



**#2012-95**

**141 Ellsworth Street (Wickenkamp)**

**Project Review for Planning and Zoning Commission**

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**Meeting Date:** September 19, 2012

**Request:** Variation (Article 3-300 B 3) to allow a covered front porch to encroach 10.88 feet into the required 25.5-foot average front yard setback.

**Location:** 141 Ellsworth Street

**Acreage:** Approximately 8,700 square feet

**Existing Zoning:** R-3 A Two Family Residential

**Surrounding Properties:** North: R-3 A Two Family Residential  
South: R-3 A Two Family Residential  
East: R-3 A Two Family Residential  
West: R-3 A Two Family Residential

**Staff Contact:** Elizabeth Maxwell (815.356.3615)

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**Background:**

- The house is currently 21.6 feet from the property line. In cases of varying setbacks in existing residential areas, the average of the two closest dwellings is taken. The average front yard setback is 25.5 feet.
- The deck will be constructed 7 feet out from the front of the house.
- The proposed front porch will encroach 10.88 feet into the required setback. It will be approximately 18.6 feet from the sidewalk.

**Zoning Analysis:**

**Variation**

- Covered or enclosed decks, patios, porches or stairs become part of the principal structure and must meet all required setbacks.



**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:** Preserve and enhance the character and livability of existing residential areas with architectural and development guidelines.

**Success Indicators:** The use of the Pattern Book in reviewing residential building permit submittals.

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.**

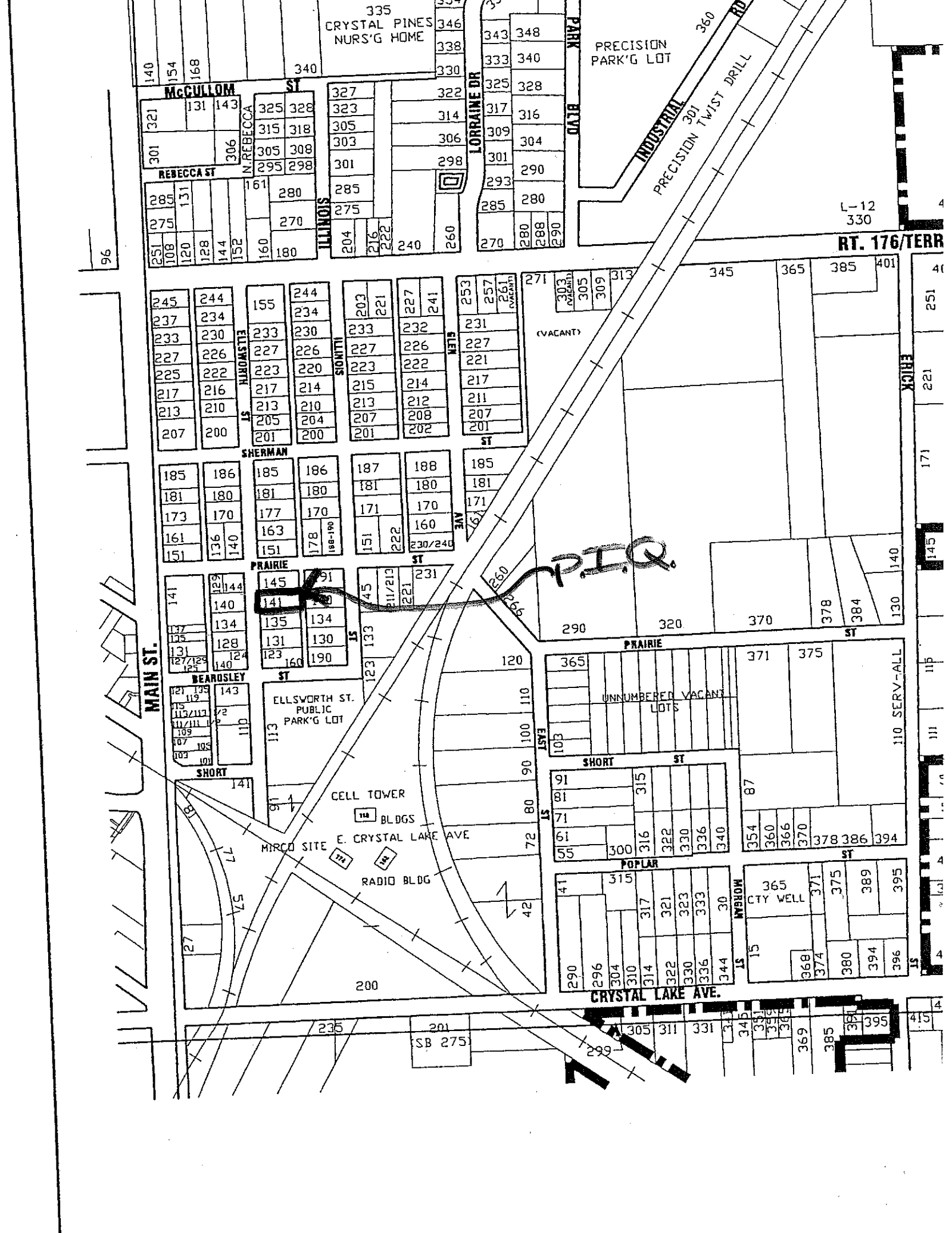
This can be accomplished with the following supporting action:

**Supporting Action:** Preserve the unique character of existing neighborhoods.

**Recommended Conditions:**

If a motion to recommend approval of the Simplified Residential Variation at 141 Ellsworth 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 (Wickenkamp, received 09/13/12)
  - B. Plat of Survey/Site Plan (Luco Constuction, dated 06/07/05, received 08/31/12)
  - C. Porch construction details (Peytrone, undated, received 08/31/12)
2. A variation to allow encroachment into the required front yard setback by 10.88 feet for a covered front porch.
3. The petitioner shall comply with all of the requirements of the Engineering and Building, and Planning and Economic Development Departments.



335  
CRYSTAL PINES  
NURS'G HOME

McCULLOM ST

REBECCA ST

ILLINOIS ST

SHERMAN ST

PRAIRIE ST

SHORT ST

CRYSTAL LAKE AVE.

POPLAR ST

SHORT ST

PRAIRIE ST

EAST IS

WEST IS

LORRAINE DR

PARK BLVD

INDUSTRIAL RD  
PRECISION TWIST DRILL

RT. 176/TERR

ERICK

96

L-12  
330

(VACANT)

UNNUMBERED VACANT LOTS

CELL TOWER  
BLDGS

MIRCO SITE  
E. CRYSTAL LAKE AVE

RADIO BLDG

ELLSWORTH ST.  
PUBLIC  
PARK'G LOT

SB 275

251

222

171

145

115

111

103

15

415

4

4

4

D.P.O.

RECEIVED  
SEP 13 2012  
BY:

**Application for Simplified Residential Variation**

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

**I. Applicant**

STEVEN WICKENKAMP  
Name  
5309 BUSINESS PKWY  
Street  
RINGWOOD TN 37070  
City State Zip Code  
815-385-6100  
Telephone Number Fax Number E-mail address

**II. Owner of Property (if different)**

CHARLES PERONE  
Name  
141 ELSWORTH CRYSTAL LN TN  
Address Telephone Number

**III. Project Data**

1. a. Location/Address: 141 ELSWORTH C. L. JR.  
b. PIN #: \_\_\_\_\_

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
IS THE HARDSHIP SELF-CREATED?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

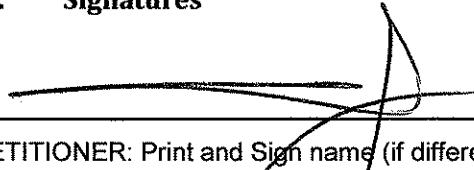
\_\_\_\_\_  
\_\_\_\_\_

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?

\_\_\_\_\_  
\_\_\_\_\_

3. List any previous variations that are approved for this property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IV. Signatures**

 \_\_\_\_\_ *9-12-12*  
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 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 Steven Wickenkamp

#### **LEGAL NOTICE**

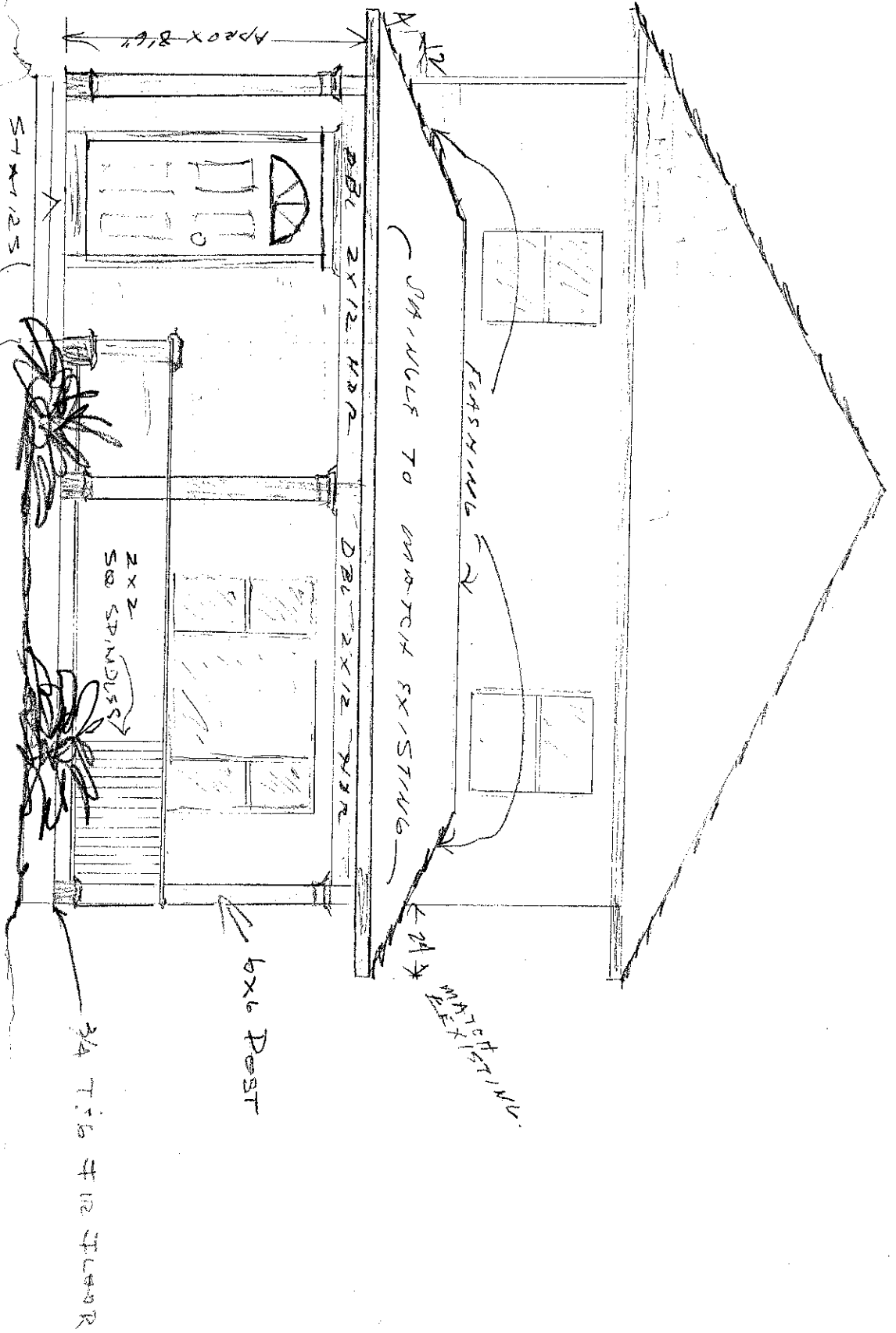
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of Steven Wickenkamp for approval of a variation relating to the following described real estate commonly known as 141 Ellsworth Street, Crystal Lake, Illinois 60014, PIN: 14-33-310-002.

This application is filed for the purposes of seeking a variation from Article 3, Density and Dimensional Standards, to allow a front porch to encroach 14.88 feet into the required front yard setback and be as close as 14.62 feet from the front property line instead of the required 29.5 feet required; 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 Wednesday, September 19, 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.

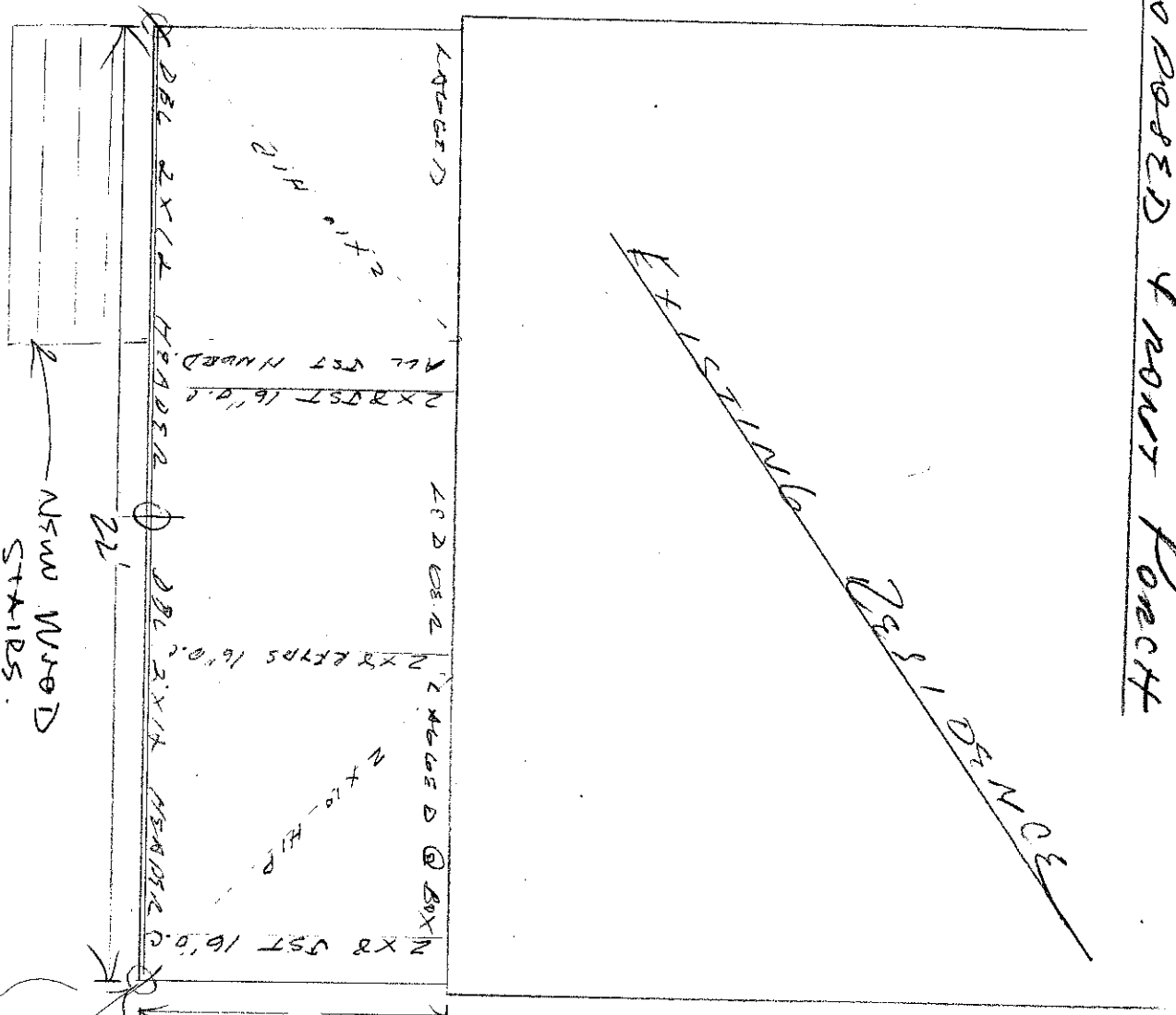
Tom Hayden, Chairperson  
Planning and Zoning Commission  
City of Crystal Lake  
(Published in the Northwest Herald,  
September 4, 2012)



CANALS PER 20 NOS  
 141 BLS APPROX



PROPOSED FRONT PORCH



EXISTING  
24\"/>

EXISTING DRIVEWAY

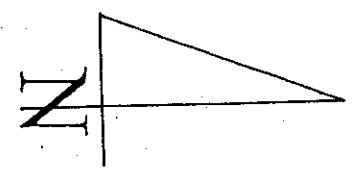
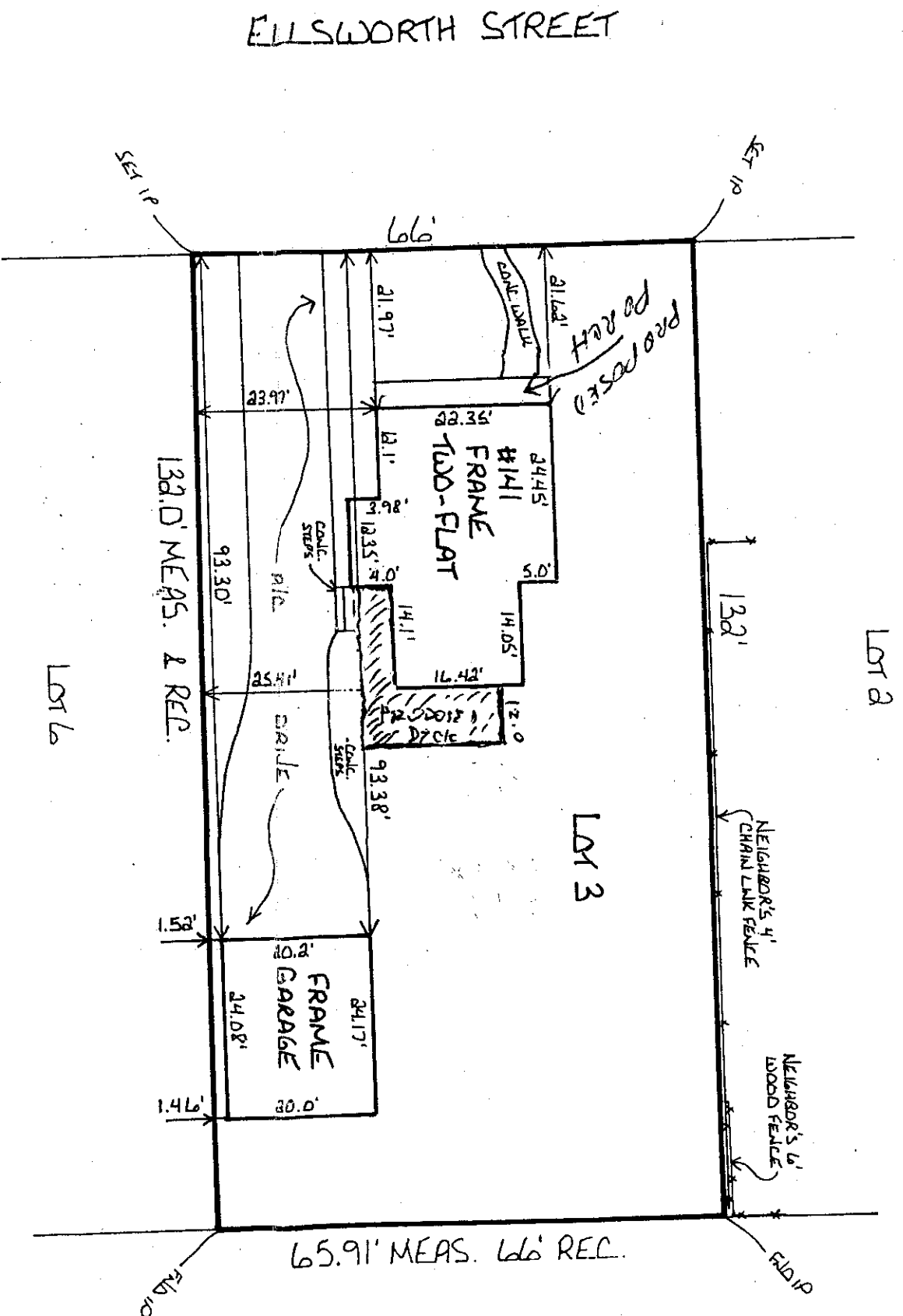
PIER POSTS 8\"/>

GRASS REMOVAL  
141 EISSWORTH P.L.

# PLAT OF SURVEY

LEGAL DESCRIPTION: LOT 3 IN BLOCK 6 IN ELLSWORTH'S ADDITION TO THE VILLAGE OF NUNDA, (NOW THE CITY OF CRYSTAL LAKE), BEING 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 AUGUST 20, 1868 IN BOOK 43 OF DEEDS, PAGE 292, IN MCCHENRY COUNTY, ILLINOIS

*21' or more  
of 2 closest  
whichever is  
greater.*



SCALE: 1" = 30'

DATE OF SURVEY 6-7-05  
 STATE OF ILLINOIS  
 COUNTY OF MCCHENRY  
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, ACCORDING TO THE OFFICIAL RECORD AND THAT THIS ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.  
 I FURTHER CERTIFY THAT UNLESS OTHERWISE SHOWN, THE BUILDINGS ON THE PARCEL ARE WITHIN PROPERTY LINES AND THE ADJOINING VISIBLE IMPROVEMENTS DO NOT ENCROACH ON THE ABOVE DESCRIBED PROPERTY.  
 I FURTHER CERTIFY THAT THE PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
E. T. Amelise MY LICENSE EXPIRES: 11-30-2006  
 E. T. AMELISE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2143

ORDERED BY: DEANLSCHMIDT  
 JOB NO. 05-17049  
 LUCO CONSTRUCTION, INC.  
 P.O. BOX 222  
 ALGONQUIN, IL 60102  
 847-658-8537  
 FAX: 847-458-0714