

#2012-13 Indian Hills Trail (Hickey) Project Review for Planning and Zoning Commission

Meeting Date: April 4, 2012

Zoning Requests: Simplified Residential Variation to allow a 6-foot tall fence in

a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted

height of 3 feet.

Location: 21 and 24 Burning Bush Trail, 20 and 25 Indian Hill Trail,

590, 600, 610, 620, 630 and 640 Arrowhead Lane

Acreage: 5.17 acres (all 10 lots)

Existing Zoning: "RE" Residential Estate

Surrounding Properties: North: "RE" Residential Estate

South: "RE" Residential Estate
East: "RE" Residential Estate
West: "County" Unincorporated

Staff Contact: Latika Bhide 815-356-3615

Background:

- <u>Location:</u> 21 & 24 Burning Bush Trail; 20 & 25 Indian Hill Trail; 590, 600, 610, 620, 630 and 640 Arrowhead Lane
- Zoning: "RE" Residential Estate
- Development: Indian Hill Trails, Units 1, 2 and 3, approved in 1979, 1986 and 1987
- Existing Improvements: Single-Family Residences
- Request: Variation to allow a 6-foot tall fence in a yard abutting a street along Walkup Road, Burning Bush Trail and Indian Hill Trail instead of the maximum permitted height of 3 feet for a yard abutting street

Land Use Analysis:

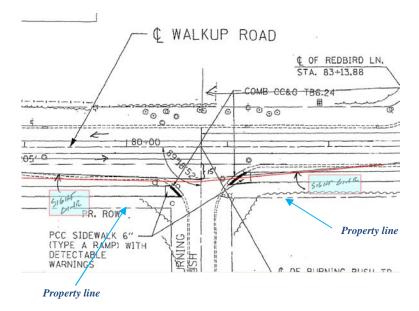
- <u>Background:</u> As part of Phase I of the Walkup Road improvement project, a bike path was added from Pleasant Hill Road south to Veteran Acres Park in 2011. During the construction of the bike path, some landscaping material along Walkup Road was removed.
- <u>Details:</u> The request is to allow an ornamental, aluminum fence, six foot in height along Walkup Road, Indian Hill Trail (20 & 25 Indian Hill Trail) and Burning Bush Trail (21 &

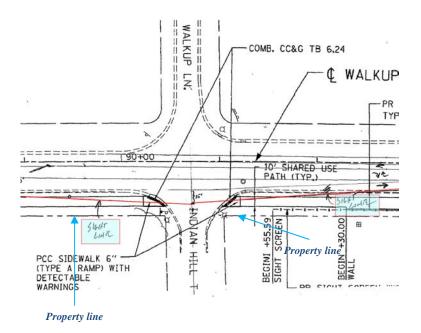
24 Burning Bush Trail. The fence is proposed to have 1 ¹/₈ inch rails, spaced 3 ³/₄ inches apart. The petitioner has indicated that the fence height will be stepped down to 4 feet within the triangular area formed by the street property lines and a line connecting them at points twenty-five feet from the intersection of the street lines. Following the property acquisition associated with the Walkup Road project, based on the plans, the new property lines are located approximately 9 feet from the inside (east) edge of the bike path. Some of the existing landscaping lies within the right-of-way and some on private property. The petitioner has indicated that the fence will be installed within the tree line or stepped back to accommodate the landscaping.



Proposed Fence

• <u>Clear Sight Triangle:</u> With the adoption of the UDO in 2009, clear sight triangle is calculated based on the posted speed limit and the associated stopping sight distance. As depicted in the diagrams below, the proposed fence will not block the clear view at the intersections of Burning Bush Trail and Walkup Road and Indian Hill Trail and Walkup Road. The clear view of the bike path appears to be partially blocked by the proposed fence; however, there are stop signs for the path traffic at each intersection.





• <u>Hardship:</u> The petitioner has indicated that with the installation of the bike path along a busy road, the safety of the lots along Walkup Road has been compromised.

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 grante True	ed, will not alter	the essential character of the locality. False							
		•		atent to which the following facts favorable to ce presented at the public hearing:							
1.		onditions upon which to other property withi True		for variation is based would not be applicable ng classification; False							

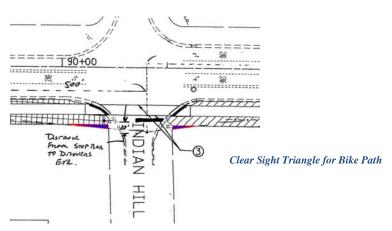
2.		the property;	rdsnip nas not b	een created by any person presently naving
		True		False
3.	U	0		trimental to the public welfare or injurious to hood in which the property is located; or False
4.	property, v	will not unreasonably	diminish or imposed on the dimension in the	adequate supply of light or air to adjacent pair the property values of adjacent property, the public streets, substantially increase the lety. 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. Development Application, received 2-7-12
 - B. Proposed location plan, received 2-7-12
 - C. Fence Details, received 2-7-12
- 2) A building permit is required prior to the installation of a fence.
- 3) To ensure visibility for the bike path users, the proposed fence will be stepped down to 2 ½ feet within the clear sight triangle for the bike path.



4) The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

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Application for Simplified Residential Variation

Applica	tion Number:	FOR OFFICE USE ONLY
Project	Name:	
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ı. 	Applicant	
<u> </u>	CHARD HICKEY 30 ARROWHEAD LANE	
Name	•	
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Addres		Telephone Number
III.	Project Data	
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1.	a. Location/Address: XE ATTACHED	
	b. PIN# SEE ATTACHED	
2.	Description of proposal/Reason for request (including how the st	
	any unique circumstance of the property, or particular hardship):	
	DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPE	RTY: COUNTY INSTALLED
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	DURING CONSTRUCTION, TREES AND CANDS	
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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.

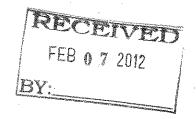
Indian Hill Trails POA Fence Project

FEB @ 7 2012

Plat of Survey

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attached												7000	TO POSSIBLE TO A							
# NIA		14-29-477-013		14-29-476-018		14-29-477-012		14-29-477-010		14-29-477-016		14-29-477-011		14-29-477-014	14-29-477-015		14-29-477-009		14-29-426-048	
Address	(Crystal Lake, IL 60012)	630 Arrowhead Lane		21 Burning Bush Trail	, and the state of	24 Burning Bush Trail		590 Arrowhead Lane	-	600 Arrowhead Lane		610 Arrowhead Lane		620 Arrowhead Lane	640 Arrowhead Lane		25 Indian Hill Trail		20 Indian Hill Trail	
Homeowner		Richard & Pamela Hickey		Chet & Mindy Ward		Joseph & Irma Weltzer	· · · · · · · · · · · · · · · · · · ·	Judy Mayer		lyah & Susan Swanson	· · · · · · · · · · · · · · · · · · ·	Northa Wacaser	i de la companya de l	James & Suzanne O'Reilly	David & Amy Barber	property and a second s	Robert & Marieluise Ludicky		Larry & Stella Golden	

January 19, 2012



Architectural Review - Indian Hill Trails Subdivision

To Whom It May Concern:

The Architectural Committee has reviewed the plan for the fence to be installed at the following properties listed below:

- 21 Burning Bush Trail
- 24 Burning Bush Trail
- 590 Arrowhead Lane
- 600 Arrowhead Lane
- 610 Arrowhead Lane
- 620 Arrowhead Lane
- 630 Arrowhead Lane
- 640 Arrowhead Lane
- 25 Indian Hill Trail
- 20 Indian Hill Trail

We approve the fence height, type and style submitted in the plans. With respect to the sight line reference in Article V, Section 14 of the Covenants, we do not see an issue with the fence installed on the corner properties. The fence height will be stepped down to 4 feet in that section and the fence being installed does not present a visual obstruction due to the design and style.

Sincerely,

Phil Cornacchia

President - IHT HOA

Bob Jungmann

Architectural Committee/Board Member

PUBLIC NOTICE.

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

IN THE MATTER OF THE PETITION OF RICHARD HICKEY

LEGAL NOTICE

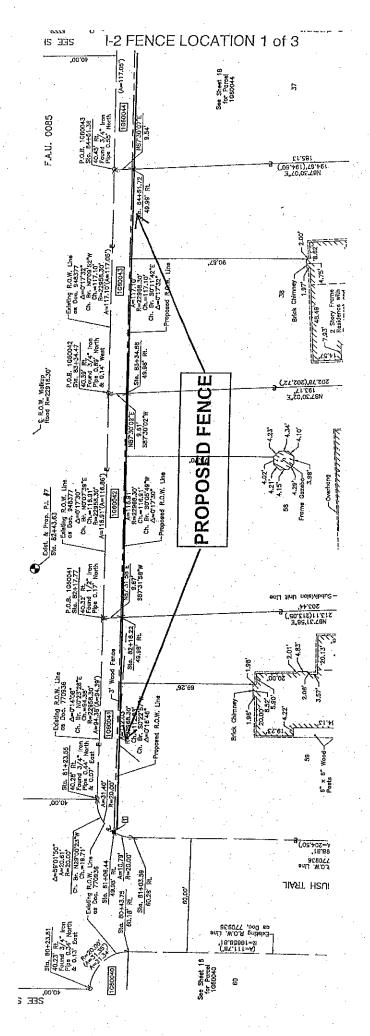
Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application by Richard Hickey'on behalf of 10 property owners within the Indian Hill Trails Subdivision Units 1, 2 and 3, for a variation relating to the following described read estate commonly known as 21 and 24 Burning Bush Trail, 20 and 25 Indian Hill Trail, 590, 600, 610, 620, 630 and 640 Arrowhead Lane, Crystal Lake, Illinois 60012, PlNs: 14-29-476-018, 14-29-477-012, 14-29-426-048, 14-29-477-010, 016, -011, -014, -013, and -015.

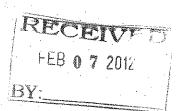
This application is filed for the purposes of seeking a variation from Article 4-700 B 3, Height Requirements for Fences, walls and screening to allow a 6 toot high fence along the property line in the yard abutting street along Walkup Road, Burning Bush Trail and indian Hill Trail; from Article 4-700 B 4 from the clear view of intersection streets requirement to allow a fence; 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.

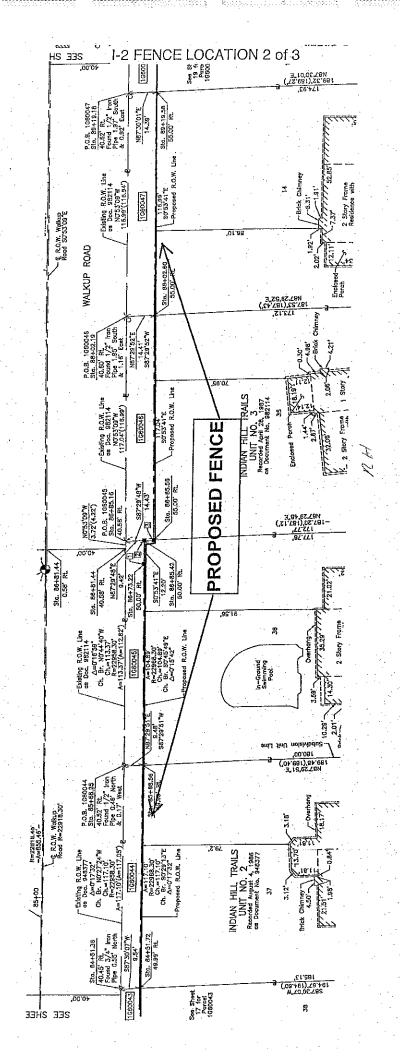
A public hearing before the Planning and Zoning Commission for this request will be held at 7,30 p.m. on Wednesday April 4, 2012, at the Crystal Lake City Hall, 100 West Woodstock Street, at which

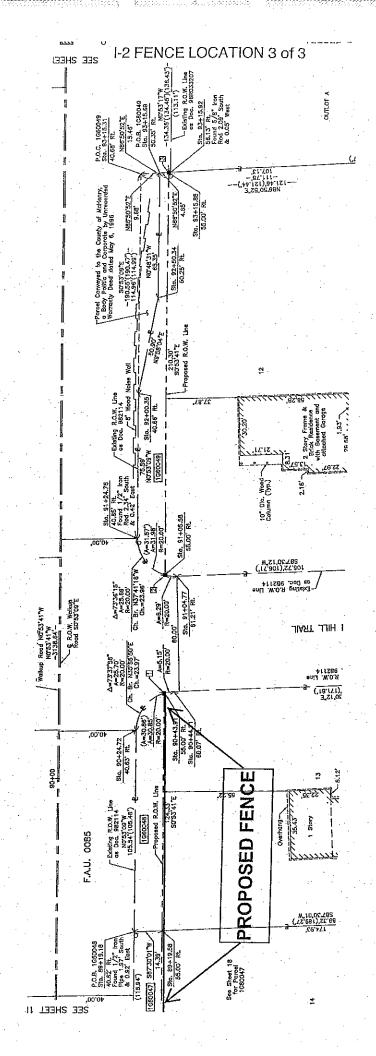
time and place any person determining to be heard may be present.

Tom Hayden, Chairperson Planning and Zoning Commission Cily of Crystol Lake (Published in the Northwest Herald March 20, 2012)











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