



#2023-178 370 Greenview Drive – Simplified Residential Variation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	September 20, 2023
<u>Request:</u>	Simplified Residential Zoning Variation from the required 30-foot setback for a 6-foot tall fence in the side yard abutting a street, allowing a 5-foot setback.
<u>Location:</u>	370 Greenview Drive
<u>Acreage:</u>	Approximately 11,206 square feet
<u>Existing Zoning:</u>	R-1 Single-Family Residential
<u>Surrounding Properties:</u>	North: R-1 Single-Family Residential South: R-2 Single Family Residential East: R-1 Single-Family Residential West: R-1 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.
- The subject property is located at the corner of Greenview Drive and Oak Valley Drive with Route 31 to the east. The UDO standard allows for:
 - Fences in any front yard or yard abutting a street shall not exceed three feet in height.
 - Fences in any yard abutting a street shall not exceed four feet in height, provided it is set back a minimum of five feet from the property line.
 - Fence over four feet in height must meet the building setbacks of 30 feet from the property line.

Development Analysis:

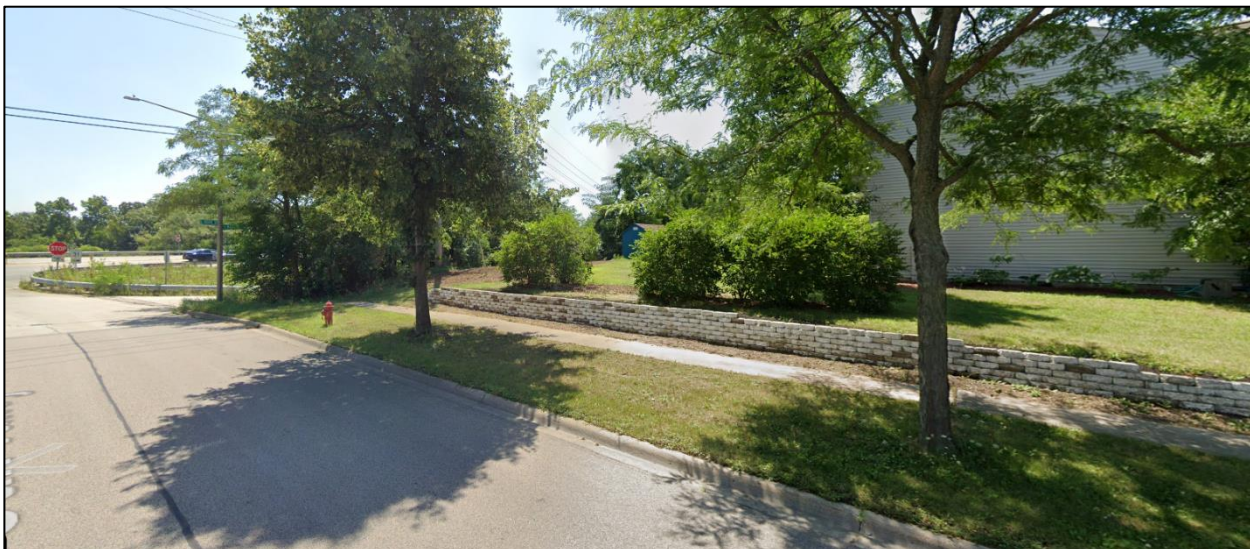
General

- **Request:** To construct a 6-foot high fence located five feet from the lot line abutting Oak Valley Drive, instead of the minimum 30-foot setback.
- **Zoning:** The site is zoned R-1 PUD Single-Family Residential 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.
- The petitioners would like to install a 6-foot high wood fence setback five feet from the lot line abutting Oak Valley Drive.
- Due to the topography of the lot, the fence will have an appearance of 8'-2" high from the sidewalk.



Allowed vs. Proposed



Google Street View

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 petitioner is requesting variations from Article 4 to allow a 6-foot high fence to be located five feet from the lot line abutting Oak Valley Drive, instead of the minimum 30-foot 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 (Post, dated 08/15/23, received 08/21/23)
 - B. Plat of Survey/Site Plan (Post, received 08/21/23)
2. The Petitioners shall receive sign-offs from ComEd, Comcast, Nicor and AT&T prior to permit issuance.
3. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ Map
370 Greenview Drive





**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: Daniel Post Jessica Post

Address: 370 Greenview Dr.

Crystal Lake, Illinois 60014

Phone: _____

E-mail: _____

Project Name & Description: fencing in backyard

Project Address/Location: 370 Greenview Dr., Crystal Lake, IL 60014

Signature

Daniel Post Jessica Post

08/15/2023

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.

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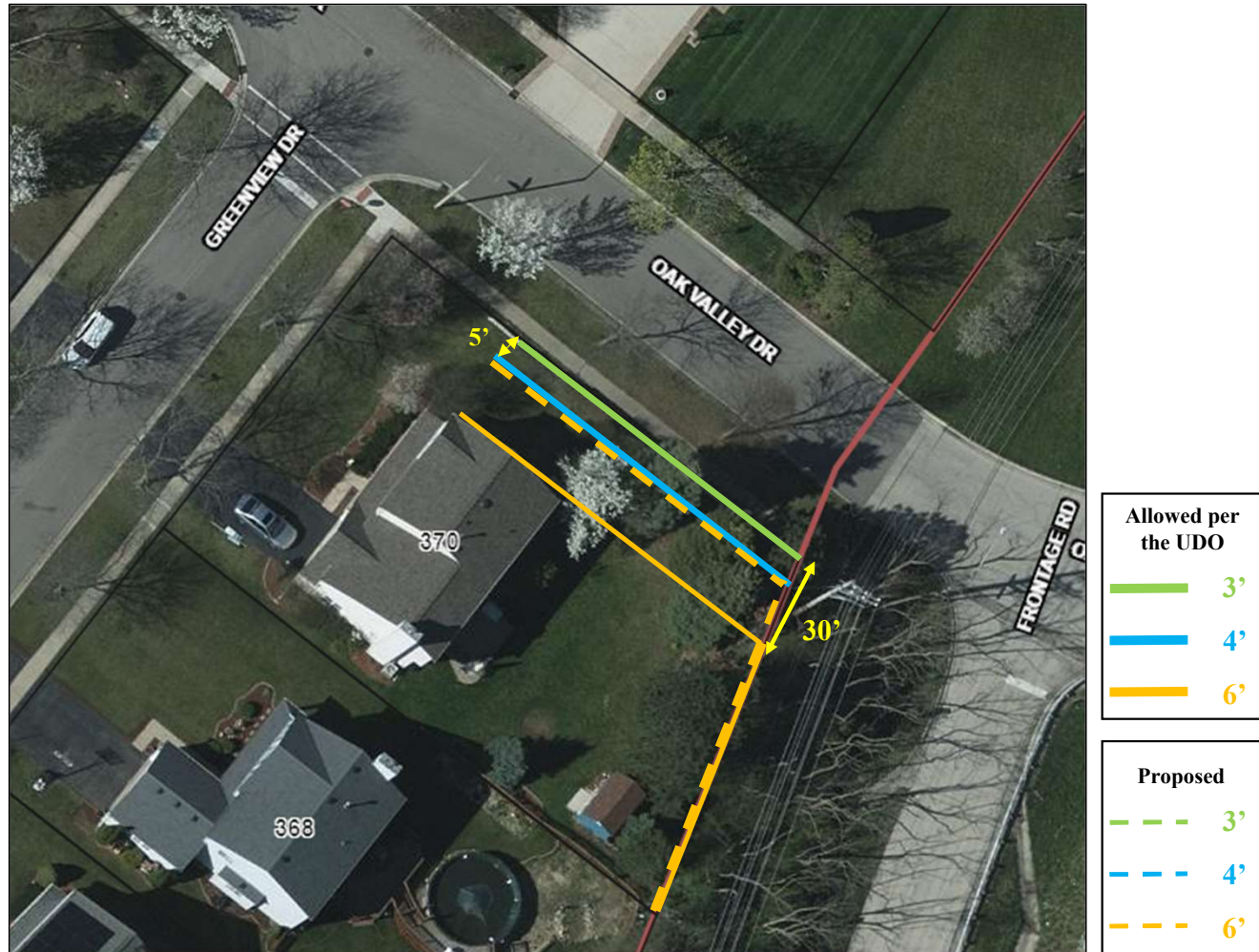
Friday, September 01, 2023

Notice Content

PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE APPLICATION OF Daniel and Jessica Post 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 Daniel and Jessica Post for approval of a variation allowing a fence in the side yard abutting a street at the following real estate known as 370 Greenview Drive, Crystal Lake, Illinois 60014, PIN: 19-03-182-001. This application is filed for the purposes of seeking Simplified Residential Zoning Variation from the required 30-foot setback for a 6-foot tall fence in the side yard abutting a street, allowing a 5-foot 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 September 1, 2023)2106097

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370 Greenview Drive



Proposed fence

Oak Valley Dr

NO
OUTLET

1/2 MILE
AHEAD





30'
setback

Approximate location
of 6' fence

No sight lines
obstructed for any
vehicles

8' 2" total height off sidewalk

6' height of fence

26" ret. wall



The yard is on a slope

Petitioners' Photos