



#2011-15
290 E. Crystal Lake Ave. (Tomasello)
Project Review for Planning and Zoning Commission

Meeting Date:	April 6, 2011
Zoning Requests:	<ol style="list-style-type: none">1) Special Use Permit for a detached accessory structure greater than 600 square feet to allow a garage with the proposed addition to be approximately 960 square feet.2) Simplified Residential Variation to allow the garage to be located in a corner side yard as close as 15 feet instead of 30 feet from the East Street property line3) Variation to allow a driveway width of 24 feet at the property line instead of 20 feet
Location:	290 E. Crystal Lake Avenue
Acreage:	≈ 32,573 sq. ft. (0.75 acres)
Existing Zoning:	“R-2” Single-family Residential
Surrounding Properties:	North: “R-2” Single Family Residential South: “E” Estate and “M” Manufacturing East: “R-2” Single Family Residential West: “M” Manufacturing
Staff Contact:	Latika Bhide 815.356.3615

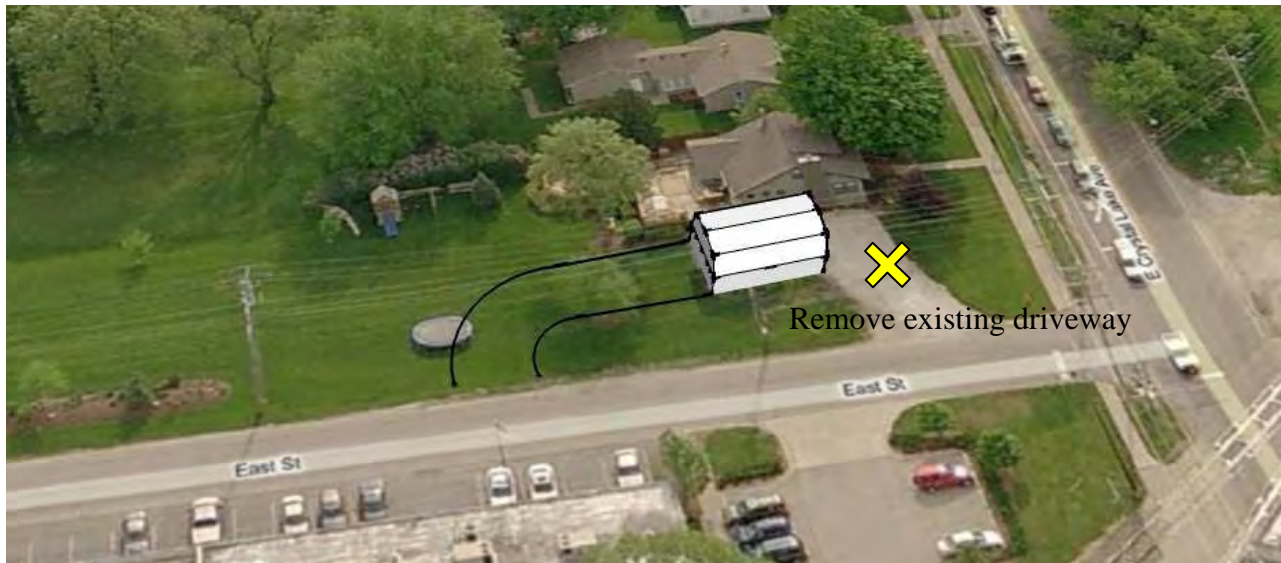
Background:

The property in question is an existing conforming lot in the “R-2” single-family district with a lot area of approximately $\frac{3}{4}$ acres. The property is improved with a 2 story frame residence with a detached garage. The petitioner is requesting to remove the existing 370-square-foot garage and replace it with a 960-square-foot garage.

Land Use Analysis:

The property is a corner lot, located on Crystal Lake Avenue, east of East Street. The existing detached garage is located approximately 21 feet from the East Street property line and does not meet the 30 feet corner side setback requirement. The petitioner is proposing to remove the existing garage and build a 24-foot x 40-foot garage. The new garage would be as close as 15-feet from the East Street property line. The garage is located outside the front yard which is determined as the average setback of the two closest dwellings along Crystal Lake Avenue. The garage is

proposed to be approximately 960 square feet. Per the provisions of the Unified Development Ordinance, a detached accessory structure greater than 600-square-foot is required to obtain a Special Use Permit. The garage is designed with a gambrel roof; the height for which is measured to the mean height level between eaves and ridge; with a proposed height of 14'-11". Attic storage is proposed for the garage that will be accessible by a ladder. The petitioner is also requesting a variation to allow a driveway width of 24 feet at the property line instead of the permitted 20 feet. The current driveway is approximately 28 feet in width at the property line. The Engineering Division is supportive of the relocation of the driveway further north along East Street to address safety issues.



For Illustration Purposes only. Not to Scale.

Per the City’s agreement with the property owner, the owner has until December 2015 to pave the driveway, to accommodate the completion of the improvements on Crystal Lake Ave.

Findings of Fact:

SPECIAL USE PERMIT

Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.

Meets *Does not meet*

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.

Meets *Does not meet*

- 3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.

Meets *Does not meet*

- 4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

Meets *Does not meet*

- 5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.

Meets *Does not meet*

- 6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.

Meets *Does not meet*

- 7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.

Meets *Does not meet*

- 8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.

Meets *Does not meet*

- 9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

Meets *Does not meet*

- 10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

Meets *Does not meet*

ZONING ORDINANCE VARIATION

The petitioners request will require a variation from Article 3, Density and Dimensional Standards, and Article 4-600, Accessory Structures and Uses to allow the garage to be as close as 15 feet from the East Street property line. The request also requires a variation from Section A-400, Access Management Manual in the Appendix to allow a driveway width of 24 feet at the property line instead of 20 feet. The existing driveway is approximately 28 feet wide at the property line.

The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the Zoning Ordinance requirements as they relate to the property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing. Before recommending any Variation, the Planning and Zoning Commission and City Council shall first determine and record its findings that the evidence justifies the conclusions that the Variation:

- 1. 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.
 True False
- 2. Also, that the variation, if granted, will not alter the essential character of the locality.
 True False

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:

- 1. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;
 True False
- 2. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;
 True False
- 3. 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
 True False
- 4. 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.
 True False

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 hardship is found, staff suggests that the following as conditions of the approval of the Special Use Permit and Variations at 209 E. Crystal Lake Avenue:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 3-21-11
 - B. Plat of Survey/Site Plan, MJM Consulting, received 3-21-11
 - C. Floor Plans, Elevations, Sections, Woodridge Homes, received 3-21-11
- 2) A special use permit and variation are hereby granted to allow the petitioner's request.
- 3) The façade along Crystal Lake Avenue will be enhanced by the addition of additional windows.
- 4) The petitioner shall address all comments of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.

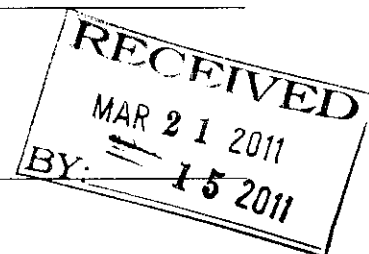
Application for Simplified Residential Variation

Application Number: _____

FOR OFFICE USE ONLY

Project Name: _____

Date of Submission: _____



I. Applicant

JAMES & CARRIE TOMASELLO

Name

290 E. CRYSTAL LAKE AVE.

Street

CRYSTAL LAKE

IL

60014

City

State

Zip Code

847 815 5999

847 516 8154

JIMTOM123@AOL.COM

Telephone Number

Fax Number

E-mail address

II. Owner of Property (if different)

Name

Address

Telephone Number

III. Project Data

1. a. Location/Address: 290 E. CRYSTAL LAKE AVE.

b. PIN #: _____

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: THE GARAGE IS IN THE CORNER EASMENT.

IS THE HARDSHIP SELF-CREATED? NO, THE CURRENT GARAGE WAS PREVIOUSLY PLACED THERE.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? NO WE HAVE A UNIQUE LOT

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? NO

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY? NO

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

3. List any previous variations that are approved for this property: NO


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.

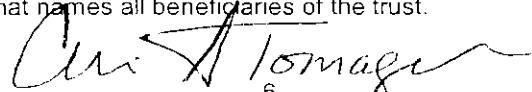
OWNER: Print and Sign name


James R. Tomaseello

Date

3/20/11

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.


6
CARRIE A TOMASELLO

3/20/2011

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE APPLICATION OF JAMES AND CARRIE TOMASELLO

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 of the City of Crystal Lake upon the application of James and Carrie Tomasetto for approval of a Special Use Permit and Variations relating to the following described real estate commonly known as 290 E. Crystal Lake Avenue, Crystal Lake, Illinois 60014, PIN: 14-33-378-009

This application is filed for the purposes of seeking a Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 960 square feet pursuant to Articles 4-600 D, 9-200 A and 9-200 D.

This application is also filed for the purposes of seeking a variation from Article 4-600 E, Location of Accessory Structures and Article 3, Density and Dimensional Standards, to allow the garage to be located in a corner side yard as close as 14 feet instead of 30 feet from the East Street property line; from Articles 3-200 A, Dimensional Standards and 3-300 B, Measurements to allow an accessory structure to be 19 feet in height instead of 15 feet; from Section A-400, Access Management Manual in the Appendix to allow a driveway width of 24 feet at the property line instead of 20 feet; as well as any other variations that may be necessary to allow the plans as presented. 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 7:30 p.m. on Wednesday, April 6, 2011, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
March 22, 2011)

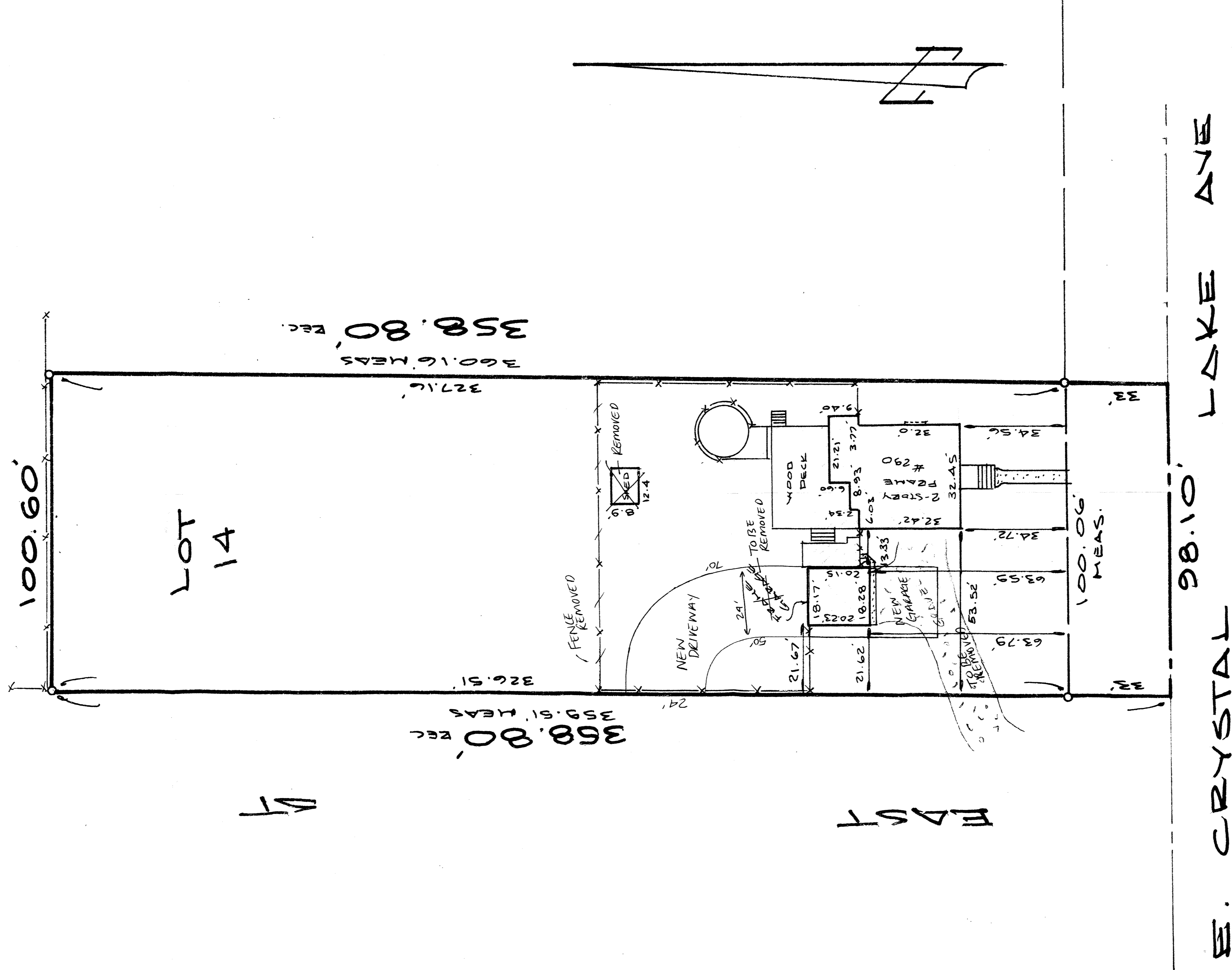
Plat of Survey

SCALE 1" = 40'

RECEIVED
MAR 21 2011
BY:

15 2011

OF PROPERTY DESCRIBED AS: LOT 14 IN BLOCK 1 OF LINDSLEY'S ADDITION TO NORTH CRYSTAL LAKE (NOW THE CITY OF CRYSTAL LAKE), A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1914 AS DOCUMENT NO. 28904, IN BOOK 3 OF PLATS, PAGE 51, IN MCHENRY COUNTY, ILLINOIS.



STATE OF ILLINOIS
COUNTY OF KANE SS JULY 12 2003

Order No. 23256

Ordered By: The Waggoner Law Firm, P.C.

Property Address: 290 E. Crystal Lake Ave.
Crystal Lake, IL

I Michael J. Morrissy, Illinois Professional Surveyor, No. 2943,
do hereby certify that the buildings on lot shown are within property
lines and that adjoining improvements do not encroach on said
premises, except as shown.

I Michael J. Morrissy, Illinois Professional Surveyor, No. 2943,
do hereby certify that I have surveyed the above described premises
according to the official record and that the above plat correctly
represents said survey.

DISTANCES ARE GIVEN IN FEET AND
DECIMAL PARTS THEREOF

- INDICATES IRON STAKE FOUND
- INDICATES IRON STAKE SET
- x— INDICATES FENCING
- ▨ INDICATES CONCRETE

PLAT NOT VALID WITHOUT EMBOSSED SEAL

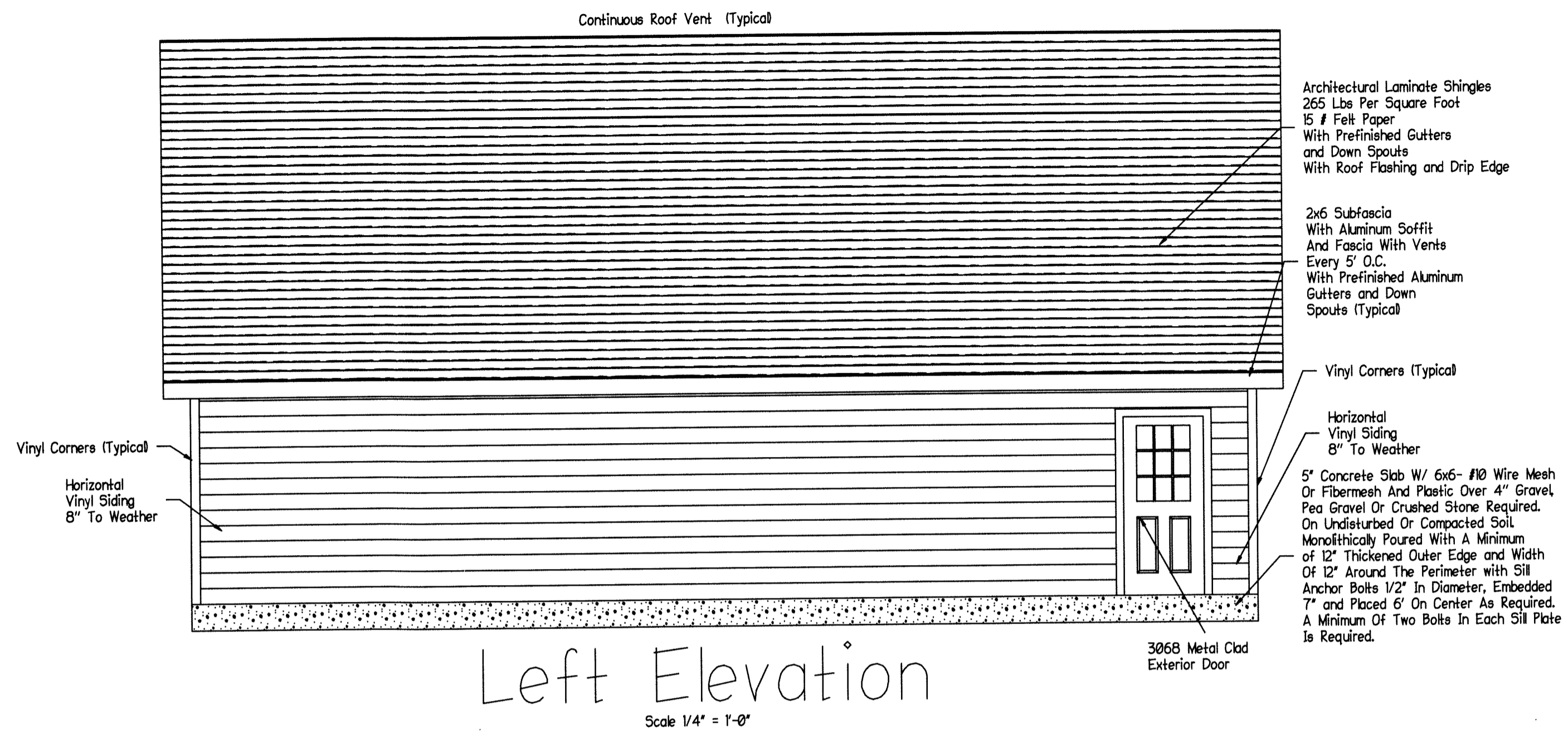
WE DO NOT CERTIFY AS TO LOCATION
OF UNDERGROUND IMPROVEMENTS

Any discrepancy in measurements should be promptly reported to surveyor
for explanation or correction.

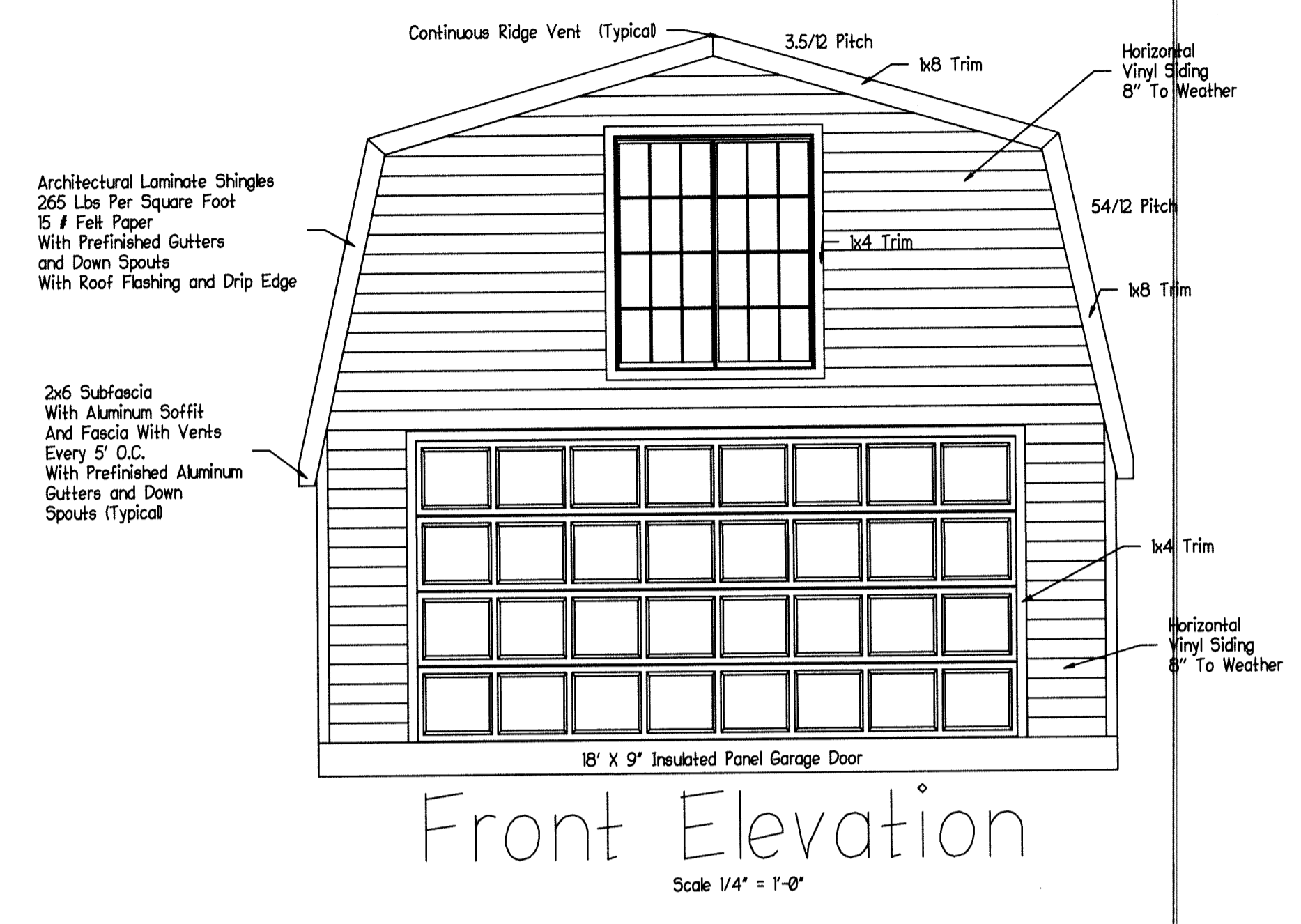
Michael J. Morrissy

MJM CONSULTING, INC.
40W580 ATCHISON DRIVE
HAMPSHIRE, IL 60140-9005
TEL. (847) 888-8293

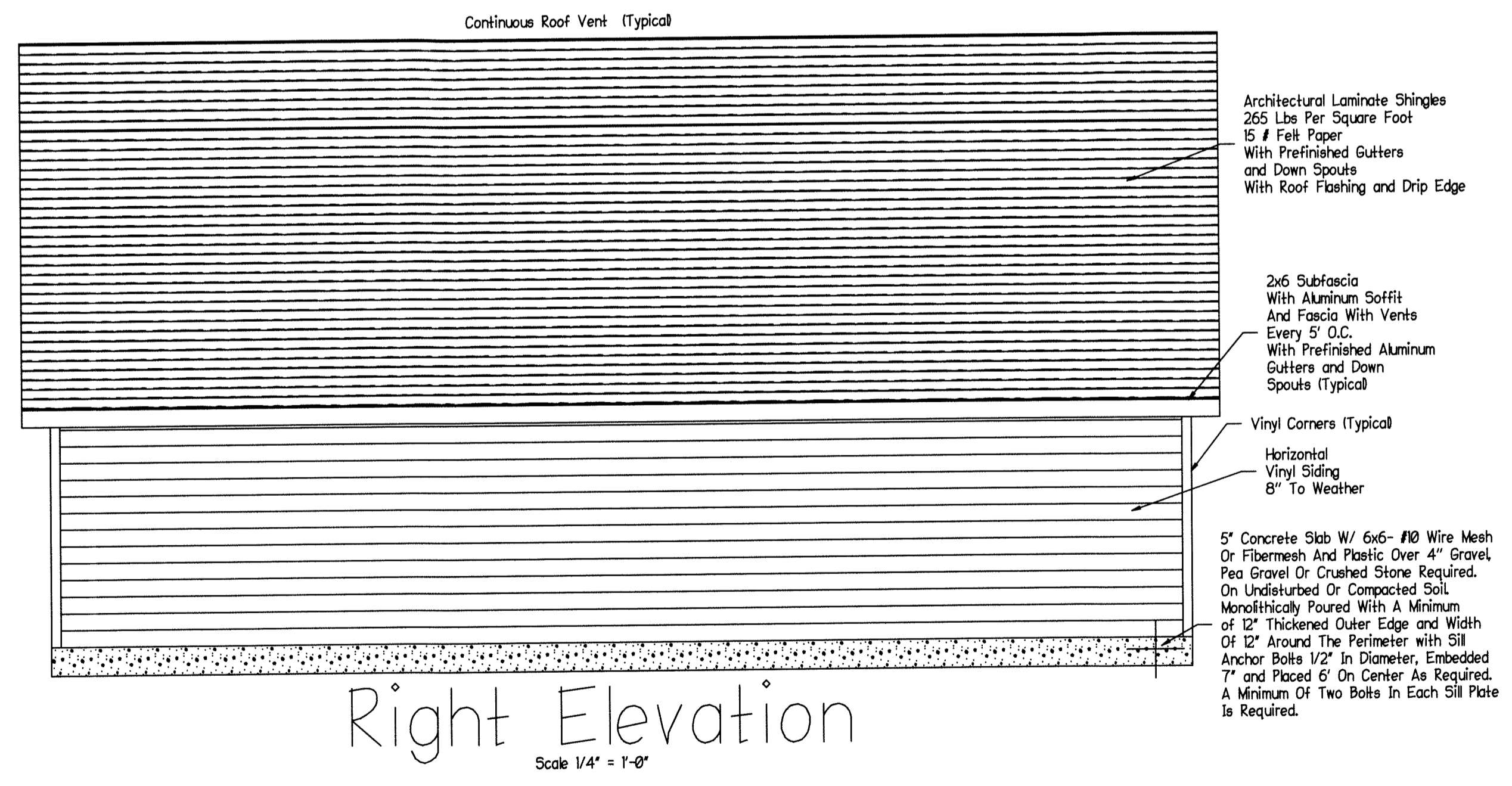
COMPARE THE DESCRIPTION ON THIS PLAT WITH DEED. REFER TO DEED FOR EASEMENTS AND BUILDING LINES.



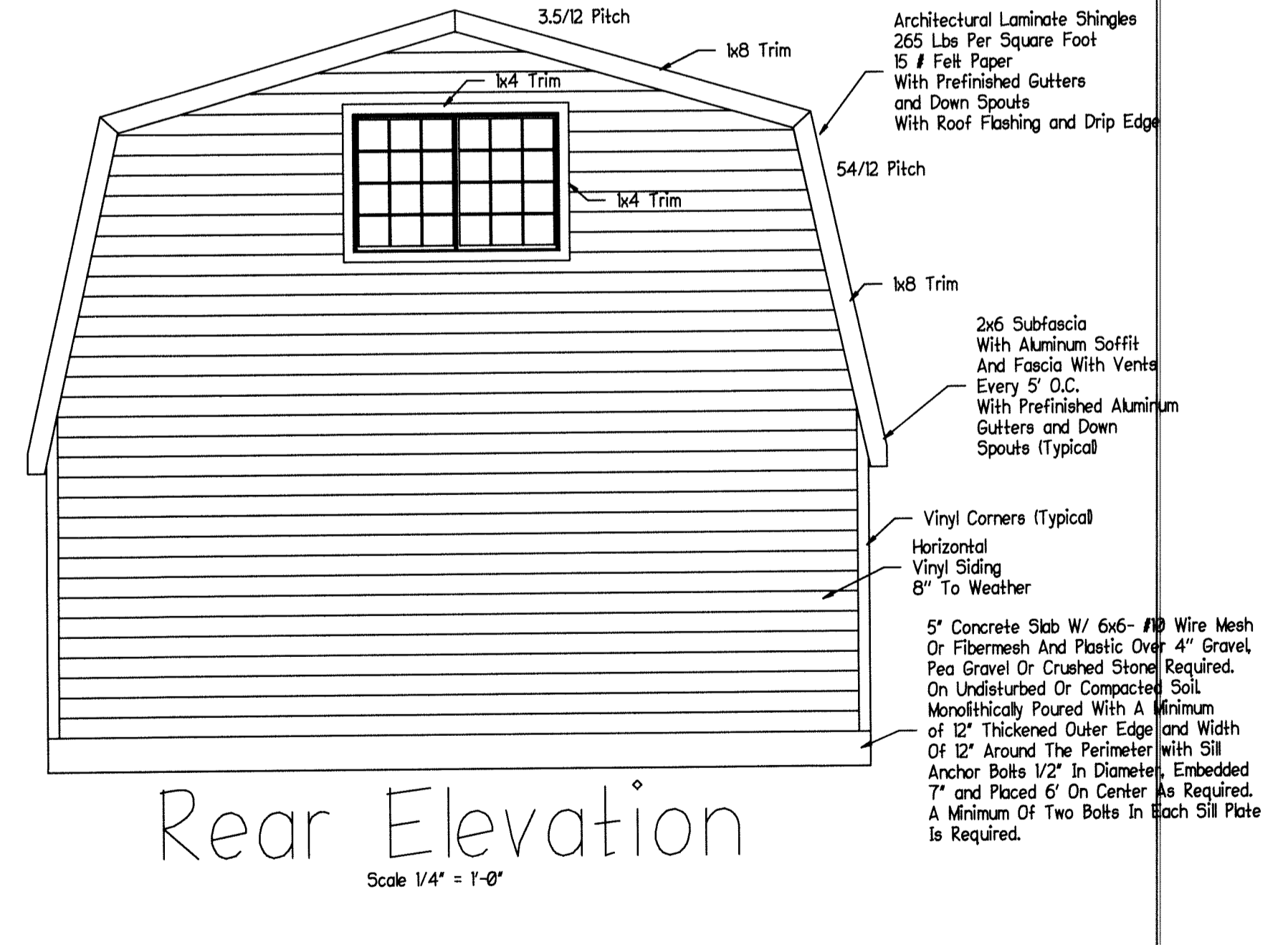
Left Elevation
Scale 1/4" = 1'-0"



Front Elevation
Scale 1/4" = 1'-0"



Right Elevation
Scale 1/4" = 1'-0"

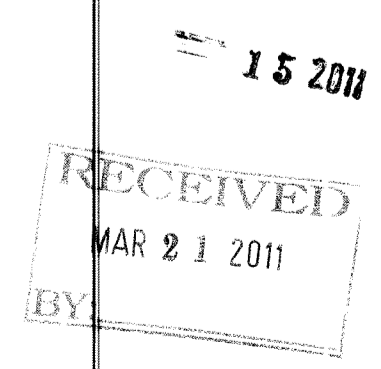


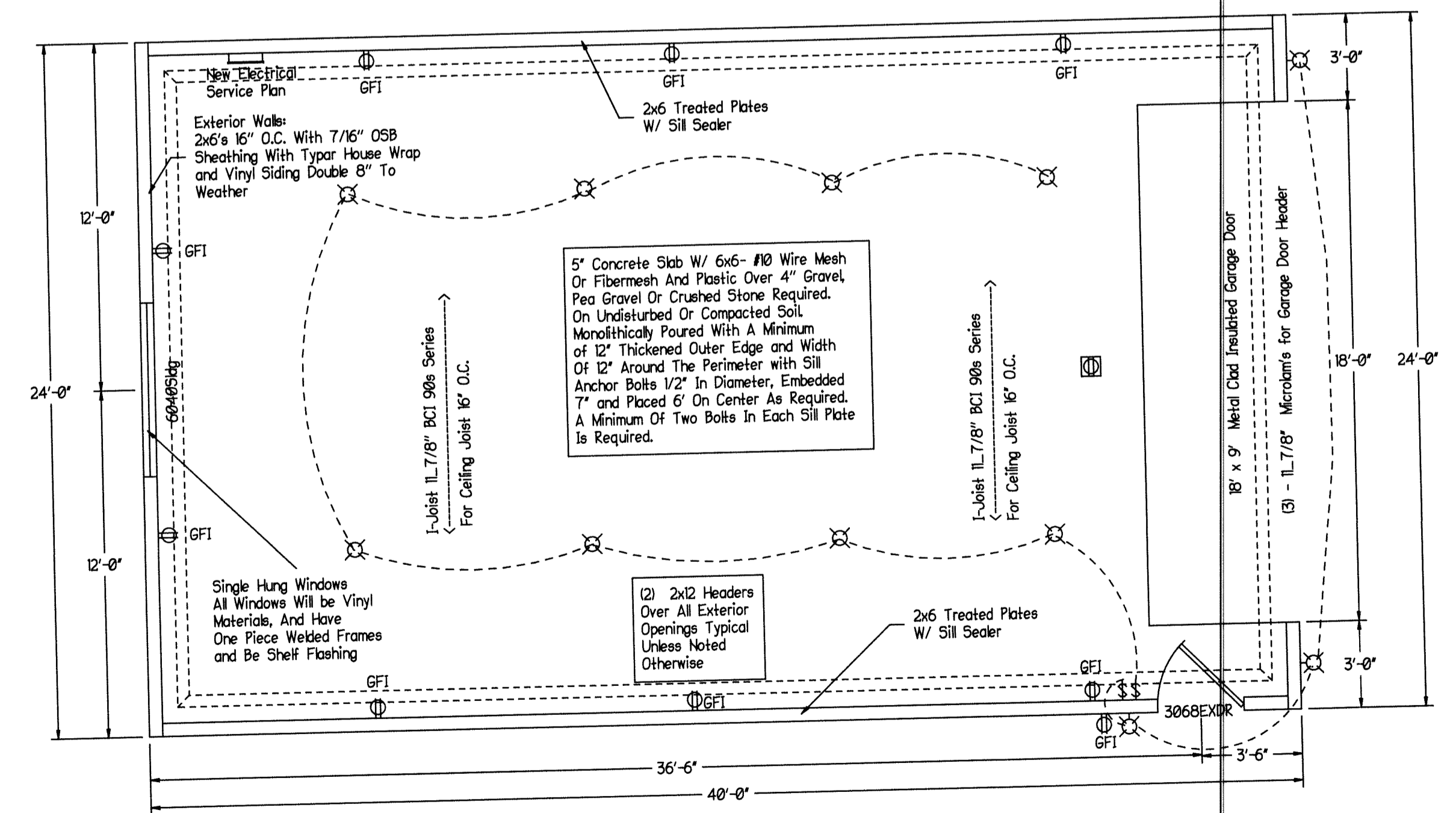
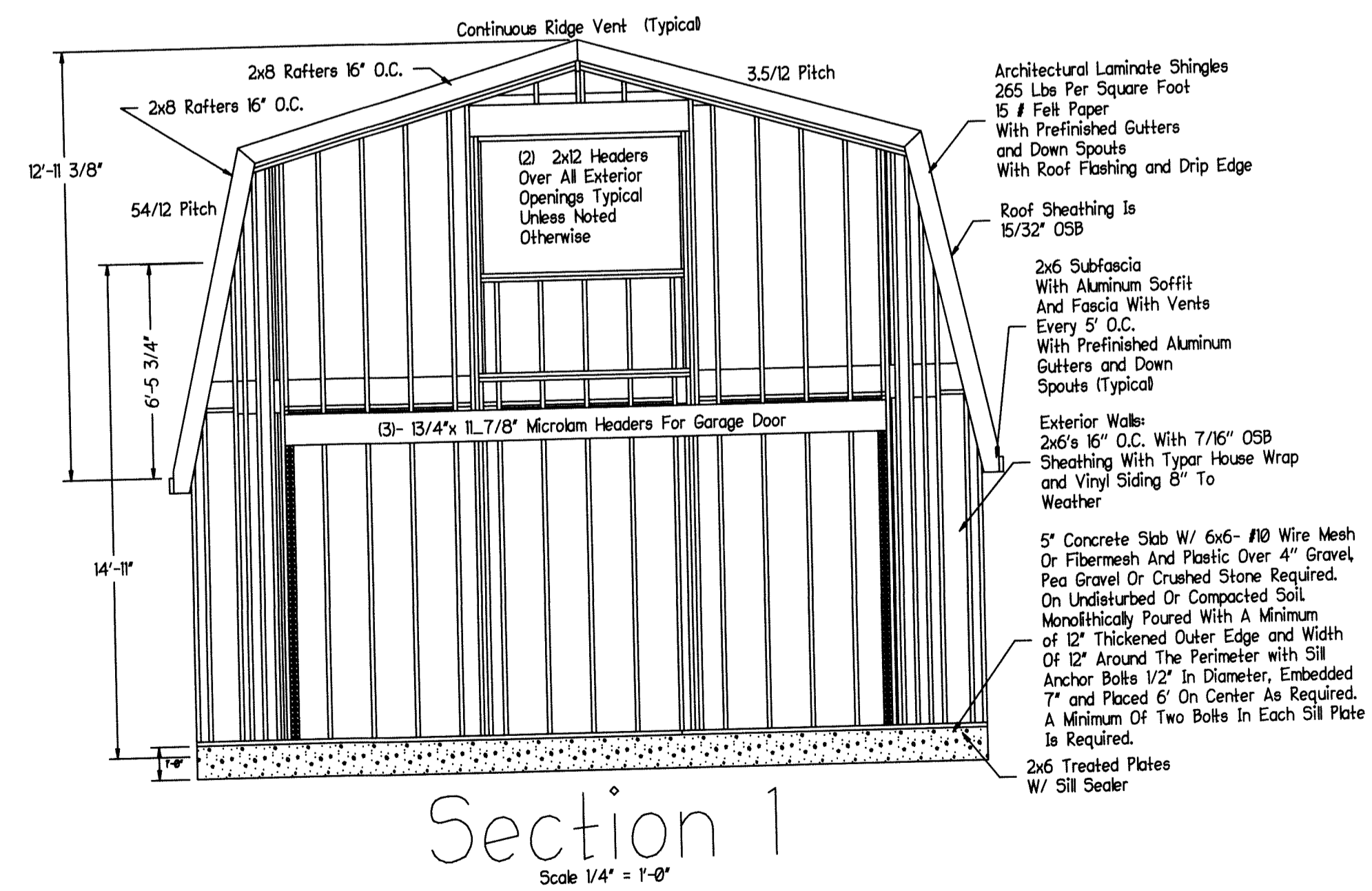
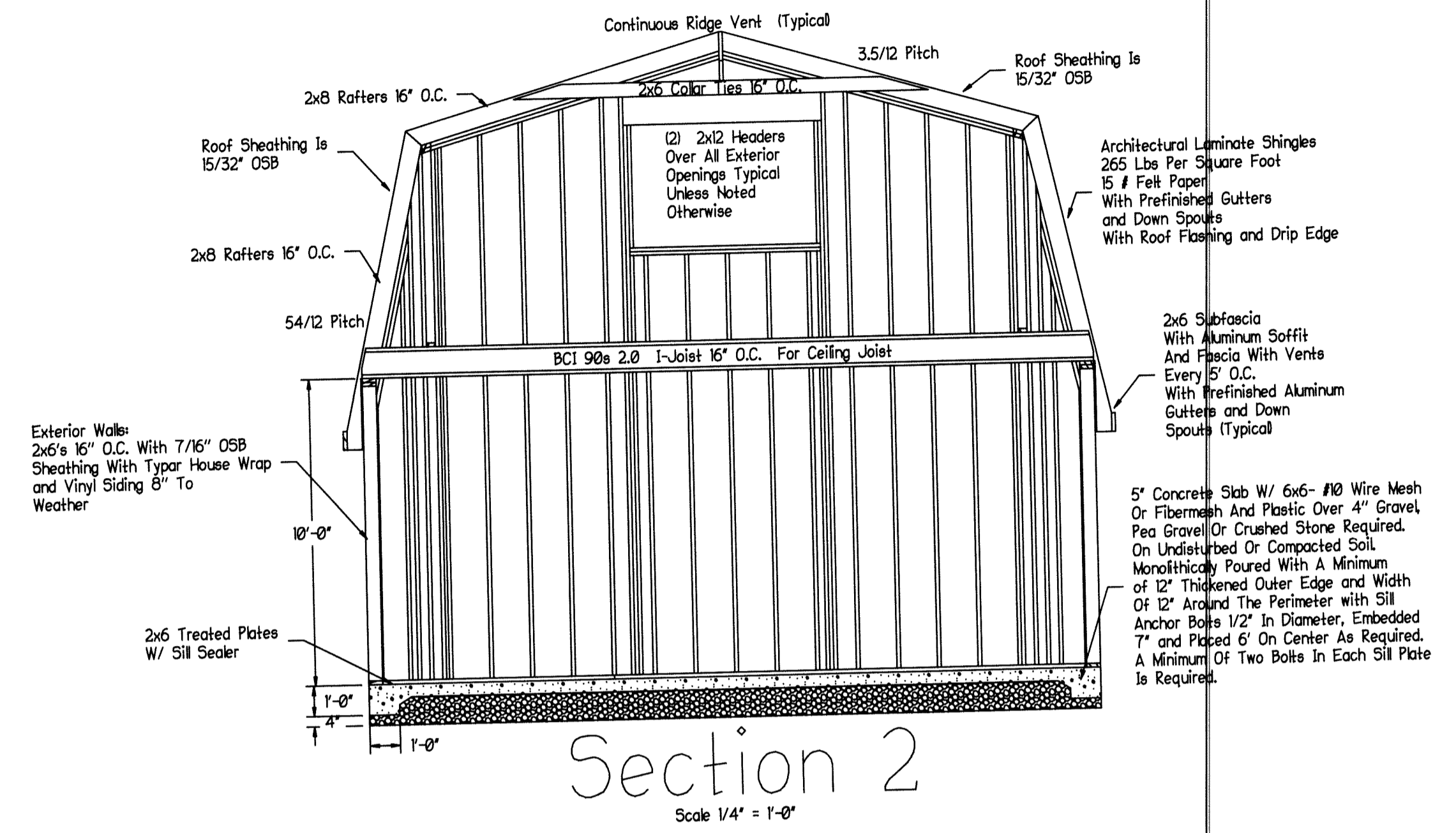
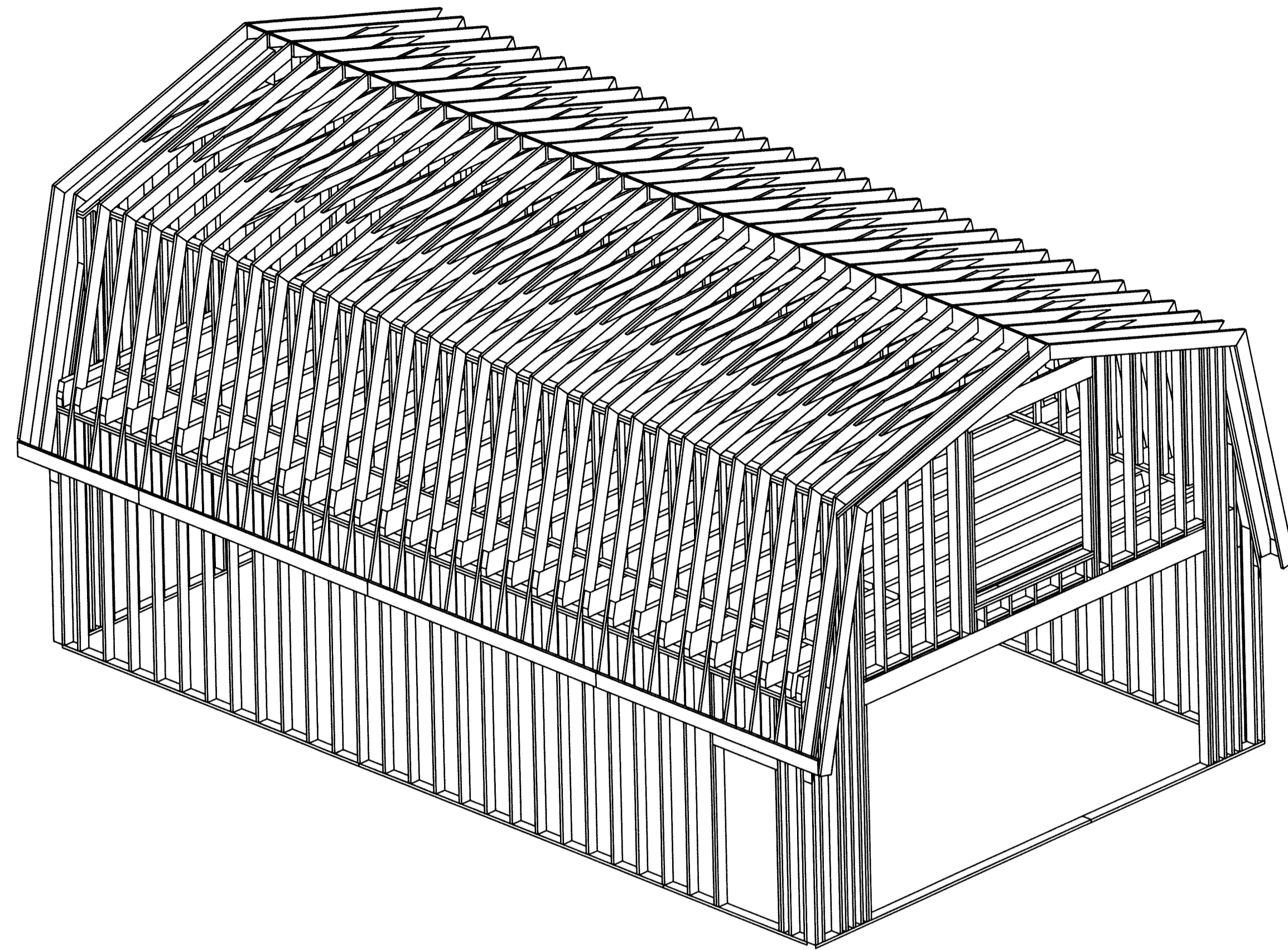
Rear Elevation
Scale 1/4" = 1'-0"

Woodridge Homes Inc
71 W. Paddock St
Crystal Lake, IL 60014

Scale:	1/4"
Date:	03/12/11
Drawn By:	
Revision Date:	

Elevations
Tomasello Garage
24x40 Garage





Woodridge Homes Inc	
71 W. Paddock St	
Crystal Lake, IL 60014	
Scale:	1/4"
Date:	03/12/11
Drawn By:	
Revision Date:	
Floor Plan & Sections	
Tomasello Garage	
24x40 Garage	
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