

## #2022-116 123 Edgewater Drive – Variations Project Review for Planning and Zoning Commission

Meeting Date: August 17, 2022

**Requests:** 

- 1. Variation from Article 3 Density and Dimensional Standards
  - a. Section 3-200 from the maximum building coverage of 40% to allow 47% coverage, a variation of 7% or 688 square feet
  - b. Section 3-200 from the maximum impervious surface coverage of 50% to allow 57%, a variation of 7% or 688 square feet
  - c. Section 3-200 from the required 7-foot interior side yard to allow 2 feet 10 inches, a variation of 4 feet 2 inches
  - d. Section 3-200 from the required combined total side yard setbacks of 18 feet to allow 12 feet, a variation of 6 feet
  - e. Section 3-300 3 from the required 71.68-foot front yard setback to allow 13.83 feet, a variation of 57.85 feet
  - f. Section 3-300 from the required 21.2-foot yard abutting a street setback to allow 11.2 feet, a variation of 10 feet

## 2. Article 7 Non Conformities

- a. Section 7-300 B to allow the enlargement of a nonconforming structure to allow the addition to the house increasing the footprint and the volume
- b. Section 7-300 B to allow the enlargement of a nonconforming structure to allow the connection of the garage to the house and increase in volume to install a second story

**Location:** 123 Edgewater Drive

**Acreage:** Approximately 9,978 square feet

**Existing Zoning:** R-2 Single Family

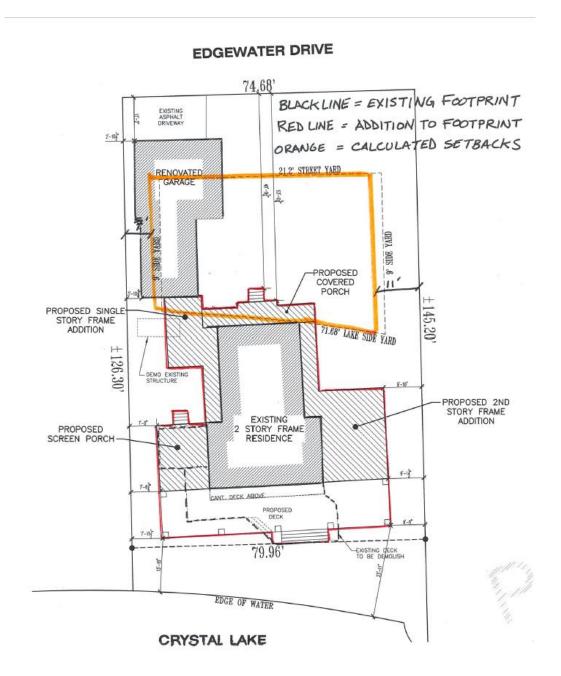
**Surrounding Properties:** North: R-2 Single Family

South: R-2 Single Family
East: R-2 Single Family
West: R-2 Single Family

**Staff Contact**: Elizabeth Maxwell (815.356.3615)

## **Background:**

- The current property is a conforming lot with a non-conforming single-family home.
- Setbacks for properties in existing neighborhoods are determined by the average of the homes within 400 feet. The average setbacks have come out to 21.2 feet along the street and 71.68 feet along the lake. The existing footprint of the house is in the front yard setback.
- There are a significant number of variation requests as outlined on the first page of the report. The buildable area for the lot is highlighted in orange below.



## **Development Analysis:**

#### General

- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family home.
- <u>Land Use</u>: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.

## **Project Analysis:**

## SITE PLAN

- The existing house footprint is 1,735 square feet. An additional 1,137 square feet is proposed, the majority of which is proposed in the front yard setback.
- The existing floor plan will be remodeled and two large wings at the south end of the lot will be added for a great room and a screened porch. These two wings double the frontage of the home fronting the lake.
- A full deck is proposed along the length of the lake front side of the home projecting 12 feet out and then an additional four feet for the stairs.
- In order to add a second story to the garage, the petitioner is attaching it to the principal structure. The existing garage does not meet the principal or accessory structure setbacks. Attaching it to the principal structure requires it meet the minimum seven-foot side yard setback for the principal structure.
- Variations from building coverage and impervious surface coverage are being requested due to the additions. The deck is included in these calculations.

## **ELEVATIONS**

- The street side elevation features a stone faced raised porch. Decorative features have been added under the peaked roofs.
- The lake side elevation, also features the stone column raised deck and the decorative elements under the peaked roof. A second deck extends out from the second story.
- A second story with projecting dormers is proposed for the garage portion of the structure.

## STORM WATER

- Complete engineering plans are required as part of the house permitting process in order determine the storm water and infiltration improvements required. The petitioner will need to satisfy engineering review comments before a building permit can be issued. Staff has identified the following items that will need to be addressed as part of the design:
  - There is a relatively large area of land upstream of the property that drains through the east side of the property. The petitioner will have to hire a Licensed Professional Engineer to prepare the grading plan for the property and to design an adequate storm water management infrastructure to accommodate and properly convey this offsite water along the east side of the property for a 100-year storm event. It is

likely that this infrastructure will take the form of a swale or storm sewer and infiltration trenches. The swale will likely encompass the entire side yard on the east side of the home. Best Management Practices (BMP's) shall be required in the design of the swale. A "river rock" type swale may be required. The elevation of the house and garage shall be set to avoid any storm water being directed towards the doors of the new home or garage. Additional storm water features, such as additional trench drains may be required for this tributary flow.

- Trench drains will also be required to infiltrate 95% of the water from the new impervious on the lot. The roof drains will need to be tied into the trench drain. These trench drains will be in addition to any required to handle off-site flows.
- The area under the deck must be pervious. Weed fabric that allows water to infiltrate is allowed. Impervious fabric or vinyl plastic is not allowed. The deck will not be allowed to be covered.

## **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:** 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 Variations from Article 3 Density and Dimensional Standards from the maximum building coverage to allow 47% coverage, from the maximum impervious surface coverage to allow 57%, from the required 7-foot interior side yard to allow 2 feet 10 inches, from the required combined total side yard setbacks of 18 feet to allow 12 feet, from the required 71.68-foot front yard setback to allow 13.83 feet, from the required 21.2-foot yard abutting a street setback to allow 11.2 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, 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	
consider	ration 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.	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 adjacen property, will not unreasonably diminish or impair the property values of adjacen 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 (Parrish, received 07/06/22)
  - B. Architectural Plans (ALA, dated 07/01/22, received 07/06/22)
- 2. No additional impervious coverage is permitted anywhere on the lot.
- 3. No additional impervious coverage is permitted between the existing home and the water's edge. No fabric, plastic sheeting, etc shall be placed under the deck which causes it to become impervious. The deck shall not be covered.
- 4. Utilize an Illinios Registered Licensed Professional Engineer to prepare the grading plan for the property and to design an adequate storm water management infrastructure to accommodate and properly convey the offsite water along the east side of the property for a 100-year storm event.
- 5. Trench drains will be required to infiltrate 95% of the water from the new impervious on the lot. The roof drains will need to be tied into the trench drain. These trench drains will be in addition to any required to handle off-site flows.
- 6. The petitioner shall address all of the review comments and requirements of Community Development Department, the Public Works and Engineering Department, and the City's Stormwater Consultant.

PIQ Map 123 Edgewater Drive





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:	
Address:	
Phone:	
E-mail:	
Project Name & Description:	
Project Address/Location:	
Signature	
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 APPLICATION OF Tim Parrish

#### 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 Tim Parrish for approval of variations allowing the construction of additions to a residence and the connection and at the following real estate known as 123 Edgewater Drive, Crystal Lake, Illinois 60014, PIN: 18-01-139-003.

This application is filed for the purpose of seeking Simplified Residential Zoning Variations from the required 71.68-foot front yard setback to allow an encroachment of 57.85 feet, from the required 21.2-foot yard abutting a street to allow an encroachment of 10 feet, from the required 7-foot minimum side yard setback to allow an encroachment of 4 feet 2 inches, from the combined total side yards required to be 18 feet allowing the combined total of 12 feet, from the maximum 50% impervious surface coverage to allow 57% coverage, from the maximum building coverage of 40% to allow 47%, to allow the expansion of a non-conforming structure to increase the size, area and volume to the house and adding a second story to the garage portion, and any other variations as noted at the public hearing pursuant to Unified Development Ordinance Article 3, Article 4, Article 7, 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 17, 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

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