



PUBLIC MEETING NOTICE AND AGENDA
PLANNING AND ZONING COMMISSION MEETING

APRIL 18, 2022
7:30 P.M.

1. Call to Order
2. Roll Call
3. Consent Agenda
 - A. Motion to accept and place on file the minutes of the February 14, 2022 Planning and Zoning Commission meeting.
4. New Business
 - A. Zoning Text Amendments to Section 7, Residential Districts, and Section 18, Off-Street Parking and Loading
5. Old Business--None
6. Item for Discussion--None
7. Staff Report
 - A. February 2022 Board of Trustees meeting
8. Audience Participation
9. Trustee Liaison Report
10. Next Planning & Zoning meeting is scheduled for May 16, 2022
11. Adjournment

**Village of Lake in the Hills
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 847-960-7414 (TDD 847-658-4511) promptly to allow the Village to make reasonable accommodations for those persons.

Posted by:

Date: April 13, 2022

Time:



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING COMMISSION

FEBRUARY 14, 2022

Call to Order

The meeting was called to order at 7:30 p.m.

Roll call was answered by Commissioners Walker, Murphy, Bolton, Swanlund, and Chairman Esposito. Absent were Commissioners Siakel and Dixon.

Also present were Community Development Director Josh Langen, Trustee Bill Dustin, and Recording Secretary Laura Pekovic.

Approval of Meeting Minutes

Motion to accept the Planning and Zoning Commission meeting minutes of December 13, 2021 was made by Commissioner Murphy and seconded by Commissioner Bolton. On a roll call vote, Commissioners Walker, Murphy, Bolton, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion carried 5-0.

New Business

A. Zoning Text Amendments to Section 3, Definitions, and Section 17, Home Occupations

Commissioner Esposito confirmed with staff that the public was given proper notice regarding the public hearing.

Staff Report

Director Langen opened the public hearing at 7:31 p.m. and reviewed the Request for Commission Action dated February 14, 2022. This text amendment is to amend the current ordinances to define home day care to allow for outdoor and daily operation.

In summary, Day Care Centers are permitted with a conditional use permit in all business zoning districts. However, for home day care operations, there are no regulations beyond the home occupation restrictions. The home occupation restrictions do not allow for home day care operations because they maintain the business be restricted to the principal structure, not generate noise, and limit gatherings to 4 times per month. As home day care operations need to allow for outdoor activity, these limits do not allow for children to play outside, nor to the regulations allow for daily gathering of children.

To remedy these home occupations and to clarify how home day care operations may function, Section 3, Definitions, needs to be amended to include a definition of home day care. Home day care operations are intended to be for lesser activity than day care centers. Also, Section 17, Home Occupations, needs to be amended to allow for outdoor play and daily operation.



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING COMMISSION

FEBRUARY 14, 2022

Discussion and Comments by the Public, Staff, and the Planning and Zoning Commission
Trustee Dustin asked about insurance by daycare providers. Chairman Esposito explained that licensed home-daycares have to show proof of specific insurance that pertains to home daycare. Director Langen confirmed that the Village does not monitor licensed home day care providers. There were no public comments, and Director Langen closed the public hearing at 7:37 p.m.

Motion to recommend approval to the Village Board to amend Section 3, Definitions, and Section 17, Home Occupations, to define home day cares and to allow for outdoor and daily operations was made by Commissioner Murphy and seconded by Commissioner Walker. On a roll call vote, Commissioners Walker, Murphy, Bolton, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion carried 5-0.

Item for Discussion-None

Staff Report

Director Langen reported that on January 11, 2022, the Village Board of Trustees approved the Planning & Zoning Commission's recommendation to renew the conditional use for a religious use for El Santurio at 9233 South Illinois Route 31.

Audience Participation-None

Trustee Liaison Report

Trustee Dustin had nothing to report. However, he inquired about the trees being removed on Route 47 north of Reed Road. Commissioner Esposito suggested it may be in preparation of the Route 47 road expansion by the McHenry County Department of Transportation.

Adjournment

A motion to adjourn the meeting was made by Commissioner Walker and seconded by Commissioner Bolton. On a roll call vote, Commissioners Walker, Murphy, Bolton, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion carried 5-0.

There being no further business to discuss, the meeting of the Lake in the Hills Planning & Zoning Commission was adjourned at 7:52 p.m. The next Planning and Zoning Commission meeting is scheduled for March 14, 2022.

Submitted by,

A handwritten signature in black ink, appearing to read "Laura Pekovic".

Laura Pekovic
Recording Secretary

**Village of Lake in the Hills Planning and Zoning Commission Meeting
February 14, 2022**



REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION

PLANNING AND ZONING COMMISSION

MEETING DATE: April 18, 2022

DEPARTMENT: Community Development

SUBJECT: Zoning Text Amendments to Section 7, Residential Districts, and Section 18, Off-Street Parking and Loading

EXECUTIVE SUMMARY

The Village Board has directed the Community Development Department to evaluate Section 18, Off-Street Parking and Loading, of the Zoning Code regarding property owners wanting to have trailers not specifically designed for snow mobiles or recreational vehicles considered “in season” for purposes of storage in the front yard during winter months. Section 18 has been amended 12 times since 2002, the edition upon which the Village’s current zoning code is based on, two of which are relevant to this item. Staff has included a brief summary of the relevant aspects of those two amendments. Staff has also researched surrounding municipality zoning ordinances and identified potential options to provide increased flexibility.

Section 18 was amended in February 2010 to regulate commercial vehicle and all trailer storage. Commercial vehicles having a class “D” plate or lower were allowed to be stored in residential districts without being fully enclosed, subject to height regulations. Trailers with a classification of “TA” were also allowed to be stored in residential districts without being fully enclosed, with height and length restrictions. Much discussion of these regulations were present in the archived minutes of the Village Board at the time of adoption. No Village Board comments were relevant to seasonal trailer use; however, Planning and Zoning Commission minutes show one Commissioner to have expressed concern that trailers could be used as supplemental storage units.

Section 18 was also amended in March 2018 to move parking regulations from Chapter 12 of the Municipal Code to Section 18 of the Zoning Ordinance, including regulations for “in season”, “off season”, and winter use vehicles. No discussion of the merits or potential negative effects of these regulations were present in the archived minutes of the Village Board or Planning and Zoning Commission at the time of adoption.

Neighboring municipality zoning ordinances were researched and the following relevant regulations have been identified;

- Village of Algonquin - Recreational vehicles shall be parked in a completely enclosed building in a lawful manner or on a hard surface of not less than 2 inches of asphalt or 4 inches of concrete. Not more than two recreational vehicles shall be visible on a zoning lot. Neither yard location, visibility, nor seasonal restrictions are listed.
- City of Crystal Lake - RVs, boats, and trailers (under 11 feet tall and 25 feet long) may be parked in a residential driveway. Anything over those dimensions can be parked in a side or back yard on an approved surface.
- Village of Lakewood - November 1 through March 31, boats, trailers and RVs must be stored indoors or if outdoors, in areas where permitted, then only in the rear yard on a pad.
- Village of Huntley - Recreational vehicles shall be stored completely behind the front of the primary structure and shall not be stored between the primary structure and the street.
- Village of Cary - Recreational vehicles or equipment, including travel trailers, campers, trucks with slide-in campers, watercraft, snowmobiles, jet skis, all-terrain vehicles and any trailers used to transport recreational vehicles or equipment, are divided into two classes – summer and winter use. Winter use vehicles and equipment are defined as snowmobiles and such other recreational vehicles and equipment that are associated primarily with winter use. Only during winter months can winter vehicles be stored in the front yard.

The Village’s Comprehensive Plan contains a land use objective to “Promote and maintain the visual and open space characteristics that make Lake in the Hills visually distinctive”. Regulating the visual impact of trailer storage in residential districts could support this objective.

In addition to the need to address the flexibility of the Village’s current trailer regulations, a number of additional trailer license plates are now available from the Office of Secretary of State. The Village’s existing regulations need to be amended in order to remain current. The following table provides a summary of the vehicles, trailers, and license plates currently allowed to be stored in all yards of residential and commercial properties;

Zoning District	Plate Type “In Season”- Current	Plate Type “Off Season”- Current
B-1 B-2 B-3 B-4 B-5 M-1 M-2 AD-1 AD-2 O-S I-B	<ul style="list-style-type: none"> • No restrictions of vehicle type, only on overnight parking and storage for automotive repair 	<ul style="list-style-type: none"> • No restrictions of vehicle type, only on overnight parking and storage for automotive repair
R-2 R-3 R-4	<ul style="list-style-type: none"> • Passenger, “D” plate or lower commercial vehicles - with restrictions, trailers with “TA” plate – with restrictions. • Boat, trailers, recreational vehicles. 	<ul style="list-style-type: none"> • Passenger, “D” plate or lower commercial vehicles - with restrictions, trailers with “TA” plate – with restrictions. • Snowmobiles or trailers for the specific purposes of hauling a snowmobile or winter recreational vehicle.

Proposed amendments to Section 18 include;

- Allowances for trailers with a classification of “TA”, “Motorcycle TA”, and “UT” to be permitted in residential districts, with restrictions on cargo height & length.
- Change to cargo box height to no higher than 9 feet instead of 6 feet.
- Recreational Trailers with classification of “RT” Recreational Trailer or “RV” Recreational Vehicle are to be restricted to back and side yards during the “Off season”.
- Side yard storage screening shall be 6 feet in height and no more than 30% open, regardless of type. For front yard (side) yards, fencing shall be maximum allowable height in Section 15 (currently 5’). Vehicles do not need to be completely screened from view.
- Trailers with a classification of “TA”, “Motorcycle TA”, or “UT” Utility Trailer may be stored year-round in any yard.

Proposed amendments to Section 7.4 Residential Bulk Chart include a note for Yard Requirements that storage of vehicles shall be in conformance with both Section 18 and the Property Maintenance code. This will provide consistency between Zoning Sections and the Property Maintenance code and help to mitigate potential unsightly exterior property violations.

ATTACHMENTS

1. Proposed changes to Section 7, Residential Districts, and Section 18, Off-Street Parking and Loading

RECOMMENDED ACTION

Commission recommends approval to the Village Board to amend Section 7, Residential Districts, and Section 18, Off-Street Parking and Loading, to allow for greater flexibility of the Village’s current trailer storage regulations and the inclusion of additional trailer license plates are now available from the Office of Secretary of State.

7.4

RESIDENTIAL BULK CHART, PART 1

	Lot/Parcel Area, Frontage		Yard Requirements ^{1 9}			
	Minimum Area	Minimum Width Frontage	Minimum Front Yard ^{2,3}	Minimum Rear Yard	Minimum Side Yard Each Side	Max. land coverage of buildings & structures
District	Acres or Square Feet	Feet	Feet	Feet	Feet	Cumulative (percent)
RE-5	5 acres	330	100	75	50	10%
RE-2	2 acres	175	75	50	30	15%
RE-1	1 acre	150	50	50	30	25%
R-1A	16,000 sf	100	30	30	10%/15' ⁶	30%
R-1B	12,000 sf	90	25	25	10%/10' ⁶	35%
R-2 ⁵	10,000 sf	80	25	25	10%/10' ⁶	35%
R-3 (Single-family detached dwelling unit)	10,000 sf	80	25	25	10%/10' ⁶	40%
R-3 (Two family dwelling unit)	12,000 sf	100	25	25	10%/10' ⁶	40%
R-4 (Multiple family dwelling, Single-family attached dwelling unit) ^{4, 8}	3,800 sf per unit or 10,000 sf, whichever is greater	150	30	75	15' ⁷	40%

1. No building shall be erected or enlarged unless the foregoing area, frontage and yard requirements are satisfied and maintained in connection with such building, structure or enlargement.

2. See definition of Yard, Front.
3. In R-1A, R-1B, R-2, R-3, and R-4 districts only, where lots comprising 40 percent or more of the frontage between two intersecting streets are developed with existing buildings having front yards with a variation of less than 15 feet, the average of such front yards shall establish the minimum front yard depth for the entire frontage. In no case shall a front yard of more than 40 feet be required.
4. No inner court or courts completely surrounded on all sides by a building shall be permitted. Outer courts are permitted provided the depth of the court is no greater than the width of the court.
5. Except as provided in Section 4.
6. Whichever is greater.
7. The combined total of side yards shall not be less than 15 feet for all multiple family dwellings of two stories or less in height. For each additional story, the side yard on each side of the building shall be increased by two feet in width.
8. When a R-4 Multiple Family Dwelling District is contiguous to a lot that is zoned RE-5, RE-2, RE-1, R-1A, R-1B, R-2 or R-3, each multiple family dwelling unit shall be a minimum of 200 feet from the boundary line of each such zoning district.
9. Storage of vehicles shall be in conformance with Section 18 - Off Street Parking and Loading. The storage of materials or equipment shall be in conformance with the current Village-adopted International Property Maintenance Code.

SECTION 18

OFF-STREET PARKING AND LOADING

18.4 ADDITIONAL PARKING REGULATIONS

18.4-1 Use of Approved Parking Areas Facilities: Off-street parking spaces accessory to residential use and developed in any residential district in accordance with the requirements of this Section 18 shall be used solely for the parking of vehicles owned or operated by the occupants of the dwelling structures to which such facilities are accessory or by guests of said occupants. The storage of commercial vehicles must be within a fully enclosed structure, except as allowed as follows. The outside storage of commercial vehicles having a class "D" plate (as defined by the Illinois Vehicle Code) or lower is permitted, however any vehicle with a class "B", "C", or "D" plate must be no higher than 9 feet in height as measured from the ground to the vehicle's highest point including a cargo box, other permanently mounted equipment or cargo. Recreational vehicles having a class "RV" plate and recreational trailers with a class "RT" plate are permitted in residential districts, subject to "off-season" restrictions listed below. Trailers with a classification of "TA", "Motorcycle TA", and "UT" (as defined by the Illinois Vehicle Code) are permitted in residential districts, however the cargo box height shall be no higher than 6-9 feet. Neither "TA" trailers nor "UT" trailers ~~or~~ shall have a length of over 11 feet, excluding the trailer tongue. Trailers with a classification of "TB" and "TC" are allowed on a temporary basis not to exceed 7 days and must be approved by the Chief of Police or designee. No more than two temporary trailer authorizations shall be issued to the same property in any calendar year. All vehicles must be located on an approved hard surface as defined in this Zoning Code. All boats, trailers, and recreational vehicles in all residential districts shall meet the requirements of this section and Section 18.4-1.1. No equipment or machinery designed for the movement of earth, roadwork, or for use on a farm, (including but not limited to bulldozers, road graders, tractors, cranes, forklifts or rollers), shall be stored in a residential area, except as permitted in relation to work approved by the Village.

The parking of trucks, trailers and other vehicles prohibited under this section shall be permitted, if they are temporarily being used in conjunction with a service, delivery or pick up actually being conducted for the benefit of the property where the vehicle is being parked for a period not to exceed the time period of permitted construction hours for one 24 hour period.

18.4-1.1 Boats, Trailers, and Recreational Vehicles in Residential Districts

A. *Flammable Liquids*: With the exception of fuels used in the operation of the boat, trailer or recreational vehicle in the primary fuel tanks, the owner of such a vehicle shall not park, or store such vehicle leaving flammable liquids on board.

B. *Dangerous or Unsafe Storage*: The owner of a boat, trailer, or recreation vehicle shall not park, or store such vehicle in a manner as to create a dangerous or unsafe condition on the property where parked, or stored. Parking or storing the boat, trailer or recreation vehicle in a manner that a vehicle may tip, roll, or create a hazard shall be considered a prohibited dangerous and unsafe condition.

C. *Street Parking*: At no time shall any boat, trailer, or recreational vehicle, ~~or recreational vehicle-trailer~~ be permitted to park on any Village street for more than 24 hours.

D. *Proof of Ownership*: A legal or beneficial owner of, or lessee of the property shall have, and display upon request to authorized Village officials, proof of ownership of a parked, or stored boat, trailer or recreation vehicle.

E. *Sewage Disposal*: Sewage shall be disposed only into approved sanitary facilities.

F. *Maintenance*: A boat, trailer or recreation vehicle which may be temporarily parked or stored outdoors, shall be maintained in operable condition, and shall not be stored off the ground except when properly loaded on a trailer. Service utilities, such as electrical power, may not be attached to the vehicle except when the vehicle is temporarily parked.

G. *Temporary Parking and Storage*: No more than a combination of two of the following may be parked or stored on any one residential zoning lot: ~~one~~ boat/trailer combination, recreational vehicle/"RV" trailer combination, ~~recreational trailer~~, "TA", "Motorcycle TA", or "UT" trailer free-standing or combined with other use/vehicle, or freestanding recreational vehicle.

H. *Ownership Control*: No person shall store on any property any boat, trailer, or recreation vehicle which is not owned by an occupant of the residence for more than 14 days.

I. *Overnight Use*: No boat or recreation vehicle shall be used as primary living or sleeping quarters while temporarily parked or stored in the Village. Occasional overnight use may be allowed but only if permission is granted in advance by the Chief of Police or designee.

J. *"In season"*: During the "in season" a boat, trailer or recreational vehicle shall be stored on an approved surface and not encroach on a Village Street or public sidewalk. The boat, trailer, or recreational vehicle must be parked or stored a minimum of 2 feet back from the edge of any street in areas where there are no public sidewalks ~~and may be stored in any yard~~.

K. *"Off season"*: During the "off season" ~~a~~boats, winter use vehicles, trailers with a classification of "RT", or recreational vehicles with a classification of "RV" shall be stored either indoors; or outdoors in the rear yard on an approved surface. The dimensions of the approved surface shall not be less than the overall width and length dimensions of the stored trailer or vehicle. As an exception, boats, trailers with a classification of "RT", or recreational vehicles with a classification of "RV" ~~trailers and vehicles~~ may be stored in the side yard on an approved surface so long as the side yard and portion of the side yard facing a street is screened with a ~~board-on-board~~ 6 foot high fence that is a maximum of 30% open. Any boat, trailer with a classification of "RT", or recreational vehicle with a classification of "RV" ~~trailer or recreational vehicle~~ stored in the front ~~side~~ yard (side) shall be behind ~~the~~ a screening fence, ~~shall not be over~~ 6 a minimum of the maximum ~~feet in~~ height allowed by Section 15 and a maximum of 30% open ~~at any point, or contain cargo visible above the height of the screening fence~~.

L. All year storage: Trailers with a classification of "TA", "Motorcycle TA", or "UT" shall be allowed to be stored year-round in any yard. Trailers shall be stored on an approved surface and not encroach on a Village Street or public sidewalk. The trailers must be parked or stored a minimum of 2 feet back from the edge of any street in areas where there are no public sidewalks. Up to a maximum of (2) canoes, kayaks, or row boats, none to exceed 18 feet in length, shall be permitted to be stored in rear yards on the ground and shall be permitted year-round.

~~LM.~~ Winter use vehicles: Winter use vehicles are snowmobiles, or trailers for the specific purposes of hauling a snowmobile or winter recreational vehicle. They shall be considered "inseason" from November 1st through April 30th of the subsequent year, and "Off season" otherwise.

All motor vehicles parked in a residential district must not be in violation with Chapter 12.02 -D, "Public Nuisances Affecting Peace and Safety" of the Municipal Code related to unlicensed motor vehicles or inoperable motor vehicles. The covering of an unlicensed motor vehicle or an inoperable motor vehicle or trailer by a cover or tarp is prohibited, except when placed within a fully enclosed structure. The covering of licensed and operable motor vehicles or trailer must be done with a commercially made motor vehicle cover, securely fastened at all times.