



#2014-39 131 Baldwin Ave (Heisler) – Variation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	September 17, 2014
<u>Request:</u>	Variation from Article 3-200, from the minimum side and rear yard setback requirements for a principal structure. The principal structure will have approximately a 5-foot setback for the rear-yard and a 3-foot setback for the side-yard instead of the 20-foot rear-yard and the 7-foot side-yard requirement.
<u>Location:</u>	131 Baldwin Avenue
<u>Acreage:</u>	14,985.8 square feet
<u>Existing Zoning:</u>	R-2 Single Family
<u>Surrounding Properties:</u>	North: R-2 Single Family South: Lake East: R-2 Single Family West: R-2 Single Family
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The property is improved with a single family home. The principal structure and garage are currently connected with a breezeway. Breezeways open on both sides along the length of the pedestrian pathway between structures are considered insignificant attachments.
- **Background:** The petitioner is connecting the principal structure and the garage with a second-story walkway, making the garage subject to principal structure setback requirements. The walkway is enclosed and includes additional storage areas, therefore the walkway is considered a significant attachment. A variation (89-43) was granted in 1989 for the construction of the garage and breezeway in its current location.

Development Analysis:

General

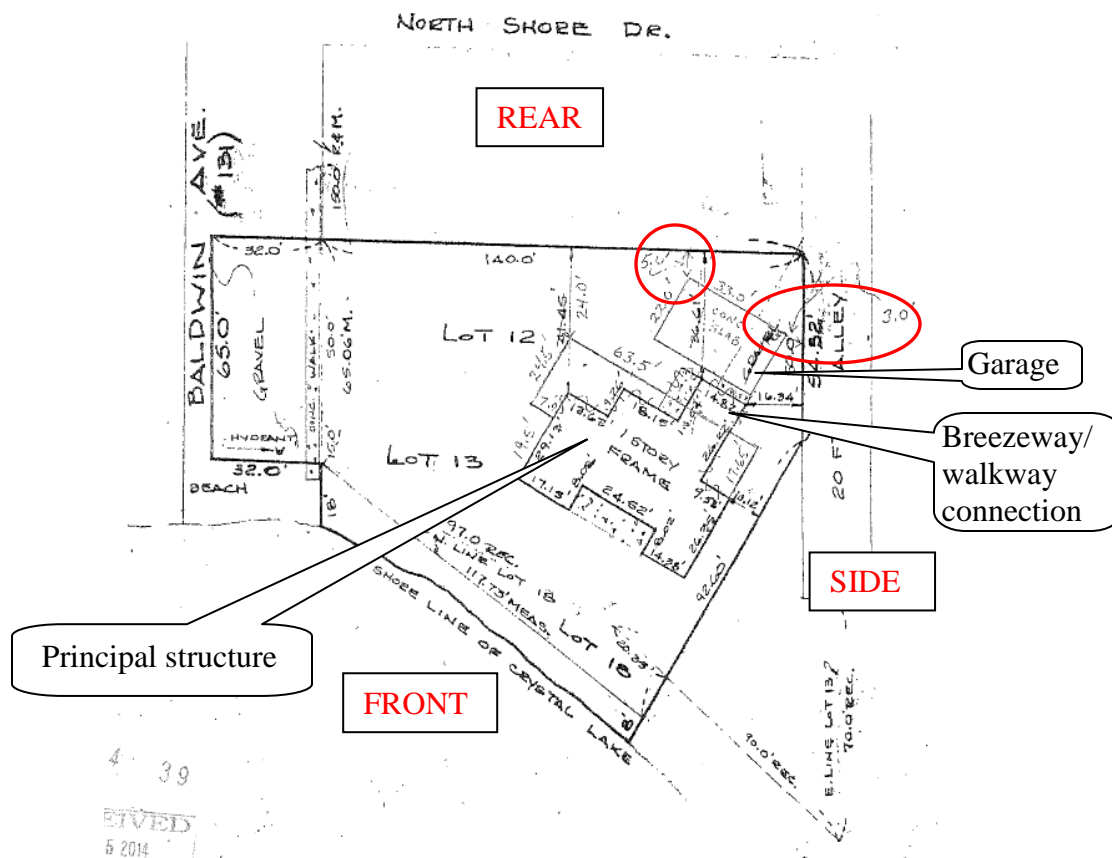
- **Request:** The connection of the principal structure and the garage with a second-story enclosure walkway will subject the whole structure to principal structure setback requirements. The existing garage is currently within the 7-foot required side-yard setback and the 20-foot required rear-yard setback for principal structures. A variation is

required to allow the rear-yard setback to be encroached by 15 feet and for the side-yard setback to be encroached by 4 feet.

- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- Zoning: The site is zoned R-2 Single Family. This property is used as single-family home.

Site Layout

- The main portion of the house is setback on the property. The garage was added in 1989 with a breezeway. The garage was granted a variation for the side-yard and rear-yard setbacks. The front of the property is the lakefront side. See the site plan below.



Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use - Residential

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 area with architectural and development guidelines. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 3-200A 4 to allow an encroachment of 15 feet and 4 feet into the required rear-yard setback and side-yard setback, respectively. 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.

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Heisler, received 08/25/14)
 - B. Plat of Survey (John Jennings Surveyor, dated 01/08/88, received 08/25/14)
 - C. Proposed Breezeway Extension Dormer Addition (Repholz Studio, dated 08/18/14, received 08/25/14)
2. Petitioner has the option to enclose the area immediately below the existing breezeway/connecting link to the house, provided that there are no structural or stormwater concerns. A permit will be required for this action to be completed.
3. The petitioner shall address all of the review comments and requirements of the Community Development Department, Public Works Department, and Fire Rescue Department.

RECEIVED
AUG 25 2014

Application for Simplified Residential Variation

2014 39

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

I. Applicant

Name: JAMES HEISLER

Street: 131 BALDWIN AVE.

City: CRYSTAL LAKE State: IL Zip Code: 60014

Telephone Number: 815 404-4775 Fax Number: 815 459-9775 E-mail address: JIM@HEISLERSBOOTERY.COM

II. Owner of Property (if different)

Name: _____

Address: _____ Telephone Number: _____

III. Project Data

1. a. Location/Address: 131 BALDWIN

b. PIN #: 19-06-108-004

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:

- DOUBLE FRONTAGE PROPERTY
- LAKE FRONT LOT WITH SETBACK REQUIREMENTS

IS THE HARDSHIP SELF-CREATED?

NO - CREATED BY ORDINANCE AND GEOGRAPHIC CONSTRAINTS

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

YES OTHER LAKESIDE LOTS

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; SUBSTANTIALLY INCREASE THE DANGER OF FIRE; OR ENDANGER PUBLIC SAFETY?

NO

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

GARAGE SETBACK

IV. Signatures

JAMES HEISLER

8/25/14

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 Heisler

8/25/14

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.

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 Heisler

LEGAL NOTICE

Notice is hereby given in compli-
ance 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 Heisler for
variations relating to the following
described real estate commonly
known as 131 Baldwin Avenue,
Crystal Lake, Illinois 60014, PIN:
19-06-108-004

This application is filed for the
purpose of seeking zoning varia-
tions pursuant to Articles 3-200 of
the UDO, from the minimum side
and rear yard setback requirements
for a principle structure, to allow
the existing garage and principal
structure to be connected, thereby
making the garage subject to the
principal structure setback require-
ments of 20 feet for the rear yard
and 7 feet for the side yard, to al-
low approximately 2-foot setbacks,
representative of the existing loca-
tion of the garage; as well as any
other variations that may be neces-
sary to complete the project as pro-
posed. Plans for this project can
be viewed at the City of Crystal
Lake Community Development De-
partment 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 September
17, 2014, at the Crystal Lake City
Hall, 100 West Woodstock Street,
at which time and place any per-
son determining to be heard may
be present.

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

(Published in the Northwest Herald
September 2, 2014. #5074)

PLAT OF SURVEY

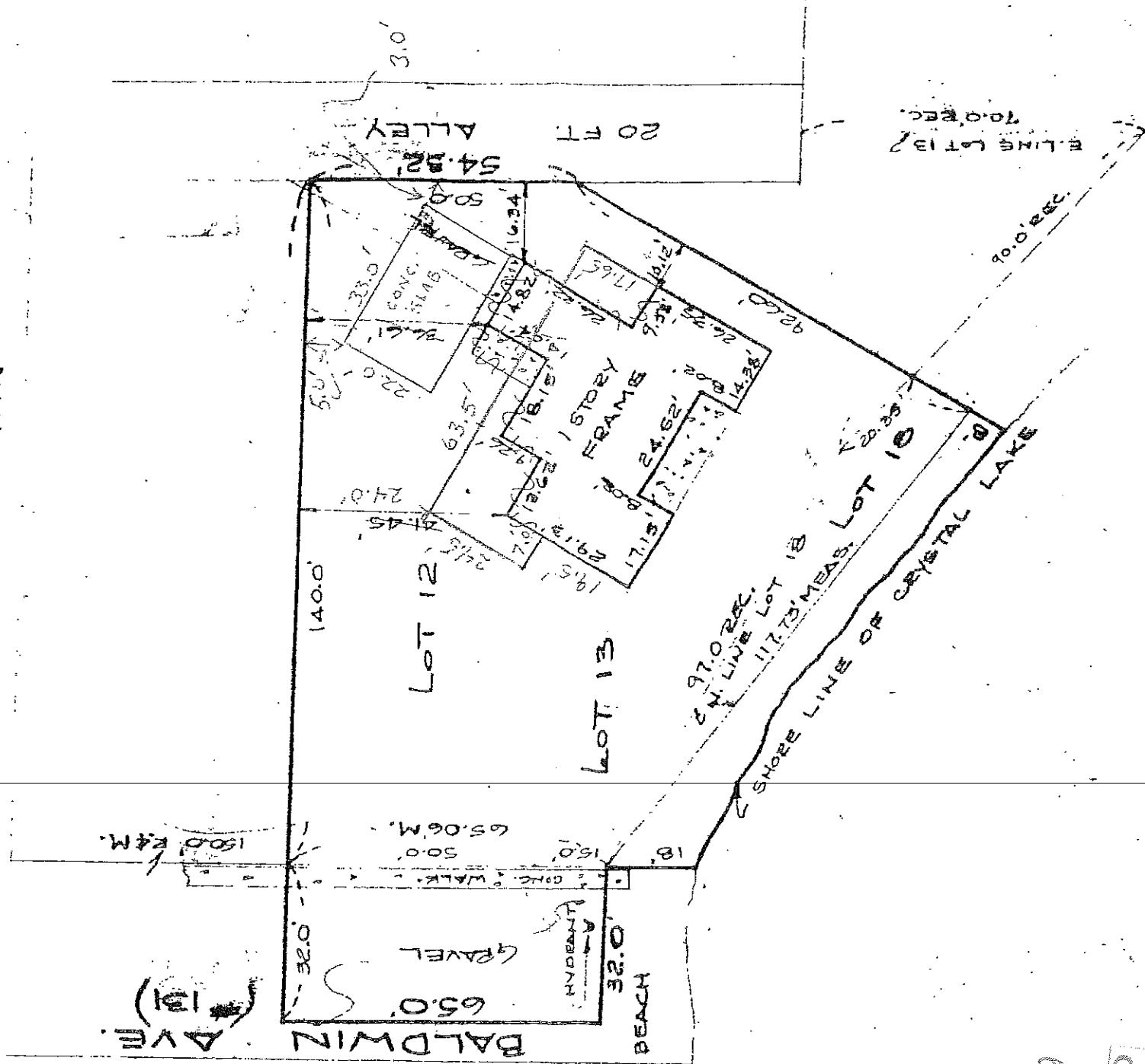
LOT 12 AND PART OF LOTS 13 AND 18

Described as follows: Commencing at the intersection of the West line of said Lots 13 and 18 and the shore of Crystal Lake; thence North along said West line to the Northwest corner of said Lot 13; thence East along the North line of said Lot 13, a distance of 140.0 feet, more or less, to the Northeast corner of Lot 13; thence South along the East line of

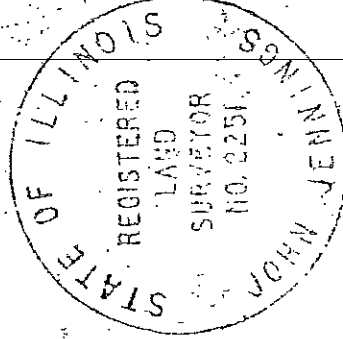
Lot 13, a distance of 4.32 feet; thence Southwesterly at an angle of 31 degrees 07 minutes with a prolongation of the East line of said Lot 13, a distance of 17.15 feet; thence Southwesterly along the shore of said Crystal Lake, to the place of beginning, in the Subdivision of Lot 3 in First Addition to Clow's Crystal Lake Park in the Northwest Quarter of Section 6, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded May 28, 1924 in Book 5 of Plats, page 18, in McHenry County, Illinois. ALSO

The East 32 feet of Baldwin Avenue lying immediately West of Lots 12 and 13 and South of the North line of said Lot 12 extended West 32 feet and North of a line shown as the North line of Private Beach on the Plat hereinafter described in the Subdivision of Lot 3 of First Addition to Clow's Crystal Lake Park, being a Subdivision of part of the Northwest Quarter of Section 6, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded May 28, 1924 as Document No. 63783 in Book 5 of Plats, page 18, in McHenry County, Illinois, together with an undivided one-fifth interest in and to the Private Beach lying immediately South of said Baldwin Avenue, the East and West Boundary of said Private Beach being the East and West line of Baldwin Avenue extended South to the waters edge of Crystal Lake, as shown by the Plat of the Subdivision of the aforesaid Lot 3 in First Addition to Clow's Crystal Lake Park.

NORTH SHORE DR.



2014 39
 RECEIVED
 AUG 25 2014
 BY:



PLAN PREPARATION:
 JOHN JENNINGS SURVEYOR
 515 N. HALE STREET
 MARENGO, ILLINOIS 60152
 815-568-8939

DATED: January 8, 1988
 SCALE: 1 inch equals 30 feet.
 ORDERED BY: Home State Bank of Crystal Lake
 CHECKED BY: EJ
 ORDER NO.: 87-441

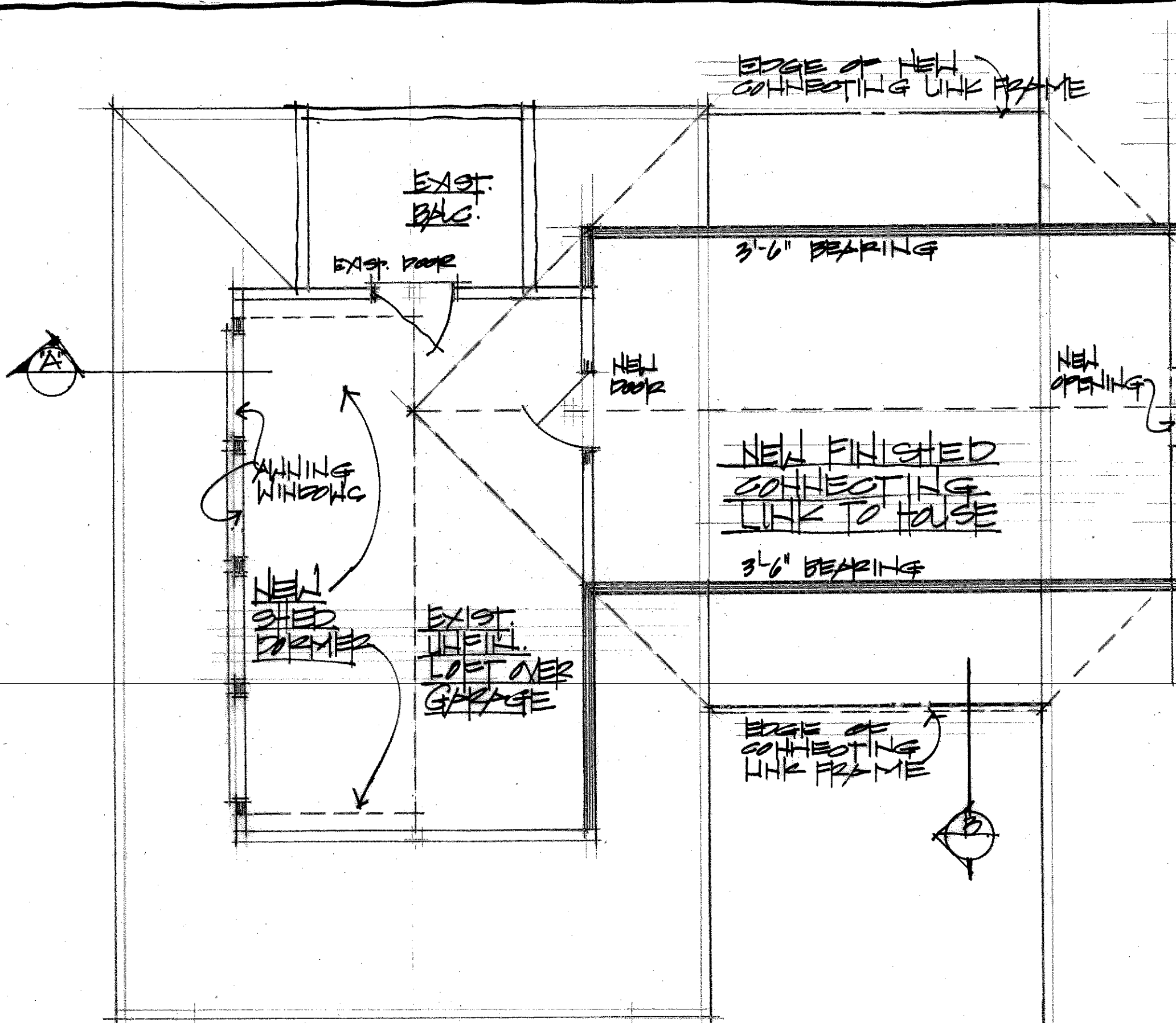
STATE OF ILLINOIS
 COUNTY OF MCHENRY

I CERTIFY THAT A SURVEY OF THE ABOVE DESCRIBED PROPERTY HAS BEEN MADE UNDER MY SUPERVISION AND THAT THE ANNEXED PLAT CORRECTLY REPRESENTS SAID SURVEY.
 WARNING: COMPARE ALL PROPERTY CORNERS BEFORE CONSTRUCTION OF ANY KIND AND REPORT ANY DISCREPANCY IMMEDIATELY.
 MEASUREMENTS FROM BUILDING CORNERS DO NOT ESTABLISH POINTS ON PROPERTY LINES.

John Jennings
 ILLINOIS REGISTERED LAND SURVEYOR No. 2251

Existing Plat

(R-2)



PROPOSED BREEZEWAY
 EXTENSION DORMER
 ADDITION FOR
 JIM and REBECCA HEISLER
 131 BALDWIN AVE. CRYSTAL LAKE

EXIST LOFT
 IN HOUSE

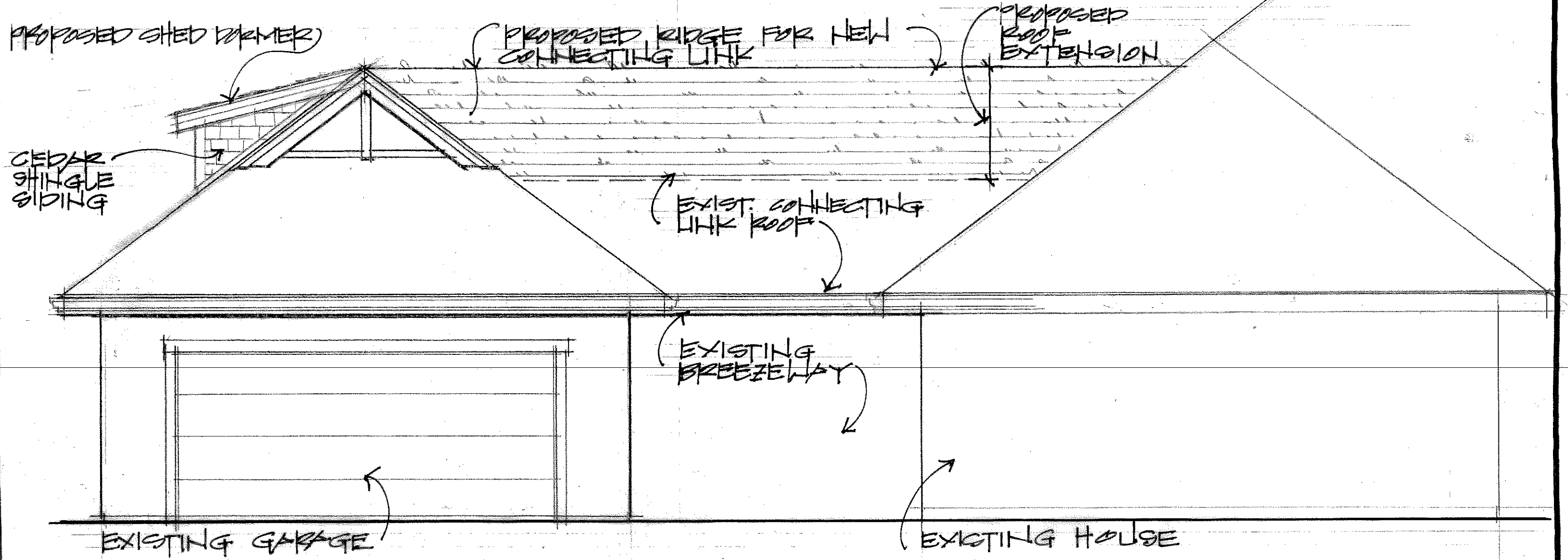
SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"

2014 39
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 AUG 25 2014
 BY:

REPHOLZ STUDIO
 8.13.14

PROPOSED BREEZEWAY EXTENSION AND 8'
DORMER ADDITION FOR JIM and REBECCA HEISLER

131 BALDWIN AVE. CRYSTAL LAKE, IL



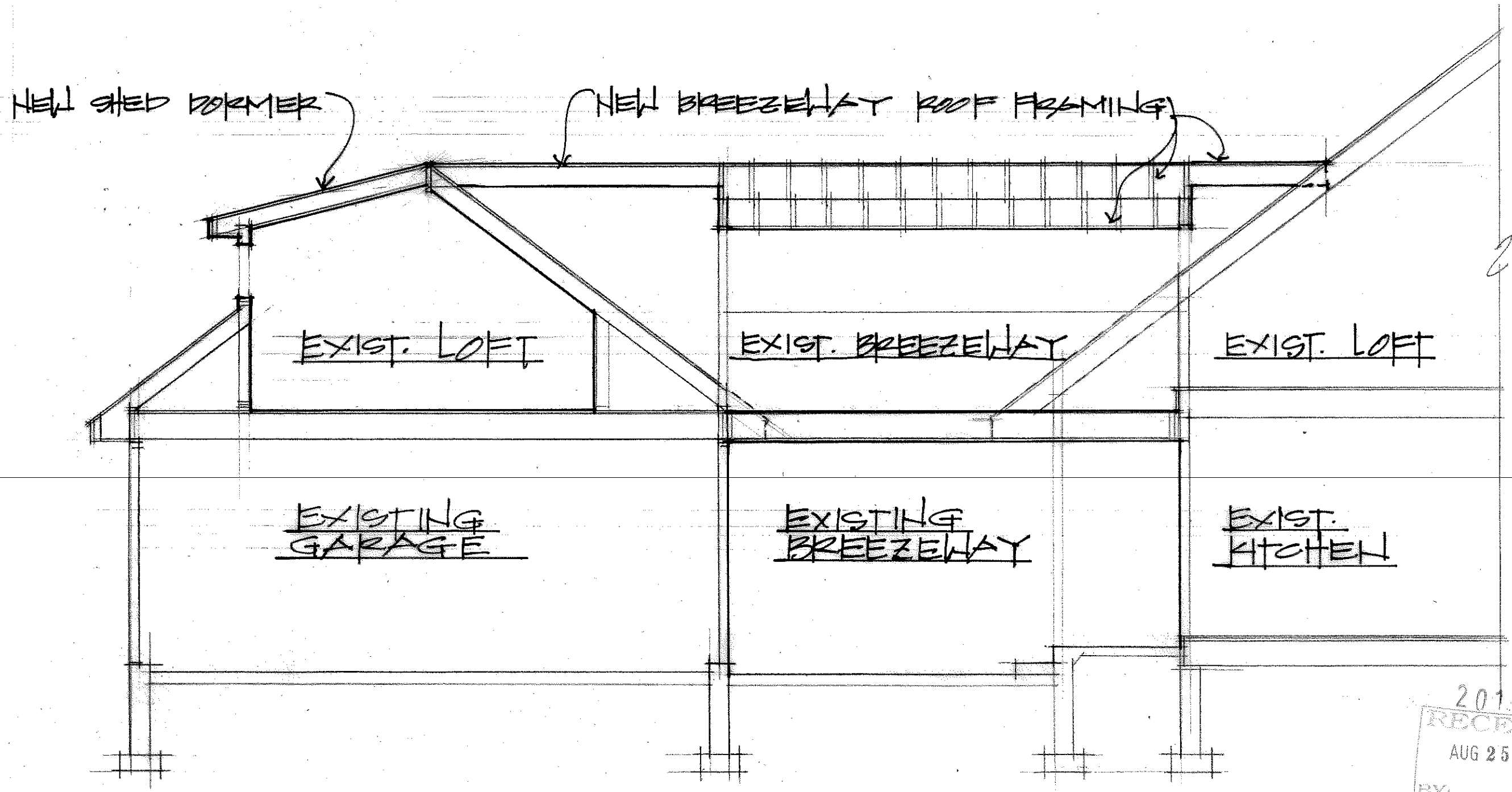
PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

RECEIVED
AUG 25 2014
BY:

2014 33

REP HOLEZ STUDIO
8.23.14

PROPOSED BREEZEWAY EXTENSION AND
DORMER ADDITION FOR JIM and REBECCA HEISLER
131 BALDWIN AVENUE CRYSTAL LAKE, IL



"A" BUILDING SECTION THRU BREEZEWAY & DORMER
SCALE: 1/4" = 1'-0"

2014 39
RECEIVED
AUG 25 2014
BY:

KEPPELZ
STUDIO
8.18.14

PROPOSED BREEZEWAY EXTENSION AND
DORMER ADDITION FOR JIM and REBECCA HEISLER
131 BALDWIN AVE. CRYSTAL LAKE, IL

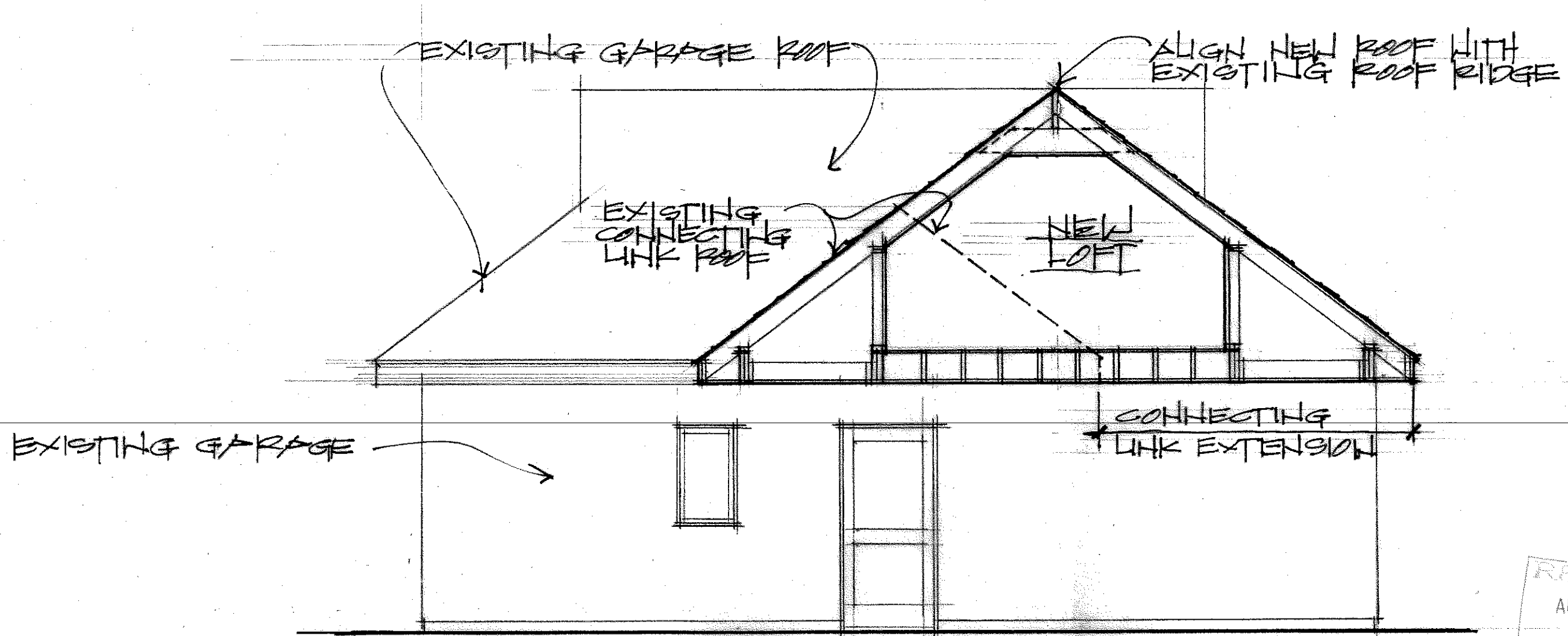


PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"

2014 39
RECEIVED
AUG 25 2014
BY: _____

KEPTOLE STUDIO
8.18.14

PROPOSED BREEZENAY EXTENSION AND
DORMER ADDITION FOR JIM and REBECCA HEISLER
131 BALDWIN AVE. CRYSTAL LAKE, IL

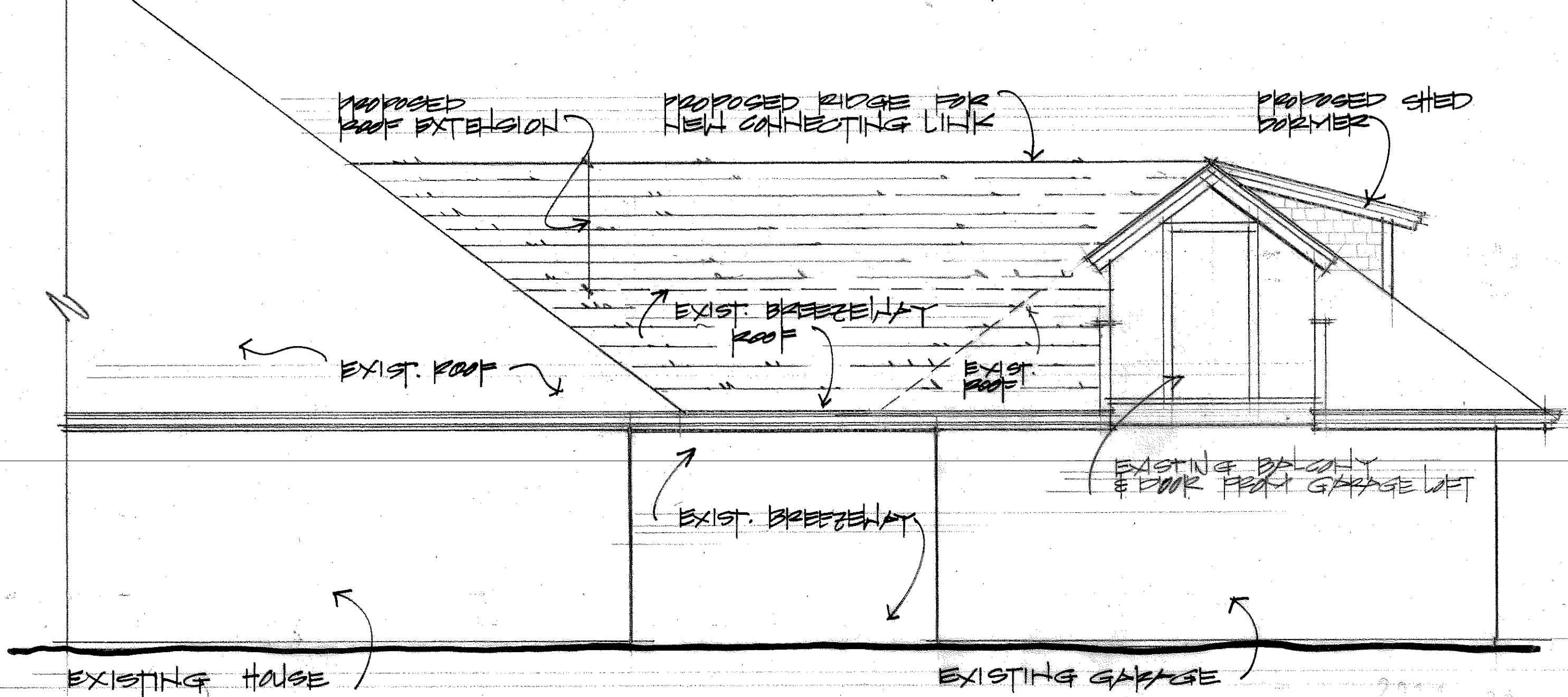


RECEIVED
AUG 25 2014
BY:
2014-39

"B" BREEZENAY SECTION - LOOKING NORTH
SCALE = 1/4" = 1'-0"

KEP HOLTZ STUDIO
8.18.14

PROPOSED BREEZEWAY EXTENSION AND
 DORMER ADDITION FOR JIM & REBECCA HEISLER
 131 BALDWIN AVENUE CRYSTAL LAKE, IL 60014

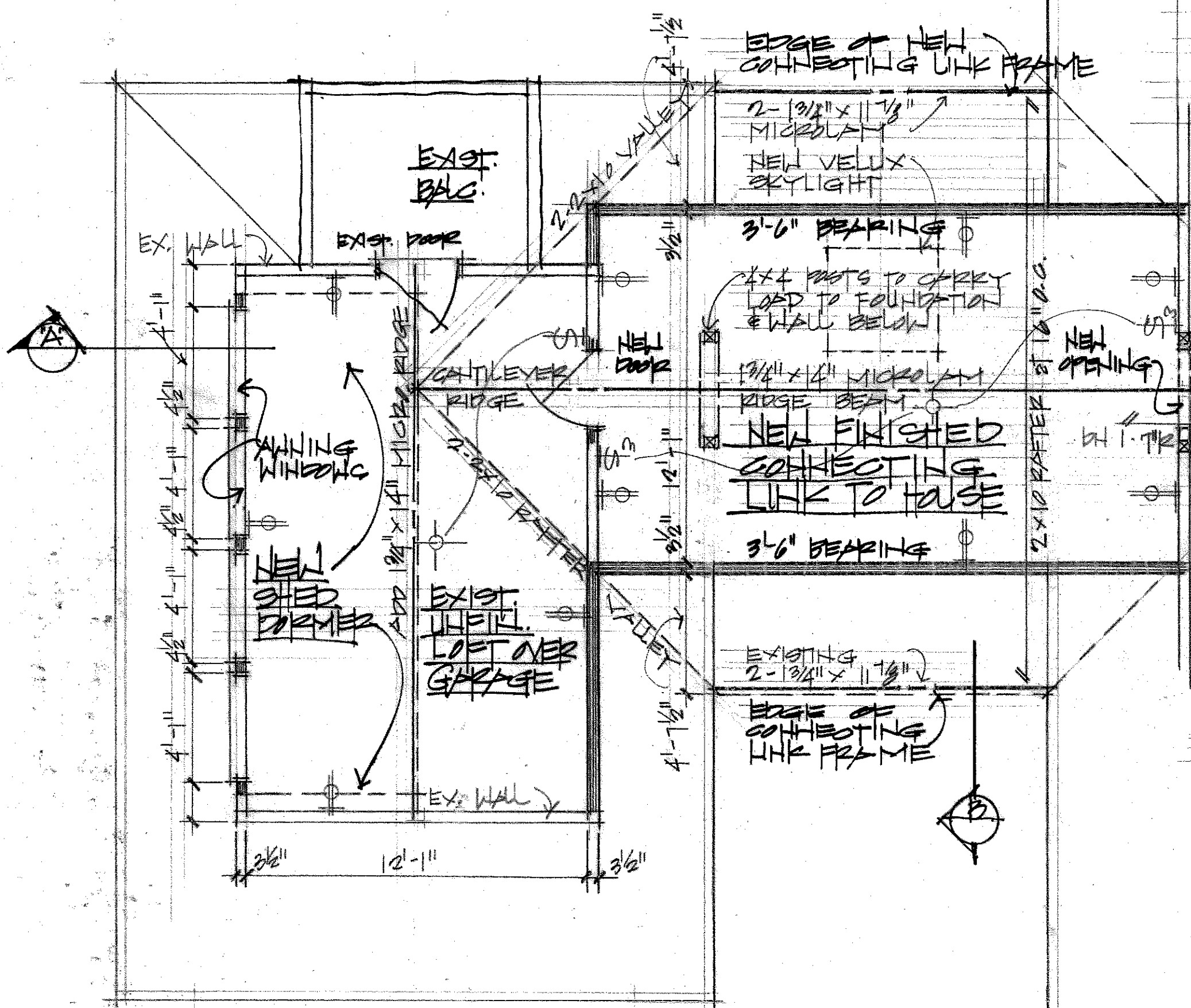


PROPOSED EAST ELEVATION
 SCALE: 1/4" = 1'-0"

RECEIVED
 AUG 25 2014
 BY:

REPLER STUDIO
 8.28.14

PROPOSED BREEZEWAY
 EXTENSION DORMER
 ADDITION FOR
 JIM and REBECCA HEISLER
 31 BALDWIN AVE. CRYSTAL LAKE



REMOVE EXISTING
 SKYLIGHT & PATCH

EXIST. LOFT
 HOUSE

ALL WORK SHALL CONFORM TO THE
 BUILDING CODES OF THE CITY
 OF CRYSTAL LAKE

9.8.14
 State of Illinois
 License
 Daniel K. Repholz
 044 11-2014

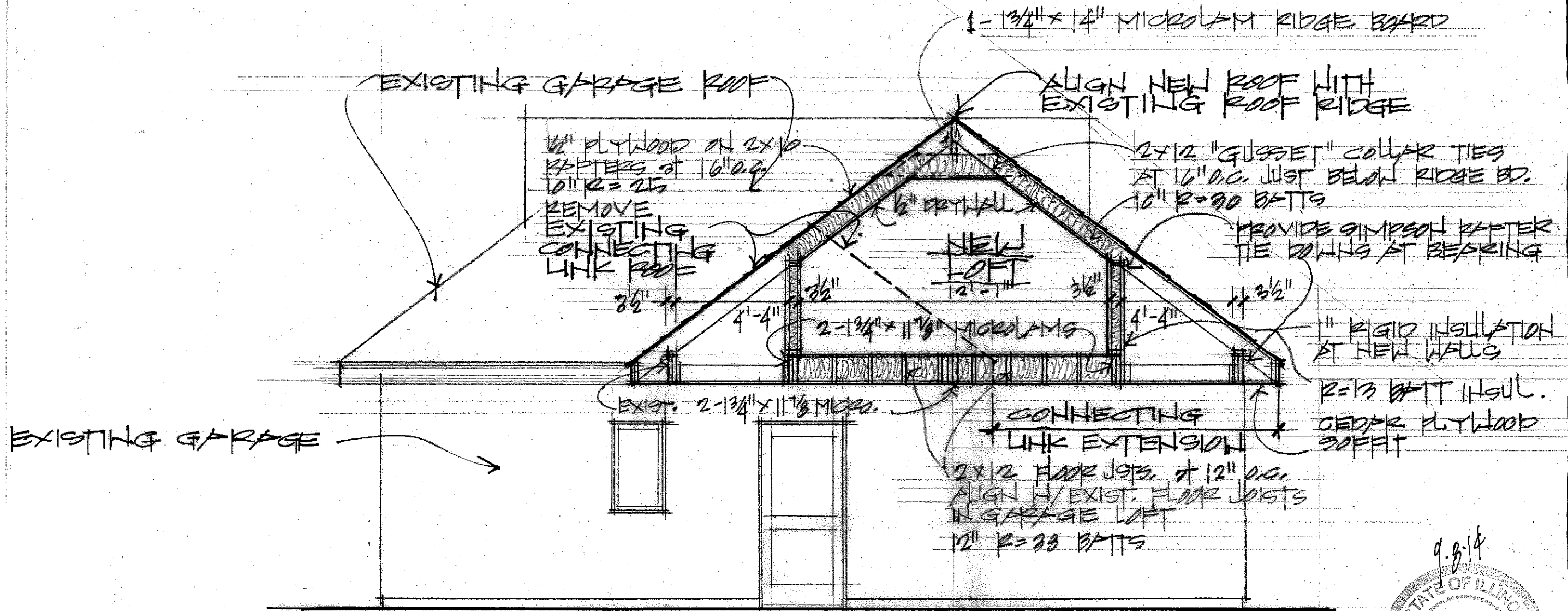
SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"

REVISED 9.8.14
 REPOLZ STUDIO
 SH. 10FC 8.13.14

PROPOSED BREEZEWAY EXTENSION AND DORMER ADDITION FOR JIM and REBECCA HEISLER

131 BALDWIN AVE.

CRYSTAL LAKE, IL



9.8.14

STATE OF ILLINOIS

001-014078

DANIEL

KEVIN

REBECCA

ED ARCHITECTS

9.8.14

EXP. 11.30.14

"B" BREEZEWAY SECTION - LOOKING NORTH

SCALE: 1/4" = 1'-0"

REVISED 9.6.14

REPHOLZ STUDIO

SH. 20FC 8.18.14

PROPOSED BREEZEWAY EXTENSION AND DORMER ADDITION FOR JIM and REBECCA HEISLER

131 BALDWIN AVENUE CRYSTAL LAKE, IL

NEW 3/4" x 4" MICRO. RIDGE BOARD
 SISTERED TO EXIST. 2x10 RIDGE BOARD
 PROVIDE SIMPSON STRIP TIE TO RIDGE

NEW SHED DORMER

2x10 RAFTERS @ 16" O.C.
 W/ 1/2" PLYWOOD

REMOVE EXIST.
 RAFTERS

2x8 HEADERS

3/2" BATT
 R=13

EXIST. LOFT
 EXIST. 2x2 FLOOR
 JOISTS @ 2" O.C.

EXISTING
 GARAGE

INSTALL 5/8" FIRECODE DRYWALL
 ON ENTIRE GARAGE CEILING

3/4" x 4" MICRO. RIDGE BOARD CANTILEVERED
 ON EACH END TO TIE TO EXIST. FRAMING

NEW BREEZEWAY ROOF FRAMING

2x10 RAFTERS @ 16" O.C. R=20 BATT

2x12 GUSSET COLLAR TIES @ 16" O.C.
 JUST BELOW RIDGE BOARD

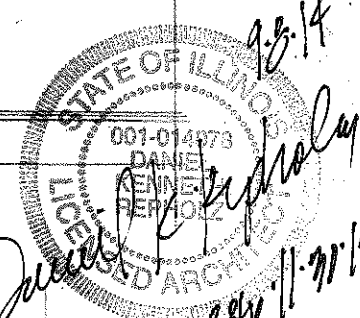
EXISTING
 BREEZEWAY

REMOVE EXIST.
 SKYLIGHT & TRUSS

REMOVE PORTION OF
 EXIST. RAFTERS
 EXIST. LOFT

NEW 13/4" x 17/8" MICRO.
 SLAB 3-2x12'S

EXIST.
 KITCHEN

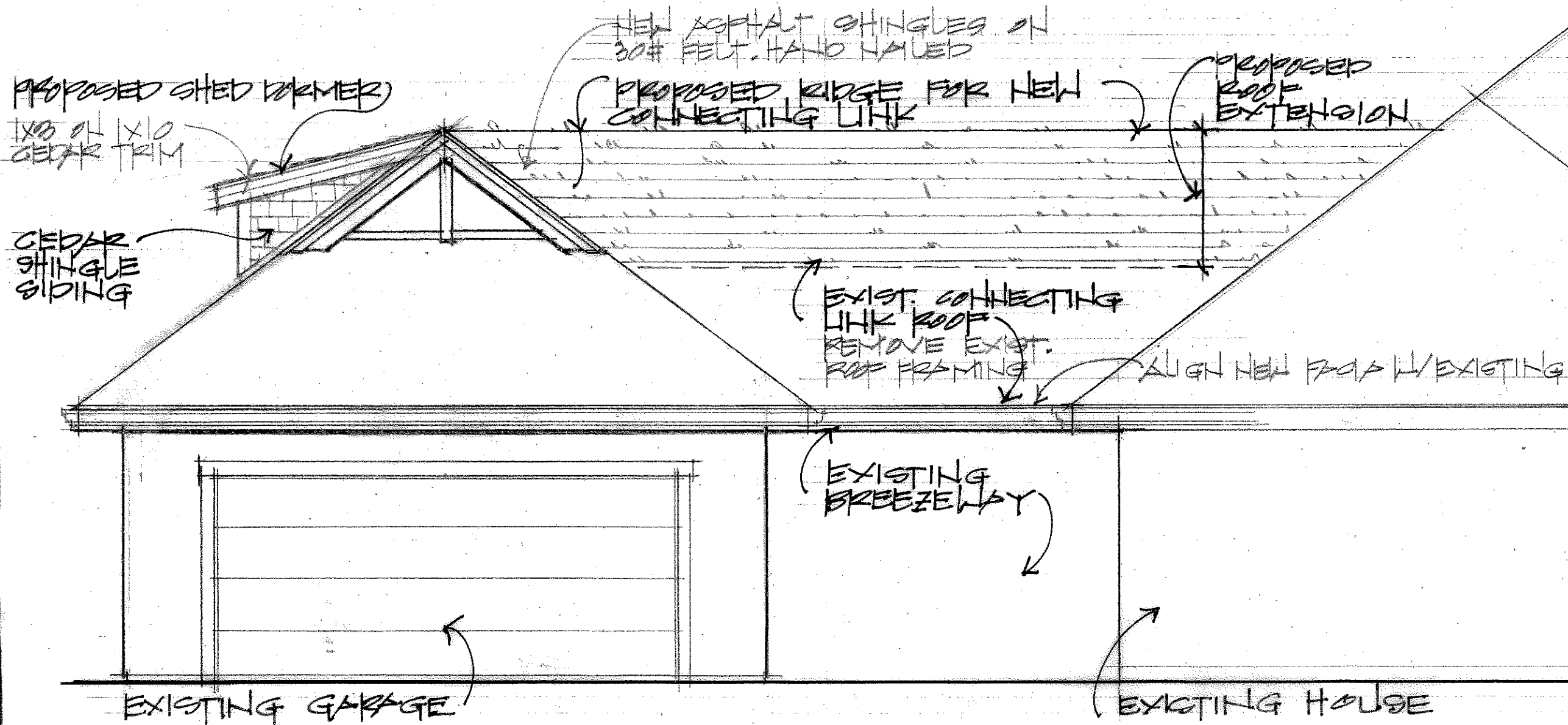


REVISED 9.6.14

"A" BUILDING SECTION THRU BREEZEWAY & DORMER
 SCALE: 1/4" = 1'-0"

SHEET 3 OF 6
 REPHOLDZ
 STUDIO
 8.18.14

PROPOSED BREEZEWAY EXTENSION AND 8'
 DORMER ADDITION FOR JIM and REBECCA HEISLER
 131 BALDWIN AVE. CRYSTAL LAKE, IL

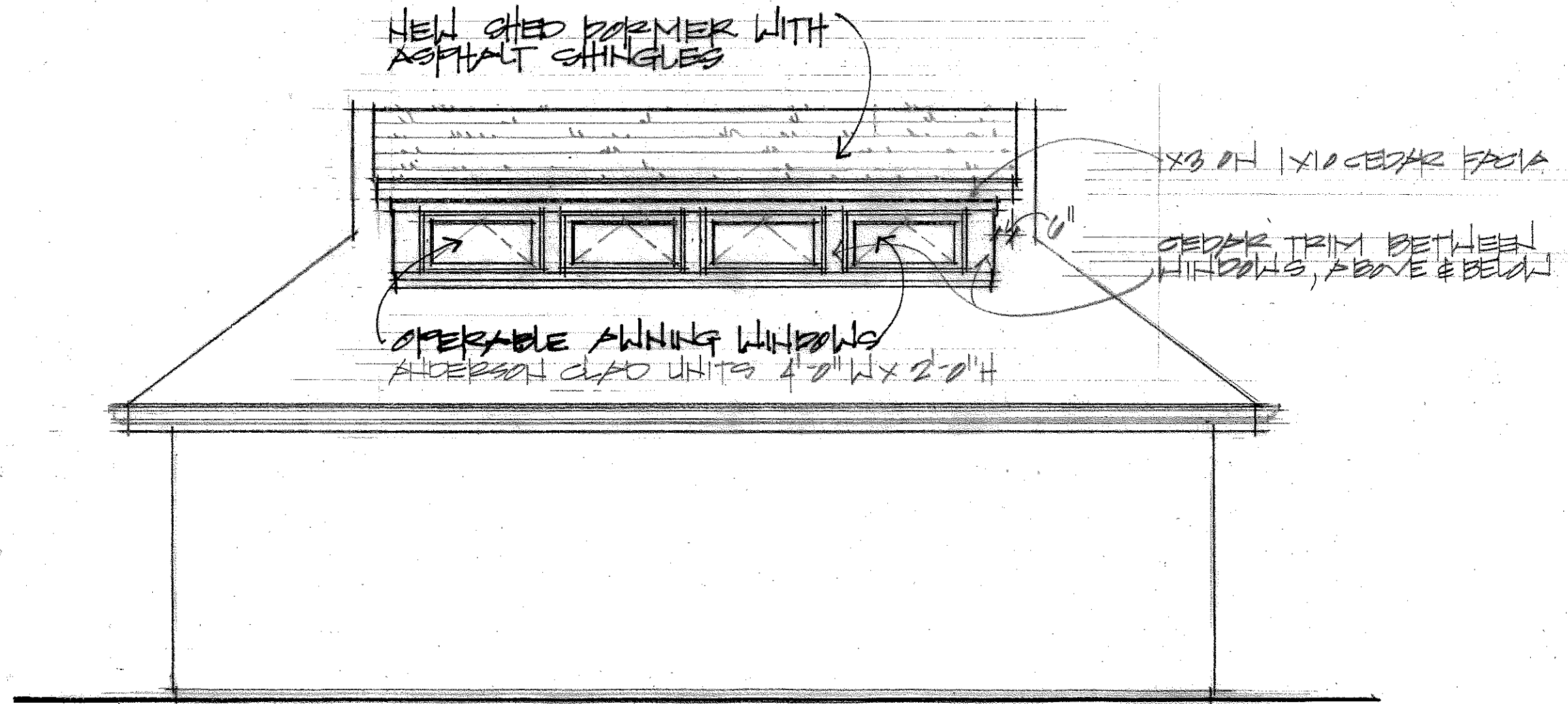


PROPOSED WEST ELEVATION
 SCALE: 1/4" = 1'-0"

9.8.14
 Daniel Kennerly
 ARCHITECT
 9.11.14

REVISED 9.6.14
 REPHOLZ STUDIO
 SH-406 8.8.14

PROPOSED BREEZEWAY EXTENSION AND
DORMER ADDITION FOR JIM and REBECCA HEISLER
131 BALDWIN AVE. CRYSTAL LAKE, IL



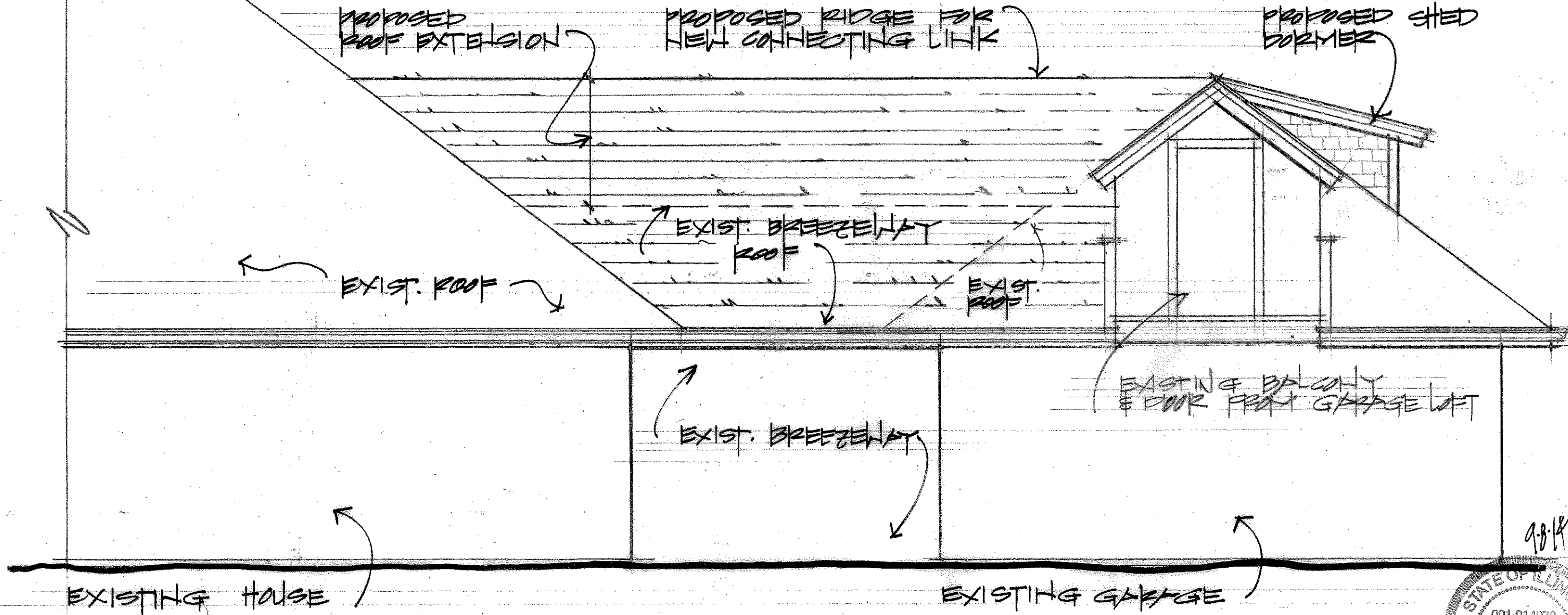
PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"

REVISED 9.6.14
KEPHOLE STUDIO
SH. 5 OF 6 8.18.14

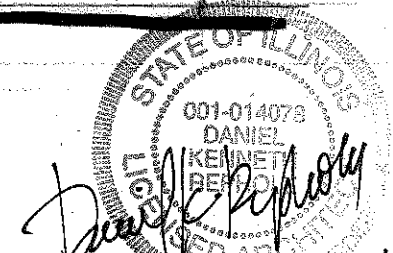
9.8.14
STATE OF ILLINOIS
001-014078
DANIEL
KENNETH
REBECCA
ED ARCHITECTS
LICEN
exp. 11.20.14

PROPOSED BREEZENAY EXTENSION AND
DORMER ADDITION FOR JIM & REBECCA HEISLER

131 BALDWIN AVENUE CRYSTAL LAKE, IL 60014



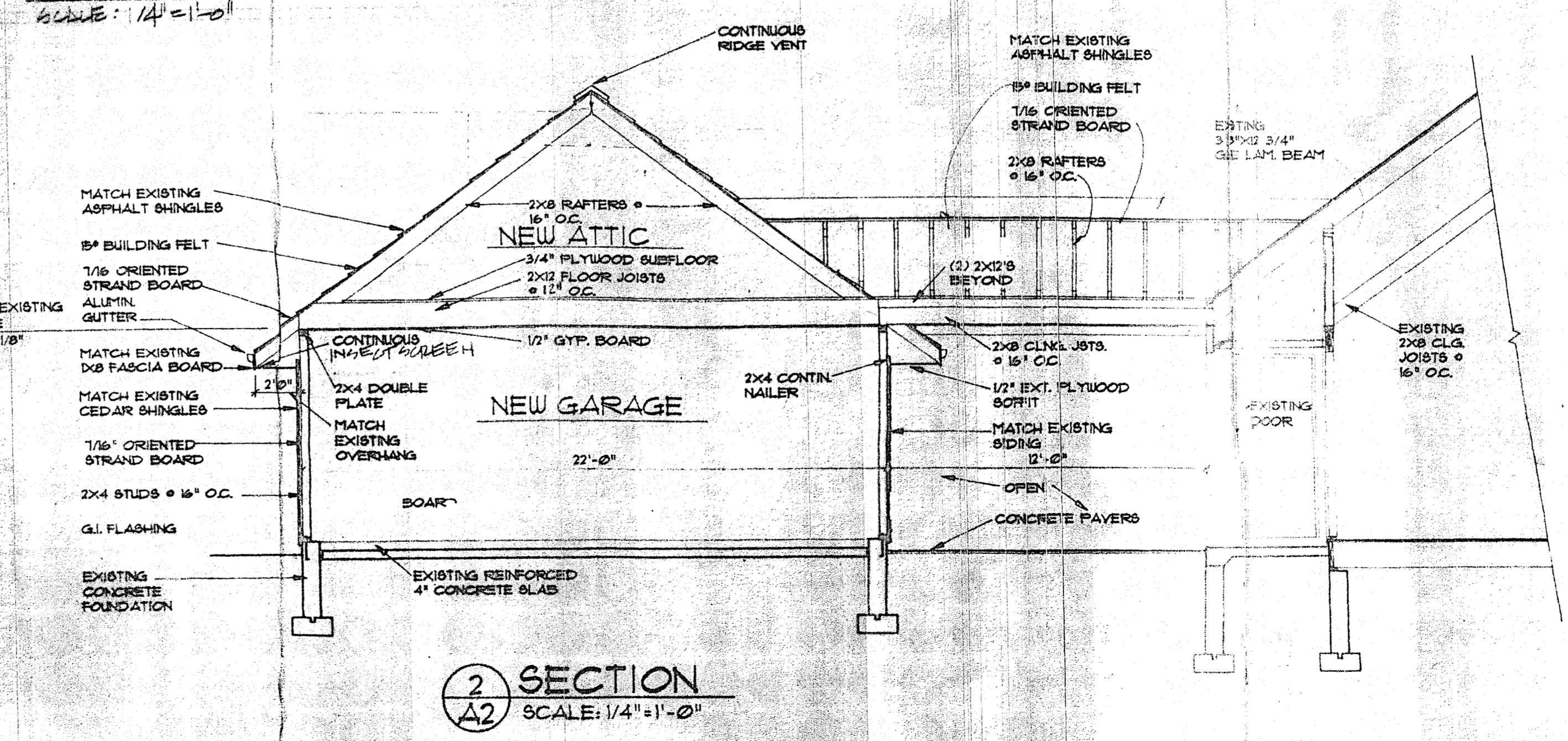
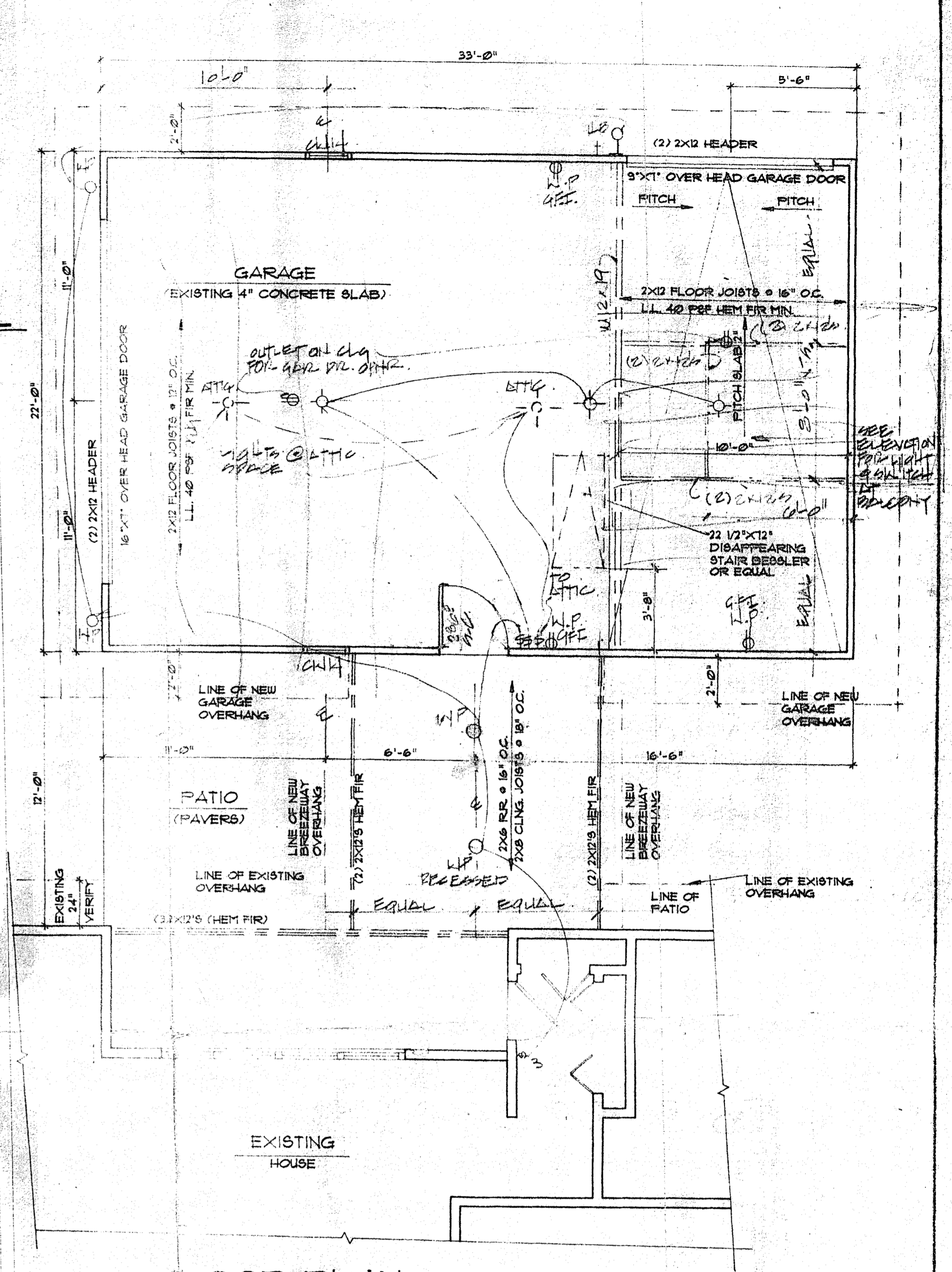
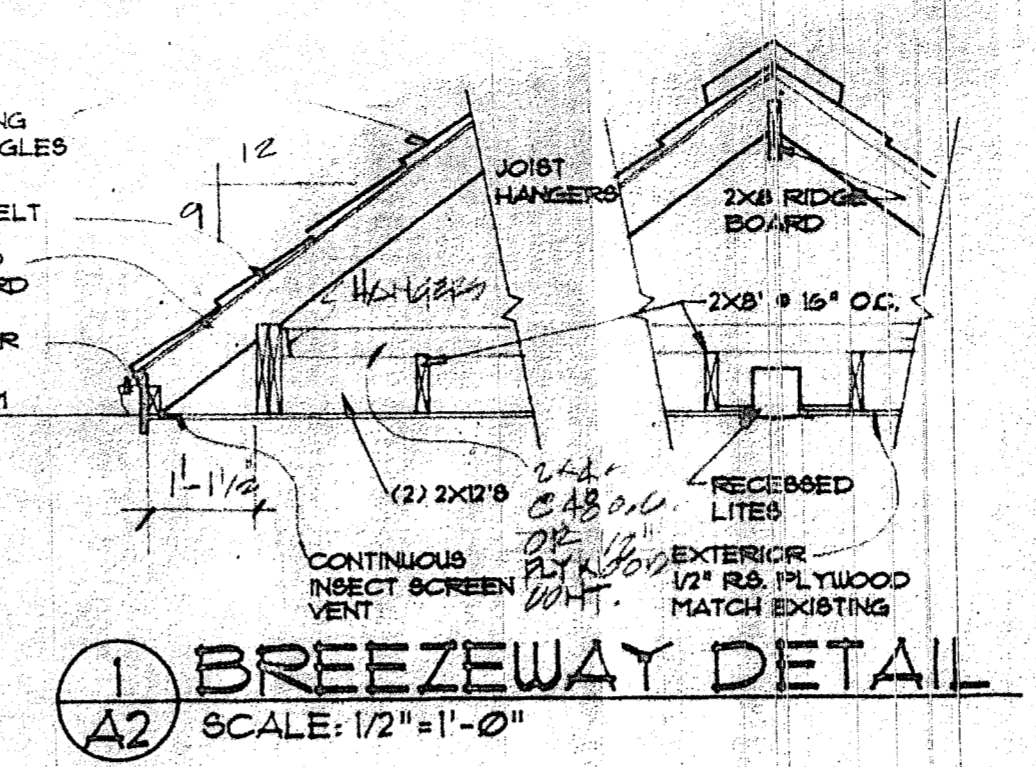
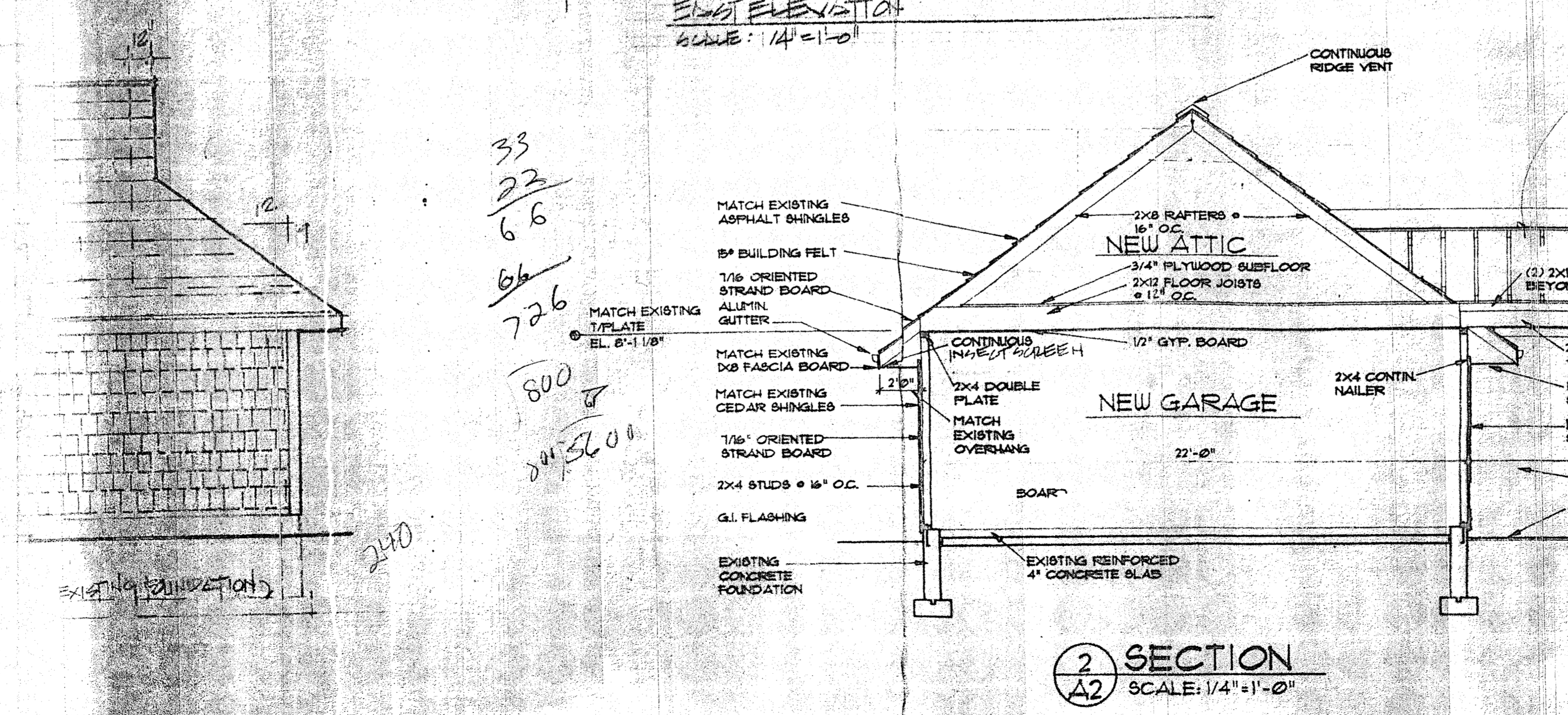
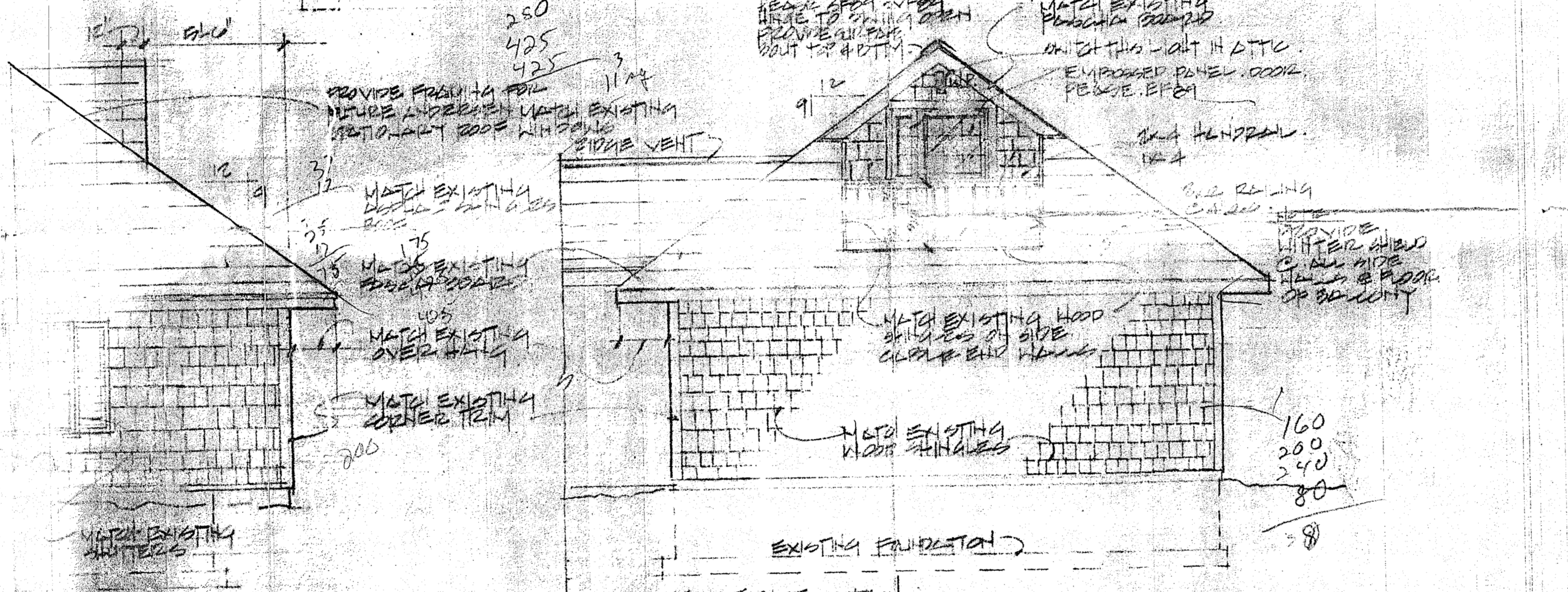
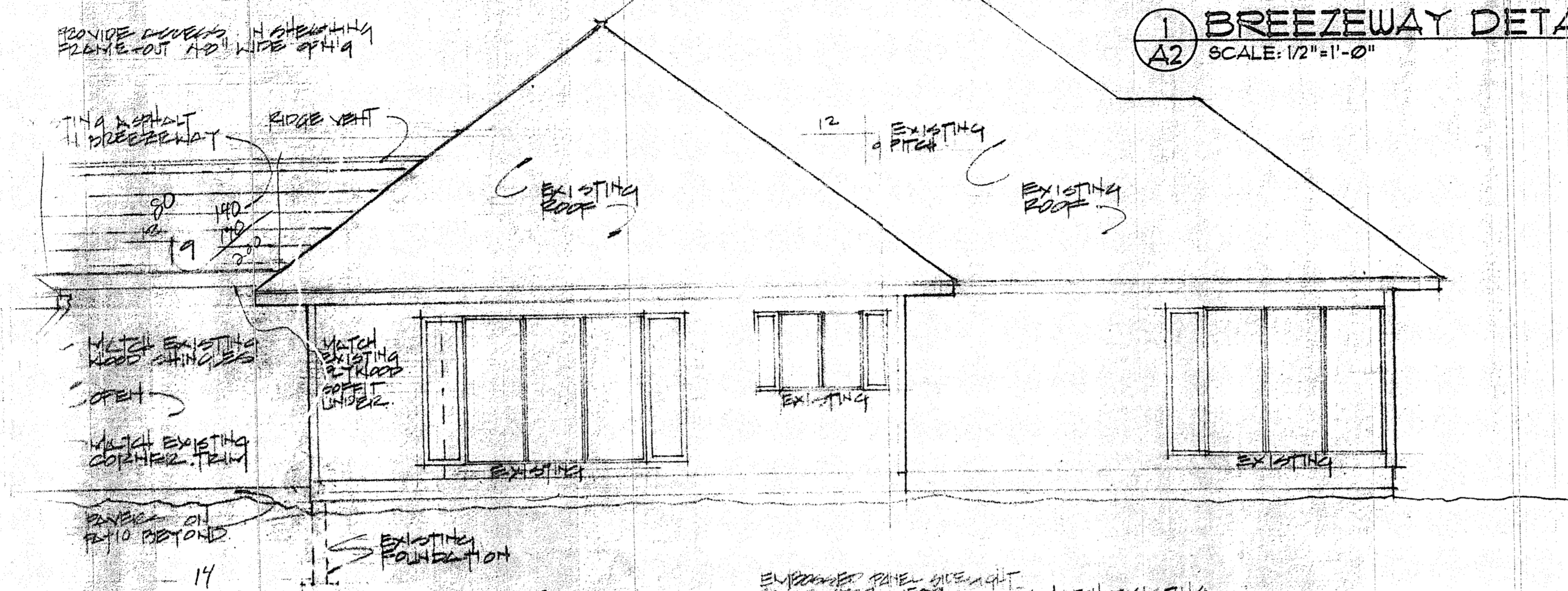
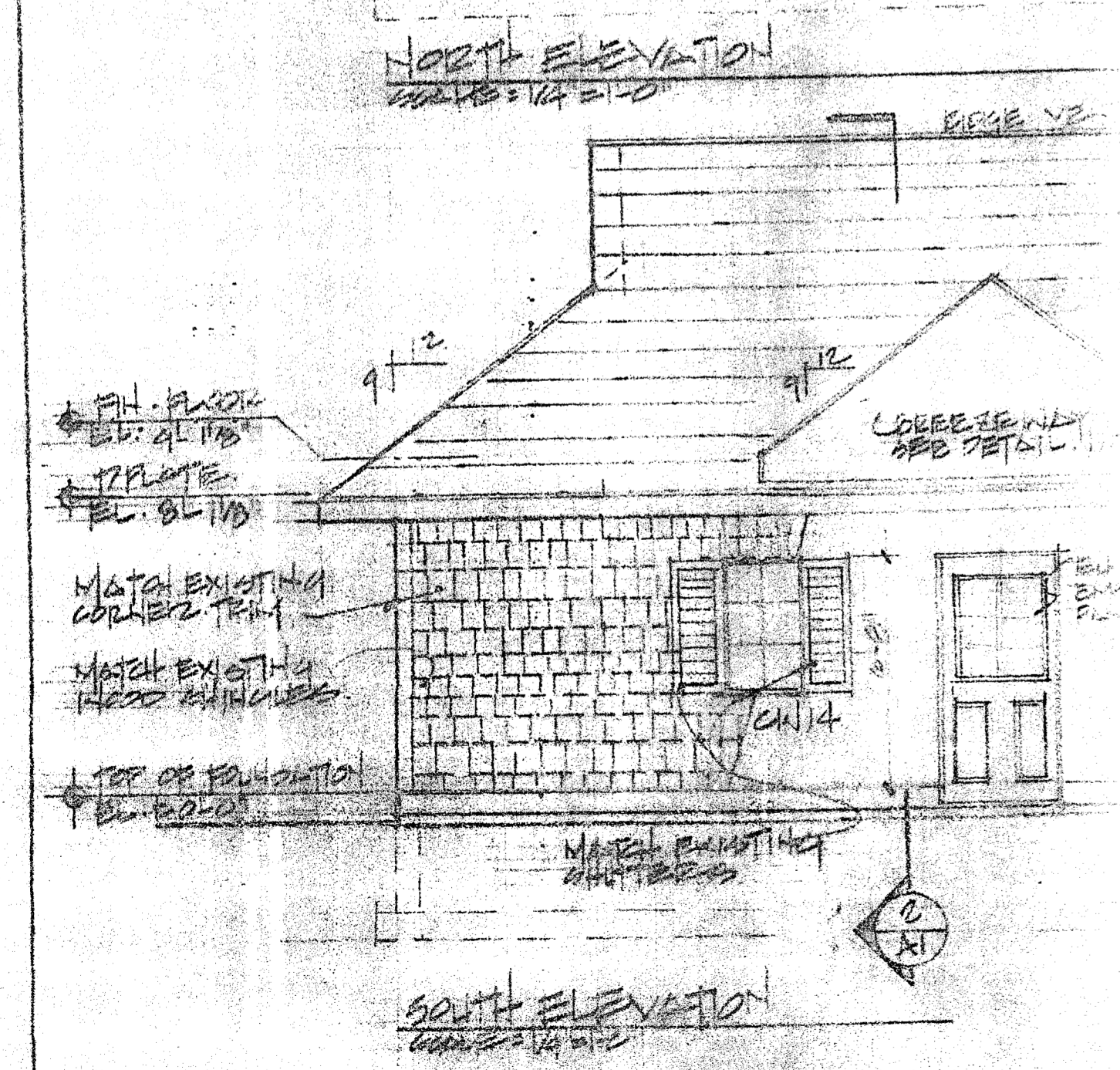
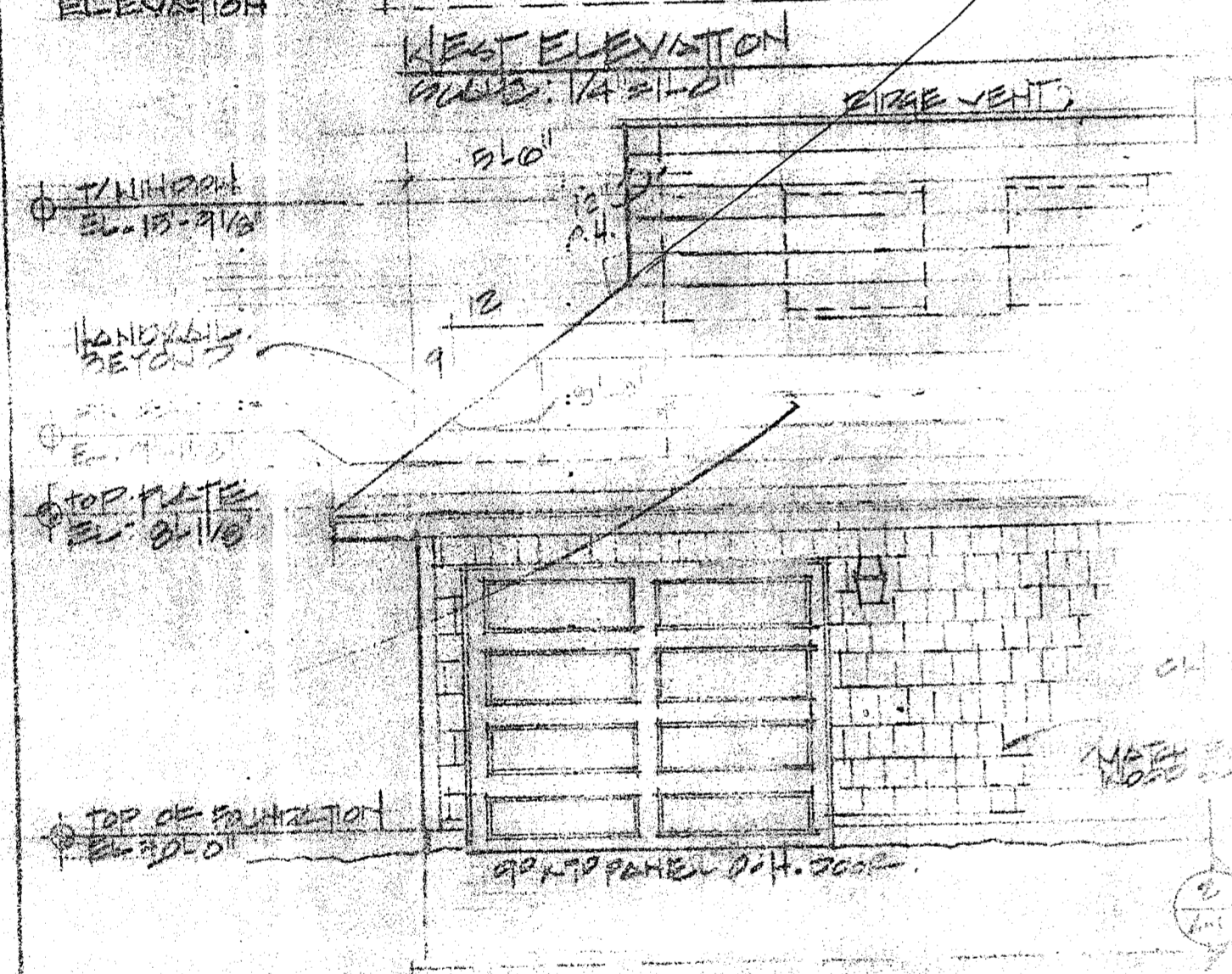
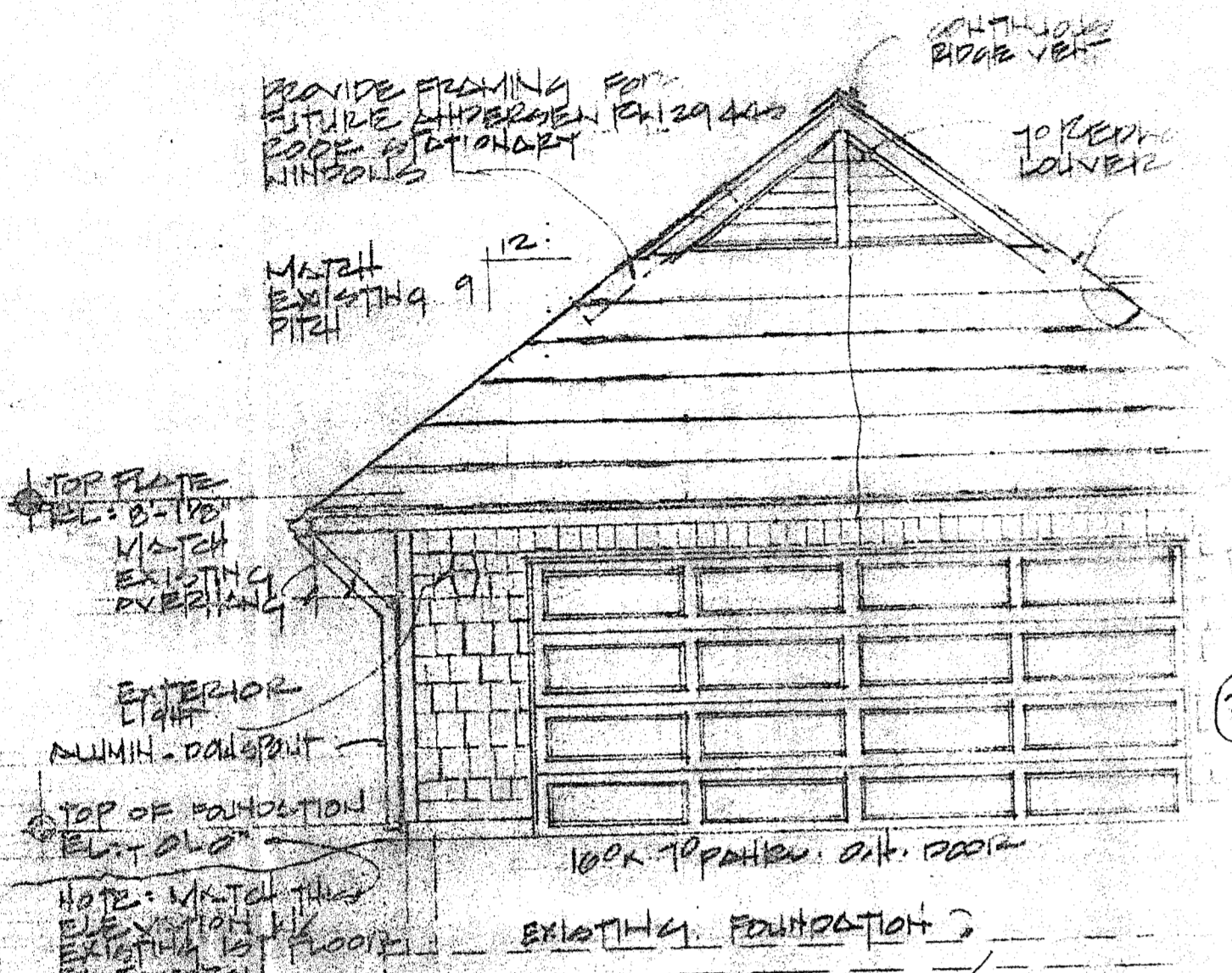
9-8-14



PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"

REVISED 9-6-14
REPPEL STUDIO
SH. 6076 8-28-14



These drawings were prepared under my supervision and to the best of my knowledge, they comply with all applicable codes.

STATE OF ILLINOIS
 FREDERICK R. GILMORE
 ARCHITECT
 REGISTRATION 11/30/72

DATE: 11/23/1991
 REVISIONS:
 Drawing Title: FLOOR PLAN & ELEVATIONS
 Heisler Residence
 721 Baldwin Ave.
 Crstall Lake Il.

Gilmore
 Gilmore Architects
 319 Motor Street
 Dundee, IL 60118-1325
 708 428 2458
 FAX 428 6425

FILE: HSLR-A1