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**#2020-45  
799 North Shore – Variation  
Project Review for Planning and Zoning Commission**

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**Meeting Date:** May 6, 2020

**Request:** Variation from Article 3 and Article 4 to allow an accessory structure, an attached deck, to extend 6 feet from the home encroaching 3.7 feet into the required 4.9-foot side yard setback, leaving a setback of 1.16 feet (1 foot 2 inches) and encroaching 15.3 feet into the required 34.8-foot front yard setback, leaving a setback of 19.45 feet (almost 19 feet 6 inches).

**Location:** 799 North Shore

**Acreage:** Approximately 5,000 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)

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**Background:**

- The property is an existing single family home. The lots were platted in McHenry County as 40-foot wide lots.
- The existing house is very close to the property lines and does not currently meet the required setbacks for a single-family residence. The addition of the deck, since it is attached, is considered an addition to the principal structure.
- The wrap-around deck is planned the front and west side of the house. There is currently an existing concrete sidewalk along the west side of the house, and this deck would go over

that sidewalk.



### **Development Analysis:**

#### **General**

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

### **Project Analysis:**

#### **SITE PLAN**

- The deck is a wooden attached deck approximately 7 inches above the grade wrapping around the north and west side of the house.
- Due to the narrow lot width and the fact that the home already encroaches into the setbacks, the addition of the deck requires the petitioner request variations for the encroachment into the side and front yard setbacks.

### **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.

**Findings of Fact:**

**ZONING ORDINANCE VARIATION**

The petitioner is requesting a variation from Article 3 and Article 4 to allow an accessory structure, an attached deck, to extend 6 feet from the home encroaching 3.7 feet into the required 4.9-foot side yard setback, leaving a setback of 1.16 feet (1 foot 2 inches) and encroaching 15.3 feet into the required 34.8-foot front yard setback, leaving a setback of 19.45 feet (almost 19 feet 6 inches):

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 (Haedtke, received 03/27/20)
  - B. Plat of Survey (Schaff Engineering, dated June 21, received 03/27/20)
  - C. Plans (Caldarella Group, undated, received 03/27/20)
2. The deck structure shall not contain any sides, roof or become enclosed at any time.
3. The petitioner shall address all of the review comments and requirements of Community Development Department.

PLN-2020-00045 HAEDTKE – 799 NORTH SHORE DR

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**Application for Simplified Residential Variation**

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

**I. Applicant**

STEVEN L HAEDTKE

Name  
799 N. SHORE DR.

Street  
CRYSTAL LAKE IL. ~~60070~~ 60014

City State Zip Code

815-455-5267 BECKSHONS@yahoo.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: 799 N. SHORE DR.

b. PIN #: 19-06-110-005

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: NON-Conforming lot. Lot is only 40' wide. Want to put walkway/deck 6' wide west side of house to lot of property line. 6' walkway / Deck North side of house. Front yard set back.

IS THE HARDSHIP SELF-CREATED? No

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? Yes, lot 8 Clows First Addition to Crystal Lake park.

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

3. List any previous variations that are approved for this property: None

**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.

STEVEN L HAEDTKE Stew L Haedtke 3-27-2020

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.

SHAW MEDIA  
PO BOX 250  
CRYSTAL LAKE IL 60039-0250  
(815)459-4040

ORDER CONFIRMATION

Salesperson: BARBARA BEHRENS

Printed at 03/27/20 12:10 by bbehr-sm

Acct #: 10097932

Ad #: 1768083

Status: New

JIM CALDARELLA  
153 CRYSTAL BEACH AVENUE  
CRYSTAL LAKE IL 60014

Start: 03/28/2020 Stop: 03/28/2020

Times Ord: 1

Times Run: \*\*\*

CLEG 1.00 X 68.00 Words: 260

Total CLEG 68.00

Class: C8100 PUBLIC NOTICES

Rate: LEGAL

Cost: 106.62

# Affidavits: 1

Ad Descrpt: VARIATION HAEDTKE

Descr Cont: 1768083

Given by: JAMES CALDARELLA

P.O. #:

Created: bbehr 03/27/20 09:14

Last Changed: bbehr 03/27/20 12:10

<-NULL->

Phone: (815)919-2796

Fax#:

Email: caldarellagroup@aol.com

Agency:

URL: \_\_\_\_\_

Source: \_\_\_\_\_

Section: \_\_\_\_\_ Page: \_\_\_\_

Camera Ready: N

Group: LEGALS AdType: \_\_\_\_\_

Misc: \_\_\_\_\_

Color: \_\_\_\_\_

Proof: \_\_\_\_\_

Pickup Date: \_\_\_\_\_ Ad#: \_\_\_\_\_

Delivery Instr: \_\_\_\_\_

Pickup Src: \_\_\_\_\_

Changes: None \_\_\_ Copy \_\_\_ Art \_\_\_ Size \_\_\_ Copy Chg Every Run \_\_\_

Coupon: \_\_\_\_\_

Gang Ad #: \_\_\_\_\_

Ad Copy Method: \_\_\_\_\_

Special Instr: \_\_\_\_\_

PUB ZONE EDT TP RUN DATES  
NW CL 97 S 03/28  
WEB CL 99 S 03/28  
APNW CL 97 S 03/28

PAYMENTS:

-- 03/27/2020 106.62 MC \*\*\*\*\*2932 020839[312810123]

(CONTINUED ON NEXT PAGE)



SHAW MEDIA  
PO BOX 250  
CRYSTAL LAKE IL 60039-0250  
(815)459-4040

ORDER CONFIRMATION (CONTINUED)

Salesperson: BARBARA BEHRENS

Printed at 03/27/20 12:10 by bbeh-sm

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Acct #: 10097932

Ad #: 1768083

Status: New

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

IN THE MATTER OF THE  
APPLICATION OF

Steve and Patty Haedtke

**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 Jim Caldarella on behalf of the owners Steve and Patty Haedtke for approval of variations relating to the following real estate known as 799 North Shore, Crystal Lake, Illinois 60014.

**PIN:** 19-06-110-005.

This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from Article 3 Density and Dimensional Standards and Article 4-600 Accessory Structures to allow an accessory structure, an attached deck, to extend 6 feet from the house, which would encroach 4.5 feet into the 4.9-foot required side yard setback leaving a setback of 4 inches and 15.3 feet into the 34.8-foot averaged front yard setback leaving a setback of 19.45 feet. Plans for this project can be viewed at the City of Crystal Lake Planning and Economic Development Department at City Hall.

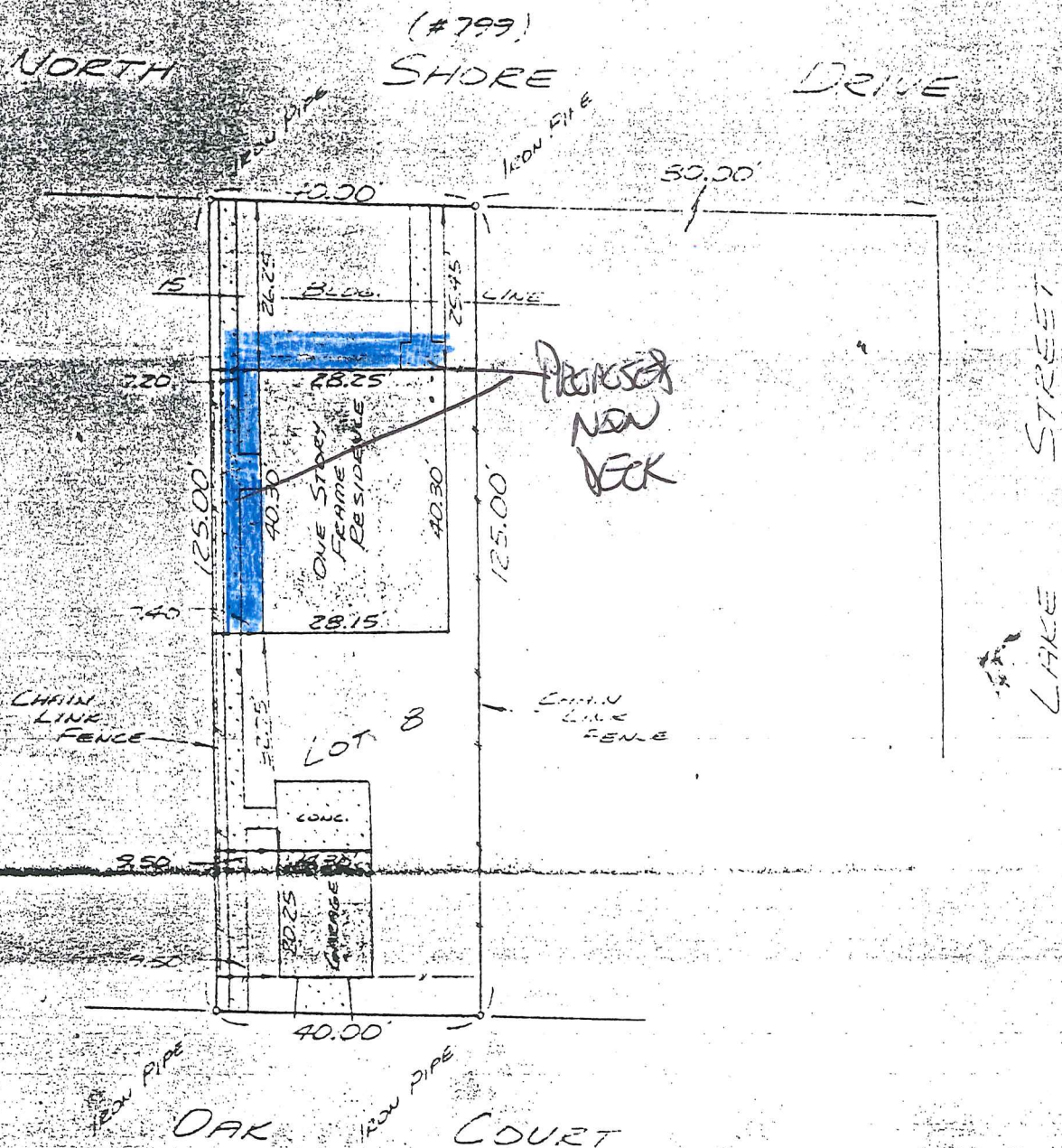
A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on Wednesday, April 15, 2020, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

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

(Published in the Northwest  
Herald March 28, 2020)  
1768083



# PLAT OF SURVEY



LOT 8 IN CLOWS FIRST ADDITION TO CRYSTAL LAKE PARK, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 28, 1923, AS DOCUMENT NO. 58798 IN BOOK 4 OF PLATS, PAGE 83 IN MCHENRY COUNTY, ILLINOIS.

SCHAFF ENGINEERING  
P. O. Box 7  
Algonquin, Illinois 60102  
(312) 858-5013

STATE OF ILLINOIS  
COUNTY OF KANE ss 5-11-1982

I hereby certify that the buildings on lot shown are within property lines and that the adjoining improvements do not encroach on said premises.

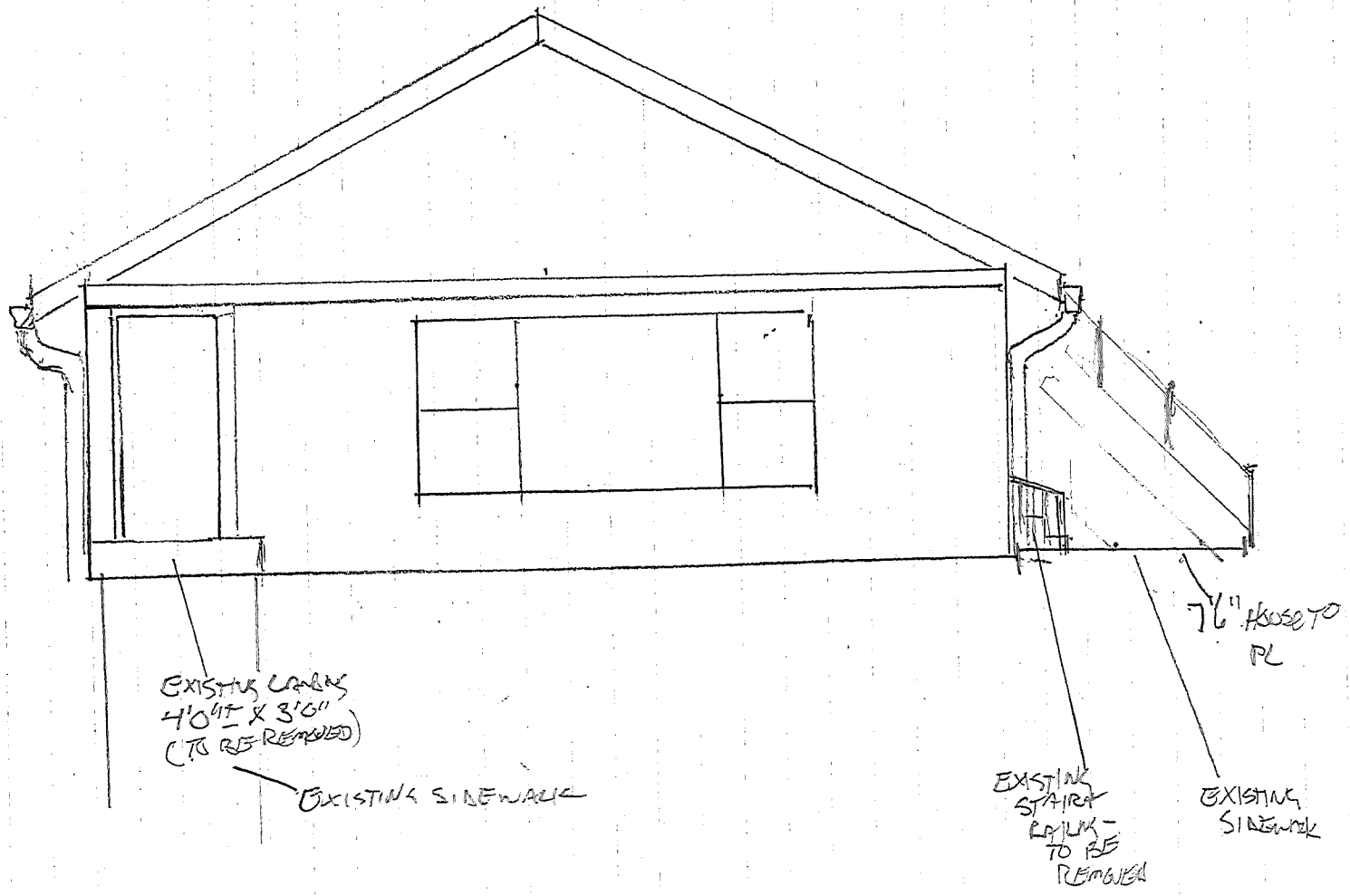
I hereby certify that I have surveyed the above described premises according to the official record, and that the above plat correctly represents said survey.

ILLINOIS REGISTERED LAND SURVEYOR NO. 352304

STEVE & MARY MAEDTKE  
799 NORTH STONE

CALABRELLA GROUP  
815-919-2796  
CALABRELLAGROUP@aol.com

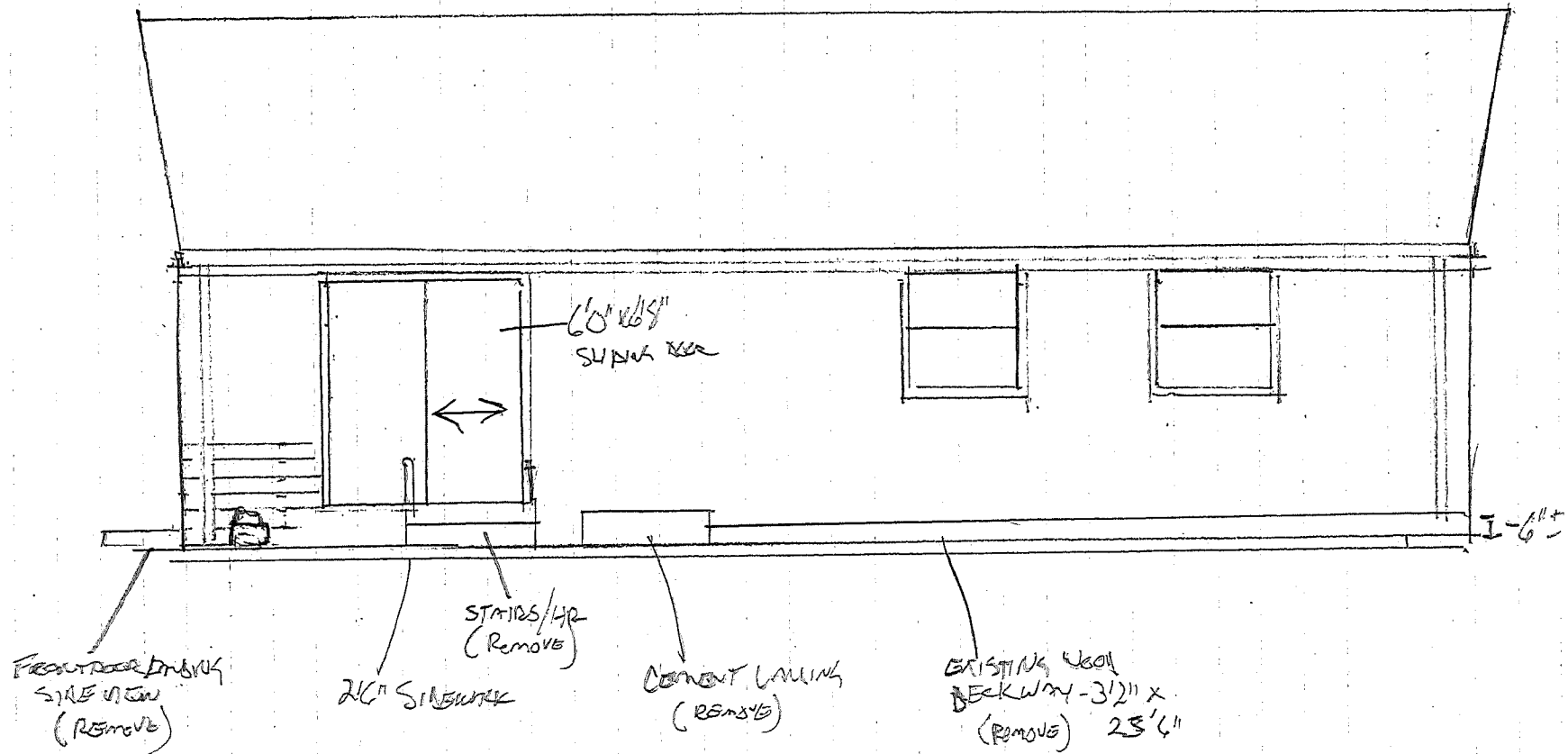
EXISTING FRONT ELEVATION





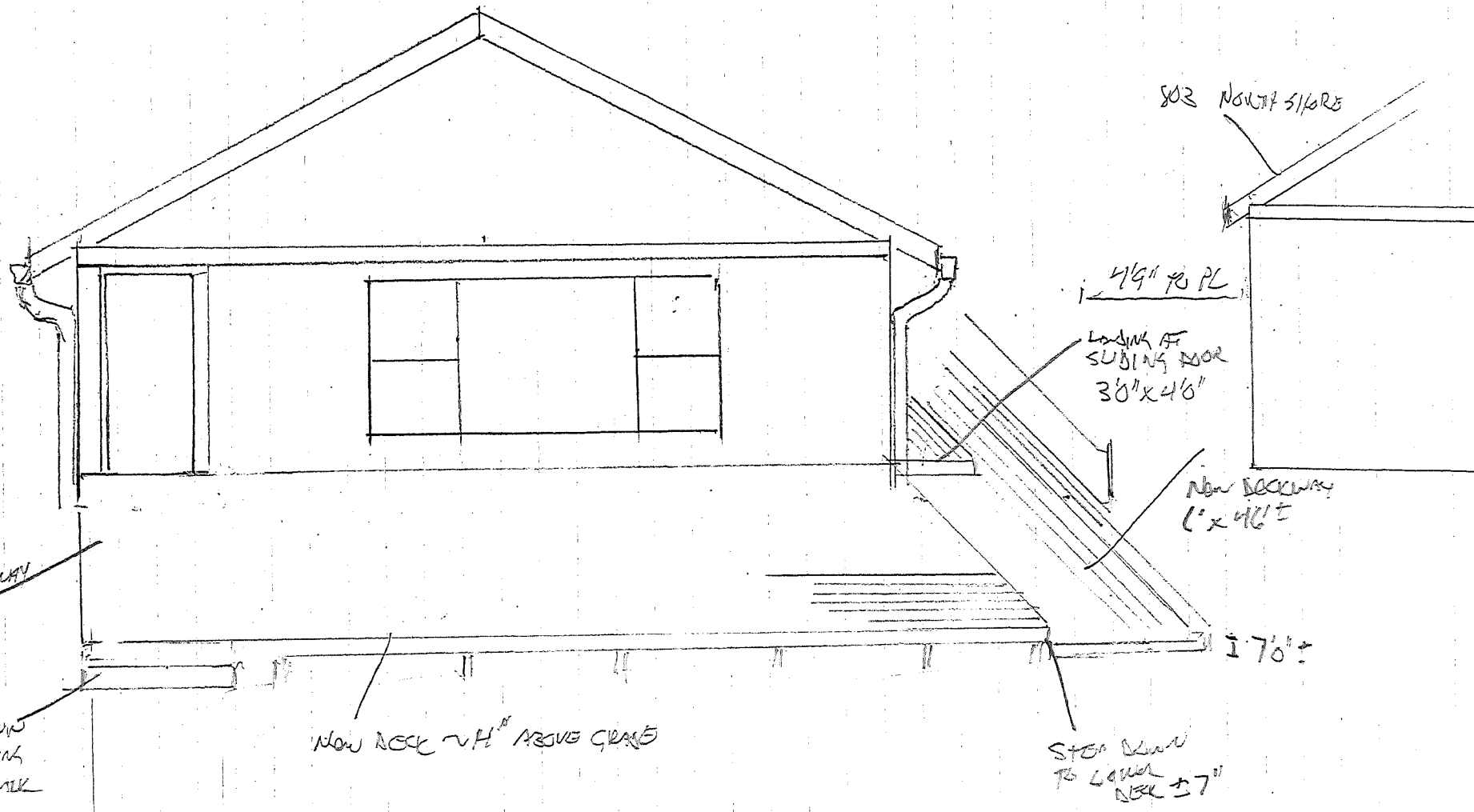
STEVE + PATT HAESTRUP  
799 NORTH SHORE

EXISTING WEST ELEVATION



STEVE & MATT HANTRUP  
799 NORTH SILORE

# PROPOSED FRONT ELEVATION



STEVE & PATY HAGDTKE  
799 NORTH SHORE

PROMISED WEST ELEVATION

