



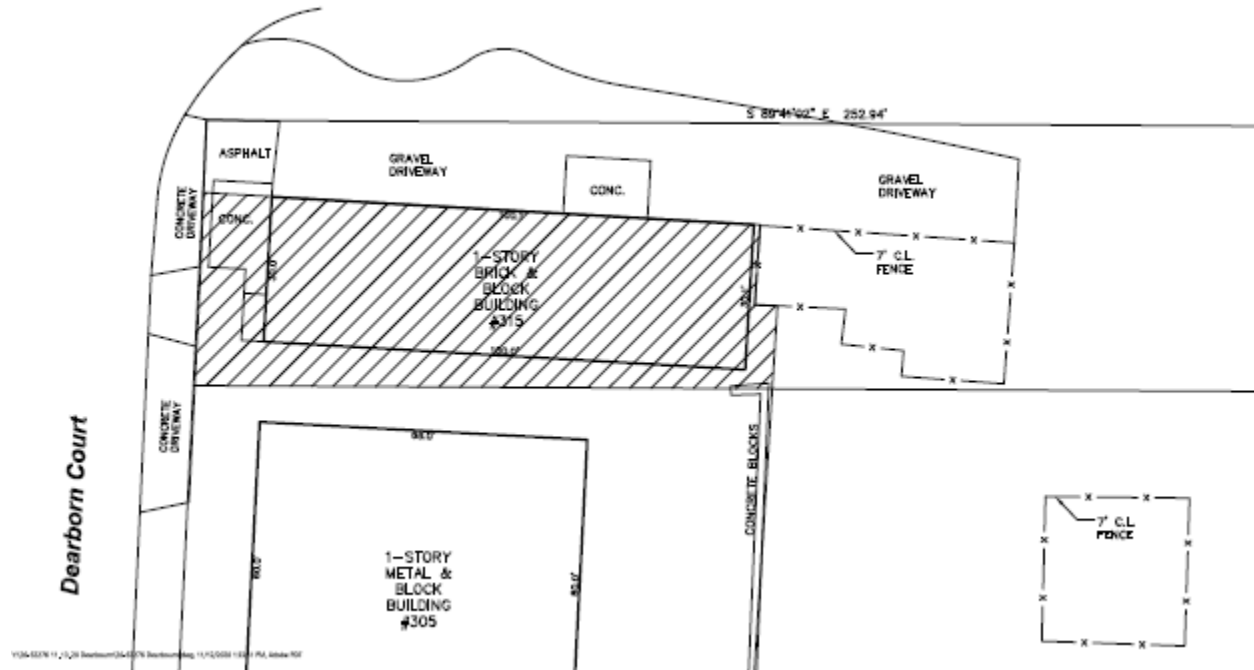
#2020-192
305 and 315 Dearborn Court – Final Plat of
Subdivision and Variation
Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	December 2, 2020
<u>Requests:</u>	<ol style="list-style-type: none">1. Final Plat of Subdivision to reconfigure the lot lines for 305 and 315 Dearborn Court.2. Variation from Article 3 to allow a lot width of 14.96 feet.3. Final Planned Unit Development to allow two buildings on a zoning lot.4. Deferral to install sidewalk along Dearborn Court.
<u>Location:</u>	305 and 315 Dearborn Court
<u>Acreage:</u>	Approximately 0.87 acres (total lot) Lot 1: 14,404 square feet (0.33 acres) Lot 2: 20,672 square feet (0.47 acres)
<u>Existing Zoning:</u>	W Watershed
<u>Surrounding Properties:</u>	North: W Watershed South: W Watershed East: R-2, Single Family West: W Watershed
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

- These are two existing buildings on two separate lots. The buildings will be combined into one lot and the remaining portion of the north lot, which includes the cellular towers and the outside storage will be a separate lot.
- The Final PUD is granting the approval for the two buildings on the one new zoning lot.
- The businesses and lots were annexed into the City in 2012. The Annexation Agreement allowed for the existing uses to continue.
- No changes are proposed to the uses or the building locations with this subdivision. The conditions are existing and the need for the variation is the new location of the lot line for the northern property.

The shaded area in the picture below is the portion of the northern lot that would be joined with the southern lot. The lot line would move from between the two buildings to the north edge of the building at 315 Dearborn Court.



Development Analysis:

General

- **Zoning:** The site is zoned W Watershed. Watershed is site specific and the buildings and site improvements were approved as is.
- **Land Use:** The land use map shows the area as Commerce. This land use designation is appropriate for the existing uses of the properties.

Findings of Fact:

FINAL PLANNED UNIT DEVELOPMENT

A Final Planned Unit Development is being granted to allow the combination of the buildings onto one zoning lot, as well as allowing the lot line to wrap around the north building with no building setback.

The purpose of Planned Unit Developments is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Planned Unit Developments are, therefore, intended to allow substantial flexibility in planning and designing a proposal. This flexibility is often in the form of relief from compliance with conventional zoning ordinance site and design requirements.

Ideally, this flexibility results in a development that is better planned, contains more amenities, and is ultimately more desirable than one that would have been produced through compliance with typical zoning ordinance and subdivision controls.

Therefore more lenient site requirements may be granted where the Planned Unit Development contains features not normally required of traditional developments. If the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation request be lessened or denied.

FINAL PLAT OF RESUBDIVISION

The petitioner is requesting Final Plat of Subdivision approval for a minor subdivision to shift the lot lines of the two existing lots to reconfigure the lots allowing both buildings on one lot and the cellular towers and the outside storage on the remaining lot. Final Plats are required to meet the following requirements:

- a) Promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the City by providing for the orderly growth and development of the City;
 Meets *Does not meet*

- b) Coordinating streets and roads within proposed subdivisions with the City's planned street system, and with other public facilities;
 Meets *Does not meet*

- c) Providing right-of-way easements for streets and utilities;
 Meets *Does not meet*

- d) Avoiding congestion and overcrowding, and encouraging the proper arrangement of streets in relation to existing or planned streets;
 Meets *Does not meet*

- e) Ensuring there is adequate open space and recreation facilities to serve development;
 Meets *Does not meet*

- f) Ensuring there is proper recordation of landownership records;
 Meets *Does not meet*

- g) Installation of any public improvements including water, sewer, storm sewer or detention, parkway trees, and sidewalks;
 Meets *Does not meet*

- h) Burial of overhead utility lines and all new lines and services in appropriate easements;
and
 Meets *Does not meet*

- i) Ensuring the provision of such other matters as the City Council may deem necessary in order to protect the general health, safety, and welfare of the City

Meets

Does not meet

SUBDIVISION ORDINANCE DEFERRAL

With any subdivision approval, it is required to bury any existing overhead utility lines and install sidewalk along the frontage. Dearborn Court is a dead-end street that is home to existing manufacturing and auto businesses. The installation of sidewalk for this small section of roadway at the far north end is not practical, nor does it serve any public purpose. If sidewalks are installed throughout the area through an area-wide program this owner can participate.

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3 Density and Dimensional Standards for the lot width for the new northern lot. The lot line is shifting up to encompass the existing building. This leaves approximately 14.96 feet for the lot width in order to access the cellular towers and the outside storage.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

- a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

Meets

Does not meet

- b. Also, that the variation, if granted, will not alter the essential character of the locality.

Meets

Does not meet

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

- a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

Meets *Does not meet*

b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

Meets *Does not meet*

c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

Meets *Does not meet*

d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

Meets *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future office, service, retail and restaurant uses. The following goal is applicable to this request:

Land Use - Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the city as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan and Economic Development Strategic Plan.

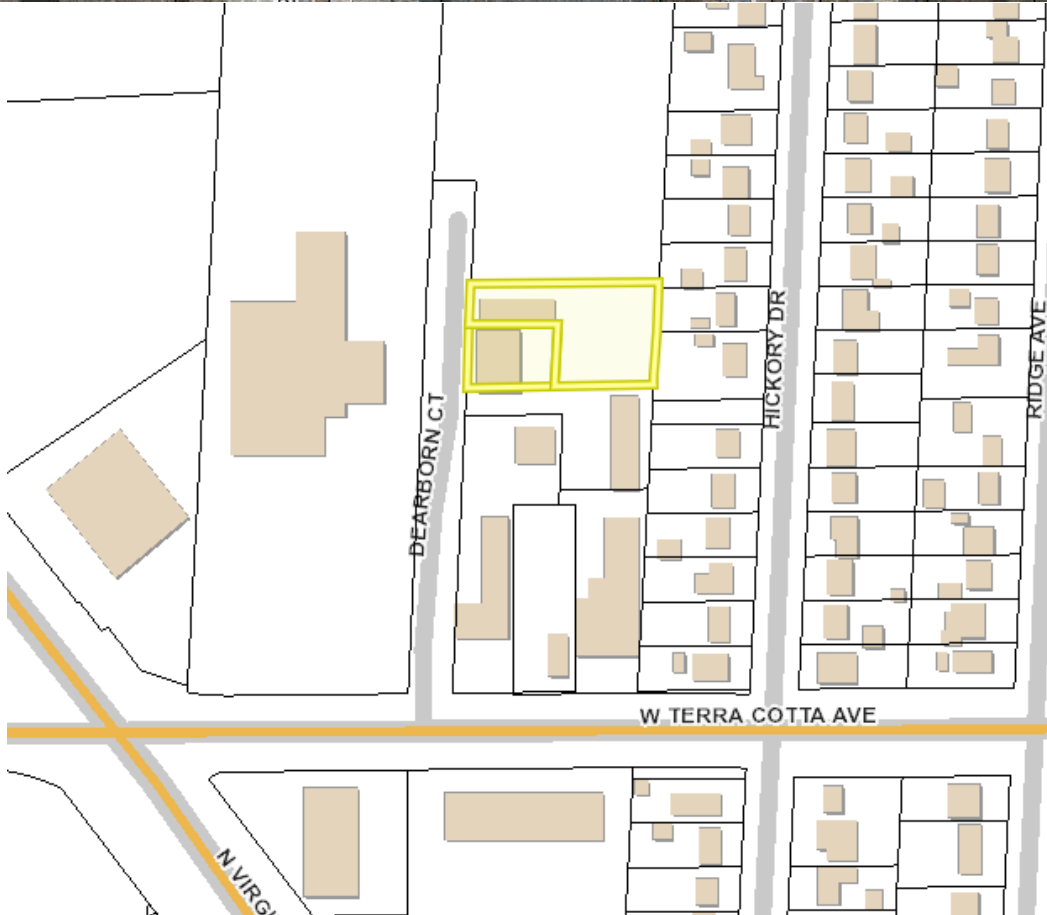
Recommended Conditions:

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 (Hughes, received 11/15/20)
 - B. Plat of Subdivision (Luco Surveying, dated 11/11/20, received 11/20/20)
2. Final Plat of Subdivision
 - A. Work with staff to ensure that the final document is accurate and meets the requirements of the UDO.

- B. Provide a 10-foot access and maintenance easement on the proposed Lot 2, along the southern edge of the flag entrance, to provide a means for the northern most building on Lot 1 to be properly accessed and maintained.
 - C. Provide a Note on the Plat of Subdivision document that these lots are contained within the Crystal Lake Watershed and must adhere to all requirements of the City of Crystal Lake for any future changes or improvements.
 - D. Illustrate on the Plat a Private Water Easement that accurately locates the private water main over the existing private water main that provides water service to the two lots.
 - E. Provide a recorded copy of the subdivision for the City's records.
3. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ Map
305 and 315 Dearborn Court





**City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form**

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: Dennis Hughes
Address: 18107 W Ete 173
HARVARD IL 60033
Phone: 815-482-1210
E-mail: denny.hughessign@gmail.com

Project Name & Description: Hughes re subdivision
moving 315 Building into 305
parcel.

Project Address/Location: 305 & 315 Dearborn Ct

Signature Dennis Hughes

DENNIS C. HUGHES 11-15-20

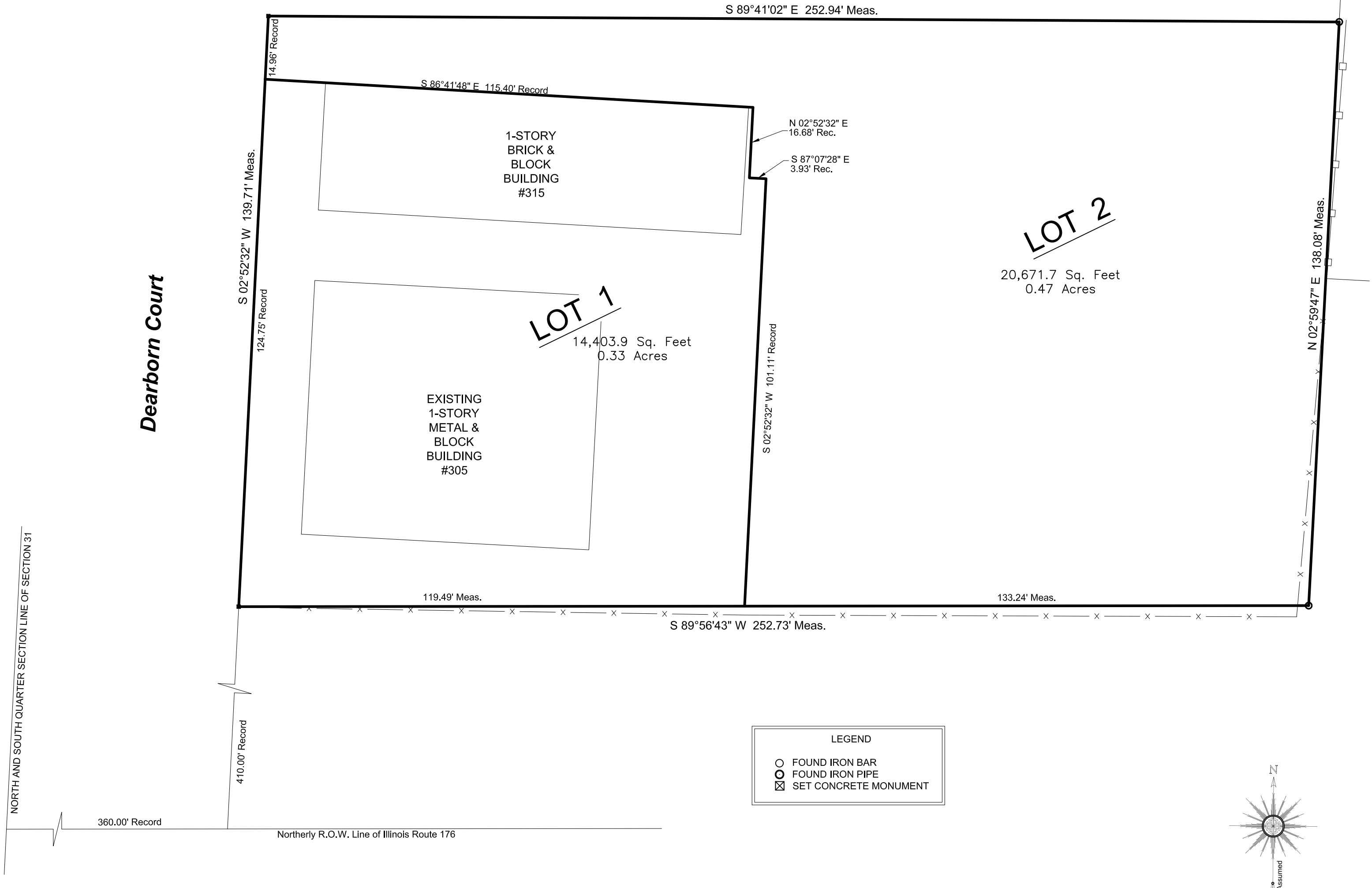
Owner: Print and Sign name Date

NOTE: If the property is held in a trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

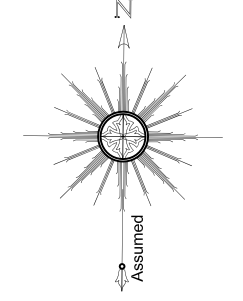
PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE PETITION OF Dennis C Hughes and TCB Partners Dennis Hughes LEGAL NOTICE Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission upon the application by Vicki Hughes on behalf of Dennis C Hughes and TCB Partners Dennis Hughes, for a Minor Subdivision and Variations relating to the property at 305 Dearborn Court and 315 Dearborn Court in Crystal Lake, Illinois 60014. PINs: 14-31-252-001, -002. This application is filed for the purpose of seeking a Minor Subdivision to adjust the lot line creating a smaller remaining lot and variations from the minimum lot width to allow a lot width of 14.96 feet for the north lot and the building setback of to allow a setback of 0 feet from the new property line for the building at 315 Dearborn Court with variations from the subdivision requirements requesting a deferral to install sidewalk, as well as any other variations as necessary to approve the plans as presented, pursuant to Article 3, 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 Wednesday December 2, 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 (Published in the Northwest Herald November 14, 2020)1835253

Final Plat of Subdivision H.V. Hughes Subdivision

BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.



LEGEND
 ○ FOUND IRON BAR
 ● FOUND IRON PIPE
 ⊠ SET CONCRETE MONUMENT



City Council Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 Approved by the City Council of Crystal Lake, Illinois this
 ___ day of
 ___, 20___, A.D.

Mayor

 Attest: City Clerk

Owner's Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 This is to certify that the undersigned,
 _____ are the legal owners of a portion of land described on the plat
 hereon drawn and shown hereon as subdivided; that they have caused said land to be surveyed,
 subdivided, staked and platted as shown hereon, for the purpose of having this plat recorded provided by
 law, and as the Owners, do hereby state that to the best of our knowledge, all of the lots in this
 Subdivision lie within:
 Crystal Lake Community Consolidated School District 47
 Crystal Lake High School District 155
 Seal(s) this ___ day of ___, A.D. 20___
 _____ (Seal)
 _____ (Seal)

Notary Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify
 that,
 _____ of
 _____ personally known to me to be the same person or persons
 whose name or names are subscribed to the foregoing instrument as,
 _____ respectively appeared before me this day in person and
 acknowledged that they signed and delivered the said instrument as their own free and
 voluntary act for the uses and purposes set forth. Given under my hand and notarial
 seal, this ___ day of ___, 20___.
 _____ Notary Public

Planning and Zoning Commission Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 I, _____, Chairman of the Crystal Lake Planning and Zoning
 Commission, do hereby certify that on this ___ day of ___, 20___, this plat
 of subdivision was duly approved by the Planning and Zoning Commission of the City of
 Crystal Lake.

 Chairman

Notary Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby
 certify that,
 _____ of
 _____ personally known to me to be the same person or
 persons whose name or names are subscribed to the foregoing instrument as,
 _____ respectively appeared before me this day in person
 and acknowledged that they signed and delivered the said instrument as their own free
 and voluntary act for the uses and purposes set forth. Given under my hand and
 notarial seal, this ___ day of ___, 20___.
 _____ Notary Public

County Clerk's Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 I, _____, County Clerk in McHenry County, Illinois do
 hereby certify that there are no delinquent general taxes, no unpaid current general taxes,
 no unpaid forfeited taxes, and no redeemable tax against any of the land included in the
 attached plat. I further certify that I have received all statutory fees in connection with the plat.
 Given under my hand and seal of the County at Woodstock, Illinois, this
 ___ day of ___, 20___, A.D.

 McHenry County Clerk

Recorder's Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 This instrument filed for record in the Recorder's office of McHenry
 County, Illinois on this ___ day of ___, 20___, A.D. at
 ___ o'clock ___ M. and recorded as document number _____.

 McHenry County Recorder
 This Plat presented for recording by:

Surveyor's Certificate
 STATE OF ILLINOIS)
) SS
 COUNTY OF MCHENRY)
 This is to certify that I, JEFFREY SPIREK, have surveyed and subdivided the property as described and shown by
 the plat, which is a correct representation of said survey and subdivision. All distances are shown in feet and decimals
 thereof. Dimensions shown along curves are arc distances unless otherwise noted.

LEGAL DESCRIPTION: THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 44 NORTH,
 RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE
 INTERSECTION OF THE NORTH AND SOUTH QUARTER SECTION LINE OF SAID SECTION 31 WITH THE
 NORTHERLY RIGHT OF WAY LINE OF ILLINOIS ROUTE NUMBER 176, AND RUNNING THENCE EASTERLY,
 ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 360.00 FEET; THENCE NORTH, PARALLEL
 WITH SAID NORTH AND SOUTH QUARTER SECTION LINE, A DISTANCE OF 410.00 FEET TO THE PLACE OF
 BEGINNING; THENCE CONTINUING NORTH, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 139.71
 FEET; THENCE EASTERLY, PARALLEL WITH THE CENTER LINE OF STATE ROUTE 176 FOR A DISTANCE OF
 254.04 FEET TO THE WEST LINE OF LEONARD HEIGHTS SUBDIVISION, ACCORDING TO THE PLAT THEREOF
 RECORDED MARCH 15, 1928 AS DOCUMENT NO. 82565 IN BOOK 6 OF PLATS, PAGE 42; THENCE
 SOUTHERLY ALONG SAID WEST LINE, 138.08 FEET; THENCE WESTERLY FOR A DISTANCE OF 252.73 FEET
 TO THE POINT OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

I further certify that that concrete monuments at opposing subdivision corners and 5/8" iron bars at all lot corners and
 point of change in alignment will be set as required by the Plat Act (Illinois Revised Statutes 2005, 765ILCS 205/1)

I further certify that portions of the above described property are located in Zone "X" (Unshaded), as identified by the
 Federal Emergency Management Agency, Flood Insurance Rate Map Community Panels 17111C0326J and
 171110327J, dated November 16, 2006.

I further certify that this Subdivision lies within the corporate limits of the City of Crystal Lake, Illinois.
 Given under my hand and seal this 20th day of November, 2020.

 JEFFREY A. SPIREK
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3898
 REGISTERED AGENT FOR LUCCO SURVEYING
 LICENSE TO BE RENEWED NOVEMBER 30, 2020



Lucco Surveying	
Professional Design Firm No. 184.007972	
54 Lou Avenue, Crystal Lake, IL 60014	
Phone: 815.526.3974	Email: admin@lucosurveying.com
Common Address: Dearborn Court, Crystal Lake, IL	
PIN # N/A	
Job Number: 20 - 62567	Drawn By: JAC
Client: Hughes	Reference: N/A
Field Work Completion: 11/11/2020	
Revisions:	

Dearborn Court

