

IN THE MATTER OF THE APPLICATION)
OF **KRISTIN S. CAMORLINGA** FOR A)
VARIATION OF THE UNIFIED DEVELOPMENT)
ORDINANCE OF McHENRY COUNTY, ILLINOIS)

2024-038

WHEREAS, your petitioner, **KRISTIN S. CAMORLINGA**, has filed a petition with the McHenry County Hearing Officer, requesting a **variation** as it relates to the McHenry County Unified Development Ordinance and to the real property more fully described as:

PARCEL 1: LOT 20 IN BLOCK 7 IN WONDER WOODS, A SUBDIVISION OF PART OF SECTION 6, TOWNSHIP 45 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED APRIL 30, 1930, AS DOCUMENT NUMBER 92561, IN BOOK 8 OF PLATS, PAGES 14 AND 15, IN McHENRY COUNTY, ILLINOIS.

PARCEL 2: LOTS 18 AND 19 IN BLOCK 7 IN WONDER WOODS, A SUBDIVISION OF PART OF SECTION 6, TOWNSHIP 45 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED APRIL 30, 1930, AS DOCUMENT NUMBER 92561, IN BOOK 8 OF PLATS, PAGES 14 AND 15, IN McHENRY COUNTY, ILLINOIS.

PIN 09-06-329-032

More commonly known **as 5504 Wonder Woods Drive, Wonder Lake, Illinois in McHenry Township.**

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is **"R-1" Single Family Residential District; but a variation be granted to the property to allow for: 1) a street setback of two and a half (2.5) feet from the minimum fifty (50) feet required for a detached garage in the effective street yard and 2) a North lot line setback of zero (0) feet instead of the minimum five (5) feet required.**

WHEREAS, the subject property consists of approximately **one half (.5) acre** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Hearing Officer of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Hearing Officer of McHenry County **did recommend the granting of a variation to allow for: 1) a street setback of two and a half (2.5) feet from the minimum fifty (50) feet required for a detached garage in the effective street yard and 2) a North lot line setback of zero (0) feet instead of the minimum five (5) feet required with the following condition: [The garage shall be built in compliance with the site plan submitted on September 27, 2024 (attached).]**

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Hearing Officer of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a variation as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County and such Ordinances and such maps as amended, be and the same are hereby amended **to allow for: 1) a street setback of two and a half (2.5) feet from the minimum fifty (50) feet required for a detached garage in the effective street yard and 2) a North lot line setback of zero (0) feet instead of the minimum five (5) feet required with the following condition: The garage shall be built in compliance with the site plan submitted on September 27, 2024 (attached).**

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 20_____.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

**HEARING OFFICER REPORT TO THE MCHENRY
COUNTY BOARD IN THE MATTER OF PETITION #2024-038**

1. **Recommendation:** Approve
2. **Applicant:** Kristin S. Camorlinga, Owner of Record
3. **Request:** Variation within the R-1 Single-Family Residential/LN district to allow for 1) a street setback of two and one-half (2.5) feet from the minimum fifty (50) feet required for a detached garage in the effective street yard, and 2) a north lot line setback of zero (0) feet instead of the minimum five (5) feet required for a detached garage. (McHenry County Unified Development Ordinance §16.56.050.A.2.c and §16.56.050.A.2.d)
4. **Location and size of property in question:** The subject property consists of approximately one-half (.5) acre and is located on the east side of Wonder Woods Drive, approximately two-hundred (200) feet north of its intersection with Oak Drive. Common address: 5504 Wonder Woods Drive, Wonder Lake, McHenry Township. PIN: 09-06-329-032
5. **Present at hearing:**
Applicant: Kristin S. Camorlinga
Michael J. McNerney, Hearing Officer
Renee Hanlon, County Staff (8/13/2024) Kim Scharlow, County Staff (10/8/2024), Kit GearhartSchinske (10/8/2024)
Public: (8/13/2024) Ashley Lehan, Sharon Gerc, John Gerc, Thomas Brodie, Adam Vick, Pete Schultz (10/8/2024) Charles Falbisaner,
6. **Date, time and location of the hearing:** August 13, 2024 at 11:00a.m. and October 8, 2024 at 11:00 a.m., McHenry County Government Center, Ware Road Administration Building, Woodstock, IL 60098.
7. **Items of evidence:**
Official Site Plan, Application to allow variance, Natural Resource Information Report, McHenry-Lake County Soil & Water Conservation District Letter of L24-063-4619
8. **Summary of Testimony at the hearing:**

The Hearing Officer opened the meeting and described the property and the request. Parties were sworn in. Ms. Camorlinga introduced herself and her request. She stated that she is asking for a zero (0) foot setback from the right-of-way instead of the required minimum fifty (50) foot setback. She stated that the proposed garage will bring the cars out of where they are currently parked in the right-of-way to a safer south-facing garage. Ms. Camorlinga stated that, due to the slope and topography of the lot, it would be cost prohibitive to place the garage in any other spot than where she is requesting.

Ms. Camorlinga pointed to an aerial photograph taken from the County's website and available in the Staff report showing her southwest adjacent neighbor's property with one

corner of their garage on the property line. Ms. Camorlinga stated that her request is not unprecedented for the area based on the neighbor's garage.

Mr. McNerney asked Staff for their report. Staff stated that the variation request is down to zero (0) feet, but the actual foundation and wall will be two (2) feet onto her property. The variation to zero (0) is to allow for that overhang to run right along the right of way line. Staff noted that there is a drop off and that septic lines run in the area behind the proposed garage and that the applicant has to maintain a certain distance from the septic lines. Staff reminded Ms. Camorlinga that she still needs to get a driveway access permit from the road district prior to a building permit being issued.

Mr. McNerney opened the hearing for public comment.

Ms. Lehan commented that her property is across the street from the proposed garage which would make backing out of her driveway more difficult.

Mr. Vick stated that he was a stand in for Mr. Condon from McHenry Township. He stated that Mr. Condon objects to the request.

The hearing was continued to September 10, 2024 at 11:00 AM in the County Board Conference Room to allow the applicant to meet with the road district to address their concerns.

Changes were made to the application. The hearing was re-noticed to October 8, 2024 at 11:00 AM.

October 8, 2024 meeting. Mr. McNerney opened the hearing. He stated that it is a continuation of the 8/13/2024 hearing. He swore in the parties. Mr. McNerney asked if there was any new evidence. Staff stated that the site plan has been amended and that the road district has approved a setback of five (5) foot to the wall with the two and a half (2.5) feet to the overhang. Mr. McNerney stated that the road district has approved the new site plan.

The applicant answered the Variation Approval Standards questions asked by Mr. McNerney.

Mr. McNerney asked Staff what condition they proposed adding to the petition. Staff stated that is: the garage shall be built in compliance with the site plan submitted to Staff on September 27, 2024 (attached).

Mr. McNerney asked the applicant if she agreed to the condition. Ms. Camorlinga stated that she agreed.

The Hearing Officer found that all of the Standards for Approval had been met and recommended approval of the request with the condition attached.

- The garage shall be built in compliance with the site plan submitted on September 27, 2024 (attached).

9. Recommended findings of fact as to the Request for the Variation:

The Witnesses have met their burden of establishing the necessary ordinance requirements. Accordingly, it is my recommendation that the petitioners' request be granted.

Respectfully submitted,

/S/: *Michael J. McNerney*
Michael J. McNerney

McHenry Township
PLAN REVIEW REPORT
VARIATION REQUEST APPLICATION #2024-038

Continued Hearing Date: October 8, 2024

Applicant: Kristin S. Camorlinga, Owner of Record

Request: *Variation* within the **R-1 Single-Family Residential/LN** district to allow for 1) a street setback of two and one-half (2.5) feet from the minimum fifty (50) feet required for a detached garage in the effective street yard, and 2) a north side yard setback of zero (0) feet instead of the minimum five (5) feet required for a detached garage. (*McHenry County Unified Development Ordinance §16.56.050.A.2.c and §16.56.050.A.2.d*)

Location: The subject property consists of approximately one-half (.5) acre and is located on the east side of Wonder Woods Drive, approximately two-hundred (200) feet north of its intersection with Oak Drive.
Common address: 5504 Wonder Woods Drive, Wonder Lake, McHenry Township.
PIN: 09-06-329-032

Current Land Use: The property is designated **SINGLE-FAMILY RESIDENTIAL** on the Current Land Use map.

Adjacent Land Use: North: *SINGLE-FAMILY RESIDENTIAL* East: *SINGLE-FAMILY RESIDENTIAL*
South: *SINGLE-FAMILY RESIDENTIAL* West: *SINGLE-FAMILY RESIDENTIAL*

Current Zoning: The property is currently zoned **R-1 Single-Family Residential District/LN**

Adjacent Zoning: North: *R-1 Single-Family Residential District/LN* East: *R-1 Single-Family Residential District/LN*
South: *R-1 Single-Family Residential District/LN* West: *R-1 Single-Family Residential District/LN and B-1 Neighborhood Business District*

2030 Plan: The property is designated **RESIDENTIAL** on the *McHenry County Land Use Plan Map*.

Improvements: The subject property contains a frame residence, wood balcony, and asphalt driveway, according to the Plat of Survey.

Natural Resources: No wetlands were found on the site. Due to the size of the parcel and minimal new construction, impact to natural resources from the proposed use is minimal, according to Natural Resources Inventory (NRI) Letter L24-063-4619.

Flood Hazard Areas: No floodplains were found on the site.

Flood-of-Record: No floods-of-record were found on the site.

SARA: The site is located in a zone with elevated aquifer contamination potential, according to the McHenry County Sensitive Aquifer Recharge Area (SARA) map.

Comments/ Conclusion:

- The granting of this Zoning Variance application would make it possible for the applicant to apply for and obtain a building permit for the proposed detached garage.
- The applicant should be aware that under **Section 16.20.020 (F)** of the **McHenry County Unified Development Ordinance**, several standards are cited, all of which must be met in order for a Variation to be granted. These standards include hardship in relation to the site conditions, that the request is unique to the property, that the purpose of the request is not based on any monetary gain, that the petitioners did not cause or create the hardship, that the request is not detrimental to the public welfare and safety, that the request will not impair adequate light and air to adjacent property, or increase congestion in the public streets, or increase danger of fire, and that the request not confer any special privilege to the applicant that is denied to others of the same zoning district.
- An Illinois Department of Natural Resources (IDNR) report was not required for this project.

Aerial Photo

5504 Wonder Woods Drive, Wonder Lake, Illinois

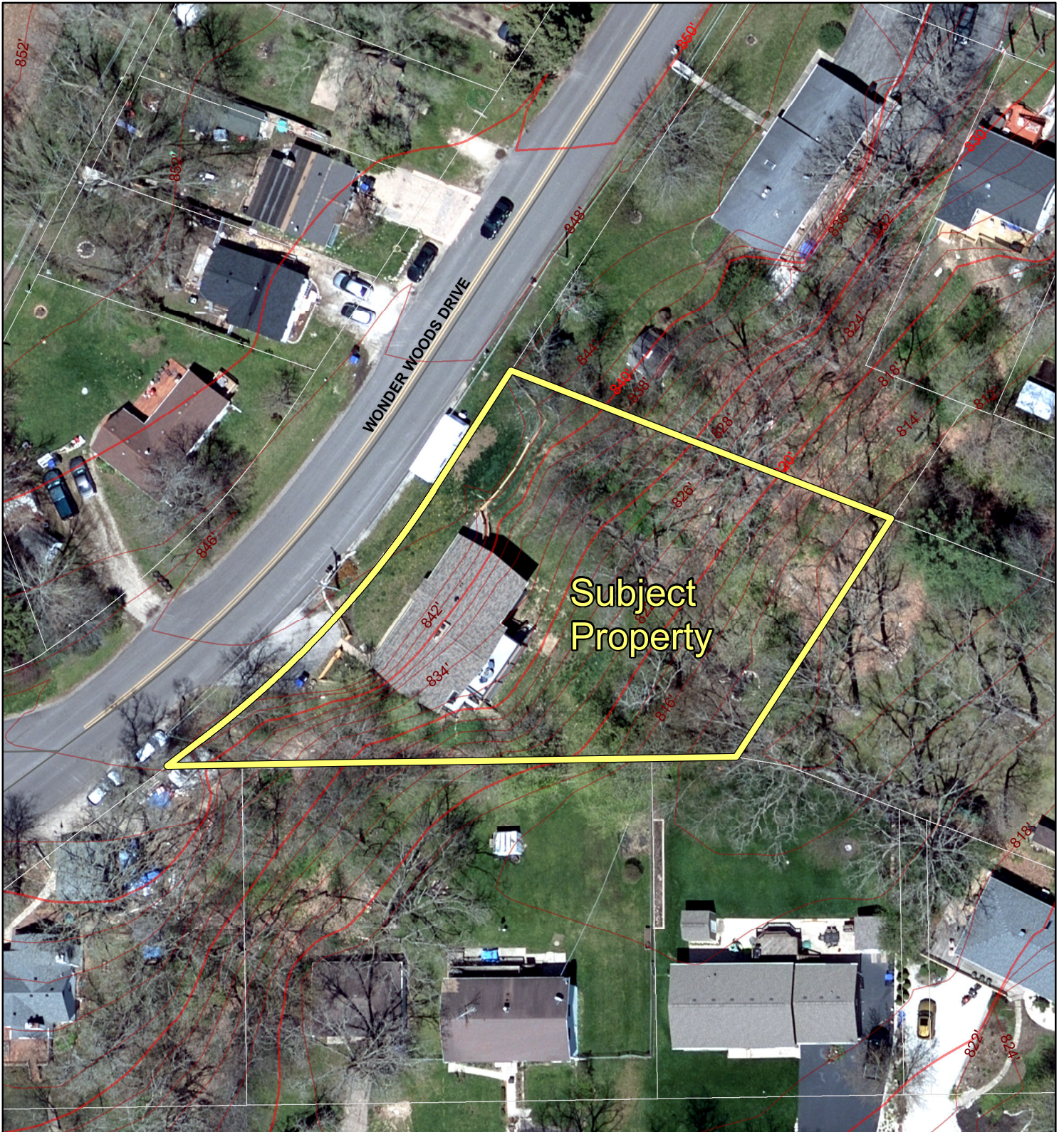


Photo: 2022

Any parcel lines depicted on the aerial photograph are for general reference only. Please refer to the plat of survey for the location of lot or parcel lines.

Elevation (feet above sea level)

— Contours

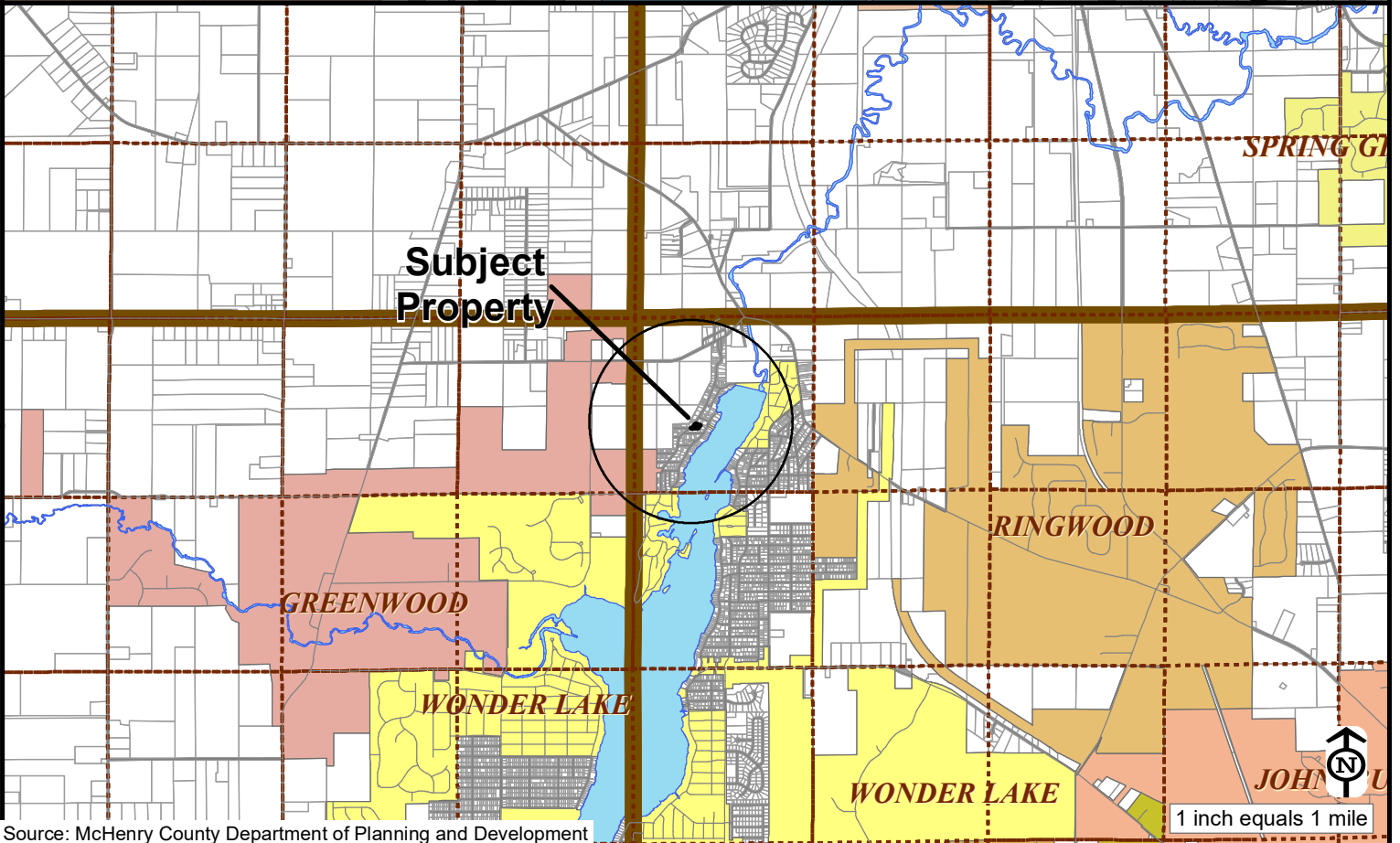
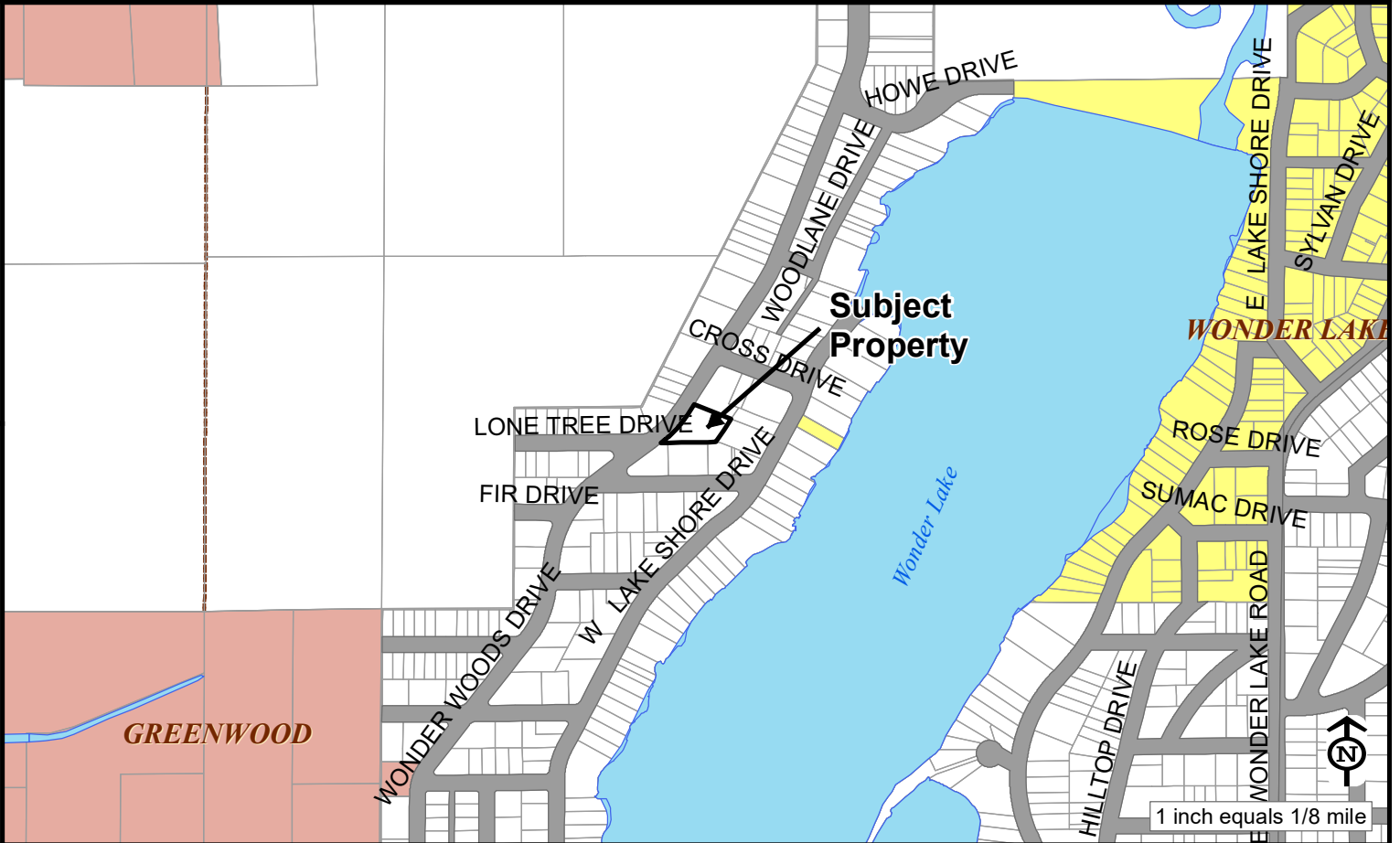
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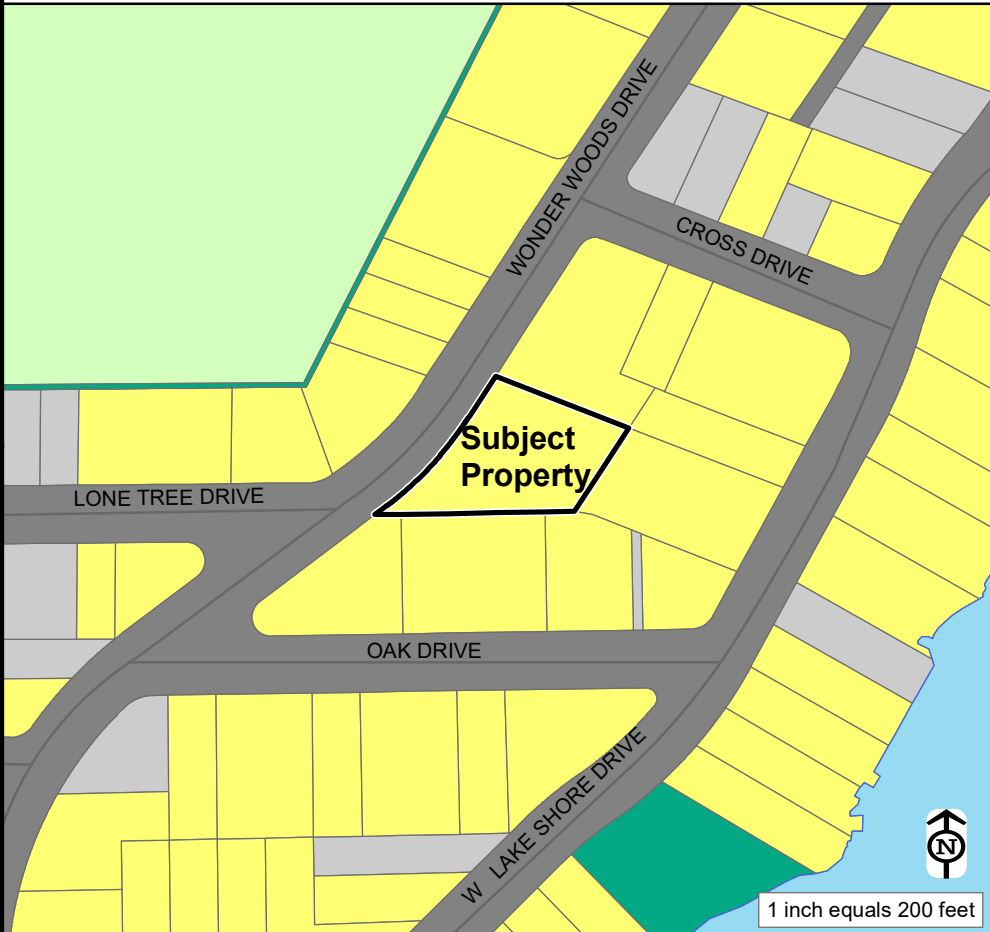
Feet

Prepared by the McHenry County
Department of Planning and Development





Current Land Use Map



Current Land Use

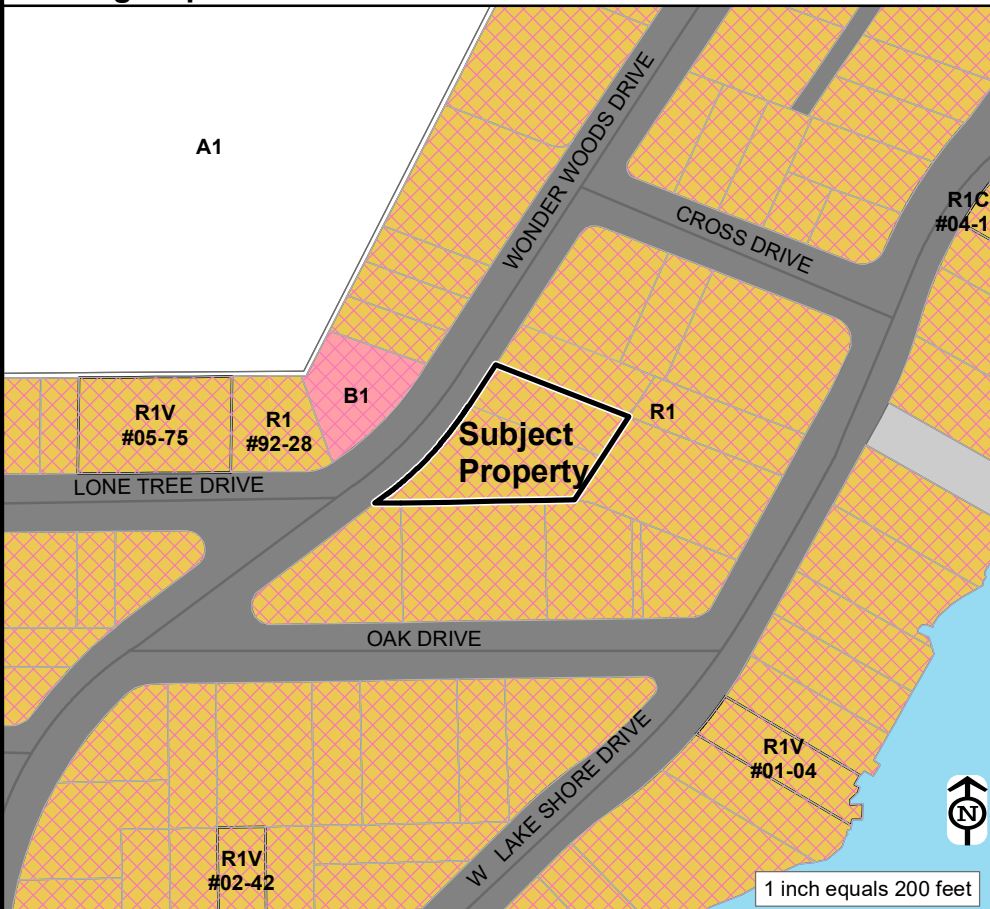
Single-Family Residential

Land Use Adjacent to the PIQ

North: *Single-Family Residential*
 South: *Single-Family Residential*
 East: *Single-Family Residential*
 West: *Single-Family Residential*

- Agriculture
- MCCD Agriculture
- Single-Family Residential
- Multi-Family Residential
- Open Space
- Golf Course
- Commercial
- Office
- Industrial
- Mixed Use
- Earth Extraction
- Vacant
- Government / Institutional
- Transportation, Communication, Utilities
- Under Review

Zoning Map



Current Zoning

R-1 Single-Family Residential/LN

Adjacent Zoning

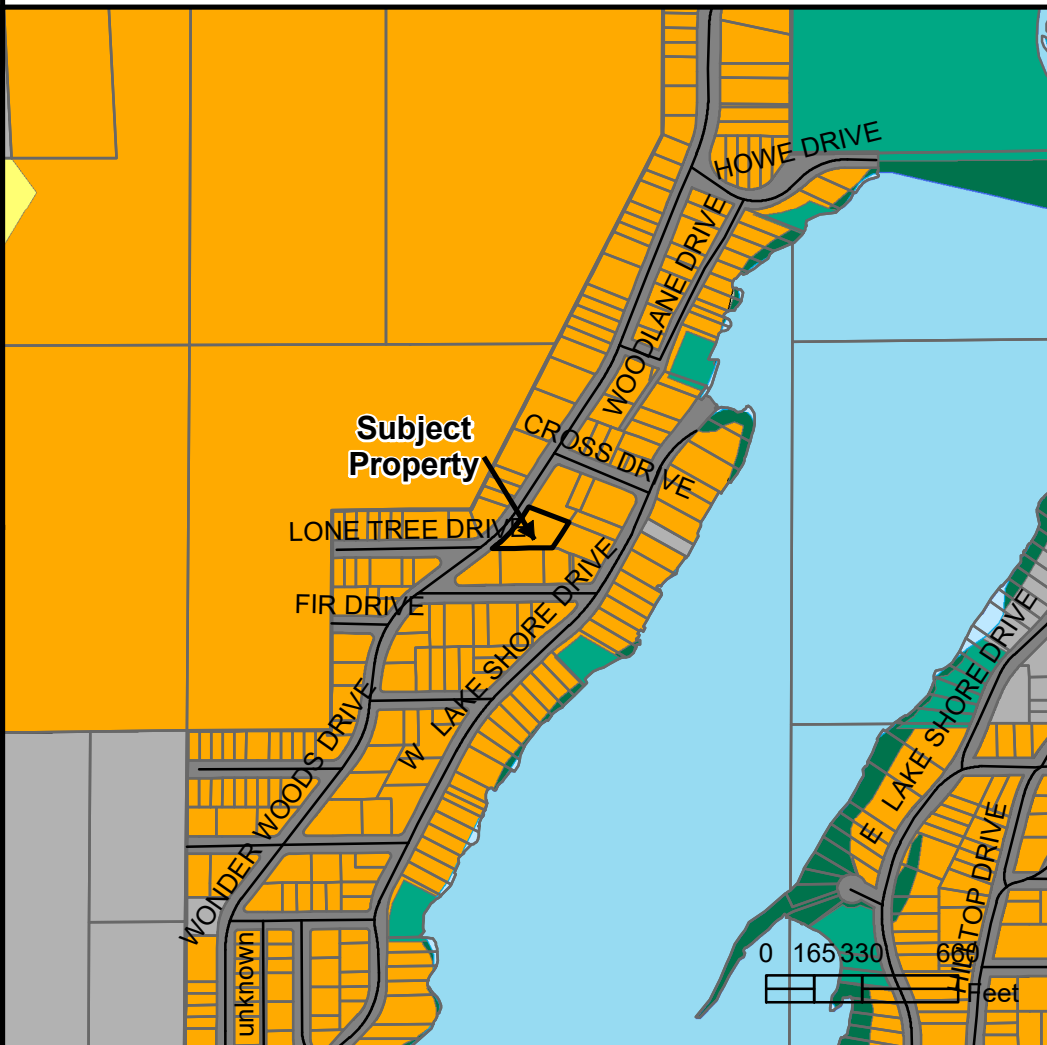
North: R-1 Single Family Residential/LN
 South: R-1 Single Family Residential/LN
 East: R-1 Single Family Residential/LN
 West: R-1 Single Family Residential/LN and B-1 Neighborhood Business

- A-1 Agriculture
- A-2 Agriculture
- E-5 Estate
- E-3 Estate
- E-2 Estate
- E-1 Estate
- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- B-1 Neighborhood Business
- B-2 Liquour Business
- B-3 General Business
- O Office / Research
- I-1 Light Industrial
- I-2 Heavy Industrial
- PD Planned Development
- C Conditional Use
- V Variation
- Incorporated
- Legacy Neighborhood

McHenry County 2030 Comprehensive Plan Future Land Use Map

Future Land Use Map Designation

Residential



- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - TOD Existing Rail Station
 - TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/8 mile

Municipal/Township Plan Designations

McHenry Township: Residential

Greenwood: Residential

Ringwood: No Designation

Wonder Lake: Residential

McHenry County 2030 Comprehensive Plan — Text Analysis

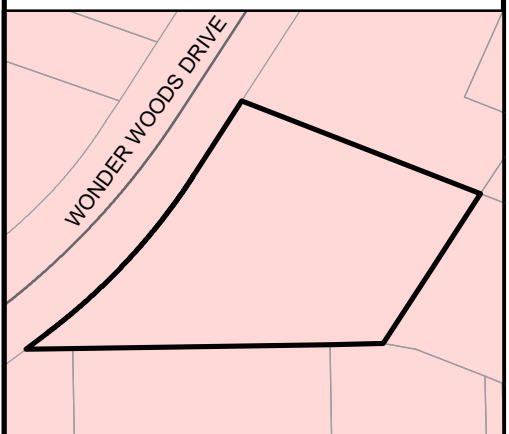
Land Use

Residential includes existing and proposed areas for single-family and multifamily residential uses at gross densities of less than one acre per dwelling unit. Most residential development will occur following municipal annexation, particularly those that provide public sewer and water. Consideration should be given regarding nearby land uses and zoning, the availability of transportation, infrastructure, water supply, other public services, environmental limitations, and other factors required by law.

Sensitive Aquifer Recharge Areas

The site IS located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



- Sensitive Recharge Area

**McHENRY-LAKE COUNTY
SOIL & WATER
CONSERVATION DISTRICT**



1648 S. Eastwood Dr. Woodstock, Illinois 60098 (815) 338-0444 ext. 3 www.mchenryswcd.org

July 2, 2024

Kristin Camorlinga
5504 Wonder Woods Drive
Wonder Lake, 60097

Re: Parcel # 09-06-329-032
Common Location: 5504 Wonder Woods Drive, Wonder Lake, IL 60097
NRI# L24-063-4619
Zoning Change: R1 to R1 Variance

Dear Ms. Camorlinga:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the Kristin Camorlinga property as applied for in Report #L24-063-4619. Due to the size of the parcel and minimal or no new construction, the SWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report. A full Natural Resource Information Report will not be necessary.

No wetlands, hydric soils, or floodplains were found on the site from office maps. Our inventories are for informational and planning purposes only. Any proposed drainage work, in wet areas, requires a certified wetland delineation. If drainage work is to occur, please contact the Army Corps of Engineers and McHenry County Department of Planning & Development for permit information.

This letter fulfills your requirement to notify the SWCD of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Par 106 et seq. and the McHenry County Stormwater Ordinance. If you have any questions concerning this letter, feel free to call our office.

Sincerely,

Ryan Bieber
Urban Conservation Specialist