



#2012-36
Becker - 207 N. Main Street
Project Review for Planning and Zoning Commission

<u>Meeting Dates:</u>	June 6, 2012
<u>Requests:</u>	Variation from Article 7, Nonconformities of the UDO, to allow alteration of the roof from a flat to a pitched roof, enlarging the existing nonconformity.
<u>Location:</u>	207 N. Main Street
<u>Acreage:</u>	≈ 0.52 acres
<u>Existing Zoning:</u>	“R-2” Single-Family Residential
<u>Surrounding Properties:</u>	North: “R-2” Single-Family Residential South: “R-3B” Multi-Family Residential East: “R-2” Single-Family Residential West: “R-2” Single-Family Residential
<u>Staff Contact:</u>	Latika Bhide (815.356.3615)

Background:

- **Location:** 207 N. Main Street, located at the northeast corner of Main and Sherman Streets
- **Zoning:** “R-2” Single-Family Residential
- **Existing improvements:** 12-flat (4-story) apartment building
- **Request:** Variation from Article 7, Nonconformities of the UDO, to allow alteration of the flat roof to a pitched roof, allowing the nonconformity to enlarge

Land Use Analysis:

- **Permitted Uses:** The property is zoned “R-2” Single-Family residential. The multi-family use on site is a legal nonconforming use and is considered as ‘Other uses’ in the “R-2” district.
- **Density and Dimensional Standards:** ‘Other uses’ in the “R-2” district require a minimum lot area of 40,000 square feet. The required front and side abutting setbacks are 30 feet. The lot does not meet the area or setback requirements.
- **Details:** The petitioner is requesting a variation to allow an alteration from the existing flat roof to a pitched roof to address leakage issues. The alteration would increase the height of the structure to 36’-4”. Article 7, Nonconformities of the UDO, enlargement or structural alterations of an existing nonconforming building or structure is permitted only if the enlargement or alteration does not increase the nonconformity. In light of fact that

the building is located within the required setback, the increased height of the roof adds volume to the nonconformity and therefore requires a variation.

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 a motion is made to recommend approval of the petitioner's request, the following conditions are suggested:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application received 5-7-12
 - B. Site Plan /Plat of Survey - received 5-7-12
 - C. Alteration Details/Elevations - received 5-17-12
2. A variation is hereby granted to allow alteration of the roof, from a flat to a pitched roof, enlarging the existing nonconformity.
3. The pitched roof will increase the building height to require aerial apparatus access, per the International Fire Code. The Main Street frontage is designated to provide aerial apparatus access and therefore, no new obstructions, such as, but not limited to trees and utility poles, shall be installed.
4. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

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**City of Crystal Lake
Development Application**

Office Use Only ~~submits~~ **36** 2012
File # _____

Project Title: PITCHED ROOF OVER FLAT ROOF

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 |

RECEIVED
MAY 07 2012
BY: _____

Petitioner Information

Name: JAMES BECKER
Address: 30 ELMHURST ST.
CRYSTAL LAKE, IL 60014
Phone: 815 459 3043
Fax: SAME
E-mail: jbecker@cenichoff.com

Owner Information (if different)

Name: SAME
Address: _____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: Build pitched roof on existing building.
Existing flat roof has persistent leaks.

Project Address/Location: 207. N. MAIN ST
CRYSTAL LAKE, IL 60014

PIN Number(s): 14-33-301-018 -0050

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: GILLESPIE DESIGN GROUP

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.

James Becker

JAMES BECKER

25 NOV 20 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.

Becker Family Trust No.1, dated July 27, 2005, lists James Becker, individually and as trustee, the beneficiary of said trust.

Becker 25 NOV 20 11

PUBLIC NOTICE

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

**IN THE MATTER OF THE APPLI-
CATION OF JAMES BECKER**

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 James Becker for approval of variations relating to the following described real estate commonly known as 207 N. Main Street, Crystal Lake, Illinois 60014, PIN: 14-33-301-018.

The project involves replacing the existing flat roof with a pitched roof for the 12-unit apartment building at 207 N. Main Street. This application is filed for the purpose of seeking variations from Article 7, Nonconformities of the UDO, to allow alteration of the roof allowing the nonconformity to enlarge, as well as any other variations that may be needed 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 on the request will be held at 7:30 p.m. on Wednesday, June 6, 2012, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person desiring to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
May 19, 2012)

PLAT OF SURVEY

The Woodstock Land Surveyors, Inc.

14417 Washington Street

Woodstock, Illinois 60098

Phone: (815) 337-2628

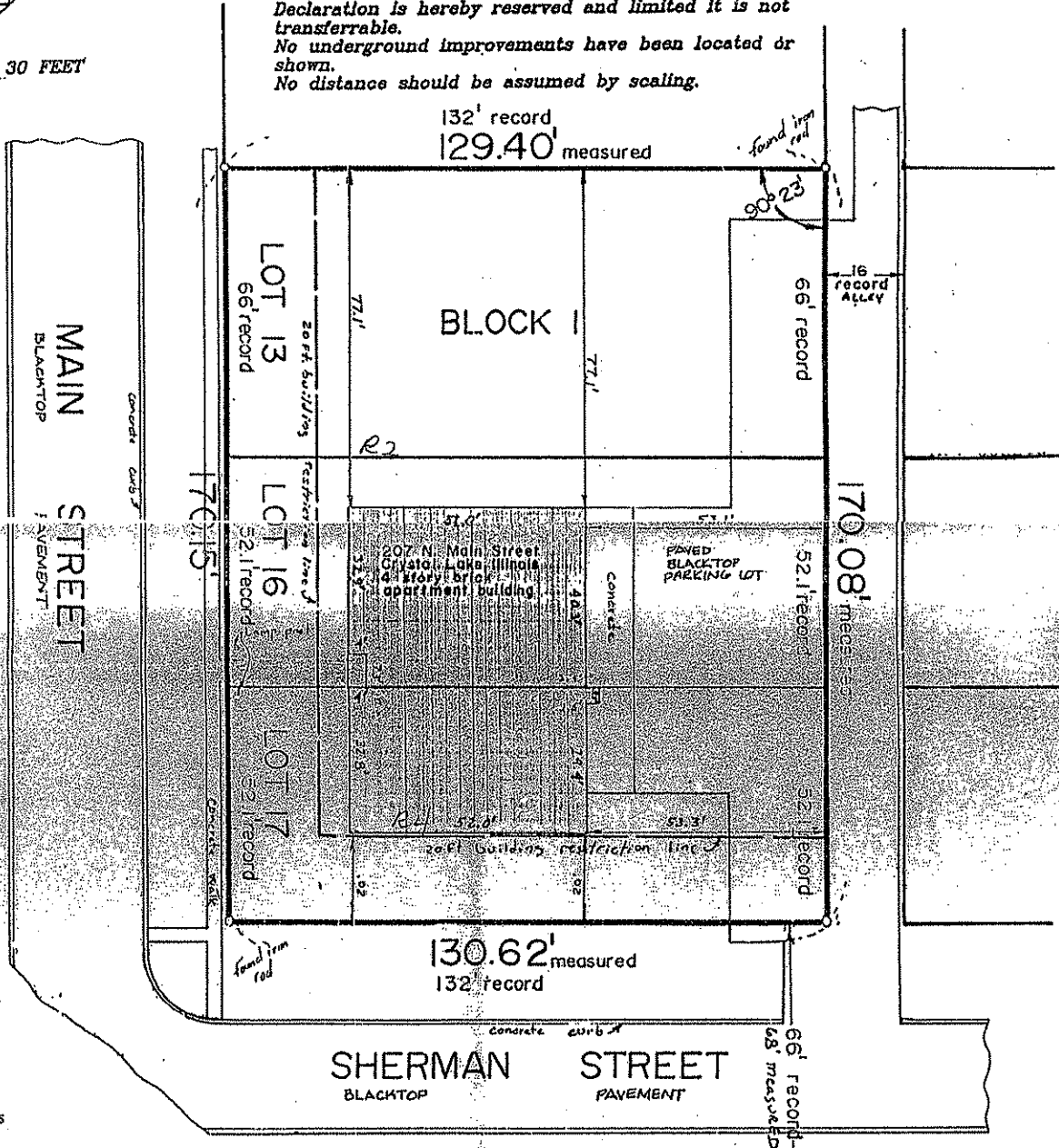
Handwritten: 2008-6-28
J. S. [Signature]

LOTS 13, 16 AND 17 IN BLOCK I IN E.E. WALL'S ADDITION TO NORTH CRYSTAL LAKE, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 20, 1909, AS DOCUMENT NO. 12990, IN BOOK 3 OF PLATS, PAGE 3', AND ACCORDING TO THE PLAT THEREOF RECORDED APRIL 26, 1910, AS DOCUMENT NO. 15877, IN BOOK 3 OF PLATS, PAGE 36, IN MCHENRY COUNTY, ILLINOIS.



SCALE:
1 INCH EQUALS 30 FEET

Refer to abstract, title and local ordinances for additional easements and/or building restrictions. Compare all points before using same and, at once, report any difference. No representation as to ownership, use or possession should be hereon implied. Declaration is hereby reserved and limited it is not transferrable. No underground improvements have been located or shown. No distance should be assumed by scaling.



State of Illinois)
) ss
County of McHenry)

We, Woodstock Land Surveyors, Inc., P.C., do hereby state that we have caused the above described property to be surveyed according to the found artificial monumentation and that plat hereon drawn is a correct representation of said survey.
At Woodstock, this 7th day of December
A D. 1999

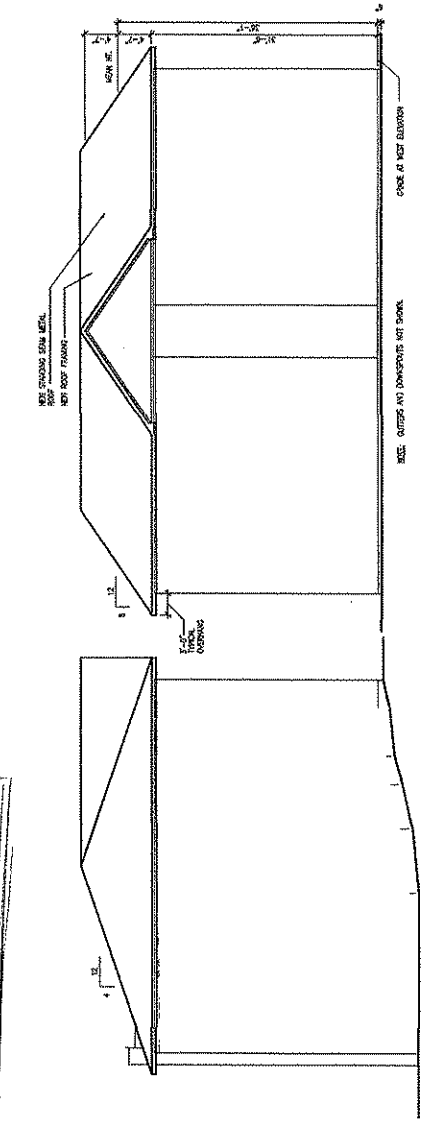


36 2012

RECEIVED
MAY 07 2012
BY: _____

ALTERATIONS TO:
207 N. MAIN STREET
CRYSTAL LAKE, ILLINOIS

36 2012

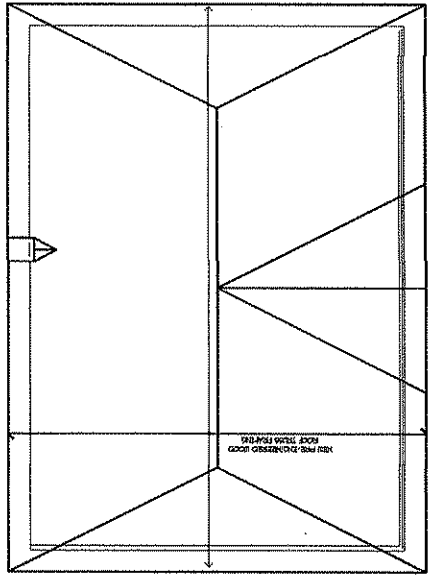


6 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

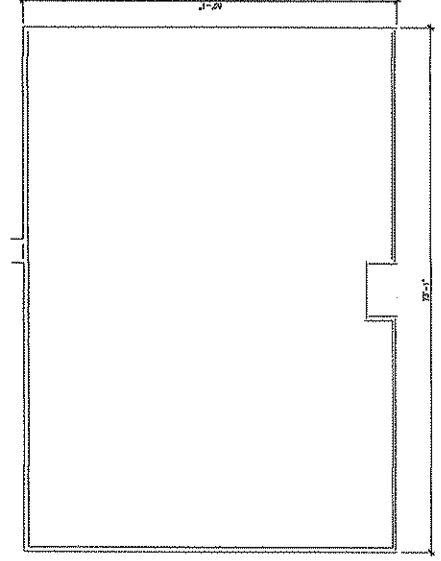
5 WEST ELEVATION
SCALE: 1/8" = 1'-0"

4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 NEW ROOF PLAN
SCALE: 1/8" = 1'-0"



2 EXISTING BUILDING PLAN
SCALE: 1/8" = 1'-0"

GILLESPIE DESIGN GROUP
3373 South Lincoln, Ste 100
Chicago, Illinois 60672
Tel: 773.327.7100 Fax: 773.327.7101
www.gillespiedesign.com

ALTERATIONS TO:
207 N. MAIN STREET
CRYSTAL LAKE, ILLINOIS

DATE	DESCRIPTION
12/27/11	ISSUED FOR PERMIT

BUILDING PLAN, ROOF PLAN
EXTERIOR ELEVATIONS

A1
SHEET 1 OF 1