

#2019-64 1153 North Shore – Variations Project Review for Planning and Zoning Commission

Meeting Date: December 4, 2019

Requests:

1. Variation from Article 7 Nonconformities to allow the

reconstruction of a structure or portion of a structure which

was destroyed/removed by more than 50%.

2. Variation from Article 7 Nonconformities to allow the

increase in the nonconforming structure by increasing the

volume of the area.

3. Variation from Article 7 Nonconformities to allow the

reduction of the side yard setback from 4.9 feet to 0 feet.

Location: 1153 North Shore and 1151 North Shore

Acreage: Approximately 10,372 square feet (1153 North Shore)

Existing Zoning: R-2 Single Family

Surrounding Properties: North: R-2 Single Family

South: R-2 Single Family
East: R-2 Single Family
West: R-2 Single Family

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

• The property is an existing single family home. A portion of the structure and patio, approximately 6.6 feet and 8.5 feet respectively, are on the neighboring property, which is covered by an easement.

- The petitioners received a permit for interior remodeling. Once they commenced the renovation, they found there was less of the structure they could save and it needed to be removed in order to properly fix the problems and bring the structure up to current codes.
- This removal, since it was nonconforming, could not be reconstructed without meeting current setbacks. The variation is to allow the reconstruction of the nonconforming portion back on the same footprint.
- As part of the renovations, the roof height was increased. The petitioners raised the finished floor height and increased the roof truss height to allow ceiling heights to remain

- consistent. This increase in height is considered an increase in volume. This is an increase in the nonconformity, which requires the variation.
- The petitioners have worked with the neighboring property owners to adjust the shared property line. They would be submitting a plat of subdivision in the future, which illustrates the amended lot line so the full residential structure is on the lot for 1153 North Shore. A portion of the deck that remains on 1151 North Shore would be removed. A maintenance easement would be drafted to allow for the property owners of 1153 North Shore to access the structure for maintenance through the 1151 North Shore property.
- A variation from the side yard setback is required since the new proposed property line would be at the edge of the residence. Although the structure is still non-conforming it would be more in compliance than the current 6.6-foot encroachment onto the neighbor's lot.

Development Analysis:

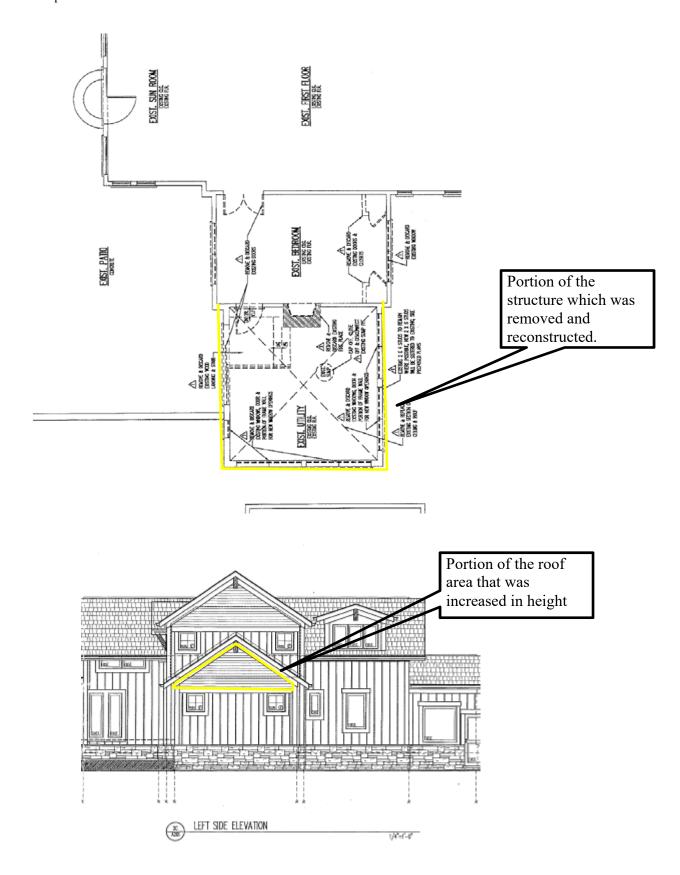
General

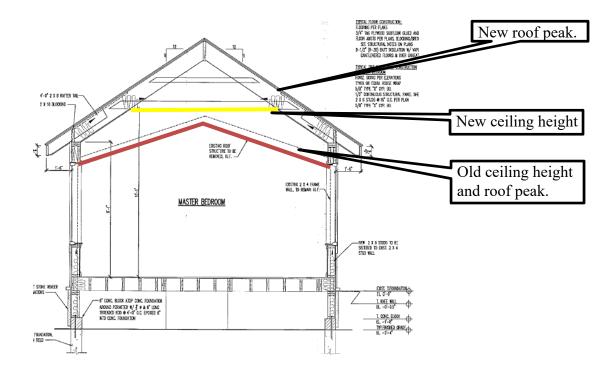
- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family home.
- <u>Land Use</u>: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.

Project Analysis:

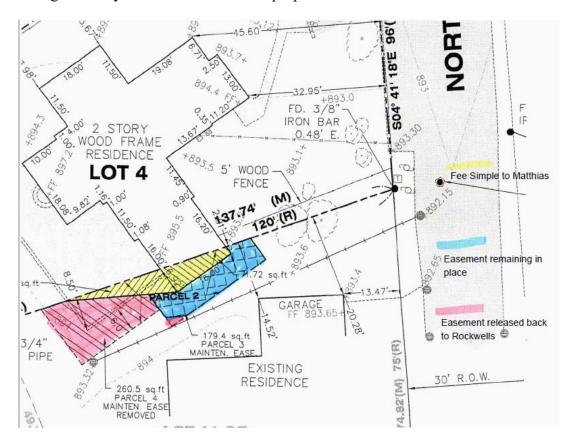
SITE PLAN

- An approximately 6.6-foot portion of the existing residence and 8.5-foot portion of the existing patio are currently on the neighboring property to the south. Through the future plat of subdivision the lot line would trace around the outside of the structure then diagonally cut back to the existing property line. Any portion of the deck that is outside of the new 1153 North Shore lot line would be removed. The petitioner will present a plat of subdivision at a future meeting for review and approval.
- The petitioners did renovation work on the non-conforming portion of the structure. Due to the fact that this portion was nonconforming and it was removed by more than 50%, it requires the variation to be rebuilt and the volume increased, even though the underlying footprint was not changed.





• The setback variation is to accommodate the lot line shift to go around the house. The area designated in yellow below shows the proposed new lot line for 1153 North Shore.



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

<u>Housing – Single Family Housing</u>

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 three variations:

- Variation from Article 7 Nonconformities to allow the reconstruction of a structure or portion of a structure which was destroyed/removed by more than 50%.
- Variation from Article 7 Nonconformities to allow the increase in the nonconforming structure by increasing the volume of the area.
- Variation from Article 7 Nonconformities to allow the reduction of the side yard setback from 4.9 feet to 0 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.	surroundings or cor	operty owner is due to unique circumstances, such as, unusual aditions of the property involved, or by reason of exceptional vness or shape of a zoning lot, or because of unique topography, or ions.
	Meets	Does not meet
b.	Also, that the variat	ion, if granted, will not alter the essential character of the locality.
	Meets	Does not meet
consider	ration the extent to	ementing the above standards, the Commission may take into which the following facts favorable to the application have been presented at the public hearing:
a.		s upon which the application for variation is based would not be to other property within the same zoning classification; Does not meet
b.	That the alleged di having interest in th	fficulty or hardship has not been created by any person presently as property;
	Meets	Does not meet
c.		f the variation will not be detrimental to the public welfare or injurious improvements in the neighborhood in which the property is located; or Does not meet
d.	property, will not property, will not use increase the danger	variation will not impair an adequate supply of light or air to adjacent unreasonably diminish or impair the property values of adjacent unreasonably increase congestion in the public streets, substantially 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 (Matthias, received 09/20/19)
 - B. Plat of Survey (Schmitt Engineering, dated 05/02/09, received 09/20/19)

- C. Architectural Plans (ALA Architects, dated 05/22/19, received 09/20/19)
- D. Plat of Survey Exhibit (Matthias, undated, received 11-20-19)
- 2. The petitioner shall address all of the review comments and requirements of Community Development Department.
- 3. The petitioner shall provide a plat of subdivision, which meets all the requirements for a Final Plat of Subdivision in Article 5 of the UDO, to the City for signatures, and recorded. A recorded copy shall be provided to the City.
- 4. The remaining brick wall on the 260.5 square foot parcel shall be removed no later than July 1, 2020.

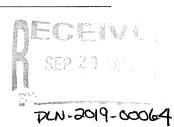
PLN-2019-00064 MATTHIAS – 1153 NORTH SHORE DRIVE





Application for Simplified Residential Variation

Application Number: For office use only
Project Name:
Date of Submission:
I. Applicant
Brent & Linda Matthias
Name
4510 Maine Trail
Street Crystal Lake 60012
City State Zip Code
815-342-0951 bematthias@sbcglobal.net
Telephone Number Fax Number E-mail address
II. Owner of Property (if different)
Name
Address Telephone Number
III. Project Data
1. a. Location/Address: 1153 North Shore Drive
b. PIN #: 18-01-251-004
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:
A non-conforming structure on the property requires demolition of a malfunctioning chimney
removal and replacement of building components that were rotting and/or not plumb, removal and
replacement of an unsafe roof, and a relocation of the roof to permit a ceiling height within
the structure that meets current codes.
IS THE HARDSHIP SELF-CREATED?
No, previous owners of the property failed to build the structure to code and allowed the
structure to fall into disrepair.



	ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING
	CLASSIFICATION? No.
	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; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER
	PUBLIC SAFETY?
	No, in fact proposed changes to the structure would improve fire safety by including
	additional fire-proofing. The change in roofline height does not impact light, air, or view
	adjacent property.
	List any previous variations that are approved for this property: None.
	List any previous variations that are apprecion for the property.
	Signatures
 TI	IONER: Print and Sign name (if different from owner) Date
۸r	ner of the property in question, I hereby authorize the seeking of the above requested action.
ļ	Fifth Linda a Matthias 9-70-2019
_	UT MATTHIAS LINDA MATTHIAS
	R: 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.



40 Brink Street Crystal Lake, IL 60014 Direct: 815.356.2645 tburney@zcwlaw.com

Via Email: emaxwell@crystallake.org

November 26, 2019

Elizabeth Maxwell, AICP City Planner, Community Development City of Crystal Lake 100 W. Woodstock Street Crystal Lake, IL 60014

Re: Application of Linda and Brent Matthias for certain variations on their property at 1153 Northshore

Dear Elizabeth,

I represent Heidi and Mark Rockwell, the owners of 1151 Northshore Dr. They have authorized me to advise the City that they no longer object to the application of the Matthias' provided:

- Matthias' agree to a condition to the grant of the variations on the ground conveyed by Rockwells which provides that any improvements on the area of land (the 71.72 sq. ft. and 79.56 sq. ft. parcels) will be no greater in height than the current structure as identified in the staff report dated October 16, 2019 in Case # 2019-64 and that the footprint will not increase any greater than the current footprint--71.72 sq ft.
- Matthias' shall remove the remaining brick wall on the 260.5 sq. ft. parcel no later than July 1, 2020.
- The City will approve a recordable re-plat of subdivision that excludes from the Rockwell property the 71.72 sq. ft. and 79.56 sq. ft. parcels.
- Acknowledgment by City that Rockwells' reconfigured lot (excluding from the Rockwell property the 71.72 sq. ft. and 79.56 sq. ft. parcels) is wholly consistent with zoning subdivision and other City development requirements.

Thank you, Elizabeth, *Som*

cc:

Mark and Heidi Rockwell

Joseph Gottemoller - joe@mchenrycountylaw.com

PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF Brent and Linda Matthias 2019-064 LEGAL NOTICE

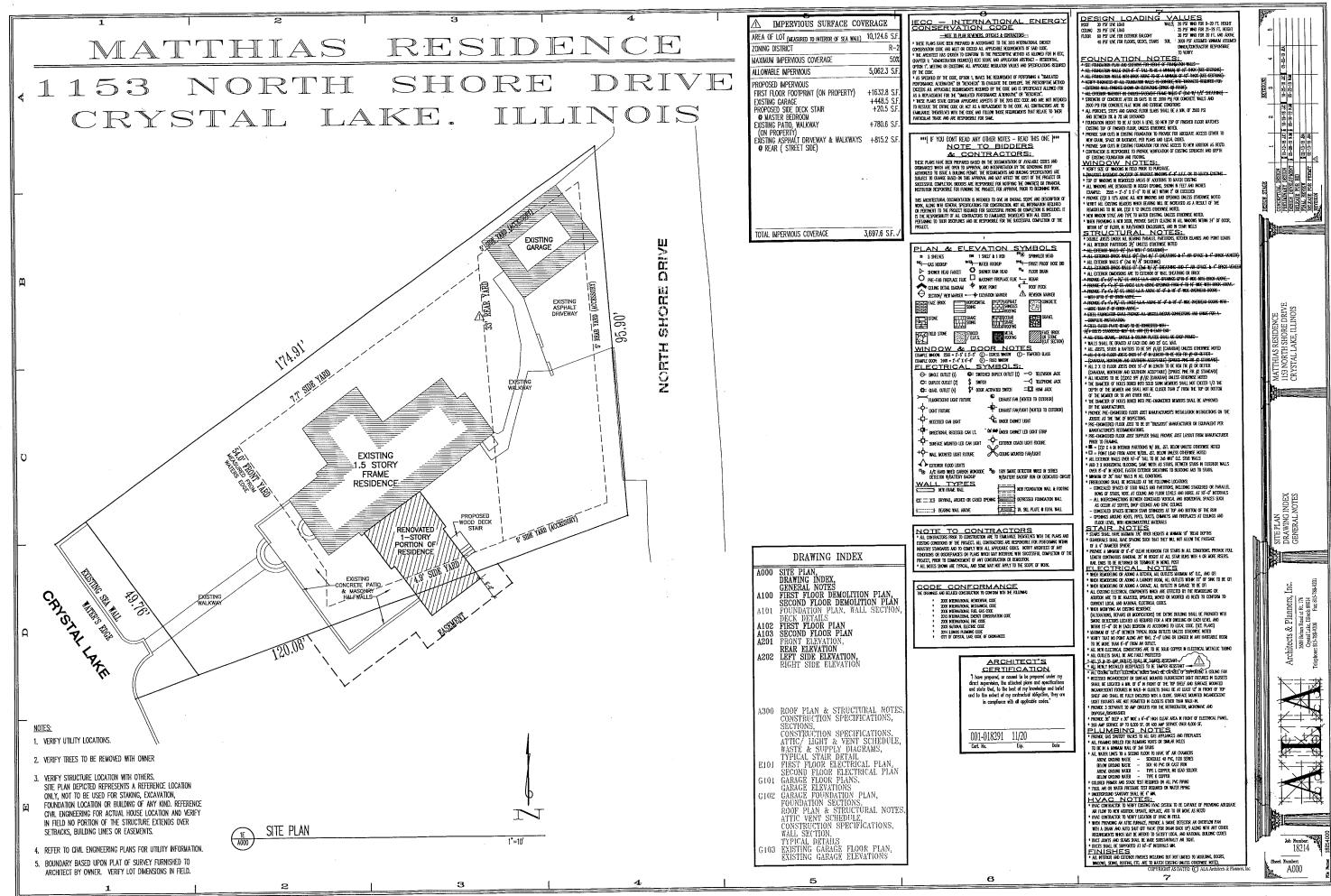
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application by Brent and Linda Matihias for approval of a variation relating to the following real estate known as 1153 North Shore Drive, Crystal Lake, Illinois 60014, PIN: 18-01-251-004.

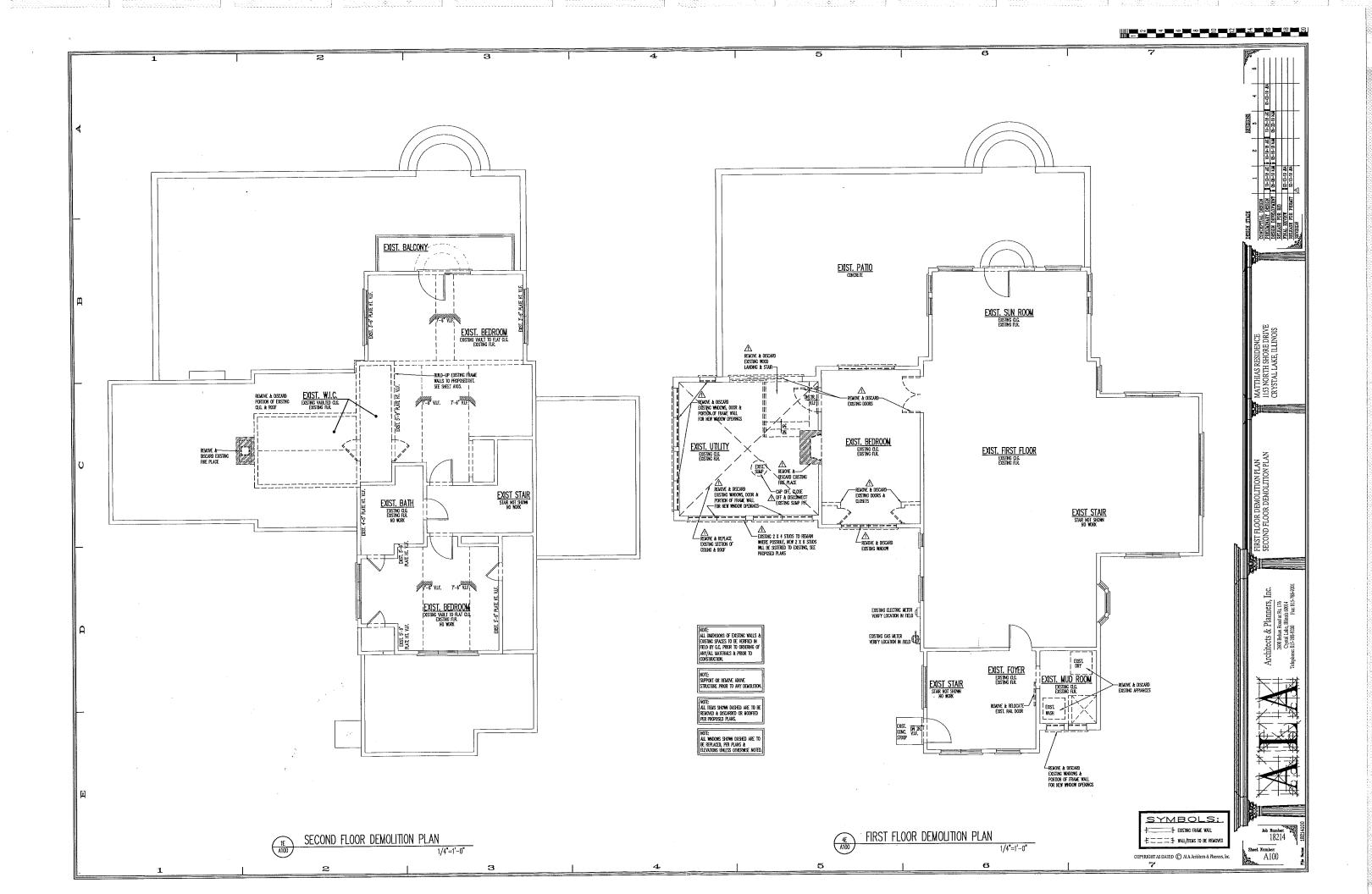
Crystal Lake, Illinois 60014,
PIN: 18-01-251-004.
This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from Article 7 Nonconformities to allow the reconstruction of a structure or portion of a structure or portion of a structure, which was destroyed/removed by more than 50%, to allow the increase in the nonconforming structure by increasing the volume of the area, and the required interior side yard setback to allow a zero side yard setback to allow a zero side yard setback. Also, approval of a plat of subdivision to modify the property lines between adjoining neighbors, 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, December 4, 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 November 19, 2019) 1723864



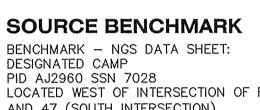




LEGEND FOUND AS NOTED 0 SET CHISELED + (R) RECORD DISTANCE (M) MEASURED DISTANCE CATCH BASIN C POWER POLE TELEPHONE RISER 450 WATER B-BOX

PLAT OF SURVEY

WITH TOPOGRAPHY

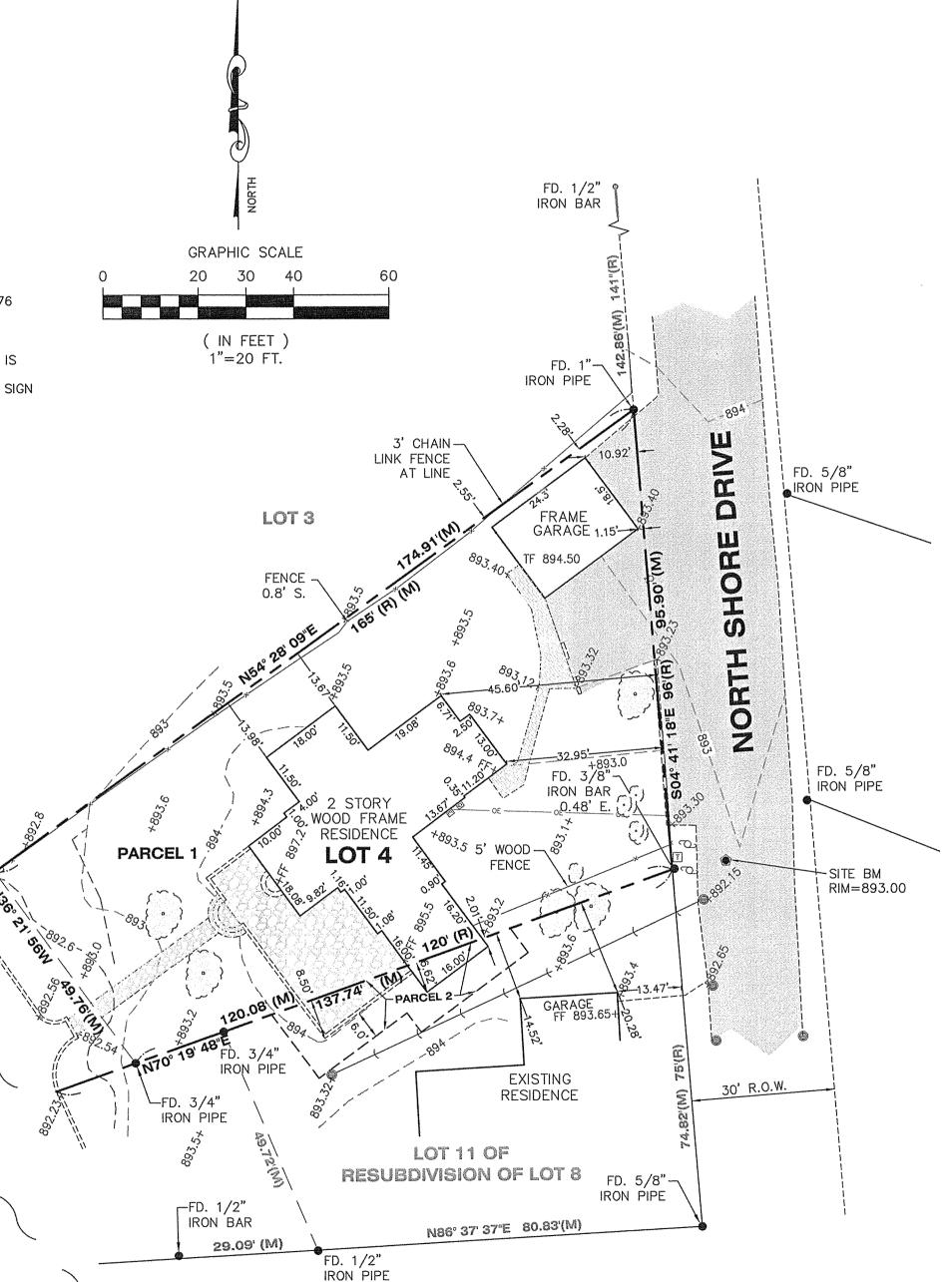


LOCATED WEST OF INTERSECTION OF ROUTE 176 AND 47 (SOUTH INTERSECTION) STATION IS 15 FT NORTH OF THE EXTENDED INTERSECTION OF IL RT 176 AND 91 FT WEST OF CENTERLINE OF IL RT. 47. STATION IS 25 FT NORTH OF POWER POLE AND 62 FT SOUTH OF STATE OF ILLINOIS HIGHWAY SIGN

SITE BENCHMARK

ELEVATION 918.54' NAVD 88

RIM OF SANITARY SEWER MANHOLE ON NORTH SHORE DRIVE JUST EAST OF THE SOUTHEAST CORNER OF THE SITE. ELEVATION = 893.00' NAVD 88



LEGAL DESCRIPTION

LOT 4 IN PROSPECT POINT, CRYSTAL LAKE, AND BEING SITUATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN BY PLAT THEREON ON RECORD IN THE RECORDER'S OFFICE OF MCHENRY COUNTY, ILLINOIS, AT PAGE 65 OF BOOK 2 OF PLATS, FILED FOR RECORD ON THE 29TH DAY OF APRIL, 1905, IN MCHENRY COUNTY, ILLINOIS.

EASEMENT TO MAINTAIN THE EXISTING STRUCTURE LOCATED ON PARCEL 1 WHICH ENCROACHES ONTO LOT 11 IN THE RESUBDIVISION OF LOTS 5,6,7 AND 8 OF PROSPECT POINT ACCORDING TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF MCHENRY COUNTY, ILLINOIS IN BOOK 3 OF PLATS, PAGE 67, SAID LOT BEING LOCATED IN AND BEING A PART OF LOT 10 OF THE NORTHEAST QUARTER, SECTION 1, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 27, 1981 AS DOCUMENT NUMBER 817042, IN MCHENRY COUNTY,

SURVEYORS NOTES

- 1. THE LEGAL DESCRIPTION IS BASED UPON ALTA OWNER'S POLICY OF TITLE BY CHICAGO TITLE INSURANCE COMPANY POLICY NUMBER 17PNW541012WC
- 2. SURVEY BASED ON FIELD WORK COMPLETED ON 4/9, 4/16 AND 4/25/19.
- 3. P.I.N. 18-01-251-004
- 4. 1153 NORTH SHORE DR. CRYSTAL LAKE IL. 60014
- BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM
- AREA OF DESCRIBED PROPERTY AS MEASURED ON SURVEY IS
- 10.168 SQ. FT. OR 0.233 ACRES 7. PARCEL 2 LAYOUT IS BASED UPON THE EASEMENT AGREEMENT
- DOCUMENT WHICH CONTAINS REFERENCES TO THE EXISTING BUILDING AND PATIO IN ADDITION TO A SIX FOOT STRIP OF LAND ABUTTING THE EXISTING ENCROACHMENTS. CONSULT AN ATTORNEY FOR A LEGAL INTERPRETATION OF EASEMENT IN DOCUMENT NO. 817042.

GENERAL NOTES

- 1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
- 2. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
- 3. NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENT
- UNLESS NOTED ONLY THOSE BUILDING LINE SETBACKS AND EASEMENTS WHICH ARE SHOWN ON THE RECORDED PLAT OF SUBDIVISION ARE SHOWN HEREON. THERE MAY BE ADDITIONAL TERMS, POWERS, PROVISIONS AND LIMITATIONS CONTAINED IN AN ABSTRACT DEED, LOCAL ORDINANCES, TRUSTS, COVENANTS OR OTHER INSTRUMENTS OF RECORD.

CERTIFICATION

STATE OF ILLINOIS COUNTY OF McHENRY

WE, SCHMITT ENGINEERING & ASSOCIATES, INC., ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-005206. DO HEREBY DECLARE THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT OR UNDER MY DIRECTION.

GIVEN UNDER MY HAND AND SEAL THIS 9TH DAY OF MAY A.D., 2019.

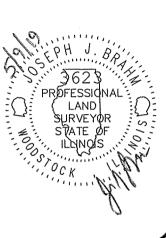
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3623 MY RENEWABLE LICENSE EXPIRES NOVEMBER 30,

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ORIGINAL SURVEY MAY 2, 2019. REVISION DATE: MAY 9, 2019 PARCEL 2 LABELING

PREPARED

BRENT & LINDA MATTHIAS c/o SURAN BUILT-KRYSTAL REUTER 30 N. WILLIAMS STREET UNIT J CRYSTAL LAKE 60014 815-444-1293 815-354-8970 KRYSTAL@SURAN BUILT.COM



SUBDIVISION 3 NORTH SHORE DR. STAL LAKE IL. 60014 N# 18-01-251-004 53 PO

Drawn By JJB Checked By JJB Date 05/02/19 Scale

1'' = 20 Ft. Job Number

190405

Y: \PLATS\2019\190405_T-\190405.dwg

SET + ON-

N. FACE

CRYSTAL

TOP WALL

PROFESSIONALS ASSOCIATED SURVEY, INC.

PLAT OF SURVEY As. Line of N. Share Drive

PROFESSIONAL DESIGN FIRM NO. 184-003023

TEL: (847) 675-3000 FAX: (847) 675-2167 e-mail: pa@professionalsassociated.com

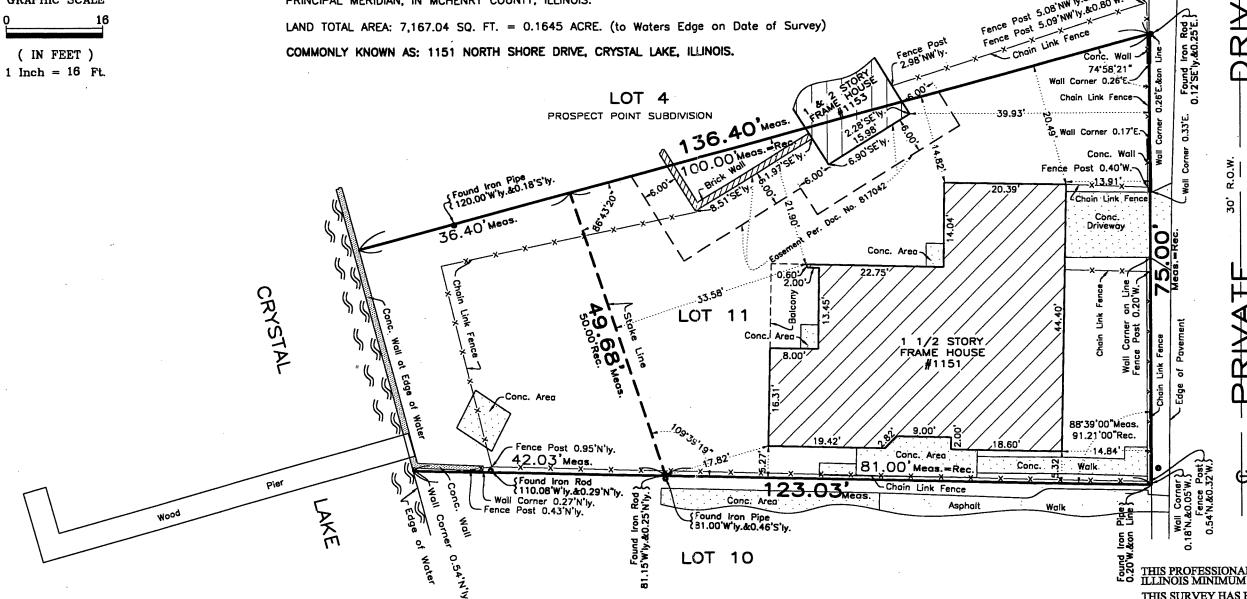
LINCOLNWOOD, ILLINOIS 60712 www.professionalsassociated.com

7100 N. TRIPP AVENUE



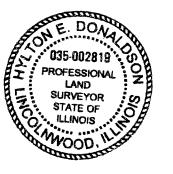
GRAPHIC SCALE

LOT 11 OF THE RESUBDIVISION OF LOTS 5, 6, 7 AND 8 OF PROSPECT POINT ACCORDING TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF MCHENRY COUNTY, ILLINOIS IN BOOK 3 OF PLATS, PAGE 67, SAID LOT BEING LOCATED IN AND BEING PART OF LOT 10 OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY SHOULD BE COMPARED WITH THE TITLE OR DEED. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

14-87617 Order No. 16 Scale: 1 inch = June 26, 2014. Date of Field Work: ARONBERG GOLDGEHN Ordered by: Attorney at Law



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS. THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois County of Cook s.s.

15.00

We, PROFESSIONALS ASSOCIATED SURVEY INC., do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat hereon drawn is an accurate representation of said survey

LICENSE EXP. DATE NOV. 30, 2014.

Drawn By: S.K.

EASEMENT AGREEMENT

As trustee under the provisions of a Trust Agreement dated March 19, 1980, and known as Trust Number 3032 (hereinafter referred to as "State Bank") and CRAIG A. MEALMAN and LINDA K. MEALMAN, his wife (hereinafter jointly referred to as "Mealman").

WHEREAS, State Bank is seised of an estate in fee simple of that certain parcel of land described as follows:

Lot 11 of the Resubdivision of Lots 5, 6, 7 and 8 of Prospect Point according to the plat thereof recorded in the Recorder's Office of McHenry County, Illinois in Book 3 of Plats, page 67, said lot being located in and being a part of Lot 10 of the Northeast Quarter, Section 1, Township 43 North, Range 7 East of the Third Principal Meridian, McHenry County, Illinois (hereinafter referred to as "State Bank Parcel"); and

WHEREAS, Mealman is seised in fee simple of another parcel of land abutting and adjacent to the State Bank Parcel described as follows:

Lot 4 of Prospect Point, Crystal Lake, Illinois and being situated in the Northwest Quarter of the Northeast Quarter and the Soutwest Quarter of the Northeast Quarter, Section 1, Township 43 North, Range 7 East of the Third Principal Meridian, as shown by Plat thereof on record in the Recorder's Office of McHenry County, Illinois at Page 65 of Book 2 of Plats, filed for record on the 29th day of April, 1905 together with all rights and privileges and being restricted by all requirements mentioned and embodied in a certain Deed from Albert C. Stowell and Florence Dole Stowell, Trustees to a former Grantor, Fremont Hoy, dated October 27, 1897, and recorded in the office of the Recorder of Deeds in McHenry County, Illinois, in book 96 at Page 274 (hereinafter referred to as "Mealman Parcel"); and

WHEREAS, the State Bank desires to grant to Mealman an easement to maintain the existing structure located on the Mealman Parcel, a portion of which encroaches upon the State Bank Parcel.

NOW THEREFORE, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

700/NA

AT

1. State Bank hereby grants to Mealman, their heirs, successors and assigns an easement for the purpose of maintaining the existing building as it currently encroaches upon the State Bank Parcel. State Bank does hereby grant to Mealman full right and privilege to hereafter maintain the existing building located on the State Bank Parcel along and upon the following described property, to-wit:

That portion of the Northerly part of the State Bank Parcel upon which the existing building (currently located on the Mealman property) encoraches and that portion of the Northerly part of the State Bank Parcel upon which the existing concrete patio (currently located on the Mealman property) encroaches (hereinafter referred to as "Easement Parcel").

- 2. In addition to the easement above granted, Mealman, their heirs, successors and assigns shall have the right of access for the purpose of maintaining, repairing and renovating the existing encroachment along a strip of land on six (6) feet wide adjacent to and abutting the Easement Parcel. The easement granted in this paragraph 2 is a temporary easement granted merely for the purpose of maintaining and repairing the building located on the Easement Parcel.
- 3. The cost of maintaining, repairing and renovating the building which encroaches upon the State Bank Parcel and the cost of upkeep and repair shall be borne by Mealman, their successors and assigns.
- 4. Mealman, their heirs, successors and assigns hereby indemnify and hold harmless the State Bank, its beneficiaries, successors and assigns and each of them against any and all loss, liability, damages, costs and expenses which said State Bank, its beneficiaries, successors and assigns or either of them may hereafter suffer, incur, be put to pay, or lay out to any person, firm, corporation, government agency by reason of, or having as their origin, claims for personal injuries and/or property damage or claims of any kind or nature whatsoever arising out of, or as a result of, the existence of the encroachment herein described.

- 12/12/
- Notwithstanding anything contained herein to the contrary, the easement with respect to the existing building granted herein shall terminate upon the total loss or destruction by fire, wind, storm or other natural causes of the building constituting the encroachment which is covered by the easement herein granted. In the event of such total loss or destruction of such encroachment, the easement for such encroachment shall terminate without further action of the parties to this agreement, their successors or assigns. In such event Mealman, his successors or assigns, shall remove all debris from the State Bank Parcel, including any concrete which forms or constitutes a foundation for such building, in such event the easement granted for the concrete patio shall remain in full force and effect. Nothing contained herein should be construed as granting to Mealman, their heirs, successors and assigns any right, title and interest in and to the property described herein, other than the easement as set forth herein which easement shall terminate immediately upon the loss or destruction of that portion of the building which encroaches upon the State Bank Parcel.
- 6. This grant of easement shall run with the land and shall be binding on and inure to the benefit of the parties hereto, their beneficiaries, heirs, successors and assigns. The indemnity referred to herein at paragraph 4 shall be binding upon and inure to the benefit of the parties hereto, their beneficiaries, heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

the document executed by The State Bank of Woodstock as rustee at the specific direction of the beneficiaries of the trust, of accepted upon the express understanding that The State risk of Woodstock enters into the some not personally, but thy as Trustee and that no personal inhality is assumed by nor half be asserted or enforced adding the State Trank of redstock because of or on account of the main the resourcing the descendence of anything the eigenfulness of a trustee of anything the eigenfulness of the state of Woodstock be held personally liable tipely or in a consequence of any of the sevenants of this decument, clinst approved or implied.

STATE BANK OF WOODSTOCK, AS TRUSTEE UNDER TRUST NO. 3032

et: Amelowy fra

(CORPORATE SEAL)

By

SUBSCRIBED and SWORN to before me this 26/1 day of 1981.

Motary Public

CRAIG N. MEALMAN

LINDA K. MEALMAN

SUBSCRIBED and SWORN to before me this 244 day of May 1981.

Notary Public

THIS INSTRUMENT WAS PREPARED BY.

KICHTON P. NAUGOTON

FRANZ, MAUGHTON & LEANY - 453 COVENTRY GREEN
CHYCEN LAME, M. 80014

White of it Cifment

STATE OF ILLINOIS
MCHENAY COUNTY 53
FILED FOR RECORDER
817042
81 MAY 27 P 1: 16

U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY National Flood Insurance Program

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

OMB No. 1660-0008

OWR NO	1000-0			
Expiration	Date:	July	31,	2015

	SECTION	A - PROPER	TY INFORMA			
A1. Building Owner's Name EDWARD TIESE						
A1. Building Owner's Name EDWARD THE SALL	nit. Suite, and/or Bldg.	No.) or P.O. Ro	ute and Box No.			
1153 NORTH SHORE DRIVE		State IL	ZIP Code 60	014	Name (1996)	20 Pallaultariani arabetarra
City CRYSTAL LAKE A3. Property Description (Lot and Block Numb	ore Tay Parcel Numb		iption, etc.)			
1 OT 4 IN PROSPECT POINT BODDIVIN	01013					
A4. Building Use (e.g., Residential, Non-Residential, Non	g. 60 21 50 W Holizon ing if the Certificate is sure(s):	being used to of	A9. For a b	uilding with an attac	thed darage	401 3411
a) Square footage of crawispace or ende b) Number of permanent flood openings or enclosure(s) within 1.0 foot above s c) Total net area of flood openings in A8	in the crawlspace adjacent grade N//	<u> </u>	b) Nur with	mber of permanent nin 1.0 foot above a cal net area of flood gineered flood open	flood openir djacent grad openings in	igs in the attached garage de <u>N/A</u>
d) Engineered flood openings?	ON B - FLOOD IN	SURANCE RA	TE MAP (FIRI	M) INFORMATIO	N	
B1 NEIP Community Name & Community Nu		2. County Name MCHENRY			B3. State	
CRYSTAL LAKE 170476 B4. Map/Panel Number 17111C0326 B5. Suffix J	B6. FIRM Index Date	B7. FI	RM Panel Revised Date /16/06	B8. Flood Zone(s) AE	B9. Bas	se Flood Elevation(s) (Zone), use base flood depth) 893.0
B11. Indicate elevation datum used for BFE in B12. Is the building located in a Coastal Barrian Date:	☐ Community Determinent item B9: ☐ NGVD er Resources System	1929 🖾 (CBRS) area or	NAVD 1988 Otherwise Prote	Other/Source: ected Area (OPA)?] Yes 🛛 No
SECTION	N C - BUILDING EI	LEVATION IN	ORMATION (SURVEY REQUI	RED)	
C1. Building elevations are based on: *A new Elevation Certificate will be required. C2. Elevations – Zones A1–A30, AE, AH, A (below according to the building diagram and Benchmark Utilized: GPS Indicate elevation datum used for the elevation used for building elevations must	with BFE), VE, VI-VS specified in Item A7. I	of the building is 30, V (with BFE), n Puerto Rico or Vertical Datum rough h) below.	s complete. , AR, AR/A, AR/A hiy, enter meters : <u>MAVD 1988</u> □ NGVD 1929	☑ NAVD 1988 □	VAH, AR/AG	
					☑ feet	☐ meters
a) Top of bottom floor (including baseme	ent, crawispace, or end	CIOSUTE TICOT)		<u>9,5</u> <u> 6,5</u>	feet	meters
b) Top of the next higher floor	ural member (V Zones	s only)		. <u>A</u>	☐ feet	meters
c) Bottom of the lowest horizontal structu d) Attached garage (top of slab)	aret member (4 Souce		89	<u>13.6</u>	⊠ feet	☐ meters ☐ meters
e) Lowest elevation of machinery or equ (Describe type of equipment and loca	ipment servicing the bation in Comments)	ouilding		<u>39.5</u>	⊠ feet ⊠ feet	☐ meters
to I owest adjacent (finished) grade next	to building (LAG)			<u>)3.5</u> <u>34.2</u>	⊠ feet	meters
g) Highest adjacent (finished) grade nex h) Lowest adjacent grade at lowest elev-	# fo building (HALs)	, including struct			⊠ feet	meters
SECTION OF THE PROPERTY OF THE	ON D - SURVEYO	R, ENGINEER	, OR ARCHITI	ECT CERTIFICAT	rion	atte - par ma
This certification is to be signed and sealed information. I certify that the information on Lunderstand that any false statement may	l by a land surveyor, e this Certificate repres be punishable by fine	engineer, or arch sents my best eff or imprisonment	itect authorized forts to interpret t under 18 U.S. (by law to certify elever the data available.	vation	No. 308
Check here if comments are provided Check here if attachments.	on back of form.	licensed land si	urveyor?	Yes No		SUETNEYOR STATE OF
Certifier's Name MARK T. BERNHARDT			License Numbe			ILLINOIS
					1	The second second
Title PROF. LAND SURVEYOR	Company Name	HERITAGE LAN				CHENRY
Title PROF. LAND SURVEYOR Address 758 RIDGEVIEW DRIVE	Company Name S	HERITAGE LAN		P Code 60050		CHENE WAR

DORTANT. In these spaces. CO	e 2 by the corresponding information from	R Secuoli A.	1023203	Tangurano di Milandia. Na manganya palah Milandia.
ilding Street Address (including Apt.,	Unit, Suite, and/or Bldg. No.) or P.O. Route an			omean, take Nipober
ity	State	ZIP Code		
OCCUPATION I	- SURVEYOR, ENGINEER, OR ARCH	IITECT CERTIFI	CATION (COI	NTINUED)
SEO HOX	cate for (1) community official, (2) insurance a	gent/company, and	(3) building ow	ner.
Comments				
	and the second s			
	Dat	e ·		
Signature			D ZONE AO	AND ZONE A (WITHOUT BEE)
SECTION E - BUILDING ELE	ATION INFORMATION (SURVEY NOT	REQUIRED) FO	R ZONE AU	AND ZONE A (MILLOS
		Had to summed a li	OMA or LOMR-I	request, complete sections A. D.
For Zones AO and A (without BFE), co and C. For Items E1-E4, use natural g	mplete Items E1–E5. If the Certificate is intentrate, if available. Check the measurement us	ed. In Puerto Rico	only, enter met the elevation is	above or below the highest adjacen
E1. Provide elevation information for	the following and check the appropriate some			above or Delow the HAG.
grade (HAG) and the lowest adja	hasement, crawispace, or enclosure) is	[] fee	t U meters L	above or helow the LAG.
b) Top of bottom floor (including	Dasement, Clawispaco, o. oncome,	A Items 8 and/or	(see pages 8-	9 of Instructions), the next higher flo
(elevation CZ.D in the diagrams)	ого по то	ave at ET helow	he HA(i.	
E2 Attached garage (top of slab) is	[] 1661 [] Illicitors []			pove or Delow the HAG.
	s/or equipment servicing the building is number is available, is the top of the bottom f	loor elevated in ac	sordence with th	e community's floodplain managem
0.0001011	- DOODEDTY OWNER (OR OWNER	'S REPRESENT	Allve) CERT	TAR issued or community issued R
The property owner or owner's authori	A service who completes Sections A	, B, and E for Zone	e A (without a FI riedae.	EWA-ISSUED OF CONTINUENT, 10000
or Zone AO must sign here. The States	zed representative who completes Sections A ments in Sections A, B, and E are correct to the	a, B, and E for Zono ne best of my know	e A (without a Fi	EMA-ISSUED OF CONTINUENCY COLOR
or Zone AO must sign here. The States	zed representative who completes Sections A ments in Sections A, B, and E are correct to the ed Representative's Name	a, B, and E for Zono ne best of my know	e A (without a Fi	ZIP Code
The property owner or owner's authori or Zone AO must sign here. The states Property Owner's or Owner's Authoriza Address	zed representative who completes Sections A ments in Sections A, B, and E are correct to the ed Representative's Name City		State	ZIP Code
or Zone AO must sign nere. The states Property Owner's or Owner's Authoriz	zed representative who completes Sections A ments in Sections A, B, and E are correct to the ed Representative's Name			ZIP Code
or Zone AO must sign nere. The state Property Owner's or Owner's Authoriz Address	zed representative who completes Sections A ments in Sections A, B, and E are correct to the ed Representative's Name City		State	ZIP Code
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or Zone AO must sign nere. The state Property Owner's or Owner's Authoriz Address Signature Comments	zed representative who completes Sections A ments in Sections A, B, and E are correct to the ed Representative's Name City Date	CORMATION (OF	State Telepi	ZIP Code hone ☐ Check here if attach
or Zone AO must sign nere. The state Property Owner's or Owner's Authoriz Address Signature Comments	zed representative who completes Sections A ments in Sections A, B, and E are correct to the depresentative's Name City Date SECTION G - COMMUNITY INF w or ordinance to administer the community's fi	ORMATION (OF	State Teleph PTIONAL) Lent ordinance can in Items G8-G	ZIP Code hone Check here if attach an complete Sections A, B, C (or E), 10. In Puerto Rico only, enter meters
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FEMA Form 088-0-33 (7/12)

Building Photographs

See Instructions for Item A6.

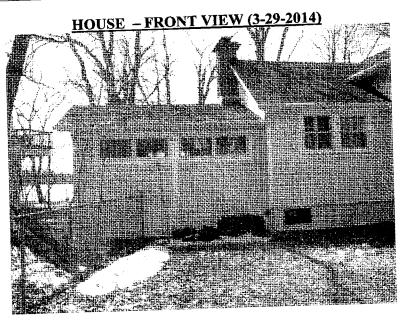
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

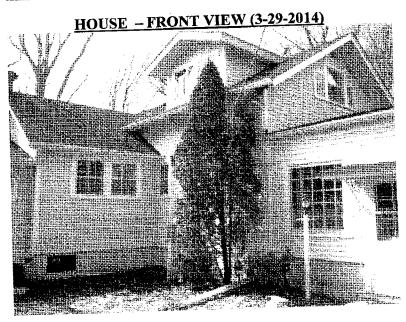
Policy Number

City: Crystal Lake State: Illinois ZIP Code: 60014

For Insurance Company Use:

Company NAIC Number





Building Photographs

See Instructions for Item A6.

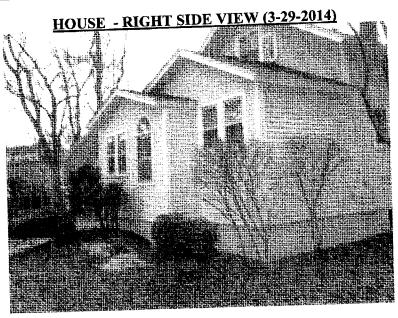
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

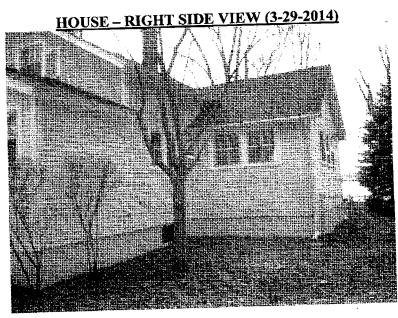
Policy Number

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Building Photographs

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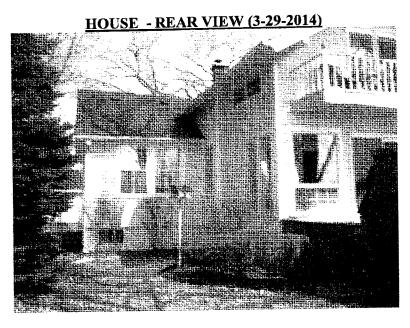
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

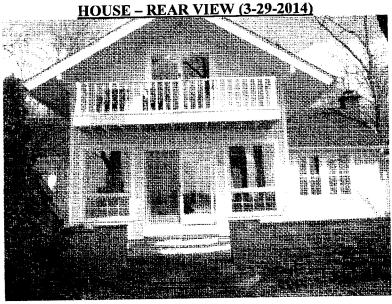
Policy Number

City: Crystal Lake State: Illinois ZIP Code: 60014

For Insurance Company Use:

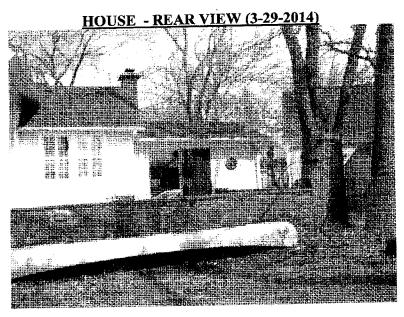
Company NAIC Number

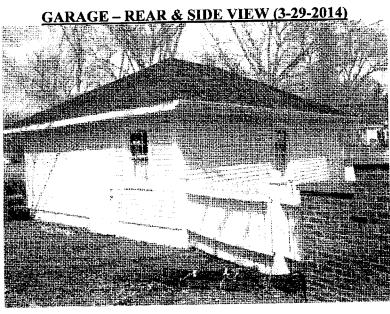




Building PhotographsSee Instructions for Item A6.

For Insurance Company Use: Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. Policy Number 1153 North Shore Drive Company NAIC Number State: Illinois ZIP Code: 60014 City: Crystal Lake





Building Photographs See Instructions for Item A6.

See manucuona loi nomina.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1153 North Shore Drive	Policy Number
City: Crystal Lake State: Illinois ZIP Code: 60014	Company NAIC Number

