

IN THE MATTER OF THE APPLICATION OF
BRADLEY D. FULLER
FOR A **VARIATION** OF THE UNIFIED
DEVELOPMENT ORDINANCE OF
MCHENRY COUNTY, ILLINOIS

Z25-0025

WHEREAS, your petitioner, **BRADLEY D. FULLER**, 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: LOTS 11 AND 12 IN BLOCK 16, IN FRANK E. MERRILL AND CO'S BURTON BRIDGE BEACH SUBDIVISION, A SUBDIVISION OF PART OF SECTION 19, TOWNSHIP 44 NORTH RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 24, 1925 AS DOCUMENT NO. 69182, IN BOOK 5 OF PLATS, PAGE 38, IN MCHENRY COUNTY, ILLINOIS.

PIN 15-19-455-016

More commonly known as **3912 Burton Trail, Crystal Lake, Illinois in Nunda 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 a setback of two (2) feet from the required ten (10) feet from the North lot line.**

WHEREAS, the subject property consists of approximately **thirty-two hundredths (.32) acres** 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 a setback of two (2) feet from the required ten (10) feet from the North lot line.**

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 a setback of two (2) feet from the required ten (10) feet from the North lot line.***

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

DATED this _____ day of _____, 2025.

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 Z25-0025**

1. **Recommendation:** Approve
2. **Applicant:** Bradley D. Fuller, Owner of Record
3. **Request:** Variation within the R-1 Single-Family Residential/LN district to allow for a setback of two (2) feet from the required ten (10) feet from the North lot line. (McHenry County Unified Development Ordinance §16.80.050.D.3)
4. **Location and size of property in question:** The subject property consists of approximately thirty-two hundredths (.32) acres and is located at the northeast corner of the intersection of Burton Trail and Walnut Court. Common address: 3912 Burton Trail, Crystal Lake, Illinois, Nunda Township. PIN: 15-19-455-016
5. **Present at hearing:**
Applicant: Bradley D. Fuller
Michael J. McNerney, Hearing Officer
Kim Scharlow, County Staff and Kit GearhartSchinske, County Staff
Public: None
6. **Date, time and location of the hearing:** March 11, 2025 at 11:00a.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 L25-004-4665.
8. **Summary of Testimony at the hearing:**

The Hearing Officer opened the meeting, described the property, and the request.

The applicant introduced himself. He stated that he hopes to add an addition to the northwest side of the property. He stated that the home was built in the 1950's and underwent some renovations in the early 2000s.

Mr. McNerney asked Staff what the closest point of the building to the lot line would be. Staff stated that the existing structure is a little over three (3) feet from the building wall to the north lot line. Staff stated that the building sits on a slight angle. Mr. McNerney asked Staff what the closest point to the lot line would be for the proposed structure. Staff stated that it would be three (3) feet with a one (1) foot overhang. Therefore, the applicant is requesting a two (2) foot set back.

Mr. McNerney asked the applicant if he discussed the request with his neighbor. Mr. Fuller stated that he had, and the neighbor did not have any concerns or objections to the request.

Mr. Fuller stated that he had the septic replaced previously.

Mr. McNerney asked Staff if the well would have to be replaced. Staff stated that it would be replaced subject to Health Department regulations if the variation were to be granted.

Mr. McNerney asked what the traffic is like on Burton Trail and Walnut Court. Mr. Fuller stated that there are about twenty (20) cars a day on Burton Trail and less than one (1) car daily on Walnut Court.

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

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

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

The Witness has met their burden of establishing the necessary ordinance requirements. Accordingly, it is my recommendation that the petitioner's request be granted.

Respectfully submitted,

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

Nunda Township
PLAN REVIEW REPORT
VARIATION REQUEST APPLICATION #Z25-0025

Hearing Date: March 11, 2025

Applicant: Bradley D. Fuller, Owner of Record

Request: **Variation** within the **R-1 Single-Family Residential/LN** district to allow for a setback of two (2) feet from the required ten (10) feet from the North lot line. (*McHenry County Unified Development Ordinance §16.80.050.D.3*)

Location: The subject property consists of approximately thirty-two hundredths (.32) acres and is located at the northeast corner of the intersection of Burton Trail and Walnut Court.
Common address: 3912 Burton Trail, Crystal Lake, Illinois, Nunda Township.
PIN: 15-19-455-016

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

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

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*

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

Improvements: The subject property contains a one- and two-story frame residence, wood deck, wood fence, and brick patio, 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 L25-004-4665.

Flood Hazard Areas: The FEMA Flood Insurance Rate Map indicates that the far eastern area of the parcel is within the 100-year floodplain.

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 applicant proposes a residential addition on the west side of his property. The granting of this Zoning Variance application would make it possible for the applicant to obtain a building permit for the proposed addition, once all other departmental requirements are met.
- 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.

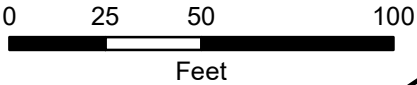
Aerial Photo

3912 Burton Trail, Crystal 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

Historic Flood Zone

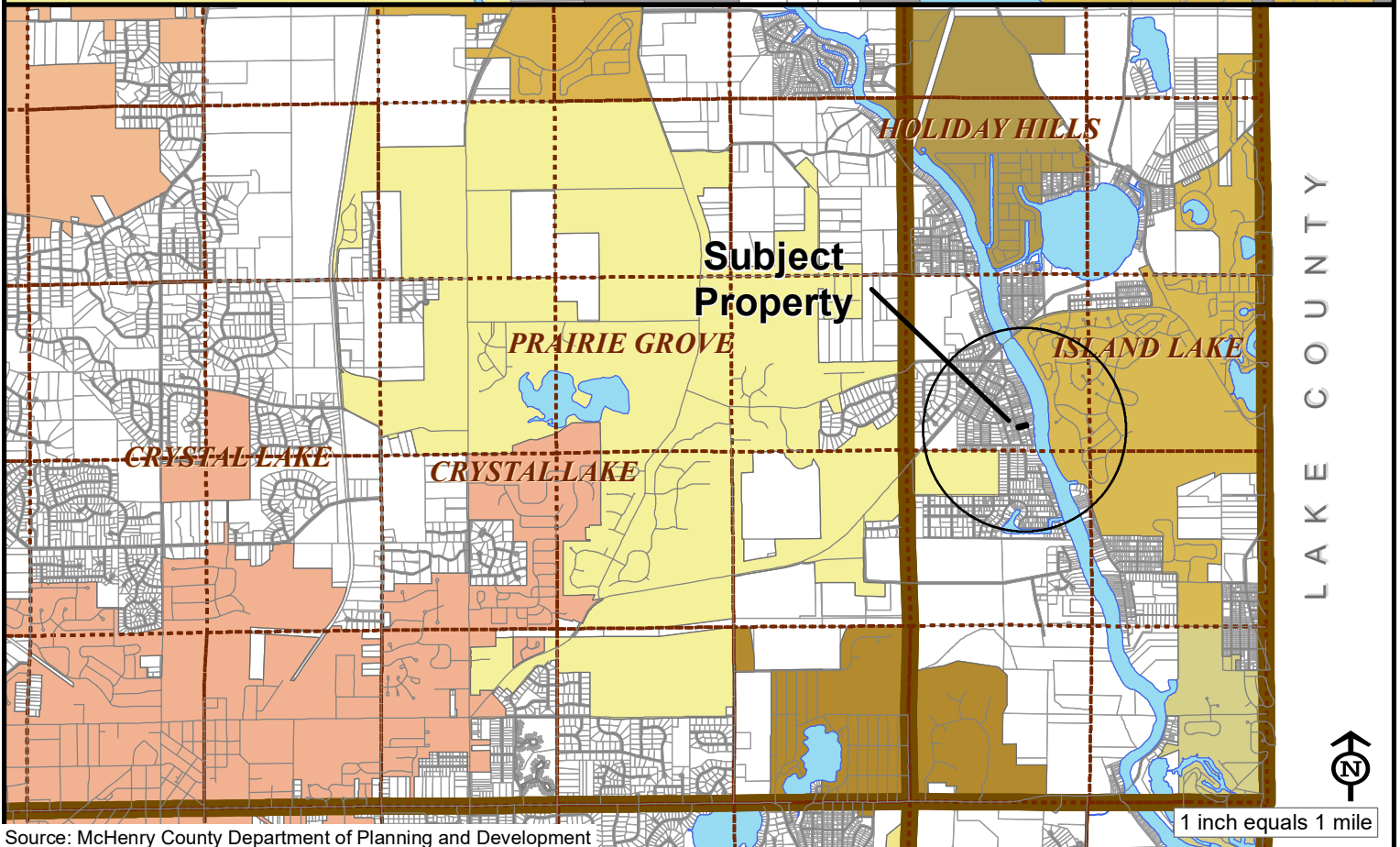
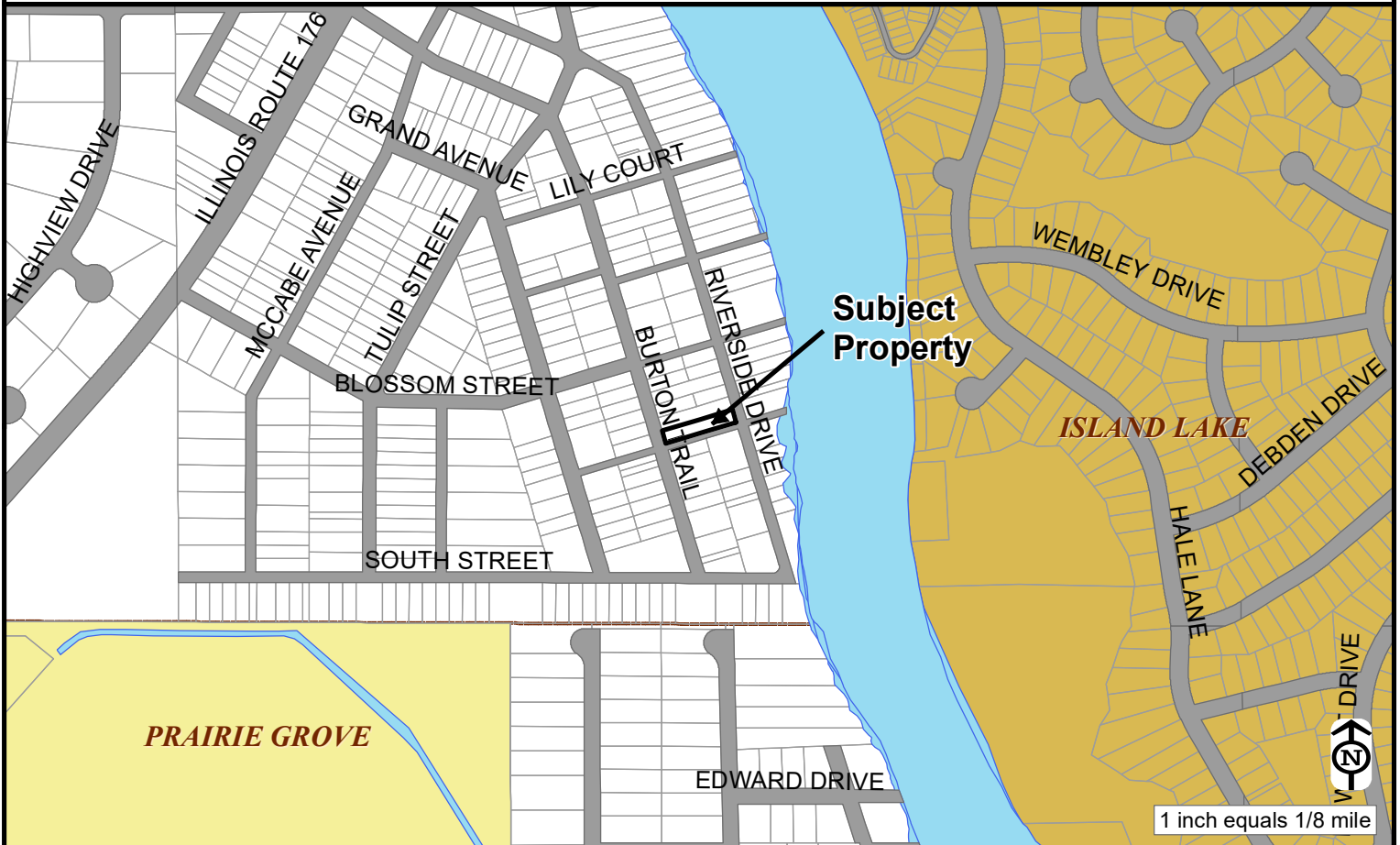


FEMA Flood Hazard Areas

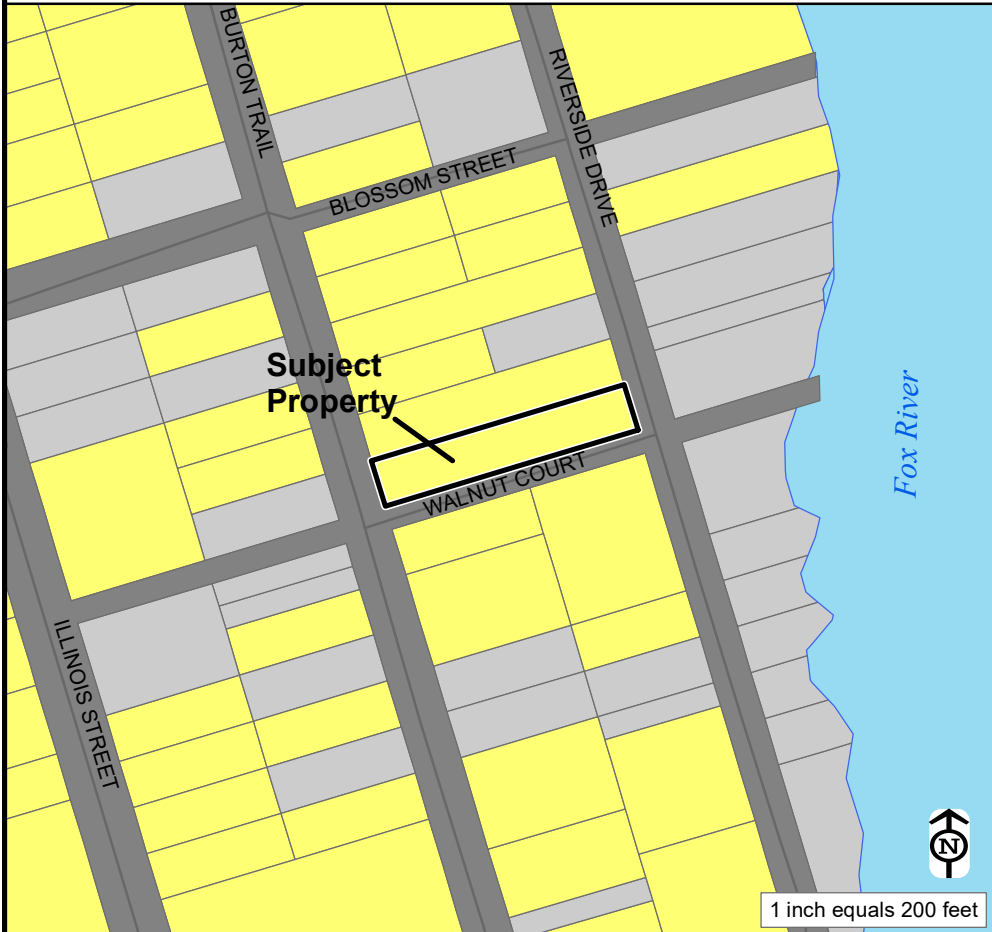
- 0.2 % Annual Chance of Flood
- 1% Annual Chance of Flood
- Floodway

Prepared by the McHenry County
Department of Planning and Development





Current Land Use Map



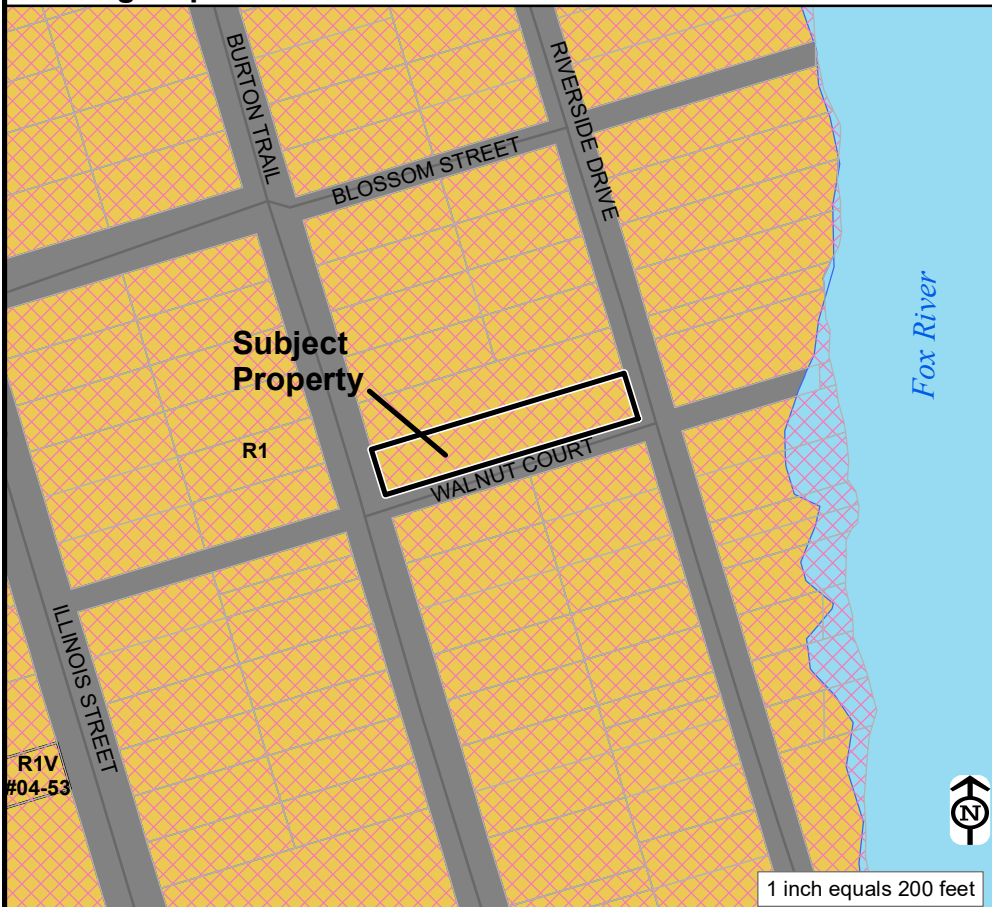
Current Land Use
Single-Family Residential

Land Use Adjacent to the PIQ

North: Single-Family Residential
South: Single-Family Residential
East: Vacant
West: Vacant/Single-Family Residential



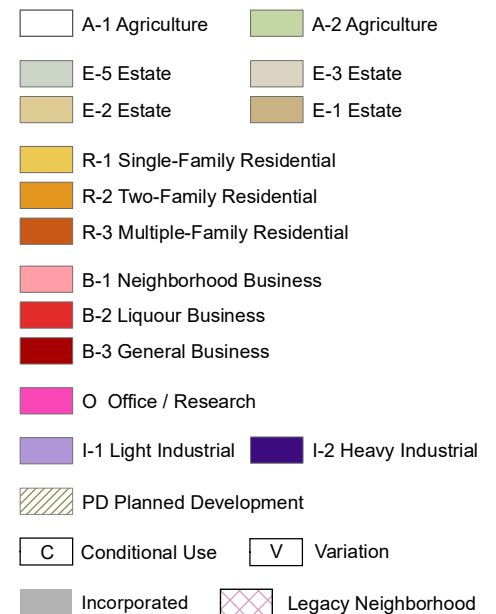
Zoning Map



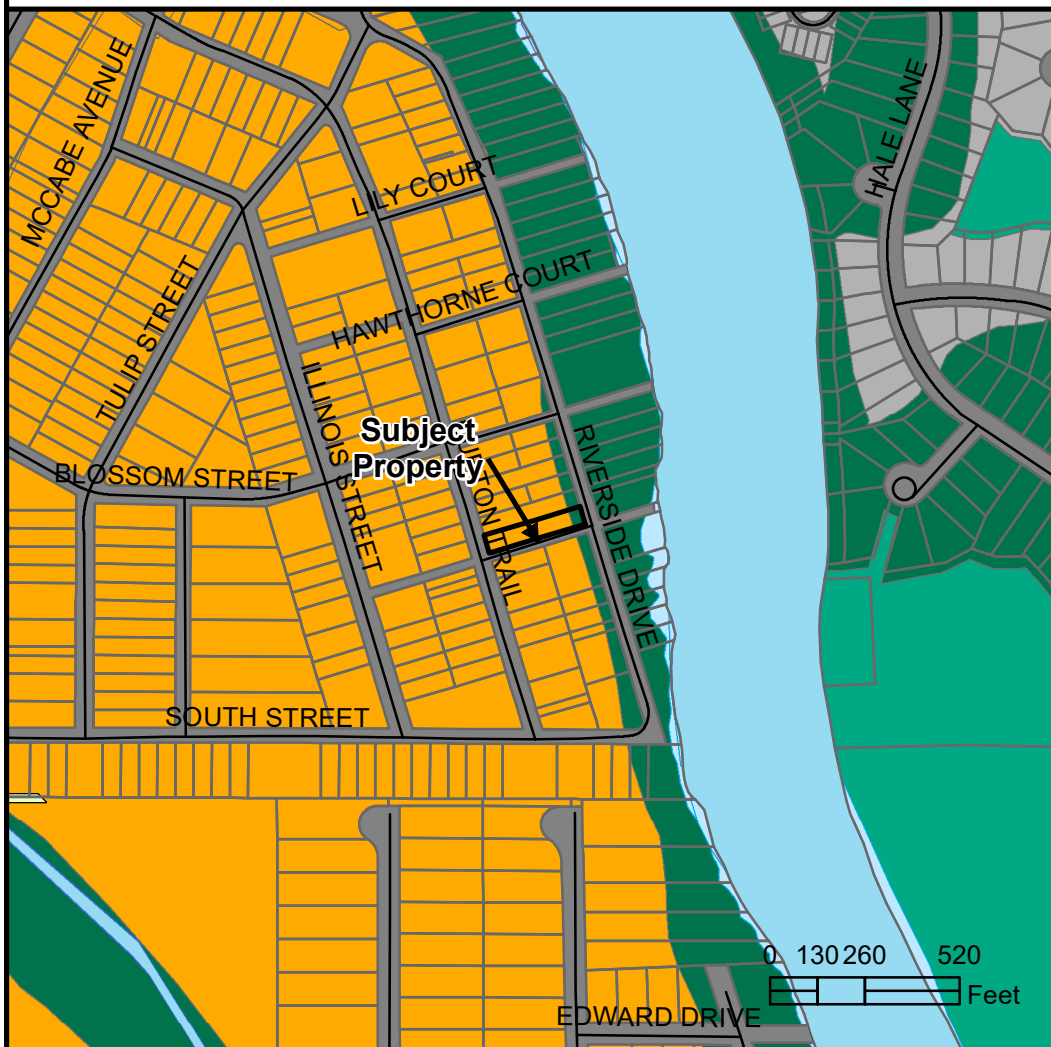
Current Zoning
R-1 Single-Family Residential/LN

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



McHenry County 2030 Comprehensive Plan Future Land Use Map



Future Land Use Map Designation

*Residential/
Environmentally Sensitive Area*

- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - R

 TOD Existing Rail Station
 - R

 TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/10 mile

Municipal/Township Plan Designations

Nunda Township: Existing Development

Holiday Hills: No Designation

Island Lake: Existing Land Uses

Oakwood Hills: Single-Family

Port Barrington: No Designation

Prairie Grove: Single-Family Detached

McHenry County 2030 Comprehensive Plan — Text Analysis

Land Use

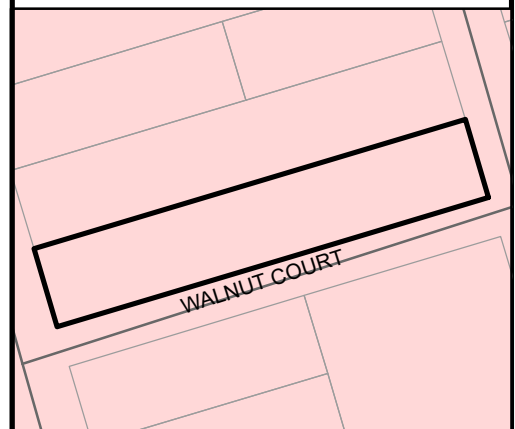
Residential - includes existing and proposed areas for single-family and multifamily residential uses at gross densities of less than one acre per dwelling unit.

Environmentally Sensitive – includes existing floodplains, floodways, wetlands 10 acres and larger from the Advanced Identification (ADID) inventory, and most McHenry County Natural Area Inventory (MCNAI) sites.

Sensitive Aquifer Recharge Areas

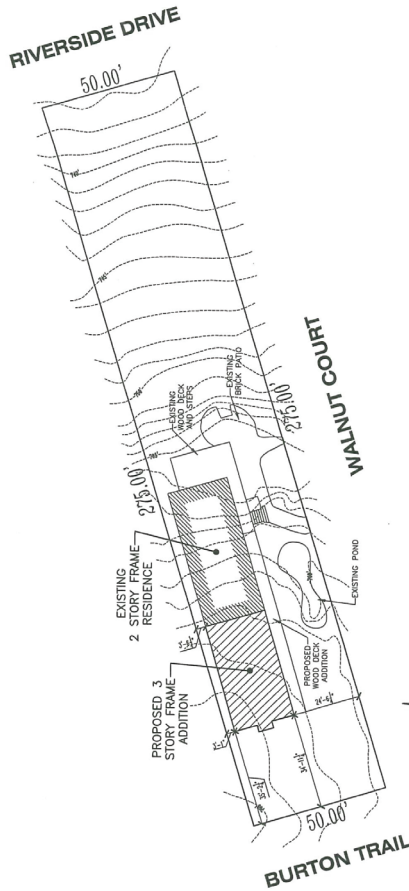
The site IS located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



- Sensitive Recharge Area

FULLER RESIDENCE
3912 BURTON TRAIL
CRYSTAL LAKE, IL 60014



RECEIVED
JAN 28 2025
HENRY COUNTY
PLANNING AND DEVELOPMENT

- NOTES:
1. VERIFY UTILITY LOCATIONS.
 2. VERIFY TREES TO BE REMOVED WITH OWNER.
 3. VERIFY STRUCTURE LOCATION WITH OWNER.
 4. SITE PLAN DEPICTED REPRESENTS A REFERENCE LOCATION ONLY, NOT TO BE USED FOR SETTING, EXCAVATION, FOUNDATION LOCATION OR BUILDING OF ANY KIND. REFERENCE ONE ENGINEERING FOR ACTUAL HOSE LOCATION AND VERIFY IN FIELD NO PORTION OF THE STRUCTURE EXCEEDS OVER EXISTING, BUILDING LINES OR EASEMENTS.
 5. REFER TO ONE ENGINEERING PLANS FOR UTILITY INFORMATION.
 6. EXISTING LOT DIMENSIONS BASED UPON PLAT OF SURVEY FURNISHED TO ARCHITECT BY OWNER. VERIFY LOT DIMENSIONS IN FIELD.
 7. MAINTAIN EXISTING GRADES & DRAINAGE PATTERN. ANY DRAINAGE ISSUES THAT MAY ARISE FROM THE CONSTRUCTION ASSOCIATED WITH THIS PERMIT WILL BE ADDRESSED BY THE PERMITEE.

DRAWING INDEX

A000 SITE PLAN	1
A010 FIRST FLOOR DEMOLITION PLAN	2
A011 SECOND FLOOR DEMOLITION PLAN	3
A012 THIRD FLOOR DEMOLITION PLAN	4
A013 FIRST FLOOR CONSTRUCTION PLAN	5
A014 SECOND FLOOR CONSTRUCTION PLAN	6
A015 THIRD FLOOR CONSTRUCTION PLAN	7

ARCHITECT'S CERTIFICATION
I have prepared and sealed this project under my professional seal and the seal of my firm, and I am a duly licensed architect in the State of Illinois. I am not aware of any fraud, misrepresentation, or other illegal conduct in connection with this project.

001-010391 11/00/24
DATE: 11/00/24
SCALE: 1/8"=1'-0"

DESIGN LOADING VALUES:
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ARCHITECTS & PLANNERS, INC.
1700 E. Lake Street, Suite 100
Crystal Lake, IL 60014
(815) 460-1000
www.aplinc.com

PRELIMINARY
FULLER RESIDENCE
CRYSTAL LAKE, IL 60014

McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT



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

January 28, 2025

Bradley Fuller
3912 Burton Trail
Crystal Lake, IL 60014

<u>Re:</u>	Parcel # 15-19-455-016
<u>Common Location:</u>	3912 Burton Trail, Crystal Lake, IL 60014
<u>NRI#</u>	L25-004-4665
<u>Zoning Change:</u>	R1 to R1 Variance

Dear Mr. Fuller:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for a Natural Resource Information Report on the Bradley Fuller property as applied for in Report #L25-004-4665. Due to size of parcel being rezoned and minimal or no new construction on the site, 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, but we would like to highlight a few resources on the property.

Office maps indicate the presence of hydric soils in adjacent to the parcel to the east (see attached Hydric Soil Locations Map). Our wetland inventory is 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.

Additionally, the FEMA Flood Insurance Rate Map (Panel 17111C0238J) indicates Zone AE, 100-year floodplain with a base flood elevation of 738 feet in the eastern area of the parcel (see attached FEMA 100 yr. Floodplain Map). If additional construction is to occur it is recommended that you contact the McHenry County Department of Planning & Development for possible permitting requirements.

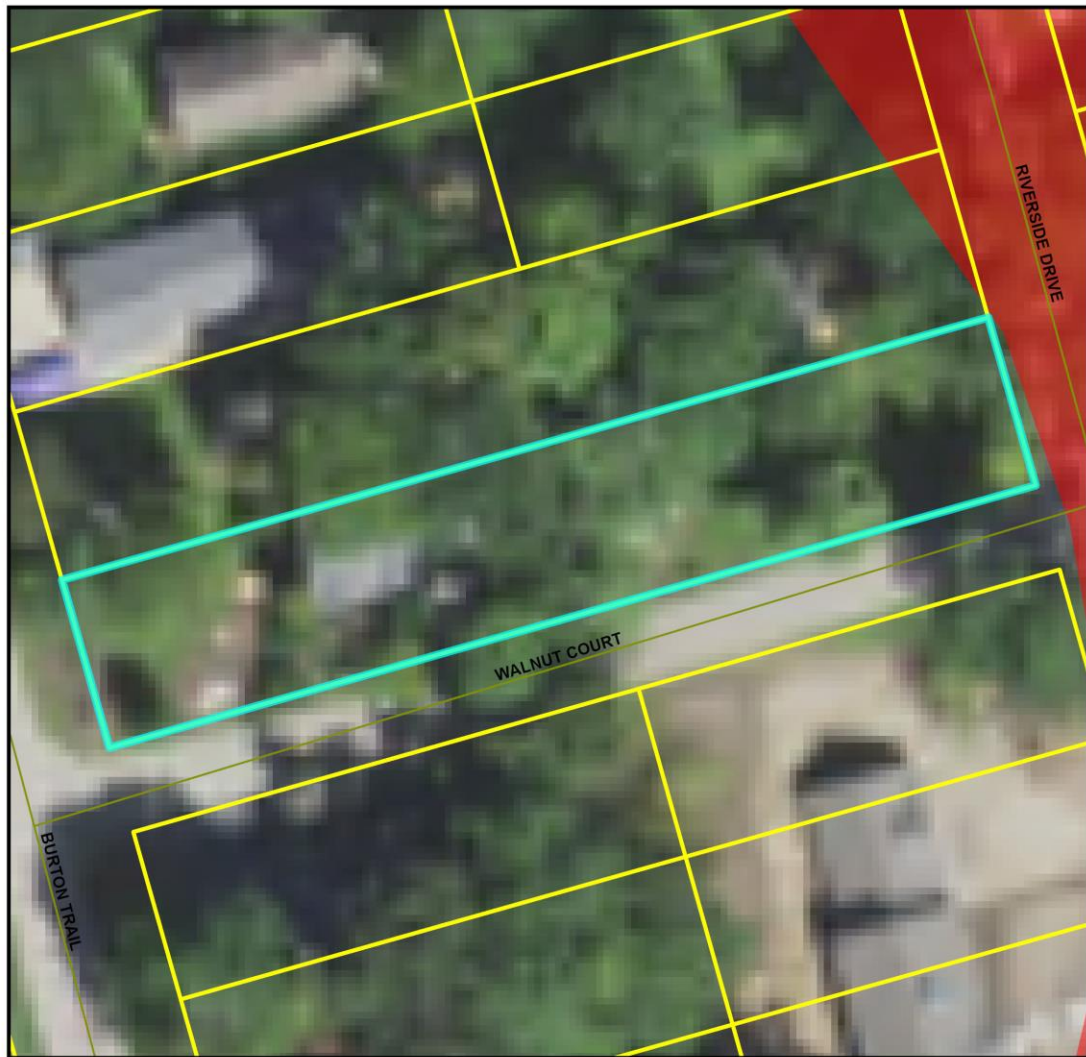
This letter fulfills your requirement to notify the SWCD of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Par 106 et seq. and the McHenry County Stormwater Ordinance. If you have any questions concerning this letter, feel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

Sincerely,

Ryan Bieber
Urban Conservation Specialist

Cc: Kim Charlow, McHenry County Department of Planning and Development,
KBScharlow@mchenrycountyil.gov

Hydric Soil Locations



0 12.5 25 50 75 100 Feet

2019 Aerial Photograph
Produced By: McHenry-Lake County Soil & Water Conservation District

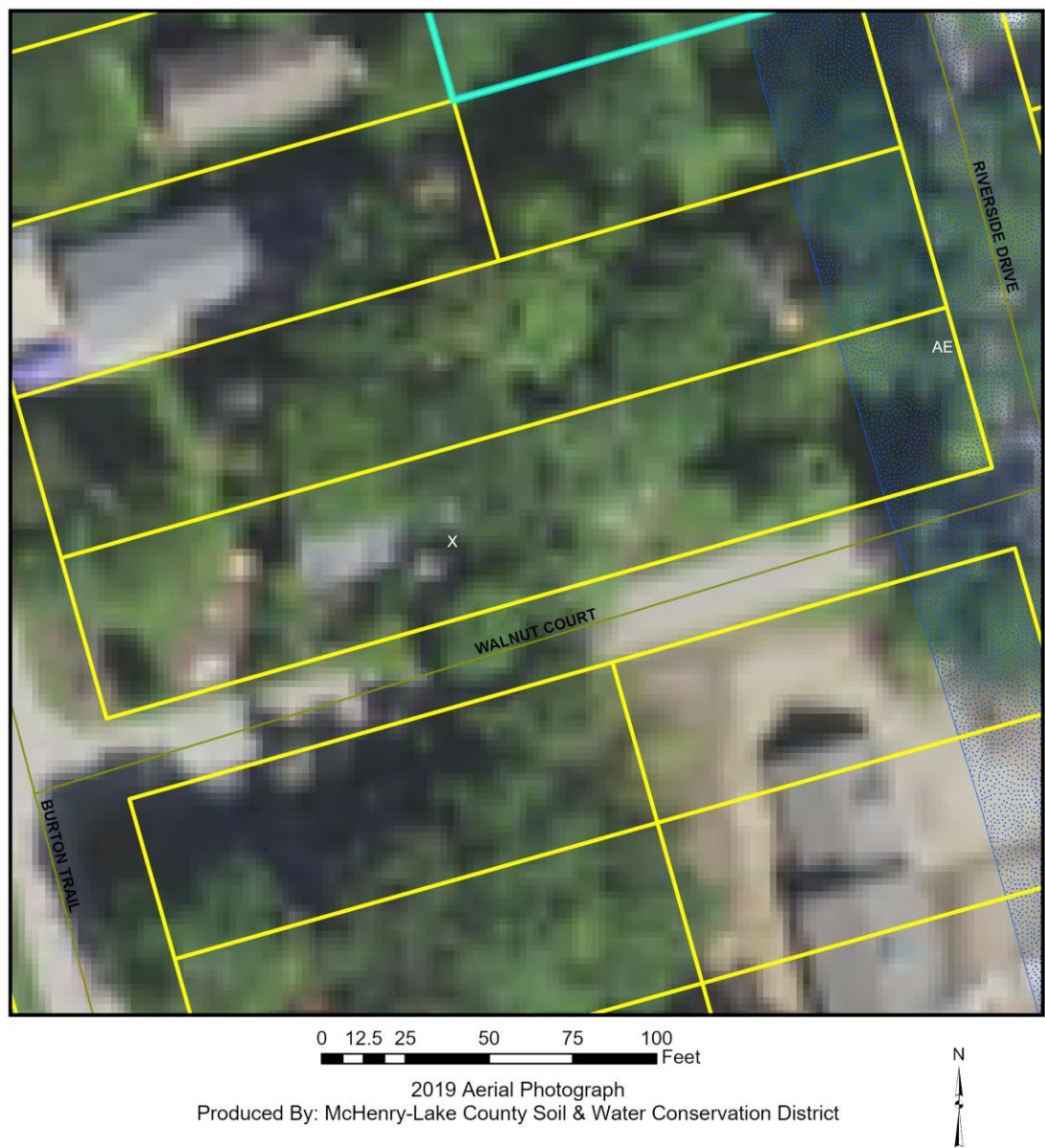


Legend

 Hydric Soil

Resources for the Future

Hydric Soil Locations



2019 Aerial Photograph
Produced By: McHenry-Lake County Soil & Water Conservation District

Legend

FEMA Floodplain

Flood Zone

0.2 PCT ANNUAL
CHANCE FLOOD
HAZARD

100 yr

- 100 yr with base flood elevations determined
- 100 yr with 1-3 ft. flood depths
- 100 yr usually sheet flow

Resources for the Future