



PUBLIC MEETING NOTICE AND AGENDA
COMMITTEE OF THE WHOLE MEETING

SEPTEMBER 22, 2020
7:30 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Audience Participation
The public is invited to make an issue-oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 3 minutes in duration.
4. Staff Presentations
 - A. Finance
 1. Informational Item concerning Five Year Budget Forecast
 - B. Public Works
 1. Resolution approving Well 11 Rehabilitation Project Change Order #1
 2. Award for the Purchase of Valves and Actuators - Well 11 Rehabilitation Project
 3. Contract for the Full Width Driveway Apron Repairs Project
 - C. Community Development
 1. Informational Item concerning Brick/Masonry Mailbox Enclosures
 2. Ordinance Granting a Variation to Section 15.3-1 (D), Permitted Fencing at 1610 Royal Oak Lane
 3. Ordinance Granting Variations to Section 13.3-1, Accessory Structure – Height Limitations, and Section 13.3-2, Accessory Structure – Size Limitations at 4660 West Algonquin Road
 4. Ordinance Granting Text Amendments to Section 16, Signs
 5. Ordinance Granting a Conditional Use for Senior Housing, Variations, and Development Plan Final Approval for Arden Rose Senior Living on East Oak Street
5. Board of Trustees
 - A. Trustee Harlfinger
 - B. Trustee Huckins
 - C. Trustee Bogdanowski
 - D. Trustee Dustin
 1. Planning and Zoning Commission Liaison Report
 - E. Trustee Bojarski
 - F. Trustee Murphy
 1. Parks and Recreation Board Liaison Report
6. Village President

7. Audience Participation

8. Adjournment

MEETING LOCATION
Lake in the Hills Village Hall
600 Harvest Gate
Lake in the Hills, IL 60156

The Village of Lake in the Hills is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (847) 960-7410 [TDD (847) 658-4511] promptly to allow the Village to make reasonable accommodations for those persons.

Posted by: _____ Date: _____ Time: _____



INFORMATIONAL MEMORANDUM

MEETING DATE: September 22, 2020
DEPARTMENT: Finance
SUBJECT: Information Regarding Five Year Budget Projection

EXECUTIVE SUMMARY

A presentation will be given outlining and reviewing the projected FY 20 financial status and preliminary focus of the FY 21 Budget for some of the Village of Lake in the Hills' Funds. In these trying and unprecedented times of COVID 19, it is more important than ever to frequently and thoroughly review and analyze the state of the Village's finances and respective fund balances. Through the use of prudent forecasting, we can identify actions and make recommendations necessary to maneuver through the effects COVID 19 has had on our revenue streams. This presentation will help us recognize where we are and where we need to be. Included are:

- Revenues and expenses for the General Fund
- Revenues and expenses for the Capital Improvement Fund
- Revenues and expenses for the MFT Fund

We will also examine our two Enterprise Funds;

- Revenues and expenses for the Water Fund
- Revenues and expenses for the Airport Fund

Minor funds are not presented because they have dedicated funding sources or provide little impact on the Village's overall financial health. These funds include:

- Special Services Areas
- Lake Restoration
- Debt Service
- Health Insurance

Numbers presented are general in nature and based on information available at the beginning of August. All budgets are currently in the process of detailed review and final numbers are subject to change. Additionally, accuracy of projections declines with each future year we try to identify.

FINANCIAL IMPACT

None

ATTACHMENTS

Presentation slides

SUGGESTED DIRECTION

Village Board provide any insight and guidance for the staff to act on in preparation of the FY21 Budget.

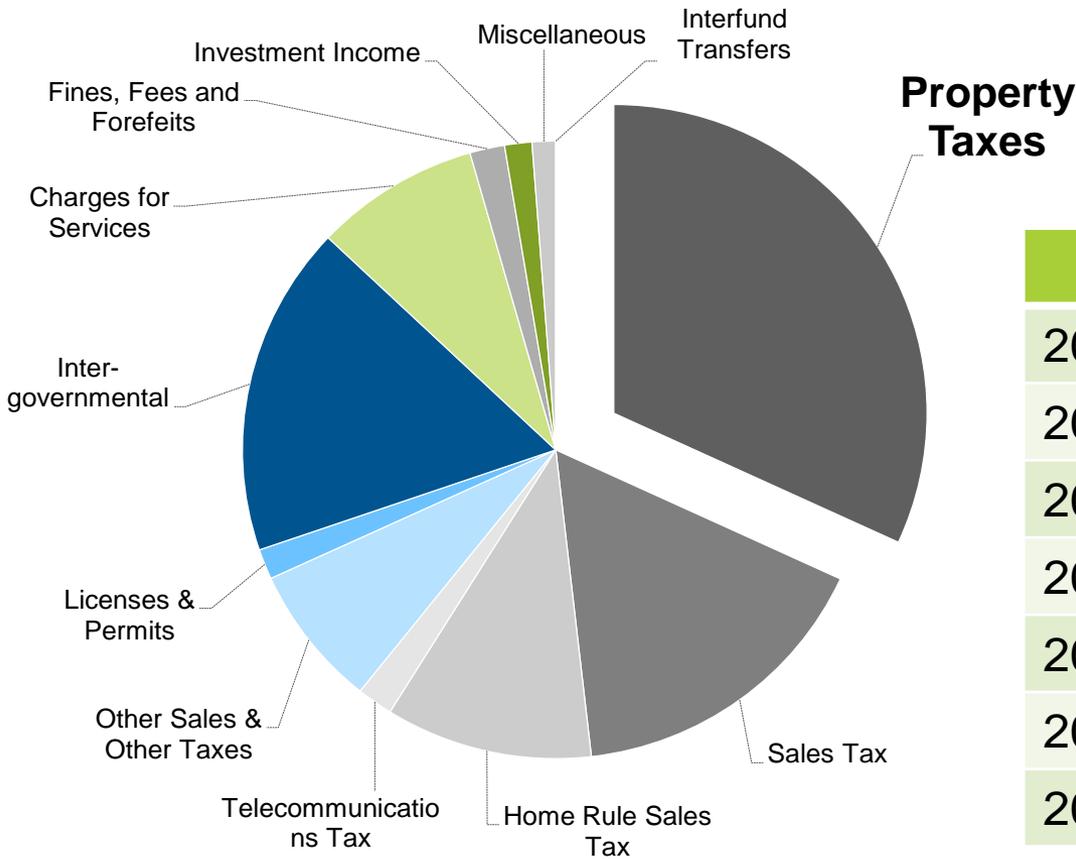


Five Year Budget Projections

September 22, 2020



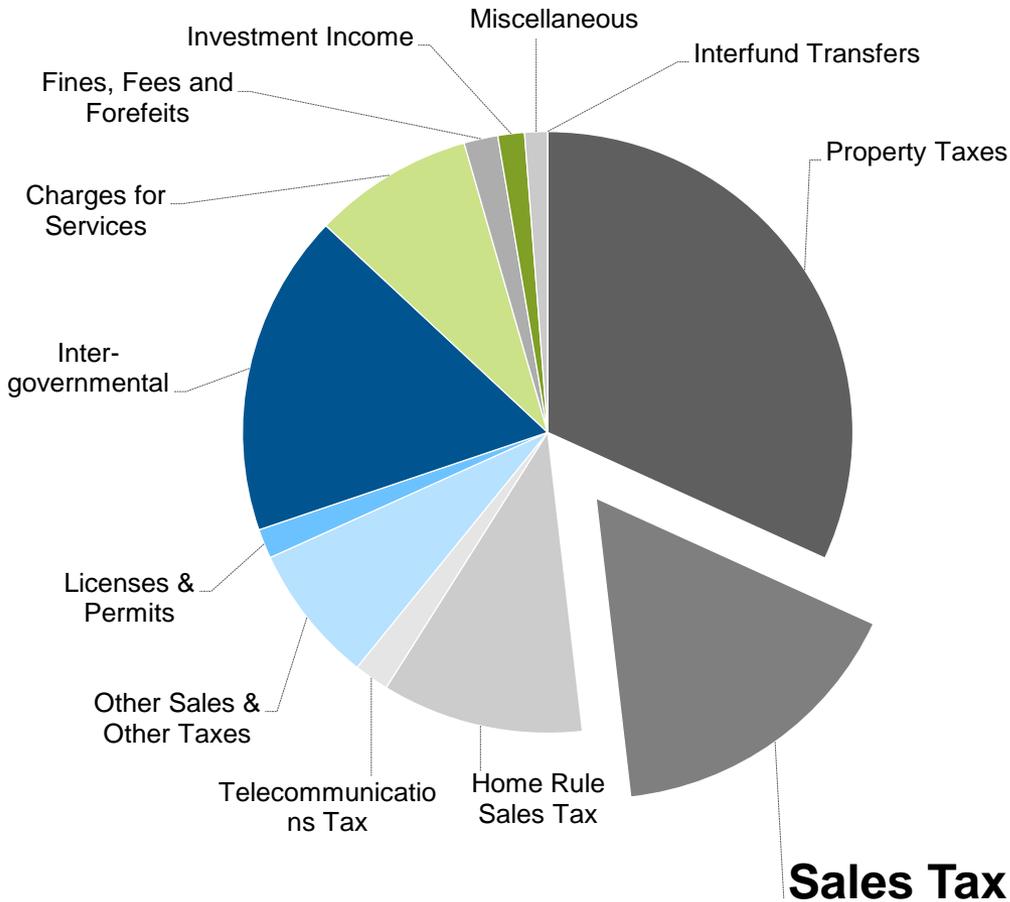
General Fund Revenues



Property Taxes	
2020 Budget	\$5,661,747
2020 Estimated	\$5,633,438
2021 Projected	\$5,661,747
2022 Projected	\$5,661,747
2023 Projected	\$5,661,747
2024 Projected	\$5,661,747
2025 Projected	\$5,661,747



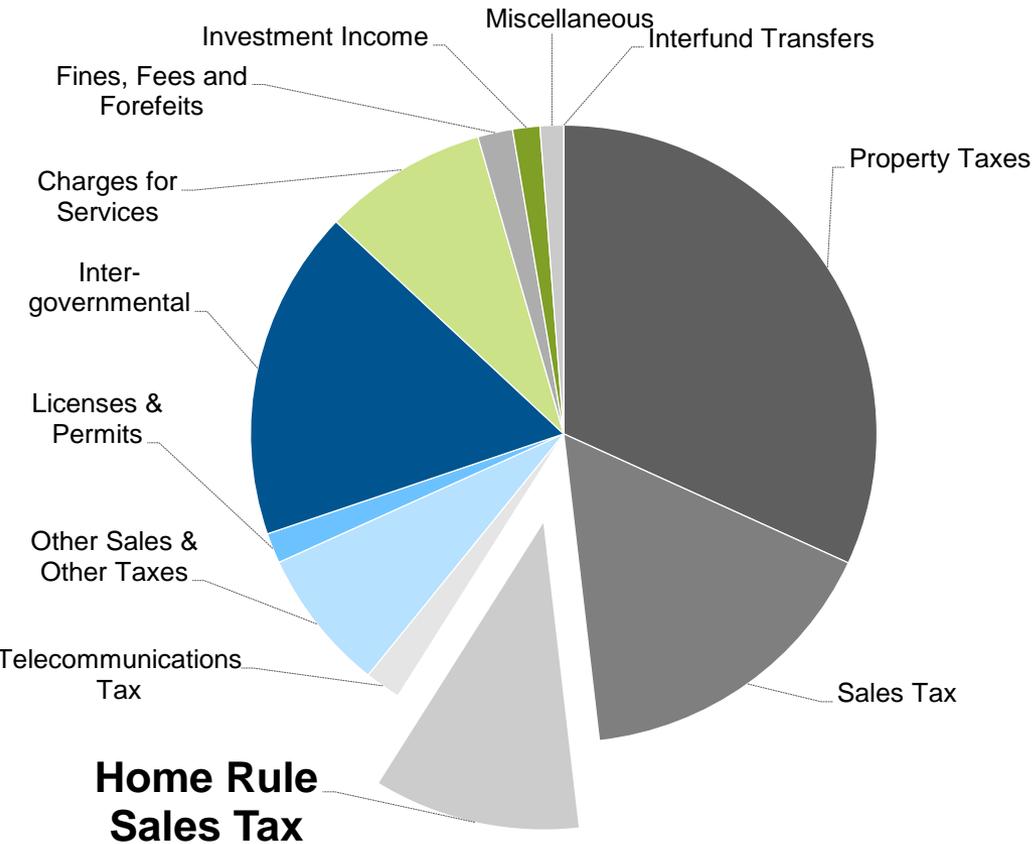
General Fund Revenues



Sales Tax	
2020 Budget	\$2,900,000
2020 Estimated	\$2,803,437
2021 Projected	\$2,800,000
2022 Projected	\$2,884,000
2023 Projected	\$2,941,680
2024 Projected	\$3,000,514
2025 Projected	\$3,060,524



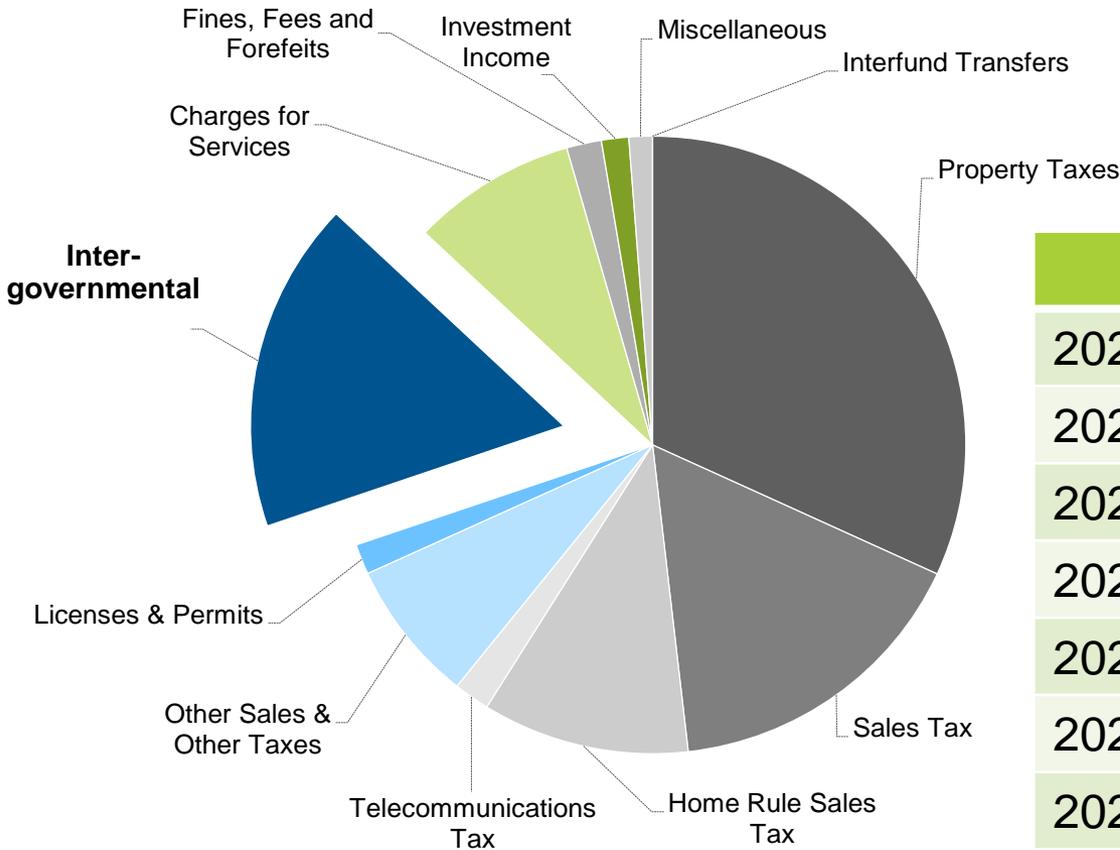
General Fund Revenues



Home Rule Sales Tax	
2020 Budget	\$1,900,000
2020 Estimated	\$1,739,263
2021 Projected	\$1,825,000
2022 Projected	\$1,888,875
2023 Projected	\$1,926,653
2024 Projected	\$1,965,186
2025 Projected	\$2,004,489



General Fund Revenues



Intergovernmental	
2020 Budget	\$3,075,925
2020 Estimated	\$3,141,715
2021 Projected	\$3,098,208
2022 Projected	\$3,052,565
2023 Projected	\$3,082,931
2024 Projected	\$3,113,600
2025 Projected	\$3,144,736



General Fund Revenues

	2020 Estimated	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected
Property Taxes	5,633,438	5,661,747	5,661,747	5,661,747	5,661,747	5,661,747
Sales Tax	2,803,437	2,800,000	2,884,000	2,941,680	3,000,514	3,060,524
Home Rule Sales Tax	1,739,263	1,825,000	1,888,875	1,926,653	1,965,186	2,004,489
Inter-governmental	3,141,715	3,098,208	3,052,565	3,082,931	3,113,600	3,144,736
Other Revenues	3,108,217	3,497,473	3,522,061	3,559,889	3,598,187	3,636,964
Total Revenue	\$16,426,069	\$16,882,428	\$17,009,248	\$17,172,899	\$17,339,233	\$17,508,460



General Fund Expenditures

	2020 Estimated	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected
Personal Services	12,792,767	14,034,816	14,561,846	15,243,654	15,837,556	16,464,663
Professional Development	149,857	227,332	233,015	238,841	244,812	250,932
Contractual Services	1,957,080	2,390,495	2,446,157	2,507,311	2,569,994	2,634,244
Commodities	888,769	998,615	985,043	1,040,950	996,749	1,021,656
Interfund Transfers	443,484	524,544	537,657	1,051,099	1,064,876	1,078,998
Total Expenditures	\$16,231,957	\$18,175,801	\$18,763,719	\$20,081,855	\$20,713,988	\$21,450,493



General Fund Expenditures

	2020 Estimated	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected
Beginning Balance	13,588,017	13,782,129	12,488,756	10,734,285	7,825,329	4,450,574
Revenues	16,426,069	16,882,428	17,009,248	17,172,899	17,339,233	17,508,460
Expenditures	16,231,957	18,175,801	18,763,719	20,081,855	20,713,988	21,450,493
Ending Balance	\$13,782,129	\$12,488,756	\$10,734,285	\$7,825,329	\$4,450,574	\$508,541



Capital Fund

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>
Beginning Balance	\$ 372,145	\$ 204,912	\$ 54,417	\$(1,356,578)	\$ (505,528)	\$ (12,885)
Revenues						
Utility Tax	1,283,624	1,300,000	1,313,000	1,326,130	1,339,391	1,352,785
Grants	129,173	1,484,485	-	-	-	-
Sale of Surplus	113,485	56,000	47,500	30,000	55,000	24,000
Transfer In (General Fund)	-	-	-	-	-	-
Interest	230	650	-	-	4,207.99	3,748.68
Total Revenues	\$ 1,526,512	\$ 2,841,135	\$ 1,360,500	\$ 1,356,130	\$ 1,398,599	\$ 1,380,534
Total Expenditures	\$ 1,693,745	\$ 2,991,630	\$ 2,771,495	\$ 505,080	\$ 905,956	\$ 1,229,354
Ending Balance	\$ 204,912	\$ 54,417	\$(1,356,578)	\$ (505,528)	\$ (12,885)	\$ 138,295



Motor Fuel Tax Fund

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>
Beginning Balance	\$ 1,416,611	\$ 1,488,230	\$ 1,041,296	\$ 833,722	\$ 1,061,946	\$ 1,224,075
Revenues						
Annual MFT Allotment	1,099,399	1,143,388	1,141,406	1,139,544	1,137,789	1,136,153
STP	-	78,649	-	-	-	-
Transfers	-	-	-	500,000	500,000	500,000
Other Revenue	5,400	13,770	18,500	16,720	14,400	12,360
Total Revenues	\$ 1,104,799	\$ 1,235,807	\$ 1,159,906	\$ 1,656,264	\$ 1,652,189	\$ 1,648,513
Expenditures						
Capital Projects	1,033,180	1,574,430	1,367,480	1,428,040	1,490,060	1,255,580
STP	-	108,311	-	-	-	-
Total Expenditures	\$ 1,033,180	\$ 1,682,741	\$ 1,367,480	\$ 1,428,040	\$ 1,490,060	\$ 1,255,580
Ending Balance	\$ 1,488,230	\$ 1,041,296	\$ 833,722	\$ 1,061,946	\$ 1,224,075	\$ 1,617,008



Water Fund

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>
Beginning Balance	\$ 6,225,188	\$ 5,113,988	\$ 5,612,905	\$ 5,942,219	\$ 6,375,766	\$ 6,774,881
Revenues						
Water Sales	3,492,450	3,457,526	3,457,180	3,456,834	3,456,488	3,456,143
Water Tap-in Fees	214,070	413,040	263,508	266,143	268,805	271,493
Other Revenue	223,608	228,090	232,662	237,326	242,084	246,936
Total Revenues	\$ 3,930,128	\$ 4,098,656	\$ 3,953,350	\$ 3,960,303	\$ 3,967,376	\$ 3,974,572
Expenditures						
Operating & Maintenance	2,644,728	2,737,724	2,834,123	2,934,053	3,037,647	3,145,044
Capital Projects	896,600	448,975	526,405	326,560	261,810	167,314
Debt Service	-	-	-	-	-	-
Total Expenditures	\$ 3,541,328	\$ 3,186,699	\$ 3,360,528	\$ 3,260,613	\$ 3,299,457	\$ 3,312,359
Ending Balance	\$ 6,613,988	\$ 7,525,945	\$ 8,118,767	\$ 8,818,457	\$ 9,486,377	\$10,148,590
Dedicated Reserve	\$ 3,000,000	\$ 3,214,070	\$ 3,627,110	\$ 3,890,618	\$ 4,156,761	\$ 4,425,566



Airport Fund

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>
Beginning Balance	\$312,945	\$315,941	\$181,082	\$93,235	\$45,186	\$67,290
Revenues						
Capital Revenues	71,299	2,375,000	315,000	2,629,695	-	-
Sales & Services	422,960	470,221	358,224	498,478	513,432	528,835
Rental Income	357,979	366,716	316,598	389,049	400,720	412,742
Other Revenue	5,106	6,346	18,237	3,787	3,393	3,701
Total Revenues	\$ 857,344	\$ 3,218,283	\$ 1,008,059	\$ 3,521,008	\$ 917,545	\$ 945,278
Expenditures						
Operating & Maintenance	755,738	1,124,921	660,072	780,957	809,891	839,968
Capital Projects	28,800	2,159,711	363,624	2,788,100	85,550	90,000
Debt Service	69,810	68,510	72,210	-	-	-
Total Expenditures	\$ 854,348	\$ 3,353,142	\$ 1,095,906	\$ 3,569,057	\$ 895,441	\$ 929,968
Ending Balance	\$ 315,941	\$ 181,082	\$ 93,235	\$ 45,186	\$ 67,290	\$ 82,599



REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020
DEPARTMENT: Public Works
SUBJECT: Well 11 Rehabilitation Project change order #1

EXECUTIVE SUMMARY

On May 14, 2020, the Village awarded a contract to Concentric Integration in the amount of \$364,100.00 for the rehabilitation of Well 11, specifically, SCADA system control and commentary upgrades. Concentric's services included subcontracting with ComEd in the amount of \$10,000.00 to perform electrical panel upgrades; however, after awarding the contract to Concentric, ComEd informed Concentric and the Village that the Village would need to contract with ComEd directly for the electrical panel upgrades but that they would be able to perform the electrical panel upgrades for \$9,793.97. As such, the Village has contracted with ComEd to perform the electrical panel upgrades in the amount of \$9,793.97 and Village staff requests Village Board approval of a change order to decrease the contract with Concentric from \$364,100.00 to \$354,100.00.

FINANCIAL IMPACT

If the change order is approved, the contract with Concentric Integration will be reduced from \$364,100.00 to \$354,100.00

ATTACHMENTS

1. Resolution
2. Change order

RECOMMENDED MOTION

Motion to approve a Resolution and Change Order #1 to decrease the total cost of the contract with Concentric Integration for the Well 11 Rehabilitation Project from \$364,100.00 to \$354,100.00.

VILLAGE OF LAKE IN THE HILLS

RESOLUTION NO. 2020-_____

**A Resolution approving Change Order 1 to the contract with
Concentric Integration for the
Well 11 Rehabilitation Project to decrease
the amount of the contract by \$10,000.00
for a new contract amount of \$354,100.00**

WHEREAS, the Village of Lake in the Hills entered into a certain contract dated May 14, 2020 with Concentric Integration for the Well 11 Rehabilitation Project.

WHEREAS, during the course of construction a change was required, decreasing the total amount of the project.

WHEREAS, the Board of Trustees of the Village of Lake in the Hills has determined that the circumstances said to necessitate the foregoing change was not reasonably foreseeable at the time the contract with Concentric Integration was signed, the change is germane to the original contract as signed and the change order is in the best interest of the Village of Lake in the Hills as authorized by law;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Lake in the Hills, McHenry County, State of Illinois.

SECTION 1: The foregoing recitals are hereby incorporated herein as if fully set forth as findings of the President and Board of Trustees.

SECTION 2: The change order set forth on Exhibit A for the net decrease of \$10,000.00 is attached hereto and by this reference incorporated herein and made a part hereof, shall be and they hereby are approved.

SECTION 3: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

Passed this 24th day of September, 2020 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Ray Bogdanowski	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
President Russ Ruzanski	_____	_____	_____	_____

APPROVED THIS 24th day of September,
2020

Village President, Russ Ruzanski

(SEAL)

ATTEST: _____
Village Clerk, Cecilia Carman

Published:



REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020
DEPARTMENT: Public Works
SUBJECT: Award for the purchase of valves and actuators

EXECUTIVE SUMMARY

Similar to the rehabilitation projects performed at Wells 14, 12, and 6, the Well 11 rehabilitation project includes valve and actuator replacements, performed by Village staff, after procuring the valves and actuators. On August 25, 2020, an RFP invitation was sent to 22 vendors, posted on the Village's website, and published in the Northwest Herald. On September 9, 2020, four RFP submittals were received and the Dorner Company of Sussex, Wisconsin, submitted the low bid of \$24,663.00.

The Village has purchased valves and actuators from the Dorner Company in the past and staff have been pleased with the products that they have supplied. Therefore, Village staff recommend procuring the valves and actuators from Dorner Company of Sussex, Wisconsin.

FINANCIAL IMPACT

The Village's 2020 budget includes \$35,000.00 for professional engineering oversight and \$350,000.00 for the electrical and mechanical componentry upgrade work for a total project budget of \$385,000.00. The ComEd portion of the project is \$9,793.97 and if the Concentric change order and award to Dorner are approved, the Concentric portion of the project will be \$354,100.00, and the Dorner portion will be \$24,663.00, for a total project budget of \$388,556.97, which is \$3,556.97 over budget. However, the Water Fund has adequate reserves and Water Fund FY 2020 expenses, overall, are expected to be under budget.

ATTACHMENTS

1. RFP Results - Purchase of Valves and Actuators
2. Award Recommendation Memo
3. Bid Certification Form

RECOMMENDED MOTION

Motion to approve the purchase of valves and actuators from the Dorner Company of Sussex, Wisconsin in the amount of \$24,663.00.

Lake in the Hills Public Works Department

MEMORANDUM

To: Peter D'Agostino, Interim Public Works Director/Administrative Services Manager
From: Ryan McDillon, Water Superintendent
Date: September 9th, 2020
Subject: RFP Results – Purchase of Valves and Actuators for Well 11

The RFP opening for the Purchase of Well 11 Valves and Actuators bid opening was held at the Public Works Facility on September 9th, 2020 at 8:00 a.m. Ryan McDillon –Water Superintendent, Sunni Butler – Administrative Specialist and recorder, as well as Peter D'Agostino - Interim Public Works Director/Administrative Services Manager, announcing bids aloud, were all present from the Village of Lake in the Hills at the RFP opening. Also present were Steve Pollock – Dorner Company and Pete Lynch – LAI Ltd. The Village received RFP submittals from the following four (4) companies:

Company	Item	Unit Price	Quantity	Bid Amount
Dorner Company Sussex, WI	1	\$397.00	15	\$5,955.00
	2	\$1,016.00	15	\$15,240.00
	3	\$235.00	3	\$705.00
	4	\$921.00	3	\$2,763.00
				TOTAL \$24,663.00
Mid American Water, Inc. Wauconda, IL				No Bid
LAI, Ltd Rolling Meadows, IL	1	\$275.00	15	\$4,125.00
	2	\$1,175.00	15	\$17,625.00
	3	\$120.00	3	\$360.00
	4	\$1,075.00	3	\$3,225.00
				TOTAL \$25,335.00
Joseph D. Foreman & Co Lake Barrington, IL				Bid rejected by Village for failure to comply with RFP Section H. Proper Completion of Bid Documents

The RFP opening concluded at 8:18 a.m. The RFP submittals will be reviewed and Village staff plan to make a recommendation to the Village Board at the September 22nd, 2020 Committee of the Whole Meeting.

Lake in the Hills Public Works Department

MEMORANDUM

To: Peter D'Agostino, Interim Public Works Director
From: Ryan McDillon, Water Superintendent
Date: September 15, 2020
Subject: Well 11 Valve Purchase Order

On September 9, Bids were opened for the purchase of Valves for the Well 11 Rehabilitation Project. Four sealed bids were received. Dorner company of Sussex WI, \$24,663.00. LAI LTD. of Rolling Meadows IL. \$25,335.00. Joseph D. Foreman & Co. Lake Barrington IL. \$30,116.70 (not submitted on Village Bid paper work). Mid American Water of Wauconda IL. (NO BID)

It is my recommendation that a Purchase Order be generated in the amount of \$24,663.00 for the purchase of valves and actuators from Dorner Company.

APPENDIX 4

VILLAGE OF LAKE IN THE HILLS
BID CERTIFICATION FORM

CONTRACTOR'S NAME: Dorner Company
ADDRESS: N61 W23043 Silverspring Dr.
Sussex, WI 53089

1. COST OF WORK:

The undersigned, having familiarized [himself/herself] with conditions affecting the cost of the work and its performance and having carefully examined and fully understood the INSTRUCTION TO BIDDERS, hereby affirms and agrees to enter into a contract with the Village of Lake In The Hills, Illinois;

The undersigned hereby also certifies that in accordance with 710 ILCS 7/33E-11 that the Bidder is not barred from submitting a bid for this contract as a result of a violation of either Section 33E-3 or Section 33E-4 concerning bid rigging, bid rotating, kickbacks, bribery and other interference with public contracts;

To PROVIDE all supervision, labor, material, equipment, and all other expense items to perform completely the entire work covered by all specifications for the entire work;

Purchase of Valves and Actuators for Well 11

FOR THE LUMP SUM OF Twenty Four thousand -
\$ Six hundred sixty three Dollars (\$ 24,663)

2. COSTS:

The undersigned hereby affirms and states that the prices quoted herein constitute the total cost to the Village for all work involved in the respective items and that this cost also includes all insurance, royalties, transportation charges, use of all tools and equipment, superintendence, overhead expense, all profits, and all other work, services, and conditions necessarily involved in the work to be done and materials to be furnished in accordance with the requirements of the contract documents considered severally and collectively. All bids shall be held valid for a period of 60 days after the bid due date.

The undersigned hereby also certifies that this bid is genuine and not collusive or sham; that said Bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder or person, to put in a sham bid or to refrain from submitting a bid; and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, to fix the proposed price elements of said bid, or that of any other Bidder, or to secure any advantage against any other Bidder or any person interested in the proposed contract.

The undersigned hereby also certifies in accordance with 65 ILCS 5/11-42.1-1 that the Bidder is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, unless the amount and/or liability is being properly contested in accordance with the procedures established by the appropriate revenue act

The undersigned hereby also certifies in accordance with 720 ILCS 5/33 E that the Bidder will not participate in bid rigging and/or rotating, kickbacks, bribery, and other related interference with public contracts. The statute requires that a certification by submitted by a bidder specifically attesting to the provisions of 5/33E-3 and 5/33E-4.

The undersigned hereby also certifies in accordance with 775 ILCS 5/2-105 that the Bidder must furnish evidence of adoption of a written policy on sexual harassment pursuant to the statute. The Village's interpretation of this statute is that such a policy does not have to be submitted with the bid, but the Bidder must have one in order to receive a contract.

The undersigned hereby also certifies that the bid is in compliance with all other applicable federal, state, and local

laws.

3. DELIVERY REQUIREMENTS:

The undersigned hereby affirms and states that the prices listed as "Delivered and Installed" are the unit and total costs for the delivery of item(s) to their designated locations ready for use.

4. SPECIFICATIONS:

The undersigned will furnish all labor, material, equipment, and services necessary for said Purchase and Delivery of Valves and Actuators, in accordance with the following specifications and drawings (if required) as attached.

5. CONDITIONS:

- A. The Village is exempt from federal excise tax and the Illinois Retailers' Occupation Tax. The undersigned hereby certifies that this proposal does not include any amounts of money for these taxes.
- B. To be valid, bids shall be itemized so that selection for purchase may be made, there being included in the price of each item the cost of delivery, insurance, bonds, overhead, and profit.
- C. The Village shall reserve the right to add to or deduct from the base bid and/or alternate bid any item at the prices indicated in the itemization of bid.

Dated at 2:00 PM this 8 day of SEPTEMBER, 2020

By: Michael Barreau
(signature)

Its: SECRETARY
Title

MICHAEL BARREAU, being duly sworn, deposes and states that he/she is the SECRETARY of DOIRNER PRODUCTS, LLC and that the statement above is

true and correct. Subscribed and sworn before me this 8 day of SEPTEMBER, 2020

(NOTARY STAMP)

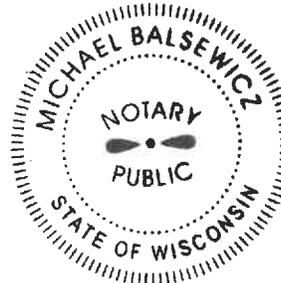
Michael Balsewicz
Notary Public

VILLAGE OF LAKE IN THE HILLS

Accepted this _____ day of _____, 20__

By: _____
(signature)

Title: _____





REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020

DEPARTMENT: Public Works

SUBJECT: Recommendation to Award the Full Width Driveway Apron Repairs Project

EXECUTIVE SUMMARY

As follow-up from the Village's 2020 MFT Street Rehabilitation Project and recent discussions concerning the need to replace partial driveway apron repairs with full width driveway apron repairs, Village staff authored a Request For Proposal (RFP) for full width driveway apron repairs. On September 9, 2020, an RFP invitation was sent to 57 resurfacing companies, posted on the Village's website, and published in the Northwest Herald. On September 18, 2020, four RFP submittals were received and pricing ranged from a low of \$37,860.00 from Schroeder Asphalt Services ("Schroeder") of Huntley, IL, to a high of \$63,745.00.

Schroeder has worked on similar projects for the Village in the past and staff have been pleased with their performance. Therefore, Village staff recommend awarding this project to Schroeder Asphalt Services of Huntley, IL.

Before the RFP was released, Village staff contacted the Illinois Department of Transportation (IDOT) to inform them of this project and to request the use of Motor Fuel Tax (MFT) funds. Although IDOT eventually indicated that they were receptive to our request, the IDOT process that the Village would need to follow, namely the lengthy IDOT review process, would not allow the project to be completed this year.

FINANCIAL IMPACT

The Village's 2020 budget does not include funds for this project, as this project was unanticipated. If the contract award is approved, \$37,860.00, would be paid out of the Public Works Streets Division budget. Although this project is unbudgeted, the General Fund accounts used by the Streets Division, overall, are expected to be under budget, mostly due to the mild winter earlier this year, which resulted in less rock salt being purchased.

ATTACHMENTS

1. Recommendation to Award Memo
2. Bid Results
3. Bid Certification Form

RECOMMENDED MOTION

Motion to award a contract to Schroeder Asphalt Services ("Schroeder") of Huntley, IL, for the Full Width Driveway Apron Repairs Project in the amount of \$37,860.00.

Lake in the Hills Public Works Department

MEMORANDUM

To: Peter D'Agostino, Interim Public Works Director/Administration Services Manager
From: Guy Fehrman, Superintendent of Streets
Date: September 18, 2020
Subject: Recommendation to Award the Full Width Driveway Apron Repairs Project to Schroeder Asphalt

Staff recommends accepting the bid from Schroeder Asphalt for the full width driveway apron repairs project. The Village published the RFP, listed it on our website and sent the invitation to 57 companies. Four companies supplied bids including Schroeder Asphalt, Chadwick Contracting, Chicagoland Paving and Fowler Enterprises. Schroeder Asphalt supplied the lowest responsible bid for driveway apron repairs. Schroeder has provided the Village with years of excellent service and quality product.

Lake in the Hills Public Works Department

MEMORANDUM

To: Peter D’Agostino, Interim Public Works Director/Administrative Services Manager
From: Guy Fehrman, Streets Superintendent
Date: September 18th, 2020
Subject: RFP Results – Driveway Apron Repairs

The RFP opening for the Driveway Apron Repairs bid opening was held at the Public Works Facility on September 18th, 2020 at 8:03 a.m. Guy Fehrman –Streets Superintendent, Tom Dun – Streets Crew Lead, Sunni Butler – Administrative Specialist and recorder, and Peter D’Agostino - Interim Public Works Director/Administrative Services Manager, announcing bids aloud, were all present from the Village of Lake in the Hills at the RFP opening. No further individuals were present during the bid opening. The Village received RFP submittals from the following four (4) companies:

Fowler Enterprises, LLC	Quantity	Unit Price	Price
41W691 Russell Rd	505	\$87.00	\$43,935.00
Elgin, IL 60124	1	\$3,810.00	\$3,810.00
		Total	\$47,745.00
Chadwick Contracting Company			
12 Prosper Ct	505	\$124.00	\$62,620.00
Lake in the Hills, IL 60156	1	\$1,125.00	\$1,125.00
		Total	\$63,745.00
Chicagoland Paving Contractor Inc.			
225 Telser Rd	505	\$80.00	\$40,400.00
Lake Zurich, IL 60047	1	\$4,600.00	\$4,600.00
		Total	\$45,000.00
Schroeder Asphalt Services, Inc.			
PO Box 831	505	\$72.00	\$36,360.00
Huntley, IL 60142	1	\$1,500.00	\$1,500.00
		Total	\$37,860.00

The RFP opening concluded at 8:13 a.m. The RFP submittals will be reviewed and Village staff plan to make a recommendation to the Village Board at the September 22nd, 2020 Committee of the Whole Meeting.

APPENDIX 4
VILLAGE OF LAKE IN THE HILLS
BID CERTIFICATION FORM
Driveway Apron Repairs

CONTRACTOR'S NAME: Schroeder Asphalt Services, Inc.

ADDRESS: P.O. Box 831, Huntley, IL 60142

1. COST OF WORK:

The undersigned, having familiarized [himself/herself] with conditions affecting the cost of the work and its performance and having carefully examined and fully understood the INSTRUCTION TO BIDDERS, hereby affirms and agrees to enter into a contract with the Village of Lake In The Hills, Illinois;

The undersigned hereby also certifies that in accordance with 710 ILCS 7/33E-11 that the Bidder is not barred from submitting a bid for this contract as a result of a violation of either Section 33E-3 or Section 33E-4 concerning bid rigging, bid rotating, kickbacks, bribery and other interference with public contracts;

To PROVIDE all supervision, labor, material, equipment, and all other expense items to perform completely the entire work covered by all specifications for the entire work;

Item	Unit	Quantity	Unit Price	Price (Not-to-exceed)
Driveway Apron Removal and Replacement	SQ YD	505	72 ⁰⁰	\$ 36,360 ⁰⁰
Traffic Control and Protection Standard 701301	L Sum	1	1,500 ⁰⁰	\$ 1,500 ⁰⁰
TOTAL				\$ 37,860 ⁰⁰

2. COSTS:

The undersigned hereby affirms and states that the prices quoted herein constitute the total cost to the Village for all work involved in the respective items and that this cost also includes all insurance, royalties, transportation charges, use of all tools and equipment, superintendence, overhead expense, all profits, and all other work, services, and conditions necessarily involved in the work to be done and materials to be furnished in accordance with the requirements of the contract documents considered severally and collectively. All bids shall be held valid for a period of 60 days after the bid due date.

The undersigned hereby also certifies that this bid is genuine and not collusive or sham; that said Bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder or person, to put in a sham bid or to refrain from submitting a bid; and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, to fix the proposed price elements of said bid, or that of any other Bidder, or to secure any advantage against any other Bidder or any person interested in the proposed contract.

The undersigned hereby also certifies in accordance with 65 ILCS 5/11-42.1-1 that the Bidder is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, unless the amount and/or liability is being properly contested in accordance with the procedures established by the appropriate revenue act

The undersigned hereby also certifies in accordance with 720 ILCS 5/33 E that the Bidder will not participate in bid rigging and/or rotating, kickbacks, bribery, and other related interference with public contracts. The statute requires that a certification by submitted by a bidder specifically attesting to the provisions of 5/33E-3 and 5/33E-4.

The undersigned hereby also certifies in accordance with 775 ILCS 5/2-105 that the Bidder must furnish evidence of adoption of a written policy on sexual harassment pursuant to the statute. The Village's interpretation of this statute is

that such a policy does not have to be submitted with the bid, but the Bidder must have one in order to receive a contract.

The undersigned hereby also certifies that the bid is in compliance with all other applicable federal, state, and local laws.

3. DELIVERY REQUIREMENTS:

The undersigned hereby affirms and states that the prices listed as "Delivered and Installed" are the unit and total costs for the delivery of item(s) to their designated locations ready for use.

4. TIME OF COMPLETION:

The undersigned affirms and declares that if awarded the contract for said Driveway Apron Repairs, [he/she] will completely perform the contract in strict accordance with its terms and conditions by October 30, 2020.

5. SPECIFICATIONS:

The undersigned will furnish all labor, material, equipment, and services necessary for said Driveway Apron Repairs, in accordance with the following specifications and drawings (if required) as attached.

6. CONDITIONS:

- A. The Village is exempt from federal excise tax and the Illinois Retailers' Occupation Tax. The undersigned hereby certifies that this proposal does not include any amounts of money for these taxes.
- B. The Village shall reserve the right to add to or deduct from the base bid and/or alternate bid any item at the prices indicated in the itemization of bid.
- C. In the event of a delay to the Driveway Apron Repairs Completion Date as per the Contract Schedule for which Contractor is solely responsible, Contractor shall pay Liquidated Damages to Village of Lake in the Hills at a rate of \$200 per day of delay.

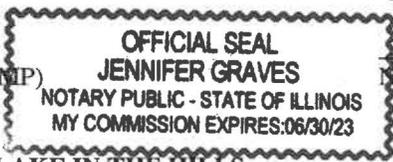
Dated at office this 18th day of September, 2020

By: *Ronald Schroeder*
(signature)

Its: President
Title

Ronald Schroeder, being duly sworn, deposes and states that he/she is the President
of Schroeder Asphalt Services, Inc. and that the statement above is

true and correct. Subscribed and sworn before me this 18th day of September, 2020

(NOTARY STAMP)  *Jennifer Graves*
Notary Public

VILLAGE OF LAKE IN THE HILLS

Accepted this _____ day of _____, 2020

By: _____
(signature)

Title: _____



INFORMATIONAL MEMORANDUM

MEETING DATE: September 22, 2020
DEPARTMENT: Community Development
SUBJECT: Brick/ Masonry Mailbox Enclosures

EXECUTIVE SUMMARY

The Village has been made aware there is a proliferation of masonry mailbox enclosures being erected without permission or permit granted by the Village. This in turn has led to an increasing number of public safety and operational concerns. In 2019 alone, Police responded to 24 incidents of car vs. mailboxes.

Within the Municipal Code Regulations Section 6.04, Encroachments on Streets, regulations state:

D. MAILBOXES: Mailboxes with wooden, metal or plastic posts only may be installed in the right-of-way when installed according to the United States Postal Service regulations. E. MAINTENANCE: Any encroachment on any street, sidewalk, alley, or public way shall be maintained so that it does not endanger or obstruct the public.

Following a brief discussion of the issue at the August 11th, 2020 Village Board meeting, staff has assembled the following information for further discussion for any changes needed to the current Municipal Code regulations, and policy consideration for those structures that are existing and do not meet current regulations:

A survey of the Village completed September 14, 2020 revealed there are 82 mailbox enclosures or masonry landscape rings around mailbox posts, dispersed throughout various sub-divisions. Approximately 72 of the 82 total are full height enclosing structures with a few in various states of disrepair, or leaning due to being installed on a shallow foundation.

IRMA provided a response to the Village's inquiry stating that masonry structures increase liability exposure from both 3rd parties as well as damage to Village property, and they do not recommend these types of obstructions be allowed in Village right-of-ways. Receiving an indemnification letter from a property owner as an option could still be insufficient when the level of financial protection a homeowner is able to provide is less than what could potentially be a very large loss.

Chastain and Associates, LLC consulting engineers conducted a review of Illinois Department of Transportation (IDOT) standards, United States Postal Service (USPS) recommendations, and a survey of surrounding communities. They conclude that the generally accepted approach for mailbox installation would preclude the use of masonry structures or other reinforcements based on the increased safety concerns these structures could impose during a vehicular impact. The communities of Algonquin, Huntley, Cary, and McHenry do not allow masonry mailboxes.

Additional research by staff concluded that the Village of Lakewood requests customers to follow USPS guidelines, and that the Cities of Woodstock and Crystal Lake do not currently have an ordinance. Crystal Lake stated they are looking to adopt an ordinance in 2021 precluding the use of masonry enclosures.

FINANCIAL IMPACT

None

ATTACHMENTS

1. Village mapping of masonry mailbox locations as of September 14, 2020
2. Photos samples
3. Chastain and Associates Memo
4. United States Postal Service Guidelines

SUGGESTED DIRECTION

Provide direction to staff for any regulation modifications, and enforcement of regulations pertaining to existing and new masonry mailbox enclosures throughout the Village.

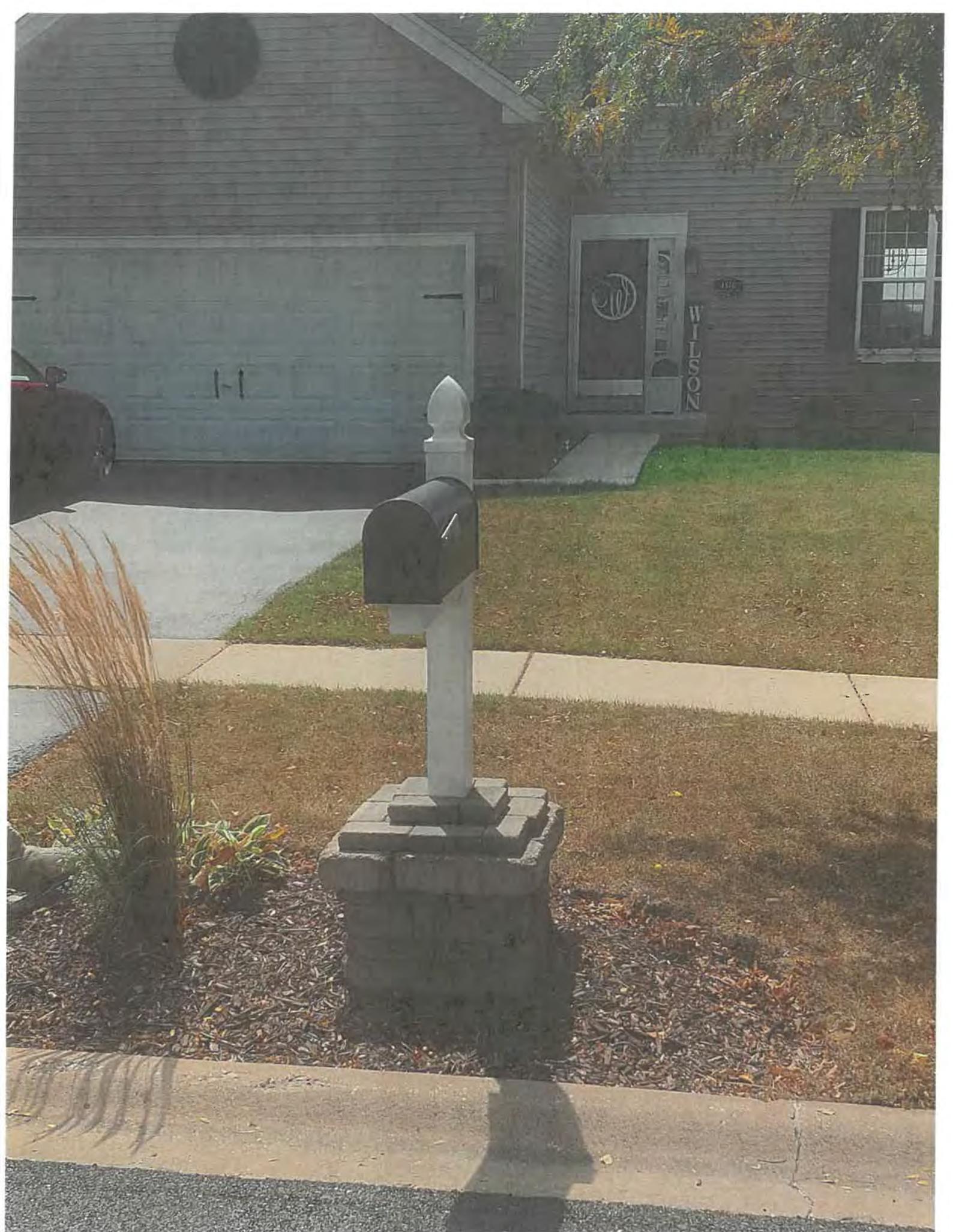
1135











To: Mr. Peter D'Agotino, Interim Public Works Director

From: Steve Frerichs, Sr. Project Manager, Chastain & Associates LLC

Date: September 2, 2020

CC:

Re: Mailbox Standards

After review of several resources, adjacent municipality requirements, transportation design policies and recommendations for the location and installation of Mailboxes located in the parkway (public ROW) of local streets, I offer the following.

The Village of Lake in the Hills Municipal Code only allows mailboxes to be installed using wooden, metal, or plastic posts in accordance with the United States Postal Service (USPS) recommendations, which is the commonly accepted standard used to regulate Mailbox installation in the public ROW. Based on review of the below information, the generally accepted approach for mailbox installation would preclude the use of masonry structures or other reinforcements based on the increased safety concerns these structures could impose during a vehicular impact.

Following is an excerpt from the Illinois Department of Transportation, Bureau of Local Roads Design Manual, the generally referenced document for planning and design of local agency roadway and roadside improvements in Illinois.

Chapter 41 – Special Design Elements, identifies various mailbox design features and recommendations for location and installation along urban and rural roadways. In accordance with generally accepted engineering principles, the following are recommended installation guidance for mailboxes.

41-8.03(b) Mailbox Designs

In determining acceptable mailbox designs, consider the following:

1. Heights. Mailbox heights are usually located so that the bottom of the box is 3 ft (1.0 m) to 4 ft (1.2 m) above the mail stop surface.

2. Mailbox Supports and Attachment Design. The post-to-box attachment details should be of sufficient strength to prevent the box from separating from the post top if a vehicle strikes the installation. For guidance on mailbox posts, supports, and attachments, see the AASHTO *A Guide for Erecting Mailboxes on Highways*.
3. Multiple Mailboxes. Due to the possibility of spearing of windshields by the horizontal support, it is desirable to individually mount each mailbox on a separate support. However, it may be acceptable to mount multiple mailboxes on one support if it meets the criteria in the AASHTO *A Guide for Erecting Mailboxes on Highways*. No more than two mailboxes may be mounted on a support structure unless the support structure and mailbox arrangement have been shown to be safe by crash testing. However, lightweight newspaper boxes may be mounted below the mailbox on the side of the mailbox support. To reduce the possibility of ramping, multiple mailbox supports should be separated by a distance at least equal to three-fourths of their height above ground.
4. Foundations. Do not set mailbox supports in concrete unless the support design has been shown to be safe by crash tests when so installed. Do not embed the post more than 2 ft into the ground. Do not fit a metal post with an anchor plate; however, it may have an anti-twist device that extends no more than 10 inches below the ground surface.
5. Post Sizes. The following posts sizes are generally considered to be acceptable:
 - a. a single 4 in x 4 in (100 mm x 100 mm) square wooden post,
 - b. a 4 in (100 mm) diameter wooden post, or
 - c. a metal post with strength no greater than a 2 in (50 mm) diameter standard strength steel pipe.

We investigated how surrounding communities regulate the location and construction of mailboxes along public streets and found the following:

Algonquin 5.17-- A. Mailboxes installed along Village streets shall be in accordance with U.S. Postal Service regulations. Mailbox posts shall not be reinforced or fortified to prevent or hamper its destruction upon impact. The placement of such mailboxes shall not interfere with street maintenance projects, such as snow plowing and street cleaning. For purposes of this Section, mailboxes of masonry construction shall be considered reinforced or fortified.

Huntley 155.032 (B) (5) (i) -- A standard metal mailbox shall be mounted on a wooden support structure which is a minimum of four by four inches (4" x 4") or a maximum of six inches by six inches (6" x 6") treated wood post, or a minimum one and one-half inch (1-1/2") to a maximum of three (3") diameter light gauge galvanized steel hollow pipe, or on such other similar structure as is approved by the Director of Public Works, and found to be of comparable safety/breakaway to the wooden post or light gauge steel pipe structures. - Other support structures such as, but not limited to, masonry columns, railroad rails and ties, tractor wheels, plow blades, milk cans, or barrels filled with concrete are expressly prohibited.

Cary 12.08.220 -- The placement of mailboxes in the Village parkway shall be in accordance to the regulations of the United States Postal Service and the local Postmaster. The Federal Highway Administration recommends a wooden mailbox support no bigger than 4" x 4 "and a 2" diameter standard steel or aluminum pipe. Bury your post no more than 24" deep 1 so it can give way in an accident. Don't use potentially dangerous supports, such as heavy metal pipes, concrete posts, farm equipment such as milk cans filled with concrete.

McHenry –

- A. **Mailbox Support Structures:** Curbside mailboxes permitted within the City right-of-way shall be mounted on a wooden post no smaller than four inches by four inches (4" x 4") and firmly secured in the ground. Alternate materials used for mailbox support structure must be approved by City Administrator and/or Director of Public Works. Use of Masonry columns is prohibited.
- B. **Existing Support Structures:** As of September 7, 2016, if an existing support structure consists of a masonry column, concrete structure, railroad rails or ties or object, such as, but not limited to, a tractor wheel, plow blade, milk can, barrel, lawn tractor, or any similar device, under no circumstances shall it be permitted to be reconstructed, replaced, moved or repaired.
- C. **Protection Structures Prohibited:** Structures erected on the parkway to protect mailboxes such as large boulders, steel beams, concrete structures, brick structures or similar devices are prohibited.
- D. **Removal for Nonconformance:** Mailboxes that do not conform to the provisions of this chapter shall be removed. (1987 Code § 21-118)

The following information is from a search of the United States Postal Services (USPS) web site.

Where to Place the Mailbox

Here are some helpful guidelines to follow when placing your mailbox:

- Position your mailbox 41" to 45" from the road surface to the bottom of the mailbox or point of mail entry.
- Place your mailbox 6" to 8" back from the curb. If you do not have a raised curb, contact your local postmaster for guidance.
- Put your house or apartment number on the mailbox.
- If your mailbox is on a different street from your house or apartment, put your full street address on the box.

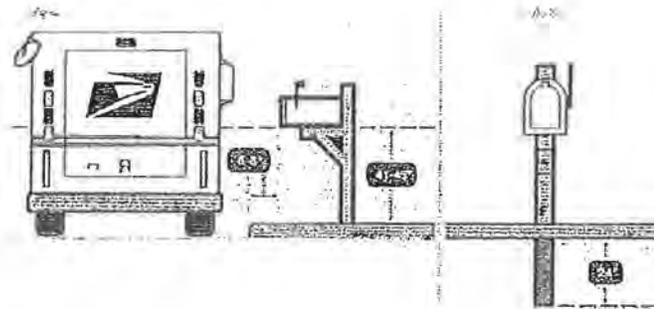
Installing the Mailbox Post

The best mailbox supports are stable but bend or fall away if a car hits them. The Federal Highway Administration recommends:

- A 4" x 4" wooden support or a 2"-diameter standard steel or aluminum pipe.
- Avoid unyielding and potentially dangerous supports, like heavy metal pipes, concrete posts, and farm equipment (e.g., milk cans filled with concrete).
- Bury your post no more than 24" deep.

[English](#)[Customer Service](#)[My USPS](#)[Register / Sign In](#)[Tracking](#)[My USPS](#)[Intercept a Package](#)[Schedule a Redelivery](#)[Hold Mail](#)[Forward Mail](#)[Change of Address](#)[Rent or Renew PO Box](#)[Learn about...](#)[Personalized Tracking](#)[Redirecting a Package](#)[PO Boxes](#)[Mailbox Guidelines](#)[Mail for the Deceased](#)

Mailbox Guidelines



Installing a New Mailbox

Look for Postmaster General's Seal

Every new mailbox design should be reviewed and receive the Postmaster General's (PMG) seal of approval before it goes to market. If you opt to construct your own mailbox, it must meet the same standards as manufactured boxes, so show the plans to your local postmaster for approval.

Placing the Mailbox

Here are some helpful guidelines to follow when installing your mailbox:

Position your mailbox 41" to 45" above ground level.

Place your mailbox 6" to 8" back from the curb. If you do not have a raised curb, contact your local postmaster for guidance.

Put your house or apartment number on the mailbox.

If your mailbox is on a different street from your house or apartment, put your full street address on the box.

If you are attaching the box to your house, make sure the postal carrier can reach it easily from your sidewalk, steps, or porch.

Installing the Post

The best mailbox supports are stable but bend or fall away if a car hits them. The Federal Highway Administration recommends:

A 4" x 4" wooden support or a 2"-diameter standard steel or aluminum pipe.

Avoid unyielding and potentially dangerous supports, like heavy metal pipes, concrete posts, and farm equipment (e.g., milk cans filled with concrete).

Bury your post no more than 24" deep.

Door Slots

Approved Door Slots

Some homes and apartments have a slot in the door for receiving mail rather than a mailbox. The standards for an approved door slot are:

The opening must be at least 1 1/2" x 7".

The bottom of the slot must be at least 30" above floor.

Horizontal slots must have a flap hinged at the top.

Vertical slots must be hinged on the opposite side from the door's hinges.

Inside Door Slot Hoods

The standards for approved inside door slot hoods are:

The hood should not project more than 2 1/16" beyond the inside of the door.

On a horizontal slot, the hood should not extend below the bottom of the outside plate.

On a vertical slot, the hood should not extend beyond the side of the outside plate on same side as the door's hinges.



REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020

DEPARTMENT: Community Development

SUBJECT: Variation to Section 15.3-1 (D), Permitted Fencing at 1610 Royal Oak Lane

EXECUTIVE SUMMARY

The property owner of 1610 Royal Oak Lane requests a variation to the Zoning Ordinance to allow for a constructed six-foot high, board-on-board wooded fence, in the front yard (side) of this corner lot. The fence section being requested for variance approval faces Greenfield Lane, and runs from the back corner of the house to the existing fencing facing Swanson Road. The code limits fence height to five-feet in the front yard (side) of a corner lot.

The purpose of the applicant's request is to allow the fence to serve as a combination guardrail for the 3-foot high elevated deck immediately adjacent to the fence, and for the fence to serve as the safety barrier to the swimming pool water in the rear yard. The lot does have existing fencing around the remainder of the rear yard area.

The attached site plan shows the requested location for the six-foot high fence as labeled in red.

The Planning and Zoning Commission conducted a public hearing on September 14, 2020 for the petitioner's request. Three letters were received in advance of the hearing (2 in support, and one opposed). The neighbor in opposition provided testimony during the hearing expressing concerns for clear line of sight when stopped at the stop sign on Greenfield Lane and turning onto Swanson Road. A neighbor in support spoke stating they lived directly across Greenfield Lane and their home faces the fence. The Commissioners voted 6-0 to recommend approval of the variation as requested. Subsequently, the petitioner has agreed to alter the fence location to clip the corner of the fence to comply with the line-of-sight vision triangle requirements of the Zoning Ordinance.

FINANCIAL IMPACT

None

ATTACHMENTS

- | | | |
|-----------------|-------------------|--------------|
| 1. Staff Report | 3. Site Plan | 5. Photo |
| 2. Application | 4. Plat of Survey | 6. Ordinance |

RECOMMENDED MOTION

Motion to approve an ordinance for variation to Sections 15.3-1(D) of the Zoning Ordinance to allow construction of a six-foot high board-on-board wooden fence located in the front yard (side) on Parcel 18-24-154-001 at 1610 Royal Oak Lane.

REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION



PLANNING AND ZONING COMMISSION

MEETING DATE: September 14, 2020
DEPARTMENT: Community Development
SUBJECT: Variation to Section 15.3-1(D), Permitted Fencing

EXECUTIVE SUMMARY

General Information

Requested Action: Variation to Section 15.3-1(D) of the Zoning Ordinance to allow a six-foot tall fence in the front yard (side) of the home. The Zoning Ordinance only allows for a five-foot fence.

Owner: Richard and Aubrey Marvel

Applicant: Richard and Aubrey Marvel

Purpose: Allow construction of a six-foot board-on-board wooden fence in the front yard (side) to serve as deck safety fencing and pool barrier fencing.

Location and Size: 1610 Royal Oak Drive

Zoning and Land Use:

Site:	R-2 One Family Dwelling District
North:	R-2 One Family Dwelling District
East:	R-2 One Family Dwelling District
South:	R-2 One Family Dwelling District
West:	R-2 One Family Dwelling District

Background

The applicants request variation to the Zoning Ordinance to permit a six-foot high, wooden fence in the front yard (side). There is an existing five-foot high fence on the adjacent lot line facing Swanson Road and additional fencing that fully encloses the rear yard. The proposed fence location meets all other zoning ordinance requirements. The applicants installed the fence to serve a dual purpose of a required three-foot high safety barrier to a three-foot high elevated deck which directly abuts the fence, and to serve as the safety barrier to a partially in-ground pool adjacent to the deck. The new fence does not block any lines of sight as it aligns with the side elevation of the home and connects to the existing fence facing Swanson Road. Staff finds merit to the variation for height. If the variation were not granted and

the fence adjacent to the deck was required to be cut down to five feet high, the applicant would need to add a three-foot high guardrail directly behind the fence for fall protection as required by building code for the elevated deck.

Standards and Findings of Fact for a Variation

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;

The applicant indicates the fence height is needed to provide the minimum height code required fall protection for the adjacent elevated deck and barrier protection for the partially in-ground pool.

B. The plight of the owner is due to unique circumstances; and

The applicant indicates they unknowingly installed a pool with an adjacent elevated deck at an incorrect height in conflict with the maximum permitted fence height in a front yard (side) of a corner lot. This lot is a unique situation due to it being a corner lot.

C. The variation, if granted, will not alter the essential character of the locality.

The applicant indicates this will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

D. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;

The applicant indicates the hardship created is if required to alter the fence's height, altering the adjacent deck height or adding a guardrail that is visible directly behind the shortened fence, incurs additional costs and would not be as aesthetically pleasing.

E. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;

The applicant indicates the height of the installed fence is due to staff's permit approval error, and therefore does not set a precedent for other corner lots to not meet the required fence heights of the Zoning Ordinance.

That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

The applicant indicates the variation is not to make money from the property.

F. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

The applicant indicates he did not intentionally desire to not meet maximum permitted fence height code requirements for the specific location of the fence.

G. 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

The applicant indicates it will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

H. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The applicant indicates this condition will be met.

ATTACHMENTS

1. Application
2. Site Plan- aerial and zoning map
3. Plat with fence location
4. Photo
5. Neighbor letters

RECOMMENDED ACTION

Commission recommend approval to the Village Board for variation to Section 15.3-1(D) of the Zoning Ordinance at 1610 Royal Oak Lane on Parcel 18-24-154-001 allowing the constructed six-foot high wooden board-on-board fence to remain.

2073088

SP



PLANNING & ZONING APPLICATION

Property Information

Common street address: 1610 Royal Oak Ln. Lake In The Hills, IL 60156

PIN (Property Index Number): 18-24-154-001

Current Zoning: Residential - Single Faimly Proposed Zoning: Residential - Single Faimly

Current Use: Residential - Single Faimly Proposed Use: Residential - Single Faimly

Is the request consistent with the Comprehensive Plan? _____

Number of Acres: .25 If greater than 4 acres, 2 acres for government property or 5 acres for manufacturing zoned land, application shall be processed as a Planned Development as a Conditional Use. See definition of Planned Development and PD Section of Zoning Ordinance.

Legal description of the property (print or attach exhibit): Residential, Single Family Use

Property Owner Information

Name(s): Richard A Marvel Jr. Aubrey M Marvel

Business/Firm Name (if applicable): _____

Address: 1610 Royal Oak Ln.

City/State/Zip: Lake In The Hills, IL 60156

Phone Number: 224-628-8724

Email: rick@testgauge.net

Applicant Information

Name(s): Richard A Marvel Jr. Aubrey M Marvel

Business/Firm Name (if applicable): _____

Address: 1610 Royal Oak Ln

City/State/Zip: Lake In The Hills, IL 60156

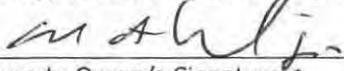
Phone Number: 224-628-8724

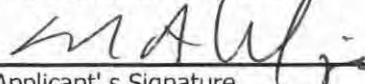
Email: rick@testgauge.net

PLANNING & ZONING APPLICATION
Page Two

1	2	3	4	5	6
Request	Select Request with "X"	Required Fee ac = acre	For Requirements See Appendix	Public Hearing Required See Appendix A2	Total Fee (enter amount per column 3)
Annexation		\$1,000/ac payable upon annexation	D	Yes	
Sketch Plan		\$0	E	No	
Tentative Plan		\$500 + \$10/ac	F	No	
Final Plat		\$500 + \$10/ac	G	No	
Plat of Vacation and/or Resubdivision Plat		\$500 + \$10/ac	H	No	
Conditional Use		\$500 + \$10/ac over 2 ac	I	Yes	
Rezoning		\$500 + \$10/ac over 2 ac	J	Yes	
Text Amendment		\$500	K	Yes	
Variance – Residential		\$100	L	Yes	100.00
Variance – Non-Residential		0-2 ac = \$250 Over 2 ac = \$500	L	Yes	
Development Plan Review		\$500 + \$10/ac	M	No	
Total Fees – add column 6 (Separate Check)					100.00
Additional Fees					
Stormwater Permit Application Fee to be paid at time of permit issuance (Separate Check) Minor = \$250 Intermediate or Major = \$1,000					
Reimbursement of Fees Required Appendix B = \$2,000 + \$100/acre for every acre over 5 acres (Separate Check)					

If the Village provides a sign to publicize a public hearing related to this application, the applicant accepts responsibility to ensure the sign is returned within one week after completion of the hearing. The applicant further agrees that if the sign is not returned, they will compensate the Village \$75.00 to allow for a replacement of the lost sign and agrees the Village may withhold approval of their application until payment is received.


8-17-2020
If Owner/Applicant is a School District please, fill out and submit Appendix N
 Property Owner's Signature Date


8-17-2020
 Applicant's Signature Date

All required appendices and documentation shall be submitted with this application. Incomplete applications will not be processed.

Standards and Findings of Facts for a Variance per Section 23.7 of the Zoning Ordinance

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. **Explain how this standard is met.**

2. The plight of the owner is due to unique circumstances. **Explain how this standard is met.**

Permit # PO051348 was approved by village plan review. All other designs & installed pool and decks were based on this approval. Denial of variance will require additional costs to safe guard the property.

3. The variation, if granted, will not alter the essential character of the locality. **Explain how this standard is met.**

Granting of variance will not alter character due to the fact that I am the only home with a fence that runs along greenfield lane for three total blocks. All other homes face a different direction than my own.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

4. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out. **Explain how this standard is met.**

Previous Explanation shows that previous permits approved were based on approval of fencing permit and the fence being installed is to be 6ft of height. To move fence to a regulation height would completely alter safety for the property based on deck and pool installed heights.

5. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification. **Explain how this standard is met.**

Expectation for future fence permits on a corner lot would not be approved by the village if higher than 5ft. The village made an error here and their approval set building expectations for the rest of the deck and pool project, therefore my variance approval would not & should not affect future fences installed down the road.

6. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property. **Explain how this standard is met.**

I am a residential property, the variation applied for is to meet safety precautions within the property. This property is not a commercial property and is not a rented unit, therefore it is not a money making endeavour.

7. That the alleged difficulty or hardship has not been created by any person presently having interest in the property. **Explain how this standard is met.**

This hardship was created by the village building departments approval of said fence. If the permit was initially denied we would have adjusted deck heights and depth of the pool installed within the ground.

- 8. 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. **Explain how this standard is met.**

Approval of variance is important for public safety and welfare because it adds extra safety precautions and helps prevent access to property and newly installed pool. Also, said fence offers the best safety precautions for inside of the property without modification and adding extra large expenses to safe guard property.

- 9. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood. **Explain how this standard is met.**

Twelve inches of extra fencing that still meets 30% open face requirements will not impair sunlight or movement of airflow that would be a detriment to property or surrounding properties. There is also no danger to public safety here, if anything it is providing the public with extra safety precautions and a larger barrier to prevent unwelcome guest from entering property.

MA Wiggins 8-17-2020
Applicant's Signature Date

MA Wiggins 8-17-2020
Property Owner's Signature Date

1. Please indicate the variation that is being sought, include section(s) and paragraph(s) of the Zoning Ordinance and any dimension(s) and a brief description of the proposed use, construction or development that prompted the request:

Variation to section 15.3-1(D), no fence on a corner lot can exceed 5ft in height. Permit #051348 was submitted on 6/17/2020. installation of new fence was on 8/7/2020 and upon post hole inspection, we were informed the fence could not be higher than 5ft in height. Approved permit by the village was for a 6ft fence on the property line. Fence is being installed from corner of house to end of property and not being extended into the yard. Due to animals & new pool installed (Permit PE055122), all safety precautions, deck heights (Permit #PE051351), and pool depth were based on approved 6ft fence. Without variance, new fence will be needed and deck railings will need to also be installed.

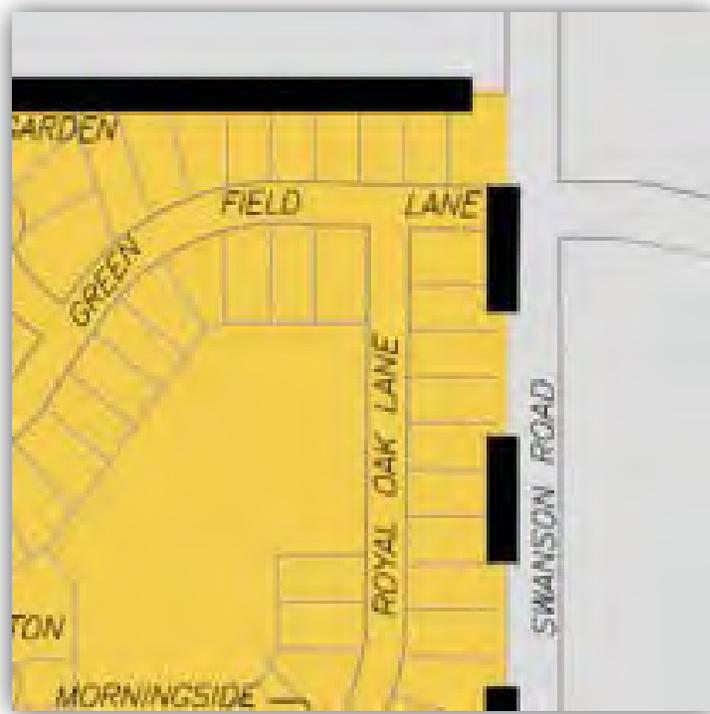
APPENDIX L Variation

This appendix shall be filled out, signed, and submitted with the following information along with the Development and Zoning Application and in accordance with Village Ordinances <http://www.lith.org/administration/page/municipal-code-zoning> and all other applicable requirements:

1. Compliance with Appendix A regarding public notice and hearing requirements
2. Plat of Survey
3. Current Deed to verify property ownership
4. Development Plans (if applicable) that comply with the Zoning Ordinance and all other Village ordinances to include:
 - a. Existing Conditions Plan
 - b. Site Plan
 - c. Utility Plan
 - d. Grading Plan
 - e. Landscape Plan
 - f. Lighting Plan
 - g. Color Building Elevations
 - h. Sign Plan
 - i. Detail Page
5. Stormwater Application and associated reports, if applicable (Appendix C)
6. All documents and information necessary to comply with Village Ordinances.
7. Reimbursement of Fees Agreement, if applicable (Appendix B, Exhibit A)

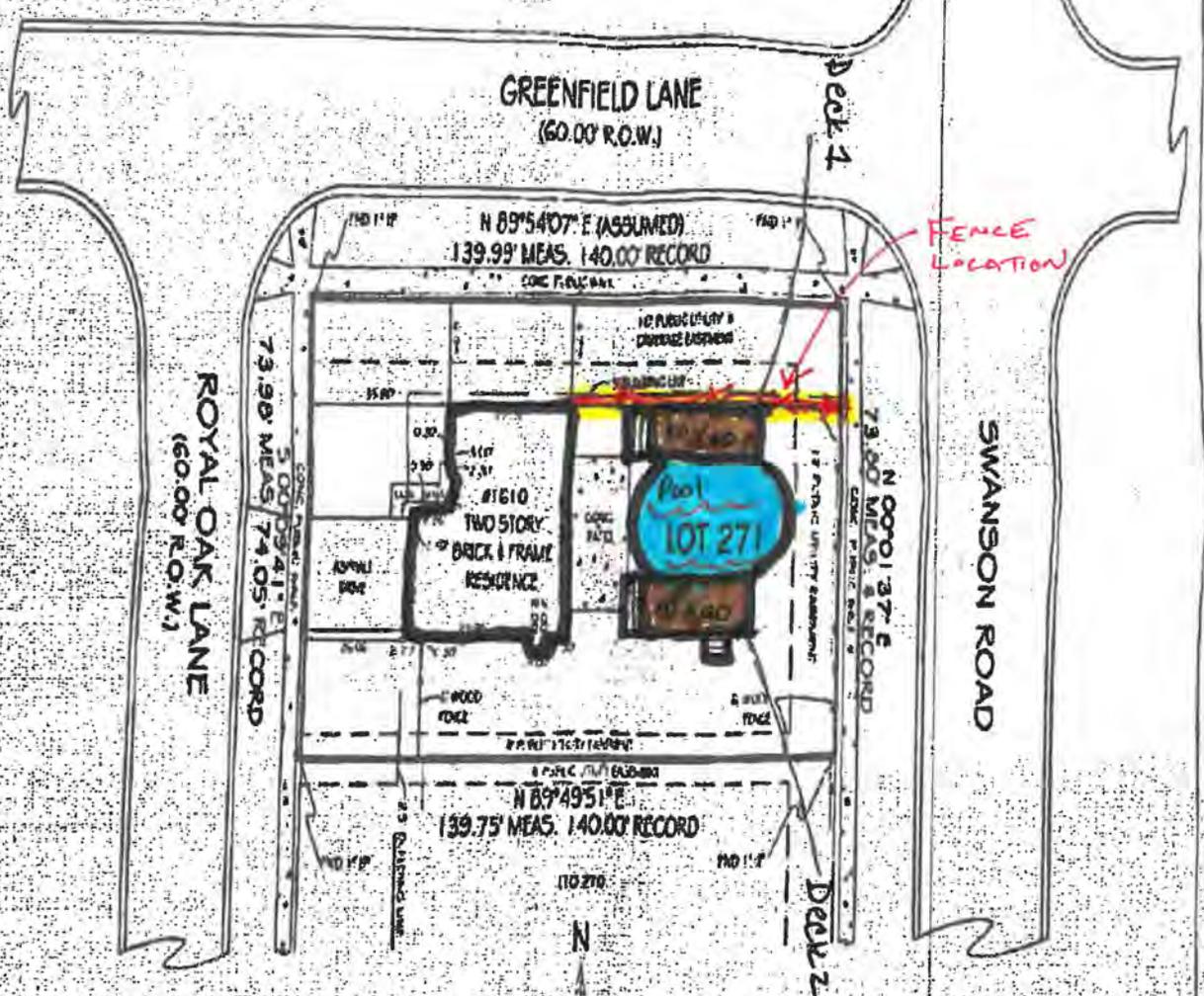
Submit 1 hard copy of each report and a PDF of each report.

Submit 1 Full Size (minimum 24" x 36") hard copy and a full size PDF of each required plan.



PLAT OF SURVEY

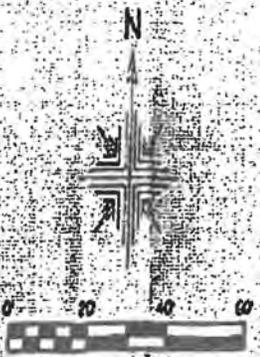
LEGAL DESCRIPTION: LOT 274 IN CONCORD HILLS AT MEADOWBROOK EHP # 2, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 43 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 14, 1993 AS DOCUMENT NO. 93R27089, IN MICHIGAN COUNTY, ILLINOIS.



STATE OF ILLINOIS
DEPARTMENT OF LAND SURVEY
OFFICE OF THE SURVEYOR
SPRING LAKE, ILLINOIS

I, **O. T. [Signature]**, Surveyor, do hereby certify that the above described plat was filed for record in accordance with the provisions of the Act to Regulate the Practice of Land Surveying, approved March 27, 1887, and amended, and that the same is a true and correct copy of the original plat as filed for record.

FILED MAY 14, 1993 AS DOCUMENT NO. 93R27089



LEGEND	
[Symbol]	Lot
[Symbol]	Building
[Symbol]	Pool
[Symbol]	Shed
[Symbol]	Fence
[Symbol]	Utility
[Symbol]	Easement

LUCCO CONSTRUCTION CO.	
PROFESSIONAL DESIGN FIRM INC. - ILLINOIS	
BY: DONNA SANDRICE	REGISTERED PROFESSIONAL SURVEYOR
NO. 014516	EXPIRES 12/31/94
DATE: 05/14/93	SCALE: AS SHOWN
PROJECT: 15-36016	

FILE COPY



VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2020 - ____

An Ordinance Granting a Variation to Section 15.3-1 (D), Permitted Fencing, Front Yards, to Allow a Six-Foot High Fence in the Front Yard (Side) on Parcel 18-24-154-001 at 1610 Royal Oak Lane

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois (the "Village"), is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, Richard and Aubrey Marvel, applicants, of the Subject Property located at 1610 Royal Oak Lake, Lake in the Hills, IL 60156 with a PIN of 18-24-154-001, petitioned the Village of Lake in the Hills for a variation to Section 15.3-1 (D), Permitted Fencing, Front Yards, of the Zoning Ordinance to allow a six-foot high fence in the front yard (side); and

WHEREAS, the Planning and Zoning Commission, after deliberation, has made a report and its recommendation relative to the variations for the subject property; and

WHEREAS, the President and Board of Trustees of the Village of Lake in the Hills have considered the report of the Planning and Zoning Commission and all of the evidence presented by the petitioner at the public hearing before the Commission; and

NOW, THEREFORE, Be It ordained by the President and Board of Trustees of the Village of Lake in the Hills, McHenry County, Illinois that:

SECTION 1: The Corporate Authorities find that the statements in the foregoing preamble are true.

SECTION 2: The findings and recommendations of the Planning and Zoning Commission on the question of granting the variation for the Subject Property at 1640 Royal Oak Lane is hereby accepted.

SECTION 3: Variation to Section 15.3-1 (D), Permitted Fencing, Front Yards, of the Zoning Ordinance to allow the construction of a six-foot high fence in the front yard (side) of the Subject Property is hereby granted; and

SECTION 4: All other requirements set forth in the Zoning Ordinance of the Village of Lake in the Hills, as would be required by the Village as to any owner of property zoned in the same manner as the Subject Property shall be complied with.

SECTION 5: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this 24th day of September, 2020 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Ray Bogdanowski	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
President Russ Ruzanski	_____	_____	_____	_____

APPROVED THIS 24TH DAY OF SEPTEMBER, 2020

Village President, Russ Ruzanski

(SEAL)

ATTEST: _____
Village Clerk, Cecilia Carman

Published: _____



REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020

DEPARTMENT: Community Development

SUBJECT: Variations to Section 13.3-1, Accessory Structure – Height Limitations, and Section 13.3-2, Accessory Structure – Size Limitations at 4660 West Algonquin Road

EXECUTIVE SUMMARY

The applicant, Thomas Yucuis, owner of Butcher on the Block, requests two variations to the Zoning Ordinance for an accessory structure shed to be constructed as an enclosure building for a pre-manufactured walk-in cooler. The structure will be located near the rear lot line of the business plaza at 4550 West Algonquin Road.

The first variation is to allow for the cooler shed to be 465 square feet in size where the code limits an accessory structure to 300 square feet in size in a business district.

The second variation is to allow for a portion of the roof to extend to a maximum height of fourteen feet where the code limits an accessory structure in 12 feet in height in a business district.

All other aspects of the shed's intended construction comply with the requirements of the Zoning Ordinance being in a rear yard location, a minimum of 5 feet away from the rear lot line and not located over any existing utility easements.

The shed's intended construction also is in compliance with the applicable provisions of the Village's adopted building codes.

The Planning and Zoning Commission conducted a public hearing for the variations on September 14, 2020. There were no public comments and Commissioners voted 6-0 to recommend approval of the variations as requested by the applicant.

FINANCIAL IMPACT

None

ATTACHMENTS

1. Staff Report
2. Application
3. Aerial Site Plan and Zoning Map
4. Photo
5. Ordinance

RECOMMENDED MOTION

Motion to approve an ordinance for variations to Section(s) 13.3-1 and 13.3-2 of the Zoning Ordinance on Parcel 18-26-401-037 allowing the construction of a fourteen-foot high, 465 square foot cooler shed located 10 feet from the rear property line behind the tenant space with the address of 4660 West Algonquin Road.

REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION



PLANNING AND ZONING COMMISSION

MEETING DATE: September 14, 2020

DEPARTMENT: Community Development

SUBJECT: Variation to Section(s) 13.3-1, accessory structures permitted height and 13.3-2, accessory structures permitted size in a business zoning district

EXECUTIVE SUMMARY

General Information

<i>Requested Action:</i>	Variation to Section(s) 13.3-1 and 13.3-2 of the Zoning Ordinance to allow a fourteen foot tall shed where only a 12 foot tall shed is permitted; and to allow the shed to be 465 square feet in size where only 300 square feet in size is permitted.
<i>Owner:</i>	Bell Chase Commons, LLC
<i>Applicant:</i>	Thomas Yucuis
<i>Purpose:</i>	Allow construction of a fourteen foot tall, 465 square foot shed to enclose an outside food storage cooler located in the rear yard of the property.
<i>Location and Size:</i>	4660 West Algonquin Road
<i>Zoning and Land Use:</i>	Site: B-3, Business- General District North: B-3, Business- General District East: B-3, Business- General District South: B-3, Business- General District West: R-2, One Family- Residential District

Background

The applicant requests variation to the Zoning Ordinance to permit a fourteen foot high, 465 square foot size shed in the rear yard of the property. The intended shed location is currently paved and serves as worker parking behind the existing multi-tenant plaza along the rear property line. The purpose of the shed is to fully enclose a cooler that will be used for food storage in support of the business. This will allow the business owner to remove a temporary cooler vehicle which is being rented on a month-to-month basis. The shed will occupy an area of pavement that currently is striped for four parking spaces. A calculation of the strip center parking lot shows this will result in the center having 160 total parking

spaces available. (The zoning ordinance requires the center to have only 50 spaces in total for the size and business mix in the center). The new shed will not block any lines of sight nor impose a traffic hazard as the existing adjacent driving lane will remain fully open and usable for all businesses in the center. The owners of the center have submitted a letter in support of allowing for the shed's intended size and placement. Staff finds merit to the variation for height and size to accommodate enclosing a manufactured cooler of a size determined by the business owner as necessary to maintain operations.

Standards and Findings of Fact for a Variation

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;

The applicant indicates business operations have expanded. The cooler is now necessary to support operations during the current pandemic.

B. The plight of the owner is due to unique circumstances; and

The applicant indicates they need the additional storage to operate during the current pandemic to properly fulfill customer's orders.

C. The variation, if granted, will not alter the essential character of the locality.

The applicant indicates this will not alter the essential character of the locality and will enhance the appearance of the area verses having a temporary vehicle storage arrangement.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

D. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;

The applicant indicates the hardship created is customer orders cannot be properly handled if not permitted to construct the cooler shed of the planned size.

E. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;

The applicant indicates the type of business operations to store customer's food products requires the cooler shed of this size and height not generally applicable to all properties within the same zoning classification.

That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

The applicant indicates the variation is not simply to make more money. It is necessary for business survival and keeping food products safely stored.

F. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

The applicant indicates he did not intentionally desire to not meet maximum permitted shed height and size standards and that the business is responding to public safety needs with proper storage.

G. 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

The applicant indicates it will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

H. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The applicant indicates this condition will be met.

ATTACHMENTS

1. Application
2. Site plan- aerial and zoning map
3. Photo
4. Drawing documents
5. Landlord letter

RECOMMENDED ACTION

Commission recommend approval to the Village Board for variation to Section(s) 13.3-1and 13.3-2 of the Zoning Ordinance at 4660 West Algonquin Road on parcel 18-26-401-037 allowing the construction of a fourteen-foot high, 465 square foot cooler shed located at the rear of the property.



2073116
AUG 23 2020

PLANNING & ZONING APPLICATION

Property Information

Common street address: 4550 W. ALGONQUIN ROAD, LITH IL 60156

PIN (Property Index Number): 18-26-401-037

Current Zoning: B-2 Proposed Zoning: B-2

Current Use: NEIGHBORHOOD CENTER Proposed Use: NEIGHBORHOOD CENTER

Is the request consistent with the Comprehensive Plan? YES

Number of Acres: 3.08 If greater than 4 acres, 2 acres for government property or 5 acres for manufacturing zoned land, application shall be processed as a Planned Development as a Conditional Use. See definition of Planned Development and PD Section of Zoning Ordinance.

Legal description of the property (print or attach exhibit): LOT 3 IN BELL CHASE COMMONS, BEING A RESUBDIVISION OF LOT H IN SPRING LAKE

FARM SOUTH UNIT 2 BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 26, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT

THEREOF RECORDED JANUARY 12, 1999 AS 1999R0003024, AND PLAT APPROVAL AND ACKNOWLEDGEMENT RECORDED AS DOCUMENT 1999R0019577, IN MCHENRY COUNTY, ILLINOIS

Property Owner Information

Name(s):

Business/Firm Name (if applicable): BELL CHASE COMMONS, LLC

Address: PO BOX 460

City/State/Zip: WOODSTOCK, IL 60098

Phone Number: 815-308-5310

Email: BOBWALLEN@COMCAST.NET

Applicant Information

Name(s): THOMAS YILCUIIS

Business/Firm Name (if applicable): BUTCHER ON THE BLOCK

Address: 4660 WEST ALGONQUIN ROAD

City/State/Zip: LAKE IN THE HILLS IL 60156

Phone Number: 847-669-6679

Email: TOM@BUTCHERONTHEBLOCK.COM

Standards and Findings of Facts for a Variance per Section 23.7 of the Zoning Ordinance

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. **Explain how this standard is met.**

THE LONG TIME L.I.T.H. BUSINESS HAS GROWN WITH THE VILLAGE
AND RECENTLY EXPANDED IN SIZE BACK IN 2016/17, AND THE SUPPORT
OF L.I.T.H. RESIDENTS HAS BEEN AMAZING. HOWEVER, AS A RESULT OF
COVID 19 PANDEMIC GUIDELINES, IT HAS PROVED IMPOSSIBLE TO FILL
COMMUNITY NEEDS WITHOUT THIS TYPE OF EXTERIOR CUSTOMER
PICKUP & STORAGE FACILITY AND WITHOUT THE CUSTOMER ENTERING THE STORE
INTERIOR

2. The plight of the owner is due to unique circumstances. **Explain how this standard is met.**

SEE ABOVE RESPONSE (OPERATING A BUSINESS IN A PANDEMIC)

3. The variation, if granted, will not alter the essential character of the locality. **Explain how this standard is met.**

THE PROPOSED STRUCTURE IS CONSTRUCTED OF COMMERCIAL BASED
HARDY MATERIALS AND VISUALLY & AESTHETICALLY PLEASING
VERSUS ^{SO MANY} TEMPORARY SOLUTIONS BEING IMPLEMENTED DURING
THIS PANDEMIC.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

4. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out. **Explain how this standard is met.**

THE EXIST. MAIN STRUCTURE IS SIGNIFICANTLY TALLER THAN THIS
NECESSARY STRUCTURE. THE APPLICANT'S DESIRE IS TO CREATE
SOMETHING ATTRACTIVE AND SAFE FOR HIS CUSTOMER BASE
TO APPROACH AND ~~BE~~ CONTINUE TO SATISFY FOR LOCAL NEEDS.

5. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification. **Explain how this standard is met.**

COVID 19 PANDEMIC IS NOT AN ISOLATED SITUATION.
THIS TENANT IS WILLING TO INVEST IN A MORE PERMANENT
SOUND STRUCTURE RATHER THAN CONTINUE OPERATING OUT BACK
OF A SEMI-TRAILER TRUCK.

6. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property. **Explain how this standard is met.**

COVID 19 PANDEMIC NEW MEASURES TO SATISFY CUSTOMER
SAFETY IS NOT ONLY MONEY DRIVEN, BUT MAY BE MORE
BUSINESS SURVIVAL DRIVEN

7. That the alleged difficulty or hardship has not been created by any person presently having interest in the property. **Explain how this standard is met.**

THE HARDSHIP MAY BE BUSINESS CLOSURE WITHOUT THIS BUSINESS
RESPONDING SAFELY TO PANDEMIC PUBLIC SAFETY REQUIREMENTS

8. 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. **Explain how this standard is met.**

AS CAN BE READILY OBSERVED ON THE APPLICANT'S
DRAWINGS, THE DESIGN IS VERY NEAT, FUNCTIONAL AND
AS COMPACT AS CAN BE, WHILE STILL SATISFYING
THE ANTICIPATED PUBLIC'S CONTINUED DEMAND.

9. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood. **Explain how this standard is met.**

THIS SMALL ^{STRUCTURE} NECESSARY IS BEING PROPOSED ON SOUTH
(REAR) SIDE OF THE PROPERTY AND FEW WILL EVER
SEE, BUT INSTRUCTED CUSTOMERS.

Shawn M. Quinn 8/26/20
Applicant's Signature Date

Paul 8/26/20
Property Owner's Signature Date

1. Please indicate the variation that is being sought, include section(s) and paragraph(s) of the Zoning Ordinance and any dimension(s) and a brief description of the proposed use, construction or development that prompted the request:

SECTION 13) ACCESSORY STRUCTURES

1.) 13.3-1 HEIGHT: 12'0" ALLOWED 13'0" PROPOSED @ HIGH POINT
11'9" AVERAGE NEW ROOF HEIGHT

2.) 13.3-2 SIZE: 300 SQ. FT. ALLOWED 450 SQ. FT. PROPOSED
OUTSIDE STORAGE IN BUSINESS

PROPOSED USE: OUTDOOR CUSTOMER PICKUP & STORAGE

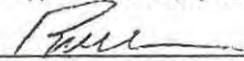
EVENT WHICH PROMPTED: COVID-19 PANDEMIC

PLANNING & ZONING APPLICATION

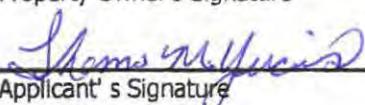
Page Two

1	2	3	4	5	6
Request	Select Request with "X"	Required Fee ac = acre	For Requirements See Appendix	Public Hearing Required See Appendix A2	Total Fee (enter amount per column 3)
Annexation		\$1,000/ac payable upon annexation	D	Yes	
Sketch Plan		\$0	E	No	
Tentative Plan		\$500 + \$10/ac	F	No	
Final Plat		\$500 + \$10/ac	G	No	
Plat of Vacation and/or Resubdivision Plat		\$500 + \$10/ac	H	No	
Conditional Use		\$500 + \$10/ac over 2 ac	I	Yes	
Rezoning		\$500 + \$10/ac over 2 ac	J	Yes	
Text Amendment		\$500	K	Yes	
Variance – Residential		\$100	L	Yes	
Variance – Non-Residential	X	0-2 ac = \$250 Over 2 ac = \$500	L	Yes	\$ 250 ⁰⁰
Development Plan Review		\$500 + \$10/ac	M	No	
Total Fees – add column 6 (Separate Check)					
Additional Fees					
Stormwater Permit Application Fee to be paid at time of permit issuance (Separate Check)					
Minor = \$250 Intermediate or Major = \$1,000					
Reimbursement of Fees Required Appendix B = \$2,000 + \$100/acre for every acre over 5 acres (Separate Check)					

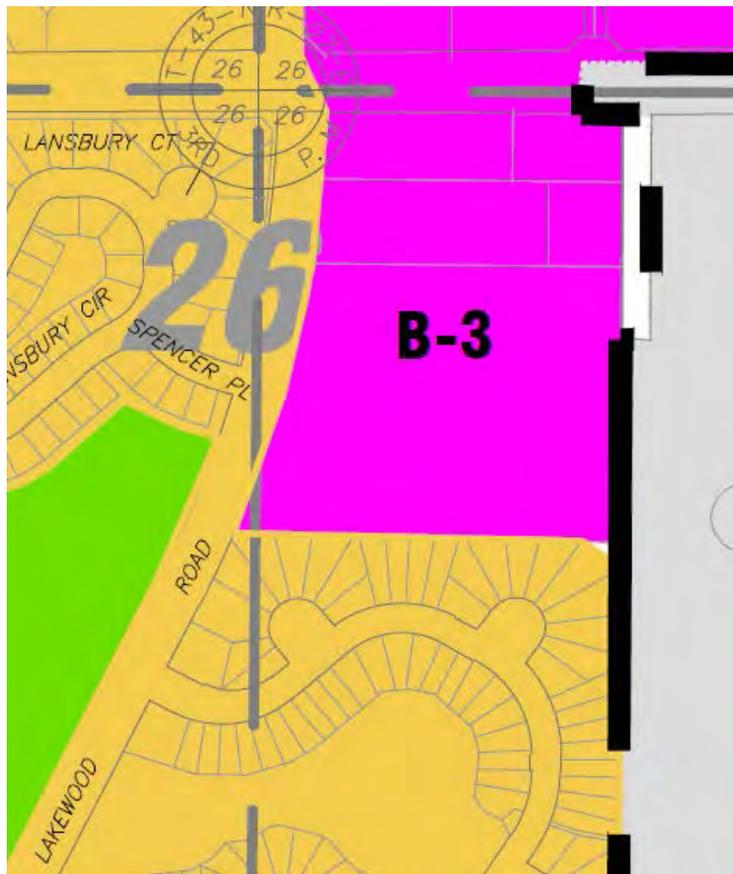
If the Village provides a sign to publicize a public hearing related to this application, the applicant accepts responsibility to ensure the sign is returned within one week after completion of the hearing. The applicant further agrees that if the sign is not returned, they will compensate the Village \$75.00 to allow for a replacement of the lost sign and agrees the Village may withhold approval of their application until payment is received.

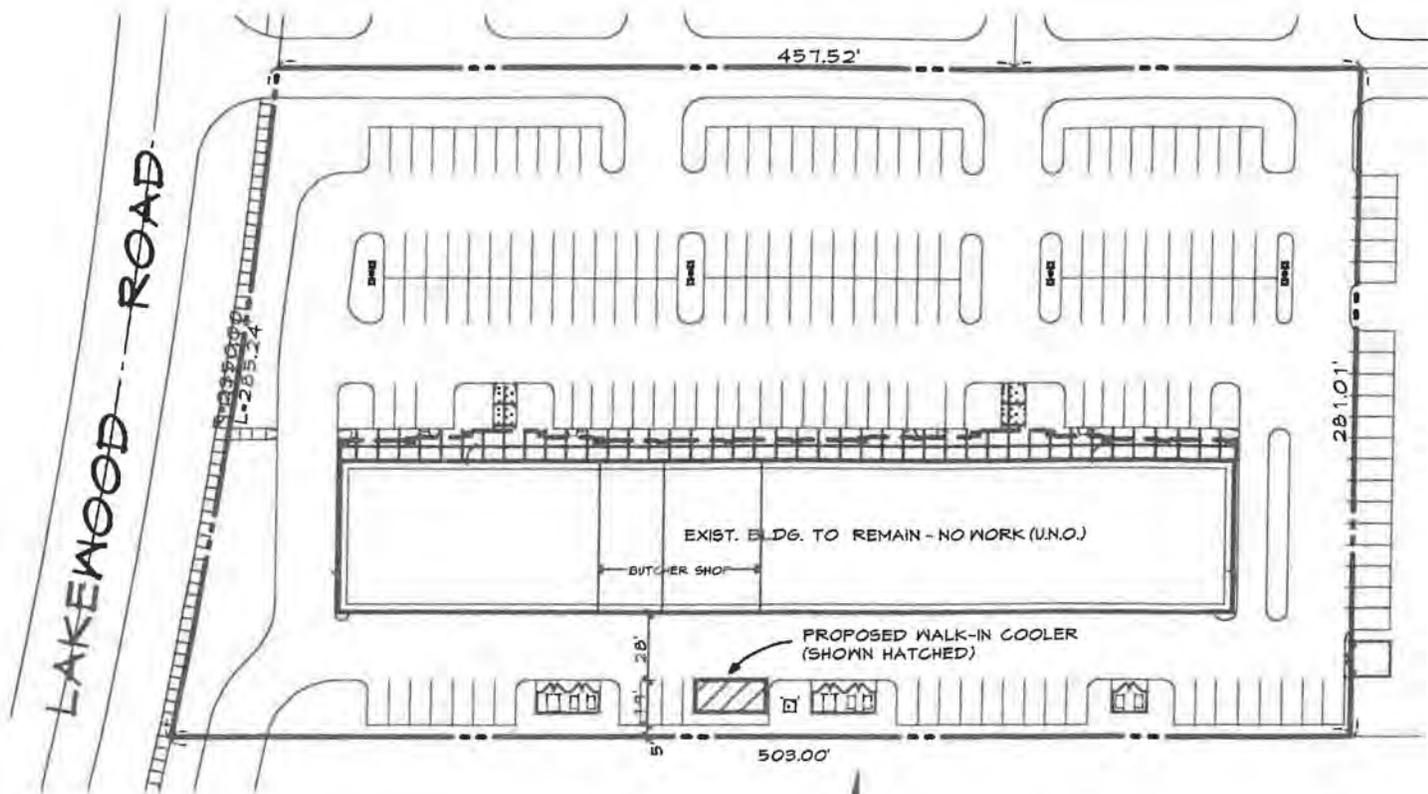

8/26/20
 Property Owner's Signature Date

If Owner/Applicant Is a School District please, fill out and submit Appendix N


8/26/20
 Applicant's Signature Date

All required appendices and documentation shall be submitted with this application. Incomplete applications will not be processed.





site key plan n 1" = 50'

- DO NOT SCALE DRAWINGS, USE ONLY FIGURED DIMENSIONS, AND FIELD VERIFY PRIOR TO ANY BIDDING AND/OR WORK!
- SITE INFO. TAKEN FROM 'ALTA/ACSM' LAND TITLE SURVEY DATED FEB. 10, 2004, AS PREPARED BY VANDERSTAPPEN SURVEYING INC. LICENSED ILLINOIS LAND SURVEYOR

compliance statement

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, COMPLY WITH ALL APPLICABLE CODES.

I HAVE PREPARED, OR CAUSED TO BE PREPARED UNDER MY DIRECT SUPERVISION, THE ATTACHED PLANS AND SPECIFICATIONS AND STATE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF AND TO THE EXTENT OF MY CONTRACTUAL OBLIGATION, THEY ARE IN COMPLIANCE WITH THE FEDERAL A.D.A. STANDARDS FOR ACCESSIBLE DESIGN AND THE ILLINOIS ACCESSIBILITY CODE (71 ILL. ADM. CODE 400) AND ALL APPLICABLE FEDERAL AND STATE ACCESSIBILITY STANDARDS.

SIGNED: _____

ARCHITECT: LAWRENCE A. FARRINGTON

ILLINOIS REGISTRATION NO.: 011981

ARCHITECTS 127 + ASSOCIATES, INC.

DESIGN FIRM LICENSE NO.: 184-002195

DATE: 5 AUG 20

LICENSE EXPIRES: 11/30/20

LICENSE EXPIRES: 4/30/21

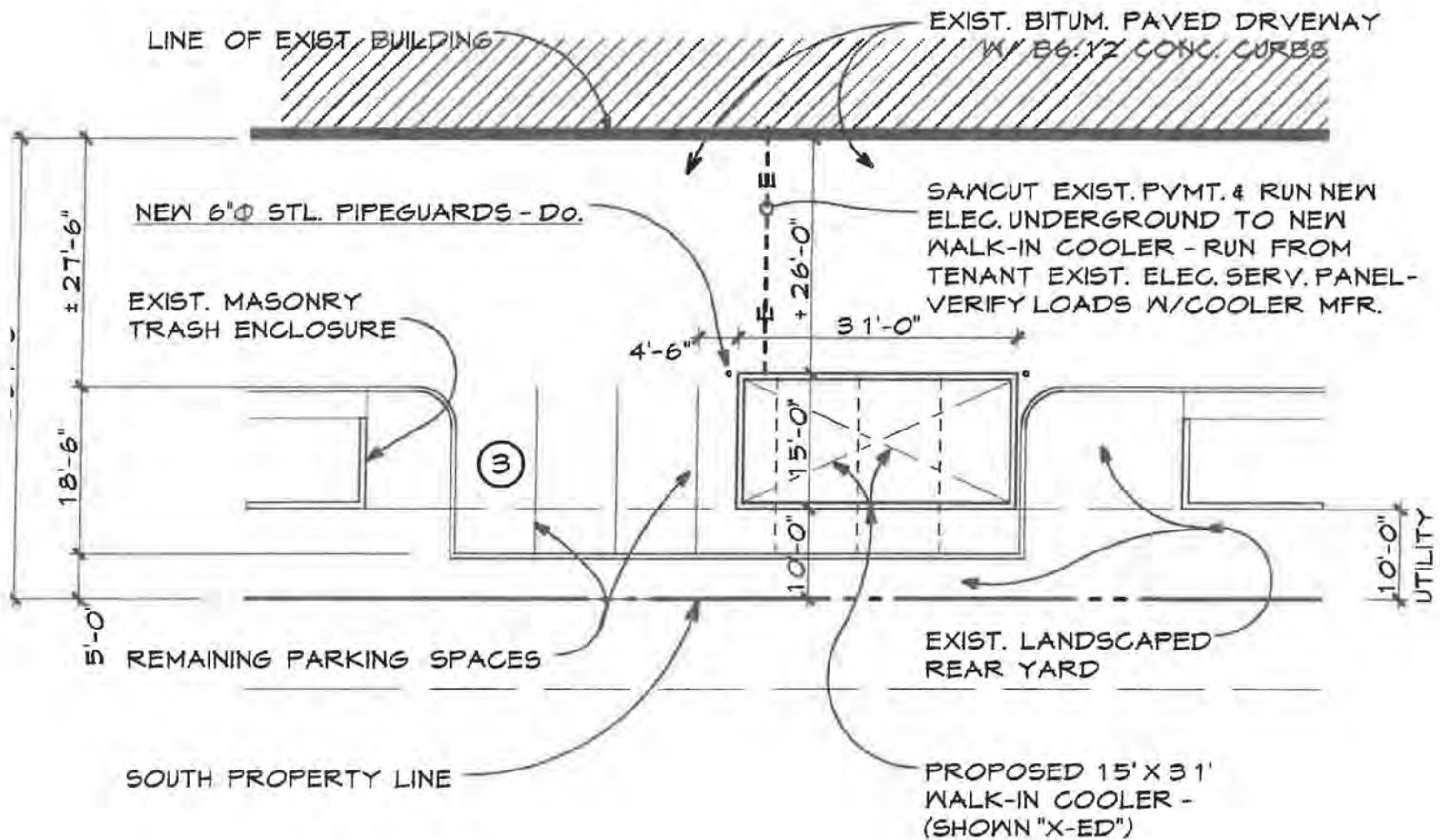


... shall be their own cutting, fitting, patching, etc. to make the several parts come together properly and fit it to receive or be received by work of other trades.

11. The intention of these Documents is to include all labor, materials services, equipment and transportation necessary for the complete and proper execution of the Work indicated on Drawings or reasonably inferred therefrom.
12. The Contractor and ALL Subcontractors shall maintain such insurance as will protect Him/Her from claims under Workman's Compensation acts and other employee benefit acts; from claim for damages because of bodily injuries, including death to His/Her employees and all others, from claims for damages to property any or all of which may arise out of or result from the Contractor's operations under this Contract.

All insurance required shall include indemnification and HOLD HARMLESS provisions covering the Owner, Tenant and Architect.

13. The Architect shall not have control or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, for the acts or omissions of the Contractor, Subcontractors or any other persons performing any of the Work, or for the failure of any of them to carry out the Work in accordance with the Contract Documents.

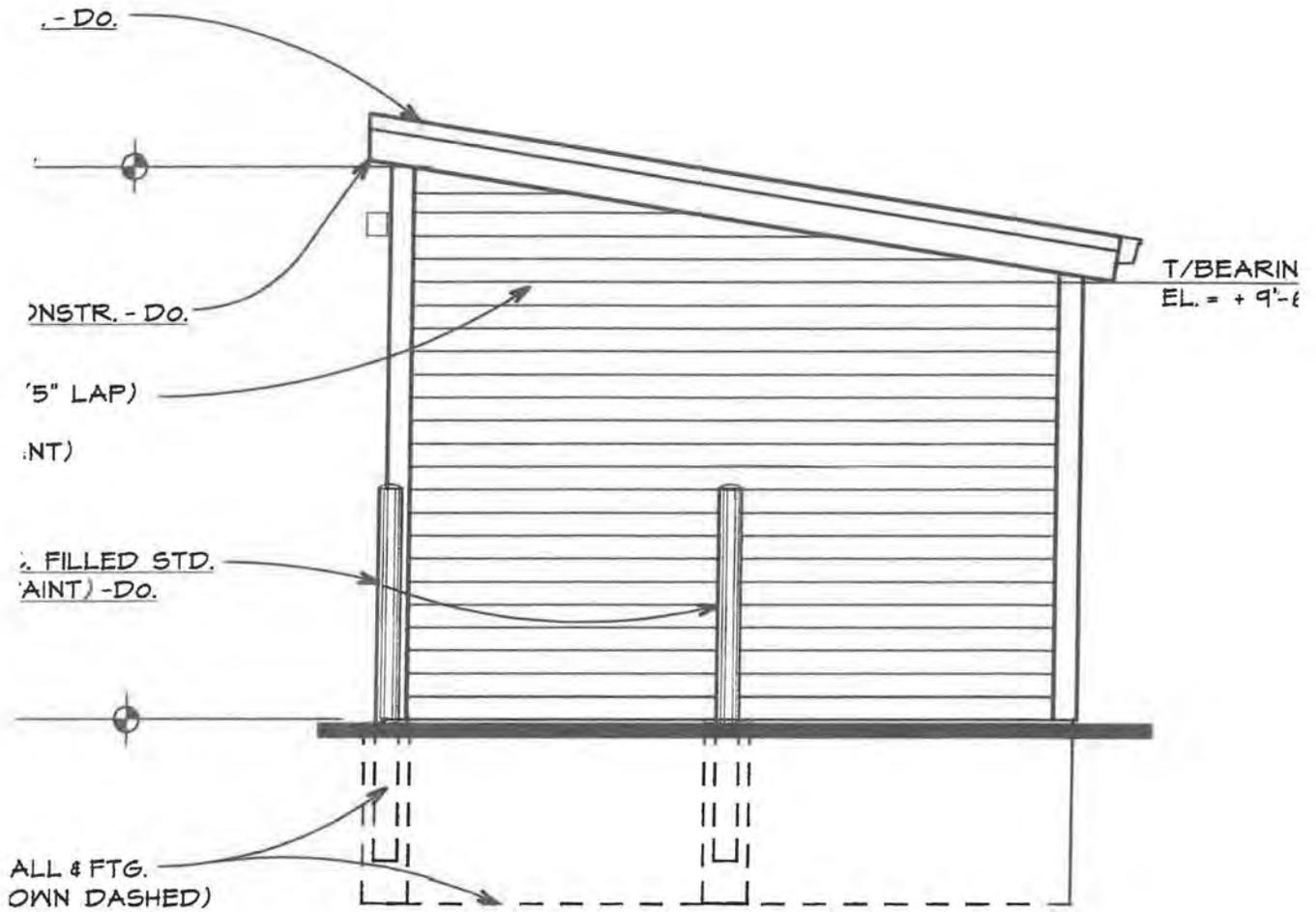


partial site plan



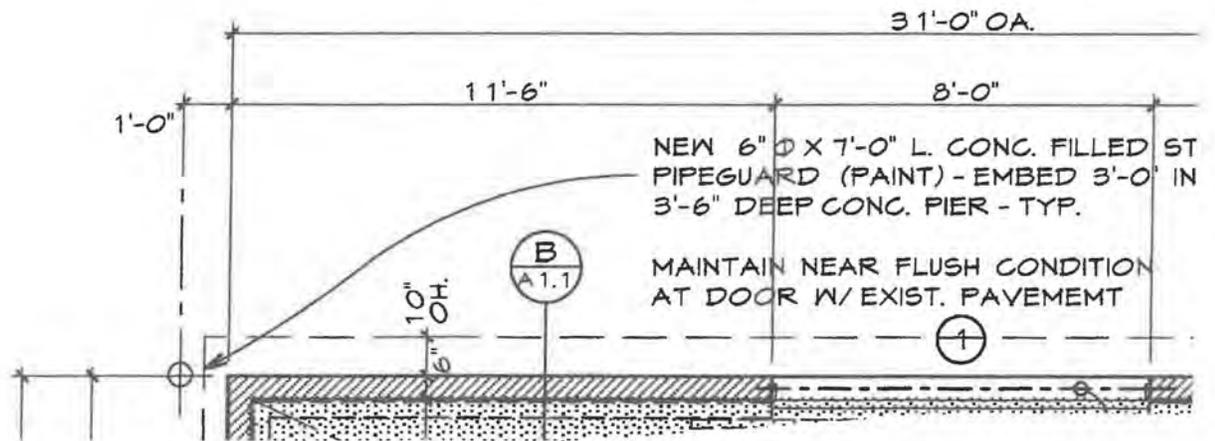
1"=20'

- SITE INFO. TAKEN FROM "ALTA/ACSM" LAND TITLE SURVEY DATED FEB. 10, 2004, AS PREPARED BY VANDERSTAPPEN SURVEYING INC. LICENSED ILLINOIS LAND SURVEYOR

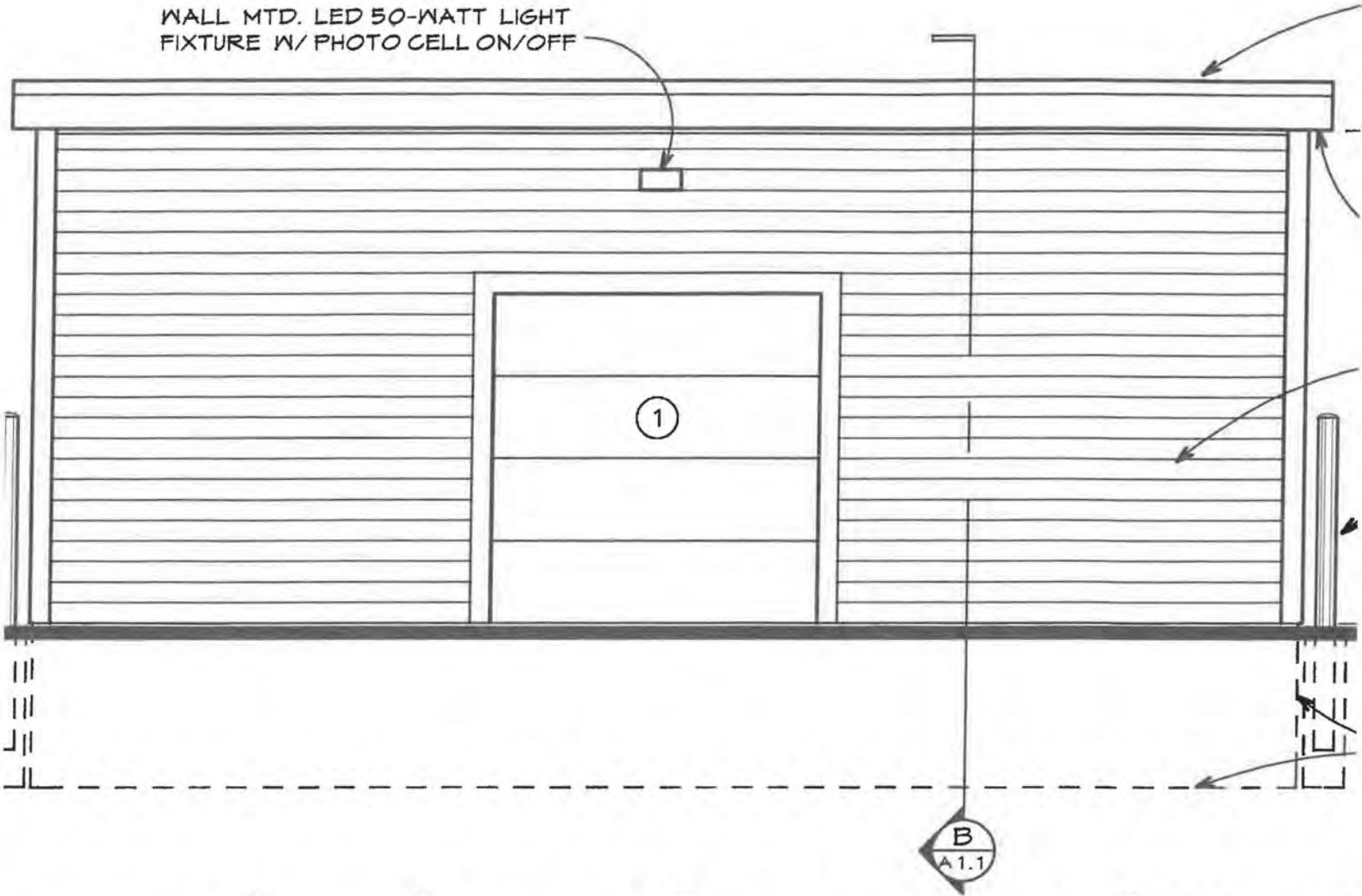


west

• TYP. SIDE ELEVATION



WALL MTD. LED 50-WATT LIGHT
FIXTURE W/ PHOTO CELL ON/OFF



north elevation

1/4"=1'

REFER TO SHEET A1.1, SITE PLAN FOR COOLER LOCATION

SOUTH ELEVATION SIMILAR - EXCEPT NO OVERHEAD DOOR

NOTE:

ICE & WATERSHIELD TO EXTEND FROM OUTSIDE
EDGE OF EAVE TO 2'-0" (MIN.) BEYOND
INTERIOR WALL LINE OF BUILDING - TYP.

OPTION: LOW-PITCHED ROOF
CLASS "A" ASPHALT ROOFING
RATED FOR LOW PITCH) &
UNDERLAYMENT OVER 5/8"
O.S.B. ROOF SHEATHING R
CLIPS ON 2x10 WD. RAFTERS
12 ROOF SLOPE 1/2" RAI



VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2020 - ____

An Ordinance Granting Variations to Section 13.3-1, Accessory Structure "Height Limitations" and Section 13.3-2, Accessory Structure "Size" at 4660 West Algonquin Road on Parcel 18-26-401-037, Allowing Construction of a 14-Foot High, 465 Square Foot Accessory Structure

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois (the "Village"), is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, Thomas Yucuis, applicant, of the Subject Property located at 4660 West Algonquin, Lake in the Hills, IL 60156 with a PIN of 18-26-401-037, petitioned the Village of Lake in the Hills for a variation to Section 13.3-1, Accessory Structure "Height Limitations" and Section 13.3-2, Accessory Structure "Size" of the Zoning Ordinance to allow a 14-foot high, 465 square foot accessory structure at the rear of the property; and

WHEREAS, the Planning and Zoning Commission, after deliberation, has made a report and its recommendation relative to the variations for the subject property; and

WHEREAS, the President and Board of Trustees of the Village of Lake in the Hills have considered the report of the Planning and Zoning Commission and all of the evidence presented by the petitioner at the public hearing before the Commission; and

NOW, THEREFORE, Be It ordained by the President and Board of Trustees of the Village of Lake in the Hills, McHenry County, Illinois that:

SECTION 1: The Corporate Authorities find that the statements in the foregoing preamble are true.

SECTION 2: The findings and recommendations of the Planning and Zoning Commission on the question of granting the variation for the Subject Property at 4660 West Algonquin Road is hereby accepted.

SECTION 3: Variations to Section 13.3-1, Accessory Structure "Height Limitations" and Section 13.3-2, Accessory Structure "Size", of the Zoning Ordinance to allow the construction of a 14-foot high, 465 square foot accessory structure at the rear of the property on the Subject Property is hereby granted; and

SECTION 4: All other requirements set forth in the Zoning Ordinance of the Village of Lake in the Hills, as would be required by the Village as to any owner of property zoned in the same manner as the Subject Property shall be complied with.

SECTION 5: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this 24th day of September, 2020 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Ray Bogdanowski	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
President Russ Ruzanski	_____	_____	_____	_____

APPROVED THIS 24TH DAY OF SEPTEMBER, 2020

Village President, Russ Ruzanski

(SEAL)

ATTEST: _____
Village Clerk, Cecilia Carman

Published: _____



REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020
DEPARTMENT: Community Development
SUBJECT: Text Amendment to Section 16, Signs

EXECUTIVE SUMMARY

The Planning and Zoning Commission has discussed several changes to the Sign Section of the Zoning Ordinance over the past several months. Proposed changes are intended to modernize standards and fully support the business and local community. Input was requested on multiple occasions from all interested stakeholders.

Language has been added to fully address electronic message boards, temporary signs, and the installation and removal of signs. A significant addition to the Section is the updating of the Sign Tables permitted in various zoning districts.

A public hearing on these text amendments was held on September 17, 2020. There were no public comments and Commissioners voted 6-0 to recommend approval of the proposed changes.

FINANCIAL IMPACT

None

ATTACHMENTS

1. Ordinance
2. Section 16, Signs, with commentary

RECOMMENDED MOTION

Motion to approve an ordinance to amend Section 16, Signs, of the Zoning Ordinance.

VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2020-_____

**An Ordinance Granting Text Amendments to
Section 16, "Signs", of the
Village of Lake in the Hills Zoning Ordinance**

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, a representative of the Village of Lake in the Hills petitioned the Village to consider amending Section 16 "Signs" in its entirety; and

WHEREAS, a public hearing was held by the Village of Lake in the Hills Planning and Zoning Commission, after due notice in the manner provided by law; and

WHEREAS, the Planning and Zoning Commission, after deliberation has made a report and made its recommendation relative to the text amendments; and

WHEREAS, the President and Board of Trustees have considered the report and recommendation of the Planning and Zoning Commission and all of the evidence presented by the petitioner at the public hearing before the Planning and Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lake in the Hills, McHenry County, Illinois, that:

SECTION 1: The Corporate Authorities find that the statements in the foregoing preamble are true.

SECTION 2: The recommendation of the Planning and Zoning Commission on the question of approving the Zoning Ordinance is hereby accepted.

SECTION 3: That Section 16 "Signs" shall be removed in its entirety and amended in the Zoning Ordinance to read as follows:

SECTION 16

SIGNS

16.1 PURPOSE:

All signs located within the Village limits shall be located, constructed, altered, maintained, and removed in accordance with the provisions set forth in this Section. The intent of the regulations in this Section are to provide uniform and content-neutral sign standards and regulations in an effort to safeguard the general welfare of the public, preserve property values and to maintain the aesthetic quality of the Village while balancing these goals with the development of the area. The sign regulations shall control the installation, number, general design, illumination, location, maintenance, and removal of all signs, while respecting the First Amendment rights of the public and property owners.

16.2 GENERAL PROVISIONS:

16.2-1 *Permit Required:* It shall be unlawful for any person to construct, alter, or change any lettering or graphics, or relocate any sign except as expressly authorized by this Section without first obtaining a permit from the Community Development Department and paying the required fees.

16.2-2 *Building Code Compliance:* All signs shall be constructed in accordance with applicable provisions of the building codes adopted by the Village. No sign shall be constructed which interferes with public safety, a building's proper operation, or is not in compliance with required clearances from above and/or below ground utilities.

16.2-3 *Illinois Highway Advertising Control Act:* No sign permitted under this Section shall be constructed or maintained if the sign shall in any way violate the Illinois Highway Advertising Control Act 225 ILCS 440 standards as amended.

16.2-4 *Sign Area:* Sign area is defined as the entire area within a single continuous perimeter enclosing the extreme limits of all lettering, designs, and symbols together with the background on which they are displayed. Where the interior angle between a double-sided sign is 45 degrees or less, the sign area is computed as the area of one face only. If the angle between two sign faces is greater than 45 degrees, the sign area is computed as the sum of the sign faces.

Logo and symbol elements present on the sign shall have their size calculated separately from text. The smallest geometric shape that encloses the elements shall be used, and added to the text area to determine the total sign area.



16.2-5 *Required Landscaping at Ground Signs:* Landscaping shall be installed around the base of all ground signs to visually anchor the sign. Landscaping shall include shrubs, ornamental plantings, or groundcovers (excluding turf grass) that are large enough to soften the base of the sign without blocking the signage text. For every 1 square foot of sign area there shall be 2 square feet of landscaped area, as measured in ground area coverage, immediately adjacent to the sign base.

If the ground area surrounding the base of the sign is insufficient in size for all calculated required landscaping, the balance of the required landscaping shall be provided in an alternate location on the same zoning lot. The location shall be approved by the Director of Community Development.

16.2-6 *Sight Line Preservation:* No sign shall be constructed on any corner lot taller than 24 inches in height as measured from street curb level or edge of street pavement, if the sign is to be located within the area of a driver's sight-line triangle at an intersection of two streets. The triangle shall be determined by measuring 23 feet along the edge of road pavement in each direction of the intersecting streets, and then diagonally across the adjacent land to define the third side of the triangle.

16.2-7 *Illumination:*

A. *General:* External and internal lighting sources shall be white (non-colored) light, and shall not blink, fluctuate or move except as permitted for electronic message board signs.

B. *Internal Illumination:* Internal sign illumination shall be permitted subject to the following restrictions:

1. In no case shall the lighting intensity exceed the limit of 70 foot-candles measured with a standard light meter perpendicular to the face of the sign, at a distance equal to the lesser dimension of the sign, whether that is the measurement of the height or the width.

2. No sign in any Residential District may be internally illuminated, except signs on an existing non-residential parcel that is adjacent to or falls within a Residential District.

C. *External Illumination:* External illumination shall be permitted subject to the following restrictions:

1. Lighting shall be uniformly distributed over the area of the sign and not extend beyond the edges of the sign.
2. Lighting shall not directly shine into dwellings or create a traffic hazard.
3. The light reflectance when measured perpendicular to the sign face at a distance of one foot from the surface, shall not exceed 50 foot-candles when measured with a standard light meter.
4. Floodlights, gooseneck reflectors or other external sources of illumination shall have lighting bulbs contained within light fixture housings.

D. *Digital Signs/Electronic Message Boards:* Digital Signs/Electronic Message Boards within Ground or Wall signs may consist of either of the following types:

1. *Electronic Display Screens:* A sign or portion of a sign that displays an electronic image or video which may include text. This may include television screens, or video panels, whether made of plasma, LED, or other video projection technology, and holographic displays.
2. *Electronic Message Sign:* Any sign or portion of a sign that uses changing lights to form messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.



Electronic Message Sign

3. Duration/Message Display Update:

- a. The display time for a single line of text shall not be less than 2 seconds. The minimum time that a phrase is displayed should be based on 1 second per word, or 2 seconds per line of text, whichever produces a lesser value.
- b. Copy change time between the displays of phrases shall be instantaneous with no fades.
- c. Images and pictures as part of a message shall remain steady and shall not scroll, flash, pulse, or fade. The display time for images or messages containing images shall be a minimum of 5 seconds.
- d. Signage brightness shall not exceed 5000 nit luminance during daytime hours and 500 nit luminance after dusk.

4. Vehicle Fueling Station Signs:

Signage for the purposes of displaying price adjustments may be integrated into ground signs and shall not exceed twelve (12) square feet in display area.

16.2-8 *Non-profit Entities- Temporary Signs in Right-of-Ways:* Non-profit entities may submit a written request to the Community Development Department to allow for an event sign(s) to be placed in the public right-of-way. The request shall be submitted in writing and include a description of the sign(s), dimensions, dates of display, the specific location where the sign(s) is to be displayed, and the contact information for the party responsible for the sign(s). The request shall be submitted a minimum of 10 business days in advance of the requested starting date of display. Such signs shall require the approval of the Village Administrator.

16.2-9 *Duties and Powers of the Community Development Director:* As the regulations cannot anticipate every possible situation, the Community Development Director is granted administrative authority, but not the obligation, to accept minor changes not clearly defined in this Section.

16.3 PROHIBITED SIGNS:

The following signs are hereby expressly prohibited everywhere within the Village, *except as otherwise specifically allowed:*

- A. Billboards
- B. Off-premise signs
- C. Flashing signs
- D. Pennants, general flags, and streamers
- E. Building projecting signs
- F. Building roof signs
- G. Signage directly mounted on fences, landscaping, utility poles, retaining walls, refuse enclosures and storage sheds, except for public signs and signs necessary for the operation of a facility

- H. Signs mounted on or contain within parked vehicles and conspicuously displayed solely for advertising purposes
- I. Signs that move or have moving parts
- J. Signs that use reflective paints and/or materials
- K. Signs that emit odors, sound, or visible matter
- L. Signs suspended across any street or public right-of-way
- M. Signs located on vacant land or land under construction except as authorized by this Section
- N. Signs in conflict with traffic signals, vehicular or pedestrian travel, traffic sight lines, or impeding access to fire safety operations
- O. Signs that impair the public health, safety, or welfare
- P. Signs hand-painted on surfaces or windows of any building
- Q. Signs on transmission and receiving towers, satellite dishes, and solar arrays
- R. Temporary signs except as authorized by this Section
- S. Inflatable signs
- T. Signs in the public right-of-way except as authorized by this Section
- U. Human Signs: Persons wearing a costume or sign, or carrying a sign
- V. Any sign which uses exposed exterior neon tubing and/or exposed light bulbs including lights on an opaque background.
- W. Hand-painted wall, ground, or pole signs located in non-residential districts and intended for permanent display.

16.4 EXEMPT SIGNS:

The following types of signs are exempt from the regulations of this Section and from all permit requirements herein except as noted. All private property signage utilizing electrical power is subject to electrical code and permitting requirements.

- A. *Temporary Residential Yard Signs:* Yard signs located on residentially zoned property are allowed to be displayed for a period of 60 consecutive days, followed by a minimum period of 60 consecutive days without display, and may be up to 6 square feet per sign with a maximum of 2 signs per zoning lot. Signs shall only be placed with the consent of the owner. The maximum display height shall be 8 feet and minimum setbacks shall be 5 feet inside all side and rear property lines. Signs placed in front yards shall be setback a minimum of 5 feet from the edge of street pavement and shall not interfere with the safe operation of public sidewalks. The owner of the lot on which the sign is located will be deemed responsible for the sign.
- B. *Public Signs:* Signs required by governmental bodies or public utilities specifically authorized for a public purpose by any law, statute or ordinance; such public signs may be of any type, number, area, height, location or illumination as permitted by law, statute or ordinance.
- C. *Secluded Signs:* Signs located on private property that cannot be deciphered from a public right-of-way or public property.
- D. *Government Symbols or Insignia:* Any sign of any official court or public office, notices thereof, or any flag, emblem or insignia of a government entity.
- E. *Window Signs:*
 - 1. *Residential Zoning Districts:* Window signs in residential zoning districts shall not exceed 30 percent of the window surfaces area per building elevation.

2. *Non-Residential Zoning Districts:* Window signs in non-residential zoning districts may be affixed or applied to the interior or exterior side of window glass and shall not exceed 30 percent of the total glass area per tenant and per building elevation. Perforated window film applications shall be measured by the entire area covered by the film including the spaces created by the perforations. Window films containing no graphics, text, and of a monochromatic color blending with the adjacent building walls, may be used to cover glass windows and doors up to 100 percent of the total window surface area when not facing principal streets. Each building elevation shall be consistent throughout the area of windows that has window films applied such that a combination of window panels with images on the film will not be mixed with window panels of solid monochromatic color on a single elevation. Such signage shall require a permit prior to being placed.

a. *Displays:* The display of merchandise shall not be construed as a window sign, or any signs identifying or promoting merchandise or services, so long as the signage element is located no less than 12 inches back from the interior surface of the glass.

b. *Illumination:* The use of neon tubing, LED, or any other type of light source that can produce an effect similar to that of neon tubing is permitted only as an inside window or door signage element but shall not blink, flash, or scroll. The general outlining of windows or doors with any type of neon tubing, LED tubing or other type of light source that can produce a similar effect is prohibited.

F. *Signs on Residentially Zoned Vacant Land that is for Sale or Lease:*

1. *Sign on small parcel:* A single unlit sign located on a vacant or unimproved parcel less than one acre in size shall not exceed 8 feet in height from the ground and 16 square feet in signage area. Such sign

shall be removed within seven days after the sale has closed or a lease is signed on the last unit vacancy.

2. *Sign on a large parcel:* A single unlit sign located on a vacant or unimproved parcel that is greater than one acre in size shall not exceed 8 feet in height from the ground, 10 feet in sign width, and 32 square feet in signage area. Such sign shall be removed within 1 year of building permit issuance or within 7 days after the last vacancy sale, whichever occurs first.

G. *Signs on Non- Residential Zoned Vacant Land that is for Sale or Lease:*

1. *Sign on a small parcel:* A single sign located on a vacant or unimproved parcel of 50 acres or less shall not exceed 8 feet in height and 64 square feet in signage area.
2. *Sign on a large parcel:* A single sign located on a vacant or unimproved parcel of more than 50 acres shall not exceed 15 feet in height and 96 square feet in signage area.
3. *Sign removal:* Signs on large and small parcels shall be removed within 1 year of building permit issuance or within 7 days after the last vacancy sale, whichever occurs first.

H. *Signs on Parcels Under Construction:* A single unlit sign per parcel under construction shall not exceed 8 feet in height and 32 square feet in signage area, and shall be located a minimum of 5 feet within any lot line. Such sign shall be removed upon the final inspection approval for the project.

I. *Site Circulation Signs for the Operations of Businesses:* Signs for the proper operation and associated vehicular circulation and pedestrian access of a parcel shall not exceed 6 feet in height and 3 square feet in signage area per sign. Signs shall be located a minimum of 5 feet within any lot line and a minimum of 3 feet back from any internal driving areas. A building permit shall be obtained prior to the placement of the signs.

- J. *Real Estate Address Signs:* Signs for the proper identification of real estate by address are limited to the display of address numerals, street names, and insignias. Free-standing address signs shall be limited to 2 square foot for residential districts, and 4 square feet for commercial districts.
- K. *Plaques:* Plaques, memorial signs or tablets, names of buildings and date of construction and similar type of identification and information when cut or mounted on the building's surface and constructed of non-combustible material.
- L. *Warning Signs:* Signs on parcels that serve as an aid to safety and are limited to (2) square feet in area, such as no hunting, fishing or dumping, or that designate the location of utilities.
- M. *Political Campaign Signs:* Political campaign signs are allowed at all times with no limitation on square footage or required setback except that the political campaign sign shall not be allowed in the right-of-way, and must be a minimum of 5 feet back from the edge of public street pavement where no sidewalk exists, and shall be in compliance with the clear sight-line triangle at any intersecting streets. The owner of the lot on which the sign is located will be deemed responsible for the sign.
- N. *Village related event signs or banners:* Shall be allowed to be displayed across the public way or right-of-way to promote Village sponsored events. Such signs shall require the approval of the Village Administrator.

16.5 TEMPORARY SIGNS

Temporary signs on a non-residential zoned parcel, not otherwise addressed in this Section, shall require a permit and shall be displayed for a maximum period of 60 consecutive days, followed by a minimum period of 60 consecutive days without display. Signs shall not be located in right-of-ways.

16.6 ADMINISTRATION

- 16.6-1 *Legal Nonconforming Signs:* Signs which do not conform to the provisions of this Section, but complied with all applicable ordinances and regulations in effect at the time of their construction, may remain so long as the use which they advertise or identify remains. Any legal non-conforming sign that is damaged or destroyed, by any means, to the extent that the replacement or repair cost exceeds 50 percent of the valuation of the sign based on current market value, shall be required to be made conforming to the current regulations.
- 16.6-2 *Removal of Signs:* The Director of Community Development is hereby authorized to order the removal of any sign for any violation of this Section, or any ordinances of the Village Municipal Code.
- 16.6-3 *Obsolete Signs:* If any sign is no longer in use, or there are no operations taking place on the parcel for which the sign was installed, it shall be removed.
- 16.6-4 *Unsafe or Unlawful Signs:* Every unlawful sign shall be removed as provided by this Section. If the Director of Community Development determines that any sign is a threat to public health and safety, or was constructed, or is not maintained in compliance with the provisions of this Section, it shall be removed.
- 16.6-5 *Immediate Removal Without Notice:* The Director of Community Development may cause any permitted sign which is an eminent danger to persons or property, be immediately removed or repaired by a third party if the owner or lessee cannot be located to remedy or take action immediately for the hazard. The Director of Community Development may file a complaint with penalty per the Municipal Code, including the recovery of any costs and fees.

16.6-6 *Confiscated Signs:* Any signs in violation of any provision of this Section within the public right-of-way at any time may be removed by the Village and placed in temporary storage. The Village shall not be responsible for loss or damage to any confiscated sign, or be required to notify the owner or agent that the sign was confiscated. The Village shall not be obligated to keep signs in storage beyond 5 business days, after which time they may be discarded.

16.6-7 *Maintenance:* All signs shall be kept in good repair in accordance with the provisions of this Section. Failure of the owner or lessee or agent to keep a sign in good repair shall be deemed a violation of this Section.

16.7 SIGNS ALLOWED BY PERMIT:

16.7-1 A permit application shall be submitted for all permitted signs as described in the SIGN TABLES of this Section prior to installation on a lot.

Table 1- Signs Permitted by Zoning District:					
R-1, R-2, R-3, RE-1, RE-2, RE-5					
<i>(Residential Buildings)</i>					
Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall or Ground (Permanent)	1 (per street frontage)	4 sq. ft. (max. per sign)	8 ft. (max. height from grade)	10 ft. (min. distance from lot line)	

<p>Wall (Temporary)</p>	<p>2 (per zoning lot)</p>	<p>16 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>60 days (max. time of display, followed by a minimum of 60 days, no display) (For temporary ground signs see 16.4 A)</p>	
<p>Subdivision Entryway (Permanent)</p>	<p>2 total (one at each primary entrance)</p>	<p>100 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height. from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	

Table 2- Signs Permitted by Zoning District:

R-1, R-2, R-3, RE-1, RE-2, RE-5

(Non-Residential Buildings)

Quantity	Sign Area	Height	Notes	Representative Imagery
<p>1 (per building elevation)</p>	<p>2 sq. ft. (for each lineal foot of bldg. frontage) 100 sq. ft. (max per sign)</p>	<p>Not to exceed height of main wall of building</p>	<p>N/A</p>	
<p>1 (per building elevation)</p>	<p>2 sq. ft. (for each lineal foot of bldg. frontage) 32 sq. ft. (max per sign)</p>	<p>Not to exceed height of main wall of building</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	
<p>1 (per street frontage)</p>	<p>50 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	
<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	

Table 3- Signs Permitted by District: R-4

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
<p>Wall (Permanent)</p>	<p>1 (per building elevation)</p>	<p>2 sq. ft. (for each lineal foot of building frontage) 100 sq. ft. (max per sign)</p>	<p>Not to exceed height of main wall of building</p>	<p>N/A</p>	
<p>Ground or Entryway (Permanent)</p>	<p>1 (per street frontage)</p>	<p>100 sq. ft. (gross aggregate of all signs)</p>	<p>8 ft. (max. height from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	
<p>Ground (Temporary)</p>	<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	

Table 4- Signs Permitted by District: B-1

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	1 sq. ft. for each lineal foot. of bldg. frontage 50 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	32 sq. ft. (max. per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display)	
Ground (Permanent)	1 (per street frontage)	50 sq. ft. (max. per sign)	8 ft. (max. height from grade)	10 ft. (min. distance from lot line)	
Ground (Temporary)	1 (per zoning lot)	32 sq. ft. (max.)	8 ft. (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display)	

Table 5- Signs Permitted by District: B-2, B-3, B-4, B-5

(Single Tenant Building)

Quantity	Sign Area	Height	Notes	Representative Imagery
<p>1 (per building elevation)</p>	<p>2 sq. ft. (for each lineal foot of building frontage) 100 sq. ft. (max per sign)</p>	<p>Not to exceed height of main wall of building</p>	<p>N/A</p>	
<p>1 (per building elevation)</p>	<p>32 sq. ft. (max per sign)</p>	<p>Not to exceed height of main wall of building</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	
<p>1 (per principal street)</p>	<p>100 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height. from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	

Ground or Entryway (Temporary)	1 (per zoning lot)	32 sq. ft. (max.)	8 ft. (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display)	
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Table 6- Signs Permitted by District: B-2, B-3, B-4, B-5

(Shopping Centers or Multi-Tenant Buildings)

Quantity	Sign Area	Height	Notes	Representative Imagery
1 (per building elevation)	2 sq. ft. for each lineal foot of tenant frontage 250 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
1 (per building elevation)	32 sq. ft. (max per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display)	

<p>Ground or Entry way (Permanent)</p>	<p>1 (per principal street)</p>	<p>200 sq. ft. (max. per sign)</p>	<p>16 ft. (max. height from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	
<p>Ground or Entryway (Temporary)</p>	<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max.)</p>	<p>8 ft. (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	

Table 7-Signs Permitted by District: A-1, I-B. OS

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. for each lineal foot of tenant frontage 100 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	32 sq. ft. (max. per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display)	

Ground (Permanent)	1 (per street frontage)	100 sq. ft. (max. per sign)	8 ft. (max height from grade)	10 ft. (min. distance from lot line)	
Ground (Temporary)	1 (per zoning Lot)	32 sq. ft. (max.)	8 ft. (max height. from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display)	

Table 8- Signs Permitted by District: M-1, M-2

(Single Tenant)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. for each lineal foot of building frontage	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per zoning lot)	32 sq. ft. (max)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display)	

Ground (Permanent)	1 (per street frontage)	100 sq. ft. (max)	8 Ft. (max. height from grade)	10 Ft. (min. distance from lot line)	
Ground (Temporary)	1 (per zoning lot)	32 sq. ft. (max.)	8 ft. (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no	

Table 9- Signs Permitted by District: M-1, M-2					
(Business Center Development)					
Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Ground Entryway (Permanent)	1 (per principal street)	200 sq. ft. (max. per sign)	10 ft. (max height from grade) 10 ft. (min. distance from lot line)	Locate at main entry to business center	

Ground Entryway (Temporary)	1 (per zoning lot)	32 sq. ft. (max)	8 ft. (max height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display)	
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Table10- Signs Permitted by District: AD1, AD2

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 lineal feet for each lineal foot of bldg. frontage, 100 sq. ft. (max. per sign)	Not to exceed height of main wall of building	N/A	
Ground (Permanent)	1 (per principal street)	100 sq. ft. (max per sign)	8 ft. (max height. from grade)	10 ft. (min. distance from lot line)	

<p>Ground (Temporary)</p>	<p>1 (per tenant)</p>	<p>32 sq. ft. (max)</p>	<p>8 ft. (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	
<p>Wall (Temporary)</p>	<p>1 (per building)</p>	<p>32 sq. ft. (max)</p>	<p>Not to exceed height of main wall of building</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p>	

Note: All AD1 and AD2 District signage is subject to additional location, size, and illumination restrictions established by the Federal Aviation Administration.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this 24th day of September, 2020 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Ray Bogdanowski	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
President Russ Ruzanski	_____	_____	_____	_____

APPROVED THIS 24TH DAY OF SEPTEMBER, 2020

Village President, Russ Ruzanski

(SEAL)

ATTEST:

Village Clerk, Cecilia Carman

Published:

SECTION 16

SIGNS

16.1 PURPOSE:

The paragraph below was edited to consolidate wording and still convey the purpose of the Sign Section. RED text is new language to include per the Village attorney for First Amendment rights. Other edits are staff's clarifications.

All signs located within the Village limits shall be located, **constructed**, altered, maintained, **and removed** in accordance with the provisions set forth in this Section. The intent of the regulations in this Section are to provide **uniform and content-neutral** sign standards and regulations in an effort to safeguard the general welfare of the public, preserve property values and to maintain the aesthetic quality of the Village while balancing these goals with the development of the area. **The sign regulations shall control the installation, number, general design, illumination, location, maintenance, and removal of all signs, while respecting the First Amendment rights of the public and property owners.**

16.2 GENERAL PROVISIONS:

For the sub-sections below, Permit Requirements and Building Code Compliance which were described further back in the Section were moved up to General Provisions. Permit Application and Permit Fee subsections were eliminated as they are covered in the Municipal Code. RED text is staff's clarifications.

16.2-1 *Permit Required:* It shall be unlawful for any person to **construct**, alter, or change any lettering or graphics, or relocate any sign except as expressly authorized by this Section without first obtaining a permit from the Community Development Department and paying the required fees.

16.2-2 *Building Code Compliance:* All signs shall be constructed in accordance with applicable provisions of the building codes adopted by the Village. **No sign shall be constructed which interferes with public safety, a building's proper operation, or is not in compliance with**

required clearances from above and/or below ground utilities.

16.2-3 *Illinois Highway Advertising Control Act:* No sign permitted under this Section shall be constructed or maintained if the sign shall in any way violate the Illinois Highway Advertising Control Act 225 ILCS 440 standards as amended.

16.2-4 *Sign Area:* Sign area is defined as the entire area within a single continuous perimeter enclosing the extreme limits of all lettering, designs, and symbols together with the background on which they are displayed. Where the interior angle between a double-sided sign is 45 degrees or less, the sign area is computed as the area of one face only. If the angle between two sign faces is greater than 45 degrees, the sign area is computed as the sum of the sign faces.

Logo and symbol elements present on the sign shall have their size calculated separately from text. The smallest geometric shape that encloses the elements shall be used, and added to the text area to determine the total sign area.

New Graphic below was added to help explain how sign area is defined.



Landscaping requirements below were moved to this Section from another Section of the Zoning Ordinance.

16.2-5 *Required Landscaping at Ground Signs:* Landscaping shall be installed around the base of all ground signs to visually anchor the sign. Landscaping shall include shrubs, ornamental plantings, or groundcovers (excluding turf grass) that are large enough to soften the base of the sign without blocking the signage text. For every 1 square foot of sign area there shall be 2 square feet of landscaped area, as measured in ground area coverage, immediately adjacent to the sign base.

If the ground area surrounding the base of the sign is insufficient in size for all calculated required landscaping, the balance of the required landscaping shall be provided in an alternate location on the same zoning lot. The location shall be approved by the Director of Community Development.

The sub-section below was added to further explain prohibited signs that interfere with public safety. The measurements described align with the regulations of the Fences Section of the Zoning Ordinance.

16.2-6 *Sight Line Preservation:* No sign shall be constructed on any corner lot taller than 24 inches in height as measured from street curb level or edge of street pavement, if the sign is to be located within the area of a driver's sight-line triangle at an intersection of two streets. The triangle shall be determined by measuring 23 feet along the edge of road pavement in each direction of the intersecting streets, and then diagonally across the adjacent land to define the third side of the triangle.

16.2-7 *Illumination:*

Text in RED in letters A, B, and C below were added to coordinate the paragraphs and to clarify existing provisions.

- A. *General:* External and internal lighting sources shall be white (non-colored) light, and shall not blink, fluctuate or move except as permitted for electronic message board signs.
- B. *Internal Illumination:* Internal sign illumination shall be permitted subject to the following restrictions:
1. In no case shall the lighting intensity exceed the limit of 70 foot-candles measured with a standard light meter perpendicular to the face of the sign, at a distance equal to the lesser dimension of the sign, whether that is the measurement of the height or the width.
 2. No sign in any Residential District may be internally illuminated, except signs on an existing non-residential parcel that is adjacent to or falls within a Residential District.
- C. *External Illumination:* External illumination shall be permitted subject to the following restrictions:
1. Lighting shall be uniformly distributed over the area of the sign and not extend beyond the edges of the sign.
 2. Lighting shall not directly shine into dwellings or create a traffic hazard.
 3. The light reflectance when measured perpendicular to the sign face at a distance of one foot from the surface, shall not exceed 50 foot-candles when measured with a standard light meter.
 4. Floodlights, gooseneck reflectors or other external sources of illumination shall have lighting bulbs contained within light fixture housings.

The provisions of Letter D below were added to have language that fully addresses digital and electronic signs.

D. Digital Signs/Electronic Message Boards:
Digital Signs/Electronic Message Boards within Ground or Wall signs may consist of either of the following types:

- 1. Electronic Display Screens:* A sign or portion of a sign that displays an electronic image or video which may include text. This may include television screens, or video panels, whether made of plasma, LED, or other video projection technology, and holographic displays.
- 2. Electronic Message Sign:* Any sign or portion of a sign that uses changing lights to form messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

New graphic below was added to help define what an electronic message sign is.



Electronic Message Sign

3. *Duration/Message Display Update:*

- a. The display time for a single line of text shall not be less than 2 seconds. The minimum time that a phrase is displayed should be based on 1 second per word, or 2 seconds per line of text, whichever produces a lesser value.
- b. Copy change time between the displays of phrases shall be instantaneous with no fades.
- c. Images and pictures as part of a message shall remain steady and shall not scroll, flash, pulse, or fade. The display time for images or messages containing images shall be a minimum of 5 seconds.
- d. Signage brightness shall not exceed 5000 nit luminance during daytime hours and 500 nit luminance after dusk.

4. *Vehicle Fueling Station Signs:*

Signage for the purposes of displaying price adjustments may be integrated into ground signs and shall not exceed twelve (12) square feet in display area.

The Village Administrator seeks to streamline the approval process for non-profit entities' temporary signage for events.

The sub-section below was added to address such requests that currently must be placed on the Village Board agenda, and subsequent requests that often occur annually for the same signage.

16.2-8 *Non-profit Entities- Temporary Signs in Right-of-Ways:* Non-profit entities may submit a written request to the Community Development Department to allow for an event sign(s) to be placed in the public right-of-way. The request shall be

submitted in writing and include a description of the sign(s), dimensions, dates of display, the specific location where the sign(s) is to be displayed, and the contact information for the party responsible for the sign(s). The request shall be submitted a minimum of 10 business days in advance of the requested starting date of display. Such signs shall require the approval of the Village Administrator.

The sub-section added below is to aid in the administration of the Sign Section and the approval process for all signage.

16.2-9 *Duties and Powers of the Community Development Director:* As the regulations cannot anticipate every possible situation, the Community Development Director is granted administrative authority, but not the obligation, to accept minor changes not clearly defined in this Section.

16.3 PROHIBITED SIGNS:

In the listing below, text shown in RED are clarifications of existing provisions, or additions. Items removed from the previous listing (meaning now permitted) include "A" frame signs, sandwich signs, curb signs, portable signs, banners, and feather banners.

The following signs are hereby expressly prohibited everywhere within the Village, *except as otherwise specifically allowed:*

- A. *Billboards*
- B. Off-premise signs
- C. Flashing signs
- D. Pennants, general flags, and streamers
- E. *Building* projecting signs
- F. *Building* roof signs

- G. Signage directly mounted on fences, landscaping, utility poles, retaining walls, refuse enclosures and storage sheds, **except for public signs and signs necessary for the operation of a facility**
- H. Signs mounted on or contain within parked vehicles and conspicuously displayed **solely** for advertising purposes
- I. Signs that move or have moving parts
- J. Signs that use reflective paints and/or materials
- K. **Signs that emit odors, sound, or visible matter**
- L. Signs suspended across any street or public right-of-way
- M. Signs located on vacant land or land under construction except as authorized by this Section
- N. Signs in conflict with traffic signals, vehicular or pedestrian travel, traffic sight lines, or impeding access to **fire safety operations**
- O. Signs that impair the public health, safety, or welfare
- P. Signs **hand-painted** on surfaces or windows of any building
- Q. Signs on transmission and receiving towers, satellite dishes, **and solar arrays**
- R. Temporary signs except as authorized by this Section
- S. Inflatable signs
- T. Signs in the public right-of-way except as authorized by this Section
- U. **Human Signs: Persons wearing a costume or sign, or carrying a sign**
- V. Any sign which uses exposed exterior neon tubing and/or exposed light bulbs including lights on an opaque background.
- W. **Hand-painted wall, ground, or pole signs located in non-residential districts and intended for permanent display.**

16.4 EXEMPT SIGNS:

Wording was removed from the introductory paragraph below for this sub-section that did not support 'content-neutral' regulations as needed for modern day standards.

The following types of signs are exempt from the regulations of this Section and from all permit requirements herein except as noted. All private property signage utilizing electrical power is subject to electrical code and permitting requirements.

Wording below in BLUE are edits following the August 2020 Plan Commission meeting discussion. Also, number of signs was increased from 1 to 2 to allow for frontage display on corner lots. Height requirement was standardized for all Districts, increasing from 5 feet to 8 feet for Residential Districts. Setbacks were added for side and rear yards, and reduced for front yards but still ensure safe placement.

- A. *Temporary Residential Yard Signs:* Yard signs located on residentially zoned property are allowed to be displayed for a period of 60 consecutive days, followed by a minimum period of 60 consecutive days without display. ~~up to 3 such periods per year,~~ and may be up to 6 square feet per sign with a maximum of 2 signs per zoning lot. Signs shall only be placed with the consent of the owner. The maximum display height shall be 8 feet and minimum setbacks shall be 5 feet from all side and rear property lines. Signs placed in front yards shall be setback a minimum of 5 feet from the edge of street pavement and shall not interfere with the safe operation of public sidewalks. The owner of the lot on which the sign is located will be deemed responsible for the sign.
- B. *Public Signs:* Signs required by governmental bodies or public utilities specifically authorized for a public purpose by any law, statute or ordinance; such public signs may be of any type, number, area, height, location or illumination as permitted by law, statute or ordinance.
- C. *Secluded Signs:* Signs located on private property that cannot be deciphered from a public right-of-way or public property.

- D. *Government Symbols or Insignia:* Any sign of any official court or public office, notices thereof, or any flag, emblem or insignia of a government entity.

For the provisions of Letter E below:

- Residential window sign limits were changed from 30 percent of first floor only to 30 percent of an elevation.
- Non-residential window films coverage area calculations was clarified.
- A provision to allow for total window coverage with color film blending with an existing building color was added to help accommodate tenant remodeling layouts where an opaque wall is needed verses having to remove glass and in-fill with masonry. Wording below in BLUE are edits following the August 2020 Plan Commission meeting discussion.

E. *Window Signs:*

1. Residential Zoning Districts: Window signs in residential zoning districts shall not exceed 30 percent of the window surfaces area **per building elevation.**
2. Non-Residential Zoning Districts: Window signs in non-residential zoning districts may be affixed or applied to the **interior or exterior side** of window glass and **shall not exceed 30 percent of the total glass area per tenant and per building elevation.** Perforated window film applications shall be measured by the entire area covered by the film including the spaces created by the perforations. Window films containing no graphics, text, and of a **neutral monochromatic color to blend with the adjacent building walls,** may be used to cover glass windows and doors up to 100 percent of the total window surface area when not are facing principal streets. Such signage shall require a permit prior to being placed.
 - a. Displays: The display of merchandise shall not be construed as a window sign, or any signs identifying or promoting merchandise or services, so long as the signage element is located no less than 12 inches back from the interior surface of the glass.

- b. Illumination: The use of neon tubing, LED, or any other type of light source that can produce an effect similar to that of neon tubing is permitted only as an inside window or door signage element but shall not blink, flash, or scroll. The general outlining of windows or doors with any type of neon tubing, LED tubing or other type of light source that can produce a similar effect is prohibited.

The provisions in letters F and G below were added to have guidelines for temporary marketing signs.

F. *Signs on Residentially Zoned Vacant Land that is for Sale or Lease:*

1. Sign on small parcel: A single unlit sign located on a vacant or unimproved parcel less than one acre in size shall not exceed 8 feet in height from the ground and 16 square feet in signage area. Such sign shall be removed within seven days after the sale has closed or a lease is signed on the last unit vacancy.
2. Sign on a large parcel: A single unlit sign located on a vacant or unimproved parcel that is greater than one acre in size shall not exceed 8 feet in height from the ground, 10 feet in sign width, and 32 square feet in signage area. Such sign shall be removed within 1 year of building permit issuance or within 7 days after the last vacancy sale, whichever occurs first.

G. *Signs on Non- Residential Zoned Vacant Land that is for Sale or Lease:*

1. Sign on a small parcel: A single sign located on a vacant or unimproved parcel of 50 acres or less shall not exceed 8 feet in height and 64 square feet in signage area.
2. Sign on a large parcel: A single sign located on a vacant or unimproved parcel of more than 50 acres shall not exceed 15 feet in height and 96 square feet in signage area.
3. Signs on large and small parcels shall be removed within 1 year of building permit issuance or within

7 days after the last vacancy sale, whichever occurs first.

The provisions in letters H,I,J,K, and L were added to clarify guidelines for commonly occurring signs.

- H. *Signs on Parcels Under Construction:* A single unlit sign per parcel under construction shall not exceed 8 feet in height and 32 square feet in signage area, and shall be located a minimum of 5 feet within any lot line. Such sign shall be removed upon the final inspection approval for the project.
- I. *Site Circulation Signs for the Operations of Businesses:* Signs for the proper operation and associated vehicular circulation and pedestrian access of a parcel shall not exceed 6 feet in height and 3 square feet in signage area per sign. Signs shall be located a minimum of 5 feet within any lot line and a minimum of 3 feet back from any internal driving areas. A building permit shall be obtained prior to the placement of the signs.
- J. *Real Estate Address Signs:* Signs for the proper identification of real estate by address are limited to the display of address numerals, street names, and insignias. Free-standing address signs shall be limited to 2 square foot for residential districts, and 4 square feet for commercial districts.
- K. *Plaques:* Plaques, memorial signs or tablets, names of buildings and date of construction and similar type of identification and information when cut or mounted on the building's surface and constructed of non-combustible material.
- L. *Warning Signs:* Signs on parcels that serve as an aid to safety and are limited to (2) square feet in area, such as no hunting, fishing or dumping, or that designate the location of utilities.

The provisions in letter M below are updating previous language to align with State guidelines and coordinate setbacks with other temporary signs.

- M. *Political Campaign Signs:* Allowed at all times with no limitation on square footage or required setback except that the political campaign sign shall not be allowed in the right-of-way, and must be a minimum of 5 feet back from the edge of public street pavement where no sidewalk exists, and shall be in compliance with the clear sight-line triangle at any intersecting streets. The owner of the lot on which the sign is located will be deemed responsible for the sign.
- N. *Village related event signs or banners:* Shall be allowed to be displayed across the public way or right-of-way to promote Village sponsored events. Such signs shall require the approval of the Village Administrator.

The sub-section added below is to clarify requirements for the most commonly occurring type of signs (temporary commercial signs). Wording below in BLUE are edits following the August 2020 Plan Commission meeting discussion.

16.5 TEMPORARY SIGNS

Temporary signs on a non-residential zoned parcel, not otherwise addressed in this Section, shall require a permit and shall be displayed for a maximum period of 60 consecutive days, ~~a maximum of 3 times per year, followed by a minimum period of 60 consecutive days without display.~~ ~~Each business shall be permitted up to 2 such signs per calendar year.~~ Signs shall not be located in right-of-ways.

16.6 ADMINISTRATION

The sub-section added below is to clarify what is required with existing signs when an updated ordinance is adopted.

- 16.6-1 *Legal Nonconforming Signs:* Signs which do not conform to the provisions of this Section, but complied with all applicable ordinances and regulations in effect at the time of their construction, may remain so long as the use which they advertise or identify remains. Any legal non-conforming sign that is damaged or destroyed, by any means, to the extent that the replacement or repair cost exceeds 50 percent of the valuation of the sign based on current market value, shall be required to be made conforming to the current regulations.

The sub-sections as titled below re-work existing language as shown in RED text to clarify requirements.

- 16.6-2 *Removal of Signs:* The Director of Community Development is hereby authorized to order the removal of any sign for any violation of this Section, or any ordinances of the Village Municipal Code.
- 16.6-3 *Obsolete Signs:* If any sign is no longer in use, or there are no operations taking place on the parcel for which the sign was installed, it shall be removed.
- 16.6-4 *Unsafe or Unlawful Signs:* Every unlawful sign shall be removed as provided by this Section. If the Director of Community Development determines that any sign is a threat to public health and safety, or was constructed, or is not maintained in compliance with the provisions of this Section, it shall be removed.
- 16.6-5 *Immediate Removal Without Notice:* The Director of Community Development may cause any permitted sign which is an eminent danger to persons or property, be immediately removed or repaired by a third party if the owner or lessee cannot be located to remedy or take action immediately for the hazard. The Director of Community Development may file a complaint with penalty per the Municipal Code, including the recovery of any costs and fees.

The sub-section added below is to clarify permitted procedures for removed signs.

- 16.6-6 *Confiscated Signs:* Any signs in violation of any provision of this Section within the public right-of-way at any time may be removed by the Village and placed in temporary storage. The Village shall not be responsible for loss or damage to any confiscated sign, or be required to notify the owner or agent that the sign was confiscated. The Village shall not be obligated to keep signs in storage beyond 5 business days, after which time they may be discarded.

The sub-section added below is to clarify requirements and enforcement for negligence in properly maintaining signs.

16.6-7 *Maintenance:* All signs shall be kept in good repair in accordance with the provisions of this Section. Failure of the owner or lessee or agent to keep a sign in good repair shall be deemed a violation of this Section.

16.7 SIGNS ALLOWED BY PERMIT:

The Sign Tables added below replace the previous 'Sign Chart'. Wording below in BLUE are edits following the August 2020 Plan Commission meeting discussion. Wording in RED are updates to coordinate with other updates of the Section, or newly proposed provisions.
 RE-5 was combined with the other residential districts.
 AD-1 and AD-2 Districts were combined.

16.7-1 A permit application shall be submitted for all permitted signs as described in the SIGN TABLES of this Section prior to installation on a lot.

16.7-2 Zoning District regulations are established in the SIGN TABLES below:

Table 1- Signs Permitted by Zoning District:

R-1, R-2, R-3, RE-1, RE-2, **RE-5**

(Residential Buildings)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall or Ground (Permanent)	1 (per street frontage)	4 sq. ft. (max. per sign)	8 ft. (6 ft.) (max. height from grade)	10 ft. (min. distance from lot line)	

<p>Wall (Temporary)</p>	<p>2 (1) (per zoning lot)</p>	<p>16 sq. ft. (6 sq. ft.) (max. per sign)</p>	<p>8 ft. (5 ft.) (max. height from grade)</p>	<p>60 days (max. time of display, followed by a minimum of 60 days, no display)</p> <p>3-times per calendar year</p> <p>(30 days per calendar year)</p> <p>(For temporary ground signs see 16.4 A)</p>	
<p>Subdivision Entryway (Permanent)</p>	<p>2 total (one at each primary entrance)</p>	<p>100 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	

Table 2- Signs Permitted by Zoning District:

R-1, R-2, R-3, RE-1, RE-2, RE-5

(Non-Residential Buildings)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. (for each lineal foot of bldg. frontage) 100 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	2 sq. ft. (for each lineal foot of bldg. frontage) 32 sq. ft. (max per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year (30 days per calendar year)	

<p>Ground (Permanent)</p>	<p>1 (per street frontage)</p>	<p>50 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>10 ft. (min. distance from lot line)</p>	
<p>Ground (Temporary)</p>	<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max. per sign)</p>	<p>8 ft. (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year (30 days per calendar year)</p>	

Table 3- Signs Permitted by District: R-4

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. (for each lineal foot of building frontage) 100 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Ground or Entryway (Permanent)	1 (per street frontage)	100 sq. ft. (gross aggregate of all signs) (50 sq. ft.)	8 ft. (max. height from grade)	10 ft. (min. distance from lot line)	
Ground (Temporary)	1 (per zoning lot) (per building)	32 sq. ft. (max.)	8 ft. (6 ft.) (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display) 3 times per calendar year (30 days per calendar year)	

Table 4- Signs Permitted by District: B-1

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	1 sq. ft. for each lineal foot. of bldg. frontage 50 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	32 sq. ft. (max. per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display) 3 times per calendar year {60 days}	
Ground (Permanent)	1 (per street frontage)	50 sq. ft. (max. per sign)	8 ft. (6 ft.) (max. height from grade)	10 ft. (min. distance from lot line)	

<p>Ground (Temporary)</p>	<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max.)</p>	<p>8 ft. (6 ft.) (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display)</p> <p>3-times per calendar year</p> <p>(60 days)</p>	
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Table 5- Signs Permitted by District: B-2, B-3, B-4, B-5

(Single Tenant Building)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. (for each lineal foot of building frontage) 100 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	32 sq. ft. (max per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display) 3 times per calendar year (60 days)	
Ground or Entryway (Permanent)	1 (per principal street)	100 sq. ft. (max. per sign)	8 ft. (max. height. from grade)	10 ft. (min. distance from lot line)	

Ground or Entryway (Temporary)	1 (per zoning lot)	32 sq. ft. (max.)	8 ft. (6 ft.) (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year (60 days)	
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Table 6- Signs Permitted by District: B-2, B-3, B-4, B-5

(Shopping Centers or Multi-Tenant Buildings)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. for each lineal foot of tenant frontage 250 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	32 sq. ft. (max per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display)	

				3-times per calendar year (60 days)	
Ground or Entry way (Permanent)	1 (per principal street)	200 sq. ft. (max. per sign)	16 ft. (max. height from grade)	10 ft. (min. distance from lot line)	
Ground or Entryway (Temporary)	1 (per zoning lot)	32 sq. ft. (max.)	8 ft. (6 ft.) (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year (60 days)	

Table 7-Signs Permitted by District: A-1, I-B. OS

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 sq. ft. for each lineal foot of tenant frontage 100 sq. ft. (max per sign)	Not to exceed height of main wall of building	N/A	
Wall (Temporary)	1 (per building elevation)	32 sq. ft. (max. per sign)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year {60-days}	
Ground (Permanent)	1 (per street frontage)	100 sq. ft. (max. per sign)	8 ft. (max height from grade)	10 ft. (min. distance from lot line)	

<p>Ground (Temporary)</p>	<p>1 (per zoning Lot)</p>	<p>32 sq. ft. (max.)</p>	<p>8 ft. {6 ft.} (max height. from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year {60 days}</p>	
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Table 8- Signs Permitted by District: M-1, M-2

(Single Tenant)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
<p>Wall (Permanent)</p>	<p>1 (per building elevation)</p>	<p>2 sq. ft. for each lineal foot of building frontage 100 sq. ft. (max per sign)</p>	<p>Not to exceed height of main wall of building</p>	<p>N/A</p>	

<p>Wall (Temporary)</p>	<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max.)</p>	<p>Not to exceed height of main wall of building</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year {60 days}</p>	
<p>Ground (Permanent)</p>	<p>1 (per street frontage)</p>	<p>100 sq. ft.</p>	<p>8 Ft. (max. height from grade)</p>	<p>10 Ft. (min. distance from lot line)</p>	
<p>Ground (Temporary)</p>	<p>1 (per zoning lot)</p>	<p>32 sq. ft. (max.)</p>	<p>8 ft. {6 ft.} (max. height from grade)</p>	<p>60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year {60 days}</p>	

Table 9- Signs Permitted by District: M-1, M-2

(Business Center Development)

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Ground Entryway (Permanent)	1 (per principal street)	200 sq. ft. (max. per sign) (180 sq. ft. gross aggregate total of all signs)	10 ft. (max height from grade) 10 ft. (min. distance from lot line)	Locate at main entry to business center	
Ground Entryway (Temporary)	1 (per zoning lot)	32 sq. ft. (max.)	8 ft. (6 ft.) (max height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display) 3 times per calendar year (60 days)	

Table10- Signs Permitted by District: AD1, AD2

Sign Type	Quantity	Sign Area	Height	Notes	Representative Imagery
Wall (Permanent)	1 (per building elevation)	2 lineal feet for each lineal foot of bldg. frontage, 100 sq. ft. (max. per sign)	Not to exceed height of main wall of building	N/A	
Ground (Permanent)	1 (per principal street)	100 sq. ft. (max per sign)	8 ft. (max height. from grade)	10 ft. (min. distance from lot line)	
Ground (Temporary)	1 (per tenant)	32 sq. ft. (max.)	8 ft. (6 ft.) (max. height from grade)	60 days (max. time for display, followed by a minimum of 60 days, no display) 3-times per calendar year (60 days)	
Wall (Temporary)	1 (per building)	32 sq. ft. (max)	Not to exceed height of main wall of building	60 days (max. time for display, followed by a minimum of 60	

days, no
display)

3 times
per
calendar
year

(60 days)

Note: All AD1 and AD2 District signage is subject to additional location, size, and illumination restrictions established by the Federal Aviation Administration.

**Sign Ordinance Changes
Submitted Public Comments
August/September 2020**

From: Laura Pekovic
Sent: Wednesday, September 02, 2020 3:14 PM
To: Ann Marie Hess
Subject: Sign Ordinance Feedback--Grove Mart

I received a phone call today from the owner of the Grove Mart. He called to verbally respond to the sign survey email that was sent out yesterday. He wanted me to convey that the Village of Lake in the Hills has given him the tools to succeed at his business. Signage and visibility are critical to businesses being able to stay in business.

Laura Pekovic | Administrative Specialist I
Certified ICC Permit Technician

Village of Lake in the Hills | 600 Harvest Gate | Lake in the Hills, IL 60156

Office: 847.960-7446 | Fax: 847.960.7445 | Email: lpekovic@lith.org

Laura Pekovic

From: Tim Borden <tborden@aceplaces.com>
Sent: Tuesday, August 18, 2020 10:47 AM
To: CD
Subject: From Moretti's in Lake in the Hills

Hi

We are responding to the call for signage input.

Due to our position on the newly re-constructed Randall Road, in a primary business district, we would like to state our request for an electronic color message board sign similar to the one we currently have at our Morton Grove and Rosemont locations.

We see from the sign ordinance proposed that electronic signs will be permitted. As we are completely surrounded by commercial and retail properties, and the four lane road in front of us carries much traffic at a relatively fast rate of speed, we believe this type of signage is appropriate.

Please see this link for views of our current signage.

<https://www.dropbox.com/sh/ta9h7q0x111n9c9/AAD4pt-KP4uartld8c6OpooRa?dl=0>

Thank you and please don't hesitate to contact me if you have any questions. Looking forward to the new and improved sign ordinance as well as the opening of the new Randall Road!

--

Tim Borden
Marketing Director
Moretti's & Alu Cawie Entertainment
2330 Hammond Drive, Unit G
(847) 303-4460
aceplaces.com
Email: tborden@aceplaces.COM

Laura Pekovic

Subject: FW: Sign Section feedback comment

This comment was received from the Algonquin/Lake in the Hills Chamber of Commerce...

A Chamber of Commerce Representative reviewed the Sign Section Proposal and commented: " appears it is straightforward" (clear and easy to follow)



Ann Marie Hess, AIA, MCP | Interim Community Services Director
Village of Lake in the Hills | 600 Harvest Gate | Lake in the Hills, IL 60156
Office: 847.960.7443 | Fax: 847.960.7445 | Email: ahess@lith.org





REQUEST FOR BOARD ACTION

MEETING DATE: September 22, 2020

DEPARTMENT: Community Development

SUBJECT: Conditional Use for Senior Housing, Variations, and Development Plan Final Approval for Arden Rose Senior Living on East Oak Street

EXECUTIVE SUMMARY

The applicants request a conditional use, variations, and approval for a development plan to construct a senior living facility on East Oak Street. Conditional use is required for senior housing in the B-3 district.

The proposed facility consists of three single-story buildings surrounding a courtyard and parking area. Variation requests include reducing the front yard setback of two of the buildings from 30 feet to 15 feet, and to allow a patio to encroach 5 feet on a 30 foot side yard setback requirement.

Additional variation requests include reducing the number of required parking spaces from 25 to 23 spaces, miscellaneous planting variances, and to permit a decorative split-rail fence along portions of the front lot line to compliment the architectural design aesthetic of the buildings. The buildings are intended to have elevations consisting of 66 percent masonry in lieu of meeting the 75 percent masonry requirement for buildings in a B-3 district.

Staff reviewed the proposed development plans and found them in compliance and reasonable. Traffic generated by this development would be minimal and not create problems for the local road network.

The Planning and Zoning Commission conducted a public hearing on August 17, 2020. Public comment and concerns of the Commission were addressed by the petitioner at the subsequent September 14, 2020 public hearing. At that time, no additional concerns were raised or conditions proposed. Commissioners voted 6-0 to recommend approval of the conditional use, variations, and the development plan.

FINANCIAL IMPACT

None

ATTACHMENTS

- | | |
|------------------------------|----------------------|
| 1. Staff Report` | 8. Photometric Plan |
| 2. Application | 9. Plat of Easements |
| 3. Appendix | 10. Floor Plan |
| 4. Zoning and Aerial Map | 11. Rendering |
| 5. Split Rail Fence Location | 12. IDNR Report |
| 6. Monument Sign | 13. Location Photo |
| 7. Final Engineering Plans | 14. Ordinance |

RECOMMENDED MOTION

Motion to approve an ordinance granting a Conditional Use for Senior Housing; Variations to Table 8.4, Section 18.9, Sections 15.2-15.3, and Section 26 of the Zoning Ordinance; and Development Plan approval for Arden Rose Senior Living on Parcel 19-21-300-061 on East Oak Street.



REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION

PLANNING AND ZONING COMMISSION

MEETING DATE: September 14, 2020

DEPARTMENT: Community Services

SUBJECT: Conditional Use for Senior Housing, Variations, and Development Plan Final Approval for Arden Rose Senior Living

EXECUTIVE SUMMARY

General Information

Requested Action: The applicant requests the following actions to allow construction of Arden Rose Senior Living facility on East Oak Street:

- Conditional Use for Senior Housing
- Variations
 - Table 8.4, Business Districts Bulk Chart- reducing the front yard setback from 30 feet to 15 feet; and requesting a 5 feet patio encroachment on a 30 feet side yard setback.
 - Section 18.9, Minimum Off-Street Parking Space Requirements- to reduce the required parking from 25 spaces to 23 spaces.
 - Section 15.2 - 15.3, to permit a decorative split-rail fence
 - Section 26- Miscellaneous planting variances
- Development Plan approval

Owner: Petitioner (and buyer of the property after zoning is complete):
Laurel Sorenson
Arden Rose Home Care, LLC

Applicant: Anthony Sarillo of Sarillo Development, LLC

Purpose: Allow construction of three senior living buildings on the East Oak Street parcel.

Location and Size: Parcel 19-21-300-061 on East Oak Street / 3.47 acres

Zoning and Land Use:

Site: B-3 General Business District

North: R-4 Multiple Family District

East: B-4 Commercial Business District

South: I-B Institutional Buildings

West: R-4 Multiple Family District

Proposed Zoning: B-3 General Business District

Comprehensive Plan Land Use: Commercial land use

Background

The applicants request a conditional use for senior housing, variations for setbacks and parking spaces, and approval of their development plan. (Conditional use is required for senior housing in the B-3 District by the Zoning Ordinance). The proposed use fits well with the neighboring districts. Business and Residential Districts surround the site. Larsen Park shares a property boundary to the south.

The development would include three single story buildings, each capable of housing 16 residents. The parking reduction is reasonable considering the residents will not normally have a personal vehicle. The parking will primarily support staff and visitors. (The petitioner has added 4 spaces to the development proposal in response to the Commission's feedback at the August 2020 Planning and Zoning Commission meeting).

The front yard setback reduction does not appear to have an impact on the adjacent parcels or right-of-way, and the side yard patio encroaches slightly on a 30 foot side yard setback by 5 feet. The low-density nature of the planned development and the significant landscaping on the lot will prevent undue impact on the townhomes to the west, and the business complex to the east. (The petitioner will provide the required 6 foot high, board-on-board property line fence in addition to landscaping to buffer the townhomes to the west of the site. The Landscape Plan has been updated to reflect this).

The petitioner has added additional masonry elements to the elevations to meet the regulation of 75% of the buildings net elevation surfaces areas must be of a masonry material.

Staff reviewed the proposed development plans and found them in compliance and reasonable. Traffic generated by this development would be minimal and not create problems for the local road network.

Standards and Findings of Fact for a Conditional Use

Before recommending any Conditional Use, the Planning and Zoning Commission and the Board of Trustees shall consider the following factors and how they are relevant to the specific conditional use being requested.

- 1. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community; and**

The applicant believes there is a growing need for senior housing facilities in the area. This type of development will provide variety diversity in the area. Additionally, it will a good fit with the residential development in the area.

2. **That the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity; and**

The applicant believes this standard has been met.

3. **That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; and**

The applicant believes this standard has been met.

4. **The extent to which the conditional use is harmonious and compatible with the goals and objectives of the Village's comprehensive planning documents.**

The proposed use of senior housing is less intense than another type of use that would be permitted by the comprehensive land use map in the intended B-3 General Business District.

5. **The amount of traffic congestion or hazards, if any, that may occur as a result of the conditional use, as well as the extent and adequacy of pedestrian and vehicular access and circulation; and**

This facility will generate minimal additional traffic on the area roads because the residents typically do not drive.

6. **The extent that the conditional use can be adequately served by essential public facilities and services, and by private utilities; and**

Adequate utilities are available.

7. **That the proposed use will comply with the regulations and conditions specified in this Zoning Code for such use, and with the stipulations and conditions made a part of the authorization granted by the Board of Trustees; and**

This site will comply with all regulations and conditions as stated in the Zoning Ordinance unless otherwise stated.

8. **Any other criteria as identified in this Zoning Code.**

Standards and Findings of Fact for a Variation

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

- A. **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;**

The front yard setback reduction will not impact the adjacent parcels and will not be out of place with existing uses. The low-density nature of the planned development and the significant landscaping on the lot will prevent undue impact on the town homes to the west of the development and the office complex to the east of the development. The parking reduction is reasonable considering the residents will not normally have a personal vehicle. The parking will primarily support staff and visitors. Given the unusual shape of the property and stormwater retention requirements, the standard setbacks would make major portions of the property unusable.

B. The plight of the owner is due to unique circumstances; and

The applicants believe the nature of their development and the geometry of the parcel creates unique circumstances.

C. The variation, if granted, will not alter the essential character of the locality.

The applicants indicate this will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

D. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;

The applicant believes the geometry of their development creates unique hardship circumstances.

E. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;

The applicants believe the nature of their development creates the unique circumstances.

F. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

The applicants believe this standard has been met.

G. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

The applicants believe this standard has been met.

H. 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

The applicants indicate it will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

- I. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The applicants indicate this condition will be met.

ATTACHMENTS

1. Application
2. Appendix
3. Zoning and Aerial Map
4. Landscape Plans and Details- (updated)
5. Split Rail Fencing Location Plan
6. Monument Sign
7. Final Engineering Plans- (updated)
8. Photometric Plan- (not previously included)
9. Plat of Easements- (not previously included)
10. Floor Plan
11. Rendering- (updated)
12. IDNR Report
13. Location Photo

RECOMMENDED ACTION

Commission recommends approval to the Village Board for a Conditional Use for Senior Housing; Variations to Table 8.4, Section 18.9, Sections 15.2-15.3, and Section 26 of the Zoning Ordinance; and Development Plan approval for Arden Rose Senior Living on Parcel 19-21-300-061 on East Oak Street.



Village of Lake in the Hills Development and Zoning Application

Date: 7/02/2020

Property Information

Common street address: 0 Oak St, Lake in the Hills

PIN (Property Index Number): 19-21-300-061

Current Zoning: B-3 C Proposed Zoning: B-3 C

Current Use: Vacant Proposed Use: Senior Assisted Living

Is the request consistent with the Comprehensive Plan? Yes

Number of Acres: 3.47 If greater than 4 acres, 2 acres for government property or 5 acres for manufacturing zoned land, application shall be processed as a Planned Development as a Conditional Use. See definition of Planned Development and PD Section of Zoning Ordinance.

Legal description of the property (print or attach exhibit): _____

See Attached

Property Owner Information

Name(s): Peggy An Lackman

Business/Firm Name (if applicable): Foresight Holdings LLC

Address: 760 Larson Ln.

City/State/Zip: Bensenville, IL 60106

Phone Number: _____

Email: _____

Applicant Information

Name(s): Anthony Sarillo

Business/Firm Name (if applicable): Sarillo Development LLC

Address: 1095 Pingree Rd Suite 201

City/State/Zip: Crystal Lake IL 60014

Phone Number: 847-854-0800

Email: asarillo@sarillo.com

Lake in the Hills Development and Zoning Application
Page 2

1	2	3	4	5	6
Request	Select Request with X	Required Fee ac = Acre	For Requirements See Appendix	Public Hearing Required See Appendix A2	Total Fee (enter Amount per Column 3)
Annexation		\$1,000/ac payable upon annexation	D	Yes	
Sketch Plan		\$0	E	No	
Tentative Plan		\$500 + \$10/ac	F	No	
Final Plat		\$500 + \$10/ac	G	No	
Plat of Vacation and/or Resubdivision Plat		\$500 + \$10/ac	H	No	
Conditional Use		\$500 + \$10/ac over 2 ac	I	Yes	
Rezoning		\$500 + \$10/ac over 2 ac	J	Yes	
Text Amendment		\$500	K	Yes	
Variance – Residential		\$100	L	Yes	
Variance – Non-Residential		0-2 ac = \$250 Over 2 ac = \$500	L	Yes	
Development Plan Review		\$500 + \$10/ac	M	No	
Total Fees					
Additional Fees					
Stormwater Permit Application Fee to be paid at time of permit issuance Minor = \$250 Intermediate or Major = \$1,000					
Reimbursement of Fees Required (Attach Appendix B) = \$2,000 + \$100/acre for every acre over 5 acres					

Property Owner Signature



Date

7/02/20

If Owner/Applicant is a School District please, complete and submit Appendix N

Applicant Signature

Date

All required appendices and documentation shall be submitted with this application. Incomplete applications will not be processed.

Appendix I – Conditional Use Requirements

The following appendix shall be filled out, signed and submitted with the following information along with the Development and Zoning Application and in accordance with the Zoning Ordinance <http://lith.org/cd/page/zoning-ordinance> and all other applicable requirements:

1. Compliance with Appendix A regarding public notice and hearing requirements
2. Plat of Survey
3. Current Deed to verify property ownership
4. Development Plans (if applicable) that comply with the Zoning Ordinance and all other Village ordinances to include:
 - a. Existing Conditions Plan
 - b. Site Plan
 - c. Utility Plan
 - d. Grading Plan
 - e. Landscape Plan
 - f. Lighting Plan
 - g. Color Building Elevations
 - h. Sign Plan
 - i. Detail Page
5. Stormwater Application and associated reports, if applicable (Appendix C)
6. List of property owners contiguous to the property within 250 feet in all directions (list parcel identification number, name, and street address) submitted. List of owners may be obtained from the Township Assessors Office. The number for Algonquin Township is (847) 639-2700 with offices at 3702 U.S. Highway 14, Crystal Lake. Grafton Township's phone number is (847) 669-3383 and its office is at 10109 North Vine Street, Huntley.
7. All documents and information necessary to comply with Village Ordinances.
8. Reimbursement of Fees Agreement (Appendix B, Exhibit A)

Night of the Public Hearing

9. Certified Green Cards from mailings
10. Certification of Newspaper Publication

Submit 1 hard copy of each report and a PDF of each report.

Submit 1 Full Size (minimum 24" x 36") hard copy and a full size PDF of each required plan.

Appendix I – Conditional Use Requirements

Conditional Use Applying For: B-3 Dwelling - Senior Housing

Standards and Findings of Facts for a Conditional Use per Section 24.6 of the Zoning Ordinance.

Before recommending any Conditional Use, the Planning and Zoning Commission and the Board of Trustees shall consider the following factors and how they are relevant to the specific conditional use being requested.

1. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will it contribute to the general welfare of the neighborhood or community? **Explain how this standard is met.**

The proposed use will contribute to the general welfare of the neighborhood by providing variety and diversity in the types of area residences, as well as the business base. In addition, there is a great need for housing options for seniors in and around the community that is well documented.

2. That the proposed use, under the circumstances of the particular case, will not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity. **Explain how this standard is met.**

The proposed use is commensurate with the current permitted use of B-3. The proposed use is of lesser density and of a residential quality that fits well within the texture of the surrounding community. Moreover, this assisted living use will not impact schools. The residents are not able to drive, thus it will not adversely affect traffic of the area. The large green space adjacent to Oak Street will improve the streetscape of the neighborhood.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. **Explain how this standard is met.**

This vacant parcel is the last of the surrounding property to be developed, thus it can not impede the development of the surrounding properties. In addition, the property to the east is park area, which will not be affected by this use. Ample vegetation for screening is proposed to adjacent residences to provide aesthetic improvement to those properties.

Appendix I – Conditional Use Requirements

4. The extent to which the conditional use is harmonious and compatible with the goals and objectives of the Village's comprehensive planning documents. **Explain how this standard is met.**

The current permitted use of B-3 allows for "a more intense amount of business" than other districts. The proposed use of senior housing is less intense and fits well with the neighboring residential and park uses.

5. The amount of traffic congestion or hazards, if any, that may occur as a result of the conditional use, as well as the extent and adequacy of pedestrian and vehicular access and circulation. **Explain how this standard is met.**

This proposed senior housing community will not impact schools. The residents of the proposed homes do not drive. Thus there will be no vehicle traffic congestion as a result of this development. The proposed development will connect the bike path to the neighboring park. This is an amenity to the pedestrian traffic experience of the residents.

6. The extent that the conditional use can be adequately served by essential public facilities and services, and by private utilities. **Explain how this standard is met.**

The proposed project is of a lower intensity than currently allowed for the property in all aspects. All public facilities and services, as well as private utilities are more than adequate.

7. That the proposed use will comply with the regulations and conditions specified in this Zoning Code for such use, and with the stipulations and conditions made a part of the authorization granted by the Board of Trustees. **Explain how this standard is met.**

The proposed development will comply with the conditions set forth by the Lake in the Hills Zoning Code and by the Board of Trustees for development submitted herein. Specific variance requests are addressed in this application.

8. The Village may impose any other criteria as identified in the Zoning Code.

Appendix I – Conditional Use Requirements

Property Owner Signature	Date
	7/02/2020
Applicant Signature	Date

Appendix L – Variance Requirements

The following appendix shall be filled out, signed and submitted with the following information along with the Development and Zoning Application and in accordance with the Zoning Ordinance <http://lith.org/cd/page/zoning-ordinance> and all other applicable requirements:

1. Compliance with Appendix A regarding public notice and hearing requirements
2. Plat of Survey
3. Current Deed to verify property ownership
4. Development Plans (if applicable) that comply with the Zoning Ordinance and all other Village ordinances to include:
 - a. Existing Conditions Plan
 - b. Site Plan
 - c. Utility Plan
 - d. Grading Plan
 - e. Landscape Plan
 - f. Lighting Plan
 - g. Color Building Elevations
 - h. Sign Plan
 - i. Detail Page
5. Stormwater Application and associated reports, if applicable (Appendix C)
6. List of property owners contiguous to the property within 250 feet in all directions (list parcel identification number, name, and street address) submitted. List of owners may be obtained from the Township Assessors Office. The number for Algonquin Township is (847) 639-2700 with offices at 3702 U.S. Highway 14, Crystal Lake. Grafton Township's phone number is (847) 669-3383 and its office is at 10109 North Vine Street, Huntley.
7. All documents and information necessary to comply with Village Ordinances.
8. Reimbursement of Fees Agreement (Appendix B, Exhibit A)

Night of the Public Hearing

9. Certified Green Cards from mailings
10. Certification of Newspaper Publication

Submit 1 hard copy of each report and a PDF of each report.

Submit 1 Full Size (minimum 24" x 36") hard copy and a full size PDF of each required plan.

Appendix L – Variance Requirements

1. Please indicate the variation that is being sought, include section(s) and paragraph(s) of the Zoning Ordinance and any dimension(s) and a brief description of the proposed use, construction or development that prompted the request:

Parking Requirements Variance - Section 18.9 - Proposed development will provide 19 spaces total, with 3 residences proposed including 15 bedrooms each. Which is 6.3 spaces per residence, or 0.42 spaces per bedroom.

Front yard variance - Minimum Yard shall be 30' (Table 8.4)

Setbacks Requested:

West: 15' building line

North: Request hard surface encroach on building setback line by 5'

Minor landscape variances requested for decorative split-rail fence (15.2 and 15.3) at front and misc. plantings variances. See attached landscape plan.

See attached for reasons that prompted the request.

Standards and Findings of Facts for a Variance per Section 23.7 of the Zoning Ordinance.

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. **Explain how this standard is met.**

Given the unusual shape of the property and the current storm water retention requirements the setback requirements would make major portions of the property unusable. This applicant believes this standard has been met.

Appendix L – Variance Requirements

2. The plight of the owner is due to unique circumstances. **Explain how this standard is met.**

The applicant believes this standard has been met.

3. The variation, if granted, will not alter the essential character of the locality. **Explain how this standard is met.**

The front yard setback requested is commensurate with the adjacent north property. The applicant believes this standard has been met.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

4. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out. **Explain how this standard is met.**

See note 1, The applicant believes this standard has been met.

5. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification. **Explain how this standard is met.**

The applicant believes this standard has been met.

Appendix L – Variance Requirements

6. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property. **Explain how this standard is met.**

The applicant believes this standard has been met.

7. That the alleged difficulty or hardship has not been created by any person presently having interest in the property. **Explain how this standard is met.**

The applicant believes this standard has been met.

8. 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. **Explain how this standard is met.**

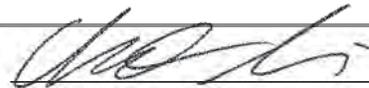
The applicant believes this standard has been met.

9. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood. **Explain how this standard is met.**

The applicant believes this standard has been met.

Property Owner Signature

Date



Applicant Signature

7/02/2020

Date

Appendix M – Development Plan Review Requirements

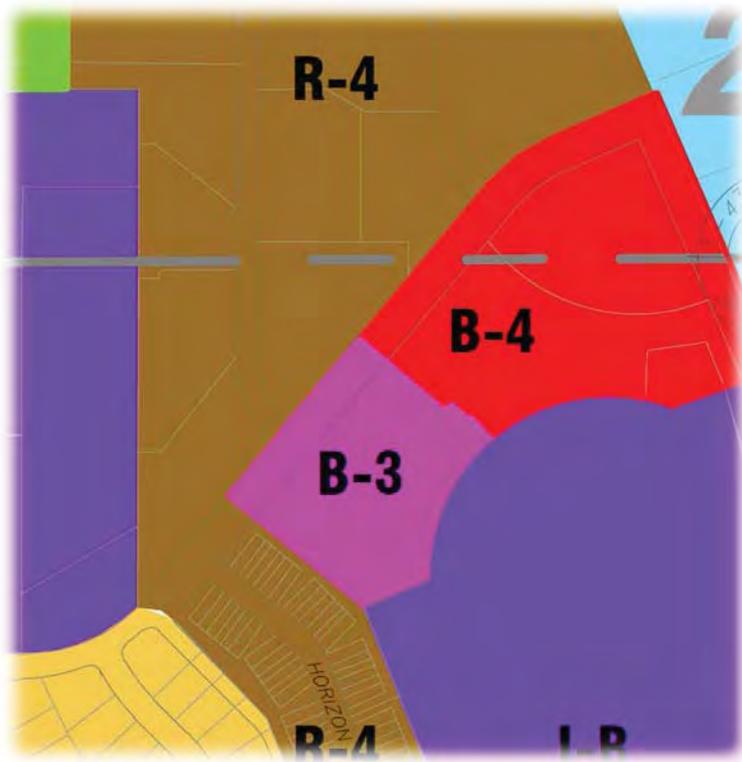
The following appendix shall be signed and submitted with the following information along with the Development and Zoning Application and in accordance with the Zoning Ordinance <http://lith.org/cd/page/zoning-ordinance> and all other applicable requirements:

1. Plat of Survey
2. Current Deed to verify property ownership
3. Development Plans (if applicable) that comply with the Zoning Ordinance and all other Village ordinances to include:
 - a. Existing Conditions Plan
 - b. Site Plan
 - c. Utility Plan
 - d. Grading Plan
 - e. Landscape Plan
 - f. Lighting Plan
 - g. Color Building Elevations
 - h. Sign Plan
 - i. Detail Page
4. Stormwater Application and associated reports, if applicable (Appendix C)
5. All documents and information necessary to comply with Village Ordinances.
6. Reimbursement of Fees Agreement (Appendix B, Exhibit A)

Submit 1 hard copy of each report and a PDF of each report.

Submit 1 Full Size (minimum 24" x 36") hard copy and a full size PDF of each required plan.

Property Owner Signature	Date
	7/02/2020
Applicant Signature	Date





CH - COMMON HACKBERRY



FM - AUTUMN BLAZE FREEMAN MAPLE



HL - SKYLINE THORNLESS HONEYLOCUST



KC - KENTUCKY COFFEETREE



MT - MAIDENHAIR TREE (GINKGO)



RL - REDMOND LINDEN



SW - SWAMP WHITE OAK

SHADE (OVERSTORY) TREES



BH - BLACK HILLS SPRUCE



SS - SIBERIAN SPRUCE

EVERGREEN TREES



AS - APPLE SERVICEBERRY AUTUMN BRILLIANCE



JL - JAPANESE TREE LILAC



RB - RIVER BIRCH



TH - THORNLESS COCKSPUR HAWTHORN

ORNAMENTAL (UNDERSTORY) TREES



AC - AMERICAN CRANBERRYBUSH



AH - ANNABELLE SMOOTH HYDRANGEA



AV - ARROWWOOD VIBURNUM



BB - DWARF BURNING BUSH



DL - DWARFKOREAN LILAC



AJ - COMPACT ANDORRA JUNIPER



DY - DENSE YEW



FS - GOLDMOUND SPIREA



GS - GRO-LOW SUMAC



LH - LITTLE LIME HYDRANGEA



RR - RED DRIFT ROSE



RW - WHITE DRIFT ROSE

DECIDUOUS SHRUBS



FJ - FAIRVIEW JUNIPER



KJ - KALLAY COMPACT PFITZER JUNIPER

EVERGREEN SHRUBS



BF - BLUE FESCUE ELJAH BLUE



DH - DAYLILY HAPPY RETURNS



KG - KARL FOERSTER FEATHER REED GRASS



PD - PRAIRIE DROPS EED



RS - RED SWITCHGRASS SHENANDOAH



TS - TUSSOCK SEDGE



PM1 - PERENNIAL MIX #1 (PALACE PURPLE CORAL BELLS & PATRIOT HOSTA)



PERENNIAL MIX #2 (SONGBIRD COLUMBINE, SUMMER BEAUTY ONION & WALKERS LOW CATMINT)



PERENNIAL MIX #3 (AUTUMN FIRE SEDUM, MAGNUS PURPLE CONEFLOWER & LITTLE SUZY BLACK EYED SUSAN)

GROUNDCOVERS / PERENNIALS / ORNAMENTAL GRASSES

PLANT MATERIAL EXHIBIT

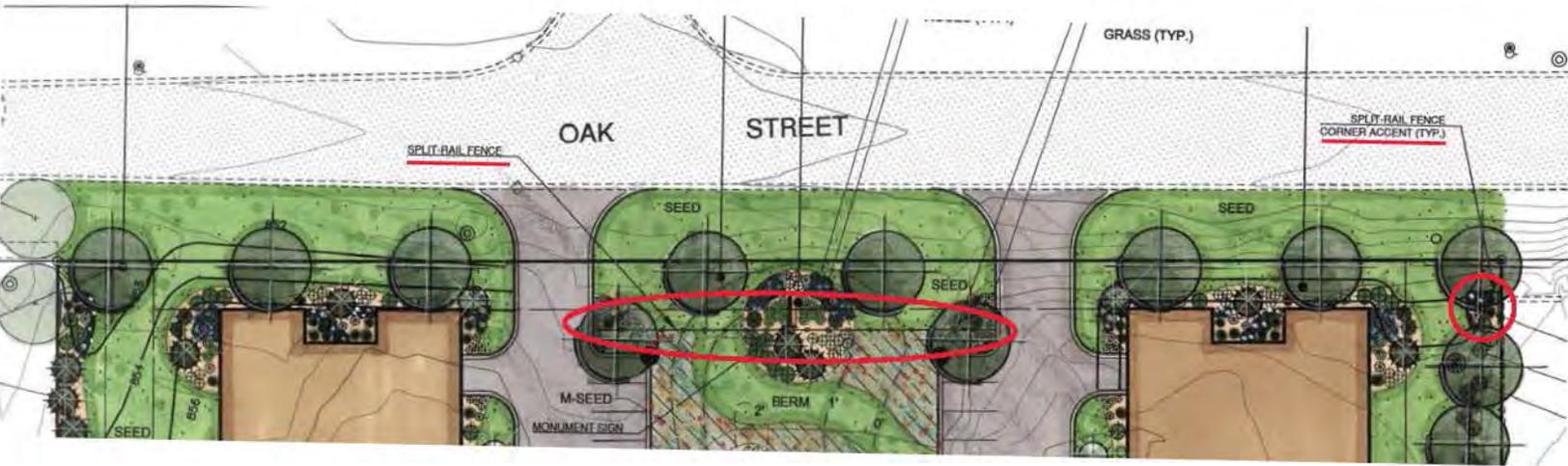
REVISIONS	DATE	DESCRIPTION

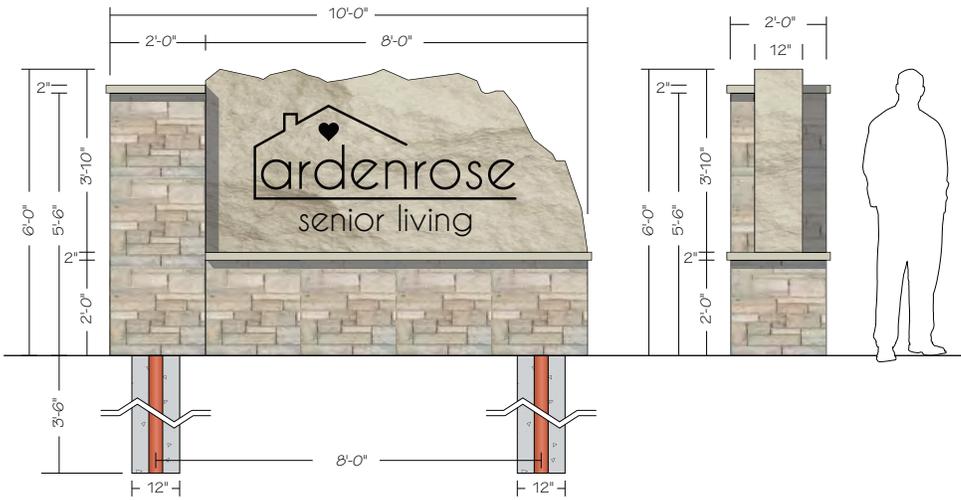
PROPOSED DEVELOPMENT
ARDEN ROSE HOME CARE
 LAKE IN THE HILLS, ILLINOIS
 OAK STREET

PLANT MATERIAL EXHIBIT	NONE
SCALE:	AS SHOWN
DESIGNER:	J. DAVITO, P.L.A.
DRAWING:	J. DAVITO, P.L.A.

J. DAVITO DESIGN, INC.
 LANDSCAPE ARCHITECTURAL DESIGN
 1011 W. WASHINGTON ST.
 SUITE 100
 LAKE IN THE HILLS, IL 60156
 WWW.JDAVITODSIGN.COM

PROJ. NO. 25-009
EXHIBIT





(1) 6'-0" x 10'-0" x 12" Double Face Non-Illuminated Monument Sign

Base: Faux Stone to Match Building - T.B.D.

Slab: Faux Limestone

Graphics: Embossed and Painted Black

Mounting: (2) 3" (3½" O.D.) Sch. 40 Steel Pipes set into
(2) 12" dia. x 3'-6" deep Concrete Foundations

PROJECT:



Arden Rose Senior Living
990 S. Randall Road
Lake in the Hills, IL

CUSTOMER APPROVAL:

DATE _____

AUTHORIZED SIGNATURE _____

REPRESENTATIVE _____

House / LS

DRAWN BY Bill Marlow

DATE 6.30.20

SCALE 1/2" = 1'

SHEET NO. 1 of 1

WORK ORDER 84111

FILE NAME SAR84111

REVISIONS:

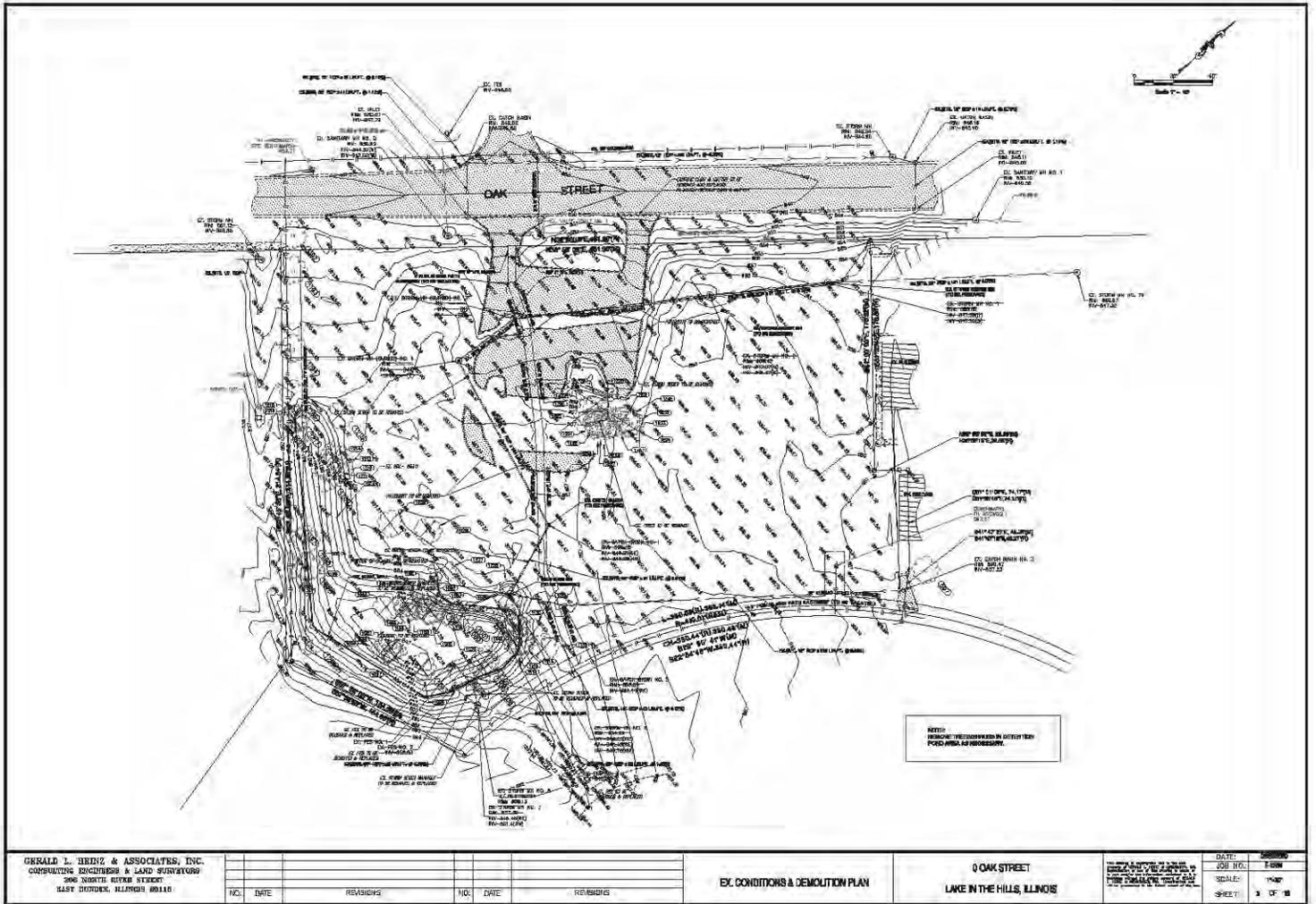
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- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____

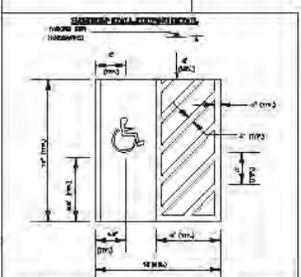
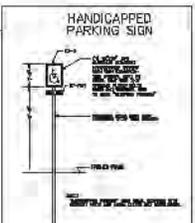
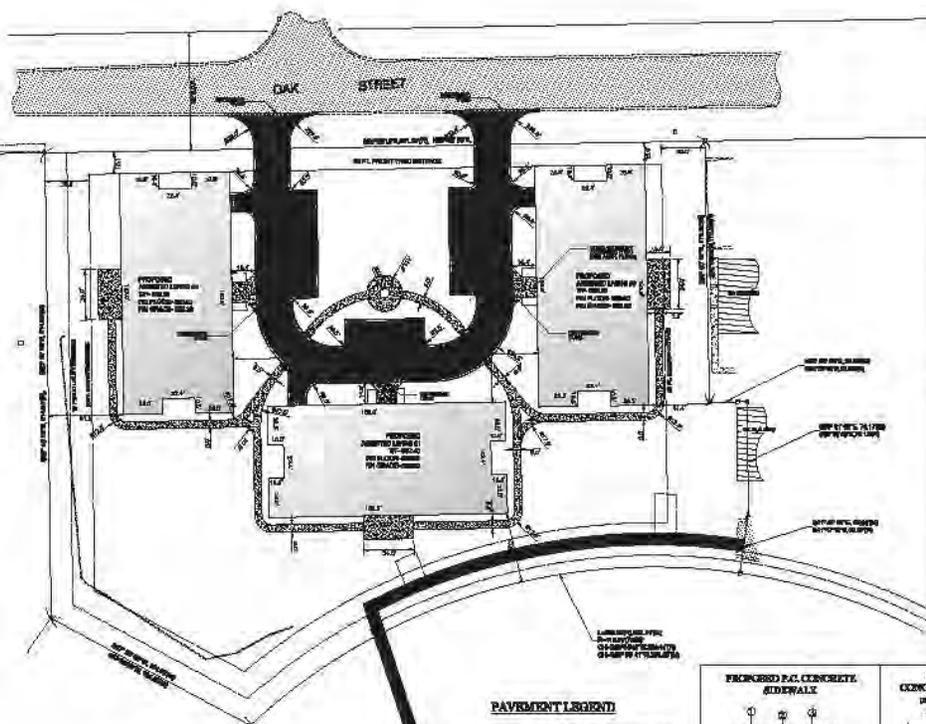


This sign is built to UL Standards for operation in North America.

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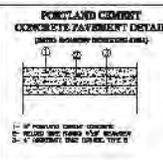
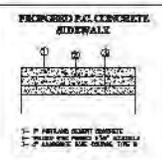
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ALL DIMENSIONS UNLESS OTHERWISE NOTED.
 FINISH GRADE
 EXISTING GRADE
 PROPOSED GRADE
 ELEVATION
 FINISH GRADE
 EXISTING GRADE
 PROPOSED GRADE
 ELEVATION

PAVEMENT LEGEND
 1. 1/2" HOT-SET ASPHALT PAVEMENT
 2. PROPOSED P.C. CONCRETE PAVEMENT, 8" THICK
 3. HOT-SET ASPHALT PAVEMENT



GERALD L. HIRSH & ASSOCIATES, INC.
 CONSULTING ENGINEERS & LAND SURVEYORS
 3016 SIXTH AVENUE, SUITE 100
 LAKE BLUFF, ILLINOIS 60045

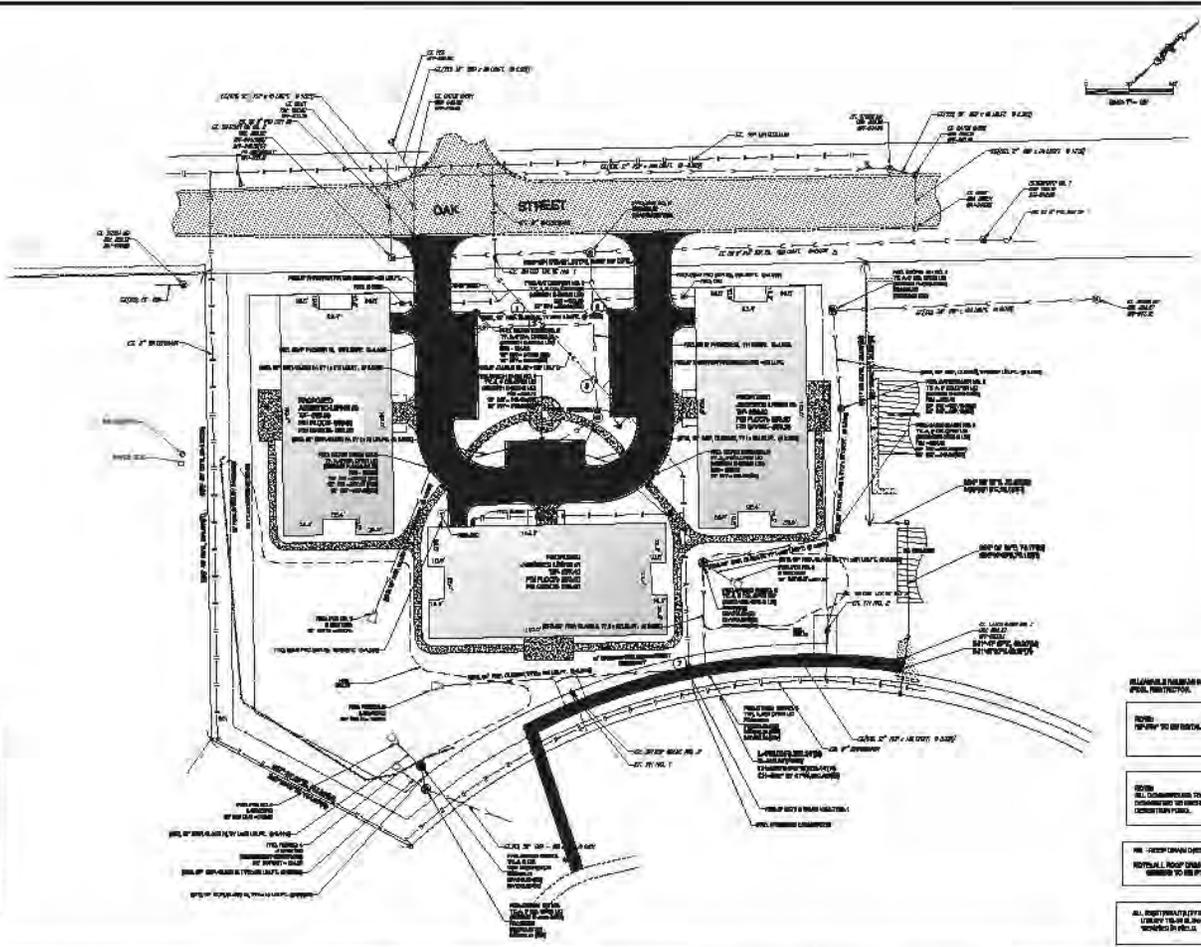
NO.	DATE	REVISIONS	BY	DATE	REVISIONS

GEOMETRIC PLAN

1/2 OAK STREET
 LAKE IN THE HILLS, ILLINOIS

DATE	ISSUED

SCALE: 1" = 10'-0"
 SHEET: 4 OF 20



UTILITY HARDWARE	
1	1/2" DIA. GALV. STEEL
2	1/4" DIA. GALV. STEEL
3	1/2" DIA. GALV. STEEL
4	1/4" DIA. GALV. STEEL
5	1/2" DIA. GALV. STEEL
6	1/4" DIA. GALV. STEEL
7	1/2" DIA. GALV. STEEL
8	1/4" DIA. GALV. STEEL
9	1/2" DIA. GALV. STEEL
10	1/4" DIA. GALV. STEEL
11	1/2" DIA. GALV. STEEL
12	1/4" DIA. GALV. STEEL
13	1/2" DIA. GALV. STEEL
14	1/4" DIA. GALV. STEEL
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16	1/4" DIA. GALV. STEEL
17	1/2" DIA. GALV. STEEL
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19	1/2" DIA. GALV. STEEL
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31	1/2" DIA. GALV. STEEL
32	1/4" DIA. GALV. STEEL
33	1/2" DIA. GALV. STEEL
34	1/4" DIA. GALV. STEEL
35	1/2" DIA. GALV. STEEL
36	1/4" DIA. GALV. STEEL
37	1/2" DIA. GALV. STEEL
38	1/4" DIA. GALV. STEEL
39	1/2" DIA. GALV. STEEL
40	1/4" DIA. GALV. STEEL
41	1/2" DIA. GALV. STEEL
42	1/4" DIA. GALV. STEEL
43	1/2" DIA. GALV. STEEL
44	1/4" DIA. GALV. STEEL
45	1/2" DIA. GALV. STEEL
46	1/4" DIA. GALV. STEEL
47	1/2" DIA. GALV. STEEL
48	1/4" DIA. GALV. STEEL
49	1/2" DIA. GALV. STEEL
50	1/4" DIA. GALV. STEEL

- 1. ALL UTILITIES TO BE INSTALLED AS SHOWN.
- 2. ALL UTILITIES TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF LAKE IN THE HILLS ORDINANCES.
- 3. ALL UTILITIES TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF LAKE IN THE HILLS ORDINANCES.
- 4. ALL UTILITIES TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF LAKE IN THE HILLS ORDINANCES.

GERALD L. HIRSH & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
300 NORTH RIVER STREET
LAKE IN THE HILLS, ILLINOIS 60156

NO.	DATE	REVISIONS	BY	DATE	REVISIONS

UTILITY PLAN

OAK STREET
LAKE IN THE HILLS, ILLINOIS

DATE	REVISION

SCALE: 1/8" = 1'-0"

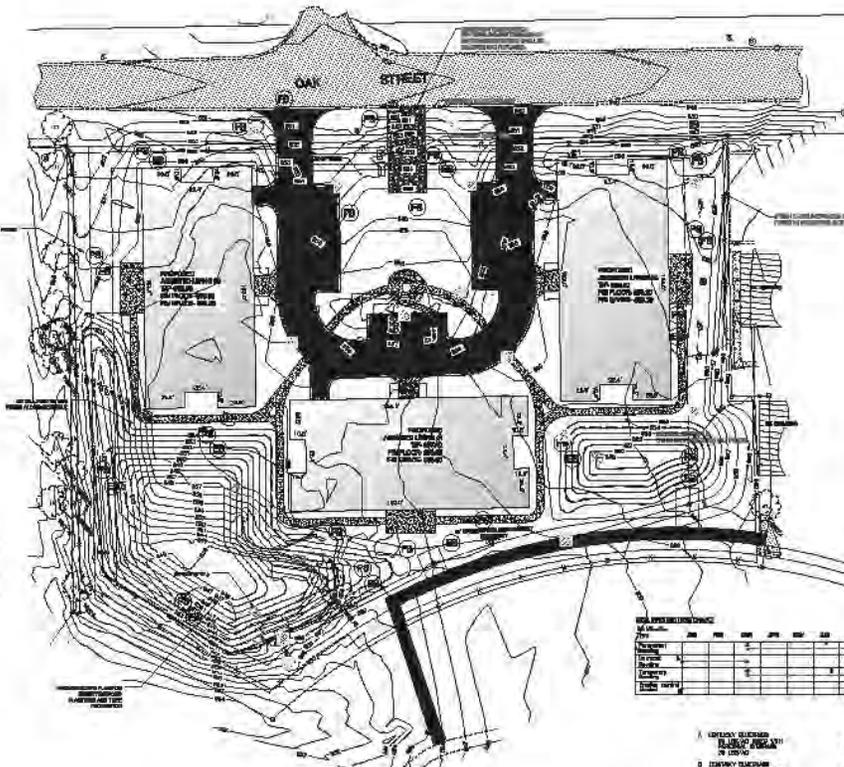
SHEET 1 OF 2

CONSTRUCTION SCHEDULE AND RESPONSIBILITY CONTRACTOR

NO.	DESCRIPTION	START DATE	END DATE	CONTRACTOR
1	PRELIMINARY WORK			
2	FOUNDATION			
3	CONCRETE			
4	MECHANICAL			
5	ELECTRICAL			
6	PLUMBING			
7	PAINTING			
8	FINISH WORK			
9	GENERAL CONTRACTOR			
10	MECHANICAL CONTRACTOR			
11	ELECTRICAL CONTRACTOR			
12	PLUMBING CONTRACTOR			
13	PAINT CONTRACTOR			
14	FINISH CONTRACTOR			

LEGEND

[Symbol]	PROPOSED WORK
[Symbol]	EXISTING WORK
[Symbol]	EXISTING CONSTRUCTION
[Symbol]	EXISTING CONCRETE
[Symbol]	EXISTING MECHANICAL
[Symbol]	EXISTING ELECTRICAL
[Symbol]	EXISTING PLUMBING
[Symbol]	EXISTING PAINT
[Symbol]	EXISTING FINISH



AREA SCHEDULE

NO.	DESCRIPTION	START DATE	END DATE	CONTRACTOR
1	FOUNDATION			
2	CONCRETE			
3	MECHANICAL			
4	ELECTRICAL			
5	PLUMBING			
6	PAINTING			
7	FINISH WORK			

- A. EXISTING STRUCTURE
- B. EXISTING MECHANICAL
- C. EXISTING ELECTRICAL
- D. EXISTING PLUMBING
- E. EXISTING PAINT
- F. EXISTING FINISH
- G. PROPOSED WORK
- H. PROPOSED CONCRETE
- I. PROPOSED MECHANICAL
- J. PROPOSED ELECTRICAL
- K. PROPOSED PLUMBING
- L. PROPOSED PAINT
- M. PROPOSED FINISH

GERALD L. HIRSH & ASSOCIATES, INC.
CONSULTING ENGINEERS & ARCHITECTS
3015 NORTH AVENUE STREET
SUITE 2000 CHICAGO ILL 60641

NO.	DATE	REVISIONS	BY	DATE	REVISIONS

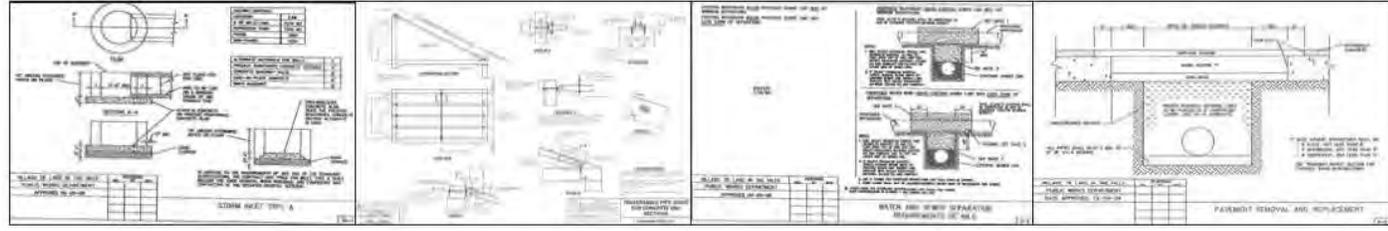
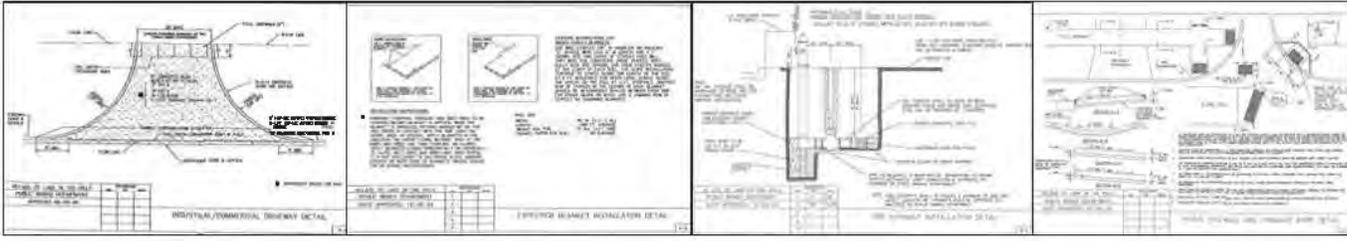
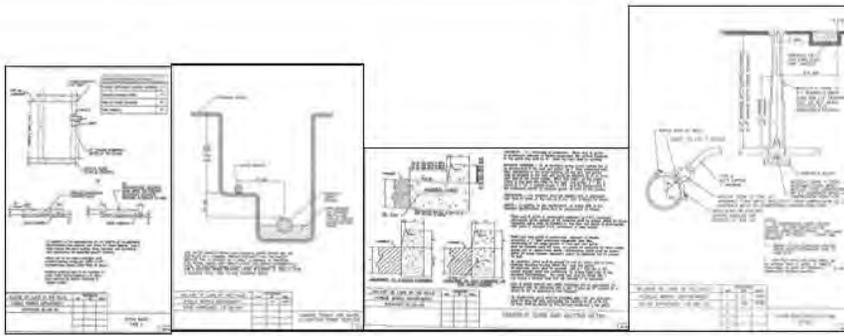
ERODION CONTROL PLAN

OAK STREET
LAKE IN THE HILLS, ILLINOIS

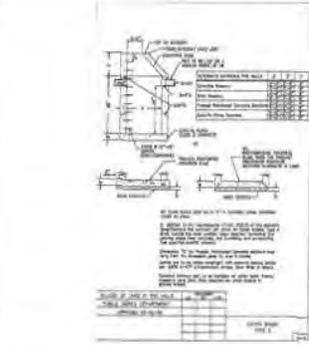
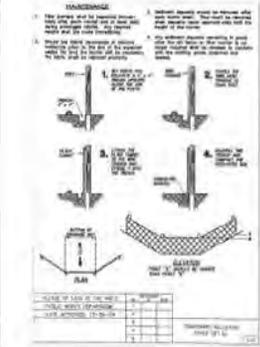
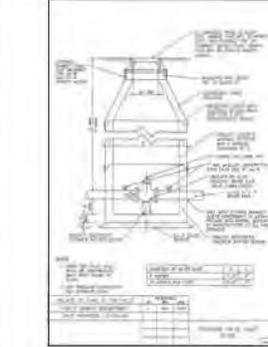
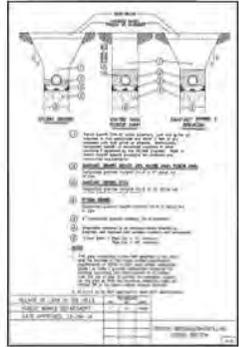
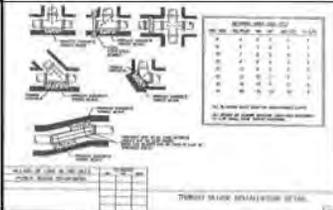
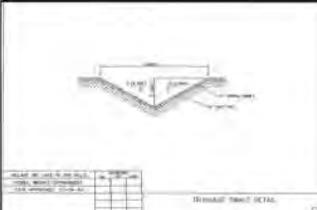
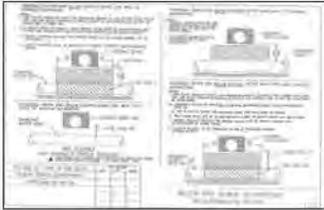
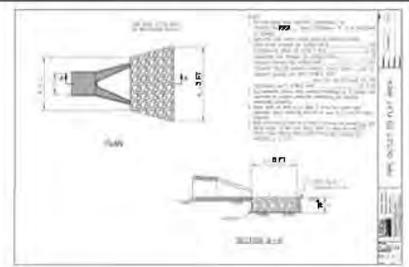
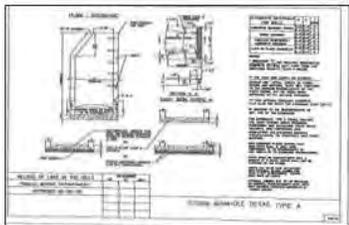
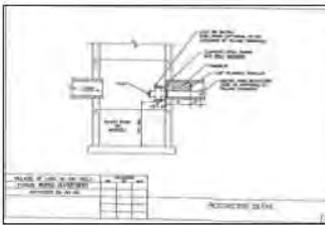
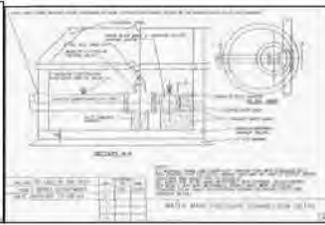
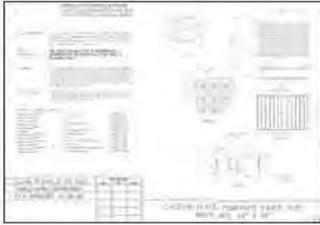
DATE	REVISION

SCALE: 1/8" = 1'-0"

SHEET 7 OF 20



CERALD E. HERRIN & ASSOCIATES, INC. CONSULTING ENGINEERS & ARCHITECTS ONE NICHOLS BLVD. SUITE 200 NASHVILLE, TENNESSEE 37203	NO.		DATE		REVISIONS		NO.		DATE		REVISIONS		DETAILS 0 OAK STREET LAKE IN THE HILLS, ILLINOIS	SHEET 8 OF 10



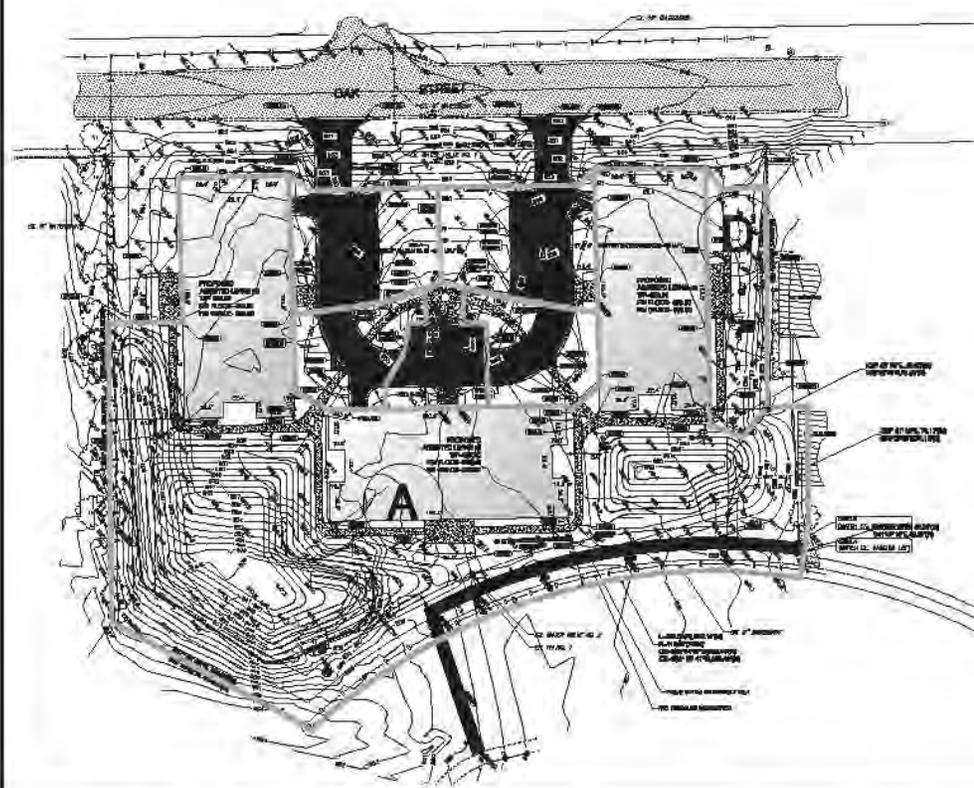
CERALD L. BERNIE & ASSOCIATES, INC.
 CONSULTING ENGINEERS & ARCHITECTS
 ONE NORTH MICHIGAN STREET
 CHICAGO, ILLINOIS 60611

NO.	DATE	REVISIONS	NO.	DATE	REVISIONS

DETAILS

0 OAK STREET
LAKE IN THE HILLS, ILLINOIS

DATE	JOB NO.	SCALE	SHEET	TOTAL SHEETS



DRAINAGE AREAS		
	IN FEET/AC (SQ FT)	TOTAL (SQ FT)
A	42100	10000
B	2187	4460
C	1084	4634
D	276	676
E	2281	276
F	1262	1591
G	1764	3491
TOTAL	57864	19876

NOTE: THIS TABLE IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A CONTRACT DOCUMENT.

GERALD L. BRINE & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
200 NORTH NIXON STREET
LAKE BLOOMINGTON, ILLINOIS 60158

NO.	DATE	REVISIONS	BY	DATE	REVISIONS

DRAINAGE AREA EXHIBIT

0 OAK STREET
LAKE IN THE HILLS, ILLINOIS

DATE	ISSUED

SCALE: 1" = 50'

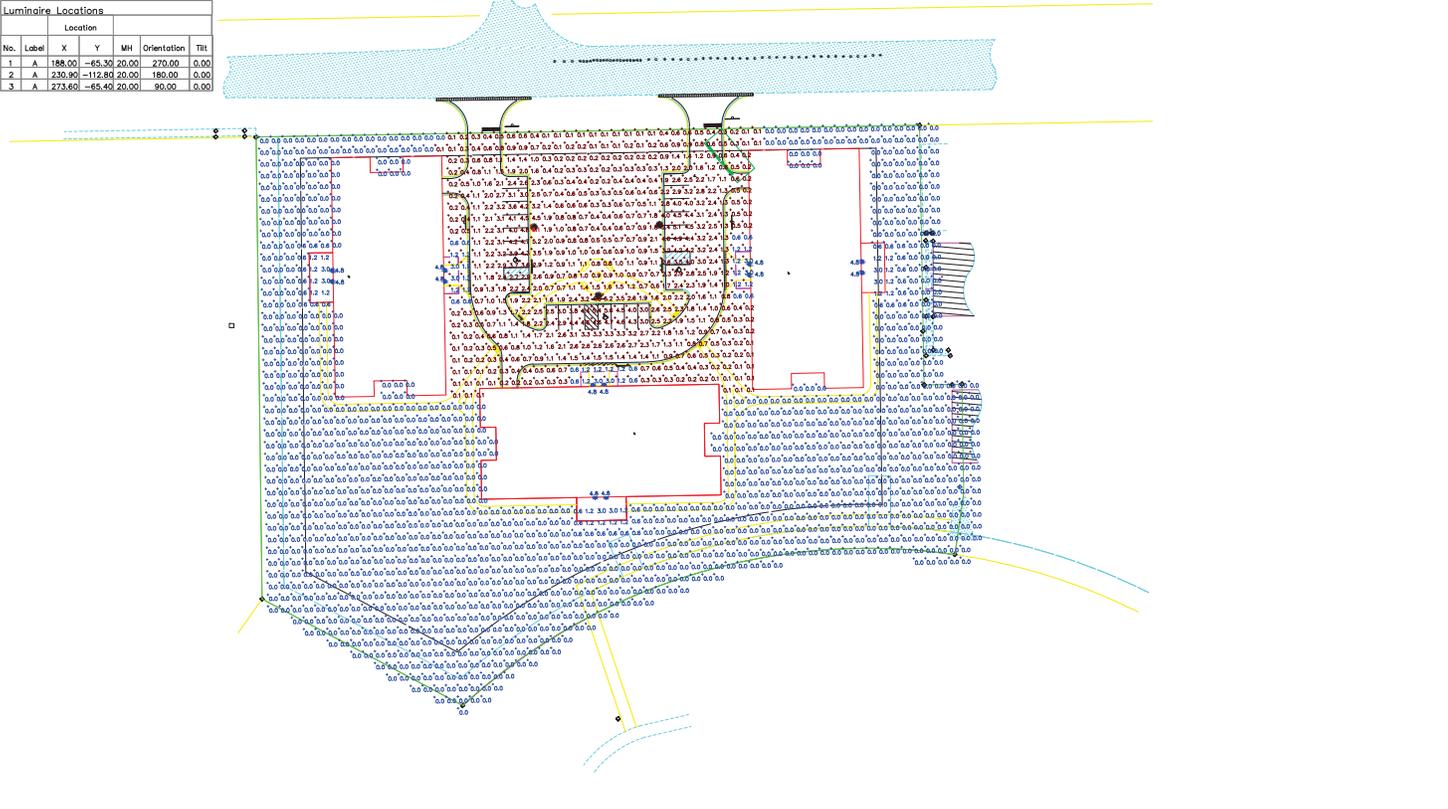
SHEET 1 OF 1

Schedule	Symbol	Label	Image	Quantity	Manufacturer	Ordering System	Description	Level	Number Lenses	Fluorescence	Light Lum. Factor	Ballast	Wattage	Efficiency	Height	Foot. Cps.	Note
A	⊠	A		3	Liberty Lighting	LIB-LD-PP-400	LIB-LD-PP-400-100-WOL-SP	1	1	100W	0.85	0.95	100W	100lm/W	10'	100	

Schedule	Symbol	Label	Image	Quantity	Manufacturer	Ordering System	Description	Level	Number Lenses	Fluorescence	Light Lum. Factor	Ballast	Wattage	Efficiency	Height	Foot. Cps.	Note
B	⊠	B		12	Liberty Lighting	LIB-LD-PP-400	LIB-LD-PP-400-100-WOL-SP	1	12	100W	0.85	0.95	100W	100lm/W	10'	1200	

Statistics	Description	Symbol	Qty	Area	Vol.	Surf. Area	Surf. Vol.
Area	104.81	sq. ft.	1	104.81	0.00	104.81	0.00

Luminaire Locations						
No.	Label	X	Y	MH	Orientation	TH
1	A	188.00	-65.30	20.00	270.00	0.00
2	A	230.90	-112.80	20.00	180.00	0.00
3	A	273.60	-65.40	20.00	90.00	0.00



GERALD L. HEINZ & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
300 NORTH RIVER STREET
EAST DUNDEE, ILLINOIS 60119

NO.	DATE	REVISIONS	NO.	DATE	REVISIONS

SITE LIGHTING AND PHOTOMETRIC PLAN
(AS SUPPLIED BY KSA LIGHTING)

700 EAST OAK STREET
LAKE IN THE HILLS, ILLINOIS

NO.	DATE	REVISIONS
1	08/29/2020	
2	09/03/20	
3	11/30/20	
4	11/30/20	



1 FIRST FLOOR PLAN
 A1.0 SCALE: 1/8"=1'-0"

CONVENTIONS
 - 1/4" = 1'-0" SCALE
 - 1/8" = 1'-0" SCALE
 - 1/16" = 1'-0" SCALE

SARILLO
 ARCHITECTS
 SUITE 201
 1000 W. WISCONSIN ROAD
 CRYSTAL LAKE, IL 60014
 815-454-0000

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NOT FOR CONSTRUCTION

Anden Rosa Home Care
 1300 S. Main St.
 Algonquin, IL 60110

Anden Rosa Senior Living
 0 Oak Street
 Algonquin, IL 60110

20-0801
 6/1/2020





Illinois Department of
Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

February 9, 2018

Mr. Will Overbeck
120 West Main St
West Dundee, IL 60118

**RE: Beehive Homes
Endangered Species Consultation Program
EcoCAT Review #1806134**

Dear Mr. Overbeck:

The Department has received your submission for this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herpetiles-Herps Act* [510 ILCS 69].

The proposed action consists of the construction of a multi-unit assisted living.

The state-endangered **Blanding's Turtle** (*Emydoidea blandingii*) is known to occur in the wetlands in the vicinity of the project area. These turtles forage and hibernate in wetlands and, depending on the temperature, emerge in the spring with upland nesting occurring in open fields, preferably in sandy soils in late spring or early summer. They may travel up to one mile in their search for appropriate nesting habitat. To avoid potential impacts to wandering turtles, the Department recommends work on the project occurs during the turtle's inactive season from approximately November 1st to March 1st. If work must occur during the active season, all on-site personnel should be educated about this species and be instructed to contact the Department immediately if they are encountered in the project area. Fliers with photos of adult and juvenile **Blanding's turtles**, and life-history information, should be distributed to personnel. The flier should also contain contact information for the Department (Brad Semel, Natural Heritage Division, 815-675-2386 ext. 216). State-listed species may not be handled without the appropriate permits pursuant to the Illinois Endangered Species Protection Act. Exclusionary fencing should be installed around the work area, trenched into the ground, and inspected daily for **Blanding's turtles**. Excavations should be inspected daily for trapped wildlife and safely covered overnight. Soil or other potential turtle nesting medium stockpiles should also have exclusionary fencing installed around the perimeter to discourage turtle nesting and potential harm.

Given the above recommendations are adopted, the Department has determined that impacts are unlikely. Please notify the Department if the project will be modified to include these recommendations.

Beehive Homes, Consultation #1806134

Consultation on the part of the Department is closed, unless Applied Ecological Services desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

Please contact me with any questions about this review.

Sincerely,



Bradley Hayes
Resource Planner
Impact Assessment Section
Department of Natural Resources
(217) 787-0031
bradley.hayes@illinois.gov



VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2020 - ____

An Ordinance Granting a Conditional Use for Senior Housing; Variations to Table 8.4, Business District Bulk Chart, to Reduce the Front Yard Setback from 30 Feet to 15 Feet and a 5-Foot Patio Encroachment on a 30-Foot Side Yard Setback; Variation to Section 18.9, Minimum Off Street Parking Space Requirements, to Reduce the Required Parking from 25 Spaces to 23 Spaces; Variation to Section 15.2-15.3, Permitted Fences-Front Yards, to Permit a Decorative Split-Rail Fence; Variation to Section 26, Landscape Standards, for Miscellaneous Plantings; and Development Plan approval for Arden Rose Senior Living on Parcel 19-21-300-061 on East Oak Street

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois (the "Village"), is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, Anthony Sarillo of Sarillo Development, LLC, applicant, and Laurel Sorenson, future buyer of the Subject Property, at Parcel 19-21-300-061 petitioned the Village of Lake in the Hills for a Conditional Use for senior housing; Variations to Table 8.4, Business District Bulk Chart, to reduce the front yard setback from 30 feet to 15 feet and a 5-foot patio encroachment on a 30-foot side yard setback; Variation to Section 18.9, Minimum Off Street Parking Space Requirements, to reduce the required parking from 25 spaces to 23 Spaces; Variation to Section 15.2-15.3, Permitted Fences-Front Yards, to permit a decorative split-rail fence; Variation to Section 26, Landscape Standards, for miscellaneous plantings; and Development Plan approval for Arden Rose Senior Living; and

WHEREAS, the Planning and Zoning Commission, after deliberation, has made a report and its recommendation relative to the Variations, Conditional Use, and Development Plan Approval for the subject property; and

WHEREAS, the President and Board of Trustees of the Village of Lake in the Hills have considered the report of the Planning and Zoning Commission and all of the evidence presented by the petitioner at the public hearing before the Commission; and

NOW, THEREFORE, Be It ordained by the President and Board of Trustees of the Village of Lake in the Hills, McHenry County, Illinois that:

SECTION 1: The Corporate Authorities find that the statements in the foregoing preamble are true.

SECTION 2: The findings and recommendations of the Planning and Zoning Commission on the question of granting the Variations, Conditional Use, and Development Plan approval for the Subject Property at on East Oak Street at Parcel 19-21-300-061, is hereby accepted.

SECTION 3: Conditional Use for Senior Housing; Variations to Table 8.4, Business District Bulk Chart, to reduce the front yard setback from 30 feet to 15 feet and a 5-foot patio encroachment on a 30-foot side yard setback; Variation to Section 18.9, Minimum Off Street Parking Space Requirements, to reduce the required parking from 25 spaces to 23 Spaces; Variation to Section 15.2-15.3, Permitted Fences-Front Yards, to permit a decorative split-rail fence; Variation to Section 26, Landscape Standards, for miscellaneous plantings; and Development Plan approval for Arden Rose Senior Living on the Subject Property is hereby granted; and

SECTION 4: All other requirements set forth in the Zoning Ordinance of the Village of Lake in the Hills, as would be required by the Village as to any owner of property zoned in the same manner as the Subject Property shall be complied with.

SECTION 5: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this 24th day of September, 2020 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Ray Bogdanowski	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
President Russ Ruzanski	_____	_____	_____	_____

APPROVED THIS 24TH DAY OF SEPTEMBER, 2020

Village President, Russ Ruzanski

(SEAL)

ATTEST: _____
Village Clerk, Cecilia Carman

Published: _____