

# #2020-01 191 Edgewater Drive – Preliminary/Final Plat of Subdivision and Variations Project Review for Planning and Zoning Commission

Meeting Date: February 5, 2020

**Requests:** 1. Preliminary/Final Plat of Subdivision to divide the lot into two lots.

2. Variation from Article 3 to create two nonconforming lots, as they do not meet the minimum 70-foot lot width for an R-2 zoned lot. Lot 1 would be 61.22 feet, a variation of 8.78 feet and Lot 2 would be 63.56 feet, a variation of 6.44 feet.

3. Variation from Article 5 from the requirement to bury the overhead utility lines, to install street trees, and to install sidewalks.

**Location:** 191 Edgewater

Acreage: Approximately 20,000 square feet (total lot)

Lot 1: 9,561 square feet Lot 2: 10,448 square feet

**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 contained a single family home. The home was built over the lot line, which joined the two PINs into one zoning lot. Demolition of the house does not resubdivide the lots, which requires the formal subdivision process.
- The existing lot contained a home, which was located more to the north, which would now be primarily Lot 1. Since the house was mostly on Lot 1 this lot would not be subject to impact fees and the infrastructure availability change would be reduced by the previous water size. The newly created Lot 2 would be subject to all impact fees and infrastructure availability charges.

The table below represents how these lots would compare to a traditional lot. Since the lots being created would be non-conforming, they would qualify for the reduced non-conforming setbacks.

Lot	Lot Area	Lot Width	Street Setback	Interior Side	Combined Side	
UDO standard R-2 zoned lot	8,400 SF	70 feet	30 feet	7 feet	18 feet	
Lot 1	9,562 SF	61.22 feet	Averaged	<b>4.9</b> feet	12.6 feet	
	(exceeds minimum by 1,162 SF)	(8.78-foot variation)	(based on homes within 400 feet)	(would get nonconforming lot setbacks)	(would get nonconforming lot setbacks)	
Lot 2	10,448 SF	63.56 feet	Averaged	<b>4.9</b> feet	12.6 feet	
	(exceeds minimum by 2,048 SF)	(6.44-foot variation)	(based on homes within 400 feet)	(would get nonconforming lot setbacks)	(would get nonconforming lot setbacks)	

NOTE: The lake side setback is always averaged based on the homes within 400 feet.

### **Development Analysis:**

#### General

- Zoning: The site is zoned R-2 Single Family. The lots being created would be used for single-family homes.
- <u>Land Use</u>: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.

### **Findings of Fact:**

## ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3 Density and Dimensional Standards for the lot width for the two lots, and three variations from Article 5 Subdivision from the requirement to bury the utility lines, install street trees and install sidewalks. The variations are detailed below:

- Article 3 from the lot width requirement of 70 feet to create two lots at a reduced lot width with Lot 1 at 61.22 feet and Lot 2 at 63.56 feet.
- Article 5 from the requirement to bury the overhead utility lines. The area is an existing residential neighborhood served by overhead lines. It is not feasible to bury the lines for a distance of approximately 130 feet and there is no planned area wide program.
- Article 5 from the requirement to install parkway trees. This is an existing residential neighborhood with no curb, gutter, sidewalk or true parkway.
- Article 5 from the requirement to install sidewalk. This is an existing residential neighborhood with no existing curb, gutter or sidewalk.

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 wness or shape of a zoning lot, or because of unique topography, or tions.
	☐ Meets	Does not meet
b.	Also, that the variat	tion, 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 y to other property within the same zoning classification;
	☐ Meets	Does not meet
b.	That the alleged di having interest in th	ifficulty or hardship has not been created by any person presently ne property;
	☐ Meets	Does not meet
c.	0	f the variation will not be detrimental to the public welfare or injurious improvements in the neighborhood in which the property is located; or
	☐ Meets	Does not meet
d.	property, will not property, will not u	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.

# PRELIMINARY/FINAL PLAT OF SUBDIVISION

The petitioner is requesting Preliminary/Final Plat approval for a minor subdivision to create two lots at 191 Edgewater. Final Plats are required to meet the following requirements:

a)		fety, morals, convenience, order, prosperity and welfare of the bitants of the City by providing for the orderly growth and cy;
	☐ Meets	Does not meet
b)	•	nd roads within proposed subdivisions with the City's planned other public facilities;  Does not meet
c)	Providing right-of-way  Meets	easements for streets and utilities;  Does not meet
d)	0 0	nd overcrowding, and encouraging the proper arrangement of isting or planned streets;  Does not meet
e)	Ensuring there is adequal Meets	Late open space and recreation facilities to serve development;  Does not meet
f)	Ensuring there is propo	er recordation of landownership records;  Does not meet
g)	Installation of any pub parkway trees, and side   Meets	lic improvements including water, sewer, storm sewer or detention ewalks;  Does not meet
h)	Burial of overhead util and	ity lines and all new lines and services in appropriate easements;
	Meets	Does not meet
i)	0 1	of such other matters as the City Council may deem necessary in neral health, safety, and welfare of the City
	$\bigcap$ Meets	Does not meet

<u>Comprehensive Land Use Plan 2030 Vision Summary Review:</u>
The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goals are 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:** Preserve the unique character of existing neighborhoods.

# **Recommended Conditions:**

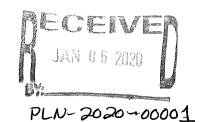
If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

- 1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Rumford, received 09/20/19)
  - B. Plat of Subdivision (Luco Surveying, dated 10/01/19, received 01/06/20)
  - C. Plat of Survey (Luco Surveying, dated 08/13/19, received 01/06/20)
- 2. The petitioner shall address all of the review comments and requirements of Community Development Department.

PLN-2020-0001 191 Edgewater Dr - Minor Subdivision







# **Application for Minor Subdivision Approval**

Application Number:	PC	OR OFFICE USE ONLY
Development Name:		
Date of Submission:		
Date of Resubmission:		The Ship State And Advanced
I. Applicant		
Lisa Rumford	LMR Hom	es LLC
Name	Corporation	
175 Edgewater Drive		
Street		
Crystal Lake	PIAL LAKE	60014
City	State	Zip Code
Lisa Rumford	Same	847-975-4847
Contact Person		Telephone Number
	Irumford2@comcast.net	
Fax Number	E-mail address	
II. Owner of Property		
LMR Homes LLC		ti e
Name		
175 Edgewater Drive, Crys		847-975-4847
Address		Telephone Number
III. Development Team (if appli	cable)	m /
Attorney	Telephone Number	Fax Number
Address	UL!	E-mail address
Architect	Telephone Number	Fax Number
Developer	Telephone Number	Fax Number
Engineer	Telephone Number	Fax Number
Jeff Spirek - Luco Surveying	815-526-3974	815-526-3984
Surveyor	Telephone Number	Fax Number

Project Data				
a. Location/Address: 191 Edgewater Drive, Crystal Lake, IL 60014				
a. PIN #: 18-01-154-015				
General description of site conditions (including existing site improvement, i.e., buildings, parking, landscaping, etc.): Vacant lot located on Crystal Lake in neighborhood or single-family homes.				
Existing Zoning: R2 - Single-Family Residential				
Existing Land Use: R2 - Single-Family Residential				
<ul> <li>a. Is there an existing home on the property? YES, Go to 4b.</li> <li>b. Do you plan to demolish the home prior to plat approval? YES NO</li> </ul>				
Site acreage: 18,846 S. F.				
Are you requesting a waiver from the requirement to:  a. Install sidewalk YES NO  b. Burial of Aerial Utilities YES NO				
List any controlling Ordinances and agreements for this property (annexation ordinances, variations, special use, administrative/preliminary/final plats, PUD, etc.):				
, a.				
Reason for request/Description of proposal (including proposed land use, building addition, type				
of use, hours of operation, number of parking spaces, as applicable): Request approval to subdivide existing parcel into two (2) separate, sub-divided residential lots to				
eventually build two (2) single-family homes.				

V. Signatures

Luis Kumson Lisa Rumford

January 2, 2020

PETITIONER: Print and Sign name (if different from owner)

Date 1-2-2020

As owner of the property in question, I hereby authorize the seeking of the above requested action.

Sise Rumford Lis

Lisa Rumford

January 2, 2020

OWNER: Print and Sign name

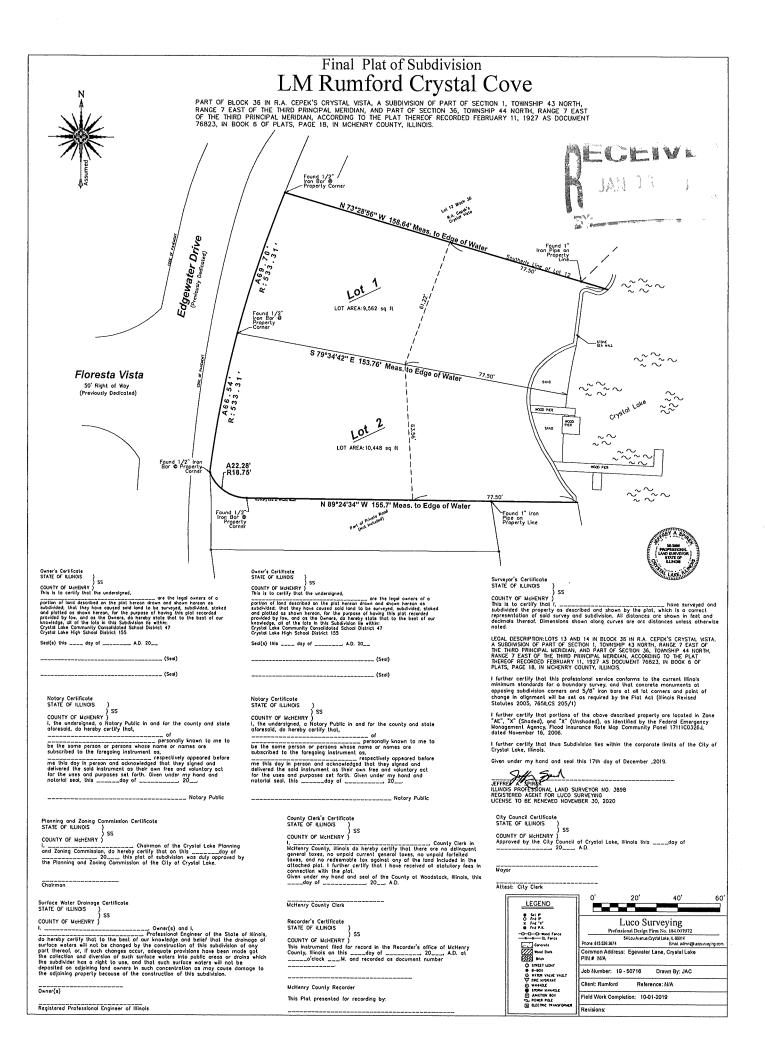
Date 1-2-2020

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 (see page 9).

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PUBLIC NOTICE
BEFORE THE PLANNING
AND ZONING COMMISSION
OF THE CITY OF
CRYSTAL LAKE, MCHENRY
COUNTY, ILUNOIS
IN THE MATTER OF THE
APPLICATION OF )
Lisa Rumford )2020-01
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 Lisa Rumford
for approval of a Plat of
Subdivision with Variations
relating to the following real
estate known as 191
Edgewater Drive, Crystal
Lake, Illinois 60014,
PIN: 18-01-154-015.
This application is filed for
the purposes of seeking a
Plat of Subdivision and
Simplified Residential Zoning
Variation to allow the
division of a lot into two
non-conforming lots with a
lot width of 61.22 feet for
Lot 1 and 63.56 feet for lot
2, which is less than the 70
feet required pursuant to
Article 3, Article 5 and Article
9, 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 of 7:30 p.m. on
Wednesday, February 5,
2020, 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

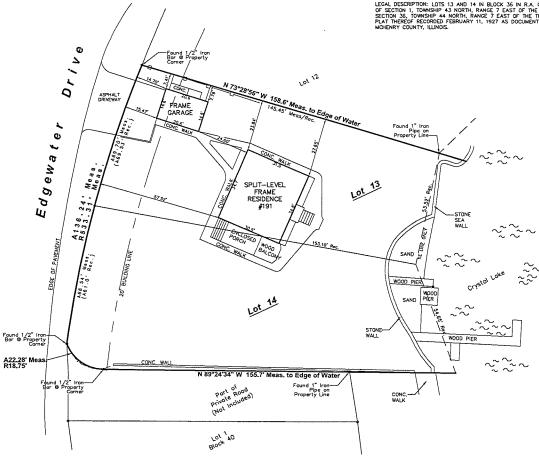
(Published in the Northwest Herald January 10, 2020) 1741516

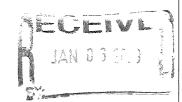




# Plat of Survey

LEGAL DESCRIPTION: LOTS 13 AND 14 IN BLOCK 36 IN R.A. CEPEK'S CRYSTAL VISTA, A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDING TO EDRIVATE OF THE PLAT THEREOF RECORDING TO THE PLAT THE PLAT





THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.

STATE OF ILLINOIS SS.

IN MY PROFESSIONAL OPINION, AND BASED ON MY OBSERVATIONS, I HEREBY CERTIFY THAT THE PLAT HEREON DRAWN IS A TRUE REPRESENTATION OF SAID SIRVEY.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 20th DAY OF August A.D. 2019

JEFFREY A SPIREY

JEFFREY A. SPIREK

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 389
REGISTERED AGENT FOR LUCO SURVEYING
LICENSE TO BE RENEWED NOVEMBER 30, 2020

HOTES OF THE DESCRIPTION ON THIS PLAT WITH YOUR DEED AND REPORT TANY DIFFERENCE.

"ALL DIMENSION ARE GIVEN IN FEET AND DECOMAL PARTS THEREOF STERON AREAS ONLY

"BELONDES AS SHOWN ARE ASSUMED AND ARE SO INCOLOTED FOR WITHOUT ARRELES ONLY

"BELONDES AS SHOWN ARE ASSUMED AND ARE SO INCOLOTED FOR WITHOUT ARRELES ONLY

"BELONDES AS SHOWN AREAS OF THE ARRELES ON THE COLOTION OF THE ARRELES ONLY

"BUT HOT LIMITED TO COMOUNTS AND CABLES (IF ANY) HAVE NOT BEEN SHOWN RESCON.







Client: Clark Reference: Fortler

Field Work Completion: 08-13-2019

Revisions: