



#2011-42
125 S. Williams Street (Whetham)
Project Review for Planning and Zoning Commission

Meeting Date: September 21, 2011

Zoning Request:

- 1) Special Use Permit for a detached accessory structure greater than 600 square feet to allow 871 square feet; and
- 2) Variation to allow an accessory structure (detached garage) to be two stories, as pursuant to Articles 3-200 A 4, 4-600 D and 9-200 A and D.

Location: 125 S. Williams Street

Acreage: ≈ 12,710 sq. ft.

Existing Zoning: R-2 Single-family Residential

Surrounding Properties:

North: R-2 Single Family Residential
South: R-2 Single Family Residential
East: R-2 Single Family Residential
West: R-2 Single Family Residential

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

The property consists of an existing single family residence with a detached garage. The petitioners are planning to remove the existing garage and construct a new garage. The new garage would be located in a similar location behind the house east of the asphalt driveway. Since the total floor area is over 600 square feet, the structure requires a Special Use Permit. In addition, there is a second story for upstairs storage which requires a variation.

Land Use Analysis:

The proposed garage would have a first and second story. The second story is centered in the middle of the upper floor so the roof pitch and exterior appearance still resembles a single-story structure. A story is determined by the height of the wall plates, anything higher than four-feet is considered a story. The interior wall plates would be eight-feet in height, requiring a variation to allow a second story. Accessory structures over 600 square feet require a Special Use Permit. The first floor is 533 square feet and the second floor is 338 square feet for a total of 871 square feet.

Findings of Fact:

ZONING ORDINANCE VARIATIONS

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 or practical difficulty 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.

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*

Recommended Conditions:

If a motion to recommend approval of the Special Use Permit and Variation at 125 S. Williams Street is granted, the following conditions are recommended:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, (Whetham, received 08/22/11)
 - B. Plat of Survey (Mid America Survey Company, dated 09/06/88, received 08/22/11)
 - C. Garage Plan (Cool House Plans, received 08/22/11)
- 2) A special use permit and variation are hereby granted to allow the petitioner's request with the understanding that full construction plans shall be submitted for review and approval to the Building Division.

**City of Crystal Lake
Development Application**

Office Use Only
File # _____

4 2 2011

Project Title: GARAGE REPLACEMENT

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BY: _____

Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input checked="" type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information

Owner Information (if different)

Name: John + Gerilyn Whetham Name: _____
Address: 125 S. Williams St. Address: _____
Crystal Lake, IL 60014
Phone: 815-455-2946 Phone: _____
Fax: _____ Fax: _____
E-mail: whetham484@netscape.net E-mail: _____

Property Information

Project Description: Removal of old garage & replace
w. the new garage 2 story over 600 sq ft.
1st floor (SUP)

Project Address/Location: 125 S. Williams St.
Crystal Lake, IL 60014

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

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.

John Whetham John Whetham Gerilyn Whetham 8/22/11

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 APPLICATION OF JOHN and GERILYN WHETHAM

LEGAL NOTICE

Notice is hereby given in compli-

ance 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 John and Gerilyn Whelham for approval of a Special Use Permit and Variations relating to the following described real estate commonly known as 125 S. Williams Street, Crystal Lake, Illinois 60014, PIN: 19-05-228-031

This application is filed for the purposes of seeking a Special Use Permit to allow a detached accessory structure greater than 600 square feet in area pursuant to Articles 4-600 D, 9-200 A and 9-200 D; a variation from Article 3-200 A 4. to allow the accessory structure to be two-stories in height; and any other variations as necessary to allow the construction of the structure 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, September 21, 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
September 3, 2011)

218 North County Street
Waukegan, IL 60085
Phone 312-336-2473

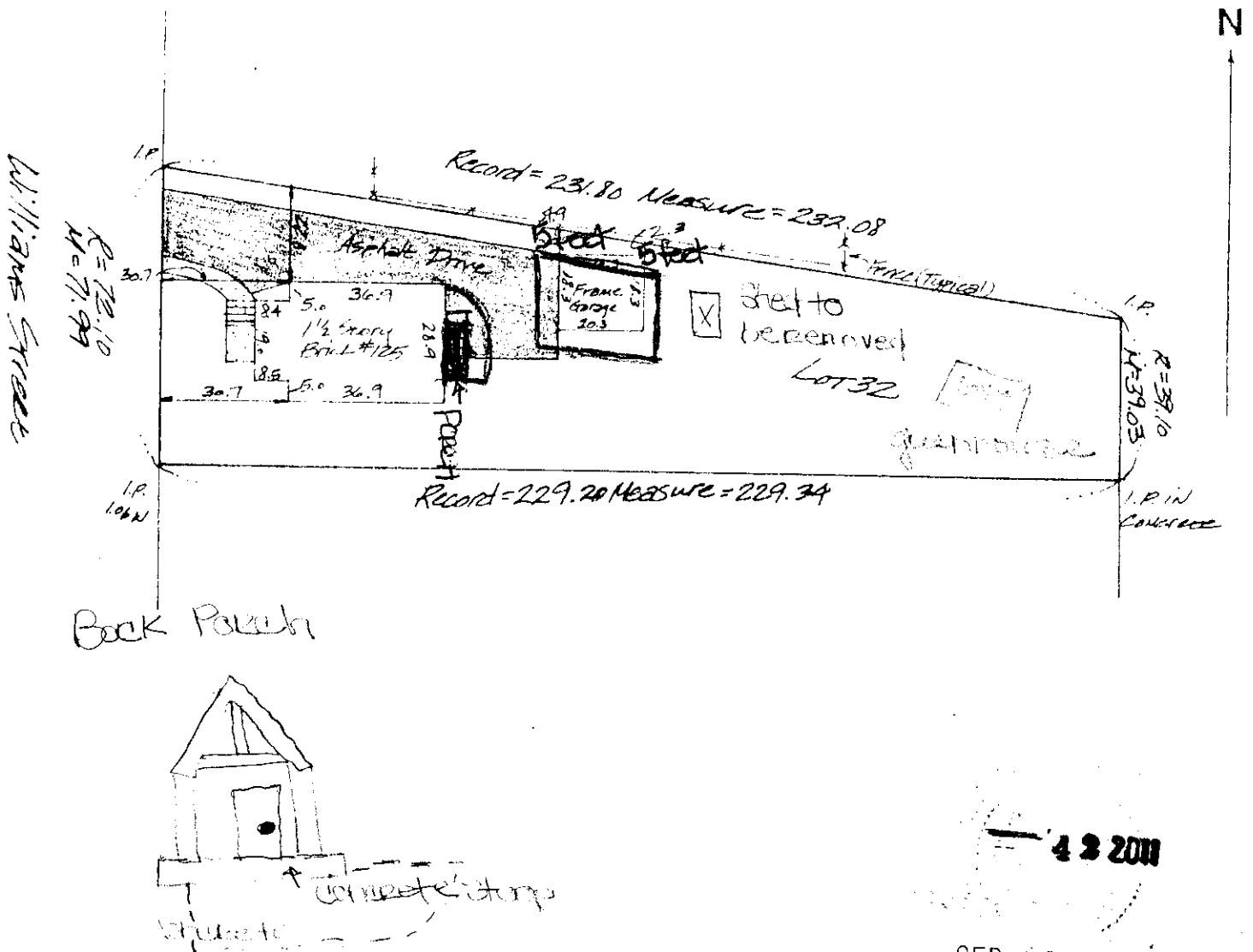
145 E. Algonquin Road
Arlington Heights, IL 60005
Phone 312-228-0668

373 S. County Farm Road
Wheaton, IL 60189
Phone 312-690-3733



PLAT OF SURVEY

LOT 32 IN C.E. TEEGELER'S ADDITION TO CRYSTAL LAKE, A SUBDIVISION OF PART OF LOT 7 OF THE ASSESSOR'S PLAT IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 10, 1975 AS INSTRUMENT NO. 58971, IN BOOK 5 OF PLATS, PAGE 33, IN MCHENRY COUNTY, ILLINOIS.



STATE OF ILLINOIS) 65
COUNTY OF LAKE)

I, the undersigned, MID AMERICA SURVEY COMPANY, certify that the above described property was surveyed under my supervision and it is the true and correct plat of the same.

Surveyed and Platted by

9/6

88

MID AMERICA SURVEY COMPANY

P. Mann

Registered Professional Surveyor

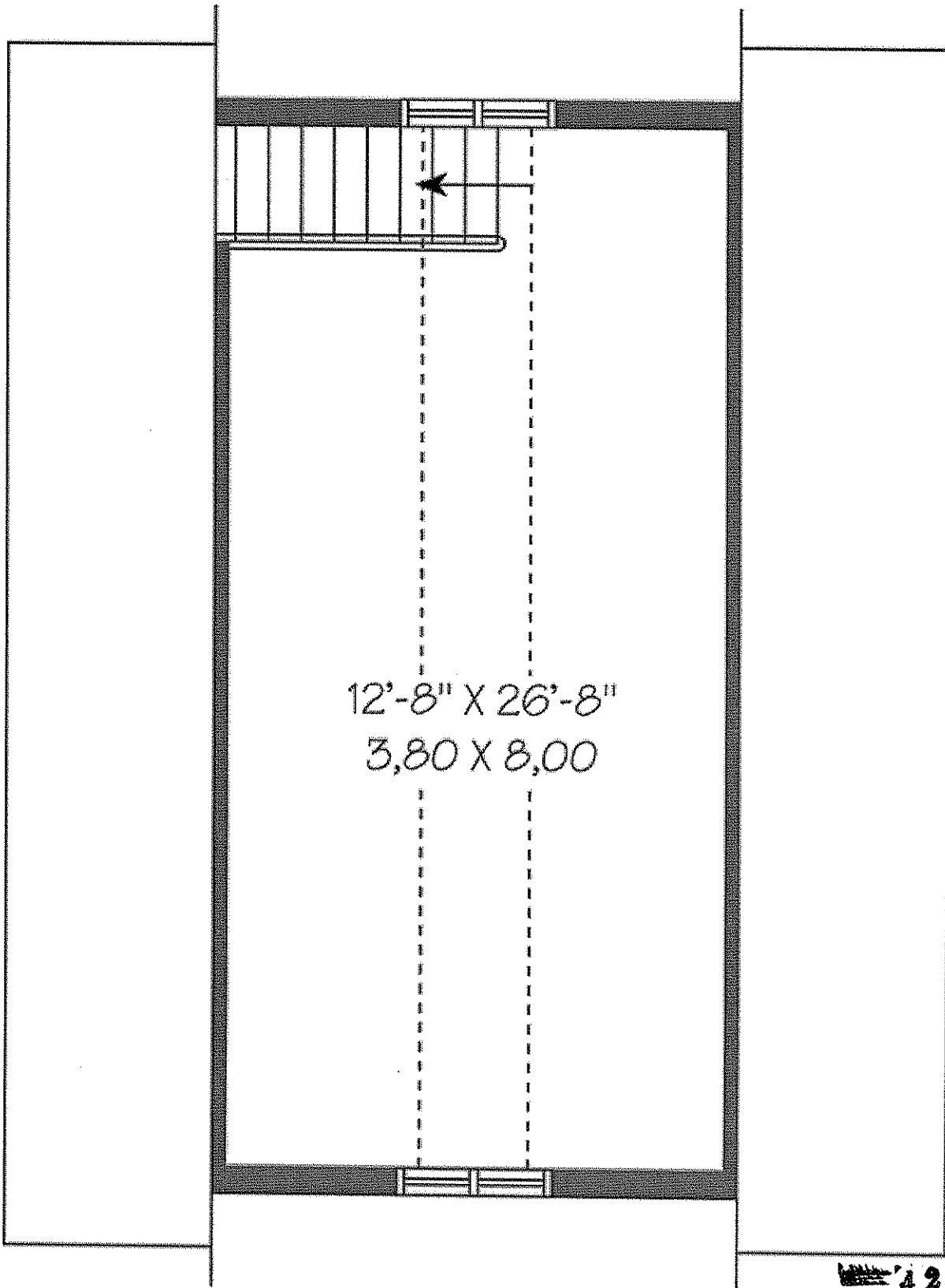
Approved for recording by the County Clerk of Lake County, Illinois, on this 13th day of September, 2011.

1"=40'

77983

D & N McG. / Wheaton / 61545

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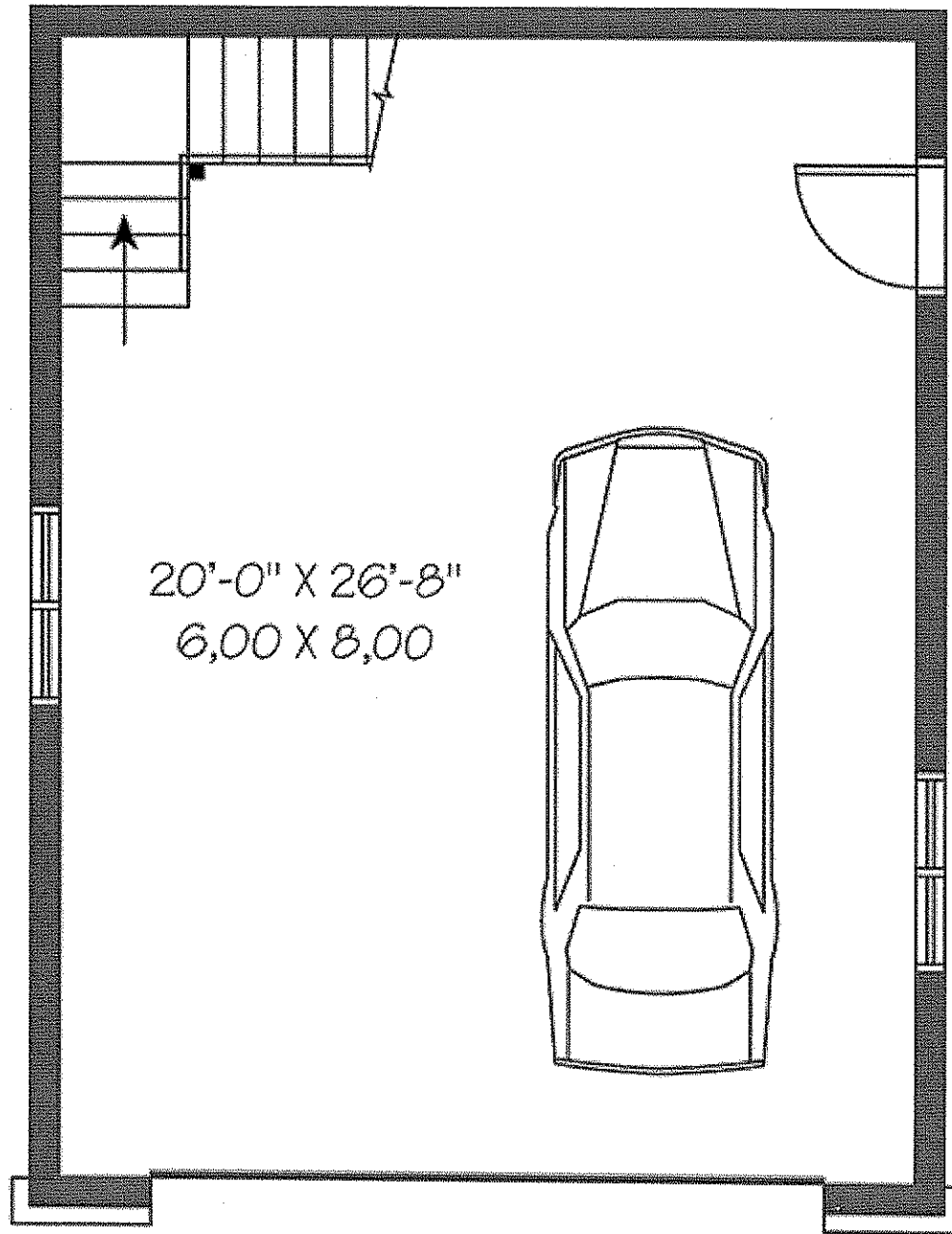


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Second Floor Plan
Plan ID: chp-38904, Order Code: C101
COOLhouseplans.com | 1-800-482-0464

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▲
 28'-4"
 8,5 m
 ▼

20'-0" X 26'-8"
 6,00 X 8,00

◀ 21'-4"
 6,4 m ▶

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First Floor Plan

Plan ID: chp-38904, Order Code: C101

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