



#2011-55
95 S. Oriole Tr. (Hare)
Project Review for Planning and Zoning Commission

Meeting Date: November 2, 2011

Zoning Requests:

- 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 770 square feet on the first floor and 725 square feet on the second floor;
- 2) Variation to allow the garage addition to be as close as 18 inches from the side property line, instead of the required 5-foot side-yard setback;
- 3) Variation to allow an accessory structure to be two stories and 19 feet in height;

Location: 95 S. Oriole Tr.

Acreage: ≈ 11,250 sq. ft. (0.26 acres)

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: 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 11,250 square feet.
- The property is improved with a 2-story frame residence with a 2-story detached garage.
- The petitioner received a variation in 1994 to rebuild the 2-story garage that was destroyed by a fire as close a 2.05 feet from the property line. At that time, under the provisions of the Zoning Ordinance, a detached accessory structure was permitted to be as close as 3 feet from the property line.
- The petitioner’s request is to add a 180 square-foot (360 SF on two stories) addition to the rear of the existing garage and a 43-square-foot covered space on the first story to provide cover to equipment.

Land Use Analysis:

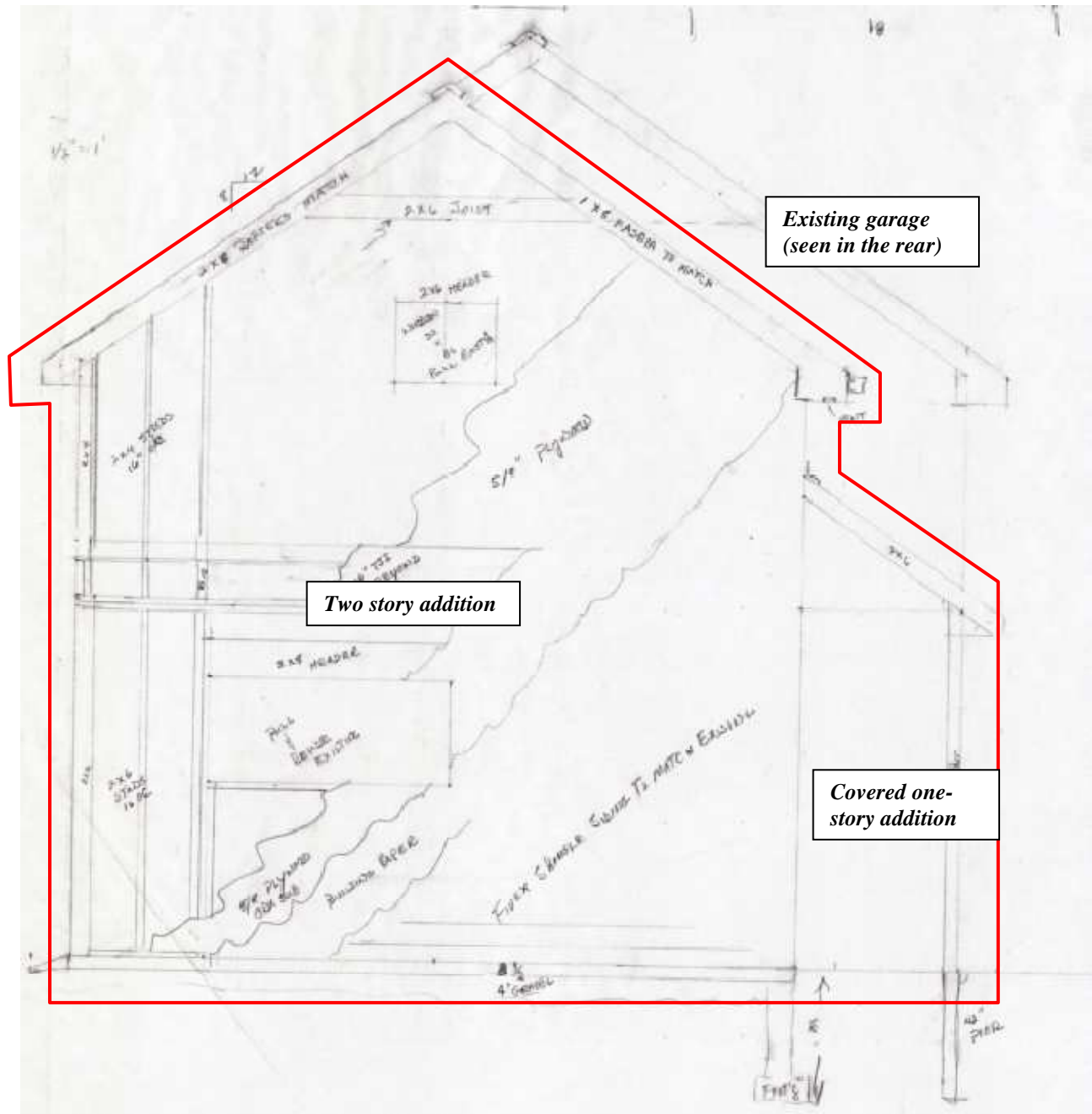
- The property is located on Oriole Trail, north of Carpenter Street and is a conforming lot in the “R-2” district.
- The existing detached garage is located approximately 2.05 feet from the side property line.
- Per the requirements of the UDO, detached accessory structures are required to be at least 5 feet from the side and rear property lines.
- The existing detached garage is not considered a non-conforming structure because a variation was granted to build it in 1994.
- The petitioner is proposing a 10-foot (deep) x 18-foot addition to the rear of the existing garage. The addition would be as close as 18-inches from the side property line and approximately 9-feet from the rear property line.
- The garage with the addition will be approximately 770 square feet on the first floor and 725 square feet on the second floor. In addition a 43-square-foot covered space on the first story is proposed. It is not known if the upper story is used as living quarters.
- Per the provisions of the Unified Development Ordinance, a detached accessory structure greater than 600-square-feet is required to obtain a Special Use Permit.



Principal and accessory structure at 95 S. Oriole St



Addition is proposed to the rear of the detached garage



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 VARIATIONS

- The petitioner is requesting variations to allow the garage addition to be as close as 18 inches from the side property line, instead of the required 5-foot side-yard setback;
- A variation is also requested to allow an accessory structure to be two stories and 19 feet in height instead of the permitted 15 feet and one story.

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.

Recommended Conditions:

If a hardship is found, staff suggests that the following as conditions of the approval of the Special Use Permit and Simplified Residential Variation at 132 Wallace Avenue:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (received 10-14-11)
 - B. Plat of Survey (VSEI, received 10-14-11)
 - C. Details (Hare, received 10-28-11)
- 2) A special use permit and variations are hereby granted to allow the petitioner’s request.
- 3) The maximum projection of the eave or overhang for the addition will be at least six inches from the property line.
- 4) The addition shall be consistent with the existing garage with respect to style, building materials and colors.
- 5) 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: _____	5 5 2011

RECEIVED
OCT 14 2011
BY: _____

I. Applicant

Name: FORREST B. & HELGA M. HARE

Street: 95 S ORIOLE TRL.

City: CRYSTAL LAKE, IL State: IL Zip Code: 60014

Telephone Number: 815-459-7196 Fax Number: _____ E-mail address: fbhare@COMPAST.NET

II. Owner of Property (if different)

Name: _____

Address: _____ Telephone Number: _____

III. Project Data

1. a. Location/Address: 95 S. ORIOLE TRL.

b. PIN #: 19-06-229-058

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: THERE IS A LARGE OAK TREE THAT STANDS NEAR THE BACK, WHICH INHIBITS THE CONSTRUCTION OF A STAND ALONE SHED TO ACCOMMODATE THE YARD TRACTOR & EQUIPMENT RECENTLY PURCHASED. THE EQUIPMENT IS NEEDED

IS THE HARDSHIP SELF-CREATED? No

→ to PERFORM REGULAR LAWN & YARD MAINTENANCE.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? Don't Know

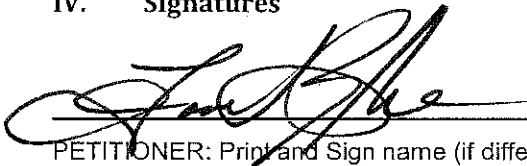
WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? No

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; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY? No

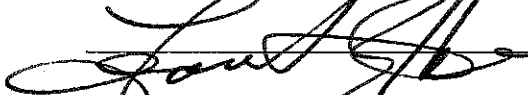
3. List any previous variations that are approved for this property: ALLOWANCE FOR ^{DETACHED} GARAGE WHICH WAS BUILT TO CLOSE TO PROPERTY LINE IN 1927, 6" ALLOWANCE FOR FRONT STOOP FOR STAIRS,

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
FORREST B. HARE

14 Oct 2011
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 FORREST AND HELGA HARE

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 Forrest and Helga Hare for approval of a Special Use Permit and Variations relating to the following described real estate commonly known as 95 S. Oriole Trail, Crystal Lake, Illinois 60014, PIN: 19-06-229-058 and 19-06-229-062

This application is filed for the purposes of seeking a Special Use Permit to allow an approximately 225 square foot addition to the existing garage to allow the garage to be approximately 775 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 addition to be located in the side yard as close as 1.5 feet instead of 5 feet from the north 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 De-

velopment Department at City Hall.

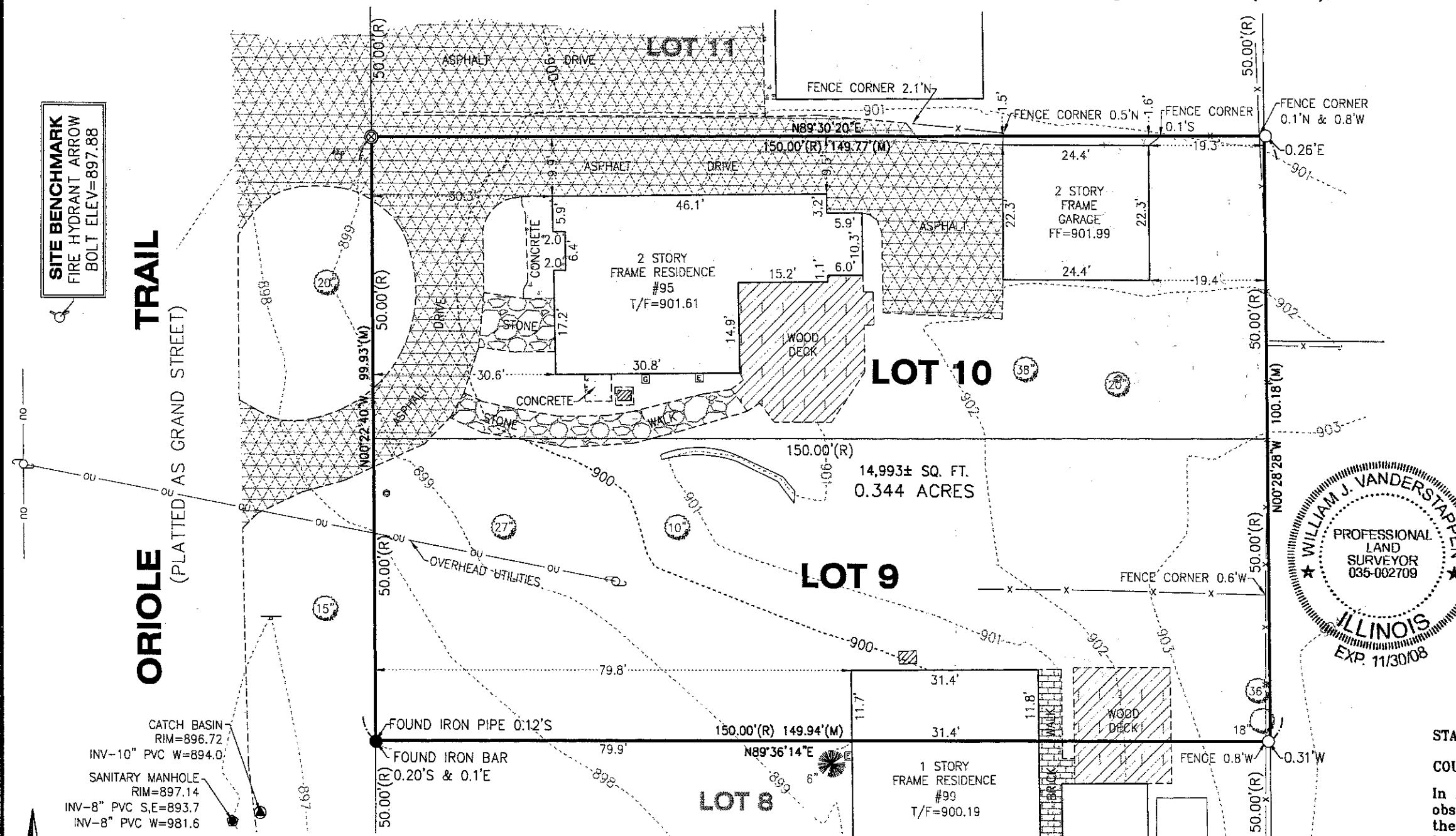
A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on Wednesday, November 2, 2011, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
October 18, 2011)

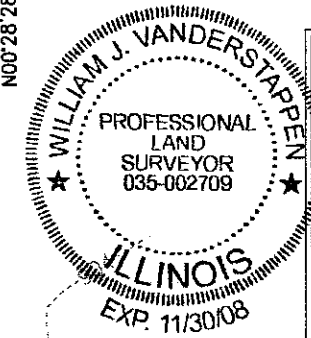
PLAT OF SURVEY

Lots 9 and 10 in Kellogg's Subdivision of part of Block 13 in Pierson's Addition to Crystal Lake, a Subdivision of part of Sections 5 and 6, Township 43 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded May 3, 1911 as Document Number 19086 in Book 3 of Plats, Page 38, according to the re-plat thereof recorded September 23, 1911 as Document Number 21023 in Book 3 of Plats, Page 40 in McHenry County, Illinois

LEGEND	
○	FOUND IRON PIPE
●	FOUND IRON BAR
⊗	SET SPIKE
⊕	CATCH BASIN
⊙	SANITARY MANHOLE
⊕	FIRE HYDRANT
⊕	WATER SERVICE VALVE
⊕	UTILITY POLE
⊕	SIGN
●	FLAG POLE
⊕	GAS METER
⊕	ELECTRIC METER
⊕	AIR CONDITIONER
○	TREE
⊕	EVERGREEN



(M)MEASURE (D)DEED (R)RECORD



PROJECT BENCHMARK
 STATION "CRYSTAL LAKE-28"
 ELEV=918.78 NAVD88
 MCHENRY COUNTY GEODETIC CONTROL
 STATION #6834
 STAINLESS STEEL ROD IN SLEEVE
 LOCATED 92 FEET NORTH OF THE
 ENTRANCE TO #400 MAIN STREET
 (G&M); 8' EAST OF THE BACK OF
 CURB OF MAIN STREET AND 103'
 SOUTH OF A BITUMINOUS DRIVEWAY
 IN CRYSTAL LAKE, ILLINOIS

STATE OF ILLINOIS)
) S.S.
 COUNTY OF MCHENRY)

In my professional opinion and based on my observations, I hereby certify that we have surveyed the premises above described, and that the plat hereon is a true representation of said survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Dated at Woodstock,
 McHenry County, Illinois 6/24 A.D., 2008.

Vanderstappen Surveying & Engineering, Inc.
 Design Firm No. 184-002792

By: *William J. Vanderstappen*
 Illinois Professional Land Surveyor No. 2709

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.

- No distance should be assumed by scaling.
- No underground improvements have been located unless shown and noted.
- No representation as to ownership, use, or possession should be hereon implied.
- This Survey and Plat of Survey are void without original embossed or colored seal and signature affixed.

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

ORIOLE
 (PLATTED AS GRAND STREET)
TRAIL
 SITE BENCHMARK
 FIRE HYDRANT ARROW
 BOLT ELEV=897.88
 CATCH BASIN
 RIM=896.72
 INV-10" PVC W=894.0
 SANITARY MANHOLE
 RIM=897.14
 INV-8" PVC S,E=893.7
 INV-8" PVC W=981.6

CLIENT: FOREST HARE
 DRAWN BY: RSM CHECKED BY: WJV
 SCALE: 1"=20' SEC. 06 T. 43 R. 08 E.
 BASIS OF BEARING: ASSUMED
 P.I.N.: 19-06-229-058, 062, 063
 JOB NO.: 080321 I.D. TPB
 FIELDWORK COMP.: 6/17/08 BK. 64 PG. 72, 73
 ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF CORRECTED TO 68° F.

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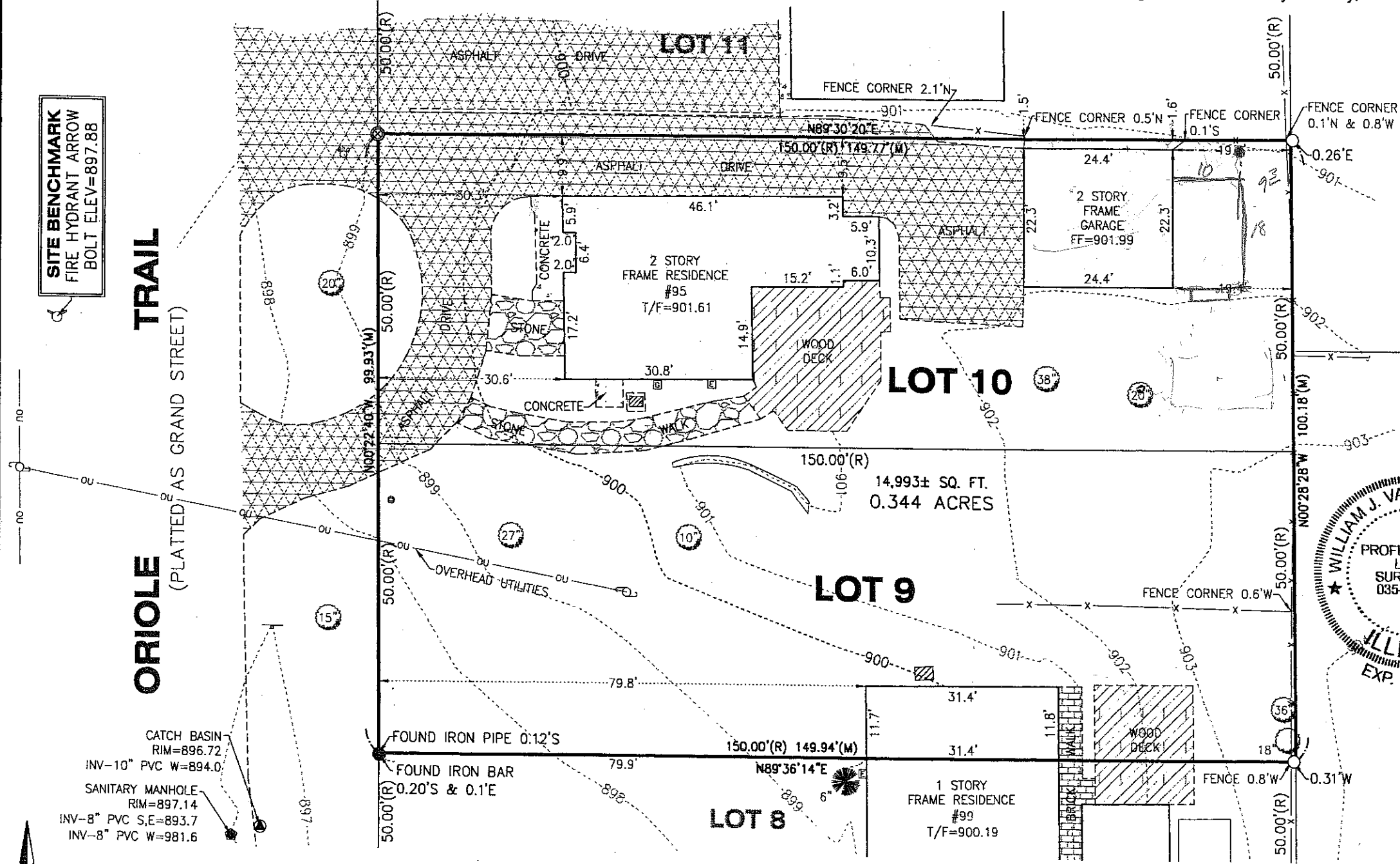
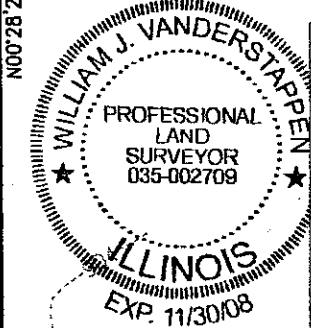
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 FIRE HYDRANT ARROW
 BOLT ELEV=897.88

TRAIL
 (PLATTED AS GRAND STREET)

ORIOLE

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 INV-10" PVC W=894.0

SANITARY MANHOLE
 RIM=897.14
 INV-8" PVC S,E=893.7
 INV-8" PVC W=981.6

CLIENT: FOREST HARE
 DRAWN BY: RSM CHECKED BY: WJV
 SCALE: 1"=20' SEC. 06 T. 43 R. 08 E.
 BASIS OF BEARING: ASSUMED
 P.I.N.: 19-06-229-058, 062, 063
 JOB NO.: 080321 I.D. TPB
 FIELDWORK COMP.: 6/17/08 BK. 64 PG. 72, 73
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 PARTS THEREOF CORRECTED TO 68° F.

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) S.S.
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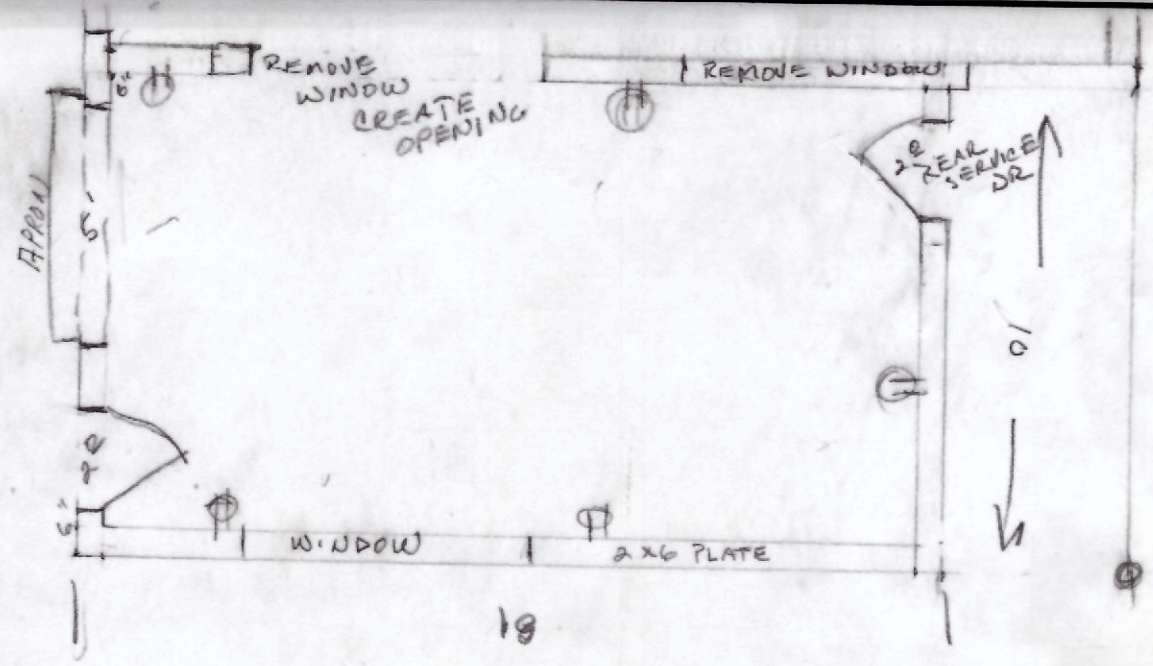
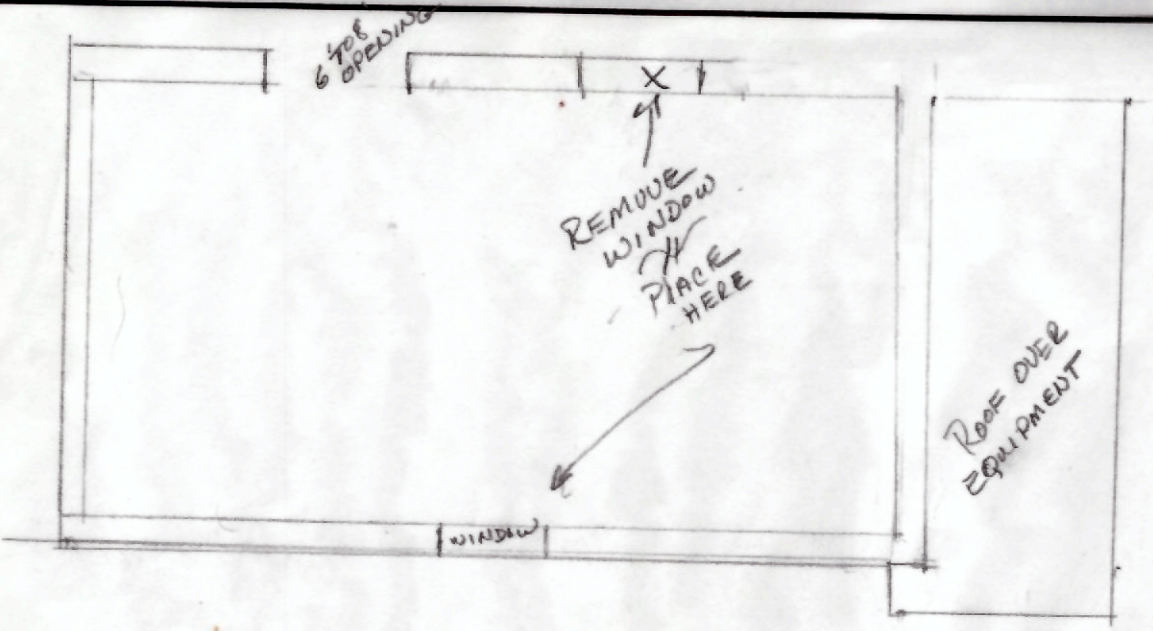
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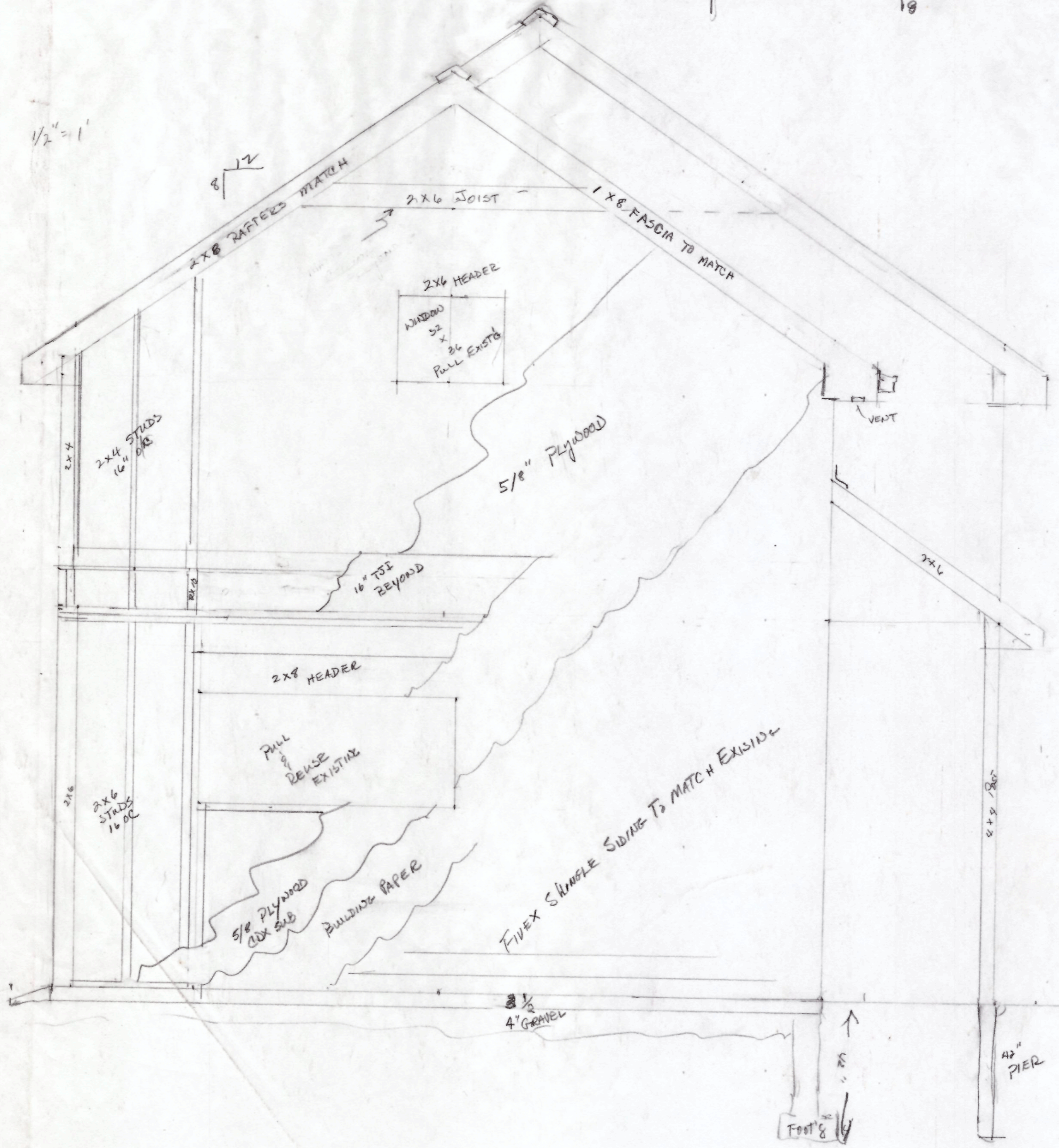
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1/4" = 1'

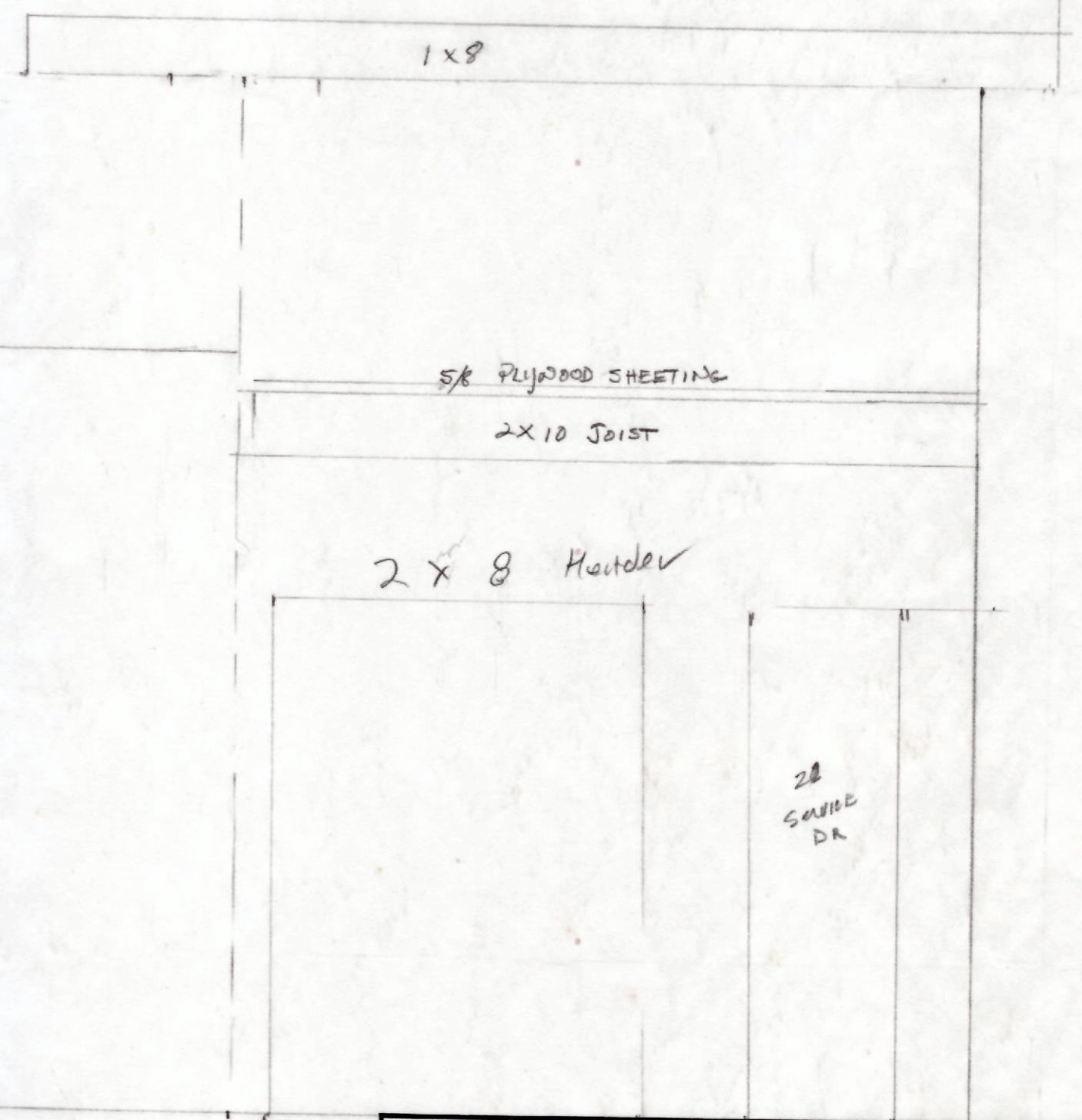


1/2" = 1'



EXISTING ROOF

RIDGE VENT BY AIRVENT
TAMKO
ASTEC BLACK 30YR. LAM.
TO MATCH EXISTING
OVER 1/2" CDX FIR Plywood
VEVEX FS 101 SKYLIGHT
VENT HOLES TO BE CUT ABOVE & BELOW



SCALE:	APPROVED BY:	DRAWN BY:
DATE:		REVISED:
		DRAWING NUMBER