



**#2014-59**  
**145 W. Crystal Lake Ave (Pence) – Variation**  
**Project Review for Planning and Zoning Commission**

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<b><u>Meeting Date:</u></b>	January 7, 2015
<b><u>Request:</u></b>	Variations from Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirements to allow a 7-foot encroachment for an addition that will be added to the existing nonconforming principal structure.
<b><u>Location:</u></b>	145 W. Crystal Lake Avenue
<b><u>Acreage:</u></b>	12,416 square feet
<b><u>Existing Zoning:</u></b>	R-3A Two Family
<b><u>Surrounding Properties:</u></b>	North: R-3A Two Family South: R-2 Single Family East: R-2 Single Family West: R-3A Two Family
<b><u>Staff Contact:</u></b>	Kathryn Cowlin (815.356.3798)

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**Background:**

- **Existing Use:** The property is improved with a single family home. The principal structure currently has a corner side yard setback of 24 feet and the required corner side yard setback for the property is 31 feet, due to the setbacks of the two closet structures.
- **Background:** The structure is nonconforming due to the structure not meeting the corner side yard setback requirement as outlined in the UDO for R-3A zoning. The principal structure will be remodeled and expanded. The addition to the existing structure includes an attached garage and a new covered front porch. The existing detached garage will be demolished. The petitioner is requesting a variation from the corner side yard setback. The proposed addition would increase the non-conformity of the existing principal structure.
- **UDO Requirements:** The corner side yard setback is the average existing setback of the dwellings on the two closest lots. The two closest lots are 165 and 171 W. Crystal Lake Avenue. The average corner side yard setback is 31 feet  $((20+42)/2 = 31)$ .

## **Development Analysis:**

### General

- **Request:** The addition to the existing principal structure will encroach on the corner side yard setback requirement. The existing principal structure is currently within the 31-foot required corner side yard setback. The principal structure currently has an encroachment of 7 feet. A variation is required to increase the nonconforming use.
- **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-3A Two Family. This property is used as a single-family home.

### Site Layout

- The corner side yard faces Crystal Lake Avenue.
- The existing principal structure has a corner side yard setback of 24 feet.
- The required corner side yard setback is 31 feet.
- The addition will add to the nonconformity of the structure.
- The existing detached garage will be removed.
- Existing structure and condition 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 Articles 3-200, 3-300(B)(3)(a) and 7-300(B)(4) to allow an encroachment of 7 feet into the required front yard setback. 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. *The abnormal shape and layout of this lot were created prior to the current zoning and subdivision regulations.*

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 (Pence, received 09/05/14)
  - B. Survey Preferred Survey, Inc., dated 10/23/14, received 12/15/14)
  - C. Building Renovation and Addition (John M. Behrens, Architect, dated 12/03/14, received 12/15/14)
1. The variation from Article 3-200, 3-300(B)(3)(a) and 7-300(B)(4) from the minimum corner side yard setback requirement to allow a 7-foot encroachment of an addition is hereby granted.
2. The addition to the property may not increase the encroachment of the front yard setback by more than 7-feet.
3. Style, colors and materials shall be continued to the existing principal structure. Subsequent exterior modifications shall be reviewed by staff. If it is determined that the changes are significantly different than these plans reviewed through the variation, the petitioner may be required to revisit the Planning and Zoning Commission and City Council for approval.
4. The petitioner shall address all of the review comments and requirements of the Community Development Department and Fire Rescue Department.







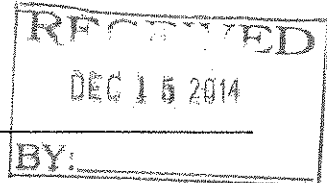
**Application for Simplified Residential Variation**

2014 59

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

**I. Applicant**

Name Ralph Pence



Street 145 CRYSTAL LK - AVE

City CRYSTAL LK DL State LA Zip Code 70014

Telephone Number 630-918-9949 Fax Number 847-760-8371 E-mail address Ralph@PositiveMechanical.com

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

Name same as above

Address \_\_\_\_\_ Telephone Number \_\_\_\_\_

**III. Project Data**

1. a. Location/Address: 145 W CRYSTAL LK.
- b. PIN #: 19-05-127-013

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:

Existing structure already in setback

IS THE HARDSHIP SELF-CREATED? NO

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? The addition is in the same line as the neighboring properties on Crystal Lake Ave.

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: unknown

**IV. Signatures**

[Signature] 12-15-14  
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.  
[Signature] 12-15-14  
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 APPLICA-  
TION OF Ralph Pence

**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 Ralph Pence for vari-  
ations relating to the following de-  
scribed real estate commonly  
known as 145 W. Crystal Lake Av-  
enue, Crystal Lake, Illinois 60014,  
PIN: 19-05-127-013

This application is filed for the  
purpose of seeking zoning varia-  
tions pursuant to Articles 3-200  
and 3-300(B)(3)(a) of the UDO,  
from the minimum corner side-yard  
setback requirements for a principal  
structure, to allow an addition to  
the principal structure, as well as  
any other variations that may be  
necessary to complete the project  
as proposed. 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 Plan-  
ning and Zoning Commission for  
this request will be held at 7:30  
p.m. on Wednesday January 7,  
2015, 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  
December 18, 2014. #5696)



# PLAT OF SURVEY of

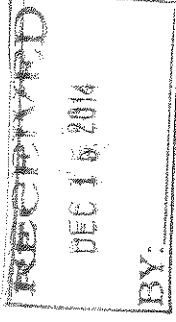
LOT 1 IN BLOCK 2 IN E.L. POMEROY'S ADDITION TO CRYSTAL LAKE SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 1901, AS DOCUMENT 12006, IN BOOK 2 OF PLATS, PAGE 26, IN MCHENRY COUNTY, ILLINOIS.

ADDRESS: 145 W. CRYSTAL LAKE AVENUE, CRYSTAL LAKE, ILLINOIS

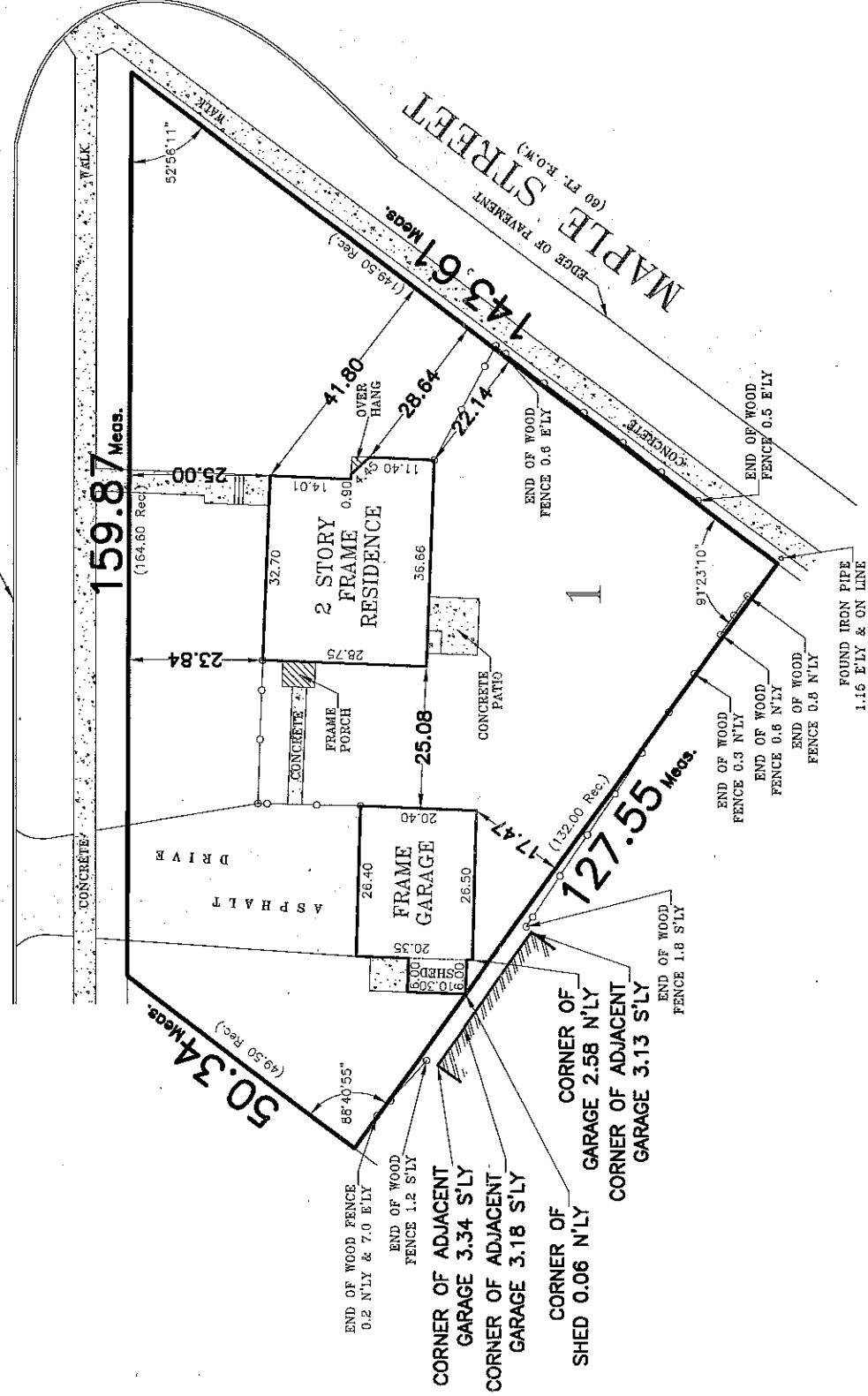


2014 59

SCALE: 1"=30'



W. CRYSTAL LAKE AVENUE  
(66 FT. R.O.W.)



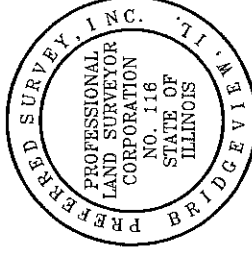
### GENERAL NOTES:

- 1) THE LEGAL DESCRIPTION HAS BEEN PROVIDED BY THE CLIENT OR THEIR AGENT.
- 2) THIS SURVEY SHOWS THE BUILDING LINES AND EASEMENTS AS INDICATED BY THE RECORDED PLAT. THIS PLAT DOES NOT SHOW ANY RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES UNLESS SUPPLIED BY THE CLIENT.
- 3) BASIS OF BEARING FOR THIS SURVEY IS AS THE NORTH ARROW INDICATES, AND IS SHOWN TO INDICATE THE ANGULAR RELATIONSHIP OF THE BOUNDARY LINES.
- 4) MONUMENTS, IF SET, DURING THIS SURVEY, REPRESENT THE TRUE CORNERS OF THIS DESCRIPTION AS SURVEYED.
- 5) LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO INTERPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN HEREON.
- 6) ONLY COPIES WITH AN ORIGINAL SIGNATURE AND SEAL ARE OFFICIAL LEGAL DOCUMENTS. ALL SURVEYS ARE COPYRIGHTED MATERIALS WITH ALL RIGHTS RESERVED.

Professional Design Registration #184-002795

**PREFERRED SURVEY, INC.**  
7845 W. 79TH STREET, BRIDGEVIEW, IL, 60455  
Phone 708-458-7845 / Fax 708-458-7855  
www.psisurvey.com

Field Work Completed	10/18/14	FLD CREW:	AM/TS
Land Area Surveyed	12,369.9 Sq. Ft.	CAD:	AD
Drawing Revised			



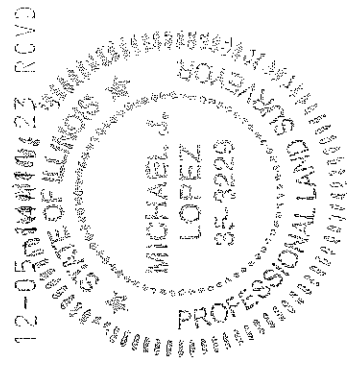
STATE OF ILLINOIS ) S.S.  
COUNTY OF COOK )

SURVEY ORDERED BY: JOHN ZACHARA

I, MICHAEL J. LOPEZ, AS AN EMPLOYEE OF PREFERRED SURVEY INC., DO HEREBY STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY. PROPERTY CORNERS HAVE BEEN SET OR NOT IN ACCORDANCE WITH CLIENT AGREEMENT. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

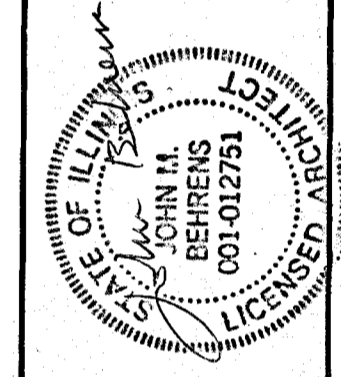
GIVEN UNDER MY HAND AND SEAL THIS  
23RD DAY OF OCTOBER A.D. 2014

*(Signature)*  
MY LICENSE EXPIRES ON 11/30/14  
P.S.I. No. 14/05954



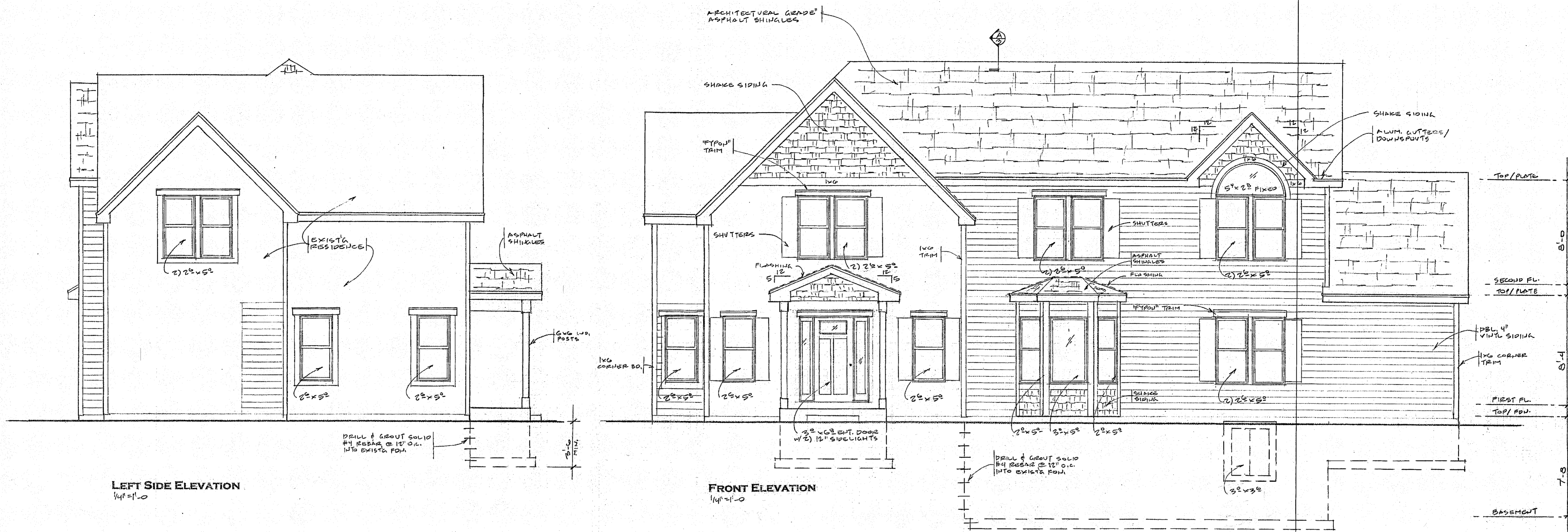
REVISIONS	BY

**JOHN M. BEHRENS, ARCHITECT**  
CRYSTAL LAKE, IL 815-477-9053



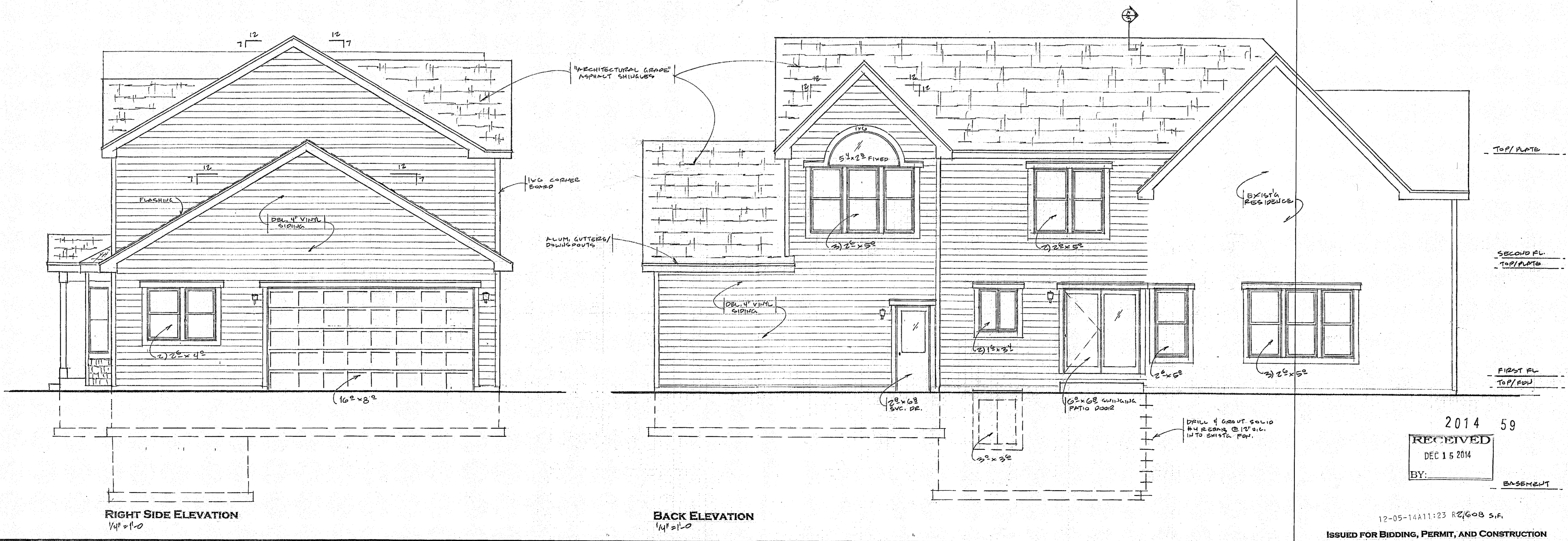
PROPOSED ADDITION TO THE EXISTING RESIDENCE OF:  
**Ralph Pence**  
145 Crystal Lake Avenue, Crystal Lake, IL

Date DEC. 3, 14  
Scale 1/4"=1'-0"  
Drawn JMB  
Job 145 C.L.A.V.E.  
Sheet  
**A1**  
Of 4 Sheets



**LEFT SIDE ELEVATION**  
1/4"=1'-0"

**FRONT ELEVATION**  
1/4"=1'-0"



**RIGHT SIDE ELEVATION**  
1/4"=1'-0"

**BACK ELEVATION**  
1/4"=1'-0"

2014 59  
**RECEIVED**  
DEC 15 2014  
BY: \_\_\_\_\_

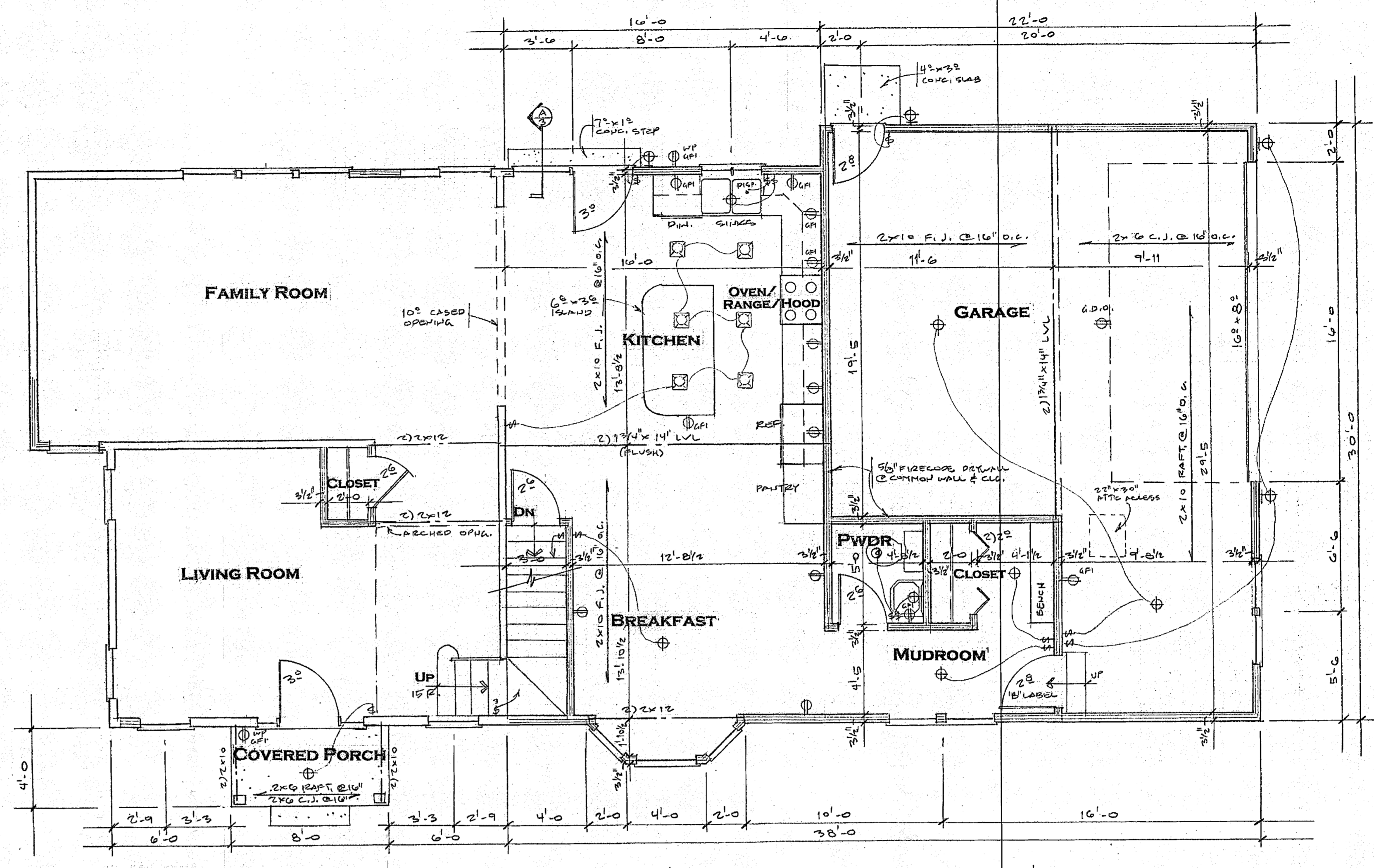
12-05-14A11:23 R2/G08 S.F.  
**ISSUED FOR BIDDING, PERMIT, AND CONSTRUCTION**



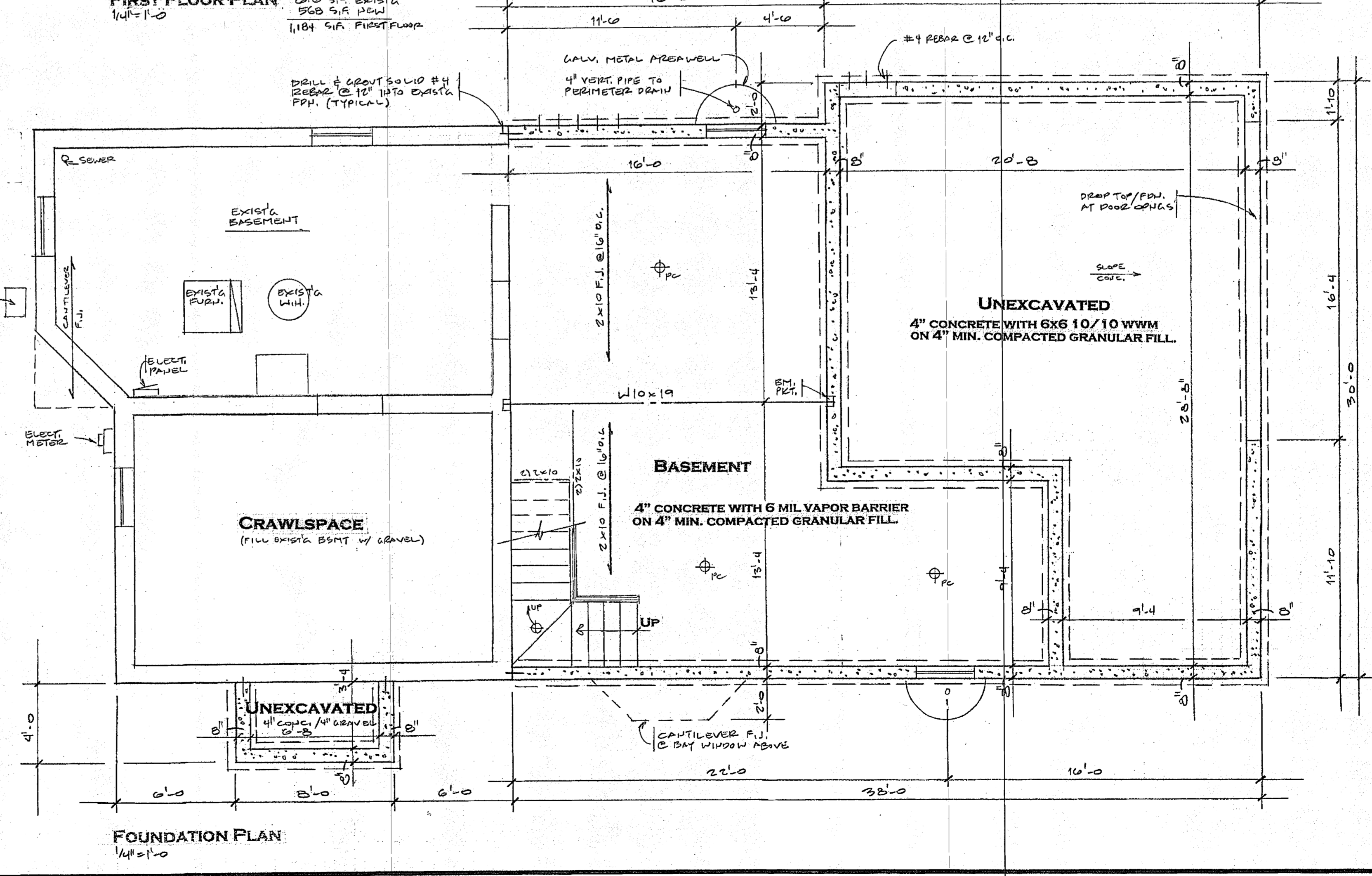
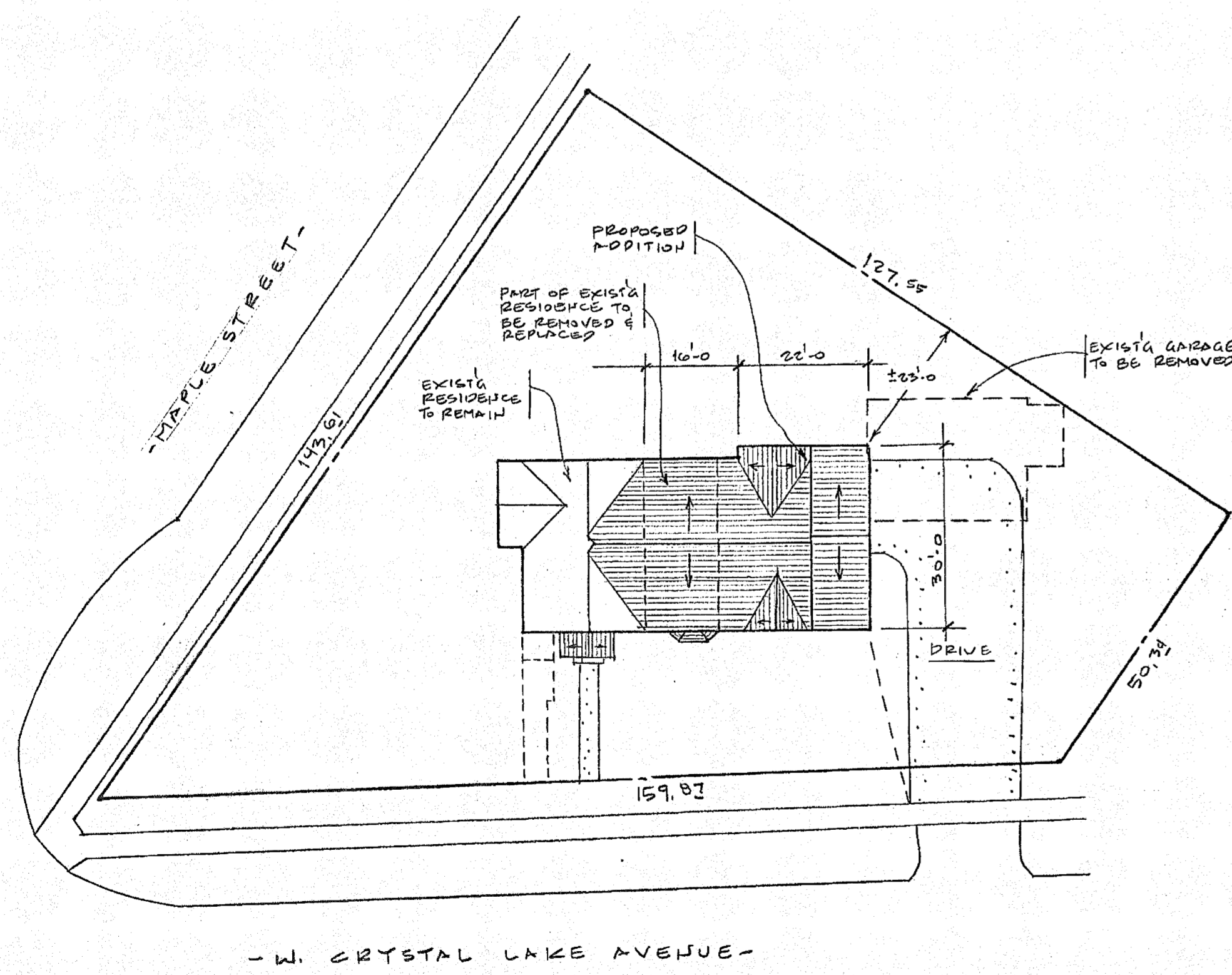
REVISIONS	BY

**JOHN M. BEHRENS, ARCHITECT**  
 CRYSTAL LAKE, IL 815-477-9053

- GENERAL REQUIREMENTS:**
- ALL CONSTRUCTION IS TO MEET LOCAL BUILDING CODES AND ZONING ORDINANCES.
  - CONTRACTOR IS TO APPLY FOR, PAY FOR, AND OBTAIN ALL REQUIRED PERMITS, BONDS, AND LICENSES.
  - APPROVED PLANS ARE TO BE KEPT ONSITE FOR ALL REQUIRED INSPECTIONS.
  - ALL COLORS, FINISHES, AND MATERIAL SELECTIONS ARE TO BE APPROVED BY OWNER.
  - DESIGN LOADS: FLOOR: 40 PSF LL + 10 PSF DL = 50 PSF TL  
 CEILING: 20 PSF LL + 10 PSF DL = 30 PSF TL  
 ROOF: 30 PSF LL + 15 PSF DL = 45 PSF TL  
 EXT. DECK: 40 PSF LL + 10 PSF DL = 50 PSF TL
- EXISTING CONDITIONS:**
- CONTRACTOR TO VISIT SITE TO VERIFY EXISTING CONDITIONS, AND ALLOW FOR ANY DISCREPANCIES.
- SITING:**
- CIVIL ENGINEER OR SURVEYOR TO PROVIDE TOP OF FOUNDATION ELEVATION, GRADING PLAN, AND SOIL EROSION CONTROL MEASURES AS MAY BE REQUIRED.
- CONCRETE:**
- ALL FOOTINGS TO BEAR ON UNDISTURBED, NON-ORGANIC SOIL WITH 3,000 PSF MIN BEARING CAPACITY.
  - CONCRETE FOUNDATIONS ARE TO ATTAIN 3,000 PSI MINIMUM STRENGTH AT 28 DAYS.
  - CONCRETE FLATWORK IS TO BE 3,500 PSI MIN, WITH AIR ENTRAINMENT BETWEEN 5% AND 7%.
- METALS:**
- STEEL BEAMS, COLUMNS, LINTELS TO CONFORM TO ASTM A36.
  - STEEL REINFORCING BARS TO BE GRADE 60.
- WOOD:**
- ALL FRAMING LUMBER TO BE HEM-FIR #2 OR BETTER, FB= 1,075 PSI MIN.
  - PROVIDE 2X12 HEADERS AT ALL OPENINGS UNLESS NOTED OTHERWISE.
  - PROVIDE DOUBLE FLOOR JOISTS UNDER PARALLEL WALLS, TUBS, FIREPLACES, AND STAIR OPENINGS.
  - PROVIDE CODE COMPLIANT DRAFT STOPPING AS REQUIRED.
  - PROVIDE WALL BRACING AT EACH WALL CORNER AND AT 25'-0" O.C. MIN.
  - STAIR REQUIREMENTS: 10 MIN TREAD DEPTH, 7 1/2" MAX RISER HEIGHT, 6'-8" MIN HEADROOM.
- THERMAL AND MOISTURE PROTECTION:**
- PROVIDE CORRUGATED INSULATION BATTLES AS REQUIRED TO ALLOW FOR VENTILATION IN RAFTERS.
  - PROVIDE ICE AND WATER SHIELD FROM EAVE TO 24" INSIDE EXTERIOR WALL.
  - PROVIDE WATER RESISTANT DRYWALL BEHIND ALL CERAMIC TILED WALL AREAS.
- WINDOWS AND DOORS:**
- ALL EXTERIOR GLAZING TO HAVE A PENETRATION RATING OF U=0.32 OR LESS.
- EQUIPMENT:**
- EQUIPMENT TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTALLATION INSTRUCTIONS.
  - MANUFACTURER'S INSTALLATION INSTRUCTIONS TO BE KEPT ONSITE FOR ALL INSPECTIONS.
- PLUMBING:**
- ALL PLUMBING TO MEET ILLINOIS PLUMBING CODE REQUIREMENTS.
  - WASTE AND VENT PIPING TO BE SCHEDULE 40 PVC, COPPER TYPE M, L, OR K, OR CAST IRON.
  - UNDERGROUND SANITARY SEWER TO BE 4" MIN. SCHEDULE 40 PVC, OR SERVICE WEIGHT CAST IRON.
  - UNDERGROUND DOMESTIC WATER TO BE COPPER TYPE K.
- ELECTRICAL:**
- PROVIDE RECEPTACLES IN ANY WALL SPACE 2' OR MORE IN WIDTH, NO MORE THAN 12'-0" APART.
  - PROVIDE COUNTERTOP RECEPTACLES NO MORE THAN 24" APART, AND AT COUNTERS 12" WIDTH MIN.
  - ALL CEILING BOXES ARE TO BE CAPABLE OF SUPPORTING A CEILING FAN.
- HEATING AND COOLING:**
- PROVIDE AIR SUPPLY TO ALL GAS FIRED EQUIPMENT IN ACCORDANCE WITH NFPA 54.
  - HVAC CONTRACTOR TO PROVIDE DUCT LAYOUT AND CFM DISTRIBUTION PLAN AS MAY BE REQUIRED.
  - DUCT SEAMS TO BE TAPED AND FASTENED WITH 3 SCREWS MIN., EVENLY SPACED.
  - DUCT SYSTEMS TO BE SUPPORTED AT 10'-0" MAX.
  - MAX. LENGTH OF DRYER EXHAUST TO BE 25'-0" FROM DRYER TO TERMINATION, LENGTH REDUCED BY 2.5' FOR EACH 45 DEGREE BEND, AND 5' FOR EACH 90 DEGREE BEND.



- LEGEND:**
- |             |                     |                               |
|-------------|---------------------|-------------------------------|
| BACKFILL    | ARC FAULT OUTLET    | PULL CHAIN LIGHT FIXTURE      |
| GRAVEL      | DUPLEX OUTLET       | SURFACE MOUNTED LIGHT FIXTURE |
| CONCRETE    | WATERPROOF OUTLET   | WALL MOUNTED LIGHT FIXTURE    |
| MASONRY     | GROUND FAULT INTER. | RECESSED LIGHT FIXTURE        |
| STEEL       | QUADRUPLUX OUTLET   | SMOKE DETECTOR (110V. INTER.) |
| WOOD FRAME  | SWITCHED OUTLET     | EXHAUST FAN (VENTED OUTSIDE)  |
| ROUGH WOOD  | SINGLE POLE SWITCH  | CEILING FAN                   |
| FINISH WOOD | THREE WAY SWITCH    | FLOOR DRAIN (TO SAN. SEWER)   |
| BATT INSUL. | FOUR WAY SWITCH     | FROST PROOF HOSE BIBB         |
| RIG. INSUL. | TV CABLE            | FLUORESCENT LIGHT FIXTURE     |
| GLASS       | TELEPHONE OUTLET    | CARBON MONOXIDE DETECTOR      |
|             | UNDER CABINET LIGHT |                               |



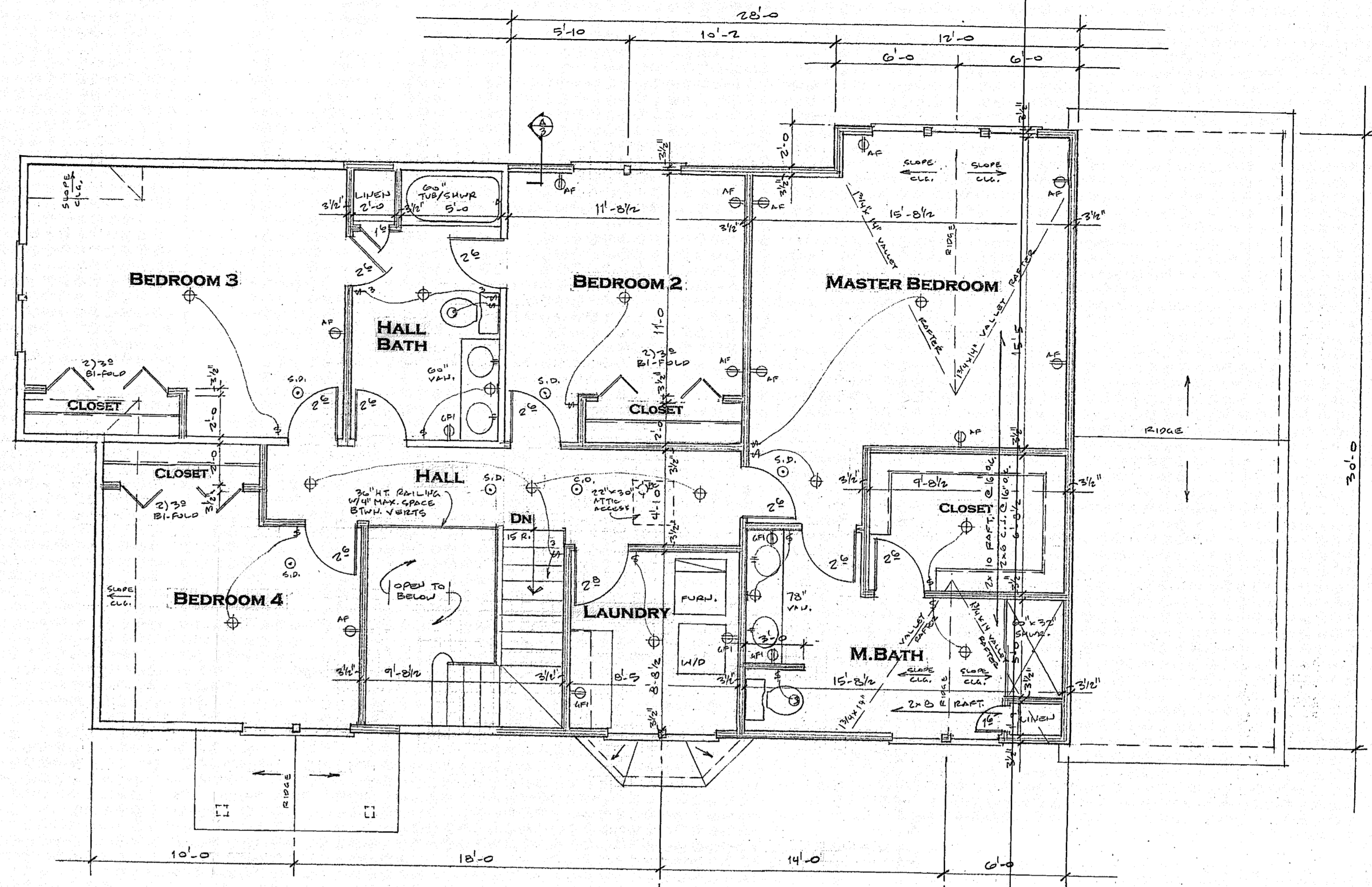
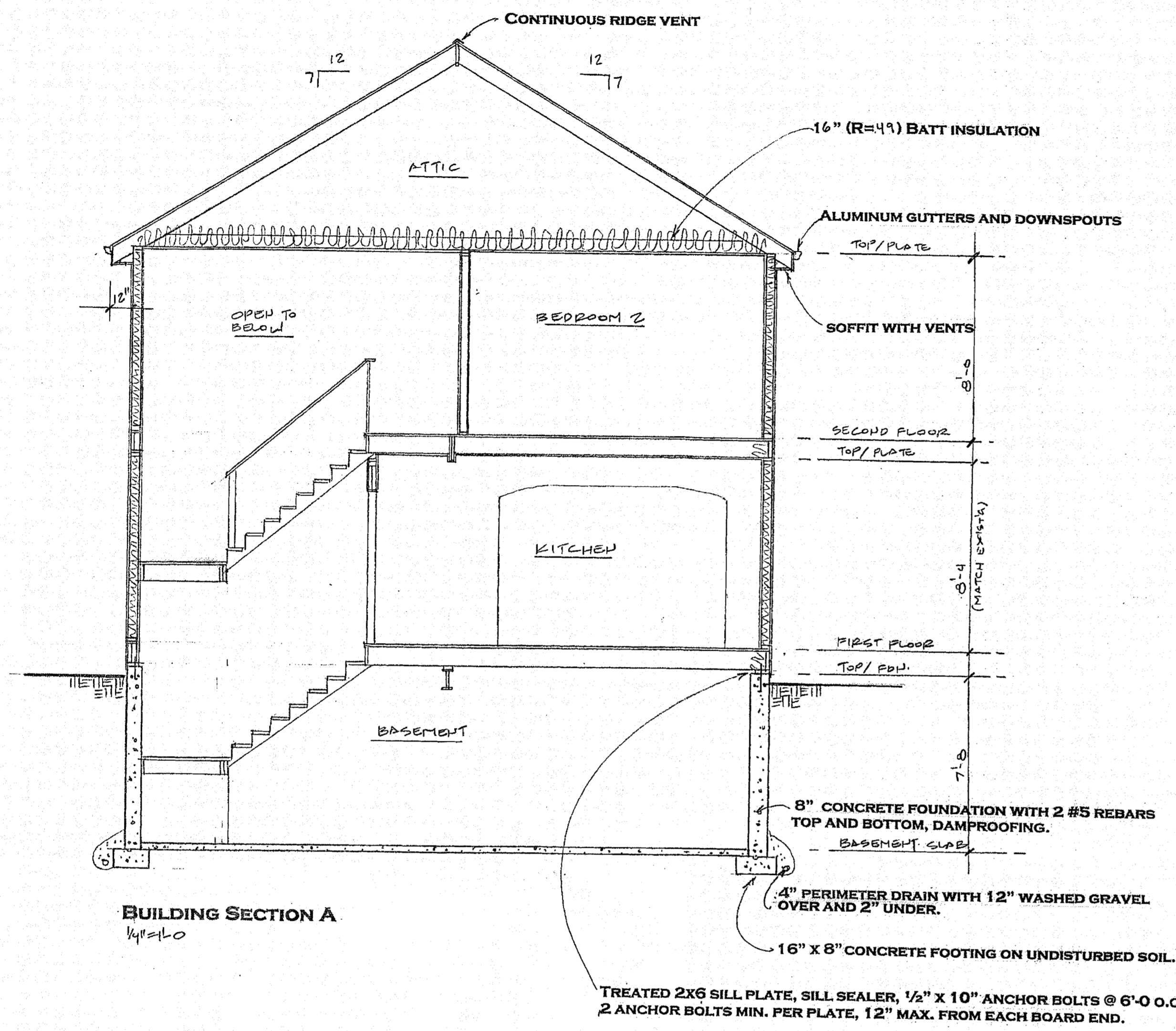
Date DEC. 3, '14  
 Scale 1/4" = 1'-0"  
 Drawn J.M.B.  
 Job 145 C.L.AVE.  
 Sheet  
**A2**  
 Of 4 Sheets



**ROOF CONSTRUCTION:**  
 40 YEAR ARCHITECTURAL GRADE ASPHALT SHINGLES, ON 15 LB ROOFING PAPER, ON 1/2" CDX PLYWOOD ROOF SHEATHING, ON 2x10 RAFTERS @ 16" O.C.

**WALL CONSTRUCTION:**  
 DOUBLE 4" VINYL LAP SIDING, ON TYVEK AIR INFILTRATION BARRIER, ON 1/2" INSULATED SHEATHING WITH PLYWOOD BRACING AT CORNERS, ON 2x4 WOOD STUDS @ 16" O.C. WITH 3 1/2" (R=15) BATT INSULATION, 1/2" DRYWALL.

**FLOOR CONSTRUCTION:**  
 3/4" T & G PLYWOOD GLUED AND SCREWED ON 2x10 FLOOR JOISTS @ 16" O.C.



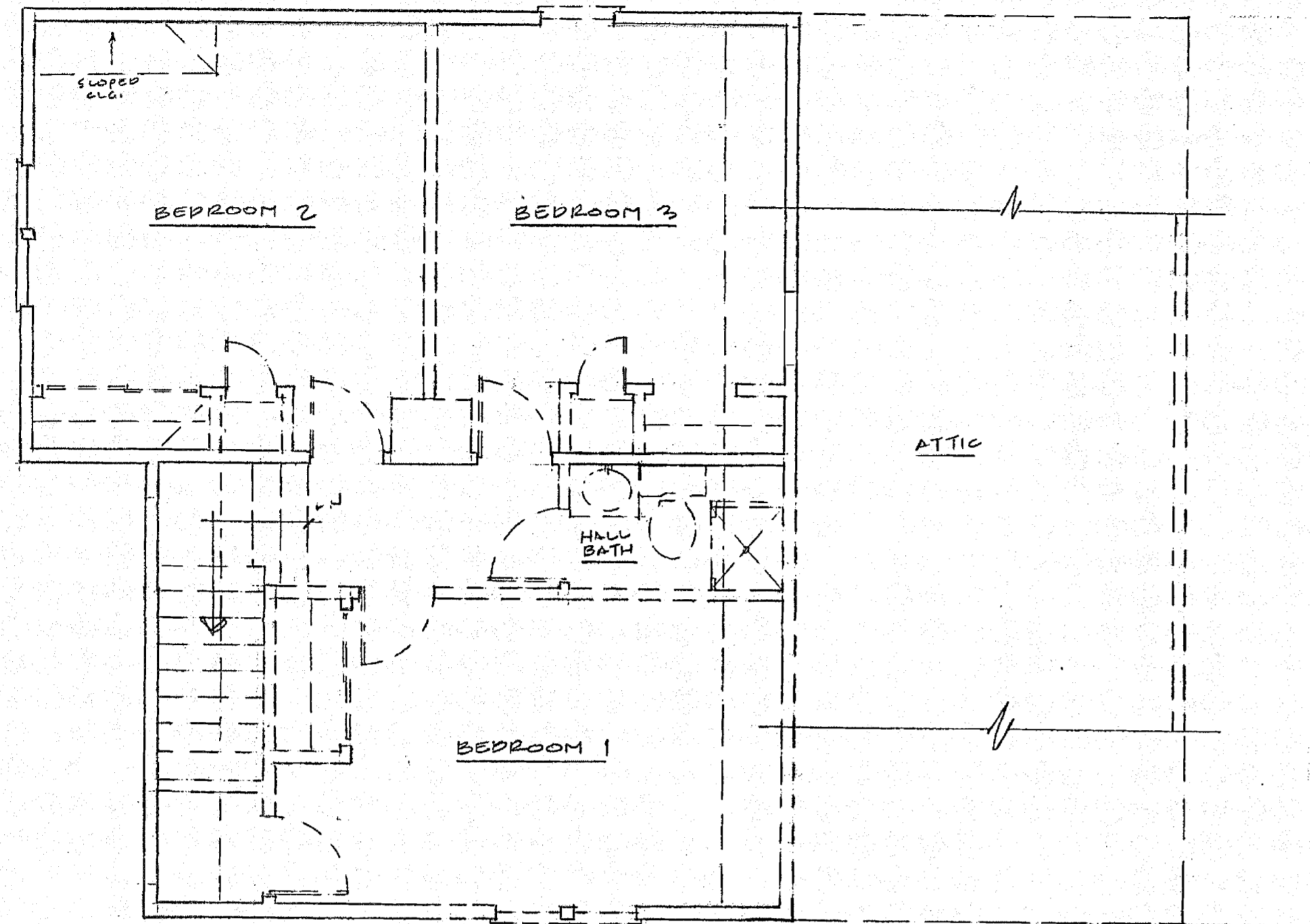
REVISIONS	BY

**JOHN M. BEHRENS, ARCHITECT**  
 CRYSTAL LAKE, IL 815-477-9053

Date DEC. 5, 14  
 Scale 1/4" = 1'-0"  
 Drawn JMB  
 Job 148 C.L. AVE.  
 Sheet  
**A3**  
 Of 4 Sheets



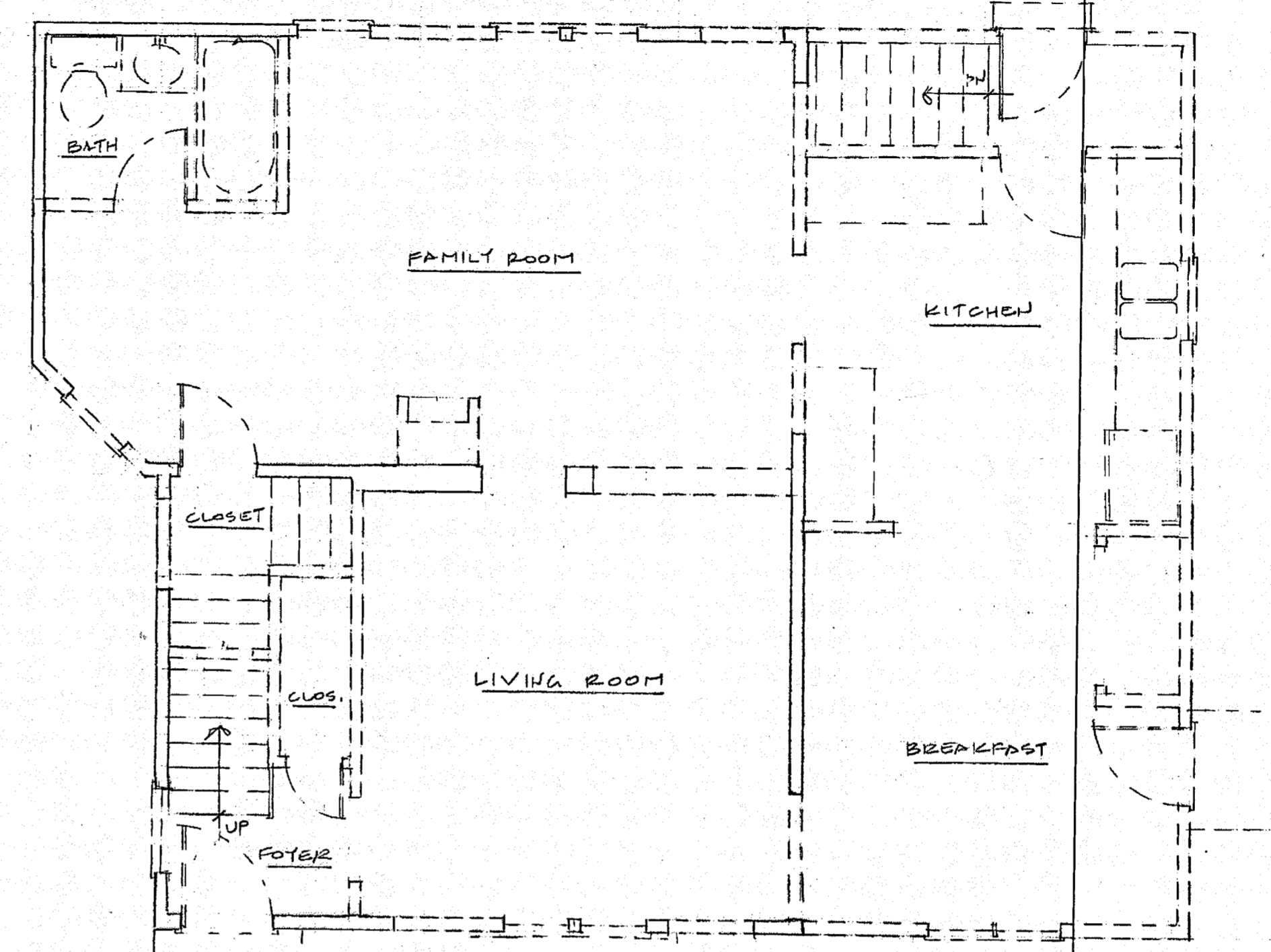
REVISIONS	BY



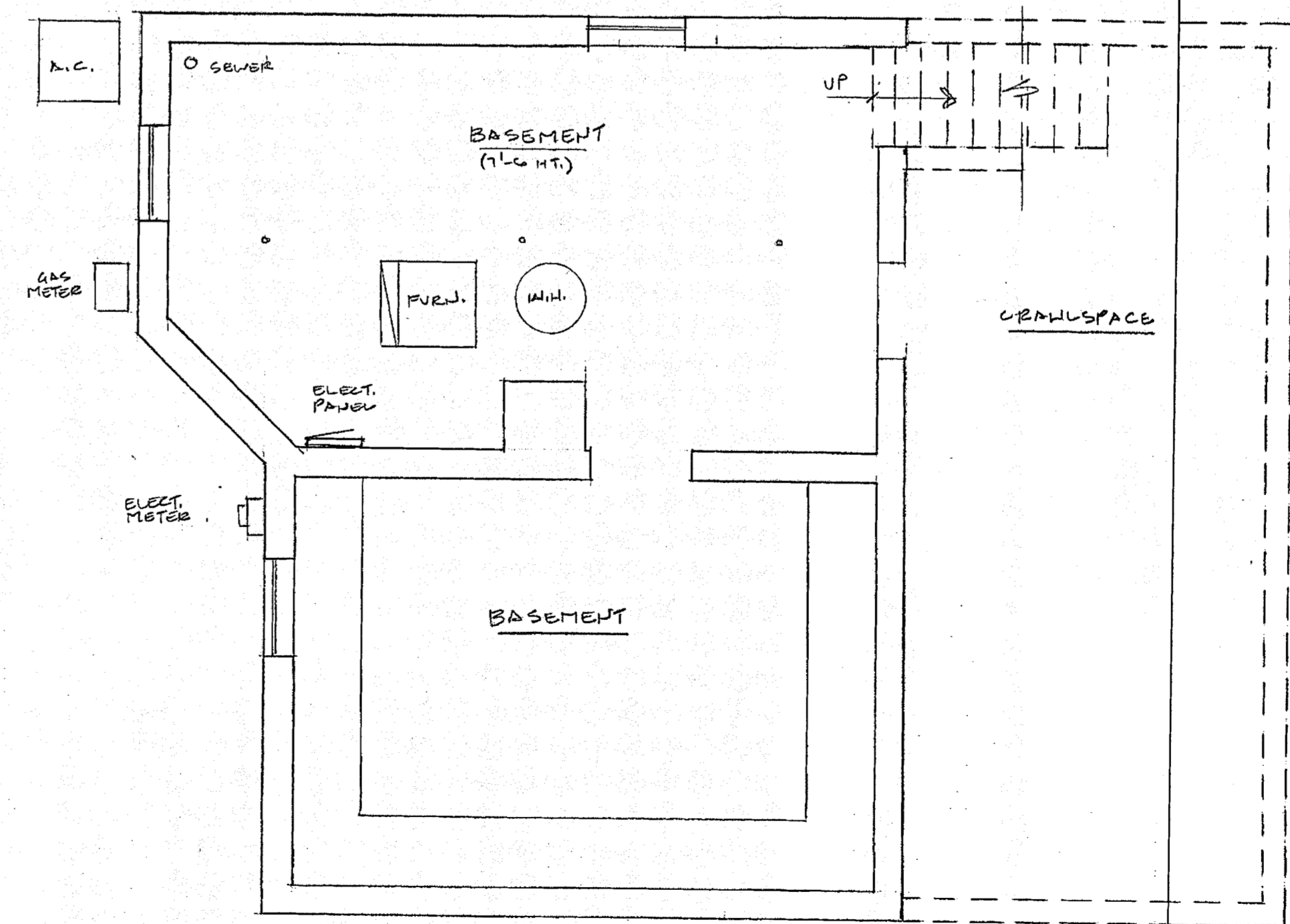
SECOND FLOOR  
1/4"=1'-0"

**EXISTING CONDITIONS**  
1/4"=1'-0"

- ===== EXISTING WALLS TO REMAIN
- EXISTING WALLS TO BE REMOVED



FIRST FLOOR  
1/4"=1'-0"



BASEMENT  
1/4"=1'-0"

Date DEC. 3, '14  
 Scale 1/4"=1'-0  
 Drawn JMB  
 Job 145 C.L. AVE.  
 Sheet  
**A4**  
 Of 4 Sheets