



**#2022-200**  
**285 N. Main Street – Simplified Residential Variation**  
**Project Review for Planning and Zoning Commission**

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|---------------------------------------|---|
| <b><u>Meeting Date:</u></b>           | October 5, 2022   |
| <b><u>Requests:</u></b>               | Simplified Residential Variation from Article 3-200 and Article 7-200 to allow a 15.25-foot front yard setback, a variation of 5.75 feet from the required 21-foot minimum front yard setback for a front porch addition. |
| <b><u>Location:</u></b>               | 285 N. Main Street  |
| <b><u>Acreage:</u></b>                | Approximately 9,708 square feet   |
| <b><u>Existing Zoning:</u></b>        | R-2 – Single-Family Residential   |
| <b><u>Surrounding Properties:</u></b> | North: R-2 – Single-Family Residential<br>South: R-2 – Single-Family Residential<br>East: R-2 – Single-Family Residential<br>West: RE Residential Estate (Veteran Acres Park)   |
| <b><u>Staff Contact:</u></b>          | Katie Rivard (815.356.3612)   |

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**Background:**

- **Existing Use:** The subject property is currently improved with a single-family residence.
- **UDO Requirements:** Non-conforming lots must provide 70% of the district standard for the setback requirements. The R-2 zoning district requires a minimum 30-foot setback for the front yard. Therefore, the front yard setback requirement is 21 feet for a non-conforming lot.

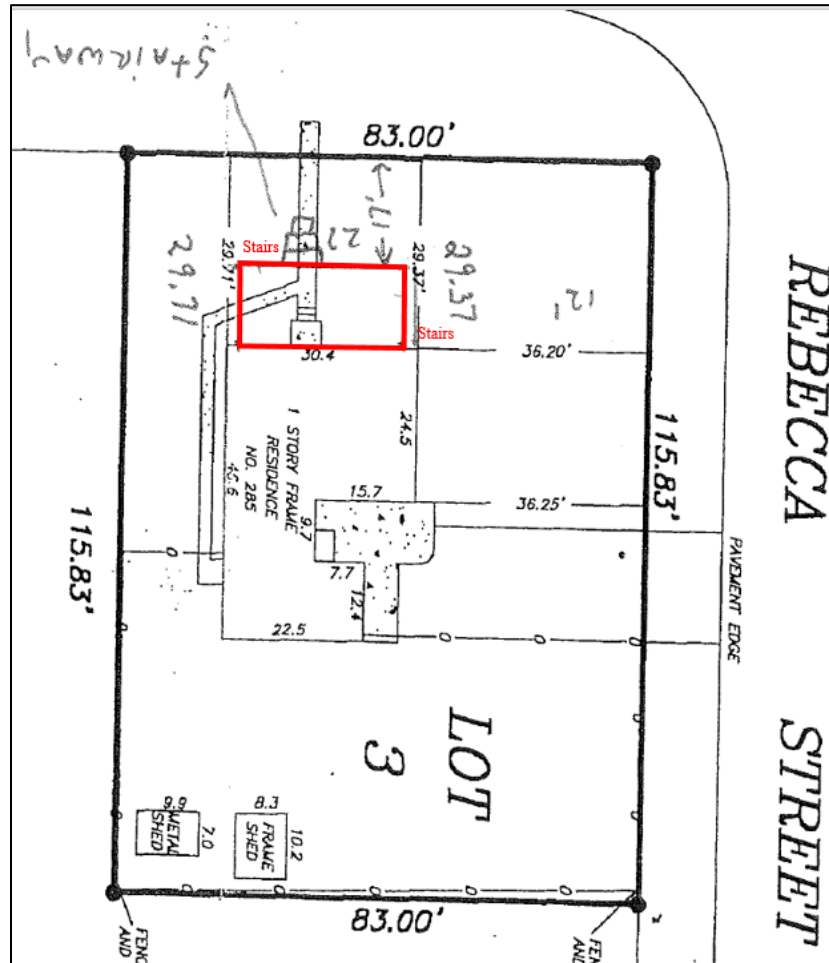
**Development Analysis:**

**General:**

- **Request:** The petitioner is requesting a variation to allow a 5.75-foot encroachment into the minimum required 21-foot front yard setback to allow a front porch addition.
- **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.

Request Overview:

- The petitioner is requesting to construct a new front porch that encroaches into the required 21-foot front yard setback. The principle structure is non-conforming as it is setback 29.79 feet.
- The proposed front porch is 12'x27' (324 square feet). The front stairs are five feet wide extend out an additional 33 inches. The side stairs are 4 feet wide and extend out an additional 33 inches, too.



- Non-enclosed covered structures that are attached to the house, such as a covered front porch, must meet the principal structure setbacks. Steps, stairs, porches, decks, etc. attached to a principal structure that are open to the sky are permitted to encroach four feet into the setback. The front porch is considered an enclosed structure due to the knee wall and roof. The petitioner would not be required to seek additional relief to fully enclose it with glass to make it a three season room.
- The design quality will complement and enhance the appearance of the home.

**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 petitioner is requesting a variation from Article 3-200 and Article 7-200 to allow a 15.25-foot front yard setback, a variation of 5.75 feet from the required 21-foot minimum front yard setback for a front porch addition. 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*

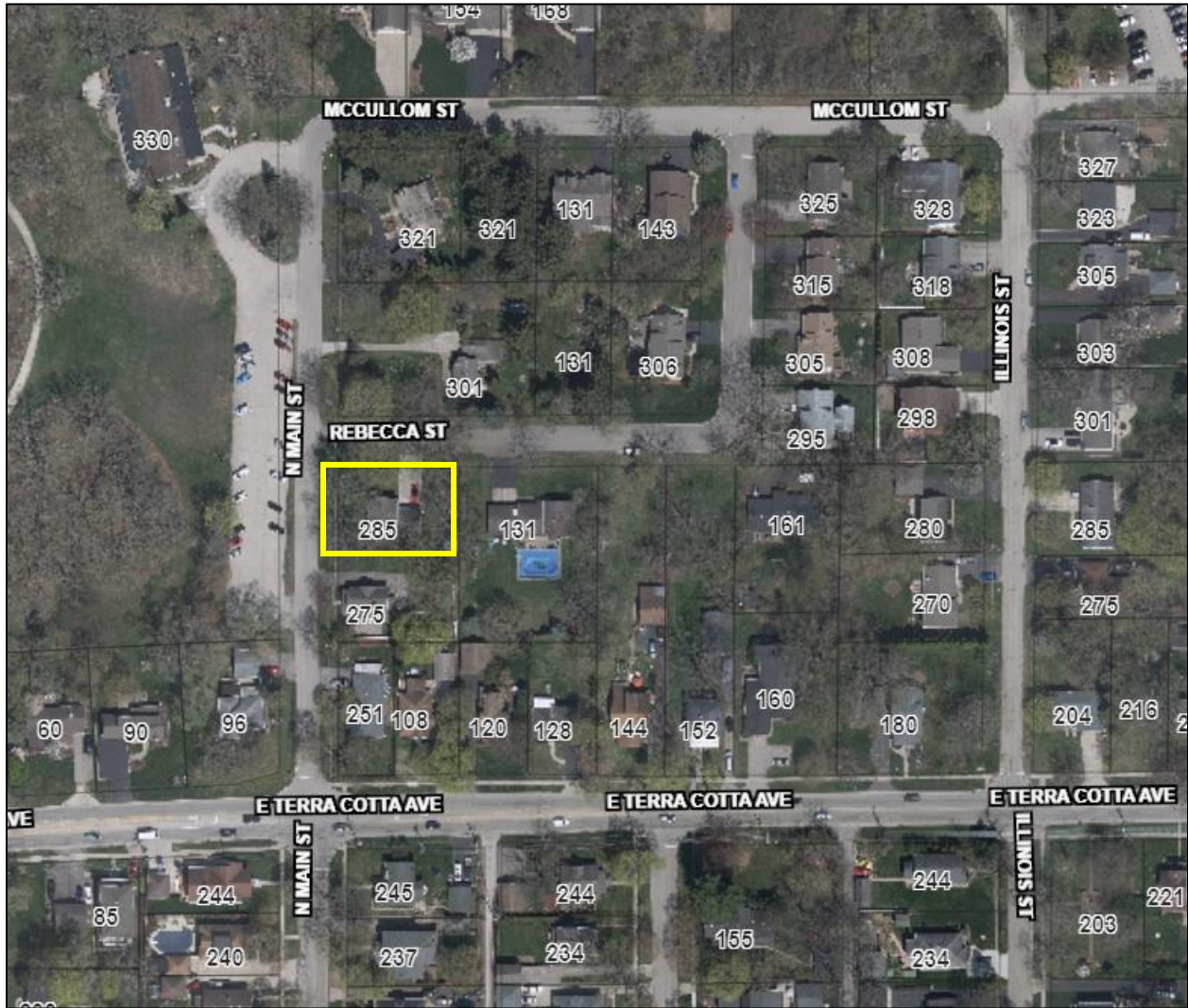
Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

**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 (Moritz, dated 08/24/2022, received 08/25/2022)
  - B. Site Plan (Moritz, received 08/25/2022)
  - C. Elevations (Moritz, received 08/25/2022)
2. The front porch shall complement the existing home with similar building materials and colors.
3. The petitioners shall address all of the review comments and requirements of the Community Development and Public Works and Engineering Departments.

PIQ Map  
285 N. Main Street





**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: Brian Moritz

Address: 285 N Main St. Crystal Lake, IL, 60014

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Project Name & Description: Screened Front Porch

Project Address/Location: 285 N Main St.

Signature

Brian Moritz

8/24/2022

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.

**Northwest Herald**

# NORTHWEST HERALD

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**McHenry**

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Notice Popular Keyword Category:

Notice Keywords:  
**moritz**

Notice Authentication Number:  
**202209211018077361788**  
**213731298**

Notice URL:

[Back](#)

Notice Publish Date:  
Tuesday, September 20, 2022

## **Notice Content**

PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE PETITION OF Brian Moritz 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 Brian Moritz for a Simplified Residential Variation, relating to the property at 285 N. Main Street in Crystal Lake, Illinois 60014. PIN: 14-33-153-001. This application is filed for the purpose of seeking a Simplified Residential Variation to allow a 15.25-foot front yard setback, a variation of 5.75 feet from the 21-foot minimum front yard setback for a covered front porch addition, and any other changes or variations 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, October 5, 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 September 20, 2022)2017621

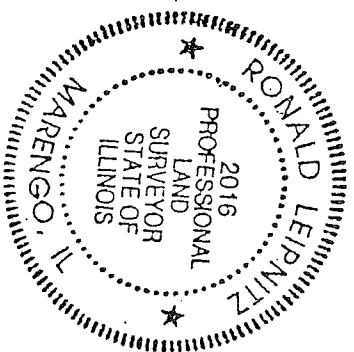
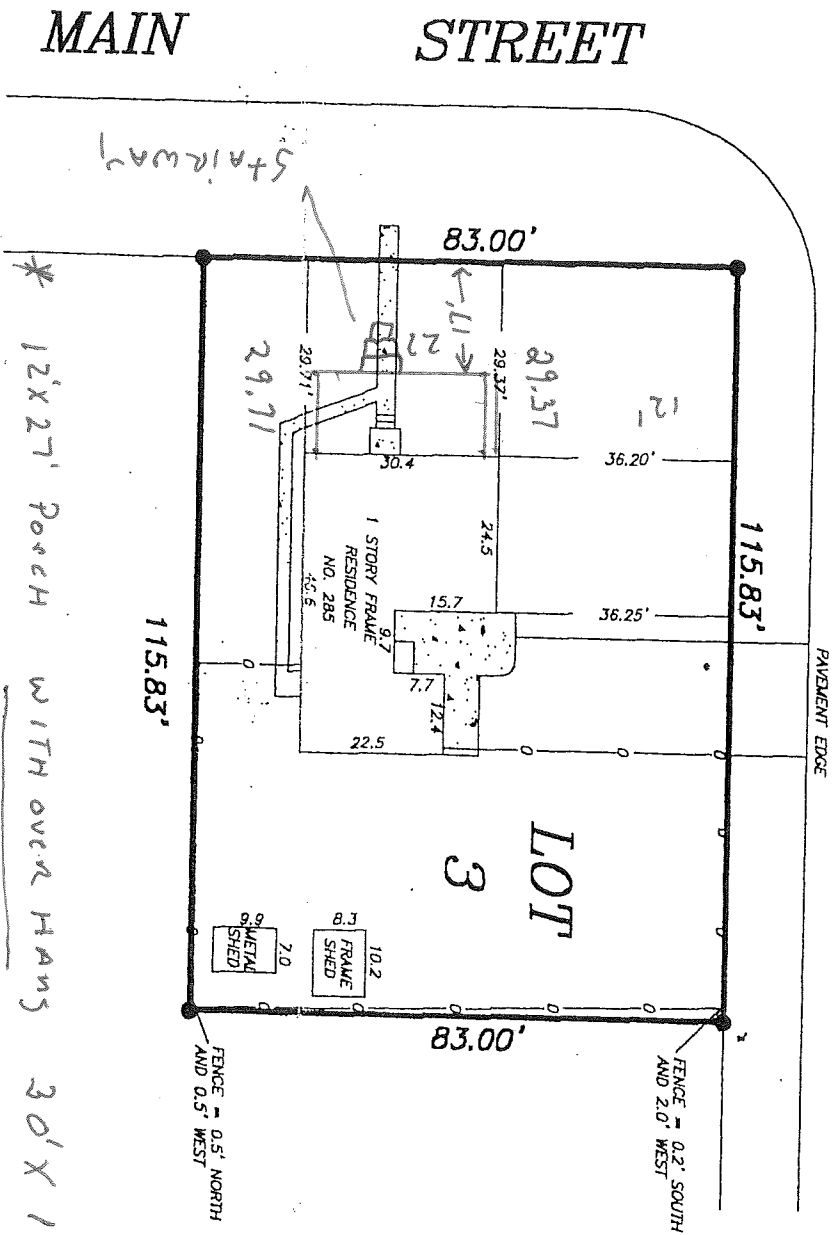
[Back](#)

# Plat of Survey

LOT 3 IN BLOCK 3 IN AURY W. MCCOLLUM'S ADDITION TO NUNDA, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 6, 1899 AS DOCUMENT NO. 7291, IN BOOK 1 OF PLATS, PAGE 76, IN MCHENRY COUNTY, ILLINOIS



REBECCA STREET



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. 170476-0002C EFFECTIVE SEPTEMBER 4, 1985 THIS PROPERTY DOES NOT FALL WITHIN A FLOOD HAZARD AREA.

Scale 1" = 30'

Iron stakes set

Iron stakes found

Distances are given in feet & decimals

DIMENSIONS OR ANGLES ARE NOT TO BE ASSUMED FROM SCALING.

ORDERED BY CLARK - BURKLIN

DATE: JUNE 23, 1998

ORDER NO. 9805128

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.

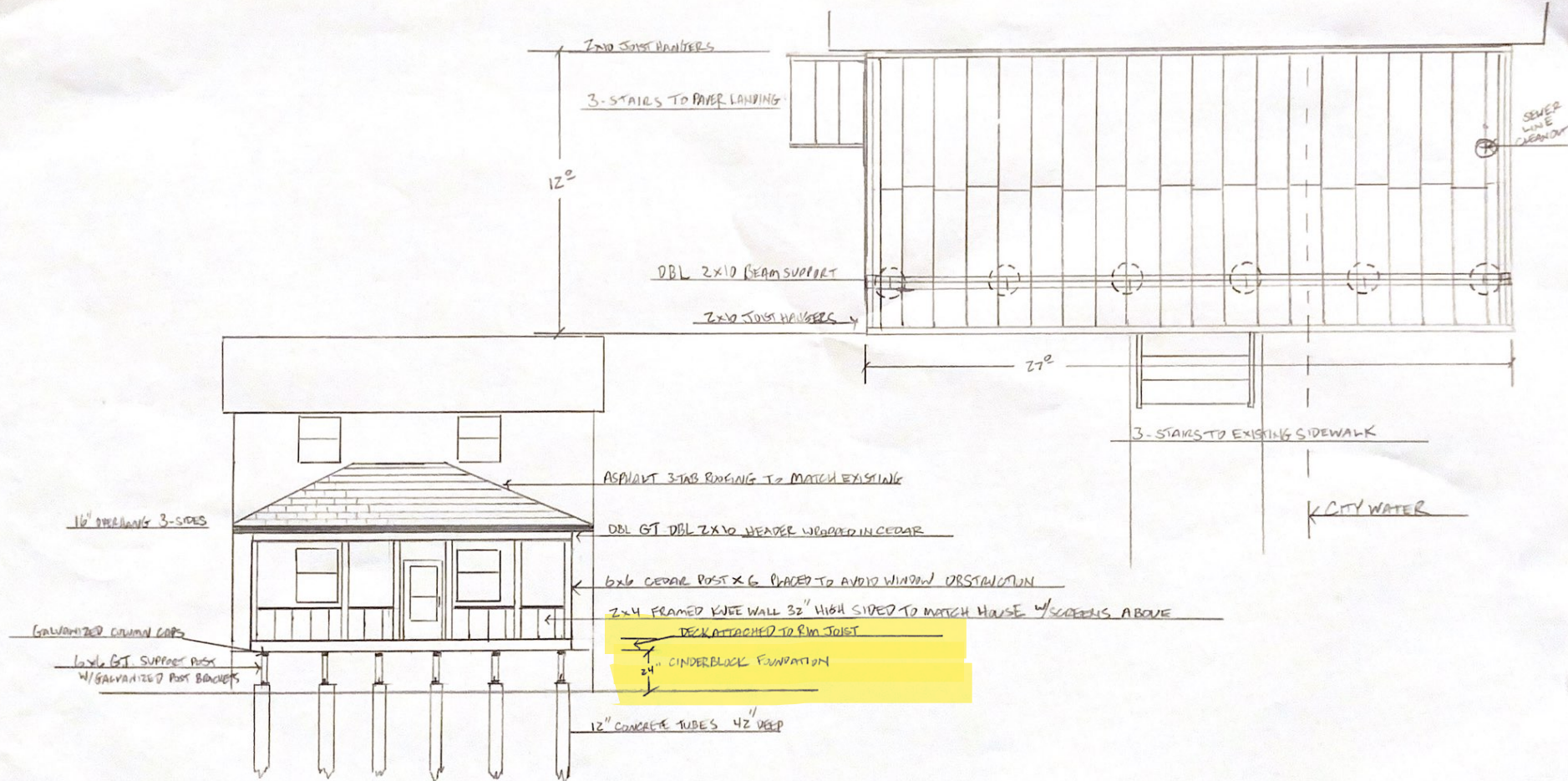
*Ronald LePnitz*  
ILL. PROF. SURVEYOR NO. 2016

R L S LAND SURVEYORS

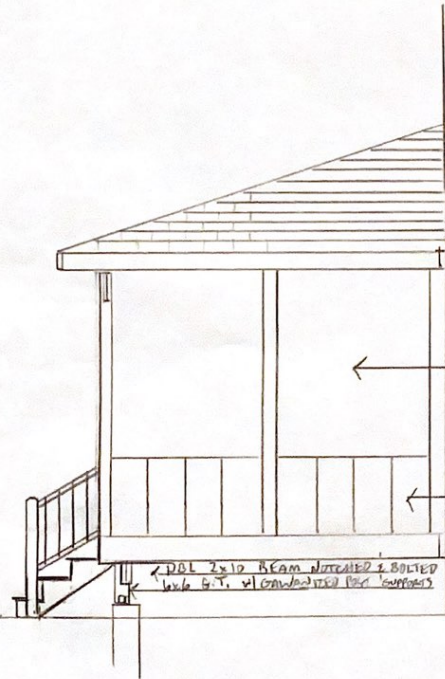
405 MENGE ROAD  
MARENGO, IL 60152  
(815) 943-5490

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.





MORITZ RESIDENCE PROPOSED SCREEN PORCH

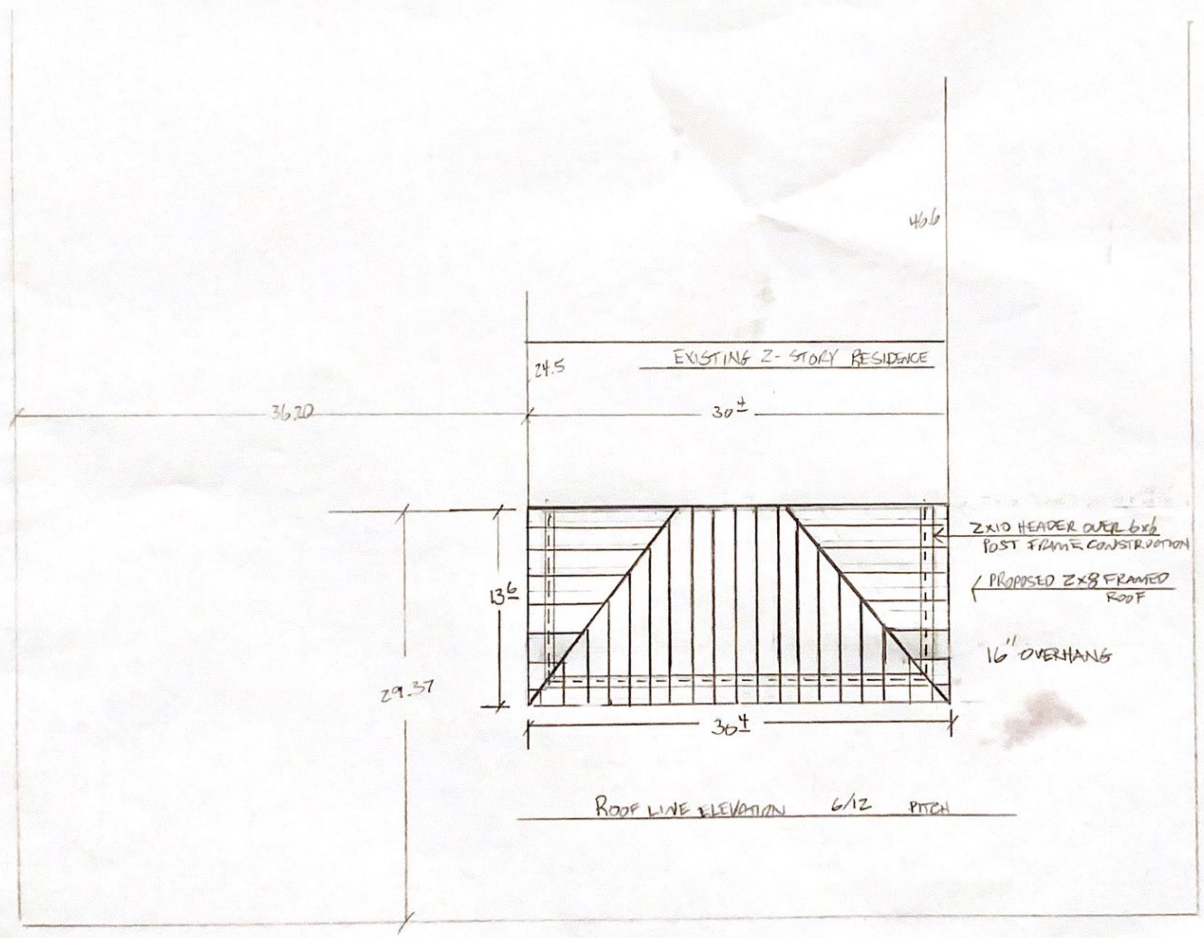


← SCREENING ABOVE

← 2x4 FRAMED WALL SIDED TO MATCH HOUSE

← DBL 2x10 BEAM SUPPORTED & BOLTED  
w/ 6" x 6" x 12" CONCRETE PAD

← NORTH



1/8" = 1'-0"