



#2021-121 175 Rosedale – Variation Project Review for Planning and Zoning Commission

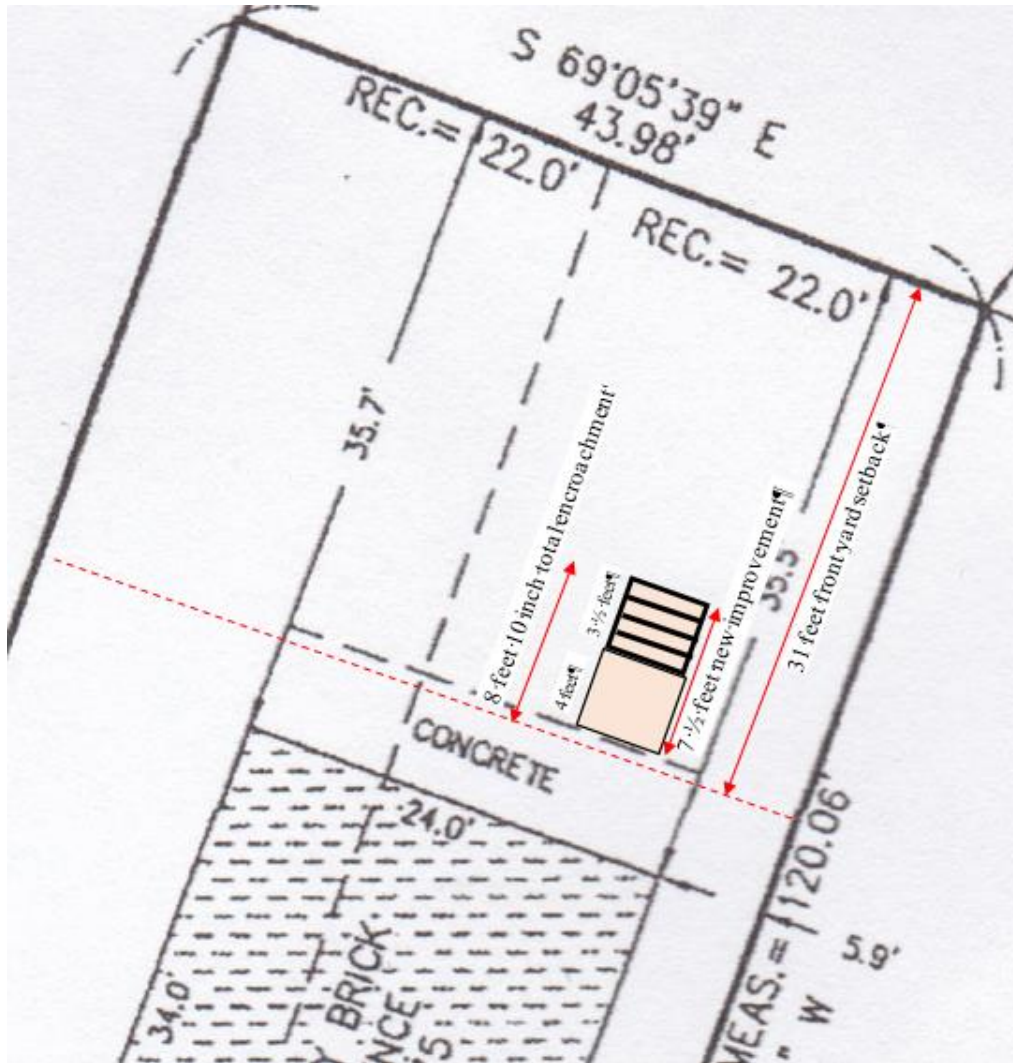
<u>Meeting Date:</u>	August 4, 2021
<u>Request:</u>	Variation from Article 3 Section 3-300 allowing an 8-foot 10-inch encroachment into the required 31-foot averaged front yard setback, leaving a setback of 22 feet 2 inches.
<u>Location:</u>	175 Rosedale Avenue
<u>Acreage:</u>	Approximately 5,200 square feet
<u>Existing Zoning:</u>	R-2 Single-Family Residential
<u>Surrounding Properties:</u>	North: R-2 Single-Family Residential South: R-2 Single-Family Residential East: R-2 Single-Family Residential West: R-2 Single-Family Residential
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

- The property is a single-family home on a corner lot. The lot is only 44 feet wide making it a non-conforming lot.
- In established neighborhoods, the front yard setback is determined by the average setback of the other homes for a distance of 400 feet or the length of the block. The average setback was determined to be 31 feet.
- The owners have an existing front porch under a roof. The original building permit was to reconstruct the front porch.
- They have amended the permit, requesting to enclose the front porch to make a three-season room. Since the porch was already covered by a roof, it was considered part of the principal structure and did not require any variations to enclose the porch.
- The installation of a swinging front porch door (versus a sliding door) from the new enclosed space requires a minimum 3-foot by 3-foot landing. There is an administrative variation process for encroachments into setbacks if the improvement is necessary to meet building codes. If the owners chose to install a 3-foot x 3-foot landing with the stairs going to the side, the variation could have been processed administratively.

- The owners are requesting a 4-foot by 4-foot landing and stairs coming out towards the street. This exceeds what can be approved administratively and requires the full variation for the encroachment.

Project Analysis:



- The averaged front yard setback is approximately 1 ½ feet inside the existing porch structure.
- The 4 x 4 landing and additional 3-foot 4-inch stair projection extend approximately 7 ½ feet from the existing concrete porch.
- The total encroachment is 8 feet 10 inches since the setback line is already inside of the existing porch structure. The variation is for this new improvement.
- The owner is repairing the front porch and covering it with a wooden deck structure. In addition the new deck area will be enclosed.

Development Analysis:

General

- **Request:** The petitioner is requesting a variation to allow a stoop and stairs to encroach into the front yard setback along Rosedale Avenue.
- **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.

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 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.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a Variation from Article 3 Section 3-300 to construct a front stoop and stairs extending 7 feet 4 inches from the front porch, a variation of 8-feet 10-inches, leaving a setback of 22 feet 2 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*

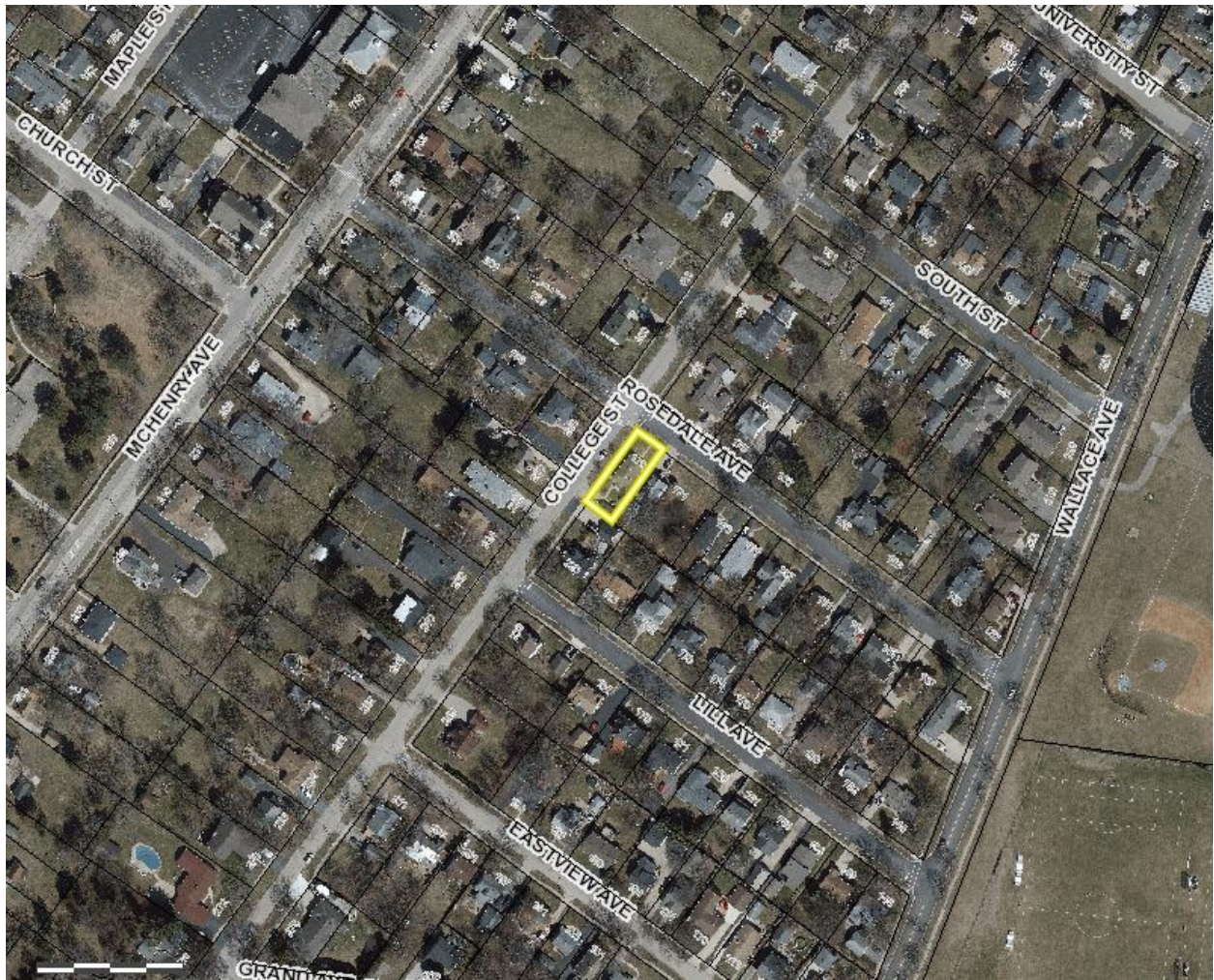
Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

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 (Larson, received 07/15/21)
 - B. Site Plan (Larson, undated, received 07/15/21)
 - C. Permit Plans [Porch and Stairs and Deck Plan], undated, received 07/15/21)
 - D. Plat of Survey (Vanderstappen, dated 05/30/96, received 07/15/21)
2. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ Map
175 Rosedale



Application for Simplified Residential Variation

Application Number: _____

FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____

I. Applicant

Alex Larson

Name

164 Edge wood Ave

Street

Crystal Lake IL 60014

City

State

Zip Code

Telephone Number

Fax Number

E-mail address

II. Owner of Property (if different)

James S., Karen L. Payne

Name

175 Rosedale Ave Crystal Lake

Address

Telephone Number

III. Project Data

1. a. Location/Address: Front, 175 Rosedale Ave

b. PIN #: _____

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: Built up front porch on existing space, need access to new porch. Best look and functionality.

IS THE HARDSHIP SELF-CREATED? Yes created Elevated space

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? Yes

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? Slightly

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; SUBSTANTIALLY INCREASE THE DANGER OF FIRE; OR ENDANGER PUBLIC SAFETY? No

3. List any previous variations that are approved for this property: _____

IV. Signatures

Alex Larson 7/15/21
PETITIONER: Print and Sign name (if different from owner) Date

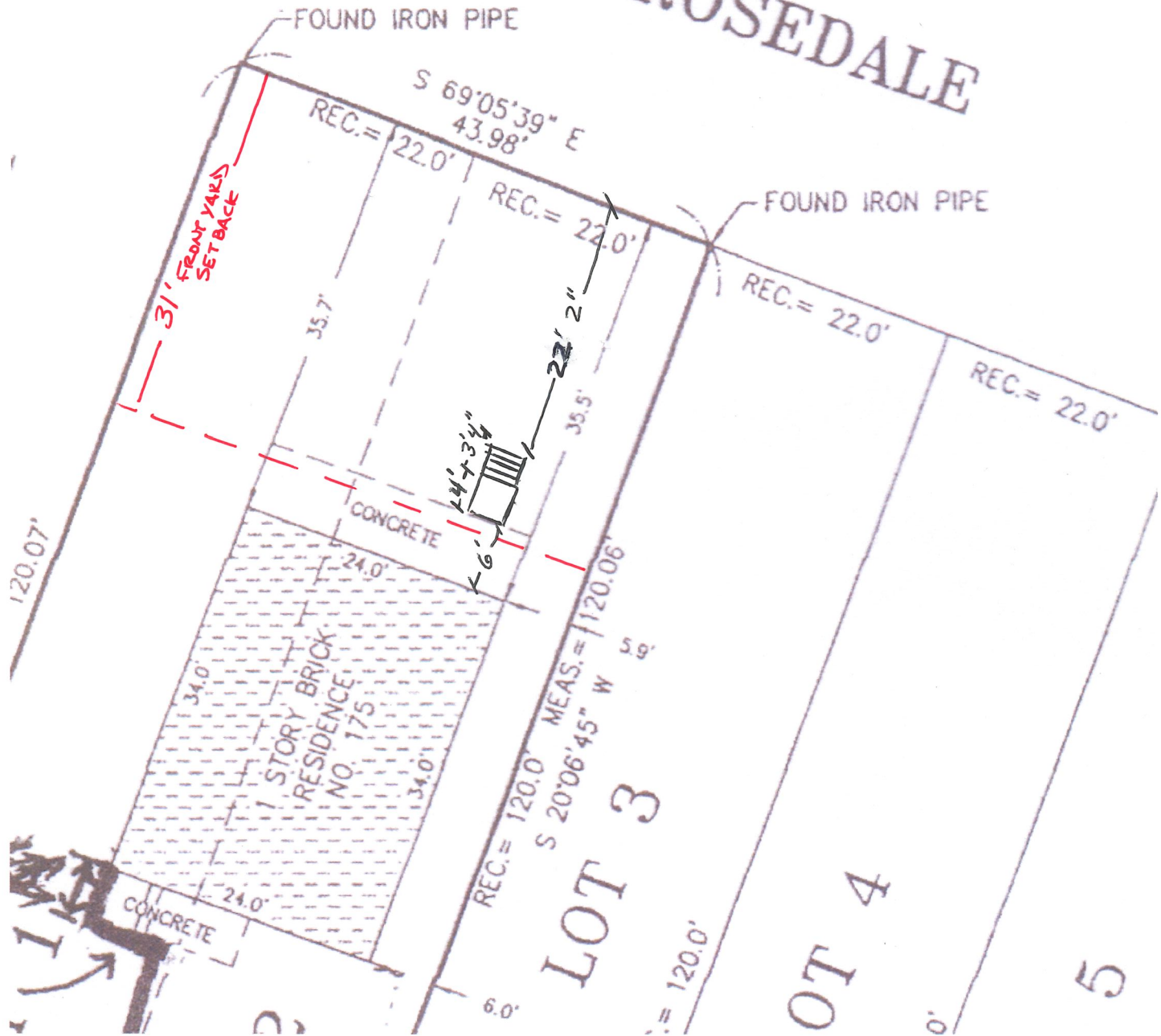
As owner of the property in question, I hereby authorize the seeking of the above requested action

Jim Doyle 7/15/21
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.

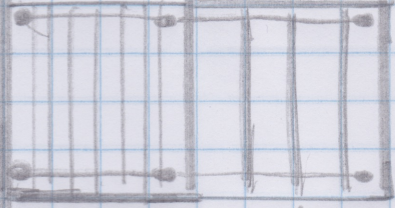
PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE APPLICATION OF Karen L and James A, Doyle LEGAL NOTICE Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application by A. L. Carpentry, representing Karen and James Doyle for approval of a variation allowing the construction of a stoop and stairs to encroach into the front yard setback at the following real estate known as 175 Rosedale Avenue, Crystal Lake, Illinois 60014, PIN: 19-05-180-001. This application is filed for the purposes of seeking a Simplified Residential Zoning Variation from the required 31-foot averaged front yard setback to allow a stoop and stairs to encroach 8 feet 10 inches, leaving a setback of 22 feet 2 inches pursuant to Article 3, Article 4, 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 at 7:00 p.m. on Wednesday, August 4, 2021, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present. Jeff Greenman, Chairperson Planning and Zoning Commission City of Crystal Lake (Published in the Northwest Herald on July 17, 2021)1902384

ROSEDALE



existing Roof

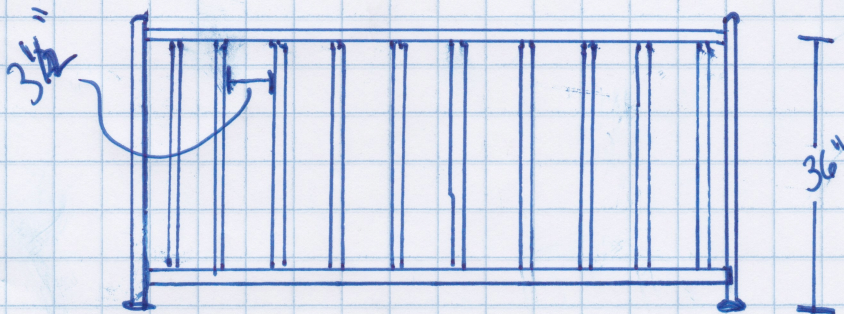
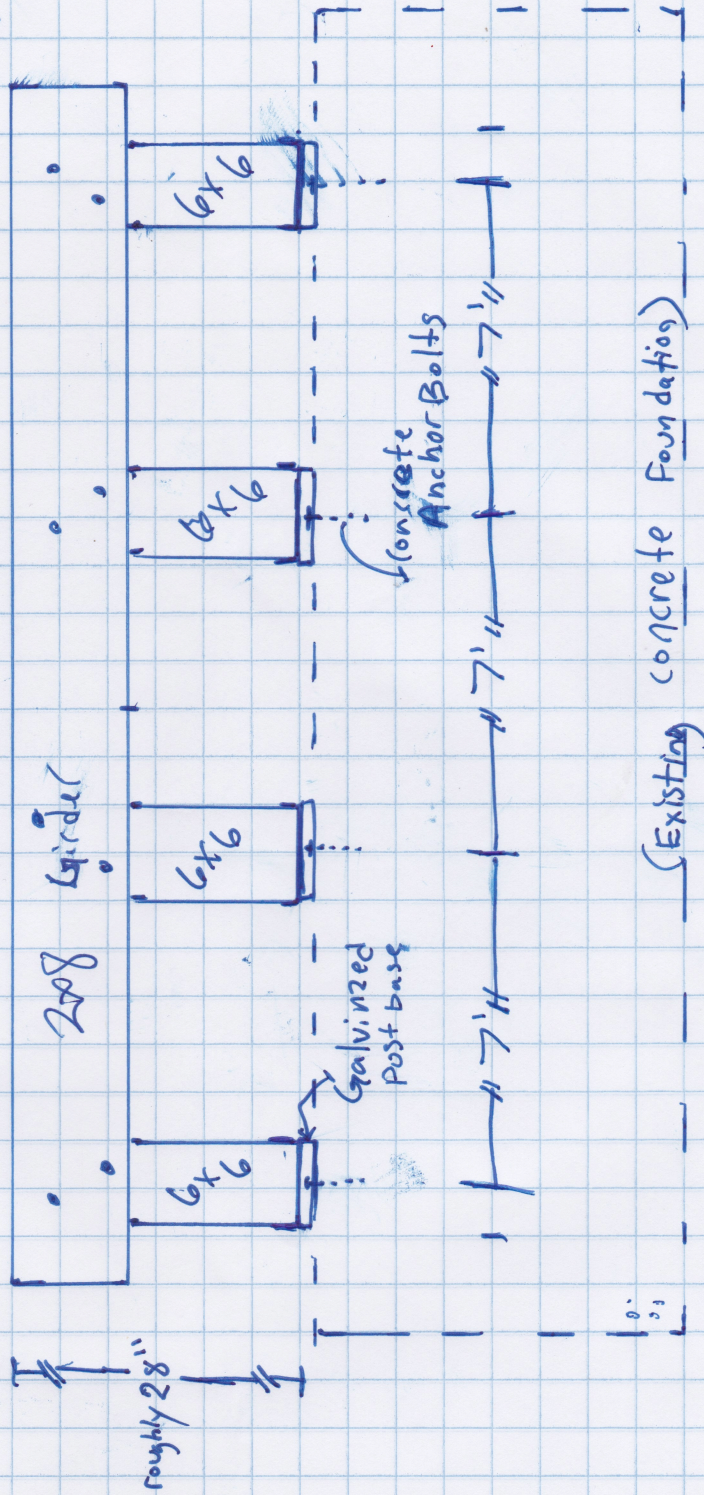
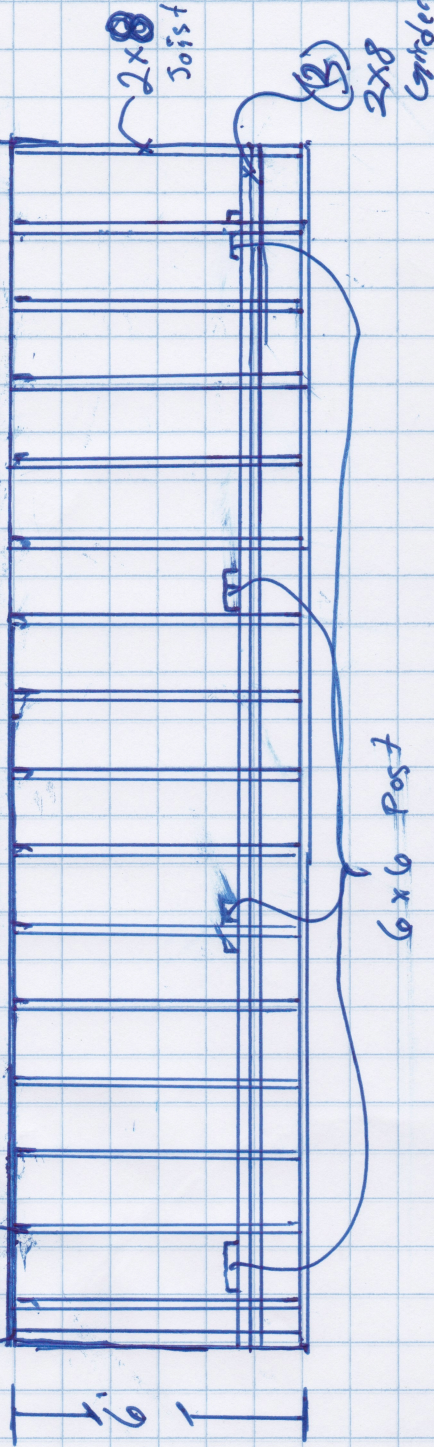
4'x4' landing



Steps leading
to Rosedale Ave
projecting roughly 40"

Plans Made by
A.L. CARPENTRY

Joist hangers at ledger board
24'



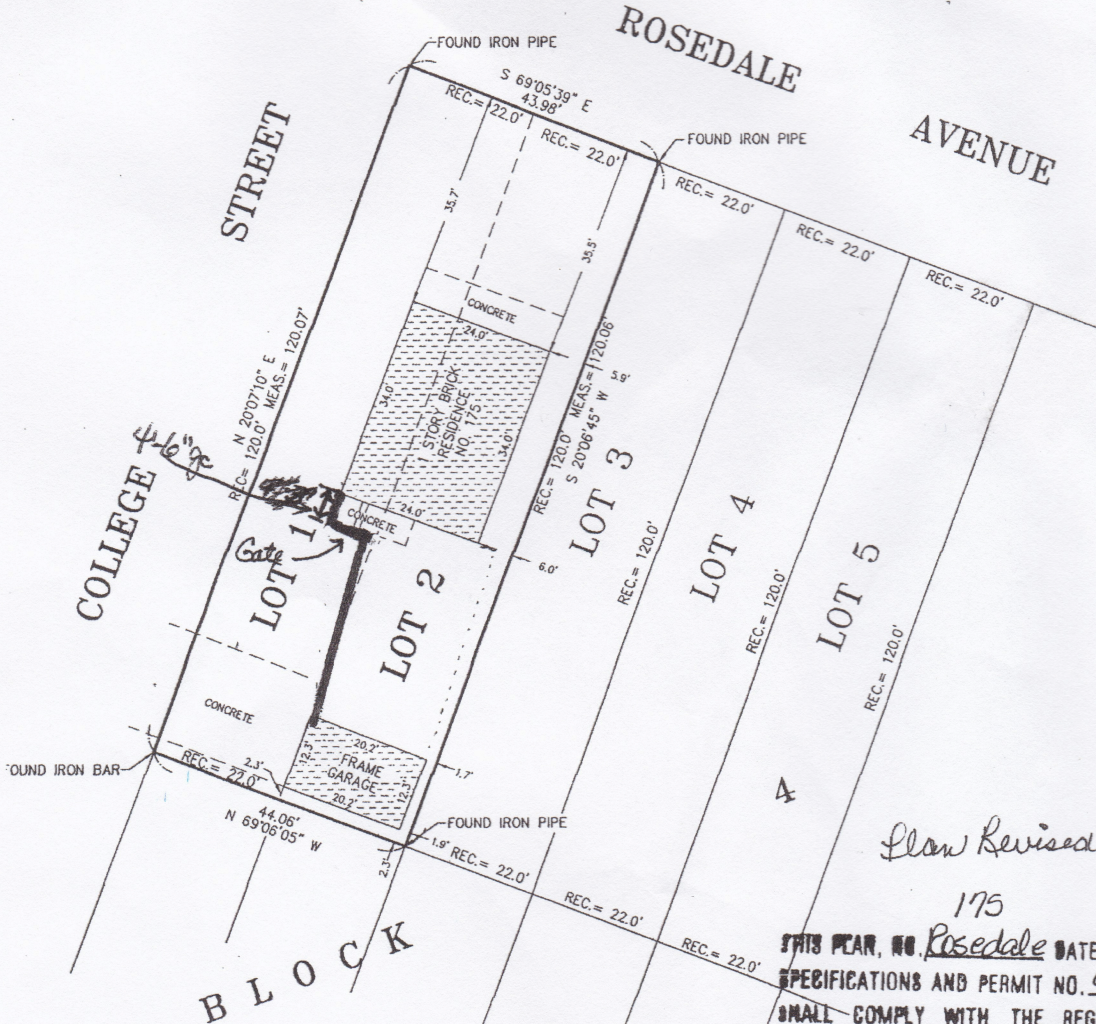
Hand Railing

* Aluminum Railing System

* Need to verify footing, There is a Roof overhanging this existing concrete pad below. It has existing support posts, leading to believe there is a sufficient footing.

PLAT OF SURVEY

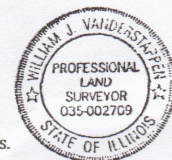
1 and 2 in Block 4 of Rose's East View Addition to Crystal Lake, according to the Plat thereof, recorded in the Recorder's Office, in Book 4 of Plats, page 66, said Addition being located in and being a part of Lots 5 and 52 of the Plat of Farms at Crystal Lake, according to the Plat thereof, recorded in said Recorder's Office in Book 22 of Deeds, page 1, and being a part of Section 5, Township 43 North, Range 8, East of the Third Principal Meridian, in McHenry County, Illinois.



Plan Revised 6/14/99

175

THIS PLAN, NO. Rosedale DATED 6/11/99
SPECIFICATIONS AND PERMIT NO. 99-0814
SHALL COMPLY WITH THE REGULATIONS AS
SET FORTH IN THE CITY OF CRYSTAL LAKE
CODES AND ORDINANCES. BY: K/S/ DATE: 6/11/99
gc



STATE OF ILLINOIS)
COUNTY OF McHENRY) S.S.

I hereby certify that we have surveyed the premises above described, and that the plat hereon is a true representation of the said survey and have inspected the FLOOD INS. RATE MAP, COMMUNITY PANEL NO. 170476 0001C, dated SEPT. 4, 1985, and have determined that the subject property is located within Zone(s) C AREA OF MINIMAL FLOOD HAZARD

Dated at Woodstock, McHenry County, Illinois, 5/30, AD., 1996.

VANDERSTAPPEN SURVEYING, INC.

By: William J. Vanderstappen
Illinois Registered Land Surveyor
No. 2709



CLIENT: MR. CARL METZ
DRAWN BY: WJV CHK'D BY:
SCALE: 1"=20' SEC. 5 T. 43 R. 8 E.
JOB NO.: 960283 FLD. BK. 7 PAGE 57
ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF
CORRECTED TO 68° F.

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.
Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.