



## #2015-24 50 Virginia Street (ZRF&M)–Variation Project Review for Planning and Zoning Commission

---

<b><u>Meeting Date:</u></b>	May 6, 2015
<b><u>Request:</u></b>	Variations from Articles 3-200(B)(1) front yard setback, 4-200(E)(1)(a) off-street parking and loading setback and 4-400(F) landscaping and screening standards to allow no perimeter parking lot landscape screening, a parking lot setback of 8-feet and a 23.91-foot front yard setback to allow the property to remain in its current condition.
<b><u>Location:</u></b>	50 Virginia Street
<b><u>Acreage:</u></b>	32,677 square feet
<b><u>Existing Zoning:</u></b>	O-Office
<b><u>Surrounding Properties:</u></b>	North: O-Office South: O-Office East: O-Office West: R-3B (Multi- Family Residential)
<b><u>Staff Contact:</u></b>	Kathryn Cowlin (815.356.3798)

---

### **Background:**

- **Existing Use:** The property is currently improved with an office building that meets city standards.
- **Background:** The road widening of Route 14 caused the property to become nonconforming. The petitioner is requesting the zoning variations in order to be compliant with the Unified Development Ordinance. There are no new improvements proposed on the property.
- **UDO Requirements:** The minimum front yard setback for O-Office zoning is 30 feet. The minimum off-street parking lot setback is 20 feet and requires a 15-foot landscaping buffer for parking lots that abut right-of-way.

### **Development Analysis:**

#### **General**

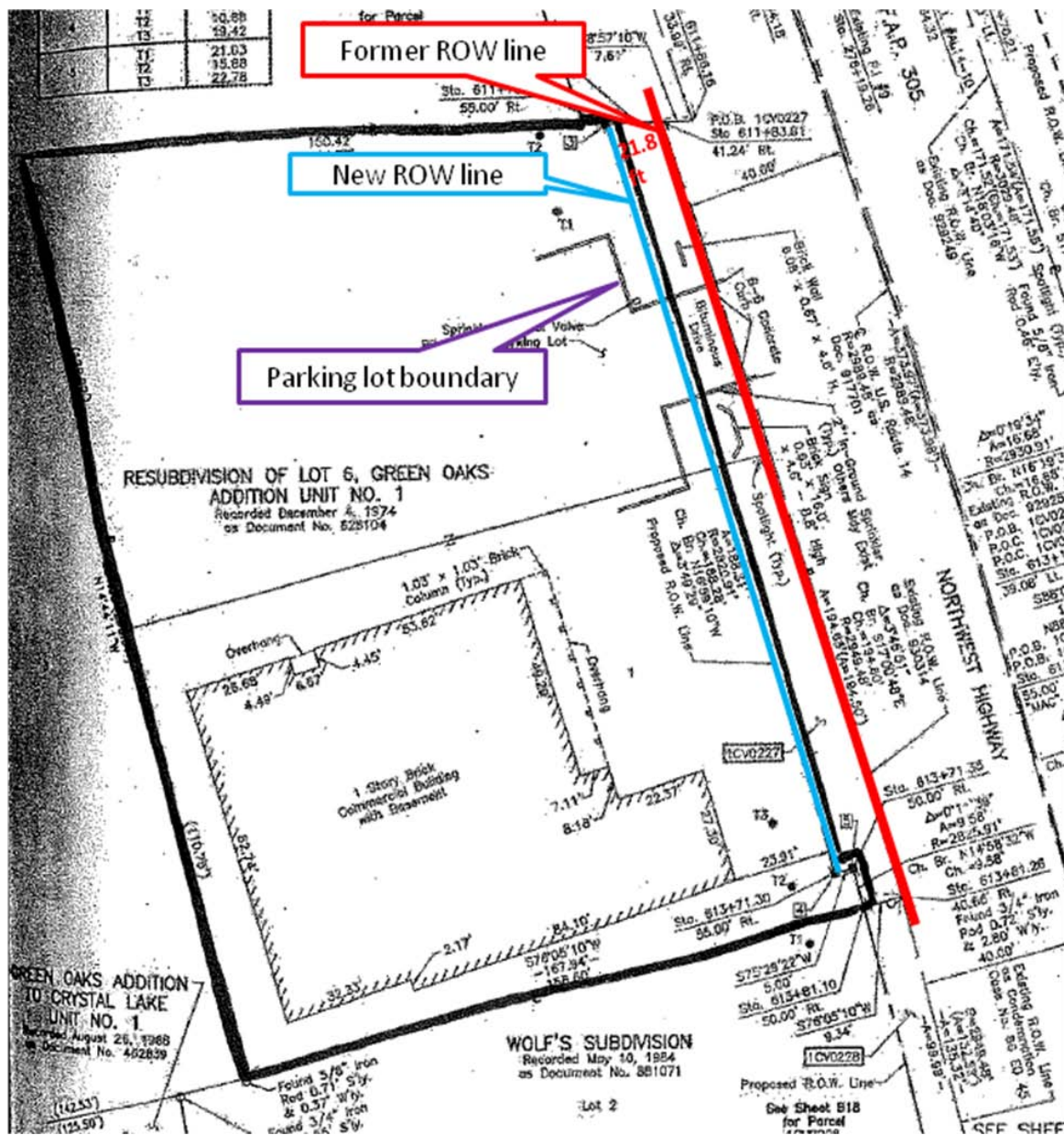
- **Request:** IDOT acquired property from the petitioner for the current Route 14 improvement project. The petitioner is requesting variations to allow the existing site layout, which includes a 6.09-foot encroachment into the 30-foot front yard setback, a 12-

foot encroachment into the 20-foot parking lot setback and no perimeter landscaping around the parking lot abutting a right-of-way.

- Land Use: The land use map shows the area as Office. This land use designation is appropriate for this use.
- Zoning: The site is zoned O-Office.

Site Layout

- The required front yard setback is 30 feet.
- The required parking lot setback is 20 feet.
- The required parking lot landscaping abutting a right-of-way is 15 feet.
- The Route 14 widening created a loss of a 21.8-foot wide strip of the subject property.



**Comprehensive Land Use Plan 2030 Vision Summary Review:**

The Comprehensive Plan designates the subject property as Office, which allows for professional services and some research uses. The following goal is applicable to this request:

Land Use - Office

**Goal: Maintain and expand the availability of professional and research office in appropriate locations throughout the city to complement commercial and manufacturing uses.**

This can be accomplished with the following supporting action:

**Supporting Action:** Encourage office development along major roadways, near transit stops and bicycle routes, and in proximity to residential uses.

**Findings of Fact:**

**ZONING ORDINANCE VARIATION**

The petitioner is requesting a variation from Articles 3-200(B)(1) front yard setback, 4-200(E)(1)(a) off-street parking and loading setback and 4-400(F) landscaping and screening standards to allow an encroachment of 6.09 feet into the required front yard setback, a 12-foot encroachment into the parking lot setback and no perimeter parking lot landscape screening abutting a right-of-way. 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:**

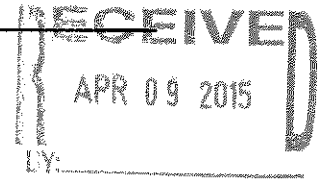
If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (McArdle, received 04/09/15)
  - B. Plat of Highways (received 04/09/15)
2. The petitioner shall address all of the review comments and requirements of the Community Development, Police and Fire Departments.

**City of Crystal Lake  
Development Application**

Office Use Only  
File # 2015-24

Project Title: Zukowski, Rogers, Flood & McArdle Variations



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

**Petitioner Information**

Name: David W. McArdle  
Address: 50 Virginia Street  
Crystal Lake, IL 60014  
Phone: 815/459-2050  
Fax: 815/459-9057  
E-mail: dmcardle@zrfmlaw.com

**Owner Information (if different)**

Name: Home State Bank f/k/a Home State  
Address: Bank of Crystal Lake, as trustee  
under Trust Agreement dated 11/10/69 and  
Phone: known as Trust #1347  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Property Information**

Project Description: Route 14 is being widened. This causes the parking lot and building setback to no longer be in conformance. This is a request for a variation to the ordinance.

Project Address/Location: 50 Virginia Street

PIN Number(s): 14-31-451-043 and 14-31-451-044

**Development Team**

Please include address, phone, fax and e-mail

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

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

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

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

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

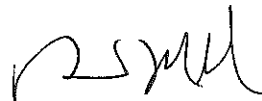
Planner: \_\_\_\_\_

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

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

**Signatures**

David W. McArdle



4-9-15

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.



4-9-15

OWNER: Print and Sign name

BARBARA BURGET  
ASST. TRUST OFFICER

Date

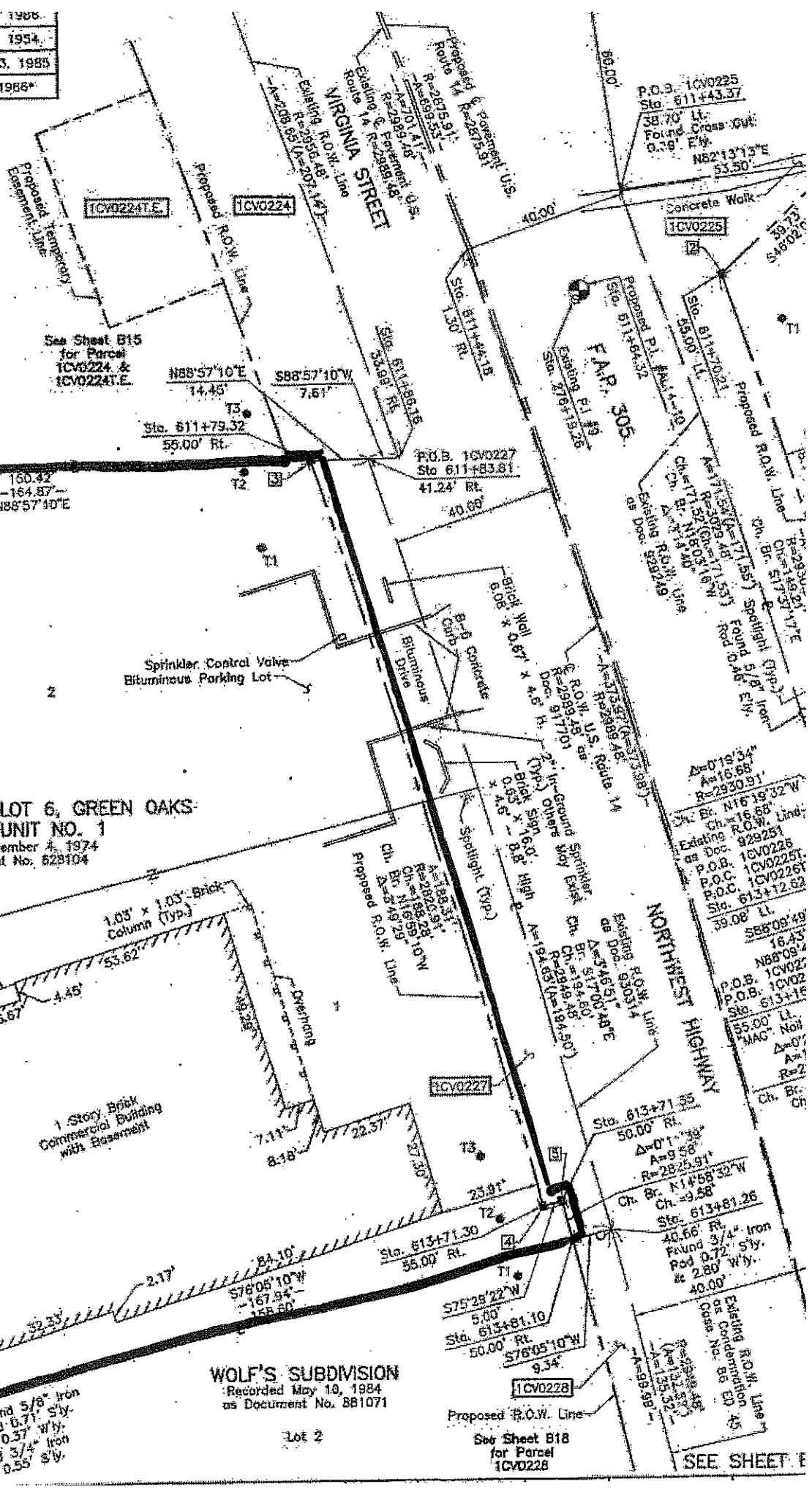
NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.

This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.

930314	February 5, 1986
274913	February 5, 1984
917701	September 13, 1985
86:ED:45	June 12, 1986*

Point Number	Tie to point	Tie Distance (feet)
1	T1	40.93
	T2	24.92
	T3	45.64
2	T1	17.97
	T2	27.32
	T3	45.61
3	T1	24.35
	T2	18.22
	T3	19.89
4	T1	17.74
	T2	30.88
	T3	19.42
5	T1	21.63
	T2	35.88
	T3	22.78



**GREEN OAKS ADDITION TO CRYSTAL LAKE UNIT NO. 1**  
Recorded August 25, 1966  
as Document No. 482639

(14253)  
(125.50)

SEE SHEET E

## **PUBLIC NOTICE**

BEFORE THE PLANNING AND  
ZONING COMMISSION OF  
THE CITY OF CRYSTAL LAKE

IN THE MATTER OF THE APPLICA-  
TION OF  
Home State Bank f/k/a Home State  
Bank of Crystal Lake, as trustee un-  
der Trust Agreement dated  
11/10/69 and known as Trust  
#1347

### **LEGAL NOTICE**

Notice is hereby given in compli-  
ance with the Unified Development  
Ordinance 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 applica-  
tion of Home State Bank f/k/a  
Home State Bank of Crystal Lake,  
as trustee under Trust Agreement  
dated 11/10/69 and known as  
Trust #1347 relating to the real es-  
tate commonly known as 50 Vir-  
ginia Street, Crystal Lake, Illinois,  
PINs 14-31-451-043 and 14-31-  
451-044.

This application is filed for the pur-  
poses of seeking a variation from  
Section 3-200(B)(1) Dimensional  
Standards to allow a 23.91-foot  
front yard setback; from Section 4-  
200(E)(1)(a) Off-Street Parking  
and Loading to allow a parking lot  
setback of 8 feet; and Section 4-  
400(F) Landscaping and Screen-  
ing Standards to allow no perimeter  
parking lot landscape screening;  
and as well as any other variations  
as necessary to approve the plans  
as presented to allow for the exist-  
ing building and parking lot to be  
re-built as exists after the proposed  
right-of-way taking. The applica-  
tion and plans can be found at the  
City of Crystal Lake Community De-  
velopment Department at City Hall.

A public hearing before the Plan-  
ning and Zoning Commission on  
the request will be held at 7:30  
p.m. on May 6, 2015, at the Crys-  
tal Lake City Hall, 100 West Wood-  
stock Street, at which time and  
place any person determining to be  
heard may be present.

Thomas Hayden, Chair  
Planning and Zoning Commission  
City of Crystal Lake

(Published in the Northwest Herald  
April 21, 2015.) NW 6389



