



**#2011-26**  
**1557 Hollytree Lane (Money)**  
**Project Review for Planning and Zoning Commission**

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**Meeting Date:** May 18, 2011

**Zoning Requests:** Simplified Residential Variation (Article 4-600 E, Location of Accessory Structures), to allow a patio to be located in the required side yard as close as 1 foot from the property line

**Location:** 1557 Hollytree Lane

**Acreage:** 8,285 sq. ft. (0.19 acres)

**Existing Zoning:** “R-2 PUD” Single-family Residential PUD

**Surrounding Properties:** North: “R-2” Single Family Residential PUD  
South: “R-2” Single Family Residential PUD  
East: “R-2” Single Family Residential PUD  
West: “R-2” Single Family Residential PUD

**Staff Contact:** Latika Bhide 815-356-3615

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**Background:**

The property in question is an existing non-conforming corner lot in the “R-2” single-family district, located at the northeast corner of Hollytree Lane and Candlewood Drive. The lot does not meet the minimum lot area requirement of 8,400-square-foot for the “R-2” district. The property is improved with a two-story frame residence with an attached garage. The petitioner is requesting a variation to allow a patio to be located in the required side yard approximately one foot from the property line.

**Land Use Analysis:**

For a corner lot, the front is the narrowest side edge of the lot fronting on a street. Therefore, for this property, the front yard is along Candlewood Drive and the side along Hollytree Lane is the corner side or side abutting a street. The house is oriented along Hollytree Lane with driveway access along that street. Therefore, even though per the Unified Development Ordinance (UDO), the yard along the east side of the residence is the side yard, it functions as the rear yard in this case.

It is the petitioner’s intent to install a 20-foot x 11-foot brick patio as close as one foot to the east property line. A patio is considered an accessory structure and is required to maintain a minimum 5-foot setback from the interior side property line.



**Findings of Fact:**

**UNIFIED DEVELOPMENT ORDINANCE VARIATION**

The granting of a Variation rests upon the applicant proving practical difficulty or hardship caused by the Unified Development 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:

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

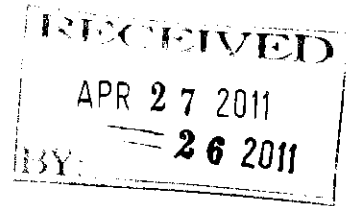
Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the Variation be denied.

**Recommended Conditions:**

If the petitioner’s request for a variation is approved, the following conditions are recommended:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, received 4-27-11
  - B. Plat of Survey, Mionske, dated 11-12-91, received 4-27-11
  - C. Site Plan (Not to Scale), received 4-27-11
  
- 2) This variation is granted solely for the installation of an in-ground patio. Elevated seating walls and other similar accessory structures shall not be added to the patio.
  
- 3) Appropriate building permits must be obtained prior to the installation of the patio.
  
- 4) The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

**Application for Simplified Residential Variation**



Application Number: _____	<b>FOR OFFICE USE ONLY</b>
Project Name: _____	
Date of Submission: _____	

**I. Applicant**

Monica Money  
Name

1557 Hollytree Lane  
Street

Crystal Lake	IL	60014
City	State	Zip Code
773-704-6955		monica.nawrocki@d155.org
Telephone Number	Fax Number	E-mail address

**II. Owner of Property (if different)**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

**III. Project Data**

1. a. Location/Address: 1557 Hollytree Lane Crystal Lake, IL 60014

b. PIN #: 19-18-379-020

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:

First, my backyard is actually considered my side yard because of the placement of my house (it's a corner lot).

I would like to build a brick patio that is about 11 x 20 ft. in what I call my backyard

which is very narrow (only about 13 or 14 feet wide). So I don't have much

of a backyard. The patio will bring me within about 1 1/2 to 2 feet of my property line.

IS THE HARDSHIP SELF-CREATED?

No, this is a corner house that has larger setbacks on both frontages leaving very little space

in the back yard. This can be seen on the Plat of Survey.

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

Not that I'm aware of.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No, it will not.

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

No, it will not.

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, it will not.

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

None during the time that I have lived here.

**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.

Monica Money Monica Money 4/28/11

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.

**PUBLIC NOTICE**

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

**IN THE MATTER OF THE APPLICA-  
TION OF MONICA MONEY**

**LEGAL NOTICE**

Notice is hereby given in compli-  
ance 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 of the City  
of Crystal Lake upon the applica-  
tion of Monica Money, for a varia-  
tion relating to the following de-  
scribed real estate commonly  
known as 1557 Hollytree Lane,  
Crystal Lake, Illinois 60014, PIN:  
19-18-379-020.

This application is filed for the  
purposes of seeking a variation  
from Article 4-600 E, Location of  
Accessory Structures, to allow a pa-  
tio to be located in the required side  
yard as close as 1 foot from the  
property line, 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 Depart-  
ment of City Hall.

A public hearing before the Plan-  
ning and Zoning Commission for  
this request will be held at 7:30  
p.m. on Wednesday May 18,  
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.

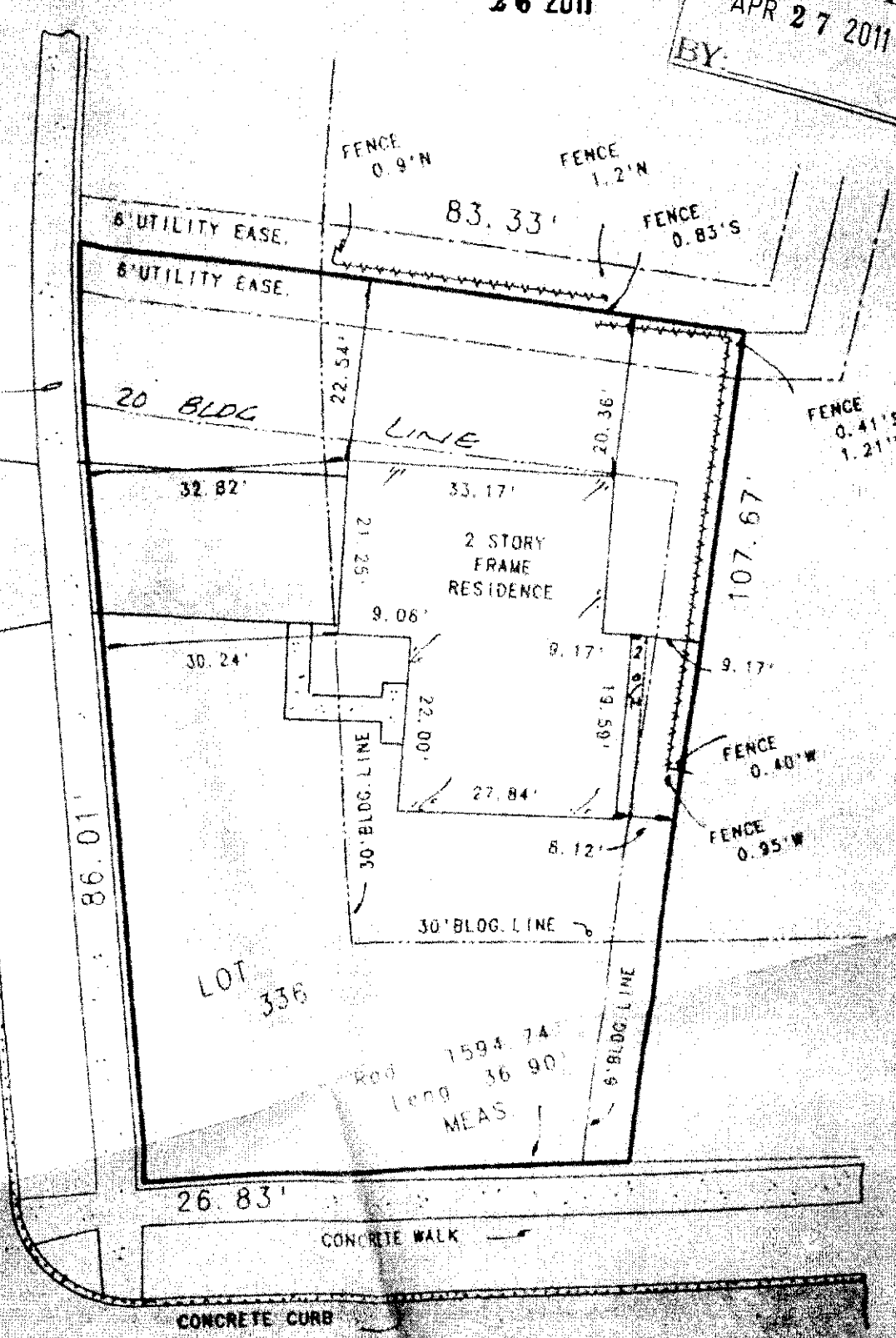
Tom Hoyden, Chairperson  
Planning and Zoning Commission  
City of Crystal Lake  
(Published in the Northwest Herald  
May 3, 2011)

26 2011

RECEIVED  
APR 27 2011  
BY:

Rod. 320.00'  
Leng. 30.98'  
MEAS.

#1557 HOLLY TREE LANE



LOT 336

Rod. 1594.74'  
Leng. 36.90'  
MEAS.

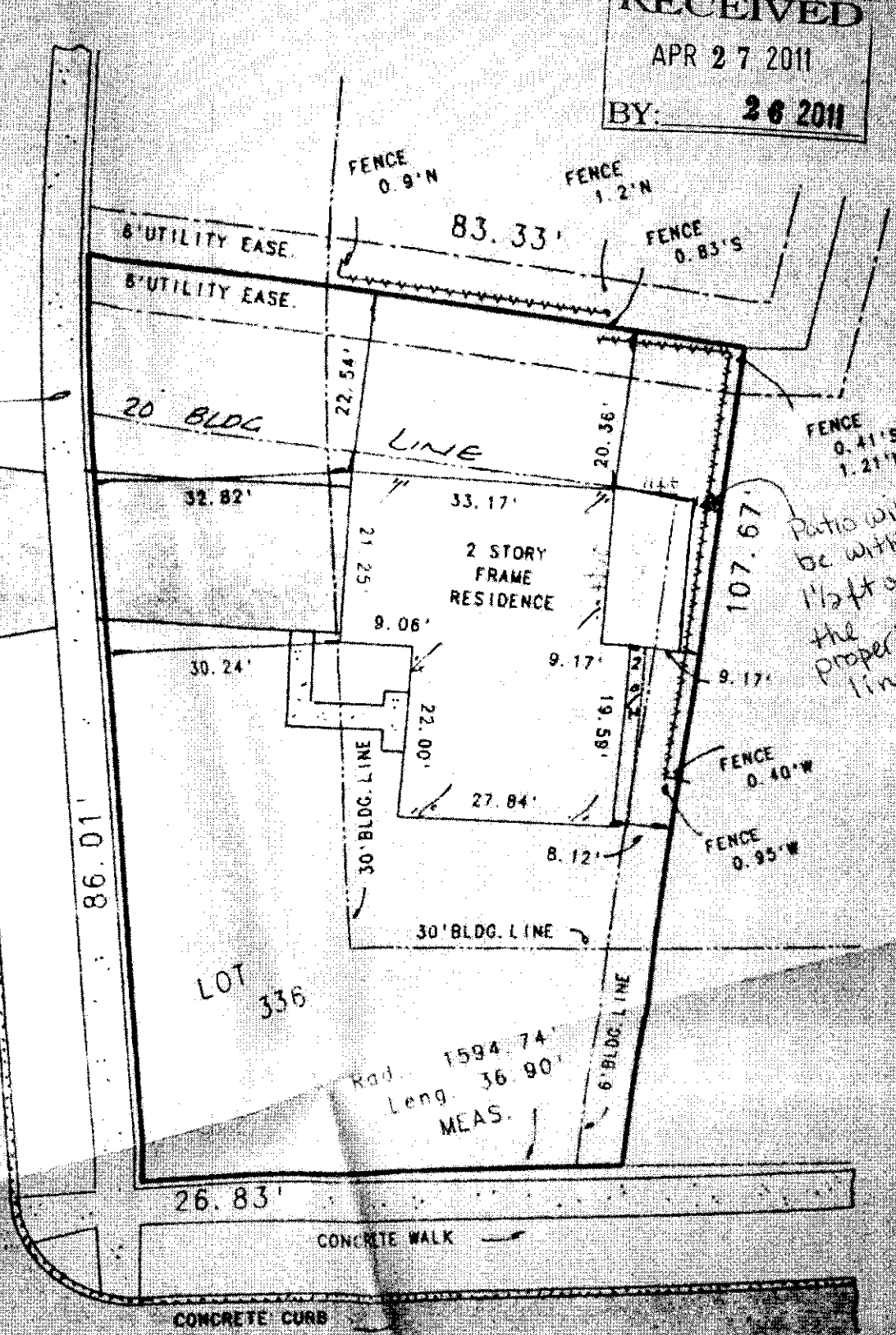
CANDLEWOOD DRIVE

BITUMINOUS SURFACE

RECEIVED  
APR 27 2011  
BY: 26 2011

Rad. 320.00'  
Leng. 30.98'  
MEAS.

#1557 HOLLY TREE LANE



Patio will be within 1 1/2 ft of the property line.

Rad. 1594.74'  
Leng. 36.90'  
MEAS.

CANDLEWOOD DRIVE

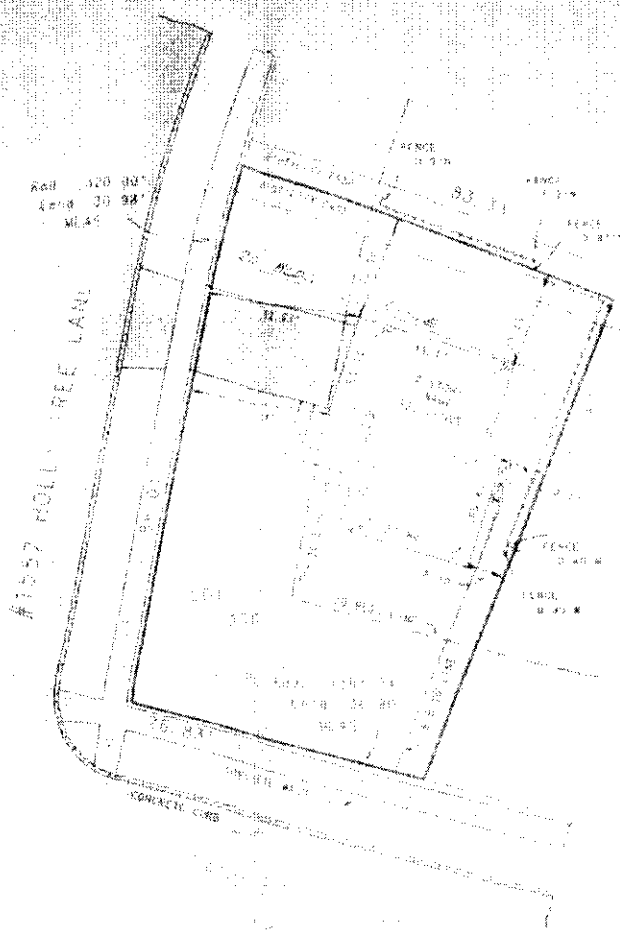
PERMANENT SURFACE



# PLAT OF SURVEY

LOT 120 IN LOT 120 IN THE PARK UNIT TWO BEING A PART OF THE  
 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST  
 QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18 TOWNSHIP 13  
 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING  
 TO THE PLAT THEREOF RECORDED JULY 14, 1988 AS DOCUMENT NO. 88  
 01348 IN WARRICK COUNTY, ILLINOIS.

**RECEIVED**  
 APR 27 2011  
 BY:  
 26 2011



STATE OF ILLINOIS  
 COUNTY OF WARRICK

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

*[Signature]*  
 \_\_\_\_\_  
 PUBLIC NOTARY  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 123456

VOID WITHOUT SURVEYOR'S EMBOSSED SEAL

NOTE: THIS PLAT IS NON-TRANSFERABLE ONLY POINTS WITH THE SURVEYOR'S EMBOSSED SEAL AND LEGAL DESCRIPTION CONTAINED HEREIN ARE VALID ONLY TO THE PARTIES NAMED ABOVE AND TO BE USED IN A REAL ESTATE TRANSACTION ONLY. A LEGAL DESCRIPTION WAS NOT FORWARDED TO THE SURVEYOR. THERE MAY BE ERRORS OR OMISSIONS IN THIS PLAT. THE SURVEYOR'S EMBOSSED SEAL IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION GIVEN HEREIN. THE SURVEYOR'S EMBOSSED SEAL IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION GIVEN HEREIN. THE SURVEYOR'S EMBOSSED SEAL IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION GIVEN HEREIN. THE SURVEYOR'S EMBOSSED SEAL IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION GIVEN HEREIN.



TYLER OAKS  
 ILLINOIS PROFESSIONAL LAND SURVEYOR  
 P.O. BOX 440 SYCAMORE, ILLINOIS 60178  
 TELE 615-890-1000 FAX 615-890-1000

PERMANENT INDEX NUMBER 18-18-12000  
 SURVEY NUMBER 18-18-12000  
 DATE 4-20-11