



#2022-135
267 Dole Avenue – Simplified Residential Variation
Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	July 20, 2022
<u>Requests:</u>	Simplified Residential Variation from Article 4-600 Simplified Residential Variation from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet
<u>Location:</u>	267 Dole Avenue
<u>Acreage:</u>	Approximately 29,000 square feet
<u>Existing Zoning:</u>	R-2 – Single-Family Residential
<u>Surrounding Properties:</u>	North: RE – Residential Estate South: RE – Residential Estate East: R-2 – Single-Family Residential West: R-2 – Single-Family Residential
<u>Staff Contact:</u>	Katie Rivard (815.356.3612)

Background:

- **Existing Use:** The subject property is currently improved with a single-family residence and detached garage.

Development Analysis:

General:

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

Request Overview:

- The petitioner is requesting to replace the existing detached garage that was significantly damaged in a fire. The petitioner would like to use the existing foundation, which is setback 4.67 feet from the interior side lot line.
- The UDO requires detached garages, 600 square feet or less, to be setback a minimum of 5 feet from the interior side and rear lot lines.

- The detached garage is approximately 536 square feet. The garage appears to meet the UDO's maximum height of 15 feet from grade to the midpoint of the gable. It is approximately 18 feet overall and approximately 13 feet from grade to the midpoint of the gable.
- The detached garage will have similar building colors of existing residence.
- The subject property is at the intersection of Dole Avenue and Lake Shore Drive. It is adjacent to Main Beach Park. Detached garages near the property line are common in this neighborhood.



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: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioners are requesting a Simplified Residential Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet.

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 petitioners' request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Freese, dated 06/10/2022, received 06/17/2022)
 - B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
 - C. Foundation Plan (Freese, received 06/17/2022)
 - D. Elevations (Freese, received 06/17/2022)
2. The detached garage should match the existing exterior house in material, color, and style of roof.
3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.
4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

PIQ Map
267 Dole Avenue





**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: John Freese

Address: 267 Dole Ave

Crystal Lake FL 60014

Phone: _____

E-mail: _____

Project Name & Description: _____

Garage reconstruction after

Fire had done significant damage

Project Address/Location: 267 Dole Ave

Signature

John Freese  6-10-2022

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
John Freese

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 John Freese for a Simplified Residential Variation, relating to the property at 267 Dole Avenue in Crystal Lake, Illinois 60014. PIN: 19-06-401-002.

This application is filed for the purpose of seeking a Simplified Residential Variation from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet, and any other changes as presented at the hearing, pursuant to Article 3, Article 4 and Article 9. Plans for this project can be viewed at the Crystal Lake Community Development Department 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, July 20, 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

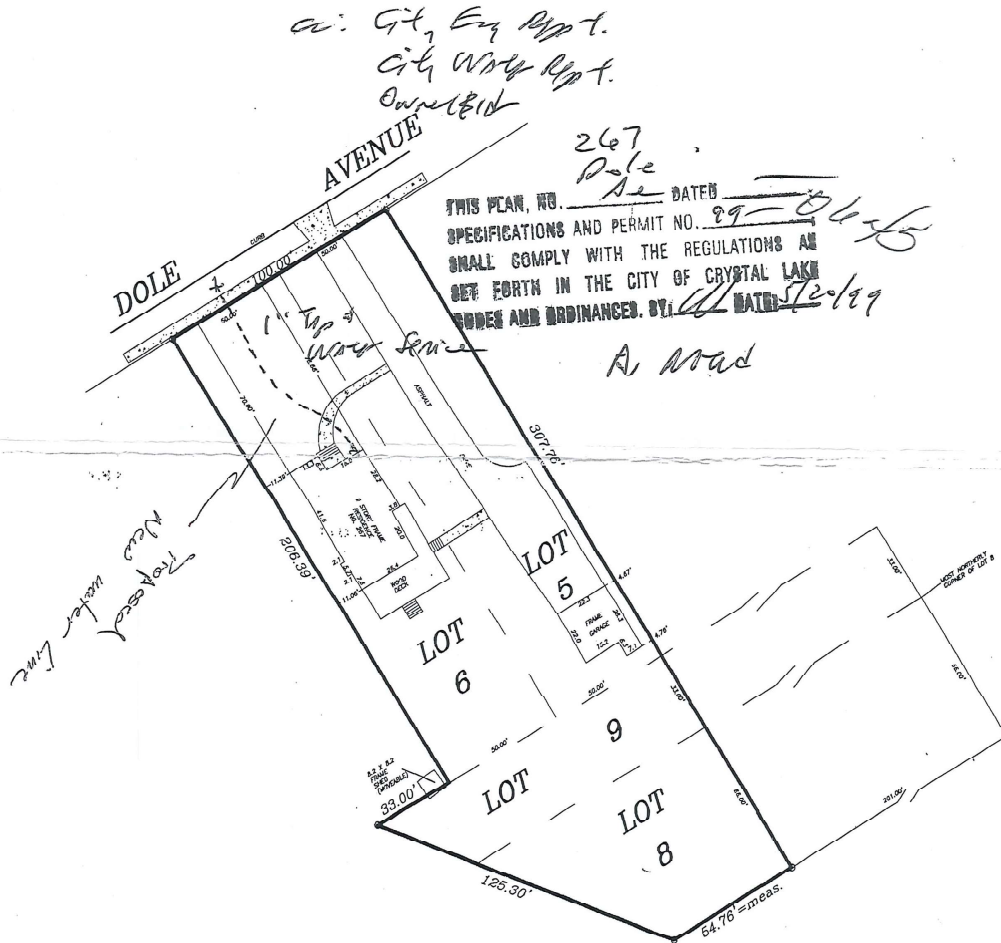
(Published in the Northwest Herald on July 2, 2022)

Plat of Survey



PARCEL 1: LOTS 5 AND 6 IN THE SUBDIVISION OF LOT 9 IN BLOCK 2 OF PIERSON'S ADDITION TO CRYSTAL LAKE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER AND GOVERNMENT LOT 1 OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 20, 1945 AS DOCUMENT NO. 185972 IN BOOK 10 OF PLATS, PAGE 21, IN MCHENRY COUNTY, ILLINOIS.

PARCEL 2: PART OF LOTS 8 AND 9 IN BLOCK 2 OF PIERSON'S ADDITION TO THE CITY OF CRYSTAL LAKE, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 8; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE THEREOF, 66 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE NORTHWESTERLY LINE OF SAID LOT 8, 201.0 FEET TO THE PLACE OF BEGINNING; THENCE NORTHWESTERLY PARALLEL TO THE NORTHEASTERLY LINES OF SAID LOTS 8 AND 9, 99 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE SOUTHEASTERLY LINE OF SAID LOT 9 TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINES OF SAID LOTS 8 AND 9, 125.3 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE TO THE PLACE OF BEGINNING, SAID ADDITION BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 1868 IN BOOK 43 OF DEEDS, PAGE 303, IN MCHENRY COUNTY, ILLINOIS.



*as: City Eng Dept.
City Water Dept.
Owned*

THIS PLAN, NO. 267 DATED 12/2/99
 SPECIFICATIONS AND PERMIT NO. 29-0645
 SHALL COMPLY WITH THE REGULATIONS AS
 SET FORTH IN THE CITY OF CRYSTAL LAKE
 CODES AND ORDINANCES. BY [Signature] DATE: 12/2/99
 A road

NOTE: FOR BUILDING LINES AND EASEMENTS, REFER TO ABSTRACT OF TITLE FOR POSSIBLE ADDITIONAL EASEMENTS, COVENANTS, RESTRICTIONS OR OTHER ENCUMBRANCE UPON SUBJECT PROPERTY. REFER TO VILLAGE, CITY OR COUNTY CODES FOR FRONT, SIDE AND/OR REAR BUILDING SETBACK RESTRICTIONS.

NOTE: ACCORDING TO FIRM MAP, COMMUNITY PANEL NO. 170476-0001.C EFFECTIVE SEPT. 4, 1985 THIS PROPERTY DOES FALL WITHIN A FLOOD HAZARD AREA. IN ZONE A2. FLOOD ELEV. = 893.0'

ORDERED BY CLARK - MOEHLMANN
 ORDER NO. 981009



Scale 1" = 50'

Iron stakes set
 Iron stakes found
 Distances are given in feet & decimals

DIMENSIONS OR ANGLES ARE NOT TO BE ASSUMED FROM SCALING.

DATE: NOVEMBER 2, 1998

STATE OF ILLINOIS, }
 COUNTY OF MCHENRY } SS

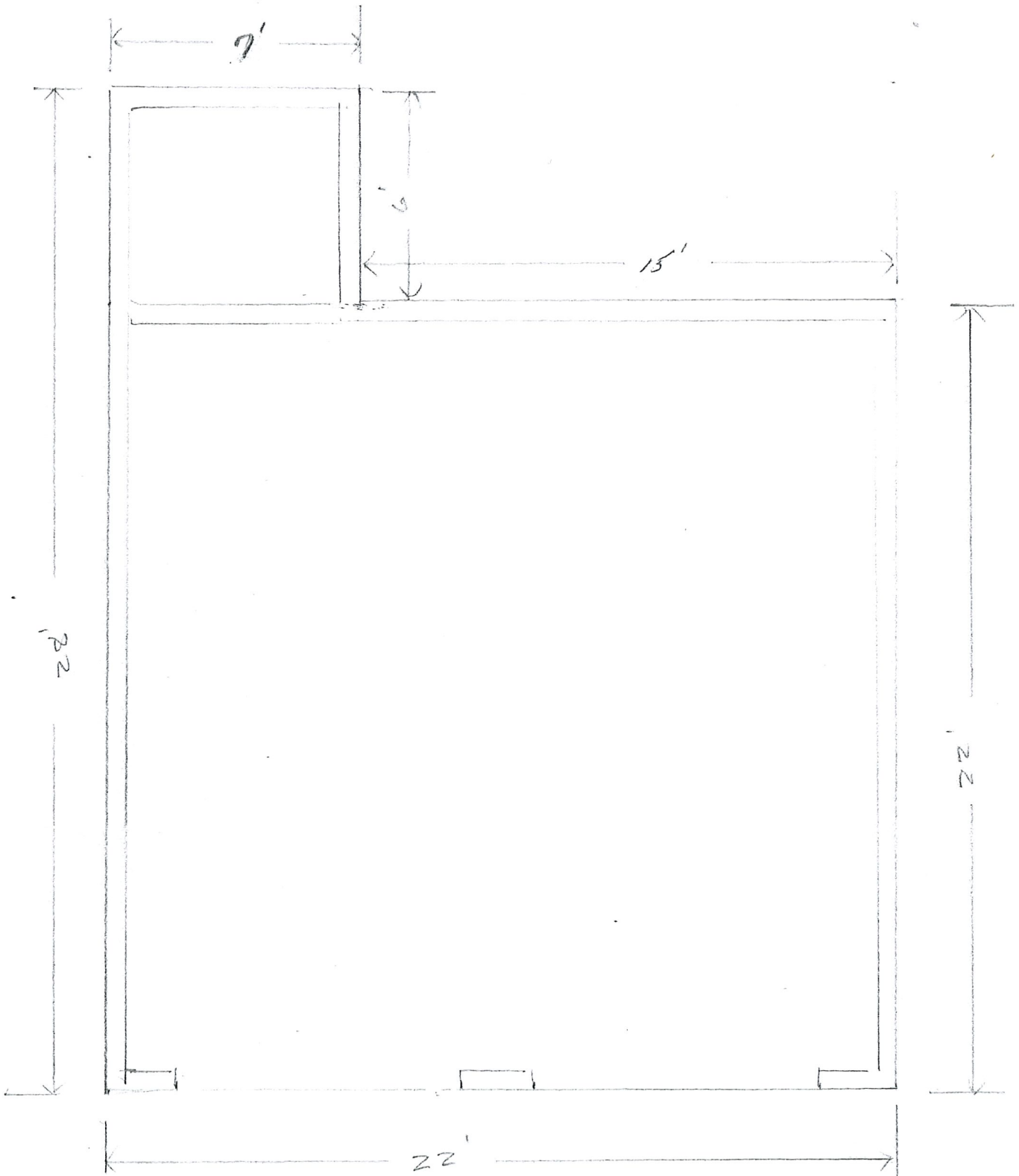
This is to certify that we have surveyed the above described property according to the Official Record, and the above plat correctly represents said survey.

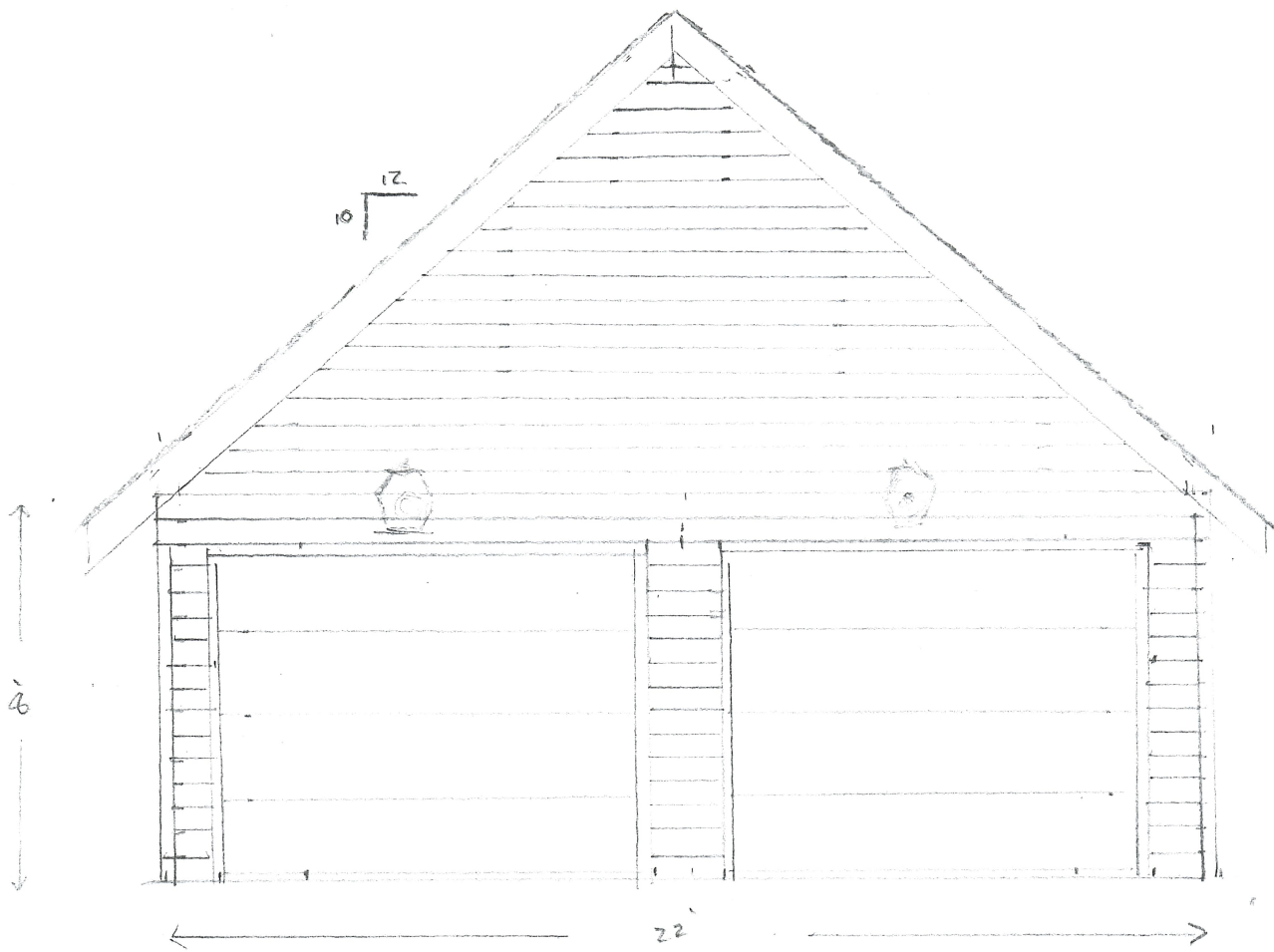
[Signature]
 ILL. PROF. SURVEYOR NO. 2076

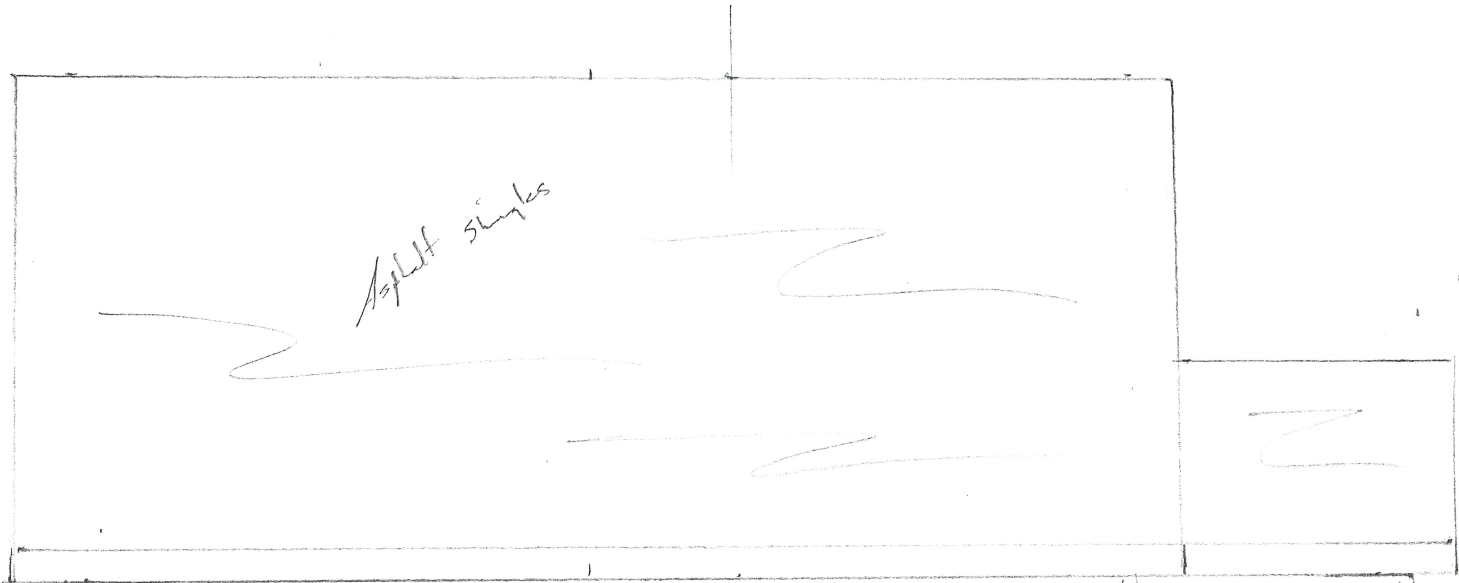
RLS LAND SURVEYORS
 405 MENGE ROAD
 MARENGO, IL. 60152
 (815) 943-5490

AT TIME OF SURVEY, SURVEYOR WAS NOT PROVIDED TITLE REPORT FOR THIS PROPERTY.
 Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

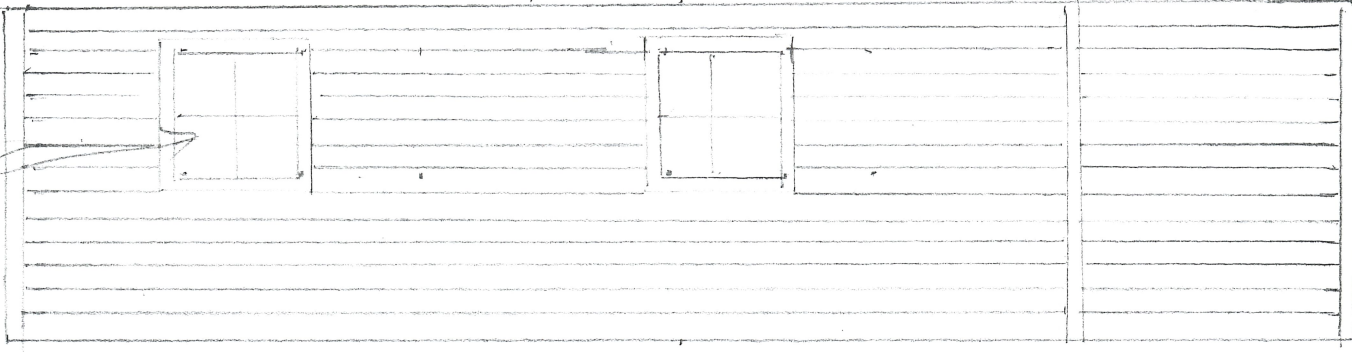
Existing Concrete Foundation

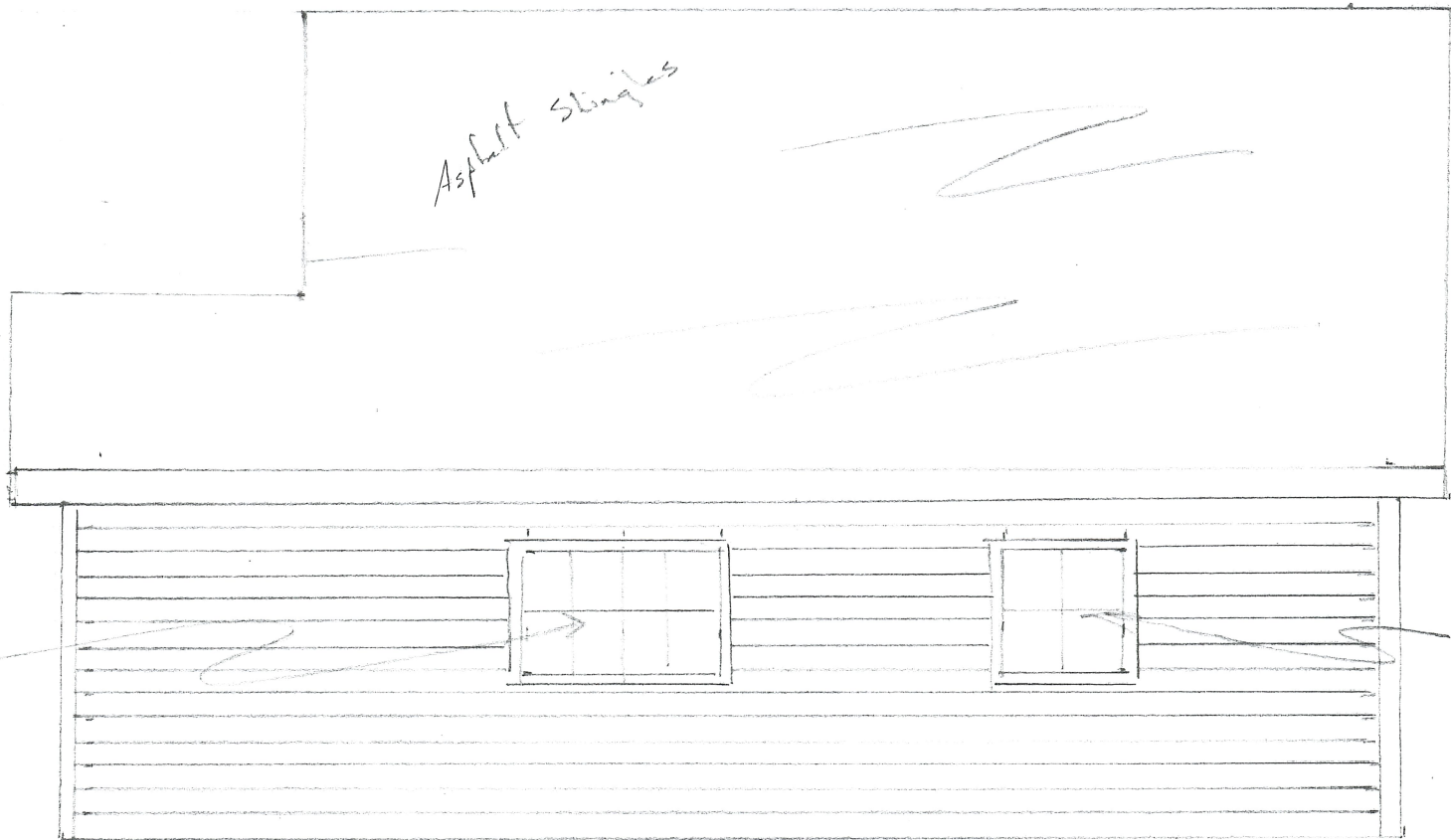






Windows
Approx
30x30

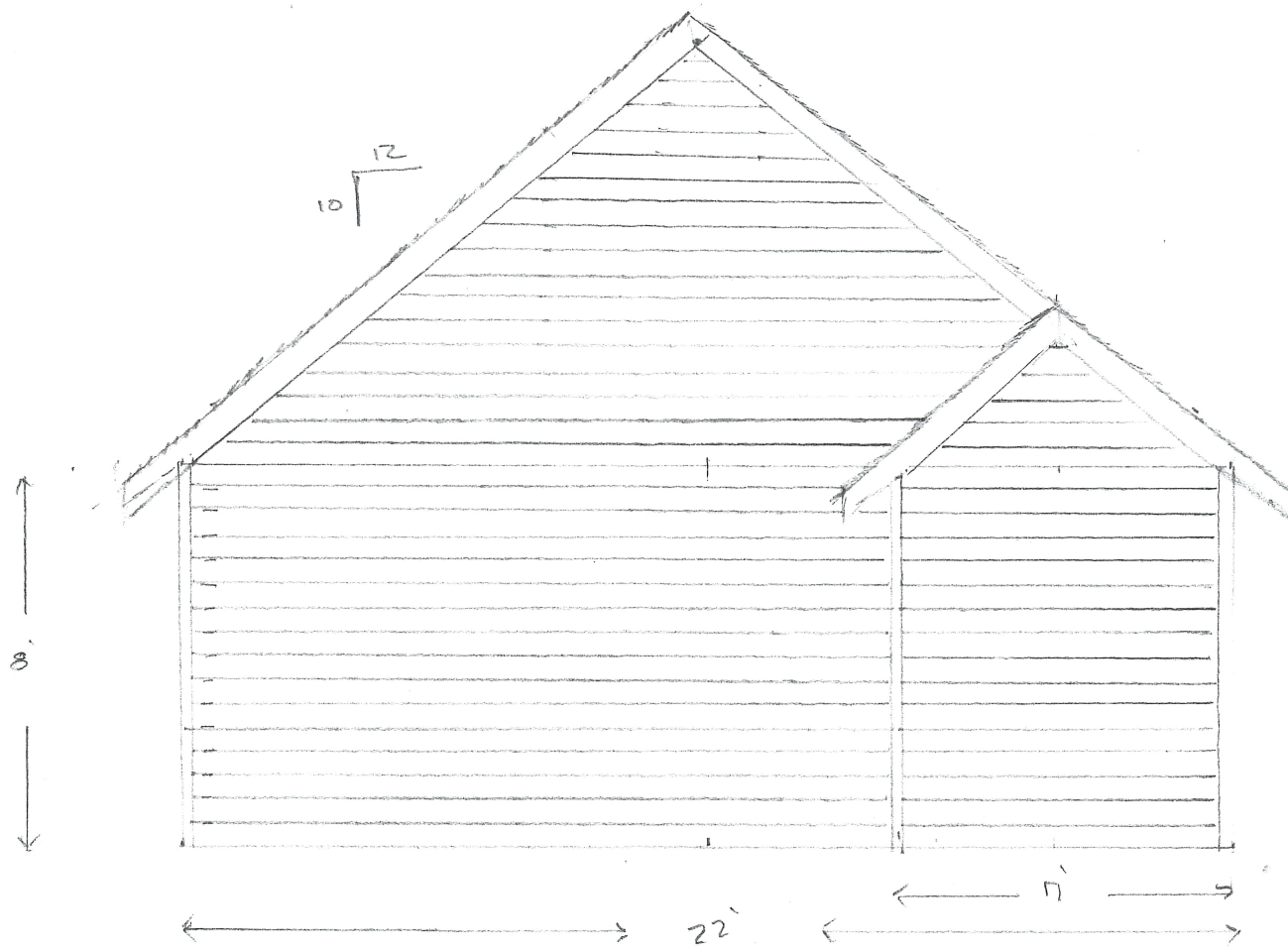


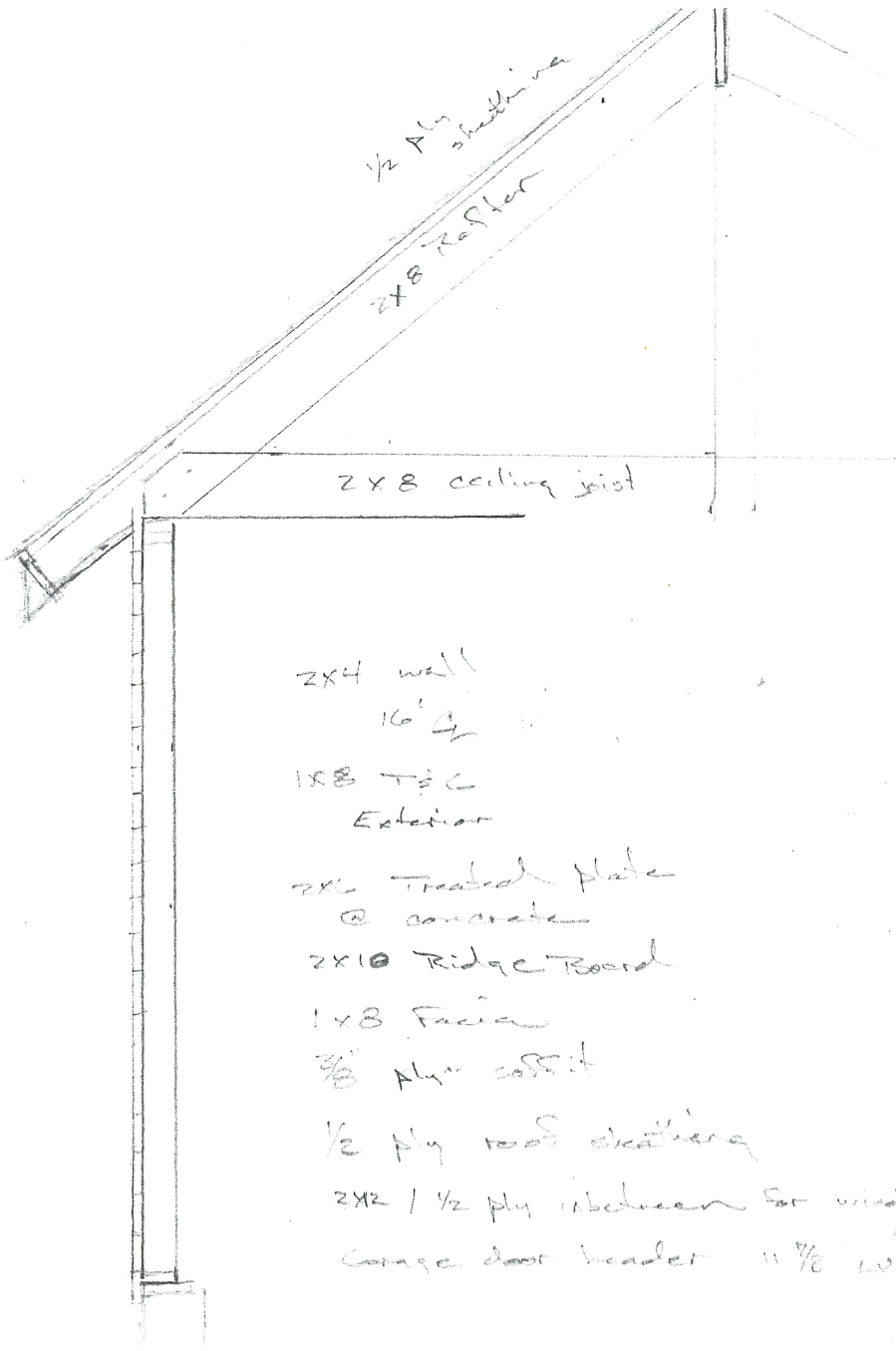


Asphalt shingles

window
Approx
30 x 48

window
Approx
30 x 30





1/2 Ply sheathing

2x8 Rafter

2x8 ceiling joist

2x4 wall
16' L

1x8 T&C
Exterior

2x6 treated plate
@ concrete

2x10 Ridge Board

1x8 fascia

3/8" Ply sheath

1/2 ply roof sheathing

2x2 1/2 ply inbetween for window/door
headers

concrete door header 11 1/8 LVL (2 each)