



#2012-79

Athans Annexation

Project Review for Planning and Zoning Commission

Meeting Date:

April 1, 2015

Request:

- 1) Rezoning upon annexation to M-Manufacturing.
- 2) Zoning Variation from Article 2-400 C(8), the requirement of outdoor storage of commercial vehicles and equipment to be screened.
- 3) Zoning Variation from Article 4-200 C, the requirement of off-street parking surfacing, to allow the existing gravel parking lot to remain.

Location:

6710 Pingree Road

Acreage:

Approximately 1.11 acres

Existing Zoning:

I-1 Industry (McHenry County)

Surrounding Properties:

North: R-1 PUD – Single Family Residential PUD (north of railroad tracks)
South: M – Manufacturing
East: R-1 PUD – Single Family Residential PUD (north of railroad tracks)
West: M – Manufacturing

Staff Contact:

Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The property is currently improved with the Athans Company and its associated metal disc welding business and ancillary outdoor storage.
- The existing conditions of the property would be allowed to remain as is upon annexation into the City and allowed to continue for the term of the annexation agreement.
- **History:** This property is a county island, meaning it is surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Development Analysis:

General

- **Request:** To zone the property M-Manufacturing upon annexation and allow the existing uses and improvements to remain via the annexation agreement. In addition, zoning variations for the existing outdoor storage of vehicles without screening and gravel parking area are needed.
- **Land Use:** The land use map shows the property as Industry. No Comprehensive Land Use Plan Map Amendment is necessary.
- **Zoning:** The property is currently zoned I - Industry in McHenry County. The property will be rezoned to M-Manufacturing, which is appropriate for the existing manufacturing business.

2030 Comprehensive Land Use Plan Summary Review:

The Comprehensive Plan designates the subject property as Industry, which allows for existing and future manufacturing and business uses. The following goal is applicable to this request:

Land Use

Goal: Support manufacturing uses within the community which contribute to the regional and local economy and Crystal Lake’s live, work, play philosophy.

This can be accomplished with the following supporting action:

Supporting Action: Expand and attract manufacturing users which provide jobs, services, and products strengthening the City’s economy.

Findings of Fact:

REZONING

- The property is currently zoned I - Industry in McHenry County. Property annexed into the City of Crystal Lake comes in as E, Estate zoning.
- The property would be rezoned to the City's M-Manufacturing upon annexation.

Criteria for Rezoning

(a) The existing uses and zoning of nearby property.

- Meets* *Does not meet*

(b) The extent to which property values are diminished by a particular zoning classification or restriction.

- Meets* *Does not meet*

(c) The extent to which the destruction of property value of a petitioner property owner promotes the health, safety, morals or general welfare of the public.

- Meets* *Does not meet*

(d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.

- Meets* *Does not meet*

(e) The suitability of the subject property for its zoned purposes.

Meets *Does not meet*

(f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.

Meets *Does not meet*

(g) The Comprehensive Plan designation and the current applicability of that designation.

Meets *Does not meet*

(h) The evidence or lack of evidence, of community need for the use proposed.

Meets *Does not meet*

ZONING ORDINANCE VARIATIONS

The petitioner is requesting a variations from Article 4-200 C, for the off-street parking lot surfacing requirement to allow the gravel parking lot to remain, and Article 2-400 C(8), for outdoor storage without screening to remain.

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 variations be denied.

Recommended Conditions:

1. A motion to recommend approval of the petitioner's request to rezone the subject property to "M" Manufacturing district upon annexation, allowing the existing uses and improvements via the annexation agreement.
2. Any other improvements that are made to the property shall comply with the current City standards and codes.
3. The petitioner shall comply with the requirements of the Community Development Department, Public Works, Police and Fire Rescue Departments.

PETITION

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS

The undersigned Petitioners hereby respectfully petition to annex to the City of Crystal Lake, McHenry County, Illinois, the territory described in Exhibit "A" which is attached hereto and made a part hereof, and states as follows:

1. That the undersigned are all of the owners of record of the territory herein described in Exhibit "A".
2. The territory herein described in Exhibit "A" is contiguous to the City of Crystal Lake; is located in McHenry County, Illinois; and is not within the corporate limits of any other municipality.
3. That the undersigned represents fifty-one percent (51%) of all the electors of record of the territory herein described in Exhibit "A".
4. That the undersigned represents one hundred percent (100%) of all of the owners of record of this property.

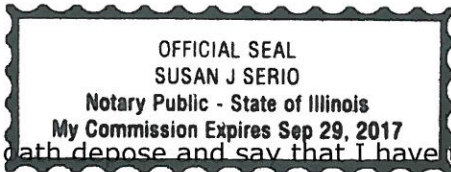
WHEREFORE, Petitioners respectfully request the corporate authorities of the City of Crystal Lake, McHenry County, Illinois, to annex the territory herein described in Exhibit "A" to said City in accordance with the provisions of this Petition and pursuant to the terms of a proposed annexation agreement, and in accordance with the law in such case made and provided.

DATED this 15th of January, 2015.

Name of Owner	Signature	Address
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The Athans Company	<u>George C. Athans</u>	6710 Pingree, Crystal Lake, IL 60014
	George C. Athans	

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)



I, George C. Athans, being sworn on oath depose and say that I have the authority to sign this attestation, that I am familiar with the matters therein and that the matters stated therein are true in substance and in fact.

Signed George C. Athans
George C. Athans
Its: General Partner

Subscribed and sworn to before me
this 15th day of January 2015.

Susan J. Serio
Notary
My Commission expires: September 29, 2017

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICA-
TION OF
The Athans Company

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 The Athans Compa-
ny for the following described real
estate commonly known as 6710
Pingree Road, Crystal Lake, Illinois
60014, PIN: 19-03-301-001.

The petitioner seeks a classification
of M-Manufacturing upon annexa-
tion to allow the existing building to
remain on site, zoning variations
from Articles 2-400(C)(8) and 4-
200(C) for outside storage without
screening, variation to allow the ex-
isting gravel parking area to remain
and any other variations as neces-
sary to approve the plans as pre-
sented. The existing uses include
office space and metal welding
business. This request will allow the
existing facility and operations to
continue upon the annexation of
the property into the City of Crystal
Lake. Plans for this project can be
viewed at the City of Crystal Lake
Community Development Depart-
ment 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 April 1, 2015,
at the Crystal Lake City Hall, 100
West Woodstock Street, at which
time and place any person deter-
mining to be heard may be present.

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

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March 17, 2015.) NW 6178

