



#2012-46

862 Wimbleton Lane (Daly)

Project Review for Planning and Zoning Commission

Meeting Date: July 9, 2012

Request: Variation (Article 3-200) to allow a covered front porch to encroach 3 feet 2 inches into the required 30-foot front yard setback and be as close to the property line as 16 feet 10 inches.

Location: 862 Wimbleton Lane

Acreage: Approximately 10,100 square feet

Existing Zoning: R-2 Single Family Residential

Surrounding Properties: North: R-2 PUD Single Family
South: R-2 PUD Single Family
East: R-2 PUD Single Family
West: R-2 PUD Single Family

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- The house is located at the 30-foot front yard setback line.
- Decks, stairs and porches open to the sky are permitted to encroach 4 feet into the required rear yard. The current porch stoop is 3 feet 2 inches into the setback.
- Covering the front porch stoop causes it to become part of the principle structure and must meet all setback requirements.



Zoning Analysis:

Variation

- Covered or enclosed decks, patios, porches or stairs become part of the principle structure. Covering of the existing stoop requires the variation for the encroachment.
- During the winter, ice forms on the stoop, covering the stoop with the roof structure will relieve this hazard for the property owners.

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 goals are 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.

Housing

Goal: Promote strong neighborhoods by preserving their character and historical significance and ensuring that they are well served by a variety of community facilities and services.

This can be accomplished with the following supporting action:

Supporting Action: Preserve the unique character of existing neighborhoods.

Recommended Conditions:

If a motion to recommend approval of the Simplified Residential Variation at 862 Wimbledon Ln. 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 (Daly, received 06/21/12)
 - B. Plat of Survey/Site Plan (L B Harvard, dated 01/02/75, received 06/21/12)
 - C. Construction details (Banyan Builders, undated, received 06/21/12)
2. A variation to allow encroachment into the required front yard setback by 3 feet 2 inches for a covered front porch stoop.
3. The petitioner shall comply with all of the requirements of the Engineering and Building, and Planning and Economic Development Departments.

Application for Simplified Residential Variation

Application Number: <u>2012-46</u>	FOR OFFICE USE ONLY
Project Name: <u>SRV - Front Porch in FY setback</u>	
Date of Submission: <u>6/21/12</u>	

I. Applicant

BRIAN E. DALY
Name

862 WIMBLETON LANE
Street

CRYSTAL LAKE ILLINOIS 60014
City State Zip Code

(815) 455-2953 MMDALY2@comcast.net
Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Name

Address Telephone Number

III. Project Data

1. a. Location/Address: SAME AS ABOVE

b. PIN #: 019-07-302-004-0040

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:

TO COVER FRONT STOOP FOR SAFETY
REASONS. ICE FORMS ON STOOP IN
WINTER MAKING IT HAZARDOUS TO WALK
IN AND OUT FRONT DOOR OF HOUSE

IS THE HARDSHIP SELF-CREATED?
No

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? YES

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:

NONE

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.

Brian E. Daly Brian E. Daly

6-21-12

OWNER: Print and Sign name

Date

MARY M. DALY Mary M. Daly

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 APPLICA-
TION OF BRIAN and MARY DALY**

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 Brian Daly for approval of variations relating to the following described real estate commonly known as 862 Wimbledon Lane, Crystal Lake, Illinois 60014, PIN: 19-07-302-004.

This application is also filed for the purposes of seeking variations from Article 3, Density and Dimensional Standards, to allow a front porch to encroach 3 feet 2 inches into the required front yard setback and be as close as 26 feet 10 inches from the front property line instead of the required 30 feet; 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 on the request will be held at 7:30 p.m. on Monday, July 9, 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
June 23, 2012)

STATE OF ILLINOIS)

) S.S.

COUNTY OF LAKE)

I hereby certify that I have located the improvements on the above described premises and that the plat hereon, drawn to a scale of 50 feet per 1 inch is a true representation of said survey.

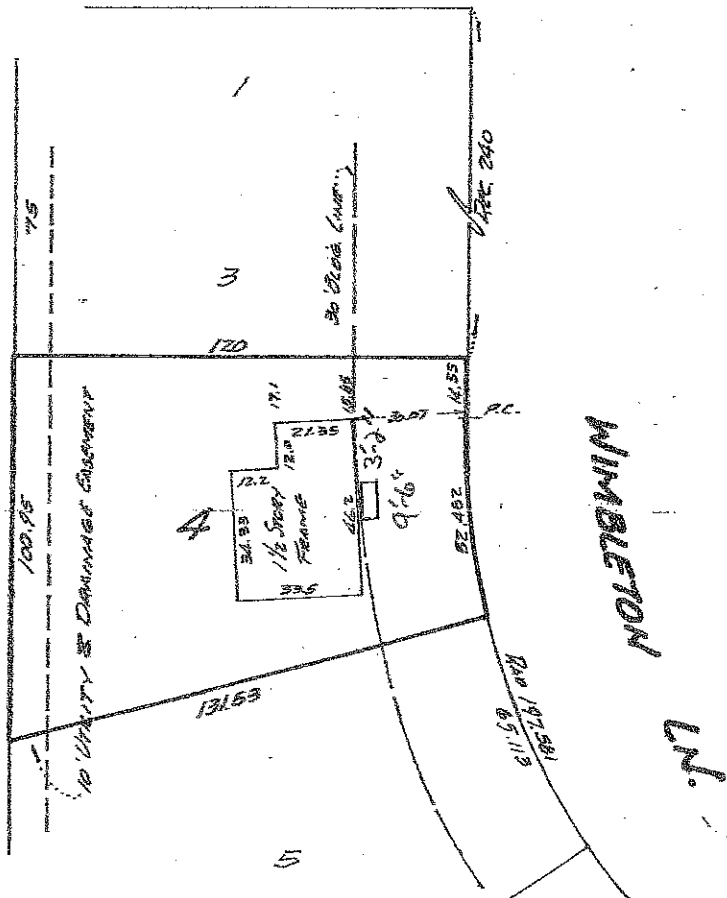
Dated at Waukegan, Lake County, Illinois, this 2nd. day of January A.D., 1975.

J.B. Howard
Reg. Ill. Land Surveyor

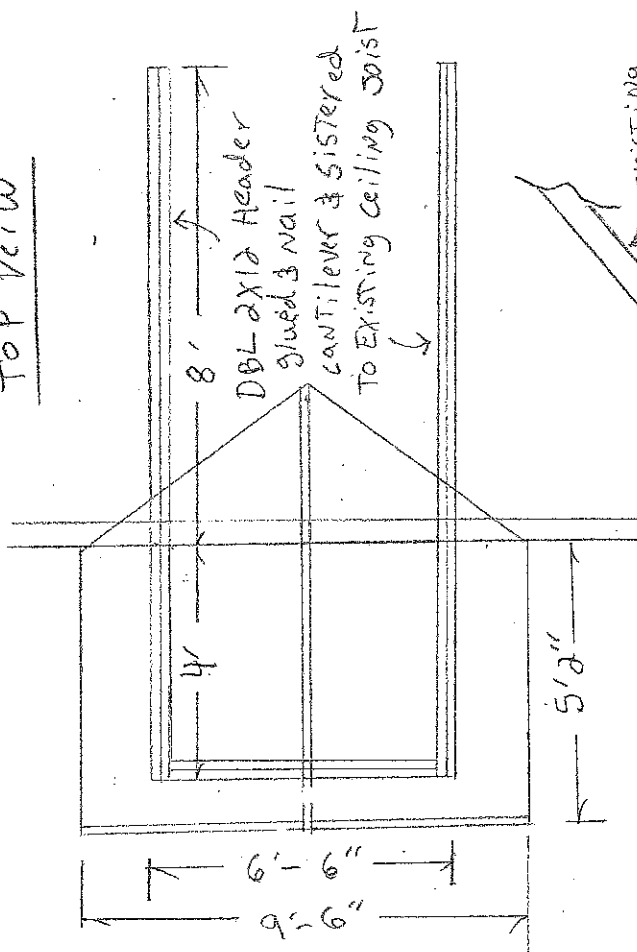
46 2012

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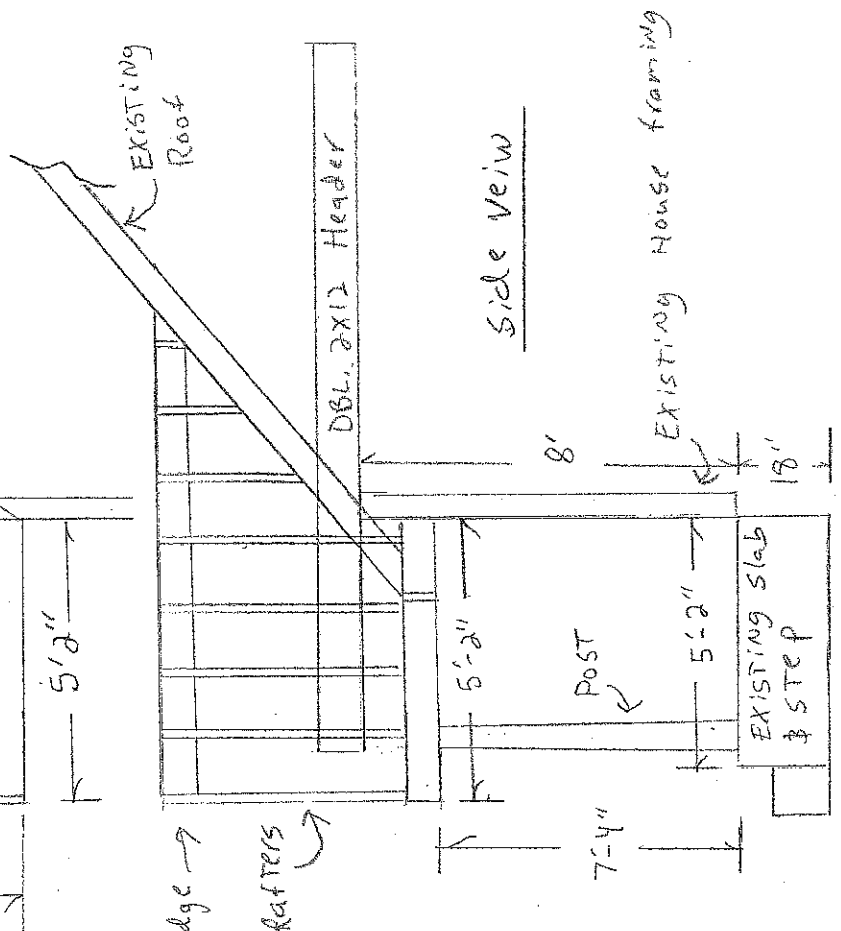
BARLINA RD.



TOP VIEW

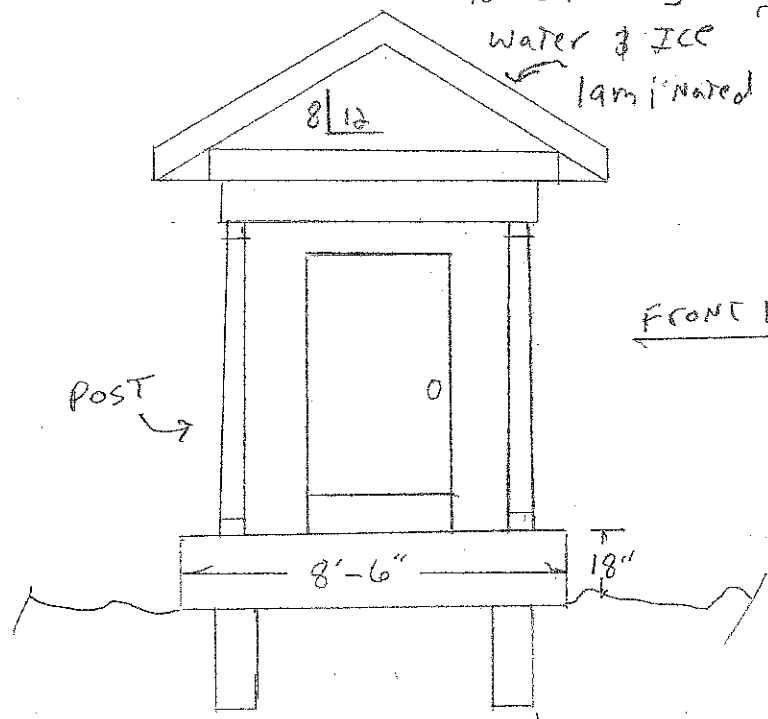


SIDE VIEW



1/2" Sheathing
Water & Ice
laminated shingles

FRONT VIEW



* POST Material - HB36
Perma CAST Support POST

EXISTING SLAB AND
WING WALLS

Banyan Builders
46 2012

Job - Daly
862 WIMBLETON LN. CL.