



**#2013-51**  
**Korte Architecture**  
**Project Review for Planning and Zoning Commission**

---

**Meeting Date:** October 2, 2013

**Requests:**

1. Use Variation to allow an architect's office - classified as a 'Professional Office' in the "R-3B" district;
2. Variation from the required number of 5 parking spaces to allow 3 spaces;
3. Variation to allow an existing nonconformity to expand;
4. Variation to allow a freestanding sign, 6 square feet in area, closer than 10 feet to the right-of-way.

**Location:** 185 N. Main Street

**Acreage:** 0.2 acres

**Zoning:** "R-3B" Multi-Family Residential

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

**Staff Contact:** Latika Bhide (815.356.3615)

---

**Background:**

- Development: Ellsworth Addition to Nunda, recorded 1868
- Existing Uses: Single Family Residence
- Request: Use Variation to allow an architect's office, classified as a 'Professional Office' in the "R-3B" district and variations from the required parking and signage requirements.

**Land Use Analysis:**

- Proposed Use: The petitioner is interested in locating an architect's office at 185 N. Main Street which is a single-family residence. The petitioner has indicated that there will be two architects working at this location. They anticipate very low traffic volume as they usually visit their clients. One or two visitors are expected once every two weeks. Deliveries via UPS would probably occur once or twice per week, when they are busy with projects in construction.
- Land Use: The proposed use is classified as a 'Professional Office'. Per the UDO, a professional office is a principal permitted use in the "O", "B-1", "B-2", "B-4", "M-L", and "M" districts. Therefore a Use Variation is necessary to allow the proposed use at this location. It should be noted that an architect's office is permitted as a 'Home

Occupation’ in the residential districts. However, since the petitioner will not be residing at this location, the use cannot be classified as a Home Occupation.

- Architectural Improvements: The petitioner would like to add approximately 150 square feet of useable space to the second floor by extending the existing gable over the current 1-story kitchen area. Additionally, they would like to add two dormers, one to the north side roof to give the existing stairway better head room clearance and we to the south side for additional office space. The petitioner is also proposing to add small shed canopies over the side door and front entry door. Details of the proposed changes are attached.

Because the existing structure does not meet the setback requirements along the front yard (along Main Street) or the yard abutting street (along Sherman Street), the addition of the dormers and shed canopies will be an addition into a nonconformity, thereby requiring a variation. The footprint of the structure will not be altered.

- Parking: Per the UDO, 1 parking space for every 250 square feet of gross floor area is needed for this use. The existing structure would require 4 parking spaces to be provided. With the proposed addition, 5 parking spaces would be required. There is one enclosed parking space at this location. The driveway off Sherman Street is approximately 35 feet long and would accommodate at least 2 vehicles. The petitioner had proposed site modification that utilized an additional driveway access of Main Street with 2 additional parking spaces off that driveway.

The Engineering Division has expressed concerns with adding a driveway off Main Street due to the high volumes of traffic along Main Street and the safety of patrons exiting and entering the property. In addition, a large tree in the City’s right-of-way would need to be removed to accommodate the driveway.

Based on the information provided by the petitioner, it appears that very low traffic is expected at this location. A variation from the required number of parking spaces can be granted conditional upon the petitioner addition the required parking spaces utilizing the existing driveway off of Sherman Street and the grassy area to the east, if a need is determined.

- Signage: The petitioner is proposing adding a freestanding sign, 6 square feet in area. The sign will be 2.5-foot high. No illumination (internal or external) is proposed. Residential districts are allowed a freestanding sign up to 6 feet in height and 1 square feet in area. The exact location of the sign has not been indicated, but based on the location of the structure; the sign will be closer than 10 feet to the right-of-way, requiring a variation.

**Findings of Fact:**

**USE VARIATION**

As identified in the Land Use Table, the proposed use is not permitted within the “R-3B” zoning district, which is intended for residential uses. No specific standards are spelled out in the Unified Development Ordinance for granting use variations. However, it is recommended that the Planning and Zoning Commission and City Council first determine and record its findings that the evidence justifies the conclusions that:

The property cannot be used for purposes permitted in the zoning district without the requested variance;

Meets  Does not meet

The proposed use would not alter the essential character of the area in which the property is located;

Meets  Does not meet

The proposed use will not reasonably diminish the value of adjacent property;

Meets  Does not meet

The proposed use will not unreasonably increase the congestion in the public streets or otherwise endanger public safety; and

Meets  Does not meet

The proposed use is in harmony with the general purpose and intents of the Unified Development Ordinance.

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.

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

**Recommended Conditions:**

If a motion to recommend approval of the Use Variation, the following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Korte, received 9-13-13)
  - B. Site Plan (Korte, received 9-9-13)
  - C. Proposed Elevations and Sign Details (Korte, received 9-26-13)
2. This Use Variation applies to Korte Architecture only. A new use variation would be necessary for another user, or if the scope of this use is increased.
3. The following variations are granted:
  - A. From the required number of 5 parking spaces to allow 3 spaces;
  - B. To allow an existing nonconformity to expand, as specified in this petition;
  - C. To allow a freestanding sign, 6 square feet in area, closer than 10 feet to the right-of-way.
4. The available parking at this location will be monitored by staff for a period of one year following occupancy. If parking issues are noted, the petitioner will be required to provide additional parking by adding pavement off the existing driveway of Sherman Street.
5. A Building Permit is required for the site alterations and any interior alterations.
6. The petitioner shall work with staff to determine the placement of the freestanding sign such that the sign will not block the sight line triangle for vehicles utilizing Sherman Street. No wall signage is permitted.
7. The petitioner shall address all of the review comments of Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

received 9/13/13

# City of Crystal Lake Development Application

Office Use Only  
File # \_\_\_\_\_

Project Title: 185 N. MAIN STREET

### 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 checked="" type="checkbox"/> Special Use Permit   |
| <input type="checkbox"/> Final PUD Amendment          | <input type="checkbox"/> Variation                       |
| <input type="checkbox"/> Final Plat of Subdivision    | <input type="checkbox"/> Other                           |

### Petitioner Information

Name: KORTE ARCHITECTURE  
 Address: 35 BURDENT DRIVE  
SUITE E, CRYSTAL LAKE  
 Phone: 815-444-9150  
 Fax: 815-444-9151  
 E-mail: briank@kortearchitecture.com

### Owner Information (if different)

Name: PAUL & SUSAN MACKINLAY  
 Address: 4811 Burman Drive  
Crystal Lake, IL 60014  
 Phone: 815-236-6051  
 Fax: 815-459-4775 (call 1st)  
 E-mail: psmackinlay@sbcglobal.net

### Property Information

Project Description: SPECIAL USE VARIANCE TO ALLOW A BUSINESS USE IN A RESIDENTIAL ZONED PROPERTY

Project Address/Location: 185 N. MAIN STREET  
CRYSTAL LAKE

S.E. CORNER OF MAIN ST & SHERMAN

PIN Number(s): 14 333 05 001

**Development Team**

Please include address, phone, fax and e-mail

Developer: \_\_\_\_\_

Architect: KORTE ARCHITECTURE

Attorney: \_\_\_\_\_

Engineer: \_\_\_\_\_

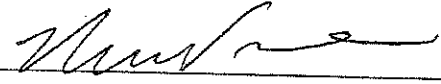
Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

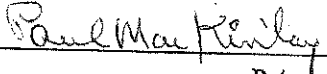
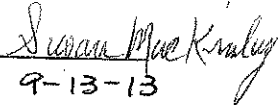
Surveyor: \_\_\_\_\_

Other: \_\_\_\_\_

**Signatures**

BRIAN KORTE  9-13-13  
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.

Paul Mackinlay + Susan Mackinlay  -   
OWNER: Print and Sign name Date 9-13-13

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.



187

SHERMAN STREET

SHERMAN STREET

N MAIN STREET

ELLSWORTH STREET

PRAIRIE STREET

BEARDSLEY STREET

## **PUBLIC NOTICE**

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

**IN THE MATTER OF THE PETITION  
OF BRIAN KORTE ON BEHALF OF  
KORTE ARCHITECTURE**

#### **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 Korte on behalf of Korte Architecture, relating to the following described real estate commonly known as 185 N. Main Street, Crystal Lake, Illinois 60014. PIN: 14-33-305-001.

This application is filed for the purpose of seeking a Use Variation to allow an architect's office - classified as a 'Professional Office' in the "R-3B" district, pursuant to Article 2 Land Use and Article 9, Administration of the UDO. This request also includes a variation to allow a freestanding sign at this location as well as any other variations that may be necessary to allow the project as presented. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

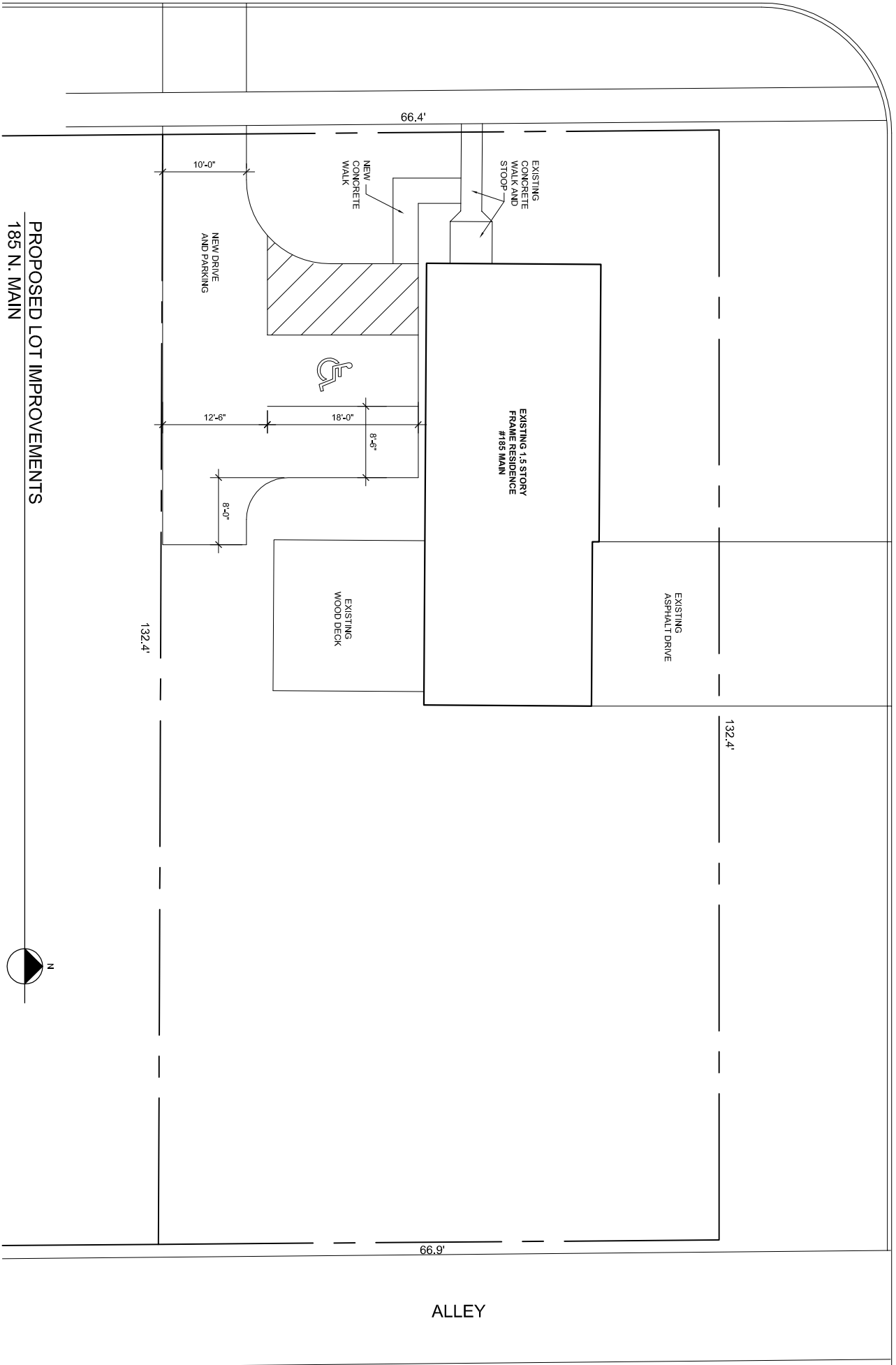
A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday October 2, 2013, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson  
Planning and Zoning Commission  
City of Crystal Lake

(Published in the Northwest Herald  
September 17, 2013. #A1891)

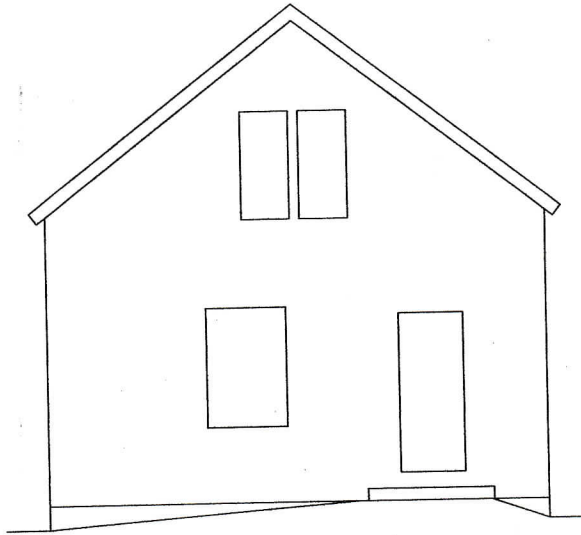


SHERMAN STREET



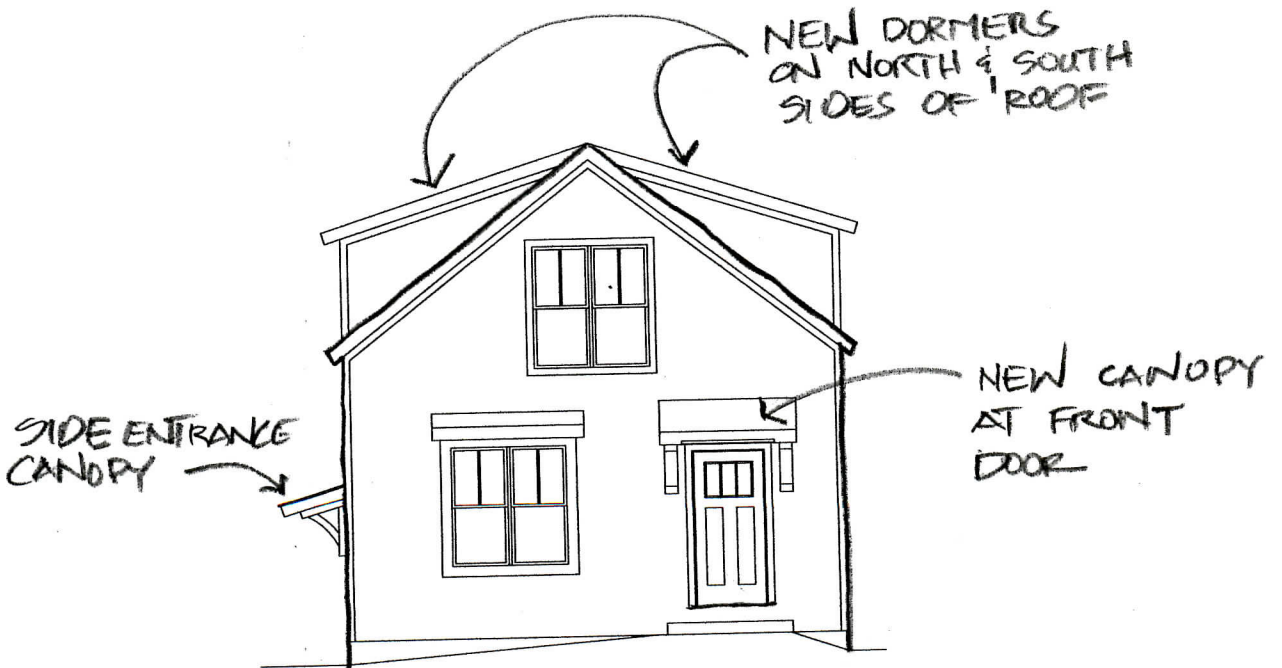
ALLEY

185 N. MAIN



EXISTING WEST ELEVATION

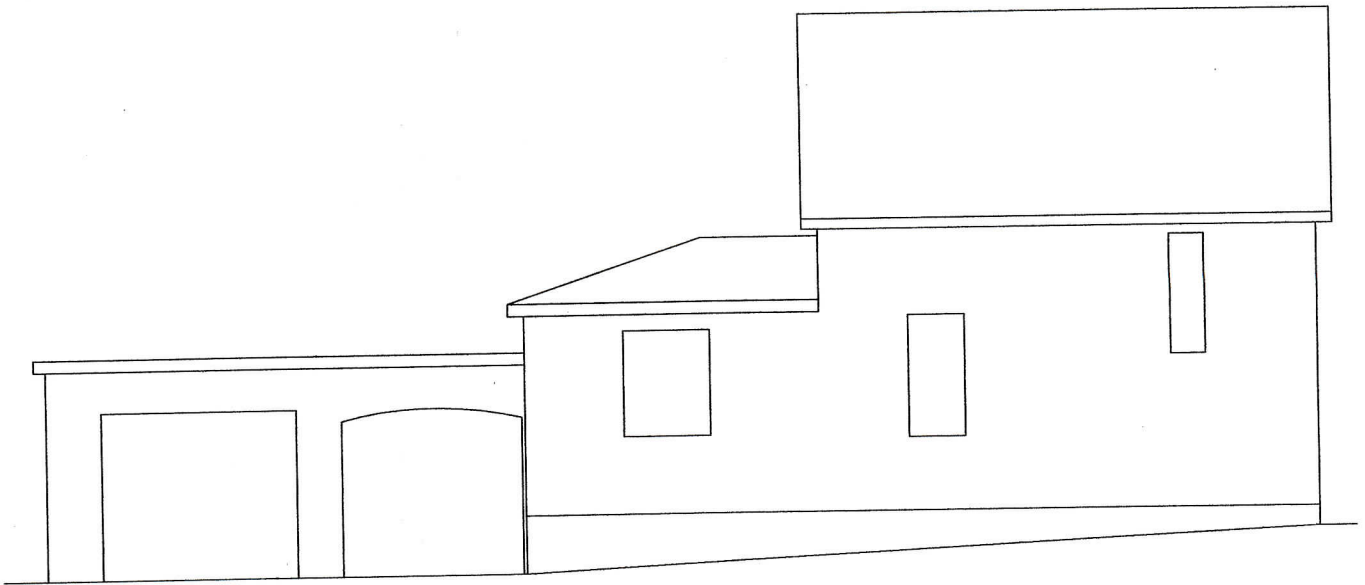
$\frac{1}{8}'' = 1'-0''$



PROPOSED WEST ELEVATION

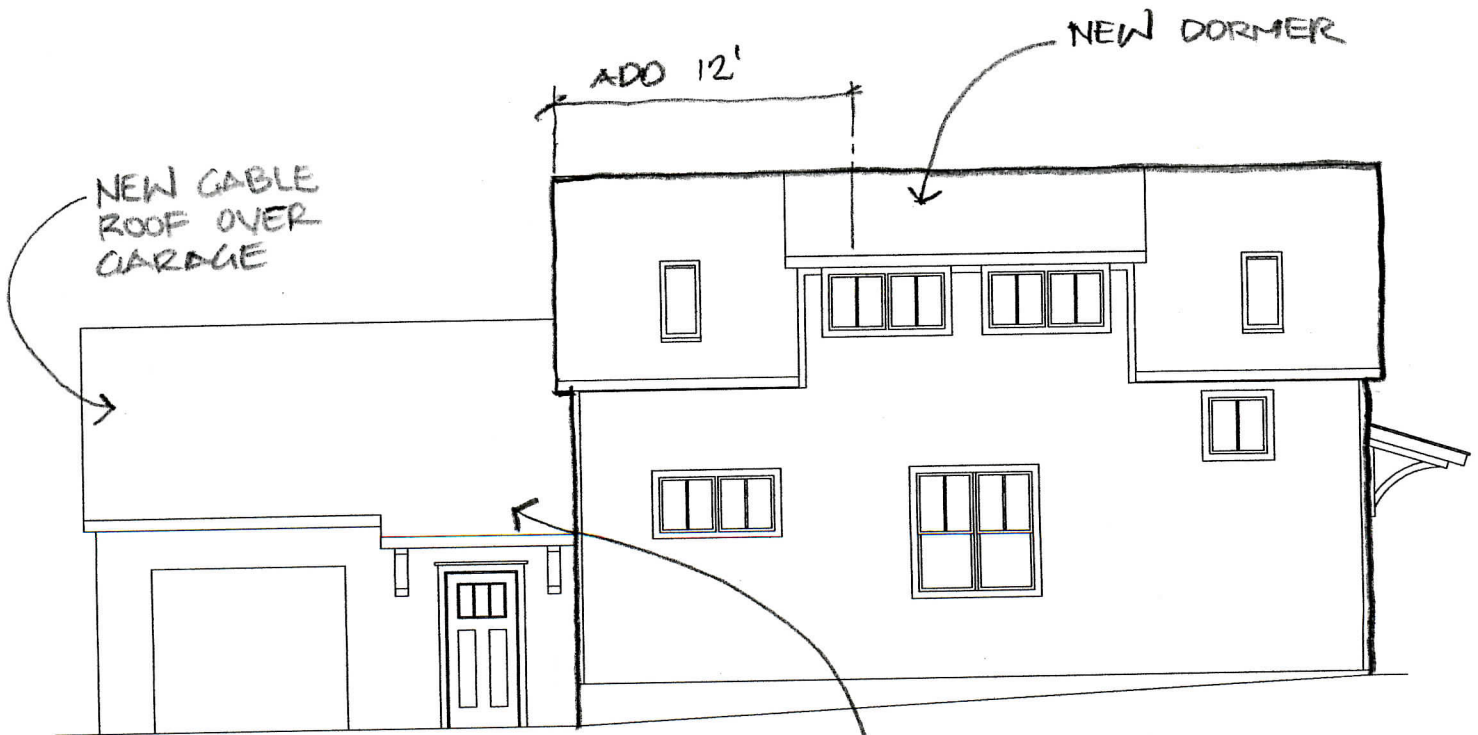
$\frac{1}{8}'' = 1'-0''$

185 N. MAIN



EXISTING NORTH ELEVATION

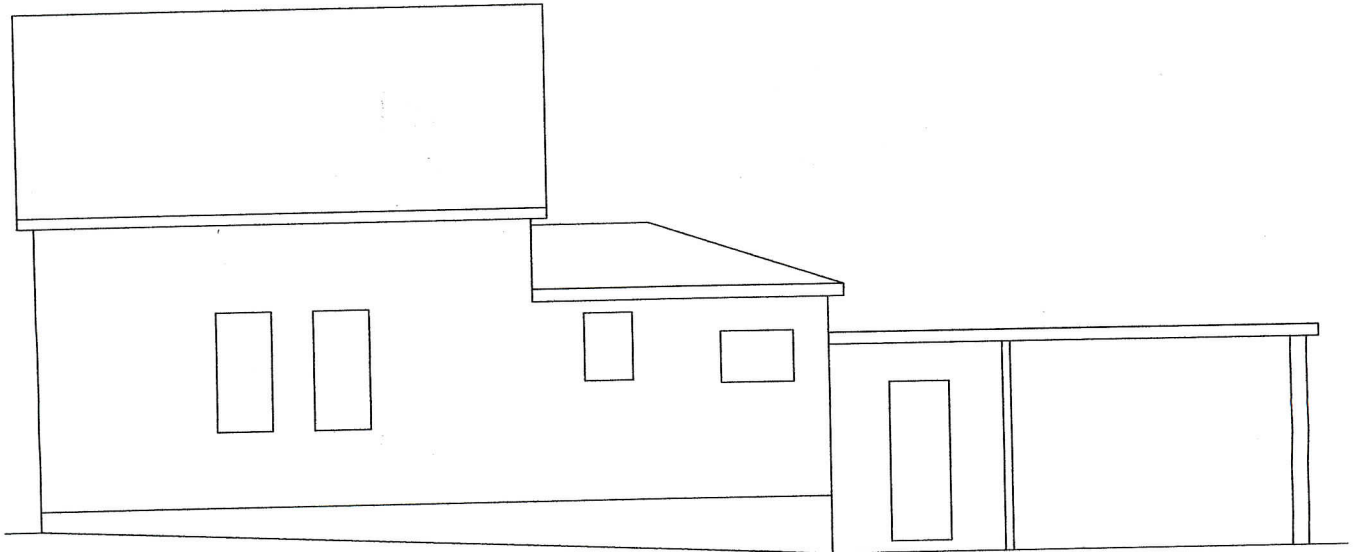
$\frac{1}{8}'' = 1'-0''$



PROPOSED NORTH ELEVATION

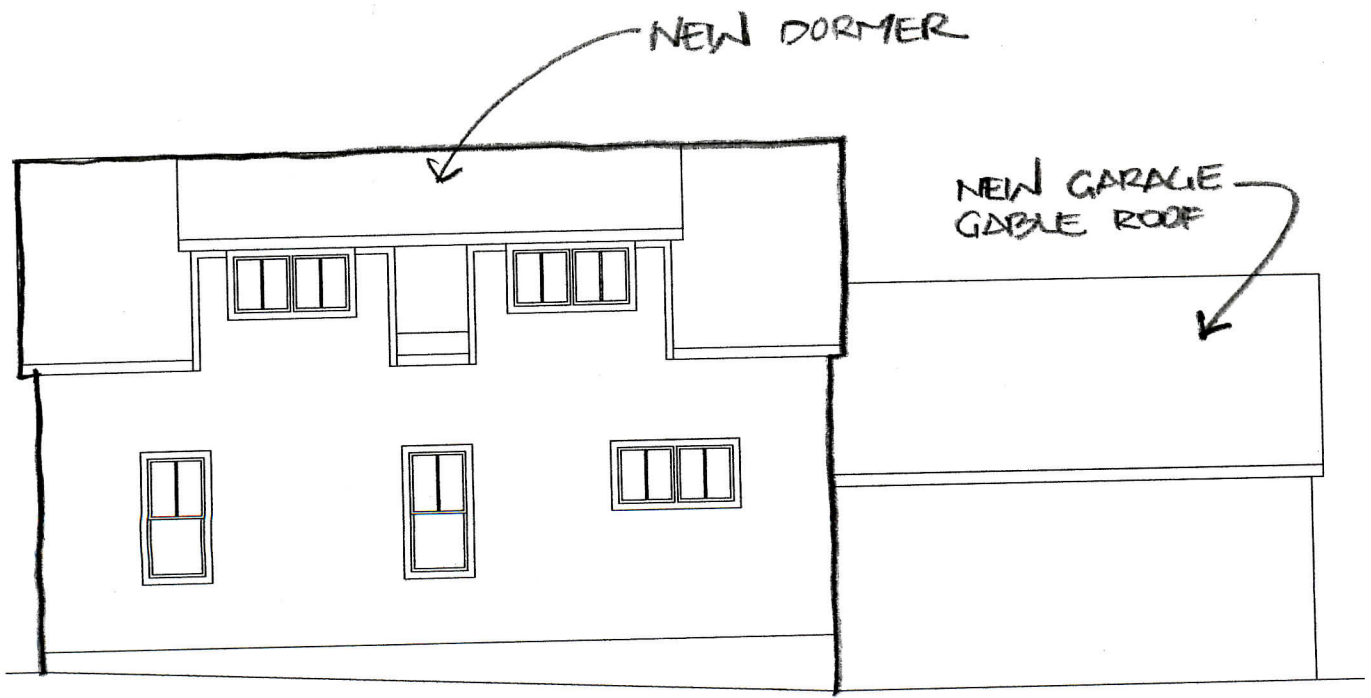
$\frac{1}{8}'' = 1'-0''$

185 N. MAIN



EXISTING SOUTH ELEVATION

1/8" = 1'-0"

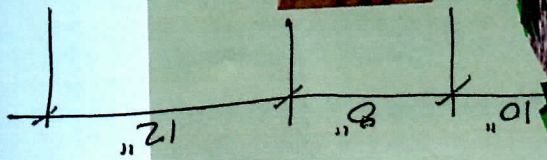
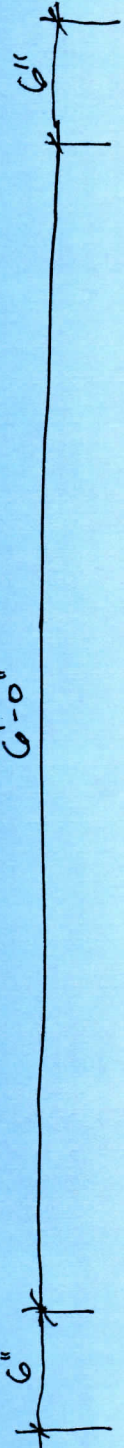


PROPOSED SOUTH ELEVATION

1/8" = 1'-0"

A3

6'-0"



6" HIGH

# korte architecture

## 185

RECLAIMED  
HEAVY TIMBER  
BEAM + POST

4" HIGH

LOW GROWING  
GROUND COVER  
OVER MULCH.

A4