



**#2014-16**  
**1112 Cedar Crest Dr. (Garguilo)**  
**Project Review for Planning and Zoning Commission**

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**Meeting Date:** May 7, 2014

**Zoning Requests:** Variation to allow:  
1. A 4-foot tall fence along Barlina Road, 3 feet from the property line;  
2. A 6-foot tall fence along Huntley Road, 5 feet from the property line.

**Location:** 1112 Cedar Crest Dr.

**Acreage:** 13,680 sq. ft. (0.31 acres)

**Existing Zoning:** "R-2" Single-Family Residential

**Surrounding Properties:** North: "R-2" Single-Family Residential  
South: "R-2" Single-Family Residential  
East: "R-2" Single-Family Residential  
West: "R-1 PUD" Single-Family Residential PUD (Harvest Run)

**Staff Contact:** Latika Bhide 815.356.3615

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**Background:**

- The property in question is an existing conforming lot in the Four Colonies Unit 6.
- The property is zoned "R-2" single-family residential with a lot area of approximately 13,680 square feet.
- The property is improved with a residence with an attached garage. The petitioner is requesting variations to allow a fence along Barlina and Huntley Roads.

**Land Use Analysis:**

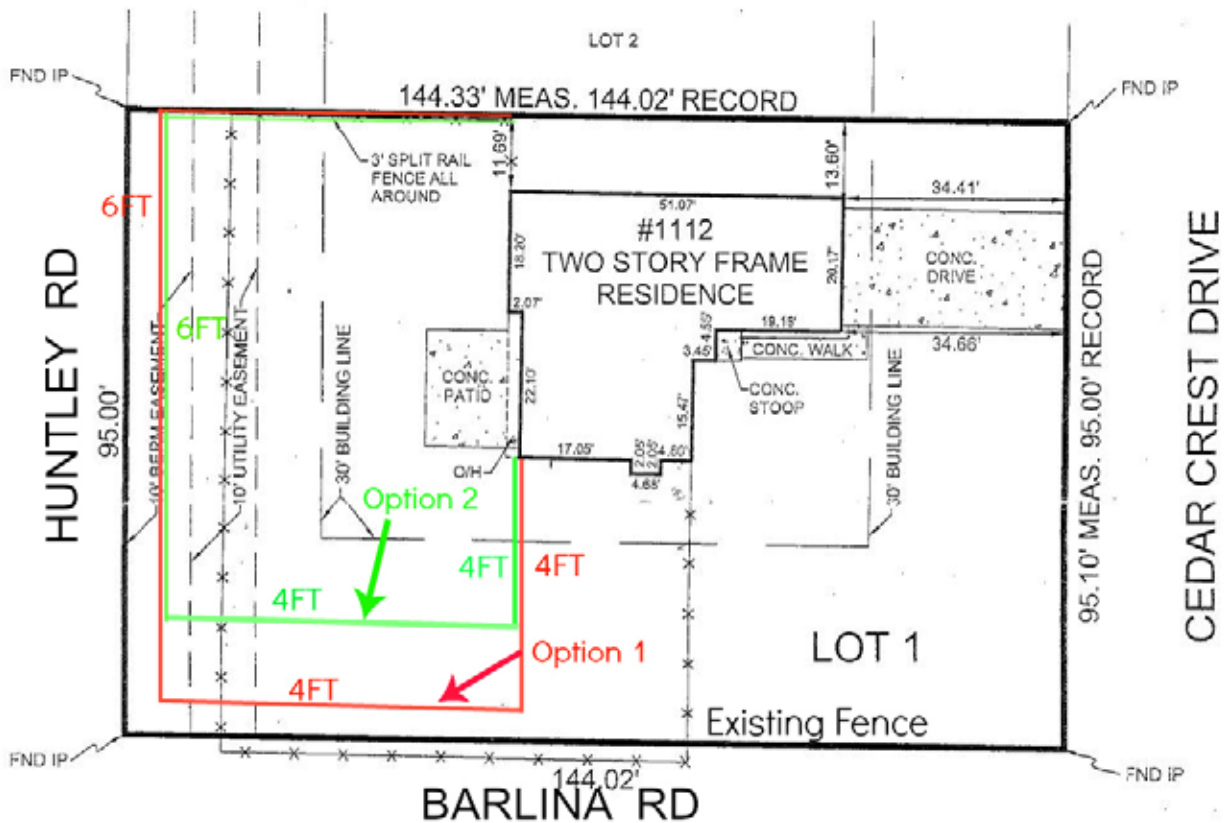
- The property is a triple-frontage lot along Cedar Crest Drive, Barlina and Huntley Roads. There is an existing split rail fence along Barlina Road and in the easement along Huntley Road. The applicant is proposing to remove



the existing fence and replacing it with a cedar picket fence. Pictures of the existing fence are included below.



- The petitioner would like to install a 4-foot tall fence along Barlina Road and a 6-foot tall fence along Huntley Road. The petitioner had presented two options for installing the fence. Option 1 would be for a fence, 4-foot tall and 3 feet from the property line along Barlina Road. Option 2 would be for a fence, 4-foot tall and 17 feet from the property line along Barlina Road. For both options, the petitioner is proposing a 6-foot tall fence 5 feet from the property line along Huntley Road, which would be within the berm easement along Huntley Road. The petitioner has indicated that a 5-foot tall fence along Huntley Road would be acceptable for them.



- It should be noted that there is approximately 40-50 feet between the property line along Huntley Road and the Huntley Road edge of pavement.

**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:**

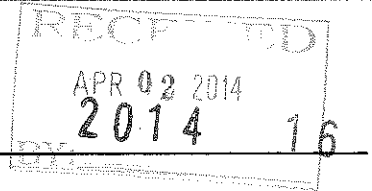
If the petitioner’s request for variations is approved, staff suggests that the following as conditions of the approval of the variations at 1112 Cedar Crest Drive:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, Gargiulo, 4/2/14
  - B. Location Plan, 4/2/14
  - C. Plat of Survey, Luco, dated 11/23/05, received 4/2/14
  - D. Site Plan, Gargiulo, 4/2/14
  - E. Quotes from fence contractors, 4/2/14
  - F. Photos, Gargiulo, 4/2/14
- 2) The fence along Huntley Road must be no taller than 5 feet and installed 10 feet east from the property line, between the Berm easement and the Utility easement.
- 3) The proposed fence cannot obstruct the flow of water.
- 4) The petitioner shall address all comments of the Community Development, Public Works, Fire Rescue and Police Departments.

L:\PLANNING AND ECONOMIC DEVELOPMENT\USER FOLDERS\LATIKA\_B\Reports\Gargiulo-1112Cedar Crest.docx

**Application for Simplified Residential Variation**

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



**I. Applicant**

Gillian Gargiulo  
Name  
1112 Cedar Crest Drive  
Street  
Crystal Lake IL 60014  
City State Zip Code  
815 893 0107 ? gargiulo14@hotmail.com  
Telephone Number Fax Number E-mail address

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

Same  
Name  
Address Telephone Number

**III. Project Data**

1. a. Location/Address: 1112 Cedar Crest Drive Crystal Lake IL  
b. PIN #: 18-12-400-014  
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:  
See attached

**IS THE HARDSHIP SELF-CREATED?**

All conditions of hardship predate my ownership of the property. I would love to have all of my trees within my fence, but some of them were planted by us the ones that surround the corner of my lot.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? PZC could answer this better than I. I am unaware of all crystal lake properties. For what I see driving around I believe the conditions of my property are unique

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?  
No, the current split rail is over 30 years old and beyond repair.

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; SUSBTANTIALY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY?  
NO

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

**IV. Signatures**

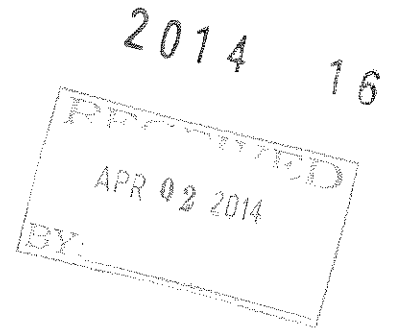
\_\_\_\_\_  
PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.  
Gillian Gargiulo (Gillian Gargiulo) 4/2/14

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.

Application for Simplified Residential Variation attachment;



### III Project Data

#### #2 Description of proposal/reason for request.

The unique conditions of my property are as follows. My side yard and backyard are busy through streets shortcuts to both Randall road and Route 14. The hedges which were planted by the former owners that blocked some of the view have reached the end of their natural life cycle, (30 years) and are dying. We had Countryside nursery staff come out and she confirmed, she said we could try to cut them low to see if we could stimulate new growth, but it has been unsuccessful. They provided a much needed screen between my home and the constant traffic, noise, eyesore and litter of Huntley road, which I would consider an undue hardship. We have a 60-foot easement between my dying hedges and Huntley road. So a fence would not obstruct clear view at all. We have several mature trees that were planted at least 2 owners ago. They have to be over 25 years old. The trees are in the way of installing a 4-foot fence within the building line, so it is necessary that I request a variance. The trees are a beautiful Corkscrew Willow, huge White Pine both of which are as tall as my home and three large hedge over one of which is over 6 feet tall.

**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 GILLIAN GARGIULO**

**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 Gillian Gargiulo for approval of variations relating to the following described real estate commonly known as 1312 Cedar Crest Drive, Crystal Lake, Illinois 60014, PIN: 18-12-400-014.

This application is filed for the purposes of seeking variations in accordance with the provisions of Article 3, Article 4-700 and Article 9 of the UDO to allow a 4-foot-tall fence in the yard abutting street along Barina Road at the property line and a 6-foot-tall fence along the side abutting street along Huntley Road within the Berm Easement, 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 Community 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, May 7<sup>th</sup>, 2014 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  
April 19, 2014. #A3154)



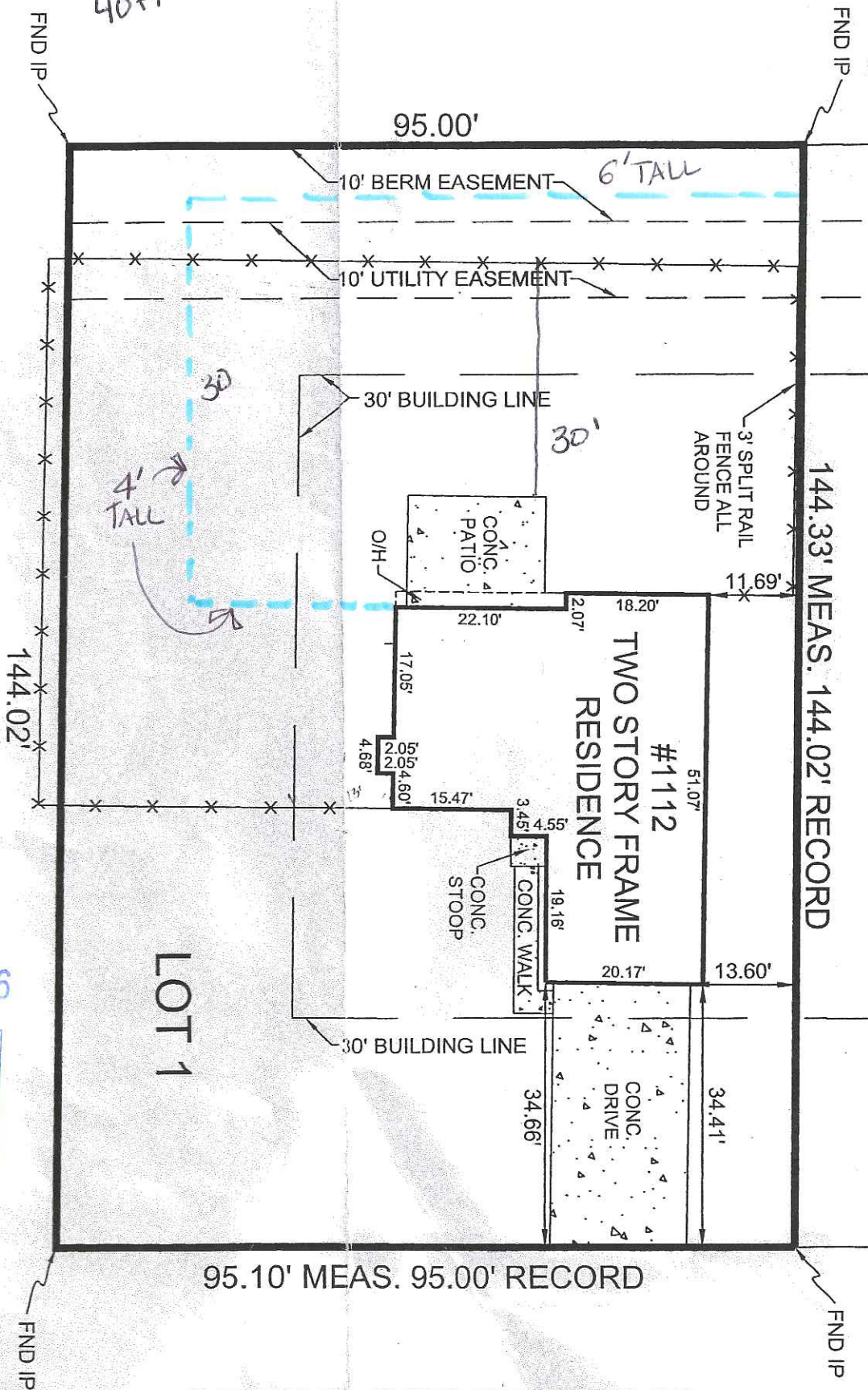
Bushes To  
40'ft Hartley

21'  
Bushes  
TO  
fence

BARLINA ROAD

2014 16

RECEIVED  
APR 02 2014  
BY:



LOT 1

LOT 2

144.33' MEAS. 144.02' RECORD

95.10' MEAS. 95.00' RECORD

CEDAR CREST DRIVE

Pengala 3ft from  
Dad  
6 feet long  
Willow starts 9 ft from  
Patio

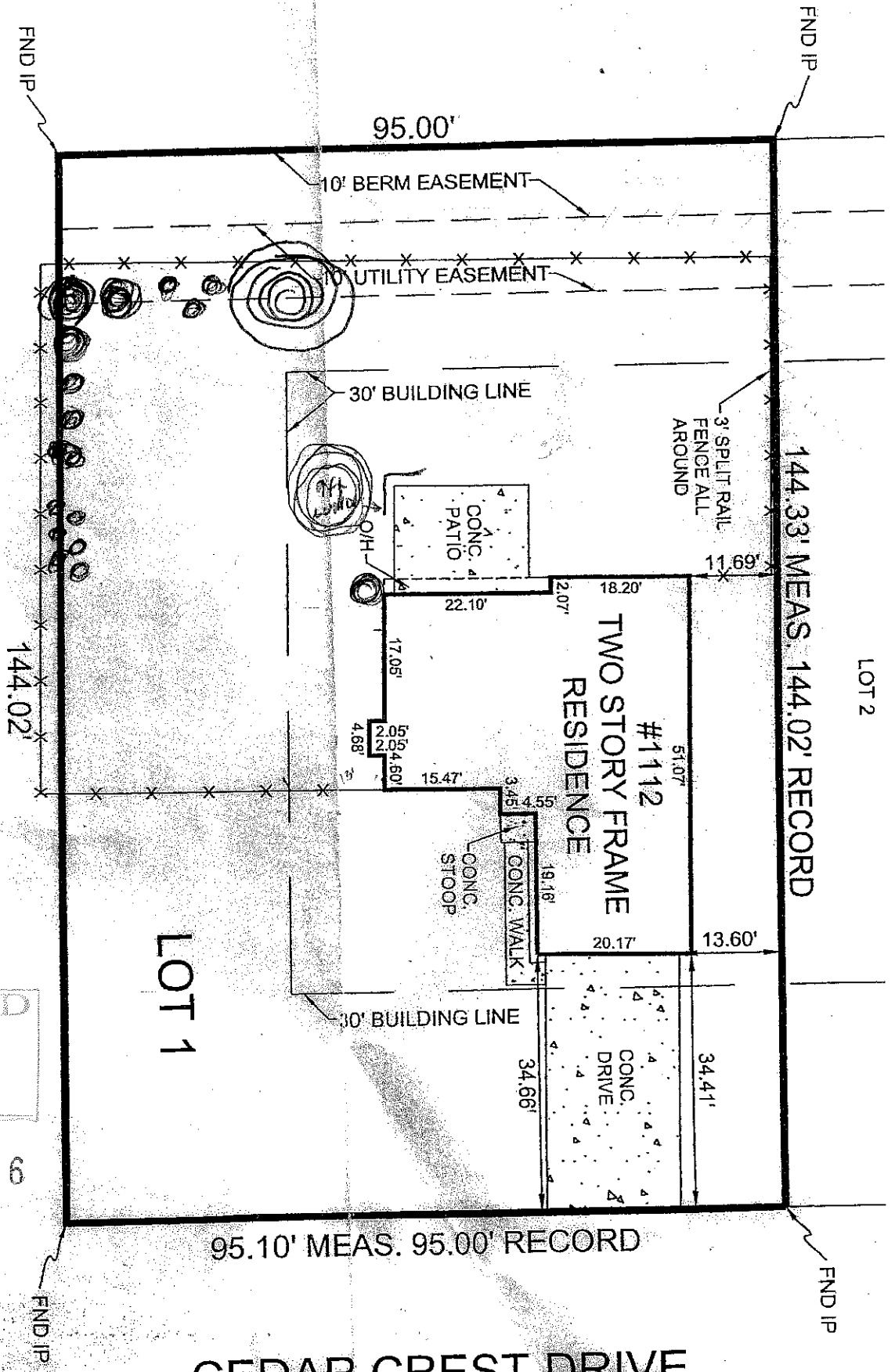
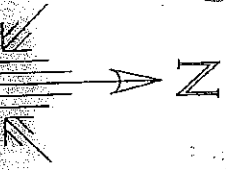
BARLINA ROAD

LOT 1

LOT 2

RECEIVED  
APR 02 2014  
BY: \_\_\_\_\_

2014 16



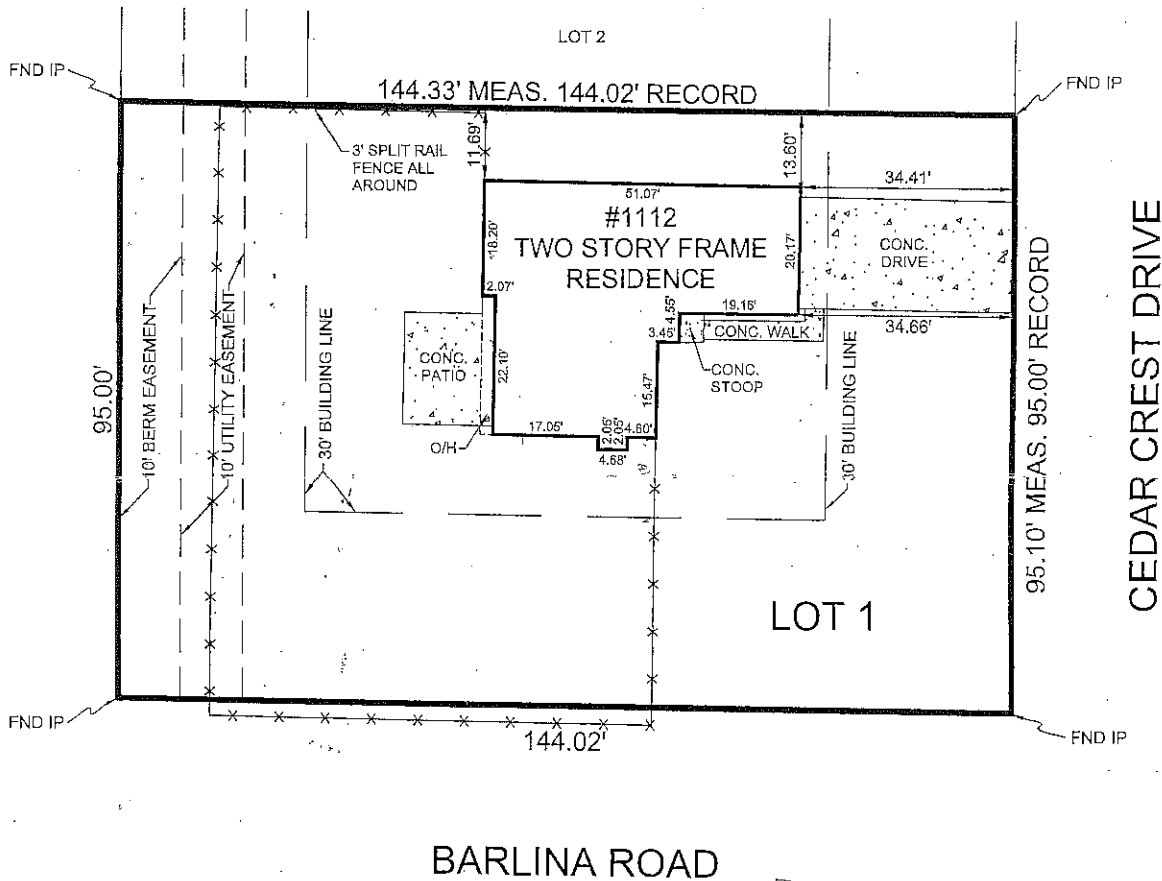
144.33' MEAS. 144.02' RECORD

95.10' MEAS. 95.00' RECORD

CEDAR CREST DRIVE

# PLAT OF SURVEY

**LEGAL DESCRIPTION:** LOT 1 UNIT SIX OF FOUR COLONIES, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 23, 1978 AS DOCUMENT NUMBER 750247 AND CORRECTED BY CERTIFICATE OF AMENDMENT RECORDED JUNE 8, 1979 AS DOCUMENT NUMBER 770116, IN MCHENRY COUNTY, ILLINOIS.

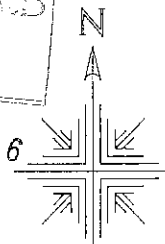
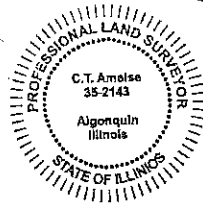


BARLINA ROAD

RECEIVED  
APR 02 2014  
BY:

2014

16



SCALE: 1" = 20'

STATE OF ILLINOIS  
COUNTY OF MCHENRY

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 ENCR OACH ON THE ABOVE DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THE PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

*C.T. Amelse*  
C.T. AMELSE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2143 MY LICENSE EXPIRES: 11-30-2006

COMPARE THE DESCRIPTION OF THE PLAT WITH DEED. REFER TO TITLE POLICY FOR ITEMS OF RECORD NOT SHOWN ABOVE UNLESS OTHERWISE NOTED. NOTED UTILITIES WITHIN EASEMENTS ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES INCLUDING BUT NOT LIMITED TO CONDUITS AND CABLES (IF ANY) HAVE NOT BEEN SHOWN HEREON. VOID WITHOUT RAISED SEAL OR RED STAMP.

## LUCO CONSTRUCTION

CLIENT NAME	P.O. Box 222
TORCHALSKI	Algonquin, IL 60102
REFERENCE	847-658-8537
BAYER	FAX: 847-458-0714
DATE	DRAWN
11/28/06	LAH
JOB NO.	05-18681















Google

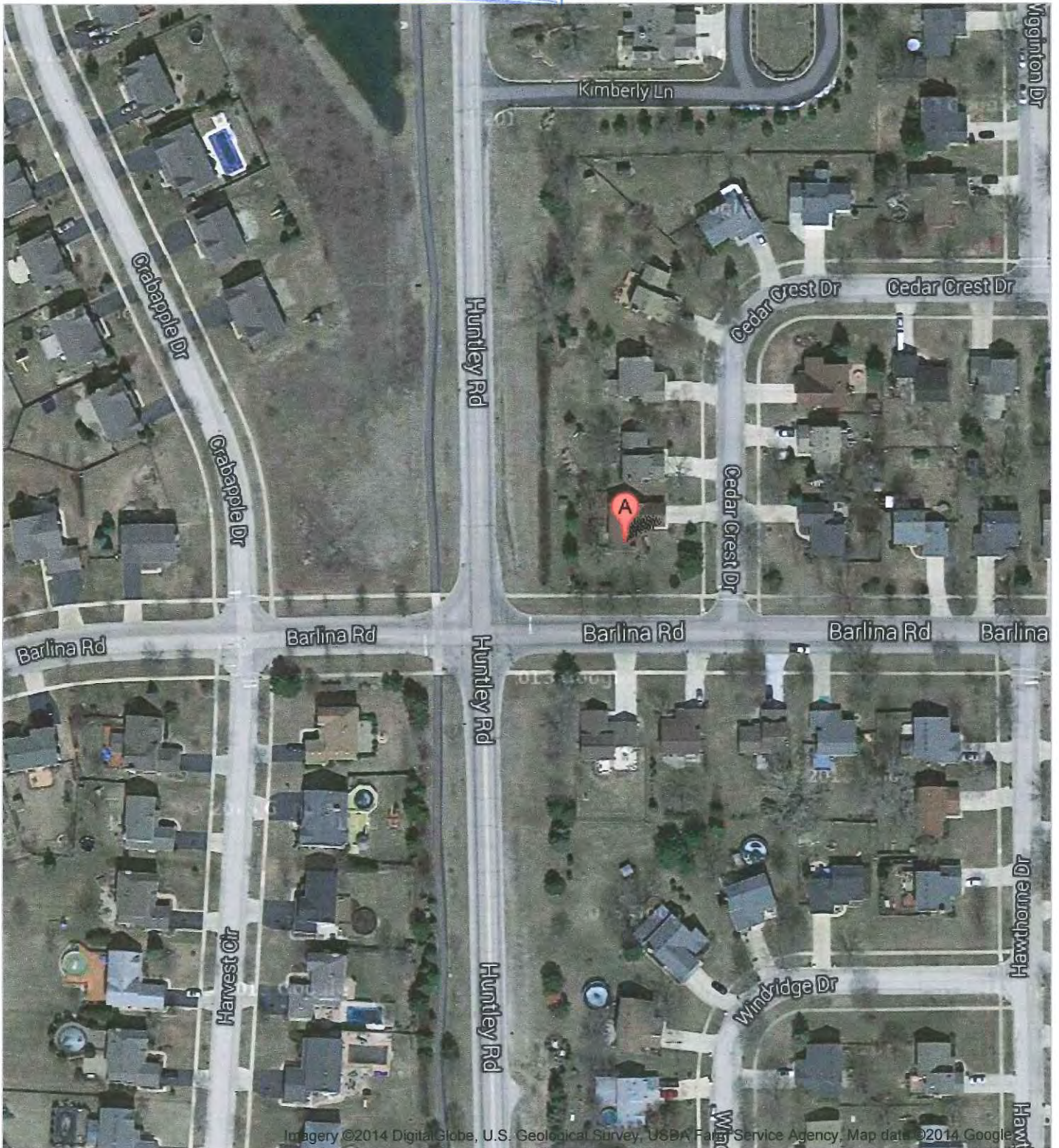
RECEIVED

APR 02 2014

BY:

2014 16

To see all the details that are visible on the screen, use the "Print" link next to the map.



March 30, 2014

Dear Neighbors,

I am requesting a variance from the city to install a new 4-foot spaced picket fence that is to replace the existing 3-foot split rail fence. I would like the fence on the sides of my property at 4-feet and 5 or 6-foot fence in the back of my property keeping the current fence placement the same.

The south side of my home that lines up on Barlina Road is the *only* side that I am requesting special consideration. I am asking that the committee review my plat of survey and location of my property and allow a 4-foot on my Barlina Road side of the property.

I will be requesting the variance with the city and showing them photos of my lot along with this letter to show that I have already spoken to and received consent from my surrounding neighbors. I

Jennifer & Todd Cianciarulo

1110 Cedar Crest CL IL 60014

Attached

1115 Barlina Rd. Crystal Lake IL 60014

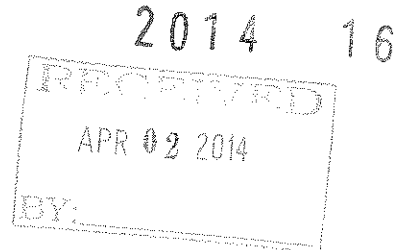
1109 Barlina Rd Crystal Lake IL 60014 Jackie Sinkovitz

Sincerely,

Gillian Gargiulo

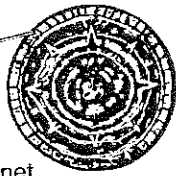
Gillian Gargiulo

1112 Cedar Crest Drive Crystal Lake IL





FREE ESTIMATES



ERNE MARTIN  
Cell 847-815-8306  
Sales@aztecfence.net

WHOLESALE  
SALES & REPAIRS  
RESIDENTIAL  
INDUSTRIAL  
COMMERCIAL  
TENNIS COURTS  
CUSTOM DECKS

# ICE COMPANY, INC.



RECEIVED

APR 02 2014

Phone 847-740-4655  
Fax 847-740-4687

www.aztecfence.net

## AZTEC FENCE COMPANY

11 S. Fairfield Road • Round Lake, IL 60073

847-740-4655 www.aztecfence.net Fax 847-740-4687

### SAL AND CONTRACT

2014 16

DATE 1-9-14

HM. PHONE 815-893-0107

WK. PHONE \_\_\_\_\_

- PERMIT # \_\_\_\_\_
- CREW \_\_\_\_\_
- JULIE ID # \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

JOBSITE: 1112 Cedar Crest Dr  
Crystal Lake, IL 60014

AZTEC FENCE COMPANY propose to furnish all materials, tools and to perform all labor necessary to complete the following:

228' of a 4' high Arch Picket  
with (3) 4' wide gates  
using western red cedar grade #1  
4x4x7 Post with standard Post cap  
(2) 2x4x8 back rails  
1x4x4 Picket boards

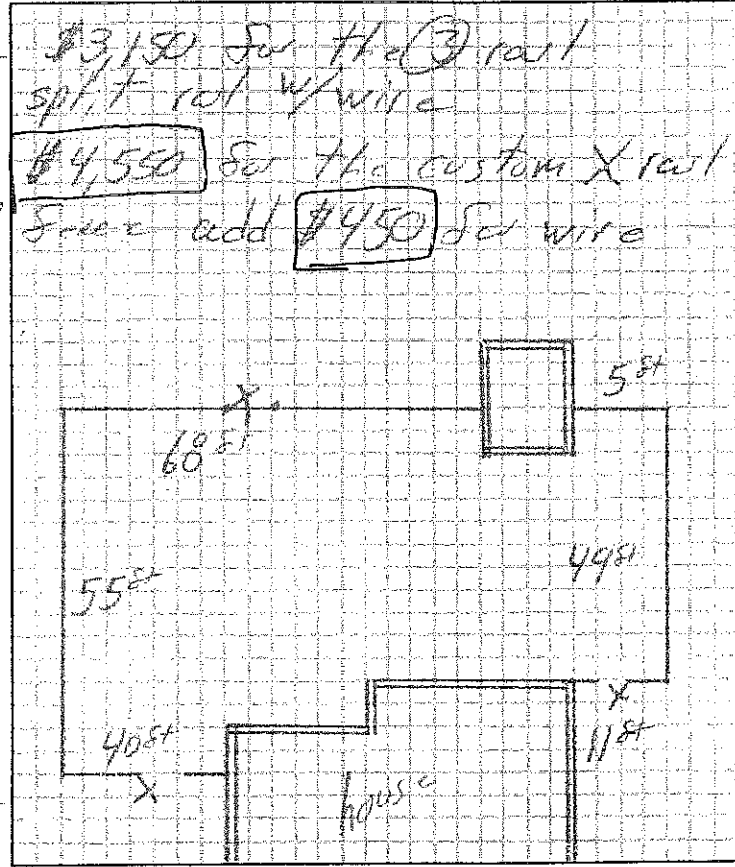
All Post will be set in concrete

Remove and haul away existing  
Fence

haul away Post hole dirt

Full lot

Customer to get Fence permit



All of the above work to be completed in a substantial and workmanlike manner according to standard premises to start within 2 week(s) for the sum of \_\_\_\_\_ dollars (\$ 3150- ).

A deposit required of 50 % \$ 1,575- down upon signing contract and \$ 1,575- the remaining balance upon completion of installation.

**AZTEC FENCE COMPANY GUARANTEES ALL MATERIALS TO BE OF THE HIGHEST QUALITY BY LEADING MANUFACTURERS AND ALL WORKMANSHIP TO BE OF THE HIGHEST STANDS BY THOROUGHLY SKILLED MECHANICS FOR 5 YEAR(S).** Contractor is responsible for calling J.U.L.I.E. within 48 hours before installation to mark all underground utilities. Any alteration or deviation for the above specifications involving extra cost of materials or labor will only be executed upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing. **ALL MATERIALS REMAIN PROPERTY OF CONTRACTOR, WHO RETAINS THE RIGHT TO REMOVE ALL MATERIALS UNLESS PAID FOR IN FULL. ALL FENCES INSTALLED WITHIN 6" OF PROPERTY LINES - FENCES SET TO PROPERTY STAKES - NOT RESPONSIBLE FOR PROPERTY LINES.** A charge of 25% of cash contract price will be made in case of cancellation of this by property owner or agent, of which he or she agrees to pay upon demand after refusing to allow the work to proceed as within agreed terms. **THIS PROPOSAL IS VOID IF NOT ACCEPTED WITHIN 30 DAYS.** call to update

### ACCEPTANCE OF PROPOSAL

You are hereby authorized to furnish all materials and labor required to complete the work mentioned in the above proposal for which I agree to pay the amount mentioned in said proposal and in accordance with the terms thereof. I agree to pay all costs of collection including attorney fees and interest for sums which may become due under this contract.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ 20 \_\_\_\_\_

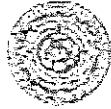
TERMS: Net \_\_\_\_\_ days. A 1 1/2 % interest will be added on to the monthly balance until balance is paid in full.

Respectfully submitted by:  
Ernie Martin

Purchaser agrees to obtain any construction permits that may be required and to supply contractor with current plat of survey.  
X \_\_\_\_\_

1540000-0001  
1540000-0002

# AZTEC FENCE COMPANY, INC.



1540000-0003  
1540000-0004



## PROPOSAL AND CONTRACT

DATE 1-16-14

Bill Gargiolo  
112 Cedar Crest Dr.  
Crystal Lake, IL 60014  
wgargiolo@live.com

PROJECT # 815-898-0107

TYPE OF PROJECT

PERMIT

OPEN

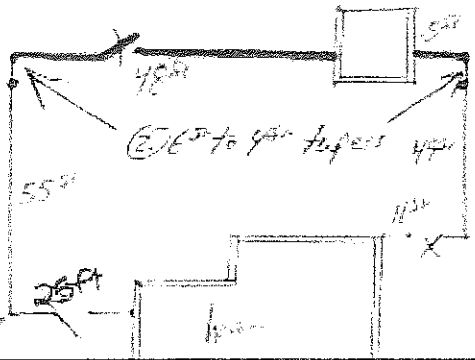
ALIEN

AZTEC FENCE COMPANY (AZTEC) IS A DIVISION OF THE AZTEC GROUP OF COMPANIES. AZTEC IS NOT RESPONSIBLE TO ANY OTHER PARTY.

5'8" tall on a 6" high post on level  
with cap board and 1" wide gate  
18" tall on a 4" high foundation  
Picket with @ 6" to 4" tapers  
8" long and @ 4" wide gates  
Using western red cedar pickets  
4X4X7, 4X4X9 post with  
standard post caps

Red = 6" high

(B) 2X4X8 back rails on 6" high  
(C) 2X4X8 back rails on 4" high  
1X4X8 trim and cap boards  
1X4X4, 1X4X6 Picket boards  
All feet will be set in concrete  
Remove and haul away existing  
fence.  
haul away post hole dirt  
Customer to get fence permit



All items shown on this proposal is a detailed list of materials to be used according to customer preferences for materials.

AZTEC FENCE COMPANY GUARANTEES ALL MATERIALS TO BE OF THE HIGHEST QUALITY BY LEADING MANUFACTURERS AND ALL WORKMANSHIP TO BE OF THE HIGHEST STANDARDS BY THOROUGHLY TRAINED MECHANICS FOR \_\_\_\_\_ YEARS. Customer is responsible for obtaining all necessary permits. All materials remain property of contractor who retains the right to remove all materials unless paid for in full. All fences installed within 72 hours of property lines. Fences set to property lines - NOT RESPONSIBLE FOR PROPERTY LINES. A check of all property lines will be made. If there is a discrepancy, the customer must provide a survey or other proof of property lines. This proposal is valid for 30 days. call to update.

### ACCEPTANCE OF PROPOSAL

I, the undersigned, hereby accept the proposal and agree to the terms and conditions of the proposal. I understand that this proposal is not binding until I sign and return this form to the contractor.

Customer Signature: Ernie Martin

Contractor Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Golden Fence  
5 FT - top RA:1

2014 16

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APR 02 2014  
BY: