



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

Meeting Date:

June 3, 2015

Request:

Zoning variations from:

- A) Article 3-200(B)(1) minimum front yard setback of 40 feet along Route 14 to allow a 23.91-foot front yard setback;
- B) Article 4-400(F) 15-foot perimeter landscape requirements to allow no perimeter landscaping;
- C) Article 4-200(E)(1)(a) 20-foot parking lot setback requirement to allow an 8-foot setback.

Location:

50 Virginia Street

Acreage:

32,677 square feet

Existing Zoning:

O-Office

Surrounding Properties:

North: O-Office
South: O-Office
East: O-Office
West: R-3B (Multi- Family Residential)

Staff Contact:

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. There are no new improvements proposed on the property.
- **UDO Requirements:** The minimum front yard setback for O-Office zoning for properties along Route 14 is 40 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

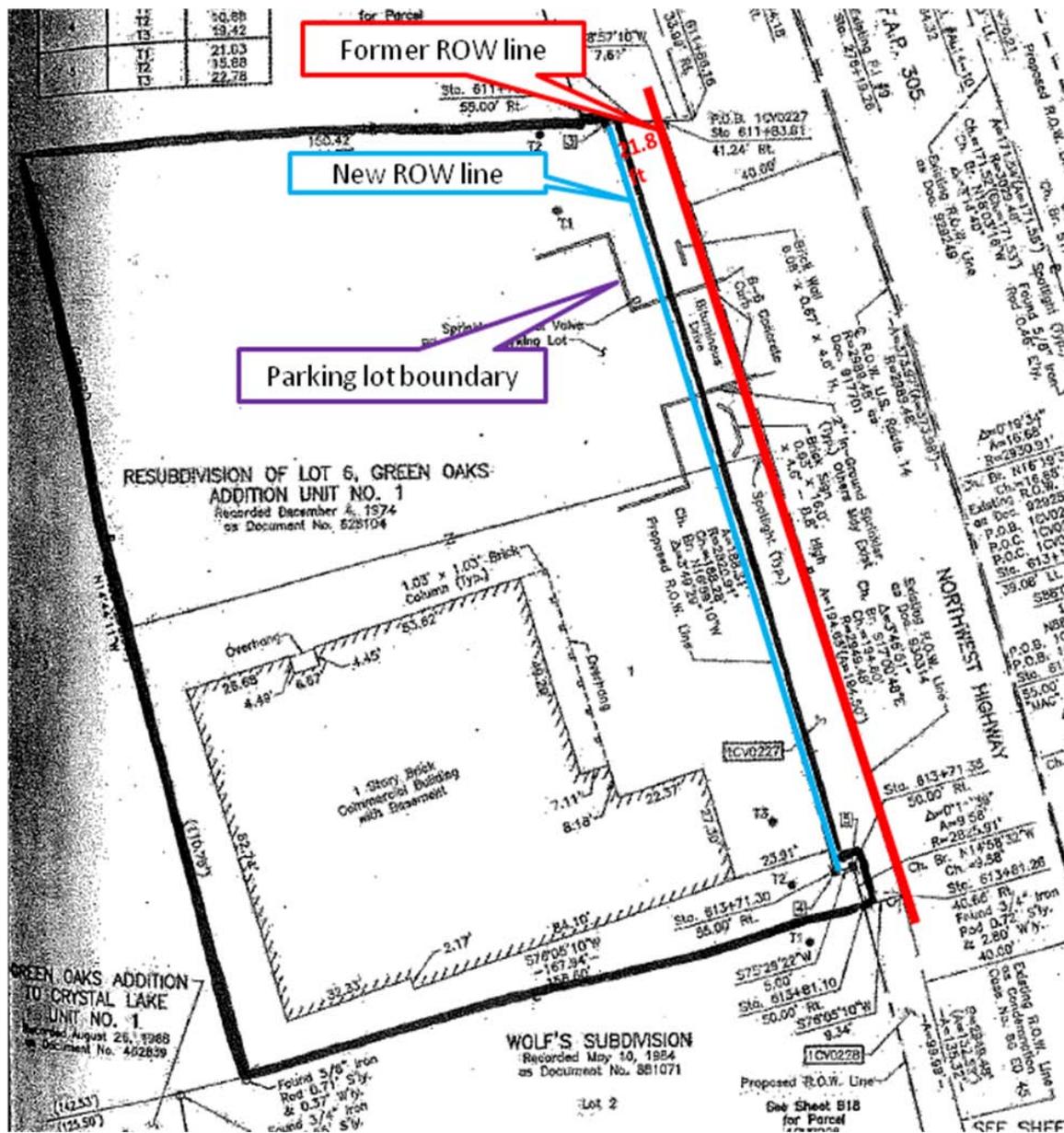
- **Request:** IDOT acquired property from the petitioner for the current Route 14 improvement project. The petitioner is requesting variations to allow the existing site layout, which includes a 6.09-foot encroachment into the 30-foot front yard setback, a 12-

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:

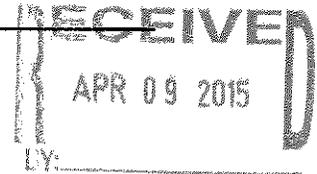
If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

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: _____

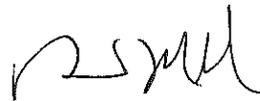
Planner: _____

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

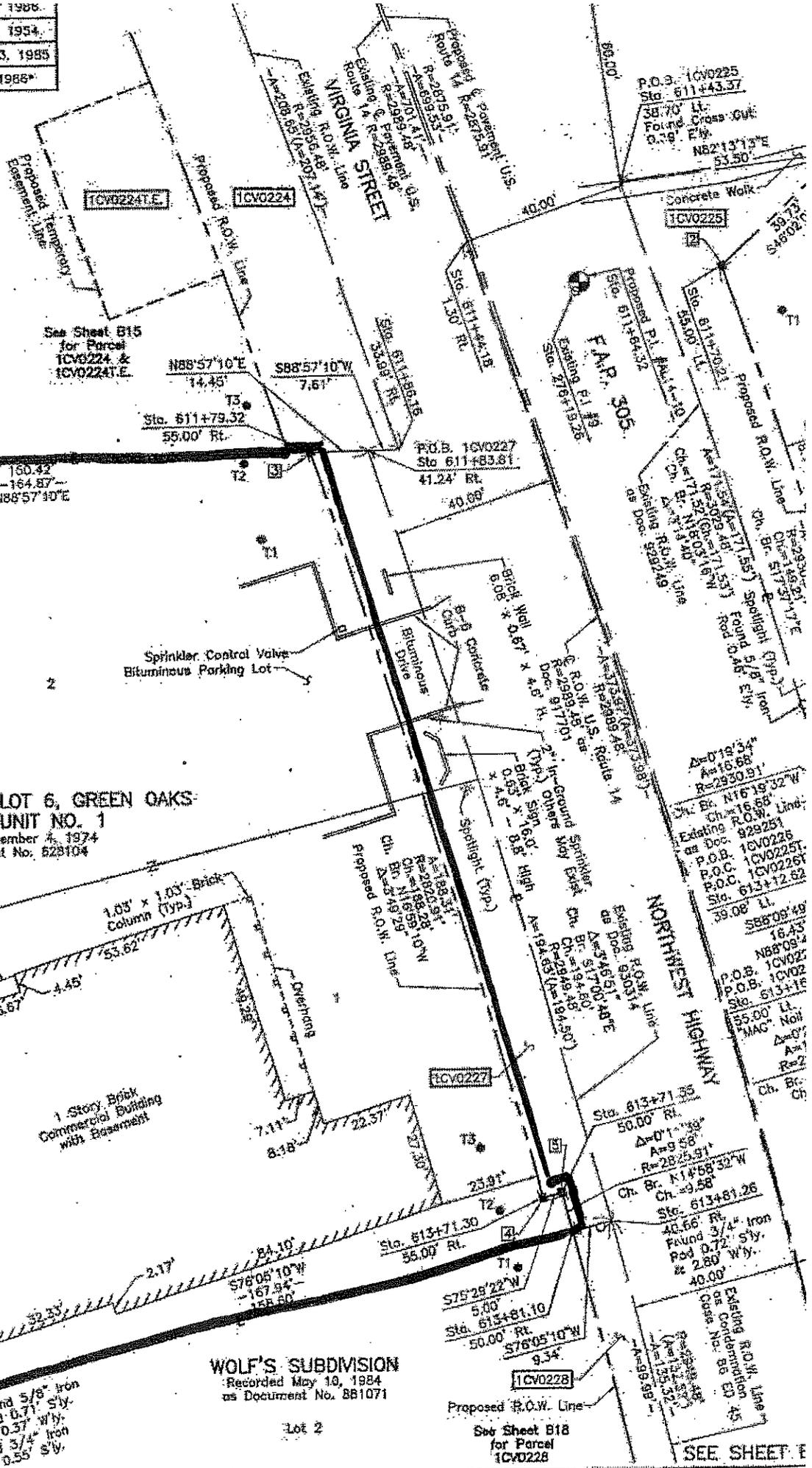
NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

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 3, 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 |



RESUBDIVISION OF LOT 6, GREEN OAKS ADDITION UNIT NO. 1
 Recorded December 4, 1974
 as Document No. 528104

WOLF'S SUBDIVISION
 Recorded May 10, 1984
 as Document No. 881071

GREEN OAKS ADDITION TO CRYSTAL LAKE UNIT NO. 1
 Recorded August 25, 1986
 as Document No. 482639

(14253)
(12550)

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

