



#2012-29

310 View Street (Marquardt)

Project Review for Planning and Zoning Commission

Meeting Date: May 16, 2012

Request: Variation (Article 3-200 A. 4) to allow the replacement of a deck and stairs which will encroach into the required 30-foot corner side yard setback by 17 feet 3 inches.

Location: 310 View Street

Acreage: Approximately 15,000 square feet

Existing Zoning: R-2 Single Family Residential

Surrounding Properties: North: County
South: M-PUD Manufacturing
East: R-2 Single Family Residential
West: R-2 Single-Family Residential

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- The house was constructed with a second story door leading to a front deck.
- The petitioners needed to do maintenance on the deck as the wood was rotting and the deck would have become structurally unsafe over time.
- Since the non-conforming deck was removed all new structures need to meet the current UDO requirements.



- The required corner side yard setback is 30 feet. The house is currently at 17 feet 10 inches, encroaching 12 feet 2 inches into the required setback. The deck projects approximately 5 feet from the front of the house, creating the 17-foot 3-inch encroachment.
- To replace the removed structure, the petitioner needs a Simplified Residential Variation.
- Stairs and a walkway currently exist within the right-of-way.

Zoning Analysis:

Variation

- The deck will project approximately 5 feet from the house and run the length of the house. It will include a stairway to get to grade.
- The minimum area necessary to safely exit from a door is a 3-foot by 3-foot landing and a 3-foot wide stairway.

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 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.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future residential areas including a combination of single-family and multi-family housing types. The following goal is applicable to this request:

Land Use

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the City that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Recommended Conditions:

If a motion to recommend approval of the Simplified Residential Variation at 310 View Street is granted, the following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Marquardt, received 04/18/12)
 - B. Plat of Survey/Site Plan (Robert J. Conway/Marquardt, undated, received 04/18/12)
 - C. Deck Plan (Marquardt, dated 12/10/11, received 04/18/12)
2. A variation to allow encroachment into the required corner side yard setback by 17 feet 3 inches for a second story deck and stairway is granted.
3. The existing stairs and walkway within the right-of-way can remain provided it is not enlarged or removed.
4. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, and Planning and Economic Development Departments.

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Application for Simplified Residential Variation

Application Number: _____	FOR OFFICE USE ONLY
Project Name: _____	
Date of Submission: _____	

I. Applicant

Cindy Marguardt
Name

310 View St.
Street

Crystal Lake IL 60012
City State Zip Code

815-354-0119 CSGUAREDm1@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: 310 View St Crystal Lake

b. PIN #: 1433176004 ~~68-32-378-003~~
14-33-176-004

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: An addition was built to the home about 40 years ago. This addition encroached upon the 30' setback. a deck was also built as part of this addition. This is a request to replace that deck which has been compromised.
IS THE HARDSHIP SELF-CREATED? NO

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? NO

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? NO.
This is simply to replace a deck that has rotted away with new treated material and bring it up to current codes

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY? Not at all

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: None As far AS I know there are NO others

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.

Cynthia C. Marguardt

4-18-12

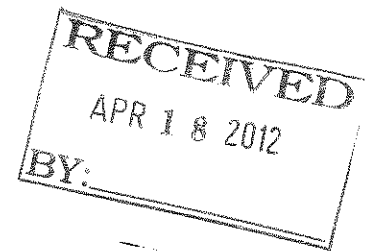
OWNER: Print and Sign name

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.

Porch replacement

The porch that was attached to my home at 310 View St. had become structurally compromised. The porch was removed for safety reasons. I would like to rebuild a new porch in place of the old one. The new porch would be the same dimensions as the old porch but up to current building codes. It is necessary to have a porch at this location because there is an entry door to the porch as shown in accompanying photographs. There was an aluminum roof above the porch that I would also like to reuse. The roof had been supported by wrought iron rails and posts that are not up to current codes. They will have to be replaced with treated lumber rails and posts.



29 2012

PUBLIC NOTICE

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

**IN THE MATTER OF THE PETITION
OF Cindy Marquardt**

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 of Richard Miller for approval of a Variation relating to the following described real estate commonly known as 310 View Street, Crystal Lake, Illinois 60014, PIN: 14-33-176-004.

This application is filed for the purposes of seeking a Variation from Article 4-300 A 4. Density and Dimensional Standards for R-2 zoning district and Article 7-300 B. Non-Conforming Uses and Structures to allow the replacement of a removed non-conforming porch structure which will encroach 17' 3" into the required 30' corner side yard, and any other variations necessary to approve the plans as presented. Plans for this project can be viewed at the City of Crystal Lake Community 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 May 16, 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
City of Crystal Lake
(Published in the Northwest Herald
May 1, 2012)

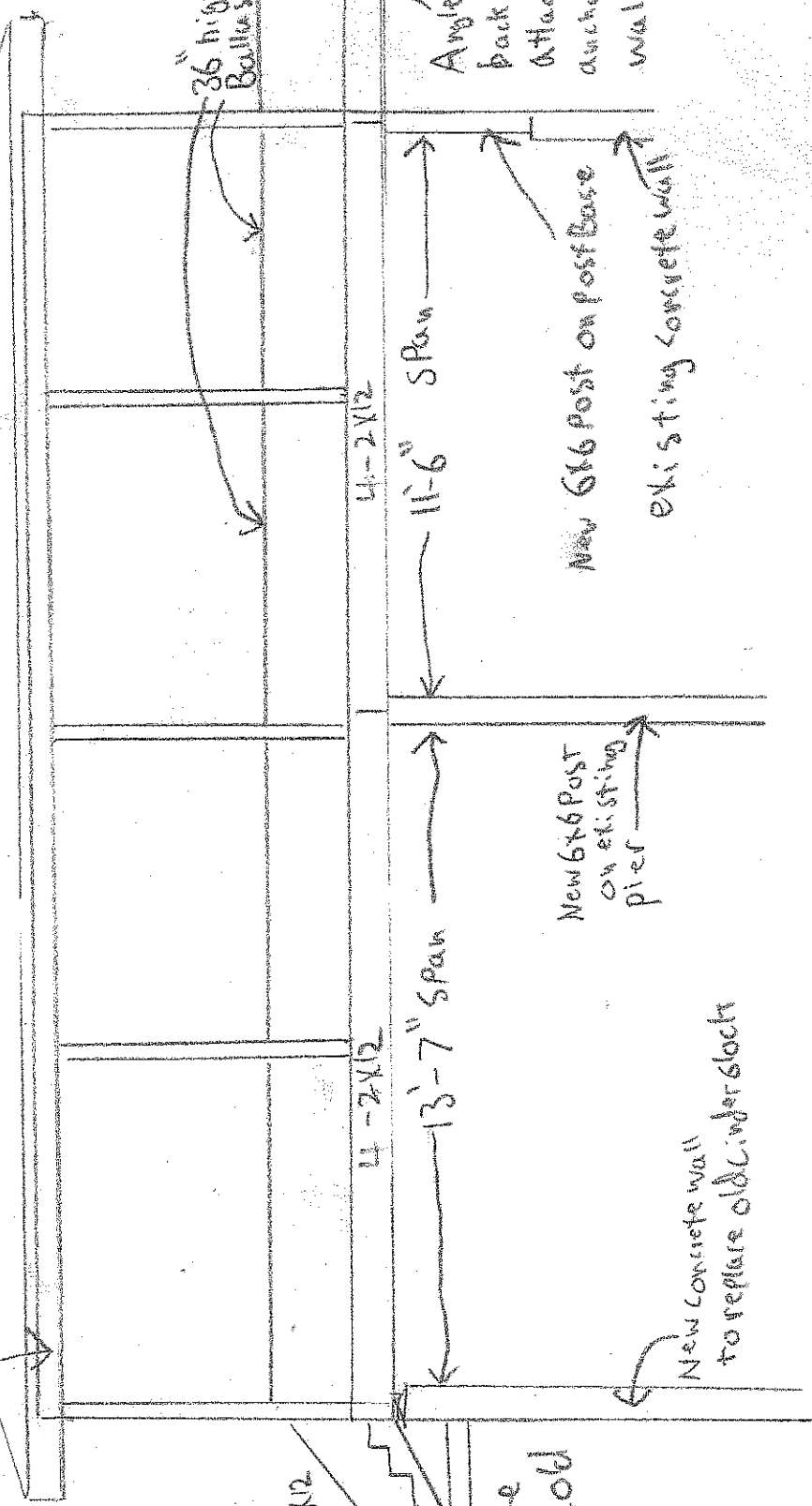
12/10/11

Cindy Marguad

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Reuse aluminum Roof
attach to Rafter tails with
brags



36" high rail with 1/4" Ballusters spaced 35" apart

Angle deck
Back to Patio
Attach with Wedge
anchors to Concrete
wall

4-2x12
11'-6" Span
New 6x6 Post on post base
existing concrete wall

4-2x12
13'-7" Span
New 6x6 Post
on existing
pier

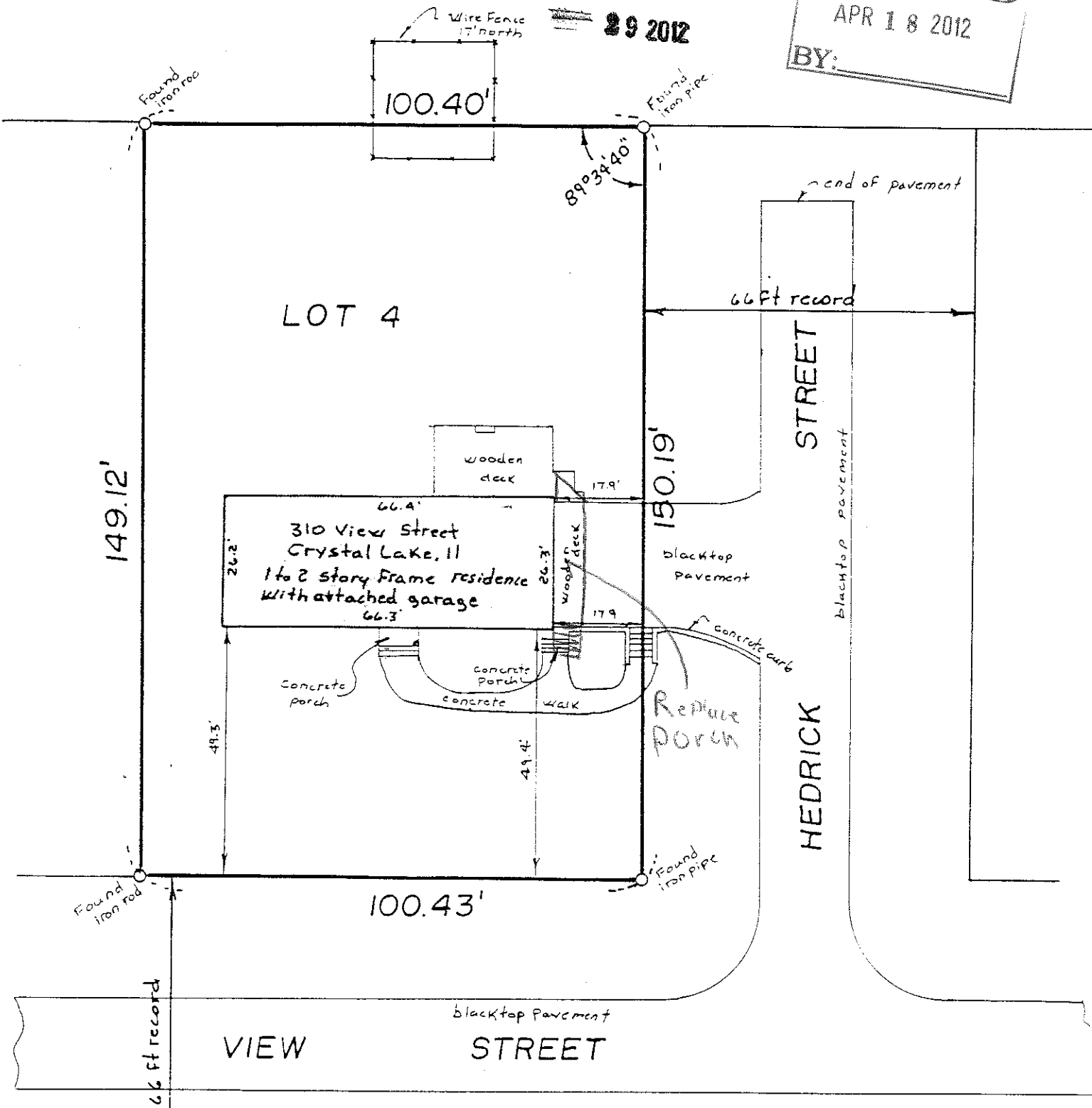
New concrete wall
to replace old cinder block

new stairs 2x12
stringers

New concrete
to replace old
walk

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s)
y)
I, _____, do hereby certify that,
on, I have caused the above
to be surveyed and that
drawn is a correct repre-
d survey.

ROBERT J. CONWAY
2624

Refer to abstract, title and local
additional easements and building

Compare all points before building
once report any difference.

No underground improvements have be
shown.

No distances should be assumed by



WOODSTOCK LUMBER COMPANY

1101 Lake Ave
WOODSTOCK, IL 60098
Phone: (815) 338-0075

Page: 1 of 1

INVOICED

Order/Invoice: 01-460356-00

Sold To: FRANK VADNAIS Y 340 VIEW STREET	FRANK VADNAIS Y
CRYSTAL LAKE, IL 60014	

Special Instructions	Time: 10:58:49
Order rep: ron	Invoice Date: 11/25/2011
Last updated by: Mk-sale	Ship Date: 11/19/2011
	Due Date: 12/10/2011

Customer: 649	PO: 310 VIEW ST CL	Terms: 10/1H
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ORDER	U/M	ITEM	DESCRIPTION	T	PRICE	PRICE UNIT	EXT
2.0000	EA	20612T	2X6-12 TREATED #1 GREEN	*	6.67	EA	\$ 13.34
4.0000	EA	20412T	2X4-12 TREATED #1 GREEN	*	4.62	EA	\$ 18.48
2.0000	EA	21214T	2X12-14 TREATED GREEN	*	15.87	EA	\$ 31.74
2.0000	EA	21212T	2X12-12 TREATED GREEN	*	14.40	EA	\$ 28.80
1.0000	EA	21216T	2X12-16 TREATED GREEN	*	18.49	EA	\$ 18.49
1.0000	EA	20814T	2X8-14 TREATED GREEN	*	9.54	EA	\$ 9.54
2.0000	EA	21012T	2X10-12 TREATED GREEN	*	10.44	EA	\$ 20.88
23.0000	EA	20812T	2X8-12 TREATED GREEN	*	8.20	EA	\$ 188.60
25.0000	EA	540616T	5/4X6-16 TREATED 1-5/32 SELECT RADIUS DECKING	*	9.38	EA	\$ 234.50
4.0000	EA	540612T	5/4X6-12 TREATED 1-5/32 SELECT RADIUS DECKING	*	6.99	EA	\$ 27.96
1.0000	EA	60616T	6X6-16 TREATED	*	34.95	EA	\$ 34.95
1.0000	EA	40408T	4X4-8 TREATED	*	7.25	EA	\$ 7.25
26.0000	EA	2028T	2X2-8 TREATED .40	*	2.19	EA	\$ 56.94
58.0000	EA	LUS28	2 X 8 SINGLE HANGER	*	1.19	EA	\$ 69.02
1.0000	EA	20	tub ledger loks 3 5/8	*	122.25	EA	\$ 122.25
1.0000	EA	403470	3 X .131 12D GALV R/S PASLODE #650387	*	59.95	EA	\$ 59.95
2.0000	EA	DK212S	2-1/2 DEC-KING COATED SQUARE SCREWS 450 PKG	*	19.95	EA	\$ 39.90
1.0000	EA	40410T	4X4-10 TREATED	*	9.19	EA	\$ 9.19
6.0000	EA	H372176	WEDGE BOLT 1/2X6 Wedge Bolt Zinc	*	2.69	EA	\$ 16.14

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BY: _____ 29 2012

	FILLED BY	CHECKED BY	DATE SHIPPED	DRIVER		Sales total	1037.92
	SHIP VIA						
X					Taxable	1037.92	Sales tax
					Non-taxable	0.00	72.66
					Tax Number:		TOTAL
							\$1110.58

1 - Reprint Copy

BALANCE \$ 1110.58

