

Approval Standards for Variation
(McHenry County Unified Development Ordinance §16.20.020F)

This form must be completed for requests for variation. Yes and No answers are insufficient, please provide a minimum one or two sentence explanation.

1. What hardship is placed upon the property owner due to the particular surroundings, shape, or topographic conditions of the property if the strict letter of the zoning regulations were carried out?

The property is surrounded by businesses, if the variance proposed is not approved, he will not be able to use the parcel for his intended purposes and it would not be suitable for its highest and best use. The grindings would be more beneficial to soil drainage than the use of pavement, and having to use pavement may affect the drainage on the property.

2. How is the hardship described in question 1 unique to this property and not applicable to all properties within the same zoning district?

None of the other surrounding parcels have a use similar to the Petitioner's intended use of this parcel. If it is denied, the Petitioner will not be able to provide a need for the community, as this parcel is located close to I-90. There is a need for truckers in the area to be able to store their vehicles for a period of time, as well as during the repair process on the semi-trucks. The use of grindings would allow for more drainage, alleviate the need for continual resurfacing of pavement, is more cost effective, and allows the re-use of existing materials that need to be otherwise destroyed.

3. Other than increased monetary gain, what is the purpose of the variation?

The purpose is to fill a need for semi-truck repair and storage of the vehicles in the case of the repair or when the owners of semi-trucks would like a place for the vehicles for a period of time. The proposed grindings are more suitable to the proposed use of the property than pavement and would be less invasive on the land than pavement. It also is providing benefit of using materials that have a need to be destroyed, allowing the reuse of existing materials, and reduced the risk of affecting the drainage on the land from years of resurfacing existing pavement.

4. Did the property owner or past owners create the difficulty or hardship that the variation seeks to relieve?

Past land owners could have sought a more broad zoning classification on this parcel, especially considering the property's proximity to I-90.

5. Will the variation be detrimental to the public welfare or injurious to other property or improvements in the neighborhood?

No, the variations requested will not be a detriment or be injurious to other property owners or to the surrounding improvements.

6. Will the variation: impair an adequate supply of light and air to adjacent property, increase congestion on the public streets, increase the risk of fire to adjacent property, or substantially diminish or impair property values within the neighborhood?

No, the proposed variations will not have any negative impact as set forth in this paragraph. Arguably, the proposed variations would increase the property values in the neighborhood. The property is located on a highly trafficked highway, and will not increase traffic. The storage of semi-trucks not owned by Petitioner and use of grindings will not increase risk of fire.

7. Will this variation confer special privilege to the property owner that is denied to other owners with property in the same zoning district?

No, the Petitioner does not believe the granting of these variations will confer a special privilege that is denied to surrounding owners.