



#2022-46 241 Edgewater Drive – Variation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	April 6, 2022
<u>Request:</u>	Variation from Article 3 Front Yard Setback to allow a 5-foot extension to a deck, which will encroach 11.2 feet into the required 71.2-foot front yard setback.
<u>Location:</u>	241 Edgewater Drive
<u>Acreage:</u>	Approximately 8,900 square feet
<u>Existing Zoning:</u>	R-2 Single Family
<u>Surrounding Properties:</u>	North: R-2 Single Family South: R-2 Single Family East: R-2 Single Family West: R-2 Single Family
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

- The property is an existing single-family residential lot on Crystal Lake.
- The lot is unique because lots along the lake are subject to an average setback for the front yard (yard abutting the lake). In this instance the average setback is 71.2 feet back from the lake. This is more than three times what a typical rear yard setback for a standard residential home.
- The house was constructed with a different average setback and the open deck was permitted to encroach 4 feet into that setback. Setbacks change based on the homes near the property, so the new average is farther from the lake, which causes more of the deck to be in the setback.

Development Analysis:

General

- **Request:** The petitioner is requesting a variation from the averaged front yard setback of 71.2 feet for a portion of the deck to encroach 11.2 feet.
- **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:

- The front yard setback was calculated to be 71.2 feet from the lake. This is based off the average setback of the homes within 400 feet.
- The extension of the deck is a small area to create a more standard shape area for better usage.

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: Provide for a reasonable rate of residential growth, especially infill growth and mixed-use development which take advantage of existing City services.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3 to allow a deck extension, which will encroach 11.2 feet into the required 71.2-foot front yard.

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 (Meyer, received 03/15/22)
 - B. Site Plan (Meyer. undated, received 02/11/21)
2. The deck shall remain unroofed and open on all sides.
3. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ MAP
241 Edgewater Drive



Application for Simplified Residential Variation

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

I. Applicant

Gerry Meyer

Name

241 Edgewater Drive

Street

Crystal Lake

IL

60014

City

State

Zip Code

815-790-5956

gerry@riosmeyer.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: 241 Edgewater Drive, Crystal Lake, IL 60014
- b. PIN #: 18-01-176-004

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:

241 Edgewater Drive is unique in that the shoreline is not perpendicular to the property but instead cuts inward on the North side of the shoreline. My aging parents live with us many months of the year and require the use of a wheelchair on a daily basis. The current deck does not allow sufficient space (minimum 60 inches diameter outlined in the 2018 Illinois Accessibility Code) for a wheelchair to turn around, when a modest table and chairs for eating are on the deck. The proposal is to extend a portion of the deck an additional 5ft to give adequate area for those physically impaired to maneuver and enjoy the deck outdoor space.

IS THE HARDSHIP SELF-CREATED?

No

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

No

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 impact to neighboring properties. Line of site to the lake remains unchanged.

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

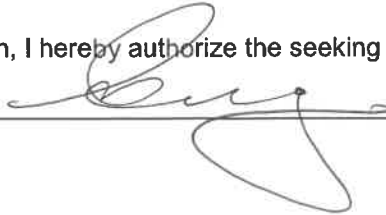
IV. Signatures

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.

Gerry Meyer



3/28/22

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 Gerry Meyer

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 Gerry Meyer for approval of variations allowing the extension of the deck at the following real estate known as 241 Edgewater Drive, Crystal Lake, Illinois 60014, PIN: 18-01-176-004.

This application is filed for the purpose of seeking Simplified Residential Zoning Variations from the 71.2-foot front yard setback to encroach 11.2 feet for a deck, and any other variations as noted at the public hearing 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, April 6, 2022, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

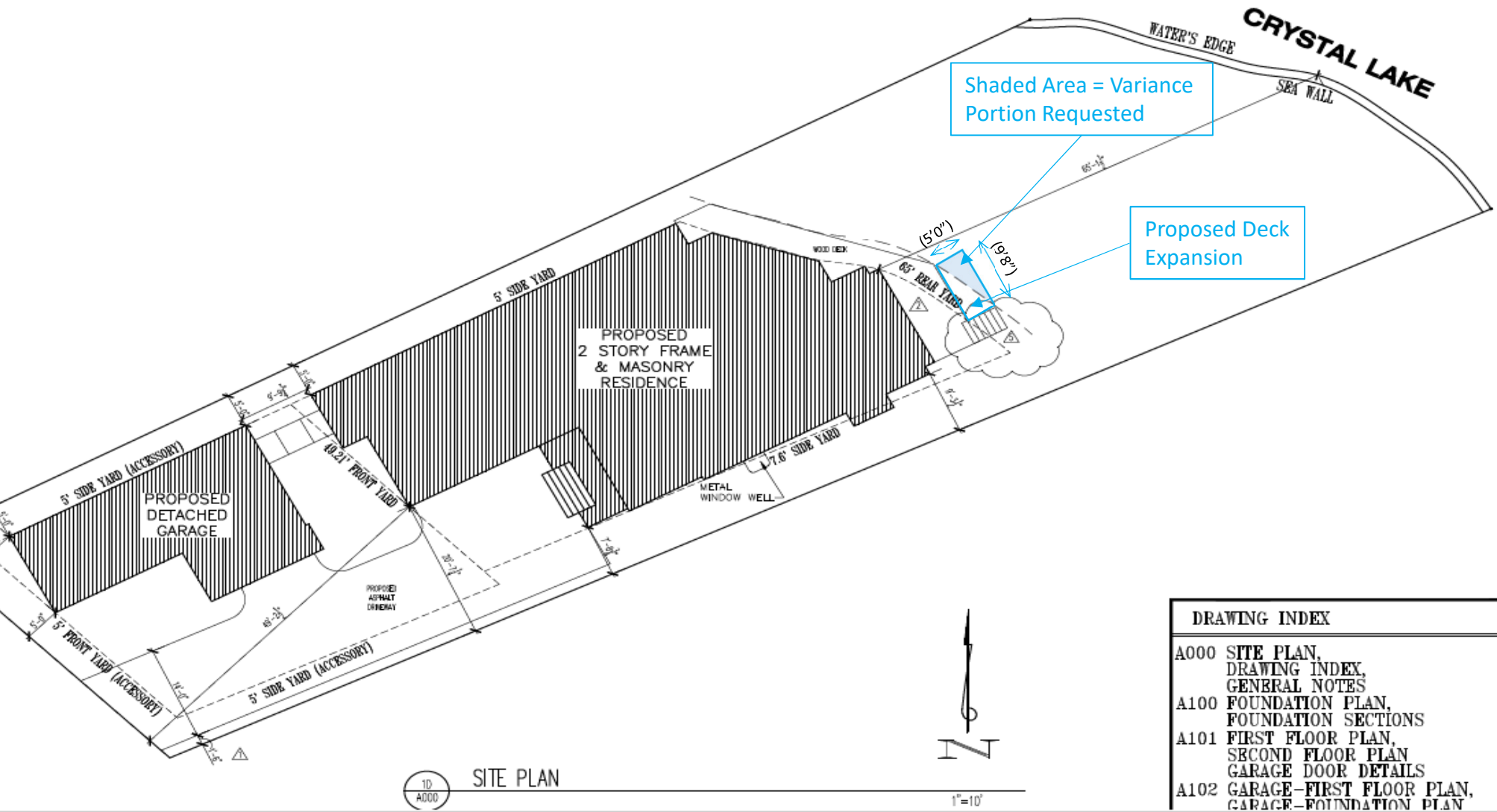
Jeff Greenman,
Chairperson Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald on March 18, 2022)1967969

MEYER RESIDENCE

241 EDGEWATER DRIVE

CRYSTAL LAKE, IL 60014



DRAWING INDEX	
A000	SITE PLAN, DRAWING INDEX, GENERAL NOTES
A100	FOUNDATION PLAN, FOUNDATION SECTIONS
A101	FIRST FLOOR PLAN, SECOND FLOOR PLAN, GARAGE DOOR DETAILS
A102	GARAGE-FIRST FLOOR PLAN, GARAGE-FOUNDATION PLAN



Proposed Deck
Expansion