



**#2019-55**  
**314 Douglas Avenue – Variation**  
**Project Review for Planning and Zoning Commission**

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<b><u>Meeting Date:</u></b>	April 17, 2019
<b><u>Request:</u></b>	To encroach 28 feet into the average 47.61-foot front yard setback to construct a front porch and stairs.
<b><u>Location:</u></b>	314 Douglas Avenue
<b><u>Acreage:</u></b>	Approximately 8,457 square feet
<b><u>Existing Zoning:</u></b>	R-2 Single Family
<b><u>Surrounding Properties:</u></b>	North: R-1 Single Family South: R-2 Single Family East: R-2 Single Family West: R-2 Single Family
<b><u>Staff Contact:</u></b>	Elizabeth Maxwell (815.356.3615)

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**Background:**

- The property is an existing single family home.
- The homeowner is improving the residence with renovations, which include exterior renovations. The owner desires to construct a front porch and stairs from the front of the house.
- In existing neighborhoods the average setback is determined by the homes along the same side of the street for 400 feet. The average setback was determined to be 47.61 feet. The existing house is currently setback only 28.9 feet.
- The addition of the front porch and stairs would increase the encroachment into the setback.

**Development Analysis:**

**General**

- **Request:** Variation to allow the construction of a 6-foot front porch and 3-foot stairway from the front of the house, which would encroach 28 feet into the required 47.61-foot 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.

**Project Analysis:**

**SITE PLAN**

- The existing home was constructed under different rules and had met the setbacks at the time. The UDO requires an average setback for existing neighborhoods. The home encroaches into the average setback.
- The front porch would be the width of the home and extend an additional 6 feet from the front of the house. A stairway an additional 3 feet would also be constructed.
- The overall encroachment would be 28 feet.

**ELEVATIONS**

- The proposed addition will match the character of the home and blend with the character of the neighborhood.

**Findings of Fact:**

**ZONING ORDINANCE VARIATION**

The petitioner is requesting a variation from Article 3 Density and Dimensional Standards to allow a 28-foot encroachment into the 47.61-foot front yard setback

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.

**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:** Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

**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:

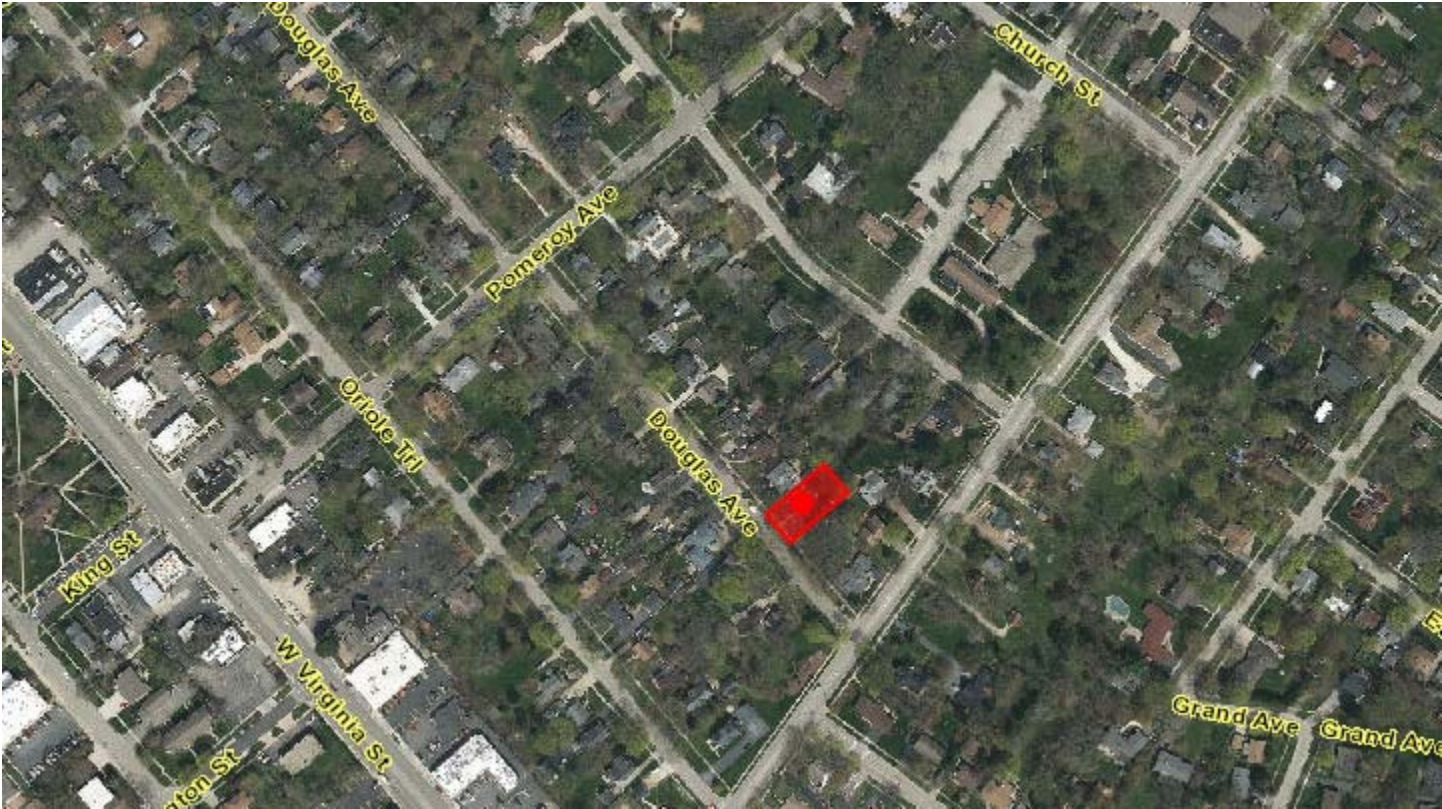
**Supporting Action:** Encourage quality subdivision design.

**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 (Frisby, received 03/28/19)
  - B. Plat of Survey (Luco, dated 12/01/10, received 03/28/19)
  - C. Site Plan (Frisby, received 03/25/19)
  - D. Elevation (Frisby, received 03/28/19)
  - E. Photos (Frisby, received 03/28/19)
  
2. The petitioner shall address all of the review comments and requirements of Community Development Department.

PLN-2019-00055 FRISBY – 314 DOUGLAS AVE.



**Application for Simplified Residential Variation**

Application Number: <u>PLN-2019-00055</u>	FOR OFFICE USE ONLY
Project Name: _____	
Date of Submission: _____	

**I. Applicant**

Colin Frisby  
Name

314 Douglas Ave  
Street

Crystal Lake                      IL                      60014  
City                                      State                                      Zip Code

847-909-7300                                      colinfrisby@mac.com  
Telephone Number                                      Fax Number                                      E-mail address

**II. Owner of Property (if different)**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

**III. Project Data**

1. a. Location/Address: 314 Douglas Ave Crystal Lake IL 60014

b. PIN #: 19-05-156-023

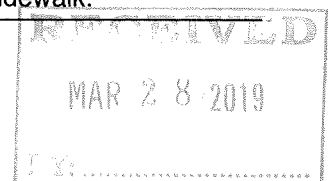
2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:

After significant expense to improve the beauty and value of the property my request is to add a front porch to complete the project [plan / rendering attached]. The hardship is created by the calculations for the current setback which sits in the middle of my living room.

IS THE HARDSHIP SELF-CREATED?

No. If you remove #344 [which is abnormally setback at 89 feet] the average setback on the NE side of Douglas is ~40 feet. Directly across the street (within 250 feet of my home) there are three front porches at #319, #321, #325 - all of which are within 20 feet of sidewalk.





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

Yes. Under the current setback rules all homes on the NE side of Douglas [except 344] would subject to restrictions that do not apply to our neighbors on the SE side of Douglas who have porches within 20 feet of the sidewalk.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

It will improve it.

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: \_\_\_\_\_

#### 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.



\_\_\_\_\_  
Colin Frisby 03/27/2019

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  
Colin Frisby

**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 Colin Frisby for approval of a variation relating to the following real estate known as 314 Douglas Avenue, Crystal Lake, Illinois 60014, PIN: 19-05-156-023.

This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from Article 3 Density and Dimensional Standards to allow the construction of a front porch and stairs, 9 feet from the house, 28 feet into the required average 47.61-foot 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, April 17, 2019, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

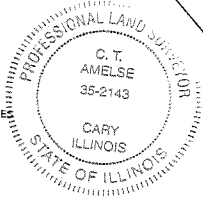
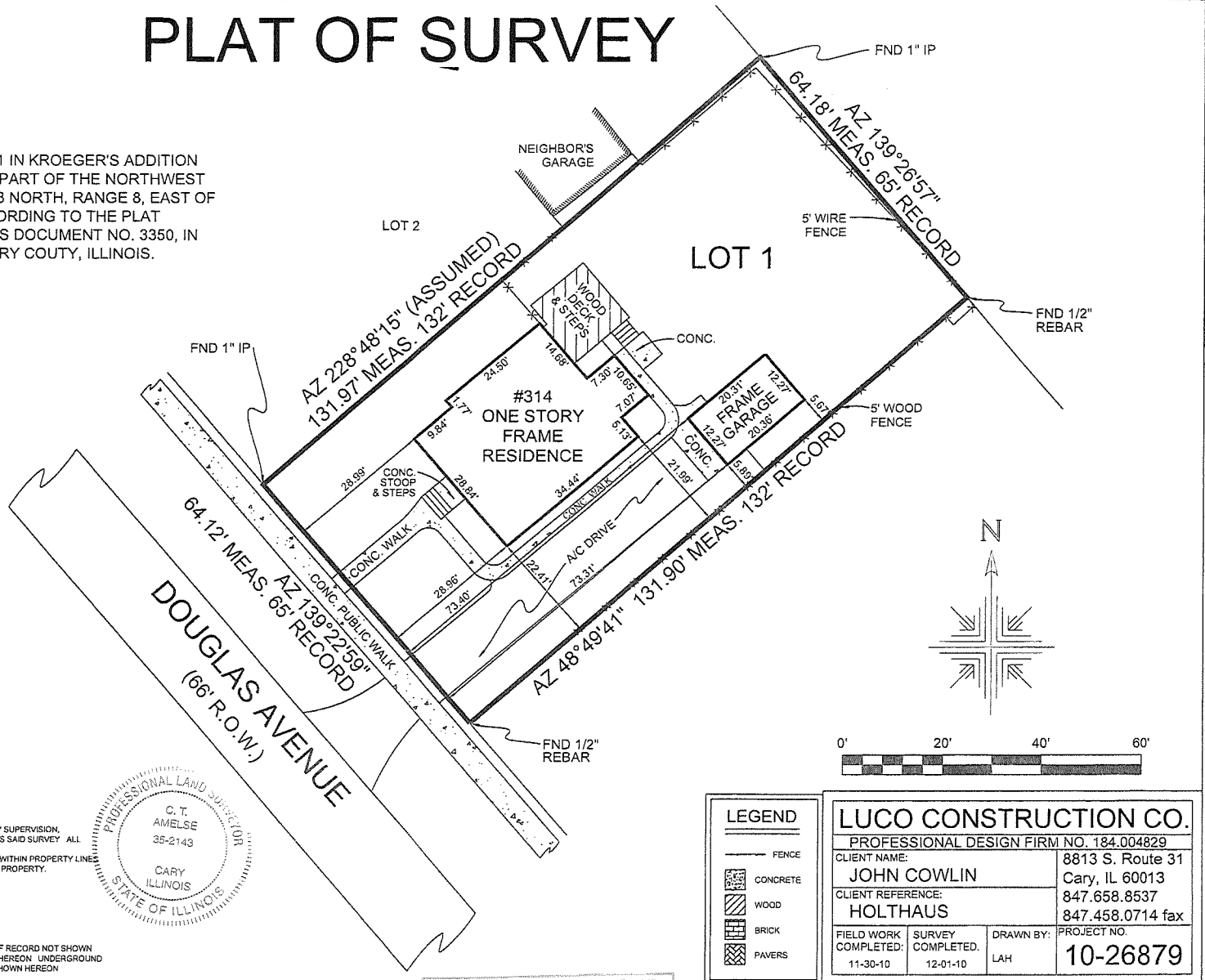
Tom Hayden, Chairperson  
Planning and Zoning  
Commission  
City of Crystal Lake

(Published in the Northwest  
Herald March 31, 2019)  
1646432



# PLAT OF SURVEY

LEGAL DESCRIPTION: LOT 1 IN BLOCK 1 IN KROEGER'S ADDITION TO CRYSTAL LAKE, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 19, 1898 AS DOCUMENT NO. 3350, IN BOOK 1 OF PLATS, PAGE 69, IN MCHENRY COUTY, ILLINOIS.



STATE OF ILLINOIS  
COUNTY OF MCHENRY

I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, ACCORDING TO THE OFFICIAL RECORD AND THAT THIS ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.  
I FURTHER CERTIFY THAT UNLESS OTHERWISE SHOWN, THE BUILDINGS ON THE PARCEL ARE WITHIN PROPERTY LINES AND THE ADJOINING VISIBLE IMPROVEMENTS DO NOT ENCROACH ON THE ABOVE DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THE PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

*C.T. Amelse*  
C.T. AMELSE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2143. LICENSE EXPIRES, 11-30-2012

COMPARE THE DESCRIPTION OF THE PLAT WITH DEED. REFER TO TITLE POLICY FOR ITEMS OF RECORD NOT SHOWN ABOVE UNLESS OTHERWISE NOTED. 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. VOID WITHOUT RAISED SEAL OR RED STAMP.

LEGEND	
	FENCE
	CONCRETE
	WOOD
	BRICK
	PAVERS

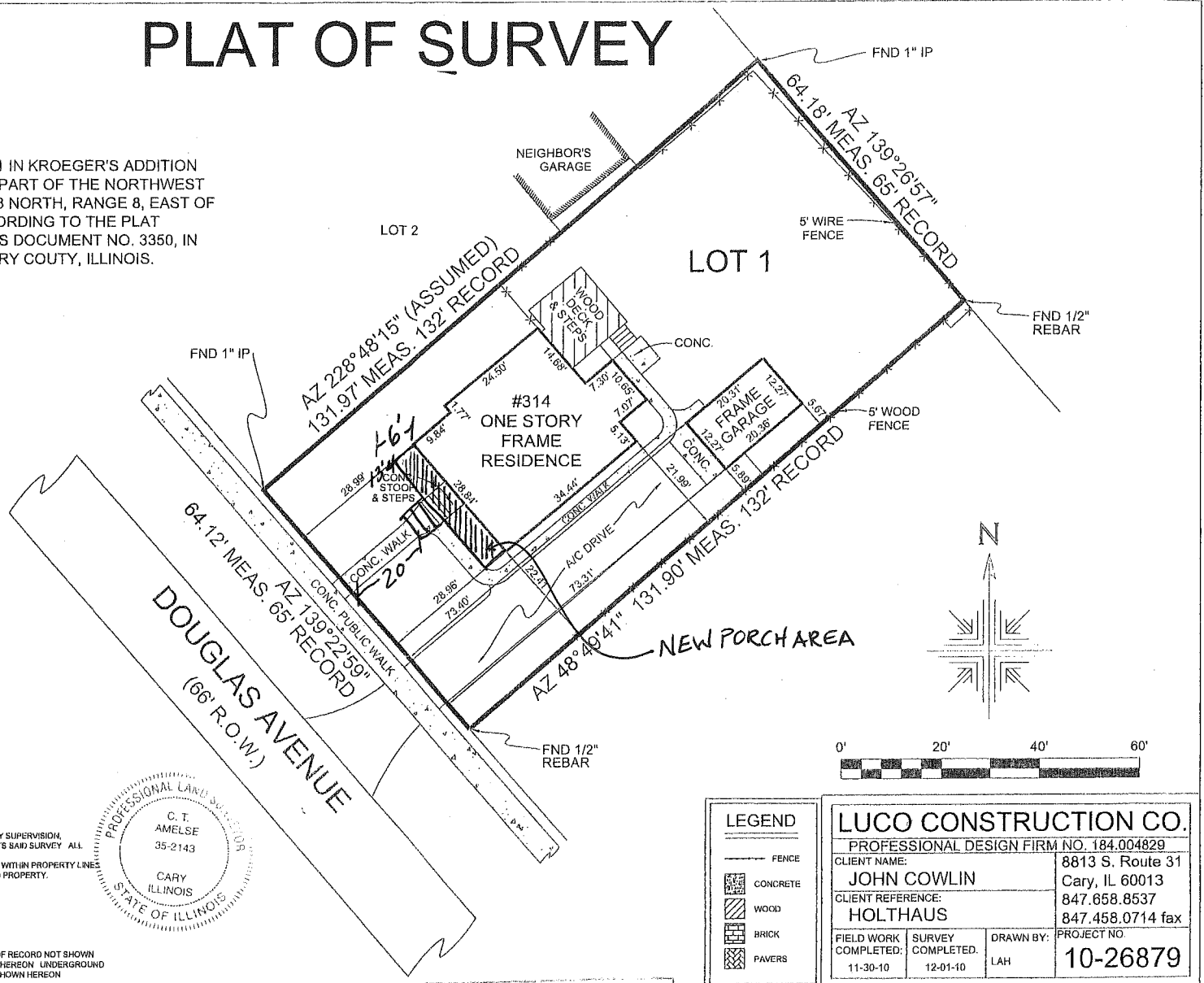
LUCO CONSTRUCTION CO.			
PROFESSIONAL DESIGN FIRM NO. 184.004829			
CLIENT NAME:		8813 S. Route 31 Cary, IL 60013	
CLIENT REFERENCE:		847.658.8537 847.458.0714 fax	
FIELD WORK COMPLETED:	SURVEY COMPLETED:	DRAWN BY:	PROJECT NO.
11-30-10	12-01-10	LAH	10-26879

RECEIVED  
MAR 28 2019  
BY: .....

SITE PLAN

# PLAT OF SURVEY

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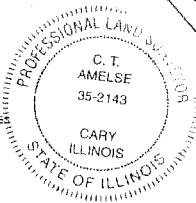
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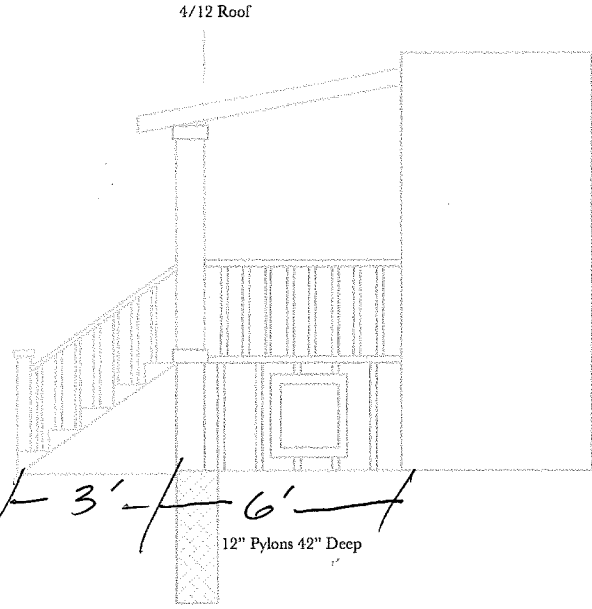
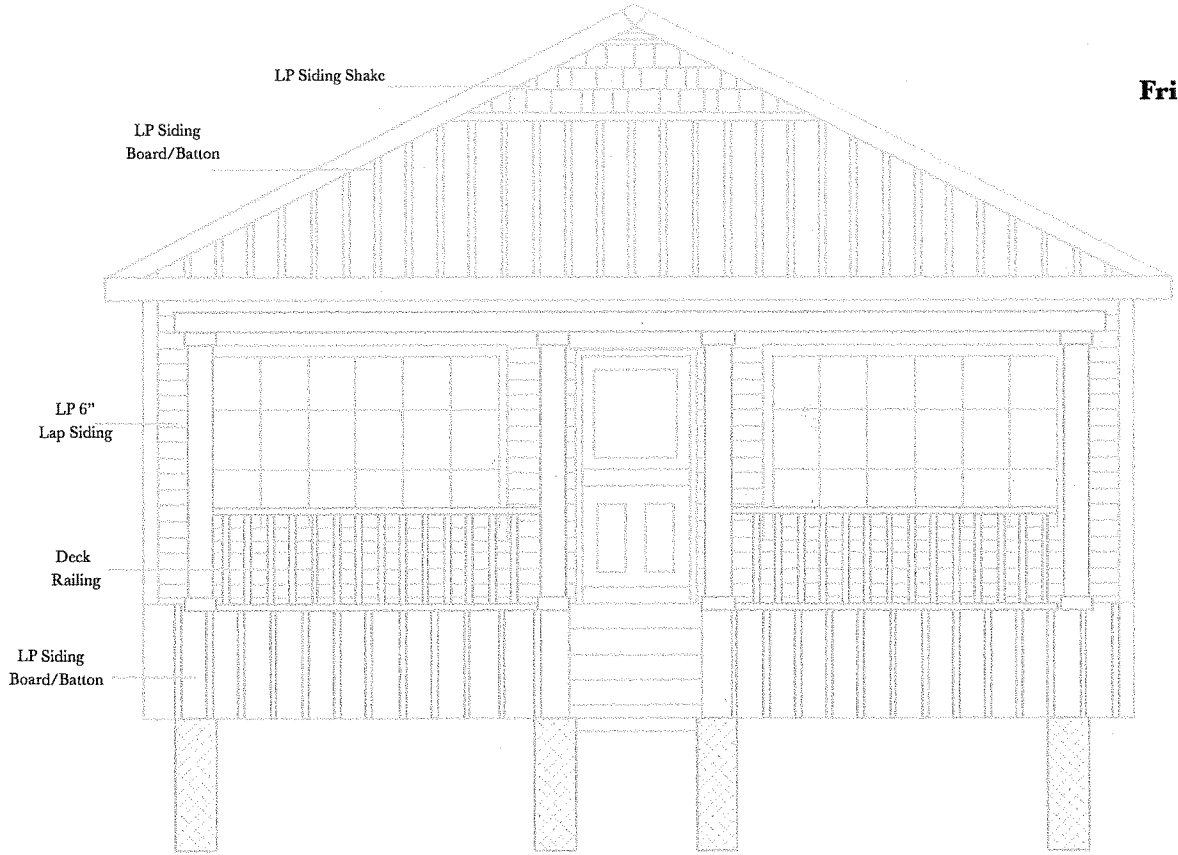


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**Frisby Front Elevation**



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7:30





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MAR 28 2019

BY: .....