing house. The addition includes two windows on the front elevation. See image 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 3-200 Density and Dimensional Standards and 7-200(B) Nonconforming Recorded Lot to allow a 3.7-foot side yard setback, a variation of 1.2 feet.

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*

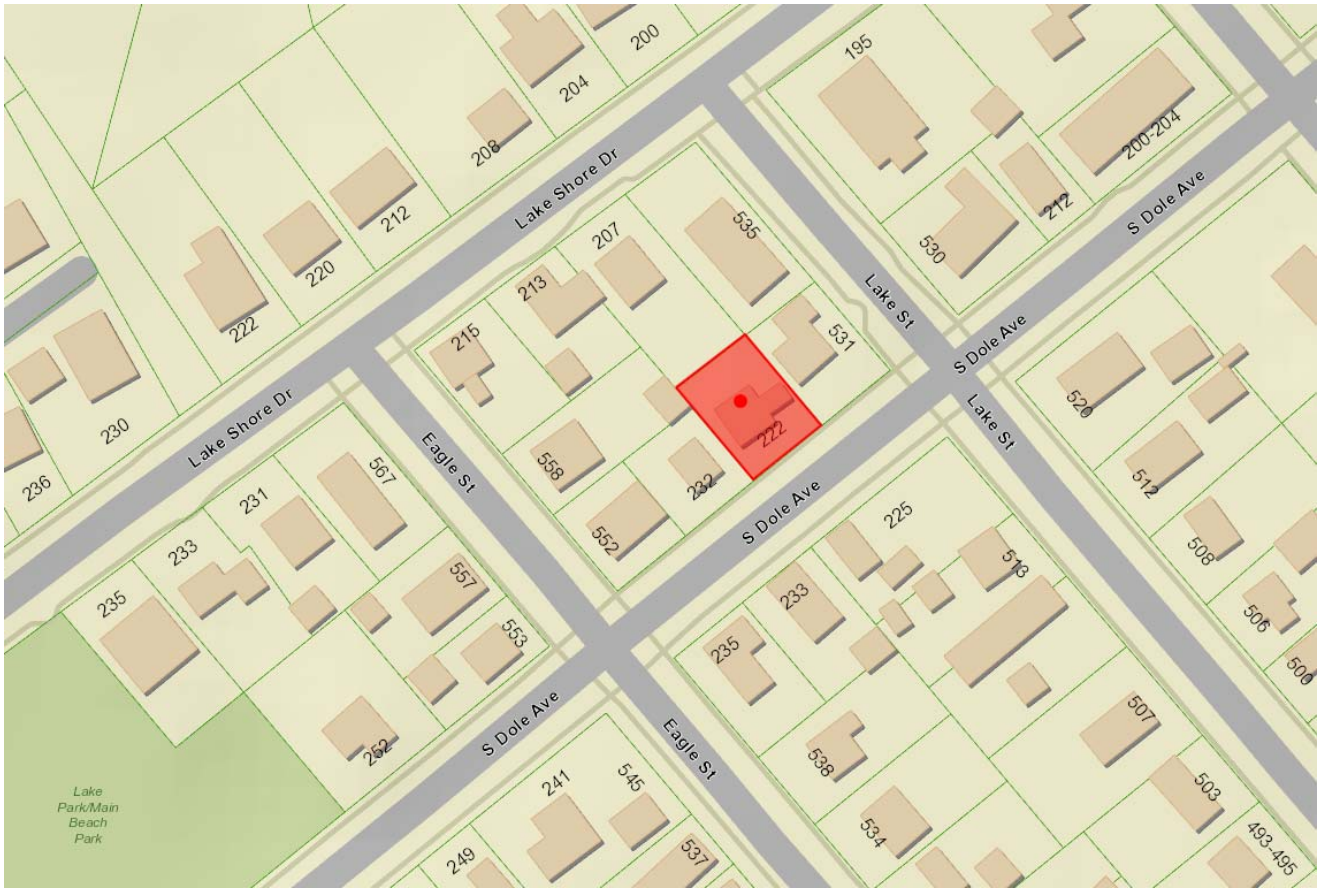
Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

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 (Diamond, dated 06/15/18, received 06/15/18)
 - B. Plat of Survey (received 06/15/18)
 - C. Addition Plan (Diamond, dated March 2018, received 06/15/18)
2. The addition increased the total impervious surface coverage to 53%, reduce the impervious surface coverage of the property to meet the 50% requirement.
3. The addition must match the existing home in siding material and color.
4. The petitioner shall address all of the review comments and requirements of the Community Development and Fire Rescue Departments.

PLN-2018-00044 DIAMOND – 222 Dole Ave



RECEIVED
JUN 15 2018
BY:

Application for Simplified Residential Variation

Application Number: PLN-2018-00044 FOR OFFICE USE ONLY
Project Name: _____
Date of Submission: _____

I. Applicant

DAN + JEAN Diamond
Name
222 Dole Ave
Street
CRYSTAL LAKE IL LAKE 60014
City State Zip Code

II. Owner of Property (if different)

Name

Address Telephone Number

III. Project Data

1. a. Location/Address: 222 Dole Ave, Crystal Lake IL 60014
b. PIN #: 19-06-255-008

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:

See Attached

IS THE HARDSHIP SELF-CREATED? No

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? Not That We Are AWARE OF

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

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

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.

Daniel J. Diamond
Dan M. Diamond
OWNER: Print and Sign name Date 6-15-2018

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.

Wendy A. Diamond
Dan Diamond

#1
#2 After a certified spot survey of the property and the proposed addition, it was made evident of the disproportional/odd shape footprint of the existing home upon the lot.

The home is not set squarely on the lot thus creating a handicap that impedes the side yard set back requirements on the proposed addition.

(Proposed)
As the addition exist on the plat (spot survey), we are now 1'-3" into the side yard set back on the back corner of the proposed addition, and the front corner is over the set back
+ or - 4 1/2"

Due to These Circumstances
we Are Requesting A VARIANCE FOR
YOUR New Side yard Addition.

THANK YOU

FOR YOUR CONSIDERATION,

Dan & Jean DeMunn

PUBLIC NOTICE
BEFORE THE PLANNING AND
ZONING COMMISSION
OF THE CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS
IN THE MATTER OF THE PETITION
OF Dan & Jean Diamond

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 Dan & Jean Diamond, seeking a Variation located at

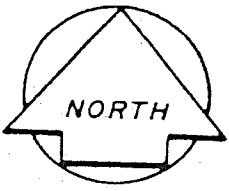
222 Dale Ave.,
Crystal Lake, Illinois.
PIN 19-06-255-008.

This application is filed for the purpose of seeking a 1.2-foot Variation from the 4.9-foot minimum interior side yard setback for a nonconforming lot pursuant to Article 3-200 Dimensional Standards and Article 7-200(B) Nonconforming Recorded Lot, 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, July 18, 2018, 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 June 30, 2018) 1554417



SCALE:
1 inch equals 30 feet

PLAT OF SURVEY

Conway Surveying 1213 N. Riverside Drive
(815) 385-2124 McHenry, Illinois

COPY

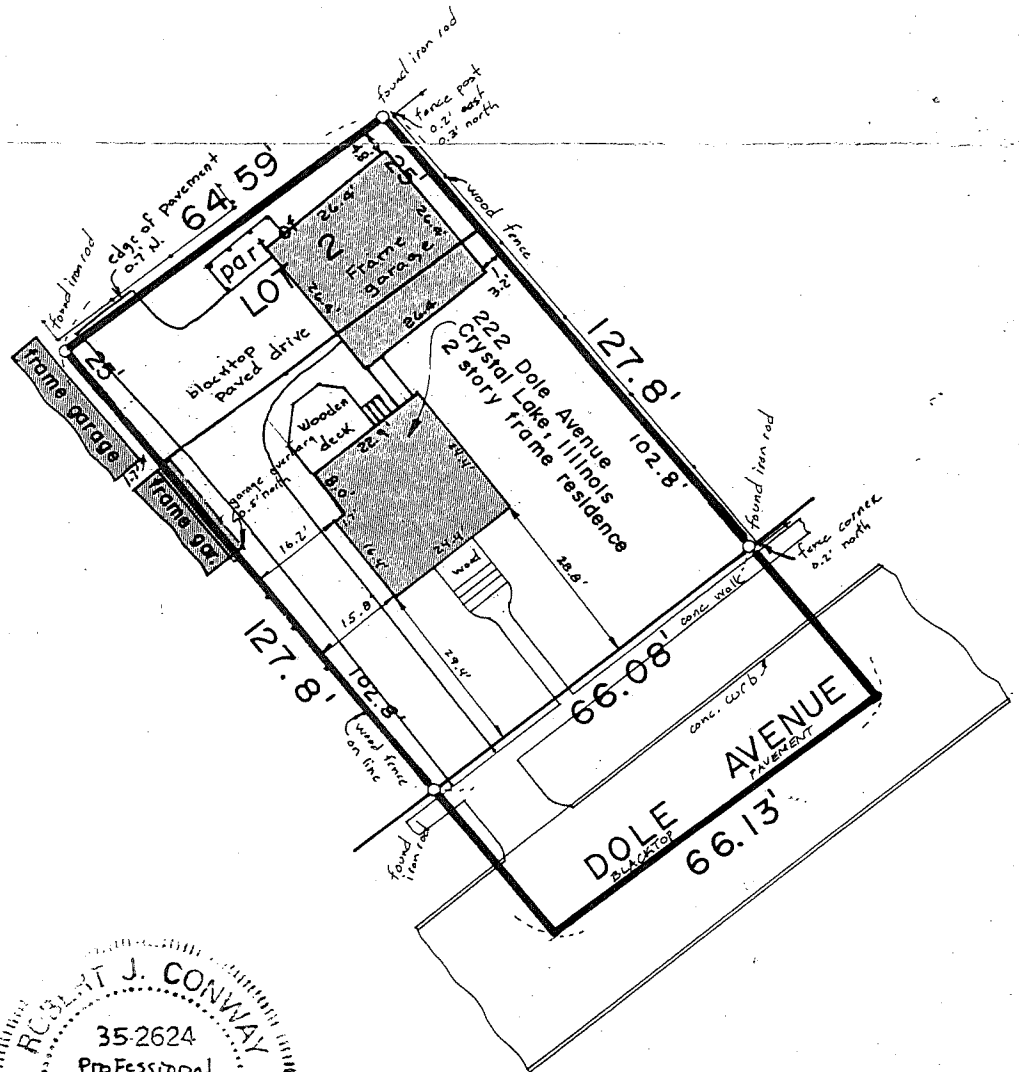
The Southeasterly 25 feet of Lot No. 2 in Block 4 of J. T. Pierson's Addition to Crystal Lake, also a part of the unnumbered lot lying on the Southeasterly side of said block bounded and described as follows, to-wit: Beginning at the most Easterly corner of Lot No. 1 on the Southwesterly side of Lake Street, and running thence South 40 degrees East along the Northeasterly line of said Block, 102.8 feet to the most Easterly Corner of said Block; thence South 51 1/2 degrees West, along the Southeasterly line of said Block 132.4 feet; thence North 40 degrees West, parallel with the Northeasterly line of said block 102.8 feet to the most Southerly corner of Lot 2 in Block No. 4; thence North 51 1/2 degrees East, 132.4 feet to the place of beginning, (excepting and reserving therefrom the following described property: That part of the unnumbered lot lying on the Southeasterly side of said Block bounded and described as follows: Beginning at the most Easterly corner of said Lot 1 on the Southwesterly side of Lake Street and running thence South 40 degrees East along the Northeasterly line of said Block, 102.8 feet to the most Easterly corner of said Block; thence South 51 1/2 degrees West along the Southeasterly line of said Block 66.13 feet; thence North 40 degrees West parallel with the said Northeasterly line of said block 102.8 feet to the most Southerly corner of said Lot 1; thence North 51 1/2 degrees East, 66.13 feet to the place of beginning). Said Block being located in and being part of Lot 1 of the Northeast Quarter of Section 6, Township 43 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

Refer to abstract, title and local ordinances for additional easements and building restrictions.

Compare all points before building by same and at once report any difference.

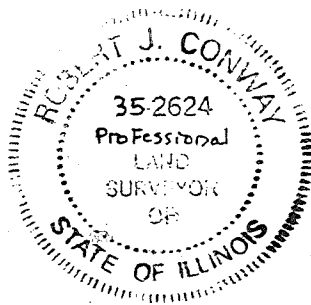
No underground improvements have been located or shown.

PREPARED FOR:
Mr. Daniel Diamond
Crystal Lake, Illinois



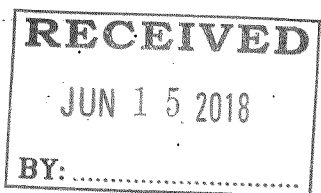
State of Illinois)
County of McHenry) §
I, Robert J. Conway, do hereby certify that,
under my direction, I have caused the above
described property to be surveyed and that
the plat hereon drawn is a correct repre-
sentation of said survey.
At McHenry, this 25th day of
September, A.D., 1993.

Illinois Professional Land Surveyor 2624



Survey No. 19-06-255-008

222 Dole Avenue, Crystal Lake, Illinois



lock being located in and being part of Lot 1 of the
 Section 6, Township 43 North, Range 8 East of the Third
 in McHenry County, Illinois.

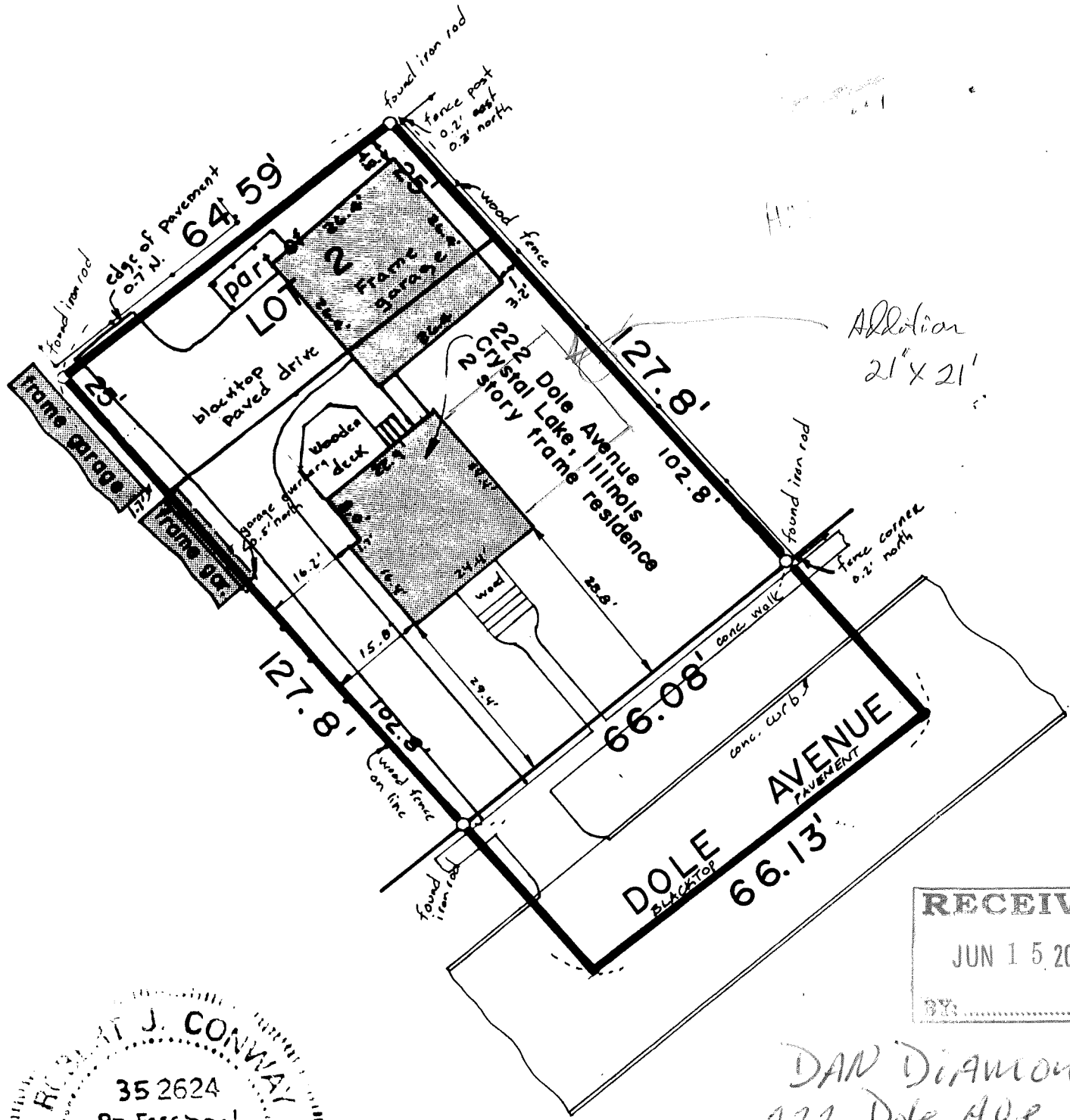
Refer to abstract, title and local ordinances for
 additional easements and building restrictions.

Compare all points before building by same and at
 the report any difference.

Underground improvements have been located or
 own.

SURVEY

19-06-255-008

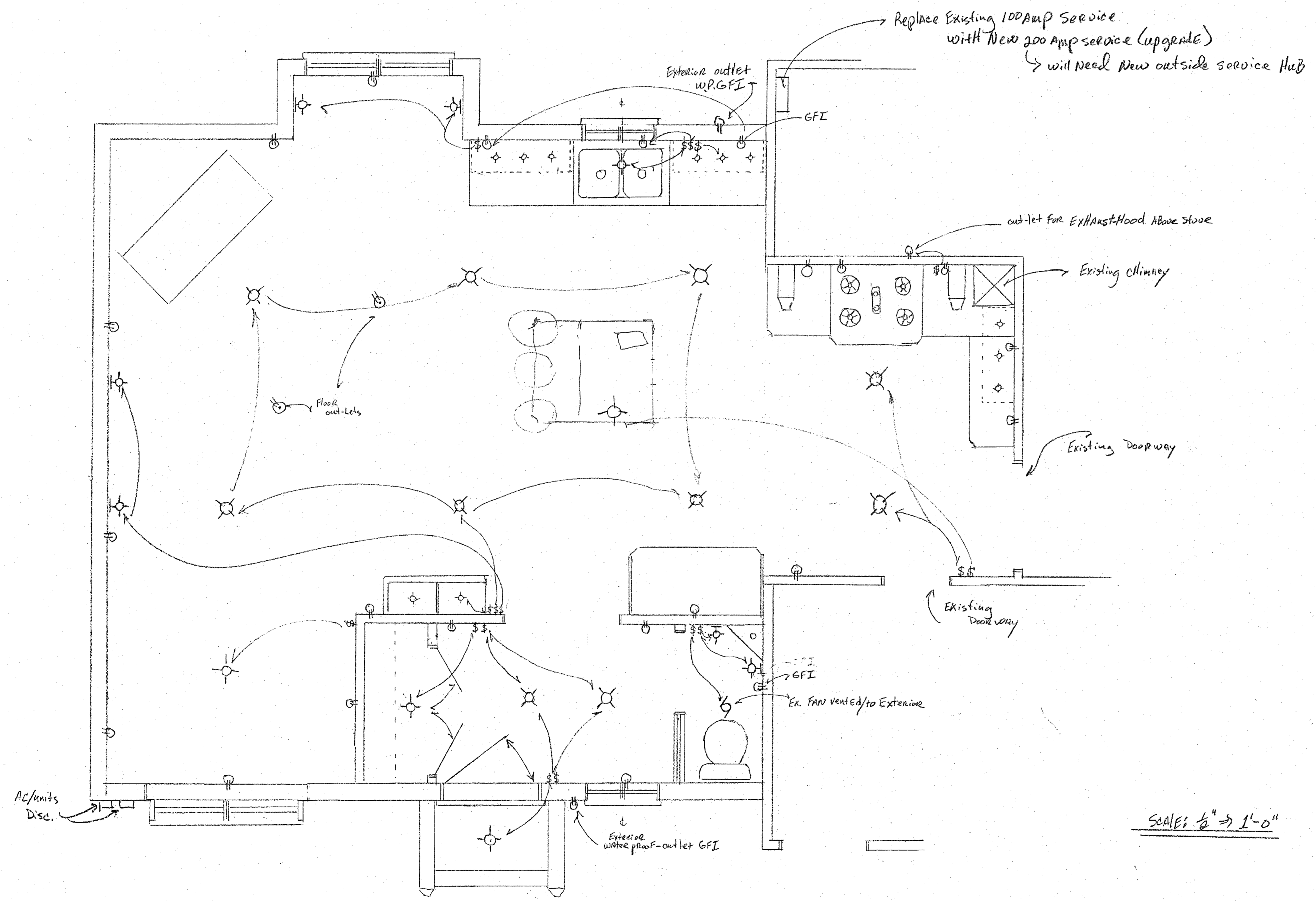


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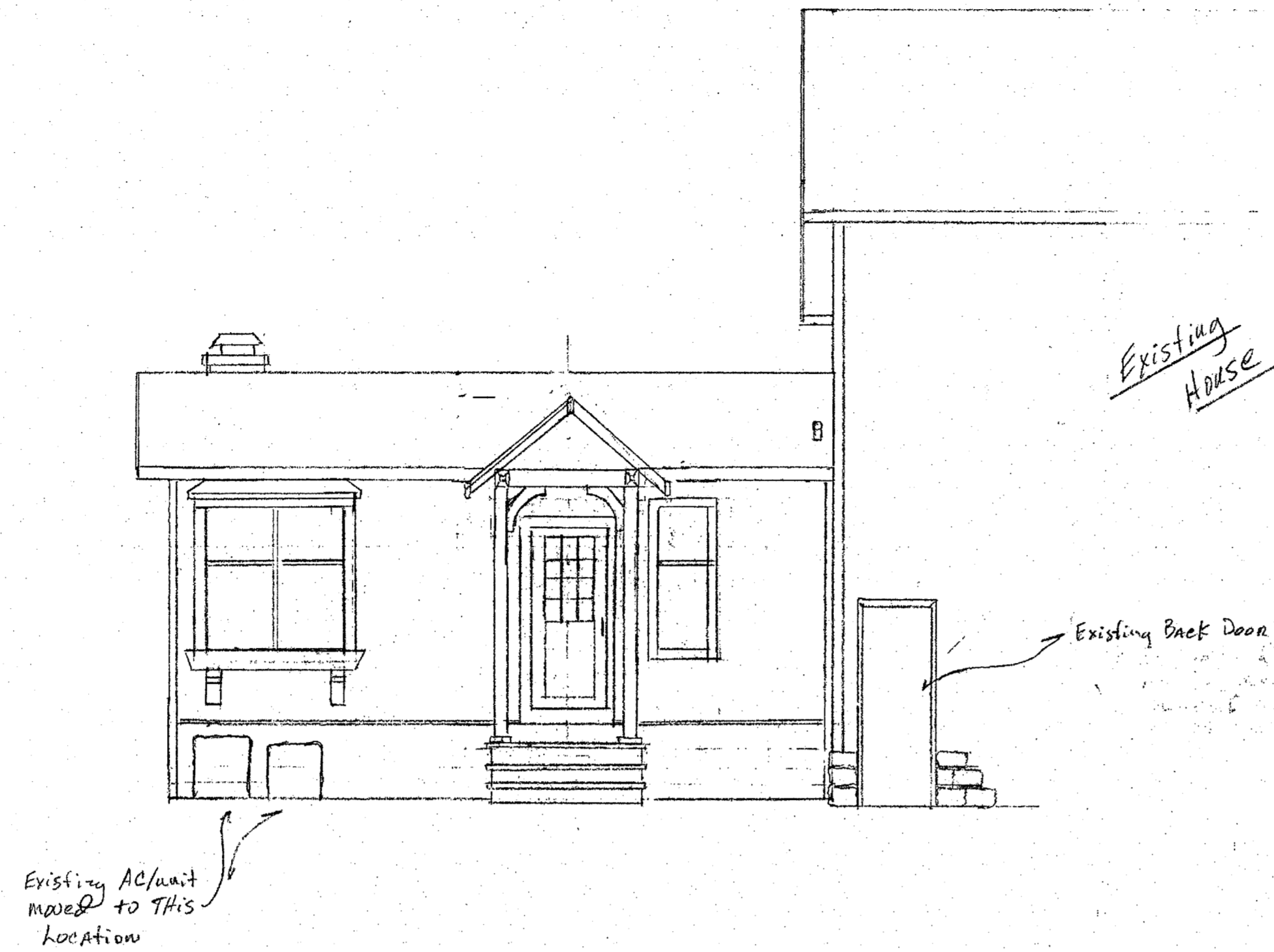
DAN Diamond
 222 Dole Ave
 CRYSTAL LAKE IL.



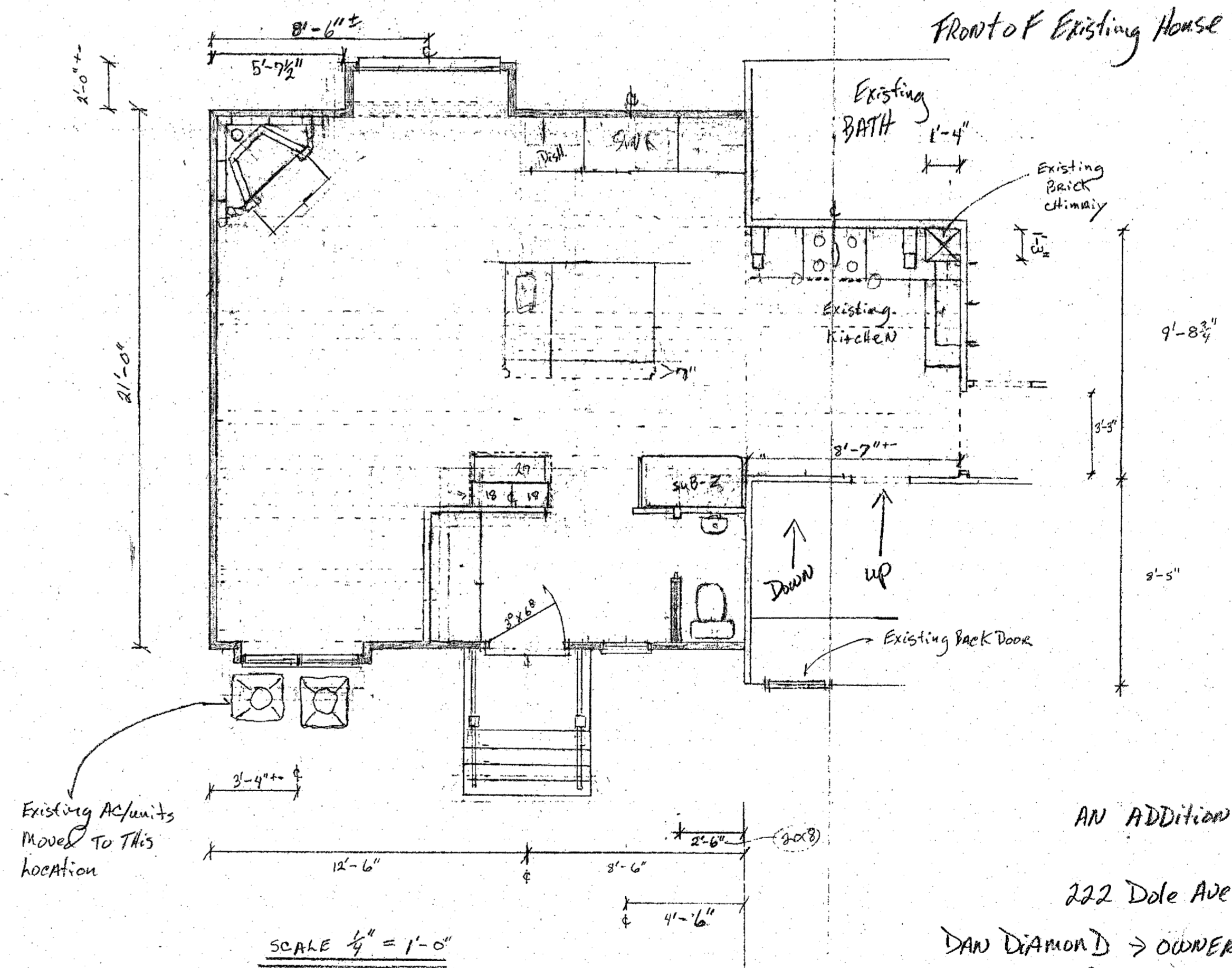
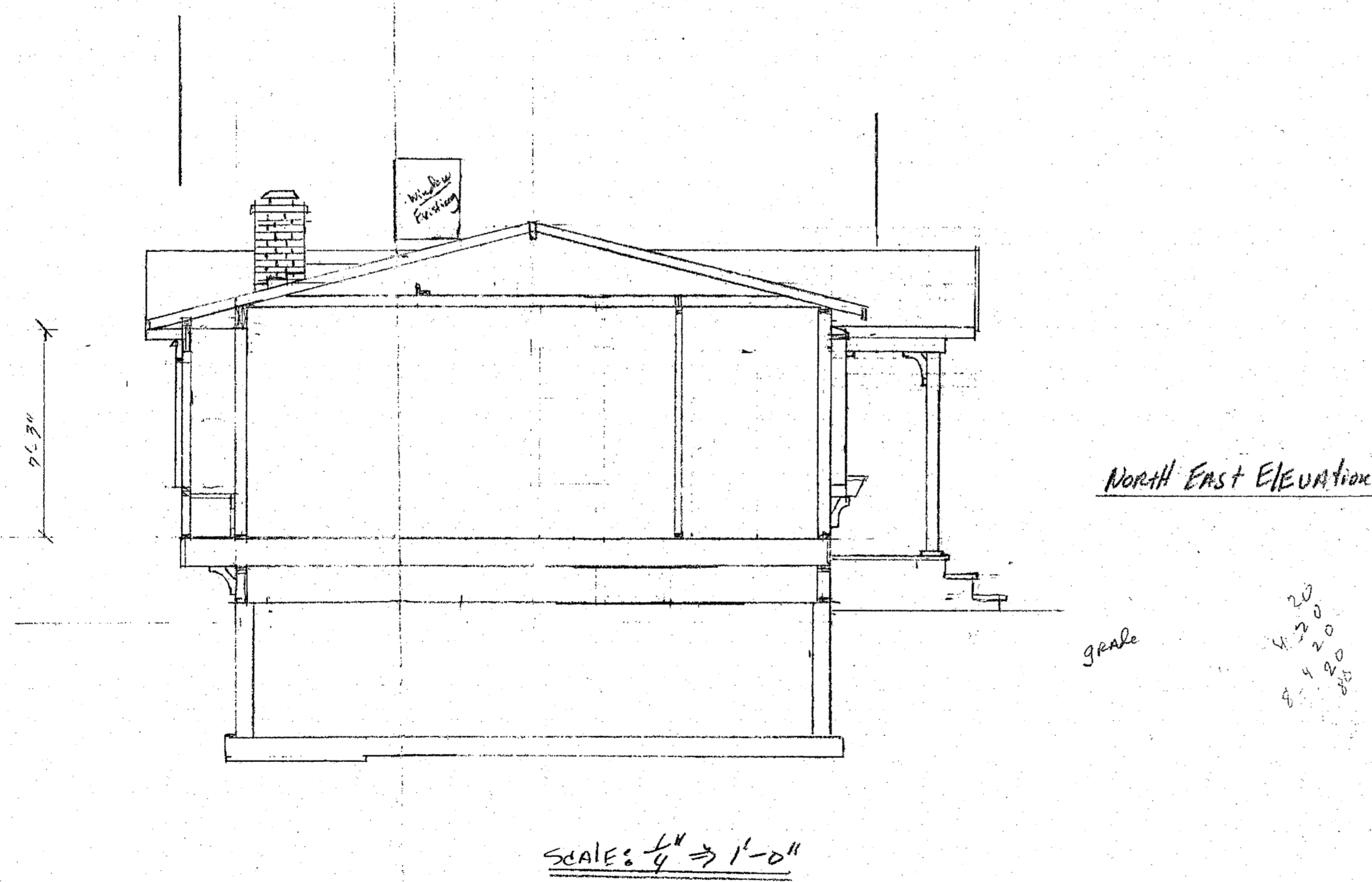
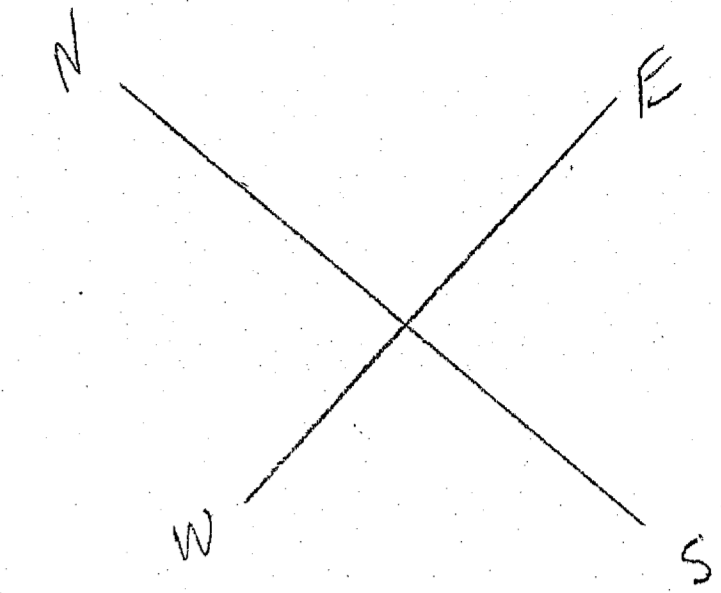
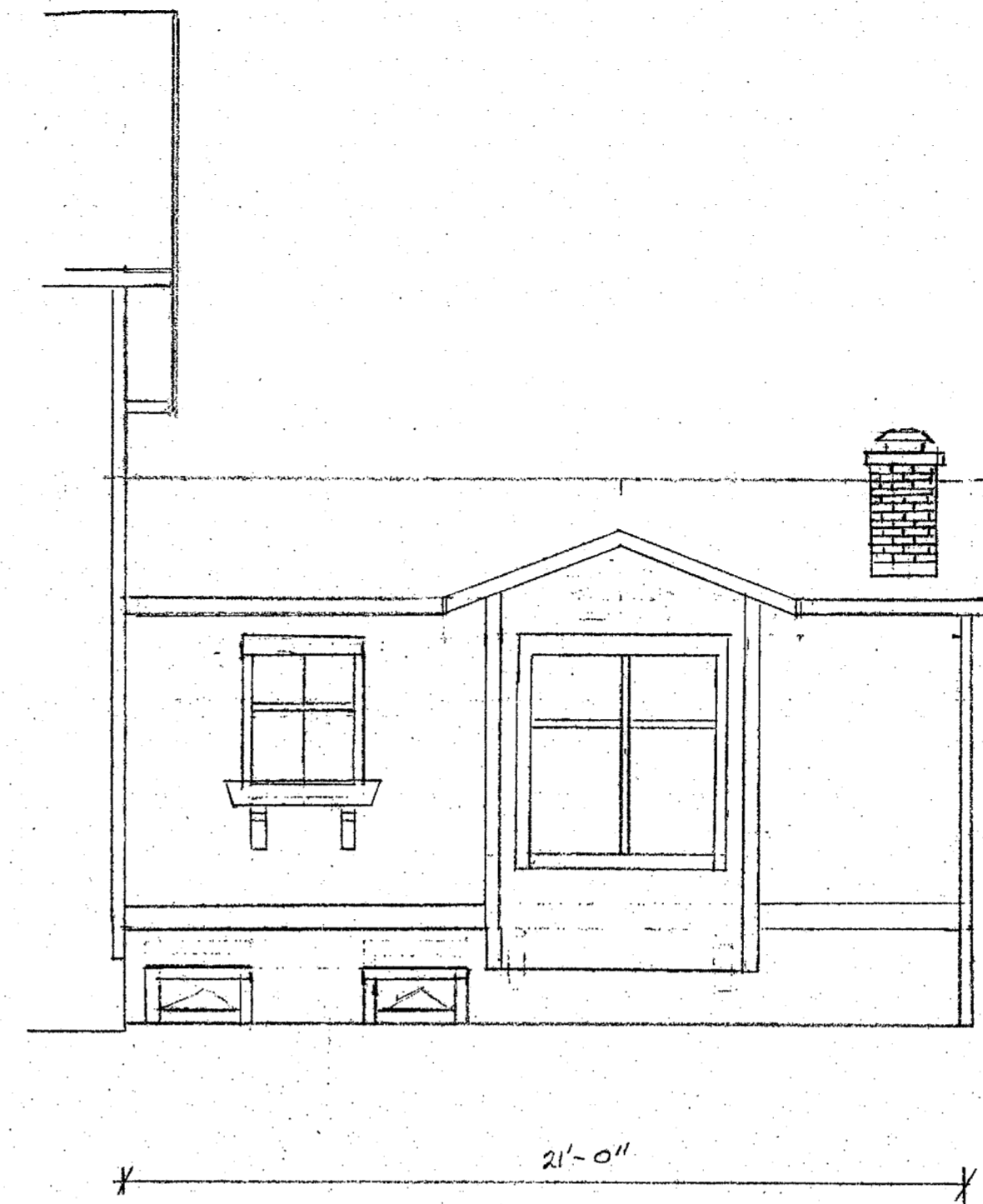
Electrical Drawing

AN ADDITION AND ALTERATIONS
 TO THE DIAMOND RESIDENCE
 222 DOLE AVE. CRYSTAL LAKE IL.
 DAN DIAMOND ⇒ OWNER ⇒ BUILDER ⇒ DRAWING:
 PHONE # (815-482-0509)
 April 2018

Northwest Elevation



South East Elevation



grade
 4'-3 1/2"
 5'-1 1/2"
 2'-0"
 2'-0"

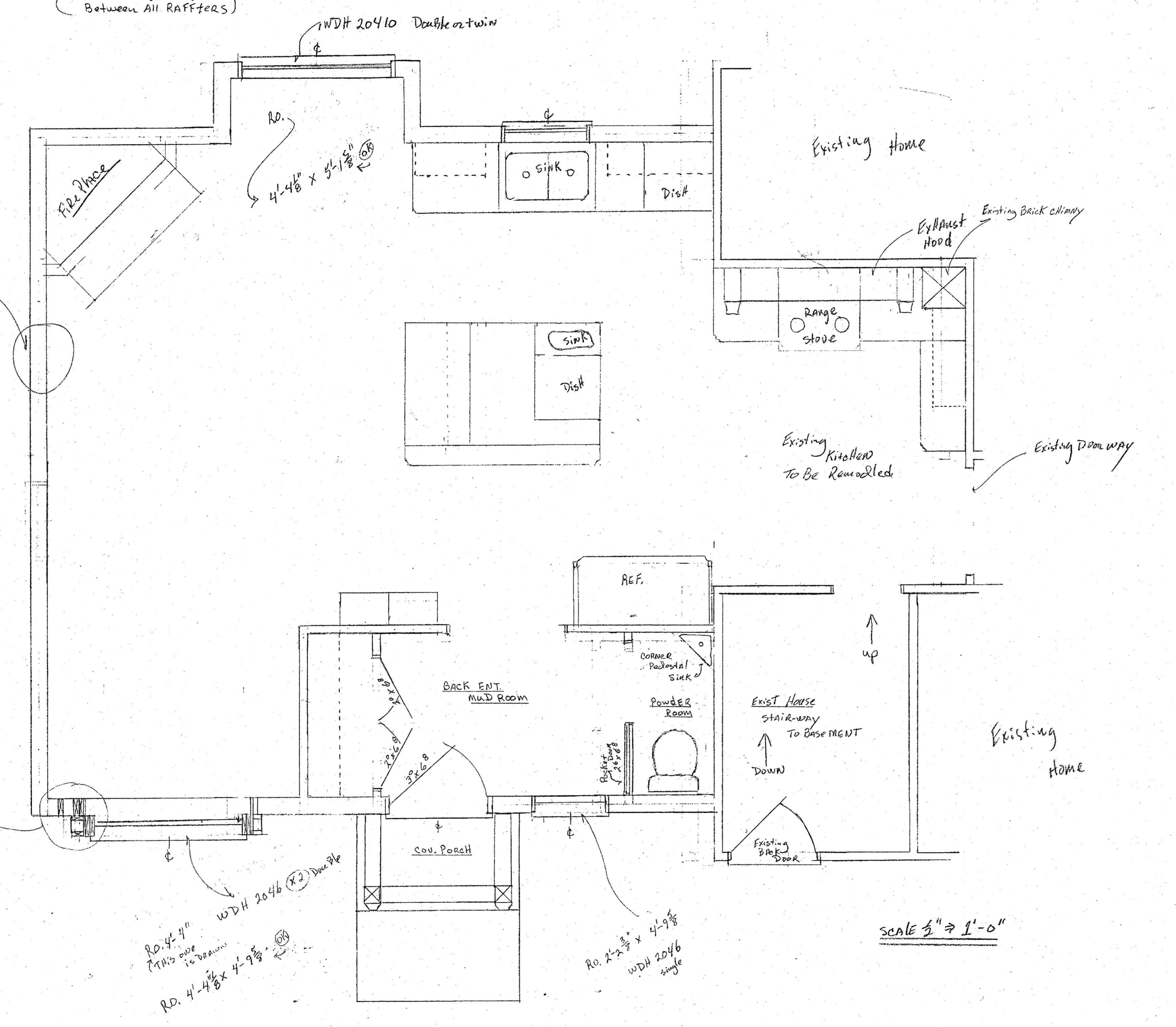
Existing Garage.

AN ADDITION AND ALTERATIONS TO THE DIAMOND RESIDENCE
 222 Dole Ave Crystal Lake IL
 DAN DIAMOND -> OWNER -> BUILDER -> DRAWING
 PHONE (815-482-0509) MARCH 2018

ASPHALT Shingles (Architectural to match Exist.)
 on 30lb: Felt Paper
 over IE + water shield @ 3" up Roof
 2x6 ROOF RAFTERS 16" O.C.
 1/2" 4ply plywood
 Alum Outer Edge
 1/2" cedar FACIA
 1/2" cedar FACIA
 1/2" cedar FACIA
 2x10 ceiling Joist 16" O.C.
 1/2" Drywall ceiling
 (R-11 Batts = with Blown IN Insulation ABOVE to R-38 Ventilation Baffles Between All RAFTERS)

2x6 stud wall
 1/2" Drywall
 1/2" plywood Sheathing
 Tyvek or TyPAR
 R-19 Insulation
 3/4" x 6" Box Cedar Siding
 2x6 wall Below
 1" x 11/2" Rim Board
 T.I. Floor Joist 16" O.C. "560"

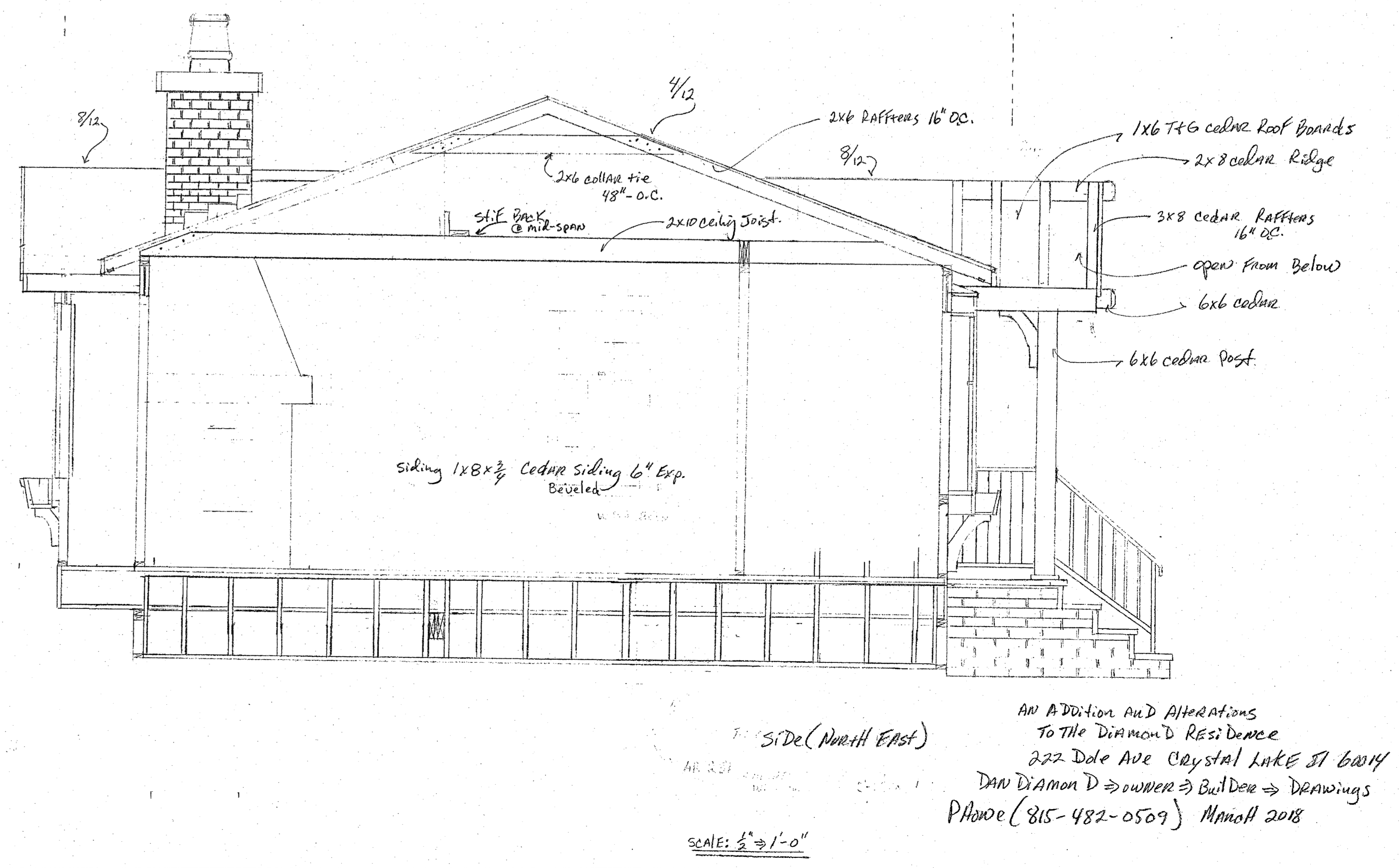
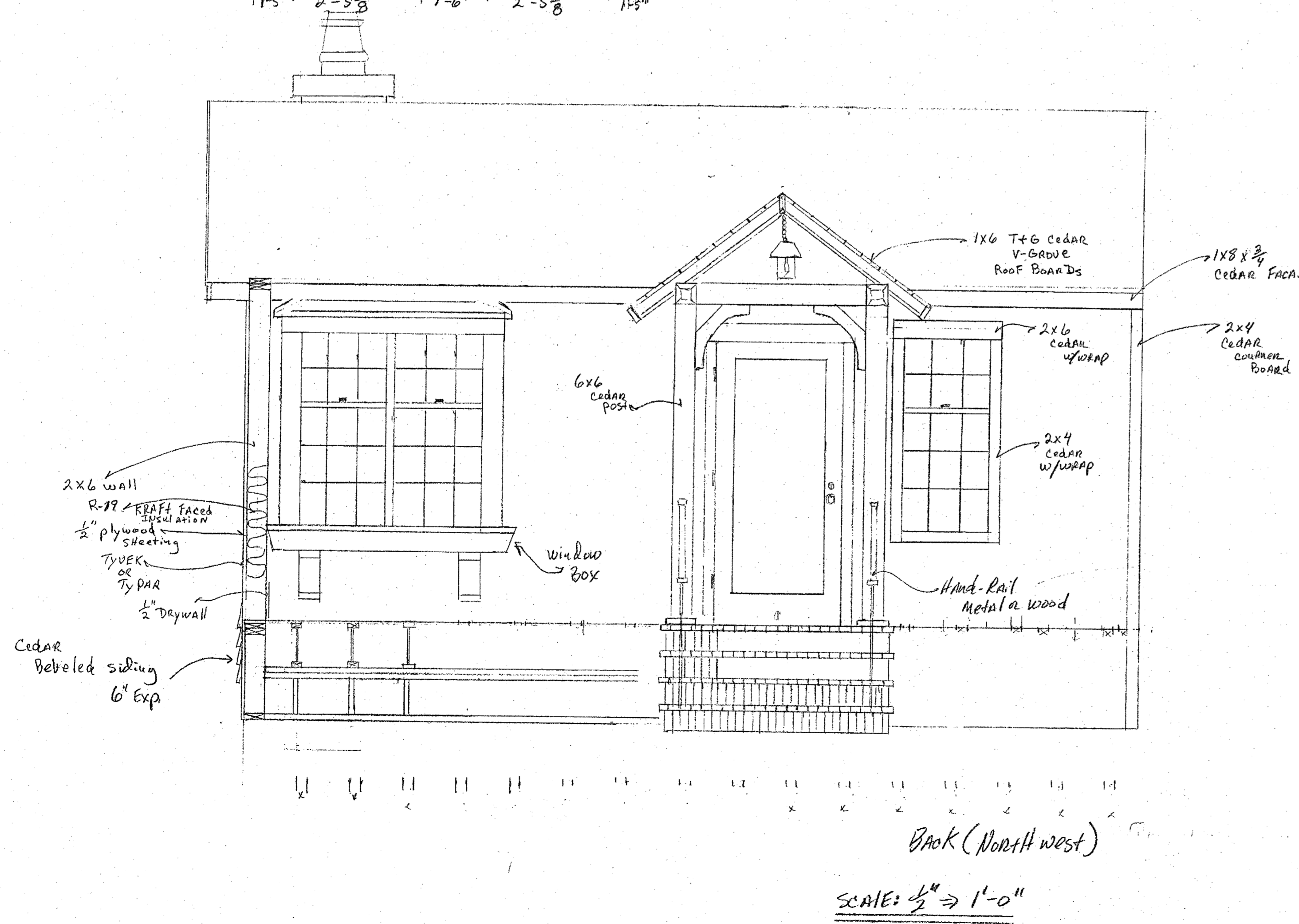
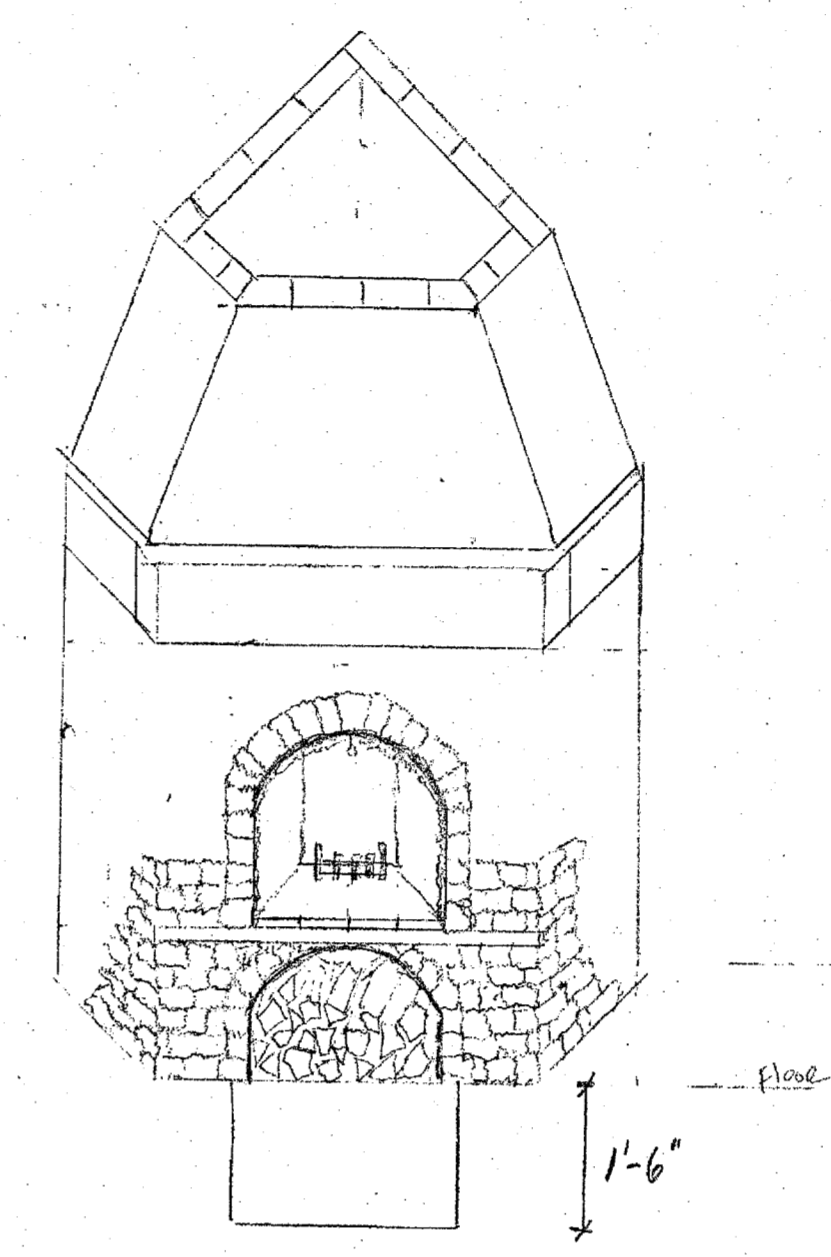
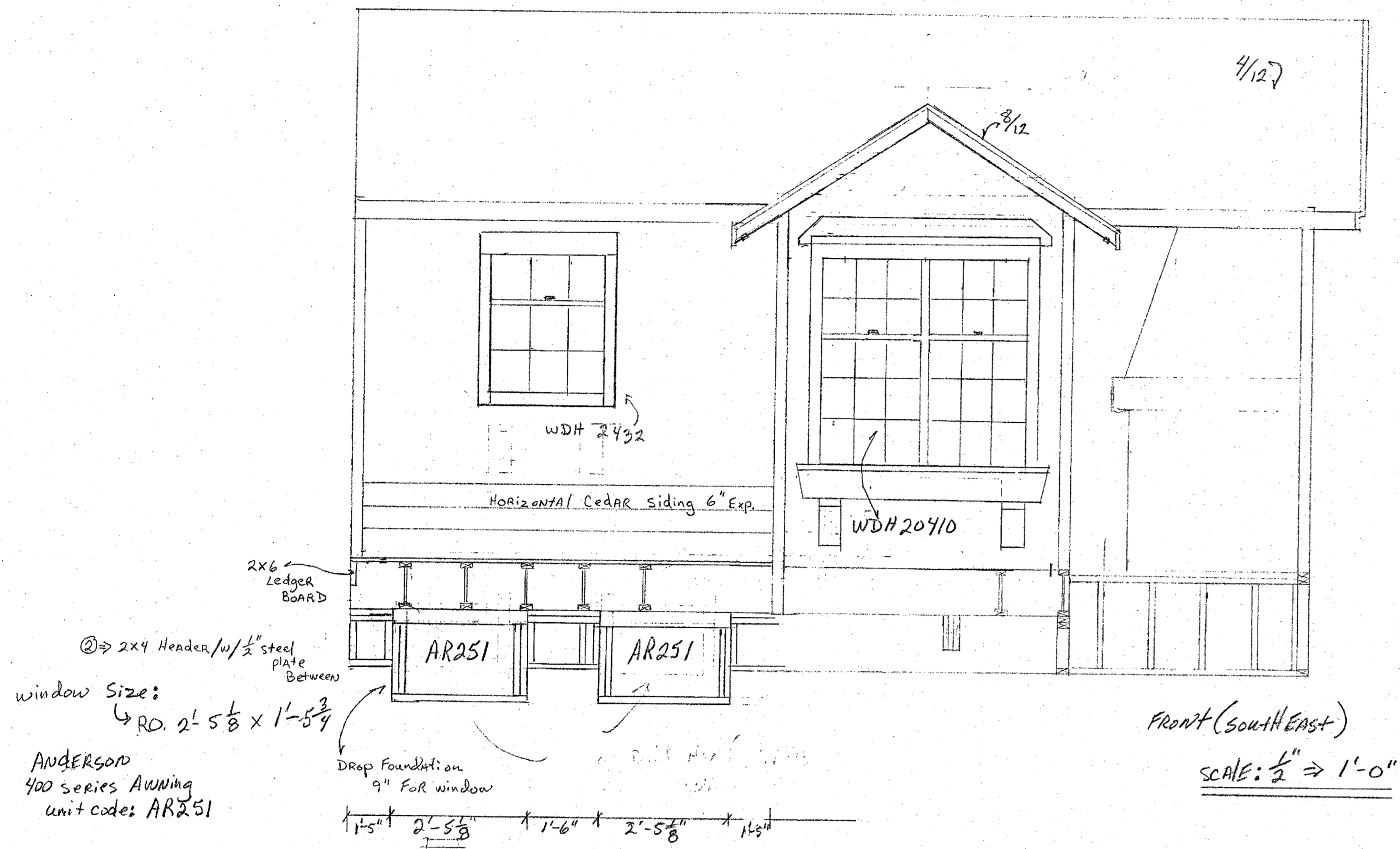
2x6 stud/cap
 1/2" Drywall
 1/2" plywood
 2x6 wall studs
 1/2" plywood
 R-19 KRAFT Face Fiberglass Insulation
 2x4 blocking
 Boxed out window opens
 SCALE: 1" = 1'-0"
 SCHEMATIC SECTION



SCALE: 1/2" = 1'-0"

SCALE: 1/2" = 1'-0"

AN ADDITION AND ALTERATIONS
 TO THE DIAMOND RESIDENCE
 222 Dale Ave CRYSTAL LAKE IL.
 DAN DIAMOND - owner - Builder -
 DRAWING 5
 PHONE (815-482-0509) March 2018



AN ADDITION AND ALTERATIONS
 TO THE DIAMOND RESIDENCE
 222 Dale Ave Crystal Lake IL 60014
 DAN DIAMOND - OWNER - BUILDER - DRAWINGS
 PHONE (815-482-0509) March 2018