



#2023-144 99 Maple Street – Variation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	September 20, 2023
<u>Request:</u>	Simplified Residential Zoning Variations to allow a detached garage greater than 600 square feet five feet from the interior side yard, an encroachment of two feet into the required 7-foot side yard setback, and five feet from the rear yard, an encroachment of 15 feet from the required 20-foot rear yard setback.
<u>Location:</u>	99 Maple Street
<u>Acreage:</u>	8,712 square feet
<u>Existing Zoning:</u>	R-2 Single Family
<u>Surrounding Properties:</u>	North: R-2 Single Family Residential South: R-2 Single Family Residential & R-3A Two-Family Residential East: R-2 Single Family Residential & R-3A Two-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:

- **Zoning:** The site is zoned R-2 Single Family and 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.

Request Overview:

- The petitioners are requesting to construct a detached garage greater than 600 square feet five feet from the interior side yard, an encroachment of two feet into the required 7-foot side yard setback, and five feet from the rear yard, an encroachment of 15 feet from the required 20-foot rear yard setback.

- The proposed garage is 24'x30' for a total of 720 square feet. Accessory structures greater than 600 feet in area must meet the principal structure setbacks.
- The R-2 zoning district requires a minimum interior side yard setback of 7 feet and a rear yard setback of 20 feet.
- The proposed garage has an overall height of 14 feet.
- The existing garage is 18'x20' (360 square feet) and setback approximately three feet from both the side and rear lot lines.
- Additionally, the subject property has a shared driveway which splits leading toward the garages.

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.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioners are requesting a variation from Article 4-600 to allow a detached garage greater than 600 square feet five feet from the interior side yard, an encroachment of two feet into the required 7-foot side yard setback, and five feet from the rear yard, an encroachment of 15 feet from the required 20-foot rear yard setback.

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.

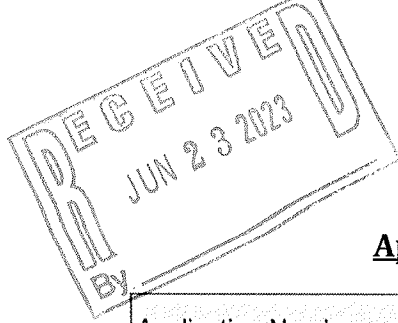
Recommended Conditions:

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 (Greenwald, received 06/15/23)
 - B. Elevation Plans (Greenwald undated, received 06/15/23)
2. The exterior siding material must be complementary to the residential character of the area.
3. The petitioner shall address all of the review comments and requirements of Community Development and Public Works and Engineering Departments.

PIQ Map
99 Maple Street





Application for Simplified Residential Variation

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

I. Applicant

Sarah L Merkatoris
Name

99 Maple Street
Street

Crystal Lake IL 60014
City State Zip Code

N/A
Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Name

Address Telephone Number

III. Project Data

1. a. Location/Address: 99 Maple Street

b. PIN #: 19-05-131-003

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:

This property is located on a quiet, tree-lined street near downtown Crystal Lake. The property shares a driveway with the neighboring lot. The shared driveway entrance is located between two homes, then splits leading to two separate detached garages near the rear of the lots. There are also two mature trees located between the shared driveway and the home on this property.

IS THE HARDSHIP SELF-CREATED?

No. The shared driveway and mature trees are preexisting conditions. There are no feasible alternatives for constructing the garage with the applicable setback requirements of 11 feet and 20 feet without removing two mature trees and adding another lane of pavement to the driveway.

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

Yes. Other properties in the same zoning classification with a shared driveway and mature trees inhibiting the property owner's ability to comply with the setback requirements may be applicable.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No. If anything, the variation will allow the character of the locality to be preserved by leaving the existing shared driveway intact as designed. Further, the character of the locality is preserved through the maintenance of the existing mature trees and grass lawn on the property, as opposed to replacing the existing vegetation with an expanded blacktop driveway to comply with setbacks.

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

No. If granted, the variation will have no impact on the public welfare or other properties. The variance would permit the existing garage to be torn down and rebuilt with the same setbacks as the current structure, 5 feet on each side, allowing the shared driveway to remain largely intact.

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. As proposed, the variance will not impact the surrounding properties or community. Further, the variance does not create an increased risk of fire or danger to public safety.

3. List any previous variations that are approved for this property: N/A

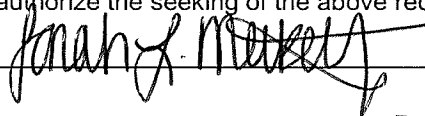
IV. Signatures

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.

Sarah L. Merkatoris



11/21/23

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.

SHAW MEDIA
EST. 1851
PO BOX 250
CRYSTAL LAKE IL 60039-0250
(815)459-4040

ORDER CONFIRMATION (CONTINUED)

Salesperson: BARBARA BEHRENS

Printed at 08/22/23 16:57 by bbehr-sm

Acct #: 10069745

Ad #: 2101475

Status: New

PUBLIC NOTICE

**BEFORE THE PLANNING
AND ZONING COMMISSION
OF THE CITY OF CRYSTAL
LAKE, MCHENRY COUNTY,
ILLINOIS**

IN THE MATTER OF THE
APPLICATION OF
Sarah L. Merkatoris

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 Sarah L. Merkatoris for approval of variations allowing a detached garage in the required side and rear yard setbacks at the following real estate known as 99 Maple Street, Crystal Lake, Illinois 60014, PIN: 19-05-131-003.

This application is filed for the purposes of seeking Simplified Residential Zoning Variations to allow a detached garage greater than 600 square feet five feet from the interior side yard, an encroachment of 2 feet into the required 7-foot side yard setback, and five feet from the rear yard, an encroachment of 15 feet from the required 20-foot rear yard setback, 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 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, September 20, 2023, 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 Northwest
Herald August 25, 2023)
2101475

HORIZON SURVEY, LLC

P.O. BOX 438607
Chicago, IL 60643
Office: 312-972-7185
horizonsurveychicago@gmail.com

PLAT OF SURVEY

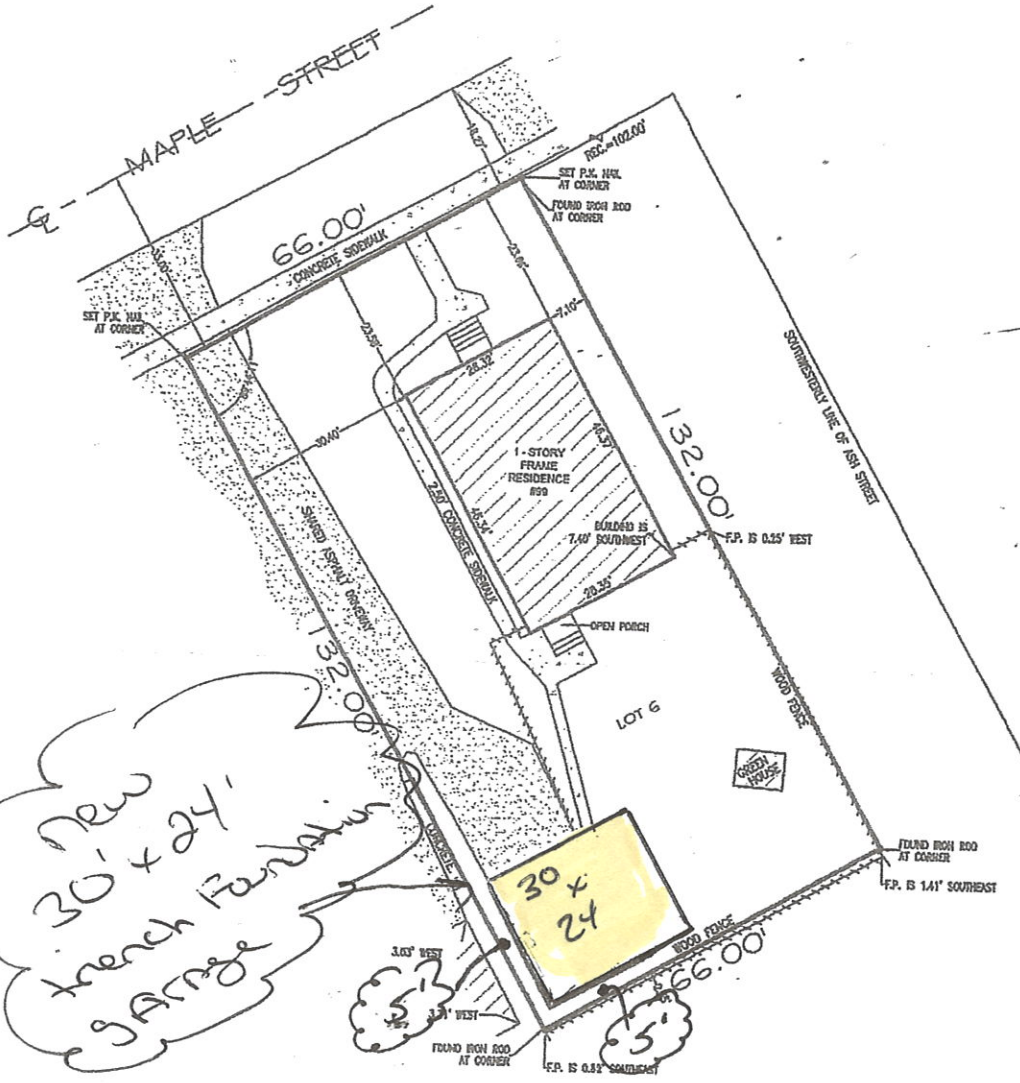
PLAT OF SURVEYS
ATLANS/SPS
CONDOMINIUMS
LAND DEVELOPMENT

LOT NUMBER SIX (6) IN BLOCK NUMBER FIVE (5) IN POMEROY'S ADDITION TO THE VILLAGE (NOW CITY) OF CRYSTAL LAKE, AS SHOWN ON THE PLAT OF SAID ADDITION RECORDED IN THE RECORDER'S OFFICE OF MCHENRY COUNTY, ILLINOIS, IN BOOK 55 OF DEEDS, AT PAGE 612, AND IN BOOK 2 OF PLATS, AT PAGE 26, SAID LOT BEING LOCATED IN AND BEING A PART OF THE NORTHWEST 1/4 OF SECTION NUMBER FIVE (5), IN TOWNSHIP NUMBER FORTY-THREE (43) NORTH, OF RANGE NUMBER EIGHT (8), EAST OF THE THIRD PRINCIPAL MERIDIAN, AND SITUATE, LYING AND BEING IN THE CITY OF CRYSTAL LAKE, IN MCHENRY COUNTY, ILLINOIS.

PROPERTY ADDRESS: 99 MAPLE ST, CRYSTAL LAKE, ILLINOIS.



SCALE: 1" = 20'



LAND DEVELOPMENT CONSULTANTS
CIVIL, MINING, ENVIRONMENTAL, FORENSIC
AND UTILITY ENGINEERING, LAND SURVEYING
REAL ESTATE AND CORPORATION AGENTS

COMPARE ALL POINTS BEFORE BUILDING, NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. CRITICAL FIELD MONUMENTATION SHOULD BE ESTABLISHED PRIOR TO THE COMMENCEMENT OF ANY AND ALL CONSTRUCTION. PLEASE REFER TO DEED, TITLE POLICY AND/OR LOCAL ORDINANCES FOR BUILDING LINE RESTRICTIONS AND/OR EASEMENTS NOT SHOWN HEREON. PLEASE CHECK LEGAL DESCRIPTION WITH DEED AND IMMEDIATELY REPORT ANY DISCREPANCY TO THE SURVEYOR FOR EXPLANATION AND/OR CORRECTION. ALL DIMENSIONS AND MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF, AND ARE CORRECTED TO A TEMPERATURE OF 62 DEGREES FAHRENHEIT.

STATE OF ILLINOIS } S.S.
COUNTY OF COOK } S.S.

1"=20'
SCALE

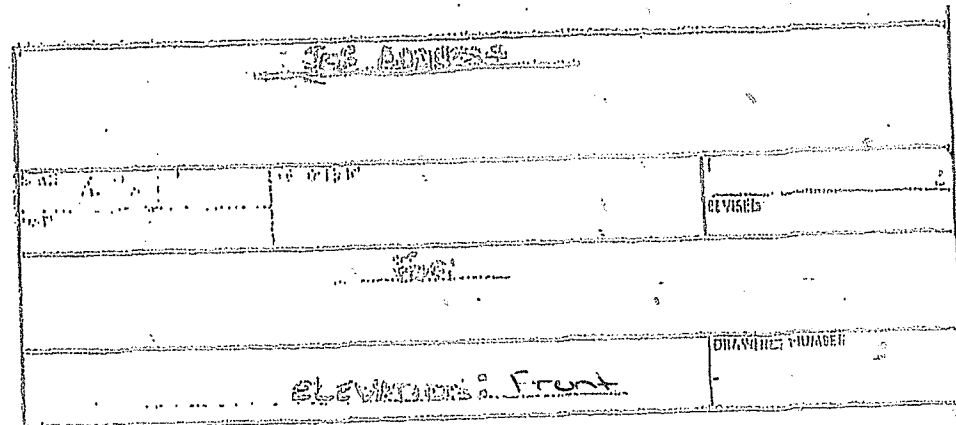
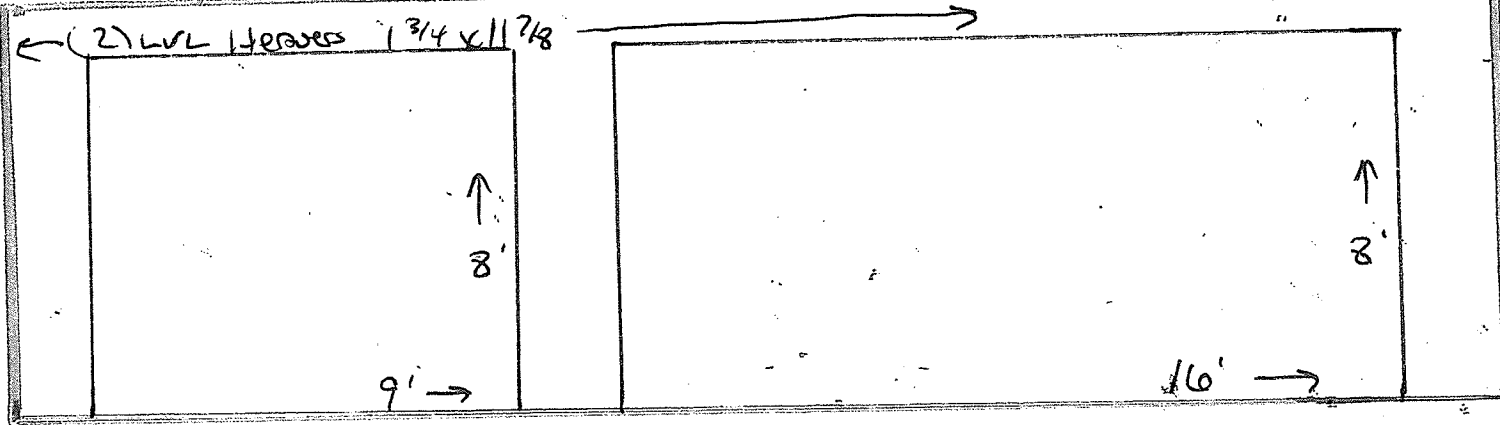
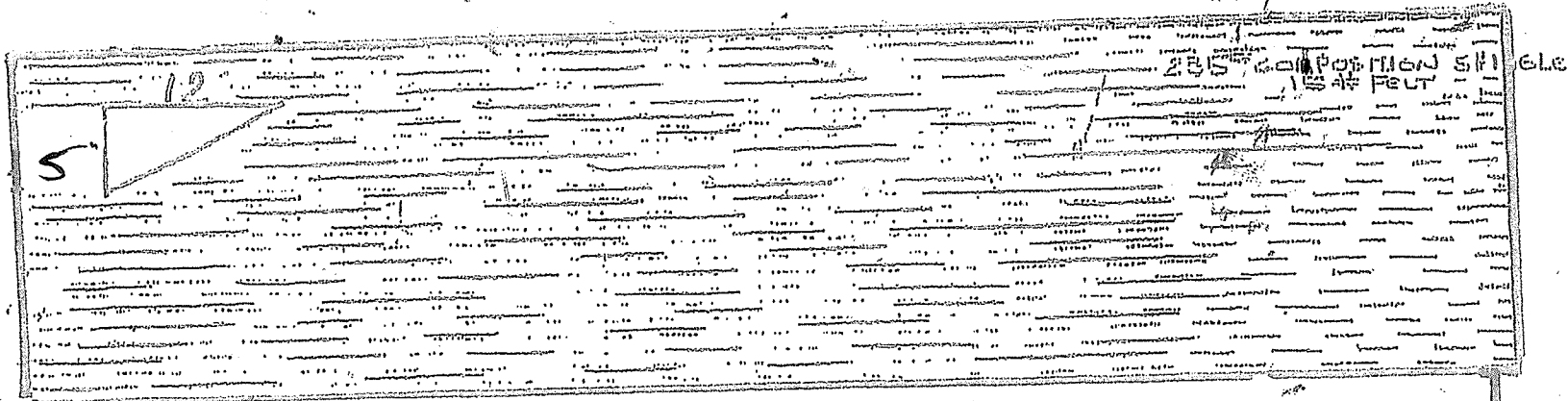
This is to certify that HORIZON SURVEY, LLC, by its imaging agent George E. Stourton, P.L.S., Professional Land Surveyor #2058, whose license expires November 30, 2022, hereby certifies that the property described on this plat has been surveyed and that the results of the survey are shown on this plat. Dimensions are in U.S. Standard Foot and Decimals thereof, and all bearings are based on assumed north. This Professional Service conforms to the current Illinois minimum standards for a boundary survey.

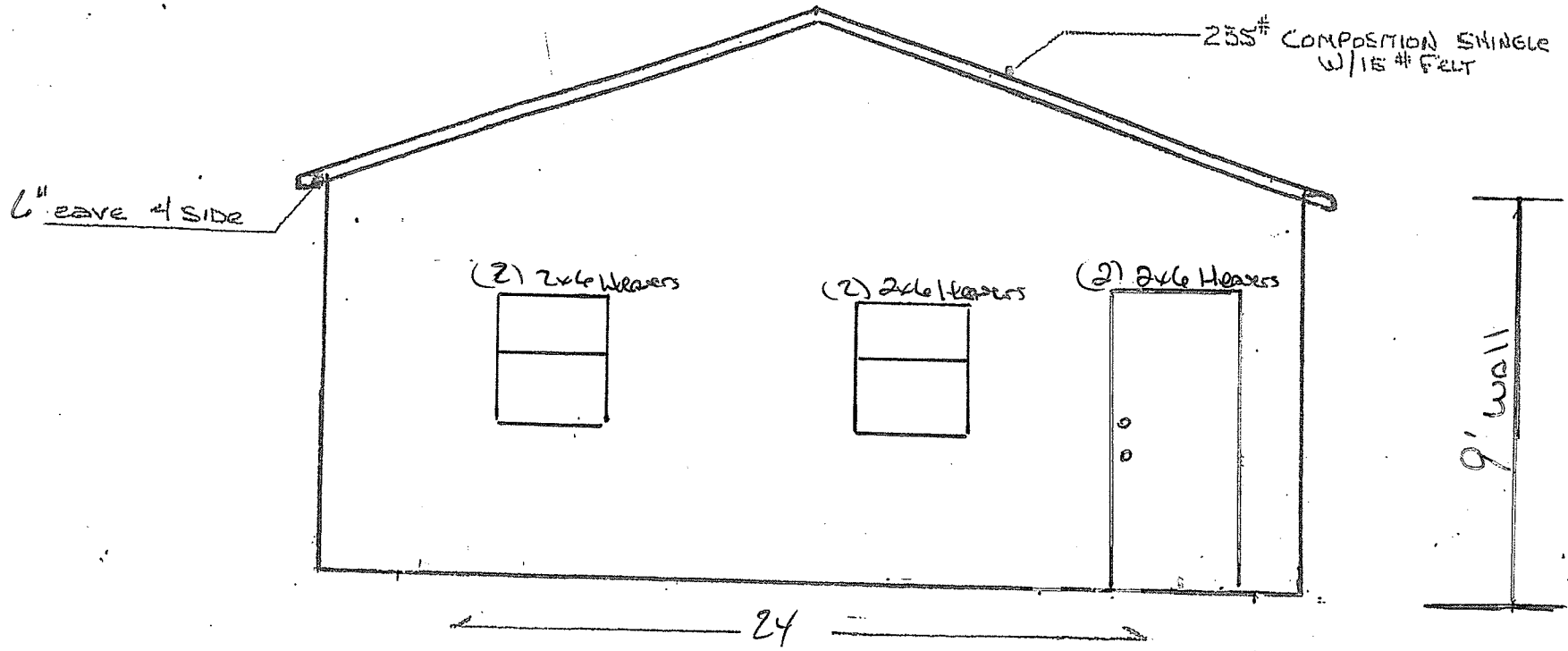
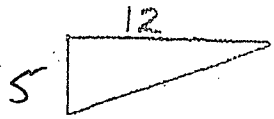


DATED THIS 29TH DAY OF NOVEMBER, 2022

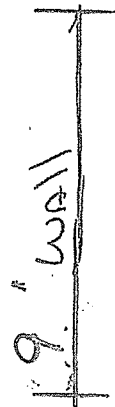
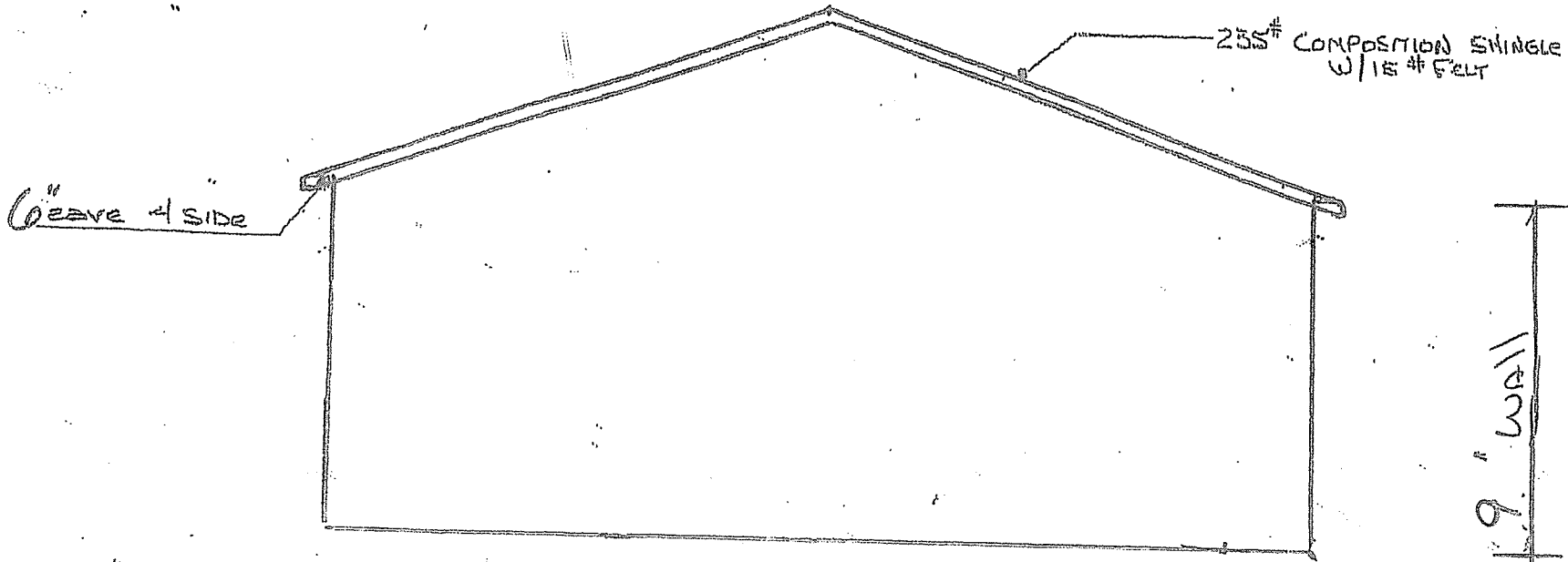
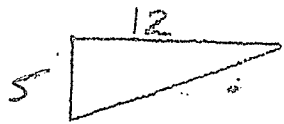
George E. Stourton
GEORGE E. STOURTON PLS No. 2058
LICENSE EXPIRATION DATE: NOVEMBER 30, 2022

JOB #: 99MAPLEST
DATE OF COMPLETION IN THE FIELD: NOVEMBER 28, 2022
PREPARED FOR: SARAH MERKATORIS
P.L.N # 19-05-131-003-0000 MCHENRY COUNTY, ILLINOIS
COMMONLY KNOWN AS: 99 MAPLE ST., CRYSTAL LAKE, ILLINOIS





JOB ADDRESS		
SCALE: 1/4" = 1'	APPROVED BY:	DATE: -
		REVISED
FOR:		
ELEVATION Front Side		DRAWING NUMBER



JOB ADDRESS	
SCALE: $\frac{1}{4}" = 1'$	APPROVED BY:
DATE: -	REVISOR:
FOR:	
ELEVATION SIDE	DRAWING NUMBER

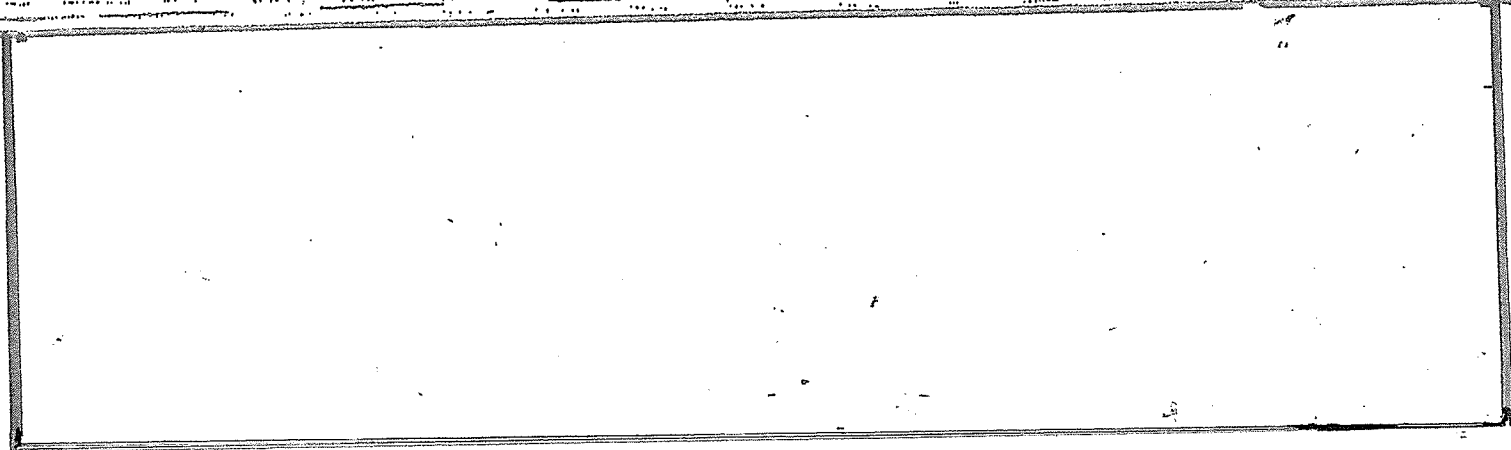
12

2855 COMP. PLAN S.H. 1547 FELT

5

[Detailed technical drawing with grid lines and annotations]

61.6



JOB ADDRESS	
	REVISED
ELEVATIONS: 100	
DRAWING NUMBER	