

#PLN-2020-00182 Main Street Subdivision – Preliminary/Final Plat of Subdivision and Variations Project Review for Planning and Zoning Commission

Meeting Date: November 19, 2020

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

2. Variations from Article 3 to create two nonconforming lots:

a. Variation from the 5,000 square-foot minimum lot area standard. Lot 1 would be 3,827 square feet, a variation of 1,173 square feet and Lot 2 would be 3,423 square feet, a variation of 1,577 square feet.

b. Variation from the 20-foot rear yard setback to allow both lots to have a zero-foot setback, a variation of 20 feet.

c. Variation from the maximum building coverage allowance of 70% to allow Lot 1 75% coverage, a variation of 5% and Lot 2 98% coverage, a variation of 28%.

d. Variation from the maximum impervious surface coverage allowance of 95% to allow both lots to have 100% coverage, a variation of 5%.

Location: 121 N. Main Street & 135 Beardsley Street

Acreage: Approximately 7,250 square feet (total lot)

Lot 1: 3,827 square feet Lot 2: 3,423 square feet

Existing Zoning: B-4 Mixed-Use Business

Surrounding Properties: North: B-4 Mixed-Use Business

South: B-4 Mixed-Use Business East: B-4 Mixed-Use Business West: B-4 Mixed-Use Business

Staff Contact: Katie Cowlin (815.356.3798)

Background:

• The proposed subdivision would create two lots, one for each existing building.

- The buildings on this site are the former City Hall and Fire Station for Crystal Lake. The Fire Station addition was completed in the mid-1900s and didn't meet the district standards at that time.
- The proposed subdivision is being requested so the current property owner can sell the building along Beardsley Street and retain ownership of the building on Main Street.
- There are no other proposed changes to the properties, all improvements are existing conditions.

The table below represents how these lots would compare to a traditional lot zoned B-4.

Lot	Lot Area	Lot Width	Front Yard Setback	Interior Side	Rear Yard Setback	Building Coverage	Impervious Surface Coverage
UDO B-4 zoned lot	5,000 SF	50 feet	0 feet	0 feet	20 feet	70%	95%
Lot 1	3,827 SF (1,173 SF variation)	55.12 ft (meets standard)	3.4 ft (meets standard)	7.27 ft (meets standard)	0 ft (20-foot variation)	75% (5% variation)	100% (5% variation)
Lot 2	3,423 SF (1,577 SF variation)	62.45 ft (meets standard)	2.6 ft (meets standard)	0 ft (meets standard)	0 ft (20-foot variation)	98% (28% variation)	100% (5% variation)

Development Analysis:

General

- Zoning: The site is zoned B-4 Mixed-Use Business. The existing buildings would be located on individual lots.
- <u>Land Use</u>: The land use map shows the area as Commerce. This land use designation is appropriate for this use.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting variations from Article 3 Density and Dimensional Standards for the lot area, rear yard setback, building coverage and impervious surface coverage. The variations are detailed below:

- Article 3 from the lot area requirement of 5,000 square feet to create two lots, Lot 1 at 3,827 square feet and Lot 2 at 3,423 square feet.
- Article 3 from the rear yard setback requirement of 20 feet to allow a zero-foot setback.
- Article 3 from the 70% maximum building coverage allowance to allow for Lot 1 to have a coverage of 75% and Lot 2 to have a coverage of 98%.

• Article 3 from the 95% impervious surface coverage allowance to allow for 100% impervious surface coverage.

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 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	ation 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;
	☐ 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 121 N. Main Street and 135 Beardsley Street. Final Plats are required to meet the following requirements:

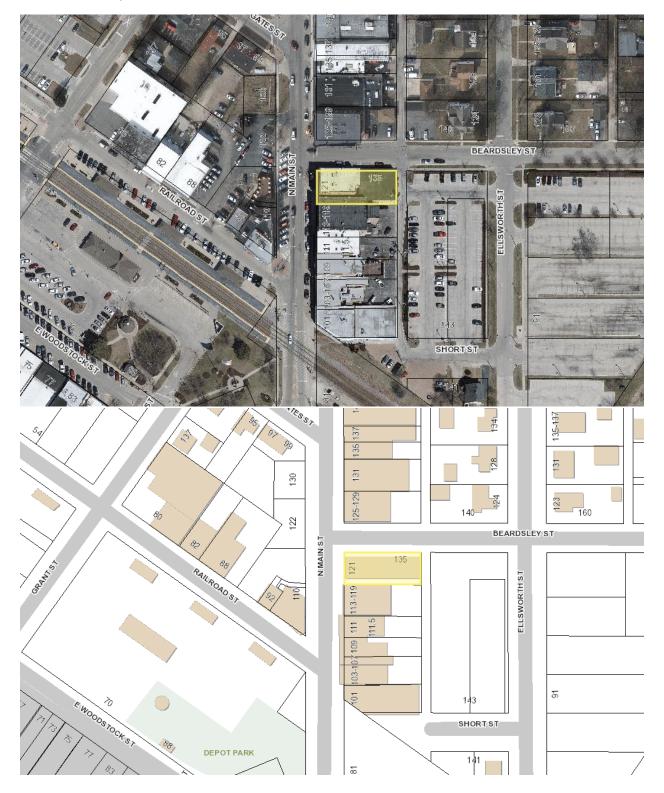
a)	present and future inh development of the C	
	Meets	Does not meet
b)	_	and roads within proposed subdivisions with the City's planned h other public facilities; Does not meet
c)	Providing right-of-wa	y easements for streets and utilities; Does not meet
d)		and overcrowding, and encouraging the proper arrangement of xisting or planned streets; Does not meet
e)	Ensuring there is adec	quate open space and recreation facilities to serve development; Does not meet
f)	Ensuring there is prop Meets	per recordation of landownership records; Does not meet
g)	Installation of any pulparkway trees, and side Meets	blic improvements including water, sewer, storm sewer or detention dewalks; Does not meet
h)	Burial of overhead uti	ility lines and all new lines and services in appropriate easements;
	Meets	Does not meet
i)	order to protect the ge	n of such other matters as the City Council may deem necessary in eneral health, safety, and welfare of the City
	Meets	Does not meet

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 (Stephan P Schneider Trust, received 10/19/2020)
 - B. Plat of Subdivision (Vanderstappen Land Surveying, Inc., dated 09/11/2020, received 10/19/2020)
 - C. Plat of Survey (Vanderstappen Land Surveying, Inc., dated 09/11/2020, received 10/19/2020)
- 2. The petitioner shall address all of the review comments and requirements of Community Development and Fire Rescue Departments.

PIQ MAP - MAIN STREET SUBDIVISION - 121 N. MAIN ST & 135 BEARDSLEY ST



City of Crystal Lake Development Application

Office Use Only				
File #				

Project Title: Main Street Subdivision	
Action Requested	
Annexation	Preliminary PUD
Comprehensive Plan Amendment	Preliminary Plat of Subdivision
Conceptual PUD Review	Rezoning
Final PUD	Special Use Permit
Final PUD Amendment	X Variation
X Final Plat of Subdivision	Other
Petitioner Information New Directions Addiction Name: Recovery Services, an Illinois NFP corporation	Owner Information (if different) Name: Stephen P. Schneider Trust
	Address: 1108 Acre Lane
Address: 135 Beardsley Street	Johnsburg, Illinois 60051
Crystal Lake, Illinois 60014	
Phone: (847) 307-1143	Phone:
Fax:	Fax:
E-mail: ehrisr@ndars.org	E-mail:
Property Information	
Project Description: Minor subdivision of a parcel int	o two (2) lots with a separate building on each respective
lot with variations for minimum lot area, rear yard setbac	k, impervious surface coverage and maximum building
coverage.	
Project Address/Location: 135 Beardsley St./121 W.	Main St., Crystal Lake, IL 60014
PIN Number(s): 14-33-351-001	
The state of the s	

Please include add	ress, phone, tax and e-mail	
Development Team		
and the second s		
•		
Developer: N/A		
architect: N/A		
		-
Attorney: Mark S. Saladin, Zanck, Coen, Wright & Saladin, P.C., 40 Brink St., (Crystal Lake, IL 60014; (815) 459-8800	
Fax: (815) 459-8420; insaladin@zewlaw.com		
1.42; (913) 43359450' manufaster and issue		
Engineer: NA		
Landscape Architect: N/A		
_andscape Arenteet:	. 	
·	•	
Planner: N/A		
1 Hiller A. F. Commission of the Commission of t		
Surveyor: Vanderstappen Land Surveying, Inc., 1316 N. Madison St., Woodsto	ek, IL 60098 (815) 337-8310; Fax: (815	6) 337-8314
Surveyor: Vanderstappen Land Surveying, me., 1510 to the basis on the		
Other:		
Other:		
·		
Signatures New Directions Addiction Recovery Services, an IL NFP corpor	ation	
	5/200	
By: V		
PETITIONER: Print and Sign name (if different from moner)	Date	
Ot J. O. A. Devoidant		
Cillia Recut i resident	of the above requested action.	
As owner of the property in question, I hereby authorize the seeking of	en e	
1.	10 14-20	
X Ats & Sec to	7,52,74	
OWNER: Print and Sign name Stephen P. Schneider, Trustee	Date	
OWNER: Print and Sign name and Sola Baneficiary		
White self was affected in this no	wition as owner. In addition, the	
NOTE: If the property is held in trust, the trust officer must sign this pe	STATE OF STA	
trust officer must provide a letter that names all beneficiaries of the trust.		

Application for Minor Subdivision Approval

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Application Number:	RC	R OFFICE USE ONLY		
Development Name:				
Date of Submission:				
Date of Resubmission:				
I. Applicant				
New Directions Addiction Recovery Services, a	an Illinois NFP corporation			
Name	Corporation			
135 Beardsley Street				
Street				
Crystal Lake	Winois	60014		
	State	Zip Code		
Chris Reed	Tenant/Contract Purchaser	(847) 307-1143		
400 ta. 7,	Relationship to Owner	Telephone Number		
	chrisr@ndars.org	***		
Fax Number	E-mail address			
II. Owner of Property				
Stephen P. Schneider Trus		- 19 (a.e.)		
Name		Total Andrews		
1108 Acre Lane, Johnsburg		Project Control of the Control of th		
Address		Telephone Number		
III. Development Team (if appli	cable)			
Mark S. Saladin, Zanck, Coen, Wright & Saladin, P.C.	(815) 459-8800	(815) 459-8429		
***************************************	Telephone Number	Fax Number		
40 Brink Street, Crystal Lak		msaladin@zcwlaw.com		
Address		E-mail address		
N/A				
Architect	Telephone Number	Fax Number		
N/A	•			
Developer	Telephone Number	Fax Number		
N/A				
Engineer	Telephone Number	Fax Number		
Vanderstappen Land Surveying, Inc.	(815) 337-8310	(815) 337-8314		
Surveyor	Telephone Number	Fax Number		

V.	Project Data
١.	a. Location/Address: 135 Beardsley Street/121 W. Main St., Crystal Lake, IL 60014
	a. PIN #: 14-33-351-001
2.	General description of site conditions (including existing site improvement, i.e., buildings, parking, landscaping, etc.): The above PIN contains two (2) separate buildings that are now considered separate and independent from each other. There is no separate parking
	area on the subject property because of its location.
3.	Existing Zoning: B-4
4.	Existing Land Use: Commercial, office, residential.
	a. Is there an existing home on the property? YES, Go to 4b. VINO
	b. Do you plan to demotish the flothe phot to plat approvair.
5.	Site acreage: 7,250 square feet +/-
6.	Are you requesting a waiver from the requirement to: a. Install sidewalk YES NO b. Burial of Aerial Utilities YES YES NO
7.	List any controlling Ordinances and agreements for this property (annexation ordinances, variations, special use, administrative/preliminary/final plats, PUD, etc.): None.
	variations, special use, administrative promisers
8.	Reason for request/Description of proposal (including proposed land use, building addition, type of use, hours of operation, number of parking spaces, as applicable): The request is to split
	the property into two (2) separate lots with the respective buildings on each
	separate lot.

DISCLOSURE OF BENEFICIARIES

1.	Applicant: New Directions Addiction Recovery Services	
	Address: 195 Beardsley Sucot	
	Crystol Lake, Illindis 60011	
2.	Vanure of Benefit sought: Minor Subdivision	
3.	Vature of Applicant (Please check one): a. Natural Person d. Trust/Trustee	
	b. Corporation e. Partnership	
	c. Land Trust/ Trustee f. Joint Venture	
4.	f applicant is an entity other than described in Section3, briefly state the nature and characteristics capplicant:	of .
5.	f in your answer to Section 3 you checked box b, c, d, e or f, identify by name and address enterson or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of rust or land trust, a joint venture in the case of case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:	f a
	None. The Applicant is a not for profit corporation.	
	7.	
6.	Name, address and capacity of person making this disclosure on behalf of the applicant: Chris Read, President	
verification verif	ANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, all disclosures are required for each entity. CATION being first duly sworn under oath, depose and state to person making this disclosure on behalf of the applicant, that I am duly authorized to make to; that I have read the above and foregoing Disclosure of Beneficiaries, and that the statement therein are true in both substance and fact.	his
Signat		
Subscr	ed and Sworn to before me this 13 day of Gcfose . 200 20	
Notary	10/3/2020 OFFICIAL SEAL	ž
	JESSE CERVANTES NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 12/11/22	بممحم

IN THE MATTER OF THE PETITION OF STEPHEN P. SCHNEIDER TRUST OWNER and NEW DIRECTIONS ADDICTION RECOVERY SERVICES, an Illinois Not for Profit, CONTRACT BUYER

AFFIDAVIT

- I, Matilda Botian, being first duly sworn upon oath depose and say as follows:
- A. That a copy of the legal notice, set forth as Exhibit A, attached hereto and made a part hereof, concerning the hearing date for the above-mentioned Petitioners, was sent to each of the persons named on the attached list by regular mail notifying them of the hearing before the Planning and Zoning Commission on November 12, 2020, at 7:00 p.m., at the Crystal Lake City Hall, 100 W. Woodstock Street, Crystal Lake, Illinois.

Said notice was mailed to each of the persons on the attached service list by regular mail on October 26, 2020.

- B. That the posting requirements of the Zoning Ordinance have been complied with by placing the customary public notice sign on the subject property (Beardsley Street) on October 23, 2020 at approximately 3:45 p.m.
- C, Publication was made in the Northwest Herald on October 28, 2020. A. Certificate of Publisher will be sent when received.

Further, Affiant sayeth naught.

Matilda Botian

Subscribed and sworn to before me
This 3 day of November 2020

Mother Herry

Notary Public

OFFICIAL SEAL
HEATHER A HERRIGES
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:02/16/21

EXHIBIT A

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

IN THE MATTER OF THE PETITION OF)
STEPHEN P. SCHNEIDER TRUST, OWNER and NEW DIRECTIONS ADDICTION	>
RECOVERY SERVICES, an Illinois Not for Profi	it,

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission upon the application by Stephen P. Schneider Trust, owner, and New Directions Addiction Recovery Services, contract buyer for a Minor Subdivision and Variations relating to the property at 135 Beardsley Street and 121 N. Main Street in Crystal Lake, Illinois 60014. PIN: 14-33-351-001. The property is located at the southeast corner of the intersection of N. Main Street and Beardsley Street in Crystal Lake, Illinois.

This application is filed for the purpose of seeking a Minor Subdivision to create a two (2) lot subdivision and to request variations from the required minimum lot area of 5,000 square feet to allow 3,827 square feet on Lot 1 and 3,423 square feet on Lot 2; rear yard setbacks from 20 feet to 0 feet; impervious surface coverage from 95% to 100% on both lots; and maximum building coverage from 70% to 75% on Lot 1 and 98% on Lot 2; and any other variations as necessary to approve the plans as presented, pursuant to Article 3, Article 4, Article 5 and Article 9. You can make a request to view the plans for this project at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:00 p.m. on Thursday November 12, 2020, at the Crystal Lake City Hall, 100 West Woodstock Street, Crystal Lake, Illinois 60014 at which time any person determining to be heard will be allowed to speak. Limited space may be available at City Hall for anyone wishing to attend the meeting in person.

Jeff Greenman, Chairperson Planning and Zoning Commission City of Crystal Lake

TO BE PUBLISHED IN THE NORTHWEST HERALD ON OR BEFORE OCTOBER 28, 2020)

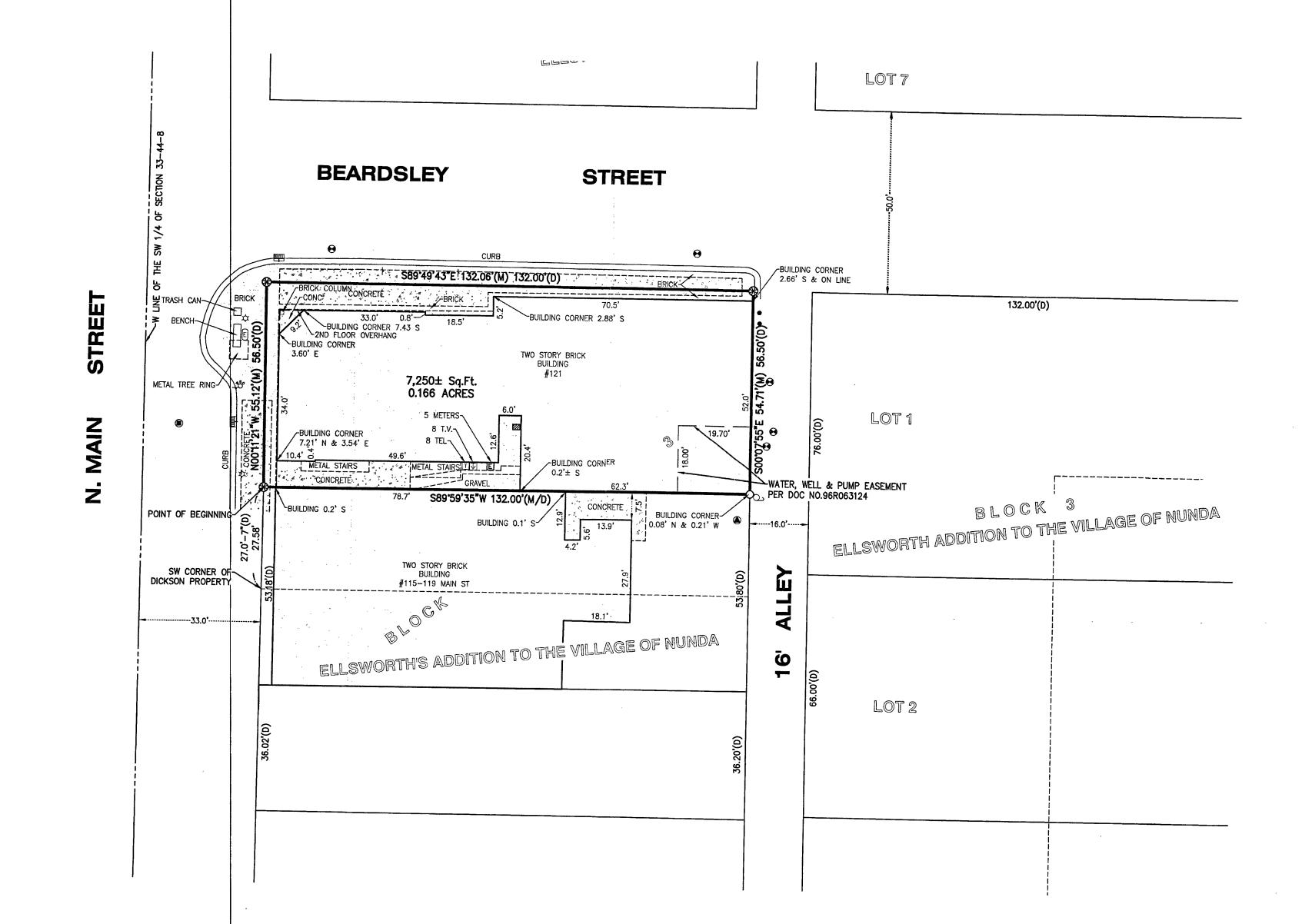


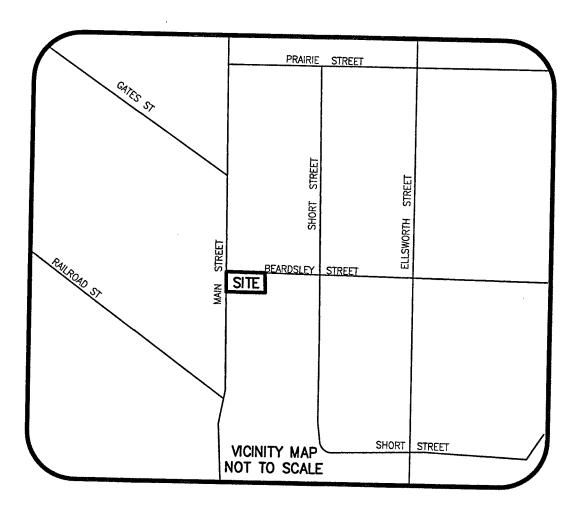
SURVEYOR'S NOTES

- 1. The legal description and utility easements shown hereon have been provided by Fidelity National Title Insurance Company, Commitment policy #CL20023973 dated June 24, 2020. The title information shown hereon is exclusively that provided to the Surveyor by the Title Insurer or the client. The Surveyor does not warrant the exact location of the Utility Easements shown hereon, but does state that they are located as accurately as possible from the information provided.
- 2. Based on Flood Insurance Rate Map, Panel No. 14111C0327J, dated 11/16/2006, the subject property lies within Zone "X", areas areas determined to be outside the 0.2% annual chance of floodplain.
- 3. Distances are marked in feet and decimal places thereof, no dimension shall be assumed by scale measurement hereon. Distances and/or bearings shown with a "D" in parenthesis (D) are record or deed values, not field measured.
- 4. Compare this plat, legal description and all survey monuments before building, and immediately report any discrepancies to the surveyor.
- 5. The location of the property lines shown on the face of this plat are based on the legal description contained in the title commitment and shown hereon. This information has been furnished by the client and compared to record deeds to check for gaps and /or overlaps. However, this survey may not reflect historical matters of title and ownership that have not been disclosed by the title commitment.
- 6. Only the improvements which were visible from above ground at time of survey and through a normal search and walk through of the site are shown on the face of this plat. Lawn sprinkler systems, if any, are not shown on this survey.
- 7. Manholes, inlets and other utility rims or grates shown hereon are from field location of such, and only represent such utility improvements which are visible from above ground survey at the time of survey, through a normal search and walk through of the site. The labeling of these manholes (sanitary, water, etc) are based solely on the "stamped" markings on the rim. No underground observations have been made to verify the actual use or existence of underground utilities.
- 8. Surface indications of utilities on the surveyed parcel have been shown. Underground and offsite observations have not been made to determine the extent of utilities serving or existing on the property, public and/or private records have not been searched to provide additional information. Overhead wires and poles (if any) have been shown, however their function and dimensions have not been shown.
- This survey may not reflect all utilities or improvements, if such items are hidden by landscaping, or are covered by such items as dumpsters or trailers or when the site was covered with snow. At the time of survey, the site was not covered by snow.
- 10. Restrictions that may be found in local buildings and/or zoning codes have not been shown. Height and bulk restrictions (if any) have not been shown. Only those setback restrictions shown on the recorded subdivision plat or in the title commitment have been shown.
- 11. The surveyor and those working under his supervision have no training with regard to identifying "Wetlands". There were no wetlands delineated at the time of the fieldwork. (Pertains to Table A, item 18).
- 12. Exceptions: 1, 4, 5, 6, F7, A8, B9, D11 & E12 are not survey related.
- 13. Exceptions: 2 & 3 are blanket in nature.
- 14. Exception: A8 Rights of the City of Crystal Lake, an Illinois Municipal Corporation in an to an easement over the East 19.7 feet of the South 18.0 feet of the Land for the purpose of a water well and pump and maintaining water main, pipes, fittings and all necessary fittings as disclosed by Grant of Easement from 121 main street joint venture recorded December 16, 1996 as Document No.
- 15. Exception: C10 Encroachment of the Commercial Building as on Plat of Survey Prepared by Randall T. Schaff Number 01—3671—95035 Dated December 27, 2002 (Survey not Supplied to be Reviewed)

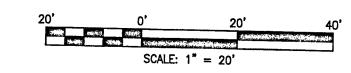
ALTA/NSPS LAND TITLE SURVEY

Part of the Southwest Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, and being part of Block 3 in Ellsworth's Addition to the Village of Nunda, described as follows: Commencing 27.0 feet and 7 inches from an iron post at the Southwest corner of what is now known as the Dickson Property (also known as the Dickerson Property); and running North parallel with the Section line, 56.5 feet to the South Line of Beardsley Street; thence East at right angles to the Section line, 132.0 feet to the West side of the alley; thence South 56.5 feet parallel with said alley; thence West 132.0 feet to the Place of Beginning, in McHenry County, Illinois.





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LEGEND		
7 /2	AIR CONDITIONER	
•	BOLLARD	
<u> </u>	CATCH BASIN	
	CURB INLET	
E	ELECTRIC HANDHOLE	
E	ELECTRIC METER	
♦	FOUND ANGLE IRON	
	FOUND BOLT	
*	FOUND CROSS	
<u> </u>	FOUND IRON BAR	
0	FOUND IRON PIPE	
<u> </u>	FOUND MAG NAIL	
<u> </u>	FOUND MONUMENT	
<u> </u>	LIGHT	
	SET CROSS	
<u> </u>	SET IRON BAR	
	SET MAG NAIL	
<u> </u>	SIGN	
•	STORM MANHOLE	
Π	TELEPHONE	
<u> </u>	TREE	
<u>v</u>	TV	
ಹ	UTILITY POLE	
8	VALVE VAULT	
*	WATER SHUT-OFF	
(M)	MEASURE	
(D)	DEED	



STATE OF ILLINOIS)
COUNTY OF McHENRY)

Certified 1: New Directions Addiction Recovery Services, an Illinois not-for-profit corporation

- 2: Crystal Lake Bank & Trust n.a., its successors and /or assigns as their respective interests may appear.
- 3: Stephen P. Schneider, as Trustee under the provisions of a Trust Agreement dated October 5, 2007 and known as the Stephen P. Schneider Living Trust Agreement dated October 5, 2007.
- 4: Fidelity National Title Insurance Company.

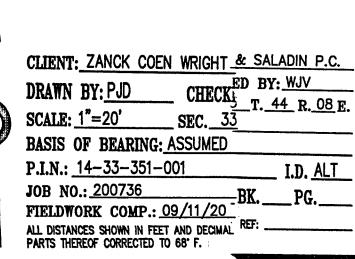
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and The field work was completed on September 11th, 2020.

Dated this 30th day of September, A.D., 2020.

VANDERSTAPPEN LAND SURVEYING INC. Design Firm No. 184-002792

WILLIAM J. VANDERSTAPPEN, 035-002709
PROFESSIONAL LAND SURVEYOR



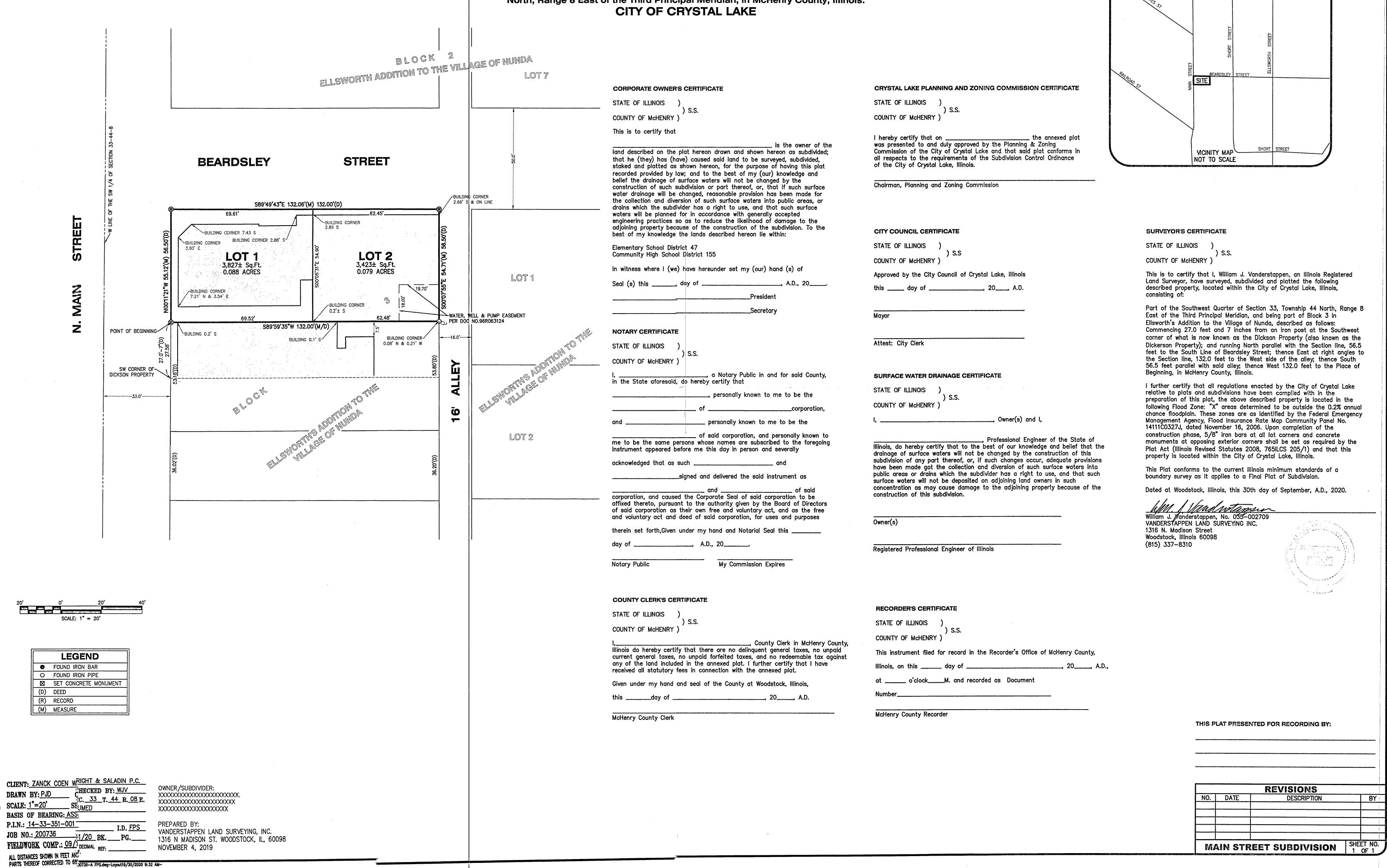




FINAL PLAT MAIN STREET SUBDIVISION

Being a Subdivision of part of the Southwest Quarter of Section 33 Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

CITY OF CRYSTAL LAKE



PARIO INIZIZZO CONTROL VI MATERIA