



#2015-41 163 Lakewood Ave (Edmonson)–Variation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	August 5, 2015
<u>Request:</u>	Variations from Article 3-200, Article 7-200(B) and Article 7-300(B)(4) from the minimum front yard setback requirement to allow a 7.8-foot encroachment for a covered front porch.
<u>Location:</u>	163 Lakewood Ave
<u>Acreage:</u>	6,500 square feet
<u>Existing Zoning:</u>	R-2 (Single Family Residential)
<u>Surrounding Properties:</u>	North: R-2 (Single Family Residential) South: R-2 (Single Family Residential) East: R-2 (Single Family Residential) West: R-2 (Single Family Residential)
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The property is currently improved with a single-family home. Currently the home has an open air 9-foot by 9-foot front porch. The principal structure currently encroaches 1.8 feet into the front yard setback, not including the existing front porch that provides access to the structure.
- **Background:** The petitioner would like to remove the existing front porch and replace it with a covered front porch. The existing porch is located 15.7 feet from the front yard property line. The new porch would reduce the encroachment in the front yard setback, but still requires a variation.
- **UDO Requirements:** The minimum front yard setback for an established neighborhood and nonconforming lot is the average existing front yard setback of the dwellings on the two closest lots, which is 26.5 feet.

Development Analysis:

General

- **Request:** The petitioner is requesting a variation to allow a 7.8-foot encroachment into the 26.5-foot front yard setback for a covered front porch.
- **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 Residential).

Site Layout

- The required front yard setback is 26.5 feet.
- The principal structure currently encroaches 1.8 feet into the front yard setback, not including the existing front porch that provides access to the structure.
- The proposed covered front porch would increase the nonconformity by 6 feet, making the total encroachment of the principal structure 7.8 feet.

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 3-200, Article 7-200(B) and Article 7-300(B)(4) to allow an encroachment of 7.8 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.

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 (Edmonson, received 07/07/15)
 - B. Site Plan/Survey (received 07/07/15)
 - C. Proposed Porch Picture (received 07/07/15)
2. The architectural style of the new porch shall be complementary to the principal structure. Exterior siding and trim colors shall match the principal structure.
3. The stairs providing access to the new porch shall not exceed 5 feet in width and are allowed to encroach no more than 4 feet beyond the porch, but cannot be closer than 5 feet to the property line.
4. The petitioner shall address all of the review comments and requirements of the Community Development Department.

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RECEIVED
JUL 07 2015
BY: _____

Application for Simplified Residential Variation

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

I. Applicant

Susan Edmonson

Name

163 Lakewood Avenue

Street

Crystal Lake,

IL

60014

City

State

Zip Code

815 353-4647

Telephone Number

Fax Number

E-mail address

II. Owner of Property (if different)

Same

Name

Address

Telephone Number

III. Project Data

1. a. Location/Address: 163 Lakewood Avenue

b. PIN #: 18-01-205-016

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:

My porch needs to be replaced. It does not conform to modern day safety codes or standards.

IS THE HARDSHIP SELF-CREATED?

I purchased the house as is on April 29, 2015.

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

Yes.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No. It will allow me and others to enter my house safely.

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

Once again, it will allow me and others to enter my house safely.

WILL THE VARIATION AS PROPOSED IMPAIR ADEQUATE SUPPLY OF LIGHT OR AIR TO ADJACENT PROPERTY; DIMINISH PROPERTY VALUE; INCREASE CONGESTION IN PUBLIC STREETS; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY?

It is a front porch that allows entry into my house.

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

IV. Signatures

Susan Edmonson

Digitally signed by Susan Edmonson
DN: cn=Susan Edmonson, o=First and Last, ou=Name, email=edmosmom@hotmail.com, c=US
Date: 2015.07.06 22:32:14 -05'00'

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.

Susan Edmonson

Digitally signed by Susan Edmonson
DN: cn=Susan Edmonson, o=First and Last, ou=Name, email=edmonson@hotmail.com, c=US
Date: 2015.07.08 22:30:29 -05'00'

7/6/15

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 Susan Edmonson**

LEGAL NOTICE

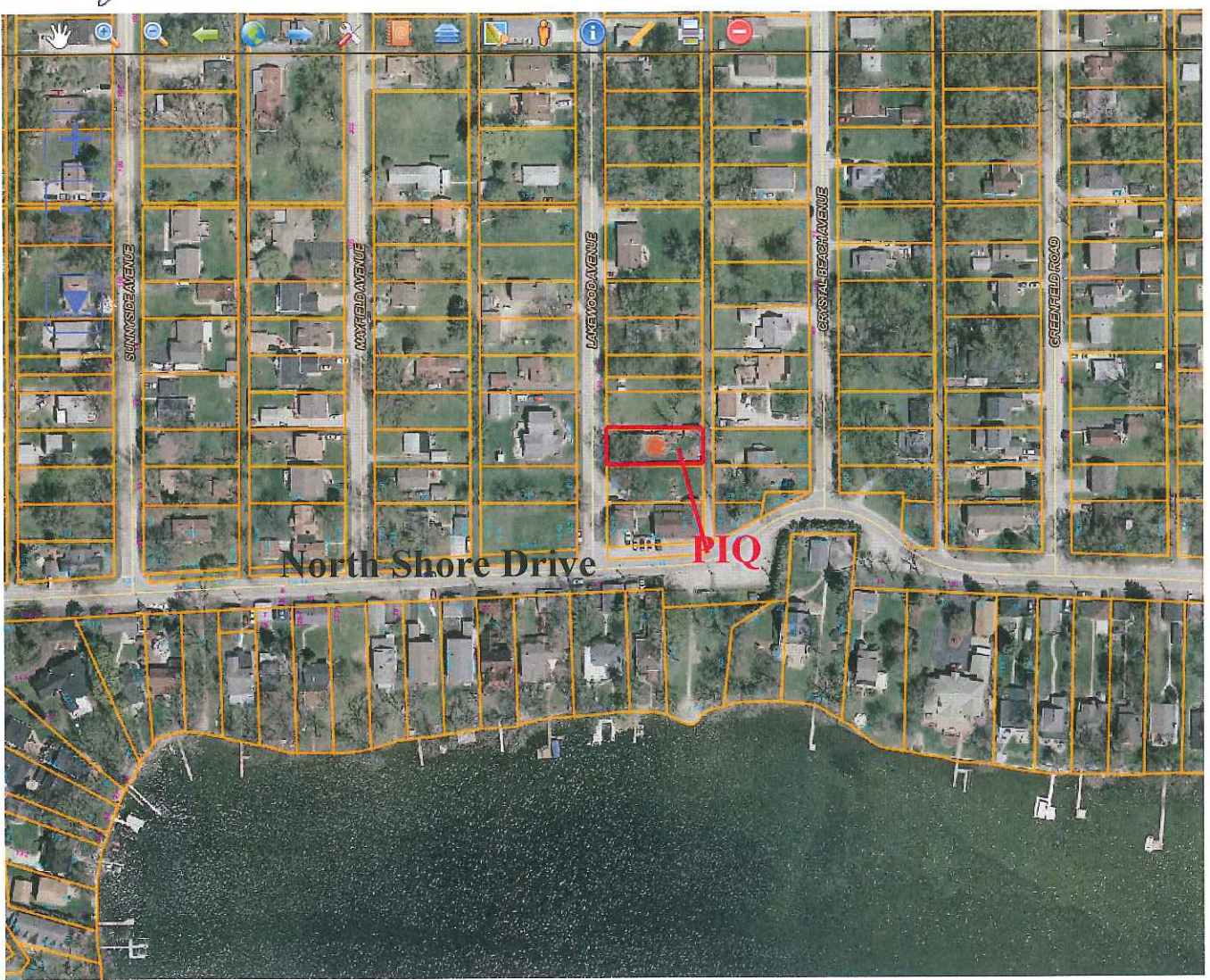
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of Susan Edmonson for variations relating to the following described real estate commonly known as 163 Lakewood Avenue, Crystal Lake, Illinois 60014, PIN: 18-01-205-016

This application is filed for the purpose of seeking zoning variations pursuant to Articles 3-200, 7-200B (ii), and 7-300B 4 of the UDO, from the minimum front yard setback requirements to allow a 7.8-foot encroachment of a front porch that will be added to the existing nonconforming 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 Department 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 August 5, 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
July 17, 2015.) NW 7019





My house 163 Lakewood 2015 41

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BY: _____

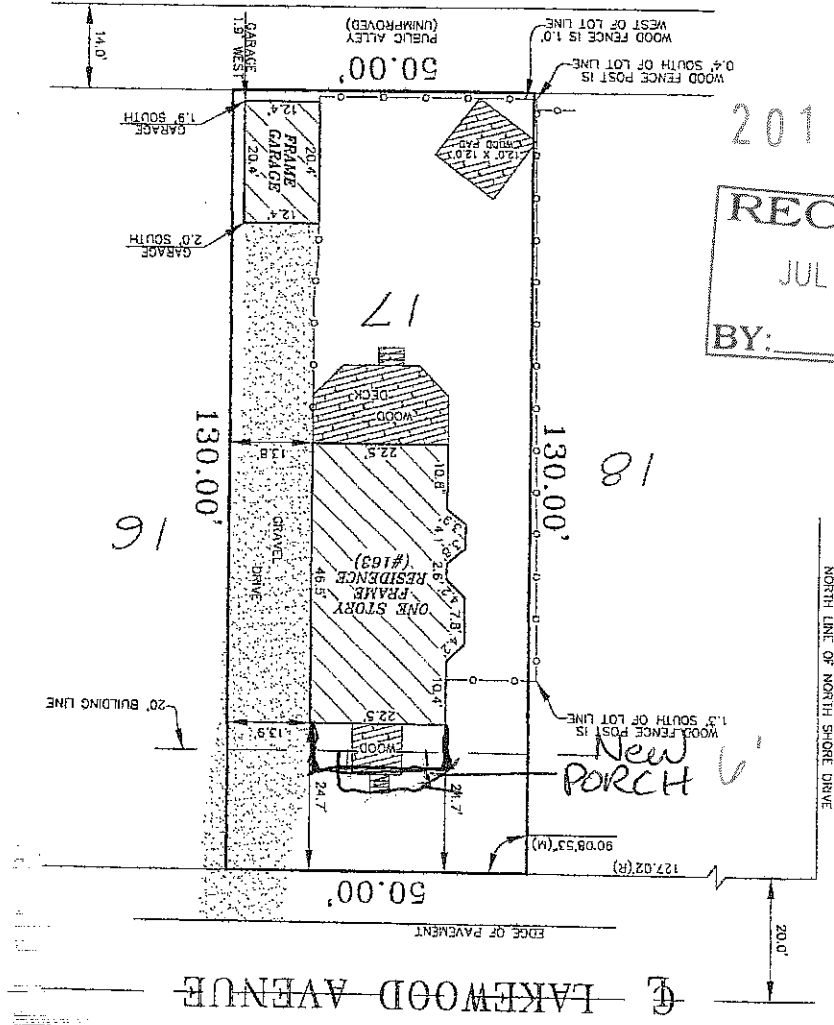
IDEA

Porch will be similar.



PLAT OF SURVEY

OF
 LOT 17 IN BLOCK 8 IN NORTH CRYSTAL LAKE PARK BEACH SUBDIVISION A SUBDIVISION OF PART OF THE NORTHEAST
 QUARTER OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE
 PLAT THEREOF RECORDED MAY 26, 1925 AS DOCUMENT NO. 68367, IN BOOK 5 OF PLATS, PAGE 32, IN MCHEMERY
 COUNTY, ILLINOIS.

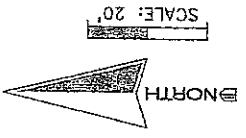


2015 41
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 BY:

NEKOLA SURVEY, INC.
 PROFESSIONAL LAND SURVEYING SERVICES
 WWW.NEKOLASURVEY.COM
 400 N. SCHMIDT RD., STE. 203
 BOLLINGBROOK, ILLINOIS 60440
 (630) 226-1530 PHONE (630) 226-1430 FAX

JOB NO.: 15-04-0008
 PREPARED FOR: CRAIG HURWITZ (ATTORNEY AT LAW)
 JOB ADDRESS: 183 LAKEWOOD AVENUE, CRYSTAL LAKE, IL
 SELLER/BUYER: LYNN / EDMONSON

LEGEND
 (R/M) - RECORD / MEASURED
 L - ARC LENGTH
 R - RADIUS
 CH - CHORD
 AREA = 6,500 SQ. FT.
 MORE OR LESS



FIELD WORK COMPLETED ON THE 24TH DAY OF APRIL, 2015.
 (STATE OF ILLINOIS)
 NEKOLA SURVEY INC. DOES HEREBY CERTIFY THAT IT HAS
 SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT
 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
 MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
 DATED THIS 27TH DAY OF APRIL, 2015.
 PLS No. 2923
 LICENSE RENEWAL DATE: 30 NOVEMBER 2018.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION FOR BUILDING PLANS. EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.

JUDSON SAMMONSON
163 Lakewood
Crystal Lake IL 60014

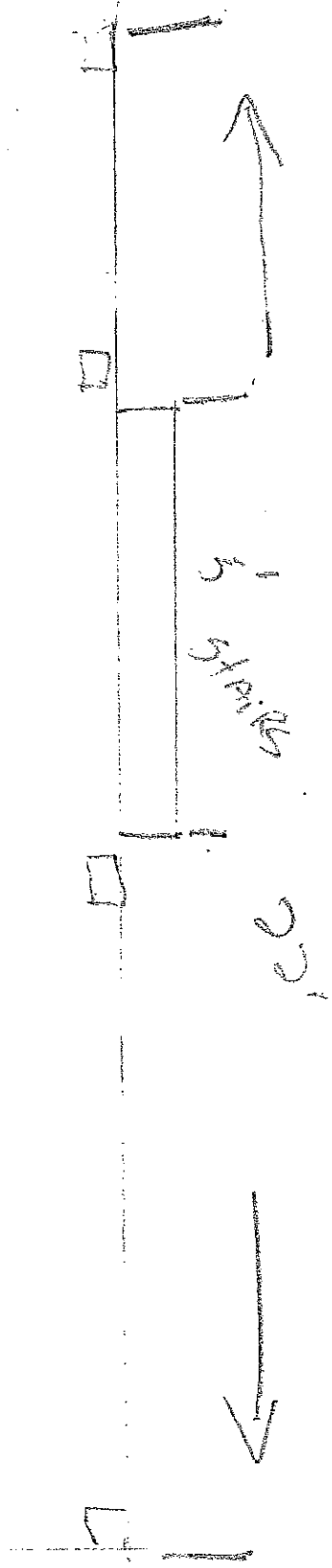
10/2

APPROX

2x8 Treated floor joist + 16" oc

5/4 Treated Decking Board
2x8 Ledger from Joist
Header LAG Bolted to existing Building

out 6'

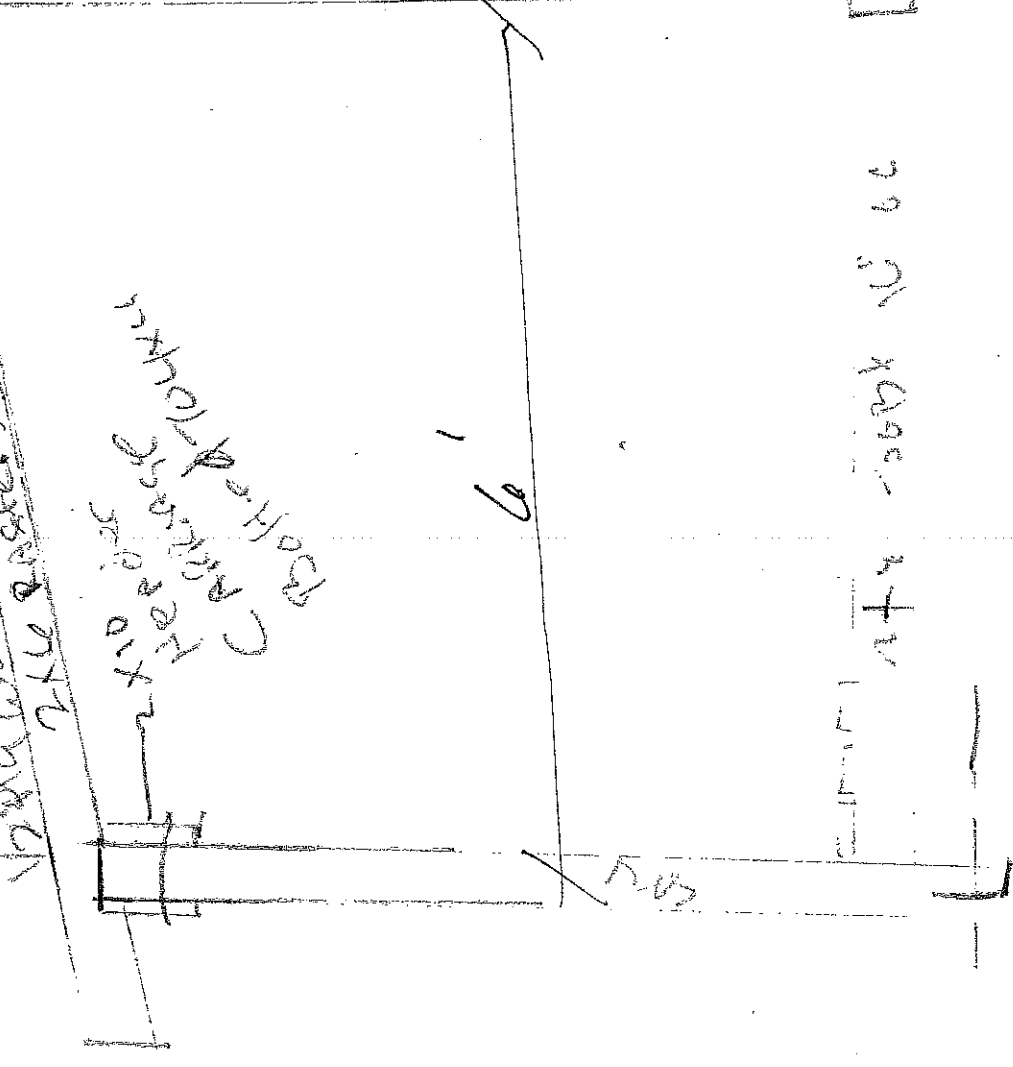


163 Lakewood
Crystal Lake

Susan Edmonson
163 Lakewood
Crystal Lake IL 60014

Page 2

163 Lakewood
2x4 Bases 16" oc
2x4 Ridges
Lag Bolts
Existing



CP
Concrete
16" R
12" R

163 Lakewood
2x4 Bases 16" oc
2x4 Ridges
Lag Bolts Existing

2x4 Joist connected to
Lidger with Joist hangers
Post Holes 11" deep 12" Round