



PUBLIC MEETING NOTICE AND AGENDA
PLANNING AND ZONING COMMISSION MEETING

MAY 16, 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 April 18, 2002 Planning and Zoning Commission meeting.
4. New Business
 - A. Variations to Section 16.7 Table 5 - Signs Permitted, Height and Area Maximums at 220 North Randall Road
 - B. Conditional Use for a Solar Energy System 3 in the R-4 Zoning District. Variation to Section 7.4 Residential Bulk Chart R-4 Zoning District rear yard setback at 9340 Haligus Road.
 - C. Zoning Text Amendments to Section 3, Definitions, 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. April 2022 Board of Trustees meeting
8. Audience Participation
9. Trustee Liaison Report
10. Next Planning & Zoning meeting is scheduled for June 13, 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: May 13, 2022

Time:



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING COMMISSION

APRIL 18, 2022

Call to Order

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

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

Also present were Community Development Director Josh Langen and Recording Secretary Laura Pekovic. Liaison Trustee Dustin was not in attendance.

Approval of Meeting Minutes

Motion to accept the Planning and Zoning Commission meeting minutes of February 14, 2022 was made by Commissioner Bolton and seconded by Commissioner Swanlund. On a roll call vote, Commissioners Siakel, Walker, Murphy, Bolton, Swanlund, and Chairman Esposito voted Aye. Commissioner Dixon abstained. No Nays. Motion carried 6-0.

New Business

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

Commissioner Esposito confirmed with staff that the public was given proper notice regarding the public hearing and opened the public hearing at 7:32 p.m.

Staff Report

Director Langen reviewed the Request for Commission Action dated April 18, 2022 for the text amendments to amend the current ordinances.

In summary, The Village Board had directed the Community Development Department to evaluate Section 18, Off-Street Parking and Loading, of the Zoning Code in regards to property owners wanting to have trailers not specifically designed for snowmobiles or recreational vehicles considered "in season" for purposes of storage in the front yard during winter months. Director Langen made a brief summary of the relevant aspects of proposed amendments to Article 18 and Article 7 – Residential Districts. Director Langen shared his research for the surrounding municipalities, and identified potential options to provide increased flexibility to the Village's ordinance.

Director Langen continued that Section 18 was amended in February 2010 to regulate commercial vehicles 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.



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING COMMISSION

APRIL 18, 2022

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. Director Langen reviewed the recreational vehicle ordinances of the surrounding municipalities.

The proposed ordinance would allow for “TA”, motorcycle “TA”, and “UT” trailers to be stored on front driveways, year-round. Recreational vehicles having a class “RV” plate and recreational trailers with a class “RT” plate would be permitted in residential districts and on front driveways, although subject to “off-season” restrictions.

Comments by the Public, Staff, and the Planning and Zoning Commission

There were questions and discussion among the group regarding parking restrictions, their thoughts of how to proceed or keep the ordinance the same, and the reason for this proposed ordinance change.

Director Langen finished his presentation to the Commission, and Commission Esposito asked for a motion to leave the public hearing open until the May 16, 2022 Planning and Zoning meeting.

A motion to recommend that the public hearing be kept open and further reviewed at the next Planning & Zoning Commission meeting scheduled for May 16, 2022 was made by Commissioner Walker and seconded by Commissioner Siakel. On a roll call vote, Commissioners Siakel, Walker, Murphy, Bolton, Dixon, Swanlund and Chairman Esposito voted Aye. No Nays. Motion carried 7-0.

There was discussion among the group. Topics included year-round parking of recreation vehicles, drawbacks, benefits, structure of the ordinance, and specific potential changes to parking based upon plate type.

Director Langen asked the Commission to state what they would like to see at next month. It was stated that they would not like to have year-round trailers being stored in the front yards. Director Langen stated that he could state in the Property Maintenance Code what could be stored on the trailers.

Chairman Esposito suggested that more research be done on this subject and that the Commission address the issue at the next Planning & Zoning Commission meeting. Director Langen asked if the Commission would like to allow more than D plates. Consensus was that the answer was “no”, because the Village’s roads are not equipped to handle their weight.

Chairman Esposito asked for a motion to table the amendments to Section 7 and 18, until the May 16, 2022 Planning & Commission meeting.

Motion to recommend to table the zoning text amendments to Section 7, Residential Districts, and Section 18, Off-Street Parking and Loading, to the May 16, 2022 Planning & Zoning meeting was made by Commissioner Siakel and seconded by Commissioner Walker. On a roll call vote, Commissioners Siakel, Walker, Murphy, Bolton, Dixon, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion carried 7-0.

Item for Discussion-None

**Village of Lake in the Hills Planning and Zoning Commission Meeting
April 18, 2022**



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING COMMISSION

APRIL 18, 2022

Staff Report

Director Langen reported that the zoning text amendments to Section 3, Definitions, and Section 17, Home Occupations were adopted by the Village Board, as recommended by the Planning & Zoning Commission.

Audience Participation-None

Trustee Liaison Report

Trustee Dustin was not in attendance.

Adjournment

A motion to adjourn the meeting was made by Commissioner Siakel and seconded by Commissioner Walker. On a roll call vote, Commissioners Siakel, Walker, Murphy, Bolton, Dixon, Swanlund, and Chairman Esposito voted Aye. No Nays. Motion carried 7-0.

There being no further business to discuss, the meeting of the Lake in the Hills Planning & Zoning Commission was adjourned at 8:43 p.m. The next Planning and Zoning Commission meeting is scheduled for May 16, 2022.

Submitted by,

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

Laura Pekovic
Recording Secretary



REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION

PLANNING AND ZONING COMMISSION

MEETING DATE: May 16, 2022

DEPARTMENT: Community Development

SUBJECT: Variations to Section 16.7 Table 5 - Signs Permitted, Height and Area Maximums at 220 North Randall Road

EXECUTIVE SUMMARY

General Information

Requested Action: Mark Hoffman requests a variation to Section 16.7 Table 5 - Signs Permitted, for an addition 98 square feet beyond the maximum 100 square feet of sign advertising area allowed for a ground sign in the B-2 Business district. The applicant is also requesting a variation to Section 16.7 Table 5 - Signs Permitted, for an additional 17 feet beyond the allowable maximum 8 feet height allowed for a ground sign in the B-2 Business district.

Owner: M D LP - Mark Hoffman

Applicant: Mark Hoffman

Purpose: Construct a ground sign advertising the business.

Location and Size: 220 North Randall Road. Approximately 123,650 sq feet in area.

Zoning and Land Use:

Site:	B-2 Business – Neighborhood Convenience. Commercial
North:	B-3 Business – General. Commercial
East:	B-3 Business – General. Commercial
South:	B-3 Business – General. Commercial
West:	B-3 Business – General. Commercial
Future Land Use:	Commercial

Background

The applicant proposes the installation of a ground sign advertising an on-premise business at 220 N. Randall Road. The sign would be a replacement of a smaller ground sign removed due to the widening of Randall Road. The original sign appeared to meet current sign regulations and no variations were applied for or approved for a larger sign. The site where the sign would be placed is located on the west side of Randall

Road and is approximately 11 feet below the intersection of Randall Road and Algonquin Road. The subject property is surrounded by both multi-tenant shopping center and single-tenant businesses. Nearby signs for Steak n Shake, White Castle, and Taco Bell are in conformation with current sign regulations.

The proposed sign would be for a single-tenant business, which is regulated by Table 5 of Section 18, Signs. Table 5 allows for ground signs for single-tenant businesses a maximum of 100 square feet in area per side and a maximum of 8 feet in height. As the applicant is applying for a sign 195 square feet in area per side (395 sq. ft. for both sides) and 25 feet in height, two variations are being requested in order to accommodate the proposed sign. Sign height is measured from the elevation at the front door. The sign would be located approximately 3' below that elevation. However, the difference in elevation would not be sufficient to allow for the sign at the proposed height. Therefore, a height variation would still be needed.

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 business has not had a ground sign for the past two years as the original sign was removed by the recently completed Randall Road Improvement Project. There has not been a ground sign advertising the business since the original sign was removed.

Staff finds the property not to have a ground sign; however, the building does have wall signage. Staff acknowledges signage is important to the applicant and to commercial business promotion. Chapter 18 - signage, does allow for ground signs and surrounding single-tenant businesses each have a ground sign on Randall Road.

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

The applicant indicates the existing retention pond required the building to be constructed farther from the right-of-way than the minimum required in the B-2 district.

Staff finds the building to be set back approximately 75' from the Randall Road right-of-way. The minimum front setback required for the B-2 district is 30'. The proposed sign location would be at an elevation approximately 15' below the Randall Road and Algonquin Road intersection, creating limited visibility for northbound traffic. There are other businesses at similar elevations; however, none have identical setbacks or have a detention pond along Algonquin Road.

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

The applicant indicates that as the property is located in an existing business district, the proposed sign will not change the business character and is similar to the Lowes pylon sign at the intersection of N. Randall Road and Polaris Dr.

Staff finds the essential character of the property would remain commercial if the variations were granted. However, the proposed sign would exceed the size and height of surrounding single-tenant ground signs in the surrounding area and generally within Lake in the Hills. The excess area and height would alter the character of the Randall Road corridor. Other signs for surrounding commercial single-tenant properties are within the 100 square foot area limitation; however, they can be as height as 8' above sidewalk grade.

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 building is set far back from the newly widened Randall Road and cars have driven past the building before they realize a restaurant is there. A distinctive sign is needed to be seen from a distance.

Staff finds the building to be set back approximately 75' from the Randall Road right-of-way. The proposed sign location would be at an elevation approximately 15' below the Randall Road and Algonquin Road intersection. The combination of larger setback and elevation change does create limited visibility for northbound traffic. There are other businesses at similar elevations; however, none have identical setbacks or a detention pond along Algonquin Road.

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; or

The applicant indicates B-2 zoning is exclusive to this site and is surrounded by B-3 zoning districts in all directions.

Staff finds the property to be zoned B-2, with surrounding properties zoned B-3; however, the ground sign regulations are the same for both districts. There are other businesses at similar elevations and locations; however, none have identical setbacks or a detention pond along Algonquin Road.

F. 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 purpose of the variation is to recover from the past two years of lost business and better identity.

Staff finds the variation would allow the proposed sign to be constructed in place of a sign removed by road construction.

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

The applicant indicates they have not created the difficult condition of the previous years and was not responsible for the removal of their original sign loss to the N. Randall Road improvement project.

Staff finds a hardship was created when the lot was platted, nearby shopping center developed, and road widened. The property was platted along a roadway where drainage naturally occurred along the eastern edge of the property. The resulting detention pond created visibility issues by necessitating a larger building setback. In addition, the location at the particular elevation also created visibility issues, particularly along a widened road which induces higher speed and greater distance from north bound traffic to the site.

H. That the granting of the variation will not be detrimental to the public welfare or injurious to other properties or improvements to the neighborhood in which the property is located.

The applicant indicates there should be no adverse conditions to neighboring properties.

Staff finds the proposed sign would exceed the size and height of surrounding single-tenant ground signs in the surrounding area and generally within Lake in the Hills. The excess area and height would contribute to more imposing signage conditions along the corridor and encourage additional oversized sign variation requests. Other signs for surrounding commercial single-tenant properties are within the 100 square foot area limitation; however, they can be as height has 8' above sidewalk grade.

- 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 values within the neighborhood.**

The proposed sign is set on a small diameter pylon allowing vision and light to filter thru unencumbered beneath.

ATTACHMENTS

1. Application
2. Sign Dimension Package
3. Zoning Map
4. Future Land Use Map
5. Aerial Photo
6. Site Photos

RECOMMENDED ACTION

Planning and Zoning Commission recommend denial to the Village Board for variations to Section 16.7 Table 5 - Signs Permitted, for an addition 98 square feet beyond the maximum 100 square feet of sign advertising area allowed for a ground sign in the B-2 Business district and a variation to Section 16.7 Table 5 - Signs Permitted, for an additional 17 feet beyond the allowable maximum 8 feet height allowed for a ground sign in the B-2 Business district for 220 N. Randall Rd., PIN #19-30-276-006. However, the Planning and Zoning Commission could consider a variation of up to 12' from grade at the front door of the restaurant, which represents 8' above the sidewalk grade and 4' from the front door grade to sidewalk grade for 220 N. Randall Rd., PIN #19-30-276-006. Staff also recommends that any variations allowed include the following conditions;

1. The height variation is inclusive of the difference in elevation from the sign location to the front door.
2. A landscape plan for the signage shall be submitted and approved before a sign permit is issued.
3. The signage shall meet all zoning regulations beyond the variations granted.



PLANNING & ZONING APPLICATION

Property Information

Common street address: 220 N. RANDALL RD

PIN (Property Index Number): 19-20-276006

Current Zoning: B-2 30077-515122 Proposed Zoning: _____

Current Use: RESTAURANT Proposed Use: _____

Is the request consistent with the Comprehensive Plan? _____

Number of Acres: _____ 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): _____

Property Owner Information

Name(s): M + D LIMITED PARTNERSHIP

Business/Firm Name (if applicable): MORETTI'S RISTORANTE & PIZZERIA

Address: 2330 HAMMOND DR SUITE G

City/State/Zip: SCHAUMBURG IL 60173

Phone Number: 847 303-4426

Email: jdiller@aceplaces.com mark@aceplaces.com

Applicant Information

Name(s): MARIC HOFFMANN

Business/Firm Name (if applicable): ALA CARTE ENTERTAINMENT

Address: 2330 HAMMOND DR SUITE G

City/State/Zip: SCHAUMBURG IL 60173

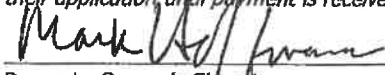

Phone Number: 847 456-6169

Email: jdiller@aceplaces.com MARK@aceplaces.com

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		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)					
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.


4/27/22
 Property Owner's Signature Date *If Owner/Applicant is a School District please, fill out and submit Appendix N*

4/27/22
 Applicant's Signature Date

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

220 N. RANDALL RD

PROPERTY ADDRESS/PIN 19-~~76~~-276-006

30 OFF 5/5/22

220 RANDALL ROAD – MORETTI'S RISTORANTE & PIZZERIA SIGN - PIN# 19-30-276-006

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:

16.2-4 Sign Area - Two faces total 200 sq. ft. - 394.79 sq. ft. Proposed – VARIANCE REQUEST IS FOR AN ADDITIONAL 194.79 SQ. FT. TOTAL OR 97.395 SQ. FT. EACH SIDE.

16.7-2 District B-2 chart - 100 sq. ft. Max size each face for single tenant, 8 feet max height from grade – VARIANCE REQUEST IS FOR A 25 FOOT TOTAL HEIGHT INCLUDING THE 8'-9" PYLON OR 17 FEET MORE THAN 8 FEET ALLOWED

Proposed revised sign 4/26 now complies without variance relief for these sections:

16.2-5 Landscaping – See plan for compliance

16.2-6 Sight Line Preservation – Triangular setback 23' each side for clearance – complies

16.2-7 A - No moving lights all on steady, no flashers in sign build.

16.2-7 B-1 -Internal Illumination – 70 footcandles max – static portion of sign using internal LED's will meet these requirements

16.2-7 D-3a,b,c,d – Samsung sign is totally programmable to meet these requirements thru the software.

16.2-7 D-4d Message Board Brightness – 5,000 nit daytime, 500 nit after dusk - Samsung Sign is totally programmable to meet these requirements through the software with auto dim feature and able to set these nit parameters the digital sign can't exceed 5000nits during the day, and reduces down automatically using a photo sensor to 500 nits at full darkness

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.

Moretti's has had No sign for the past two years as it was removed by the added Randall Road lane construction during the Pandemic hence there's been nothing portraying what the multi-function uses are that this building site has to offer.

2. The plight of the owner is due to unique circumstances.

The existing retention pond sets the building far back from the now wider street with sign gone.

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

Within the existing business district it will not change the business character and the proposed sign is similar to the Lowes pylon sign North on Randall Road at Polaris Dr.

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.

The Moretti's building is set far back a now faster-paced Randall Road and cars are past before they realize a restaurant is there. A distinctive sign is needed to be seen from a distance.

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.

B-2 zoning is exclusive to this site within different surrounding B-3 zoning in all directions.

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

The purpose is to recover from the past two years of lost business and better identity.

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

The owner has not created the more difficult condition of the previous years and loss of signage.

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.

220 N. RANDALL RD
PROPERTY ADDRESS/PIN 19-20-276-006

220 RANDALL ROAD – MORETTI’S RISTORANTE & PIZZERIA - PIN# 19-30-276-006

There should be no adverse conditions to neighboring properties.

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.

The proposed sign is set on a small diameter pylon allowing vision and light to filter thru unencumbered beneath.

Mark Hoffmann 4/27/22

Applicant's Signature Date

Mark Hoffmann 4/27/22

Property Owner's Signature Date

MORETTI'S 220 RANDALL RD. SIGNAGE PLAN

LAKE IN THE HILLS, IL

ENTRANCE DRIVE
RIGHT TURN IN - RIGHT TURN OUT

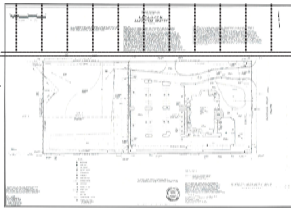
LANDSCAPING NOTES:

Landscaping shall include evergreen shrubs with pachysandra border 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.

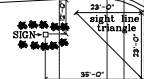
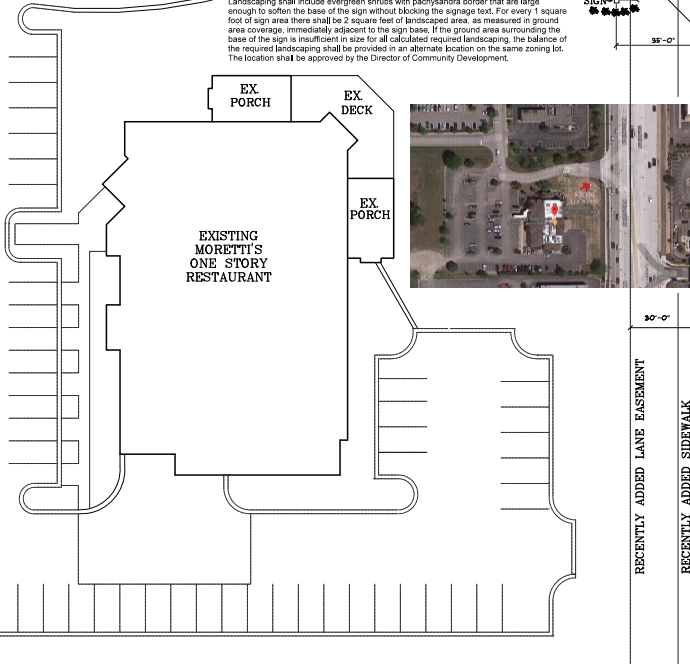


A) BILLBOARD SIGN WITH SAMPLING SIGN REQUIREMENTS

Sign Size: 10' x 10'	Color: Green, Red, White	Material: Aluminum
Sign Type: Pylon Sign	Height: 10' to 15'	Location: Right of Way
Sign Content: "Moretti's Dining & Events"	Lighting: LED	Foundation: Concrete



SEE PLAT OF SURVEY
SUBMITTED SEPARATELY



RECENTLY ADDED LANE EASEMENT
RECENTLY ADDED SIDEWALK

RANDALL ROAD

OMEGA
Sign & Light Systems
630.237.4397
OmegaSign.com

MORETTI'S
220 N. Randall Rd.
Lake in the Hills, IL 60156

Date:	10/25/21
Acct. Executive:	S. Medina
Page No.:	002
Revision Number:	0
Rev. 1:	11/11/21
Rev. 2:	12/07/21
Rev. 3:	2/22/22
Rev. 4:	2/22/22
Rev. 5:	2/22/22
Rev. 6:	4/12/22 (Rev. 7) 4/25/22
Drawn by:	D. Savage
Drawing Scale:	3/16"=1'
Rev. to:	4/25/22
Project Name:	
Sign by:	EL
No. of Lamp/LEDs:	
Total Voltage:	
No. of Power Supplies:	
Total Amperage:	
14' 20' Lamp Height:	Yes
Soil: w/Rebar Base:	Yes

DATE OF ISSUE: 4-26-22
JOB NUMBER: YAB1115
DRAWN CHECKED: TRM : SPK

300 N. 1st St.
Lisle, IL 60130
4000

DATE OF REVISION: 11/11/21

Ab. Core Entertainment
PROPOSED PYLON SIGNAGE
MORETTI'S RESTAURANTE & PIZZERIA
220 RANDALL ROAD
LAKE IN THE HILLS, IL.

AR KHATEKS UNLIMITED, LTD

SHEET
Sign 1

OPTION #1

A

D/F PYLON SIGN W/ SAMSUNG 8mm RGB EMU



PROPOSED

OMEGA
Sign & Lighting Inc.
630.237.4397
OMEGASIGNCHICAGO.COM

MORETTI'S

220 N. Randall Rd.
Lake in the Hills, IL 60156

Date 10/25/21

Acct. Executive S. Menna

Page No. 001

Revision Number Date

(Rev. 1) 11/11/21

(Rev. 2) 12/07/21

(Rev. 3) 2/22/22

(Rev. 4) 2/23/22

(Rev. 5)

(Rev. 6)

Drawn By D. Savage

Drawing Scale

PERMIT INFO

Sign Sq. Ft.

No. of Lamps/LEDs

Total Wattage

No. of Power Supplies

Total Amperage

Ext. 20 Amp Toggle Switch w/Rubber Boot Yes

Signature mm/dd/yy

Cust. Approval Date

Signature mm/dd/yy

Landlord Approval Date

This Document, and the information contained, is the property of Omega Sign & Lighting Inc. (the Company). By receipt of this Document, the holder agrees not to distribute to any other entities, nor reproduce this Document and the information contained, without the prior written approval by the Company. The Customer agrees that Omega Sign & Lighting Inc. will fabricate signs as per the above rendering(s) and Customer agrees to all charges to fabricate sign(s) including permit & procurement fees & storage fees. The colors depicted in the rendering(s) are not an exact color match that will appear in the sign(s) construction, and exact color swatches can be provided only at the Customer's request.

630.237.4397
OMEGASIGNCHICAGO.COM



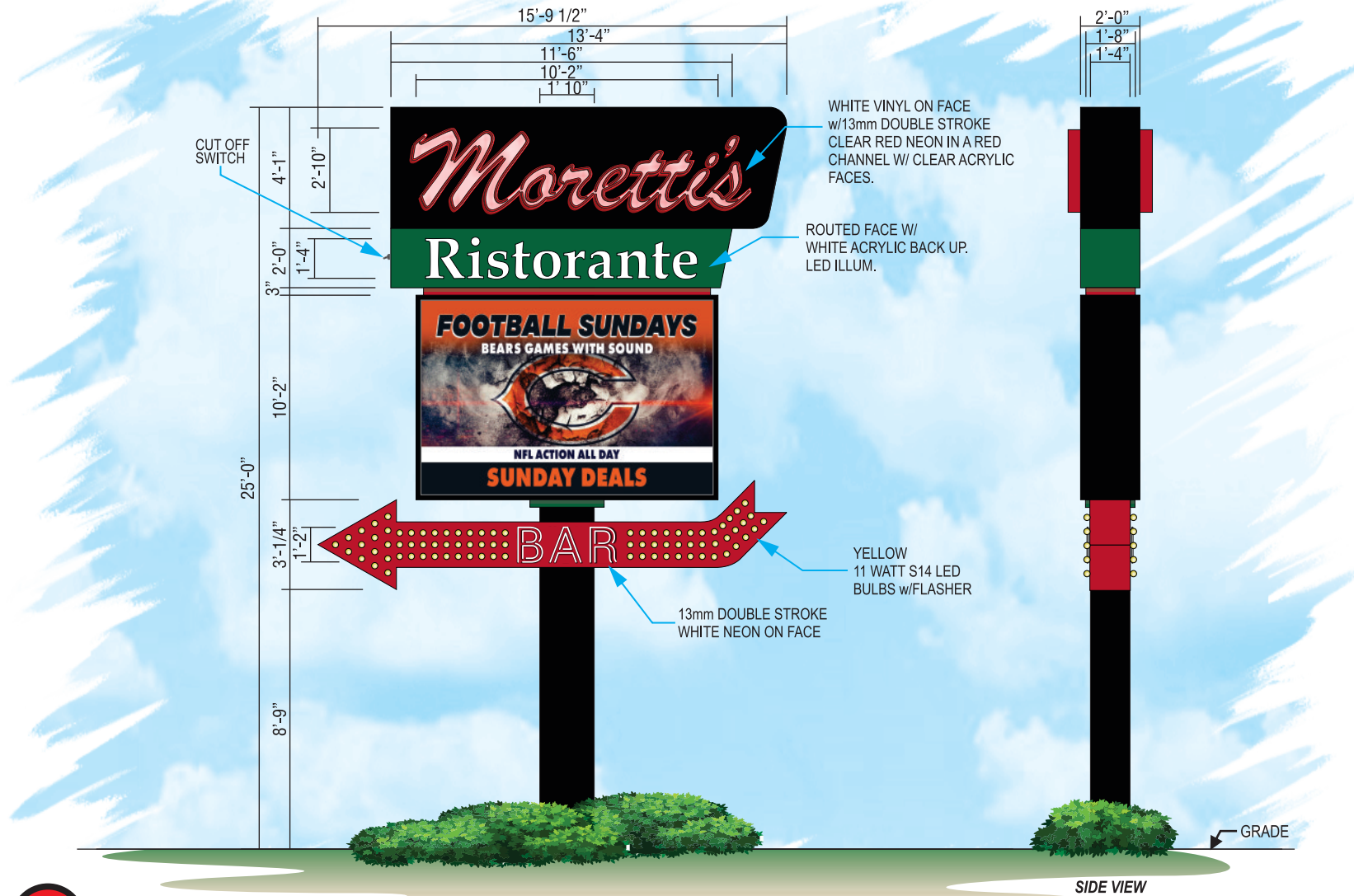
ELECTRICAL NOTES

Sign company DOES NOT provide Primary Electrical to Sign. Power to the Sign must be done by a licensed electrical contractor or licensed electrician.

Each Sign Must Have:

1. A minimum of One(1) dedicated 120V 20A circuit.
2. Junction box installed within Six(6) feet of Sign.
3. Three Wire: Line, Ground, and Neutral.

OPTION #1



A D/F PYLON SIGN W/ SAMSUNG 8mm RGB EMU

Total Sq.Ft.: 394.8
Cabinet: Alum, Painted Black, (Arrow) Painted PMS 200 C & PMS 349 C (Ristorante)
Pole Cover: Painted Alum, MP Black
Cap & Reveal: 3" Painted Alum, PMS 349 C & PMS #200 C

Quantity: 2
Overall Cab. Height: 6'-10 3/4"
Overall Cab. Width: 10'-2"
Active: 6'-6 3/4" x 9'-10"
Overall Sign Depth: 8in.
Total Sq. Ft.: 64.6

MP BLACK 923
 MP TO MATCH PMS 200 C
 MP TO MATCH PMS 349 C

Illumination: 13mm Clear Red Neon (Moretti's), 13mm White Neon (Bar), S14 Yellow Exposed LED Bulbs with Flasher

Type: 8mm 240 x 360 RGB LED Matrix Display
Cabinet Style: XPR-E
Approx. Weight/Face: 541.8 lbs
Wattage/Face: 6000 (Display only)

Notes: Need Survey to determine Sign Area.



MORETTI'S

220 N. Randall Rd.
 Lake in the Hills, IL 60156

Date	10/25/21
Acct. Executive	S. Menna
Page No.	002
Revision Number	Date
(Rev. 1)	11/11/21
(Rev. 2)	12/07/21
(Rev. 3)	2/22/22
(Rev. 4)	2/23/22
(Rev. 5)	
(Rev. 6)	

Drawn By: D. Savage
Drawing Scale: 1/4"=1'

PERMIT INFO

Sign Sq. Ft.	
No. of Lamps/LEDs	
Total Wattage	
No. of Power Supplies	
Total Amperage	
Ext. 20 Amp Toggle Switch w/Rubber Boot	Yes

Signature	mm/dd/yy
Cust. Approval	Date
Signature	mm/dd/yy
Landlord Approval	Date



ELECTRICAL NOTES

Sign company DOES NOT provide Primary Electrical to Sign. Power to the Sign must be done by a licensed electrical contractor or licensed electrician.

Each Sign Must Have:

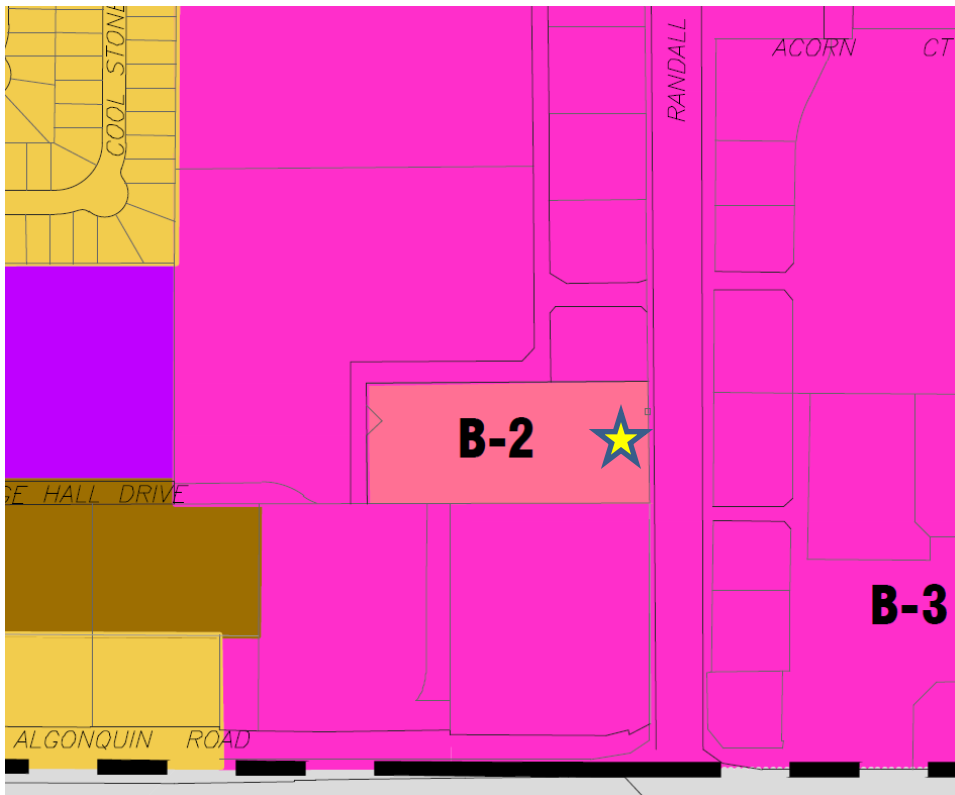
1. A minimum of One(1) dedicated 120V 20A circuit.
2. Junction box installed within Six(6) feet of Sign.
3. Three Wire: Line, Ground, and Neutral.

Variations request to allow for ground sign at 220 North Randall Road

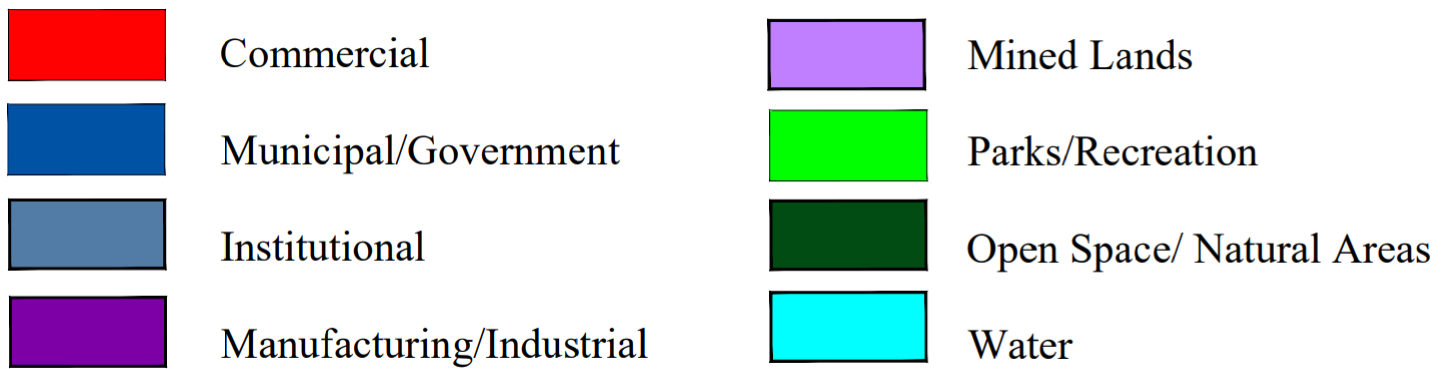


EXHIBITS

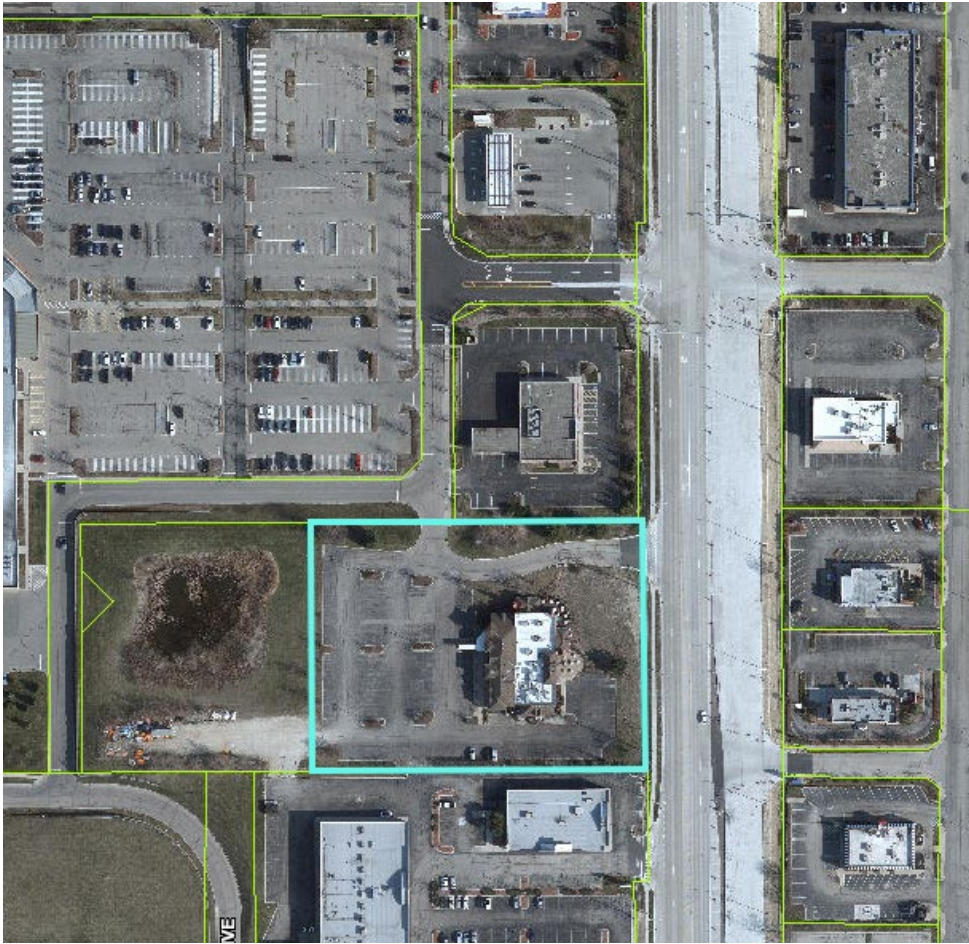
3. ZONING MAP



4. FUTURE LAND USE MAP



5. AERIAL PHOTO

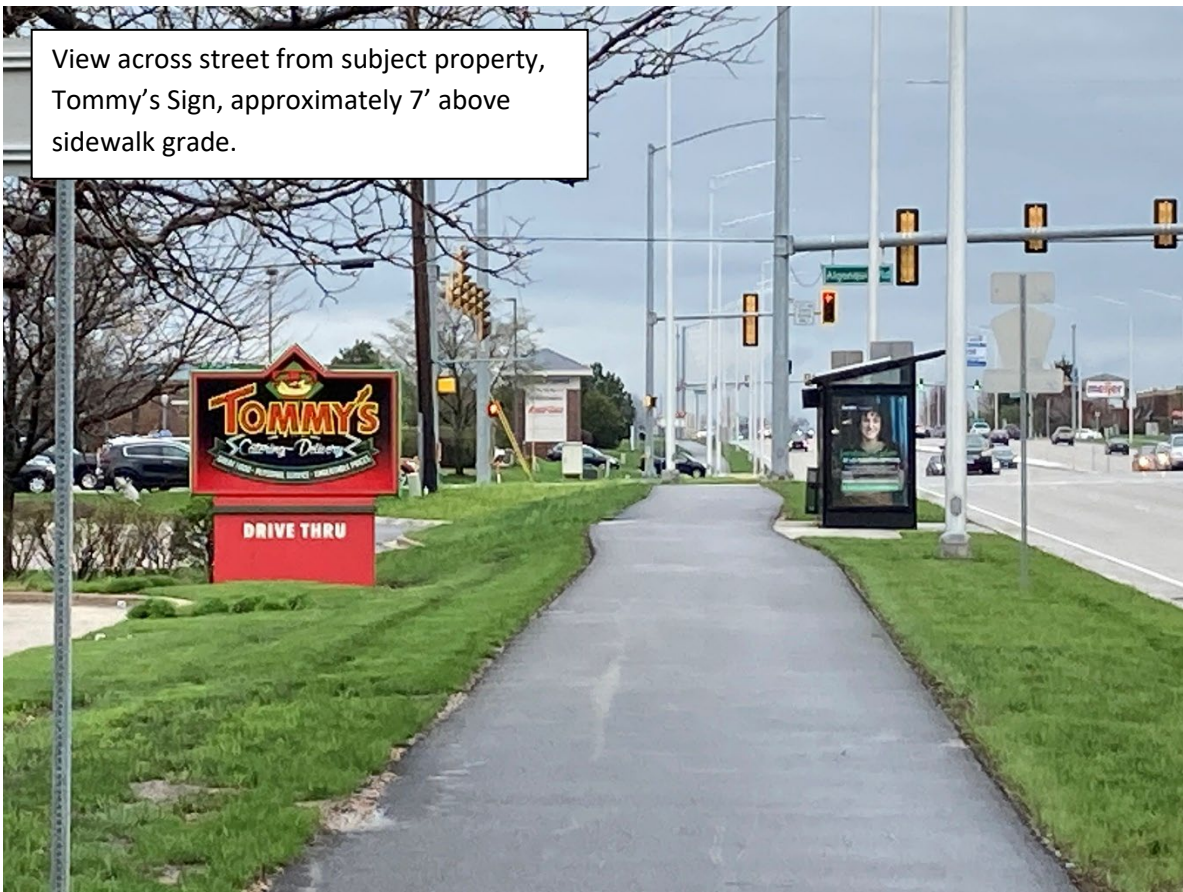


6. SITE PHOTOS

View of Moretti's from Algonquin Rd. and Randall Rd. intersection



View across street from subject property, Tommy's Sign, approximately 7' above sidewalk grade.



View across street from subject property, Culver's Sign, approximately 8' above sidewalk grade.



View south of subject property, Rise's Sign, approximately 5' above sidewalk grade.



View subject property.



View from subject property at proposed sign location, looking south. Trees approximately 25' to 30' tall.





REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION

PLANNING AND ZONING COMMISSION

MEETING DATE: May 16, 2022

DEPARTMENT: Community Development

SUBJECT: Conditional Use for Class 3 Solar System at 9340 Halligus Road

EXECUTIVE SUMMARY

General Information

Requested Action: Joseph Billitteri and John Curtis request a Conditional Use Permit to allow for the development of a Class III Solar Energy System.

Owner: Joseph Billitteri, Parkside Apts. LITH, LLC

Applicant: Joseph Billitteri, John Curtis

Purpose: Develop a Class III Solar Energy System.

Location and Size: 9340 Halligus Road – approximately 2.69 acres.

<i>Zoning and Land Use:</i>	Site:	R-4 Multi-Family/Residential
	North:	O-S Open Space/Sunset Park
	East:	O-S Open Space/Sunset Park
	South:	O-S Open Space/Sunset Park
	West:	R-2 One Family/Residential
	Future Land Use:	Parks/Recreation

Background

The applicant proposes the development of a Class III Solar Energy System. A Class III Solar Energy System is a solar system which exceeds 1 acre and is the principal use of the property. Solar energy systems are regulated by Section 29 of the zoning code as well as all other applicable chapters. Class III Solar Energy Systems are allowed by Conditional Use Permit in the R-4, Multiple Family, zoning district. The applicant is proposing a ground-mounted solar energy system with a parking lot and security fence. The solar system consists of panel rows running north-south, some of which will encroach upon the 75' rear yard setback required on R-4 properties. The property is located west of Sunset Park and north of a Village well house. The applicant has applied for a variation to the setback requirement to allow for the encroachment.

Standards and Findings of Fact for a Conditional Use

The Planning and Zoning Commission may recommend and the Board of Trustees shall consider the following factors and how they are relevant to the specific conditional use requested:

- A. 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;

The applicant indicates the Village zoning ordinance states that solar energy system would preserve the Village's public health, safety, and welfare by reducing the carbon footprint of each property by creating a clean, renewable energy source.

Staff finds there to be few solar energy systems in the Village. Staff also finds the solar energy system would be desirable as a public facility and would contribute to the general welfare of the Village by providing clean energy.

- B. 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;

The applicant indicates there are no negative environmental and health issues associated with solar energy systems.

Staff finds the proposed facility would not emit pollution or noise and do not generate traffic in any substantial amount. Solar facilities are compatible with parkland, public utilities, and residential neighborhoods. The facility would not be detrimental to the health, safety, morals or general welfare of Village residents and workers and would not be injurious to property values or improvements in the vicinity.

- C. 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;

The applicant indicates the solar energy system would be constructed to Section 29.4-2, Landscape Buffering, which doesn't require buffering for facilities not located within 150 feet of public streets or residentially zoned property. Otherwise buffering will be provided.

Staff finds the solar energy system to be surrounded by parkland and a built residential neighborhood. The majority of the facilities will not be within 150 of Halligus Road, with only the parking lot needing potential screening. The system would not impede the orderly developer and improvement of surrounding property.

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

The applicant states the proposed facility would allow for the development of underutilized property to reduce the carbon footprint of the Village.

Staff finds the Village Future Land Use map designates this area as Parks/Recreation. The proposed facility would create very little impervious surface and would be compatible with the neighboring park area by providing a buffer to Halligus Road.

- E. 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;

The applicant indicates there would be no added traffic associated with the energy system.

Staff finds the facility would generate very little traffic. Occasional maintenance will be required; however, these would be limited to a few vehicle trips per week and parking has been provided.

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

The applicant states no public or private facilities and services are required apart from ComED service with the solar energy system.

Staff finds the use can be adequately served by essential public and private facilities, services, and utilities as water and sewer will not be required and project development and operation will be coordinated with ComED.

- G. 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;

The applicant indicates there would be no foreseeable issues with compliance of the Village Zoning Ordinance section 29.

Staff finds the proposed use will comply with regulations and conditions in the Zoning Code, with the exception of the applied-for variation to the rear yard setback.

ATTACHMENTS

1. Application
2. Zoning Map
3. Future Land Use Map
4. Aerial Photo
5. Site Photos

RECOMMENDED ACTION

Planning and Zoning Commission recommend approval to the Village Board for a Conditional Use Permit at 9340 Halligus Road, Parcel # 18-22-200-031, to allow for the construction of a Class III Solar Energy System with the following condition;

1. Approval of a variation to the rear yard setback requirement to allow for the proposed facility and/or design changes of less intensity to maintain conformance with residential bulk standards.



Village of Lake in the Hills Development and Zoning Application

Date: 04/26/2022

Property Information

Common street address: Haligus Road, Huntley, IL 60142

PIN (Property Index Number): 18-22-200-031

Current Zoning: R-4 Proposed Zoning: _____

Current Use: vacant Proposed Use: solar energy system 3

Is the request consistent with the Comprehensive Plan? YES

Number of Acres: 2.69 acres 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): _____

attached - exhibit A

Property Owner Information

Name(s): Joseph Billitteri, John Curtis

Business/Firm Name (if applicable): Parkside Apts LITH LLC

Address: 201 Penny Ave, Apt 2D

City/State/Zip: East Dundee, IL 60118

Phone Number: 847-833-5004

Email: joeb@profit-success.net

Applicant Information

Name(s): Joseph Billitteri / John Curtis

Business/Firm Name (if applicable): United Construction Services, Inc

Address: 1055 Nimco Drive, Suite E

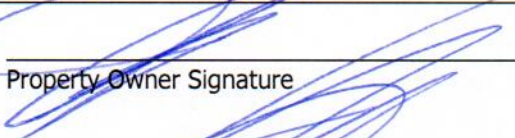
City/State/Zip: Crystal Lake, IL 60014

Phone Number: 847-417-9884 (John Curtis) 224-281-8279 (Malia Ohland)

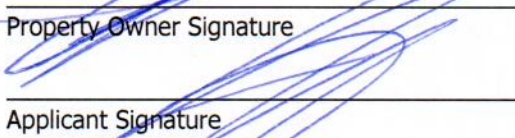
Email: malia@unitedconstructionserv.com / csccommercial@gmail.com / joeb@profit-success.net

**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	X	\$500 + \$10/ac over 2 ac	I	Yes	\$526.90
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					\$526.90
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 4/27/22



 Applicant Signature Date 4/27/22

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

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

Appendix I
Conditional Use

Conditional Use Applying For: solar energy systems

Standards and Findings of Facts
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.**

Per the Village of Lake in the Hills Zoning Ordinance section 29, "solar energy systems preserve the Village's public health, safety, and welfare by reducing the carbon footprint of each property by creating a clean, renewable energy source".

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.**

There are no negative environmental and health issues associated with solar energy systems.

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.**

The SES will be constructed within the guidelines per section 29.4-2, any SES located within 150 feet of public streets, residentially zoned property, or residential use will be screened.

Appendix I
Conditional Use

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 use of SES on this parcel will allow for the development of underutilized property to reduce the carbon footprint of the Village.

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.**

There will be no added traffic associated with the solar energy system.

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.**

No public or private facilities and services required apart from ComEd service with the solar energy system.

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.**

There are no foreseeable issues with compliances of the Village Zoning Ordinance section 29.

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


Property Owner Signature

4/6/22
Date


Applicant Signature

4/6/22
Date

NB (A)

1445842mc



WARRANTY DEED
Illinois Statutory

~~Grantor's Address~~
NAME & ADDRESS OF TAXPAYER:

Billitteri Enterprises, LLC
707 Goldenrod Ct.
Crystal Lake, IL 60014

STATE OF ILLINOIS
AUG. 21. 15
MCHENRY COUNTY
0000014457
REAL ESTATE TRANSFER TAX
00-120.00
FP351022

STATE & COUNTY TAX

PHYLIS K. WALTERS
RECORDER-MCHENRY COUNTY, IL
2015R0031511
08/21/2015 02:36PM PAGES 4
RECORDING FEE 25.00
GIS FEE 15.00
STATE STAMP FEE 80.00
COUNTY STAMP FEE 40.00

RECORDER'S STAMP

THE GRANTOR(S) GRAFTON TOWNSHIP, County of McHenry, State of Illinois, for and in consideration of Ten and no/100 DOLLARS and other good and valuable considerations in hand paid.

CONVEYS AND WARRANTS TO PARKSIDE APTS. LITH, LLC, an Illinois limited liability company, of the City of Crystal Lake, County of McHenry, State of Illinois, the following described Real Estate situated in the County of McHenry, State of Illinois, to wit:

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 22, AND RUNNING THENCE SOUTH ALONG THE WEST LINE THEREOF, 1288.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST TO THE EAST RIGHT OF WAY LINE OF HALIGUS ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 214.00 FEET; THENCE SOUTH 23 DEGREES 53 MINUTES 30 SECONDS EAST, 578.10 FEET TO THE NORTH LINE OF THE SOUTH 826.14 FEET OF THE WEST HALF OF SAID SECTION; THENCE SOUTH 89 DEGREES 45 MINUTES 01 SECONDS WEST ALONG SAID NORTH LINE, 230.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 0 SECONDS WEST, 249.57 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 217.83 FEET TO A POINT ON SAID EAST LINE OF HALIGUS ROAD; THENCE NORTH 00 DEGREES 03 MINUTES 45 SECONDS WEST ALONG SAID EAST LINE, 280.00 FEET TO THE POINT OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS

Subject to covenants, conditions restrictions of record.

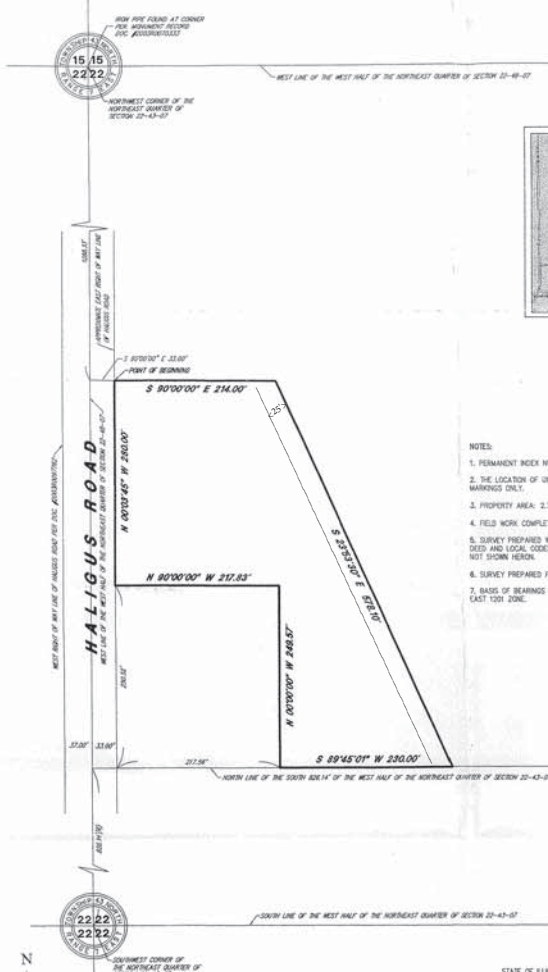
hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. **TO HAVE AND TO HOLD** said premises in **Fee Simple**.

Mail to:
HERITAGE TITLE COMPANY
4405 THREE OAKS ROAD
CRYSTAL LAKE, IL 60014

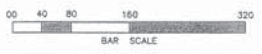
HT
AD.-

PLAT OF SURVEY

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 22, AND RUNNING THENCE SOUTH ALONG THE WEST LINE, THENCE S 128° 33' WEST, THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST TO THE EAST RIGHT OF WAY LINE OF HALIGUS ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 214.00 FEET, THENCE SOUTH 23 DEGREES 53 MINUTES 30 SECONDS EAST, 576.10 FEET TO THE NORTH LINE OF THE SOUTH 80.74 FEET OF THE WEST HALF OF SAID SECTION, THENCE SOUTH 88 DEGREES 45 MINUTES 01 SECONDS WEST ALONG SAID NORTH LINE, 230.00 FEET, THENCE NORTH 50 DEGREES 00 MINUTES 00 SECONDS WEST, 248.57 FEET, THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, 277.83 FEET TO A POINT ON SAID EAST LINE OF HALIGUS ROAD, THENCE NORTH 60 DEGREES 00 MINUTES 45 SECONDS WEST ALONG SAID EAST LINE, 286.00 FEET TO THE POINT OF BEGINNING, IN WOODEN COUNTY, ILLINOIS.



- NOTES:
- PERMANENT INDEX NUMBER: 18-12-300-006
 - THE LOCATION OF UNDERGROUND UTILITIES WAS DETERMINED BY FIELD OBSERVATION AND VISIBLE MARKINGS ONLY.
 - PROPERTY AREA: 2.774 ACRES / 120,842.15 SQUARE FEET MORE OR LESS.
 - FIELD WORK COMPLETED: 08/09/08
 - SURVEY PREPARED WITHOUT THE AID OF A TITLE REPORT. REFER TO A CURRENT TITLE REPORT, DEED AND LOCAL CODES FOR ANY EASEMENT, BUILDING SETBACKS AND OTHER LOCAL RESTRICTIONS NOT SHOWN HEREON.
 - SURVEY PREPARED FOR: LAMP INCORPORATED / 847-741-7220
 - BASES OF BEARINGS IS TRUE NORTH BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, ILLINOIS EAST 1201 ZONE.



STATE OF ILLINOIS)
 COUNTY OF COOK) SS

WE, W-T LAND SURVEYING, INC. DO HEREBY DECLARE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER OUR HAND AND SEAL THIS 13TH DAY OF NOVEMBER, A.D. 2008, AT NORTHAM, ILLINOIS.

W-T LAND SURVEYING, INC. ILLINOIS

Carol M. Watson
 FRANK C. MATCOCK - PLS 0635-00286 EXPIRES 11/30/2008

REVISIONS	DATE	BY

W-T LAND SURVEYING, INC. LAND AND CONSTRUCTION SURVEYING 2077 Ashland Avenue Moline, IL 61704-2000 PH: 309-243-2000 FAX: 309-243-2001 E: Survey@w-tland.com R. L. Stevens, PLS, M.S. 04-20-02, ILS 12-03-08
W-T
GRAFTON TOWNSHIP ADMINISTRATION BUILDING HALIGUS ROAD LAKE IN THE HILLS, ILLINOIS
PLAT OF SURVEY
DATE : 11/19/08 SCALE : 1"=80' DRAWN : KKH CHECK : FM JOB : 508187 SHEET : S-1 REVISION : OF ONE SHEETS

EXHIBIT A

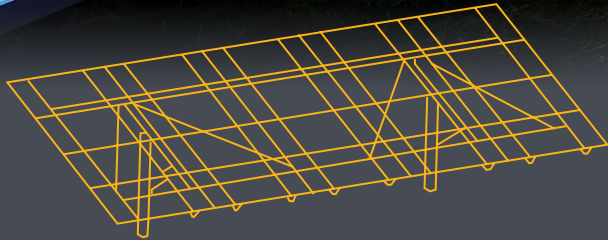
Legal Description of the Property

That part of the West Half of the Northeast Quarter of Section 22, Township 43 North, Range 7 East of the Third Principal Meridian, described as follows: commencing at the Northwest Corner of the Northeast Quarter of said Section 22, and running thence South along the West line thereof, 1288.33 feet; thence South 90 degrees 00 minutes 00 seconds East to the East right of way line of Haligus Road, said point also being the point of beginning; thence continuing South 90 degrees 00 minutes 00 seconds East, 214.00 feet; thence South 23 degrees 53 minutes 30 seconds East, 578.10 feet to the North line of the South 826.14 feet of the West half of said section; thence South 89 degrees 45 minutes 01 seconds West along said North line, 230.0 feet; thence North 00 degrees 00 minutes 00 seconds West, 249.57 feet; thence North 90 degrees 00 minutes 00 seconds West 217.83 feet to a point on said East line of Haligus Road; thence North 00 degrees 03 minutes 45 seconds West along said East line, 280.00 feet to the point of beginning in McHenry County, Illinois.

THE FLEXRACK SERIES G3-X



156 FlexRack Series G3P-X racks
1.9MW Nixon Farms Project | West Friendship, MD



+ TURN-KEY SERVICES

We're here for you because we care about your projects. From engineering to installation, you can also leverage our expert turn-key services on any job from start to finish.

Contact us to see how our team of project engineers, field techs, geologists and other specialists can help make sure your next project is a success.

Experience the Flex

CALL US TO FIND OUT HOW THIS GROUNDBREAKING
RACK CAN IMPROVE HOW YOU DO SOLAR

1.888.380.8138 | SOLARFLEXRACK.COM

Pick your preference

Solar Developers and EPCs demand choices and continued innovation to maintain their leadership position. The Field Assembled G3-X Ground Rack joins our flagship Pre-assembled G3L and G2P series as the latest advancement in our ongoing quest to provide products which meet project-specific needs. Solar FlexRack stands alone as the only racking company able to provide you with these options.

Easy assembly

The G3-X system is easily staged on the jobsite, can be assembled in the field by crews of nearly any skill level, and has been third-party verified for speed of installation by The Industrial Time Study Institute, Inc. Multiple pre-drilled holes, slot to slot connections, and generous construction tolerances make the G3-X an efficient and adaptable model on the jobsite.

Seamless flexibility

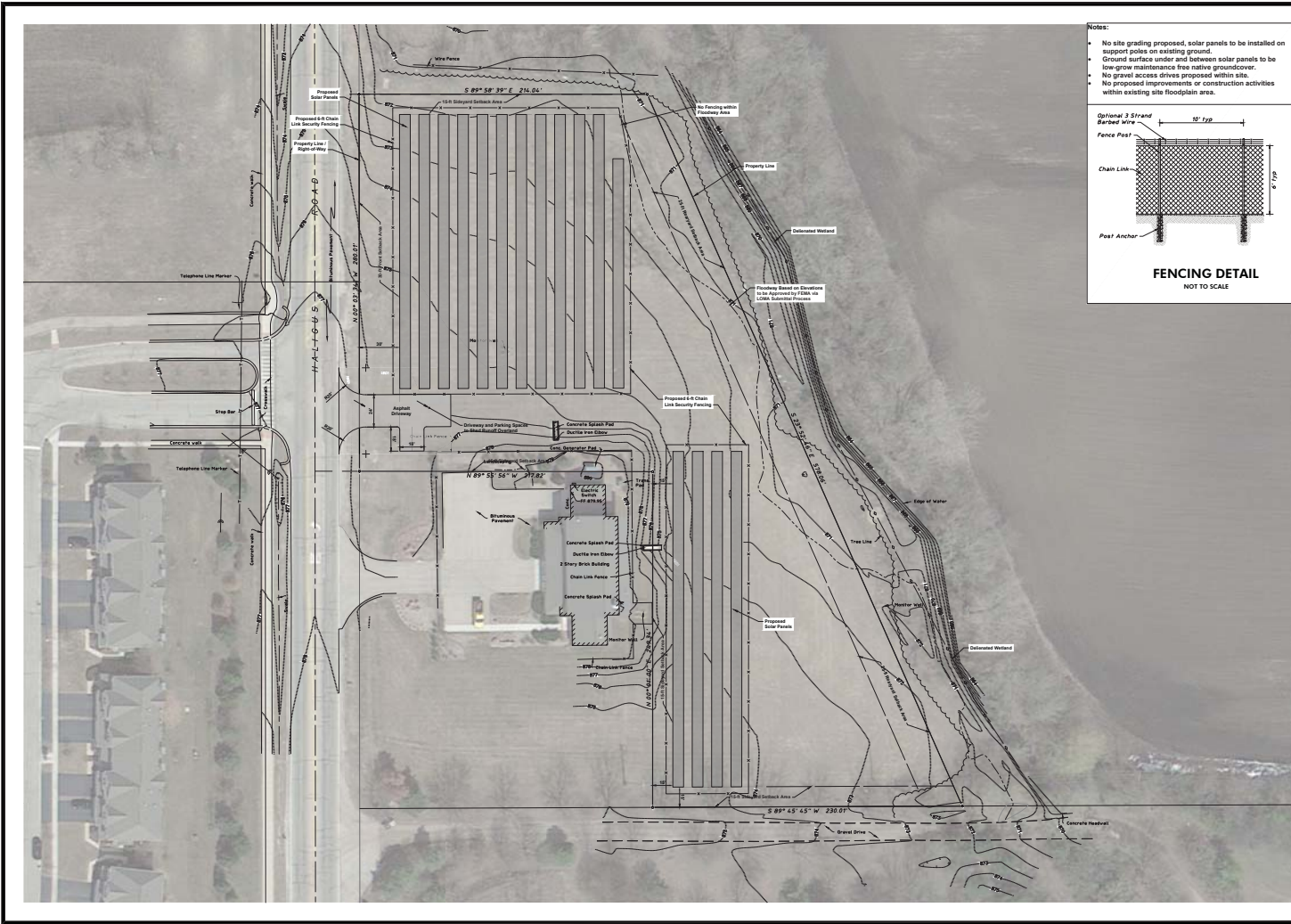
The G3-X, available in both Portrait and Landscape orientations, leverages the knowledge gained in delivering nearly 1 GW of pre-assembled ground mounts into a racking system which is assembled in the field. This product is a perfect fit for projects where labor costs are low and field assembly is preferred.

Intelligent design

The series G3-X is value-engineered by our professional team of best-in-class engineers to optimize materials and limit components to create a cost-effective solution. Our field engineering team will work with you personally to ensure that whatever system you choose will be the most cost effective solution for your project needs.

Bankability

Solar FlexRack is a product of Northern States Metals, a full service manufacturer with over 40 years of experience. With close to 1 GW of installed capacity Solar FlexRack has the experience and sustainability to be a reliable partner for your next successful solar project. The G3-X series also comes standard with a 20 year warranty.



Notes:

- No site grading proposed, solar panels to be installed on support poles on existing ground.
- Ground surface under and between solar panels to be low-grow maintenance free native groundcover.
- No gravel access drives proposed within site.
- No proposed improvements or construction activities within existing site floodplain area.

FENCING DETAIL
NOT TO SCALE

HAEGGER ENGINEERING

PROPOSED PRELIMINARY
ENGINEERING PLAN
9260 HALIGUS ROAD
LAKE IN THE HILLS
ILLINOIS 60156

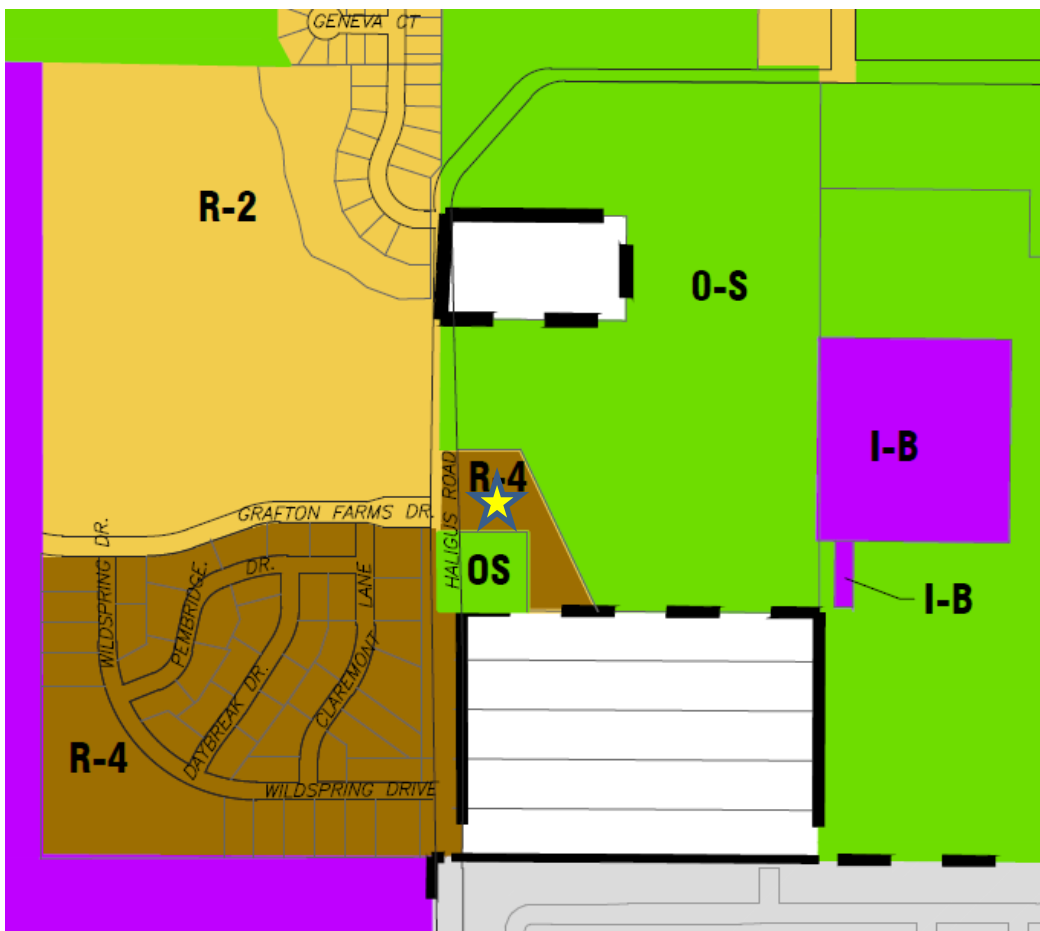
Project Manager: MJA
Engineer: MJA
Date: 04.26.2023
Project No: 14-204
Sheet: 1

Conditional Use Permit request to allow for development of a Class III Solar Energy System at 9340 Halligus Road

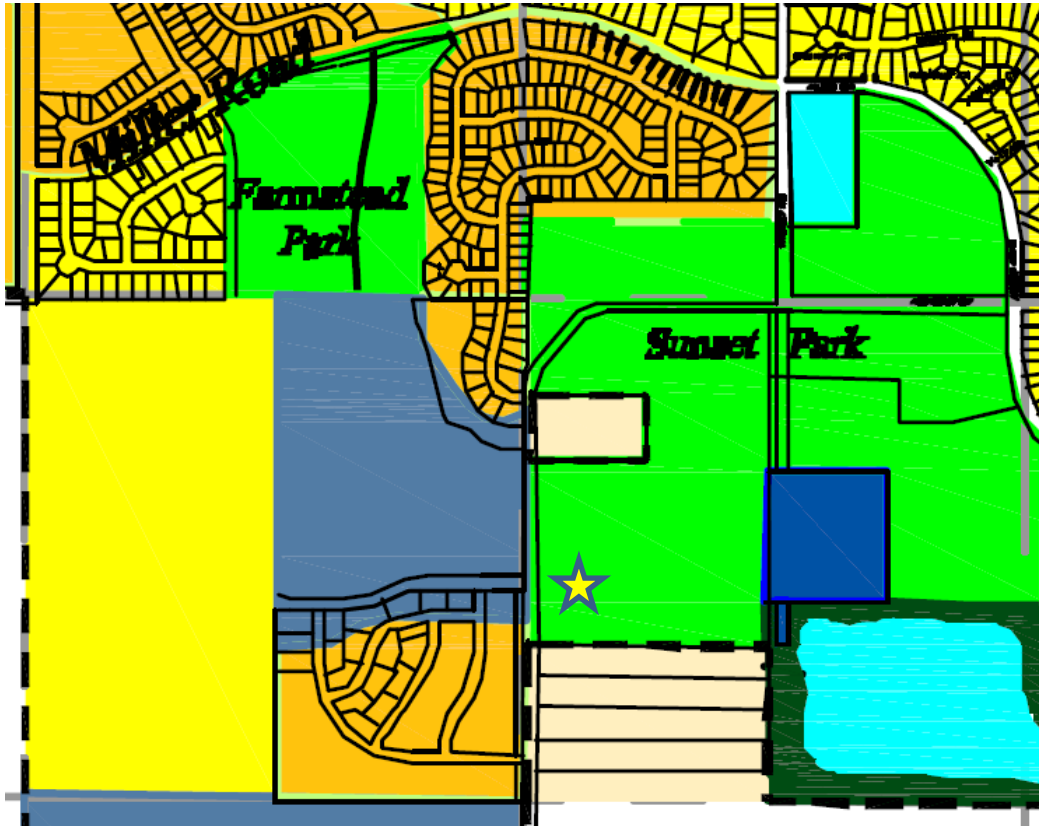










EXHIBITS

2. ZONING MAP



3. FUTURE LAND USE MAP

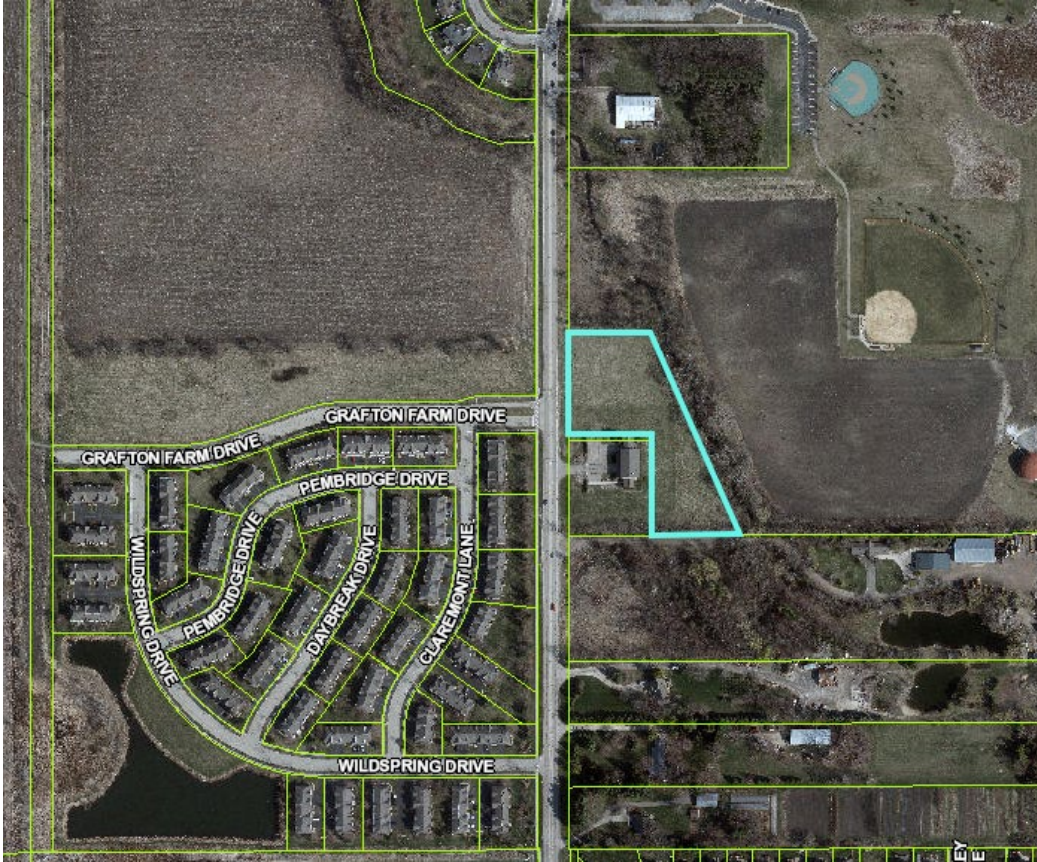


	Commercial		Mined Lands
	Municipal/Government		Parks/Recreation
	Institutional		Open Space/ Natural Areas
	Manufacturing/Industrial		Water



Copyright County of McHenry 2014.
All information is provided 'as-is' with no
guarantee of accuracy, completeness, or currency.

4. AERIAL PHOTO

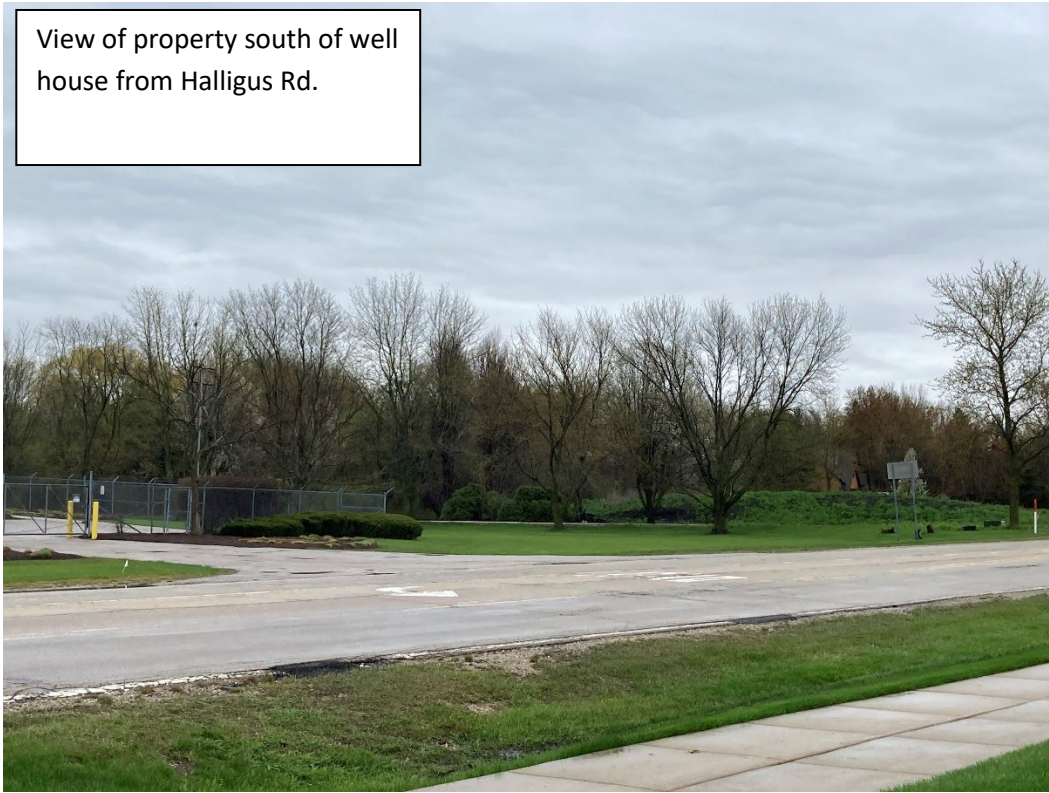


5. SITE PHOTOS

View of property north of well house from Halligus Rd.



View of property south of well house from Halligus Rd.





REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION

PLANNING AND ZONING COMMISSION

MEETING DATE: May 16, 2022

DEPARTMENT: Community Development

SUBJECT: Variation to Section 7.4 Residential Bulk Chart R-4 Zoning District rear yard setback at 9340 Haligus Road

EXECUTIVE SUMMARY

General Information

Requested Action: Joseph Billitteri and John Curtis request a variation to Section 7.4 Residential Bulk Chart R-4 Zoning District rear yard setbacks at 9340 Halligus Road to allow for the development of a Class III Solar Energy System.

Owner: Joseph Billitteri, Parkside Apts. LITH, LLC

Applicant: Joseph Billitteri, John Curtis

Purpose: Develop a Class III Solar Energy System.

Location and Size: 9340 Halligus Road – approximately 2.69 acres.

Zoning and Land Use: Site: R-4 Multi-Family/Residential

North: O-S Open Space/Sunset Park

East: O-S Open Space/Sunset Park

South: O-S Open Space/Sunset Park

West: R-2 One Family/Residential

Future Land Use: Parks/Recreation

Background

The applicant proposes the development of a Class III Solar Energy System. A Class III Solar Energy System is a solar system which exceeds 1 acre and is the principal use of the property. Solar energy systems are regulated by Section 29 of the zoning code as well as all other applicable chapters. Section 29 requires solar energy systems to meet the setbacks and other bulk regulations for the subject property zoning designation. The subject property is zoned R-4 Multi-Family residential. Section 7 – Residential Districts, Residential Bulk Chart requires principal structures in the R-4 district to have a 75' rear yard setback. The property is located west of Sunset Park and north of a Village well house.

The applicant is proposing a ground-mounted solar energy system with a parking lot and security fence. The solar system consists of panel rows running north-south. Some of these panels are within 75' of the rear property line; therefore, the applicant is requesting a 50' variation from the 75' requirement to allow solar panels within 25' of the rear property line. In addition, Class III Solar Energy Systems are allowed only by Conditional Use Permit in the R-4 district. The applicant has applied for a Conditional Use Permit.

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 due to its location next to a L.I.T.H. water facility, the highest and best use for the property is for a solar field. With current economic times of high material and labor costs and high taxation it is not feasible to build apartments.

Staff finds the property to be impacted by floodplain and to have a unique configuration, making development of multi-family residential or other developments difficult. The required 75' rear yard setback would add further constraints to the property, making the development and maintenance of a solar facility difficult, costly, and potentially unfeasible.

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

The applicant indicates they have held the property since 2014 and have been unable to find a use for the property which is economically feasible. A solar field is the only development which works economically.

Staff finds the property to be impacted by floodplain and to have a unique configuration. The shape of the property prohibits installation of access drives and parking throughout the site in a cost-effective manner.

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

The applicant indicates a solar field is low profile and is adjacent to a water treatment facility, which is in the same character.

Staff finds the surrounding area to be residential, parkland, and public utility. The installation of a solar system would not alter essential character of the surrounding area or the Village.

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 they have completed a wetland study showing the particular conditions of property.

Staff finds the property to be impacted by floodplain and to have a unique configuration. The shape of the property prohibits installation of access drives and parking throughout the site in a cost-effective manner, resulting in a property more suitable for solar systems. However, the required 75' rear yard setback would add further constraints to the property, making the development and maintenance of a solar facility difficult, costly and potentially unfeasible.

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; or

The applicant indicates other property in the same zoning classification does not have the L.I.T.H. water treatment facility and wetland next to it.

Staff finds the property to be impacted by floodplain and to have a unique configuration. In addition, the property is uniquely located between a public park and a well house. The variation request is for a lot line which borders Sunset path, limiting any potential impacts of the proposed project.

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

The applicant indicates solar energy generation is a positive green effect on our environment and is also state mandated to achieve alternative energy sources.

Staff finds the required 75' rear yard setback would add further constraints to the property, making the development and maintenance of a solar facility difficult, costly and potentially unfeasible.

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

The applicant indicates the property is located next to a water treatment facility and has wetlands present. The applicant states the difficulty has not been created by ownership.

Staff finds the hardship was created when the lot was platted and when the well house was constructed, not by the current owners.

ATTACHMENTS

1. Application
2. Zoning Map
3. Future Land Use Map
4. Aerial Photo
5. Site Photos

RECOMMENDED ACTION

Planning and Zoning Commission recommend approval to the Village Board for a variation of 50' from Section 7.4 Residential Bulk Chart R-4 Zoning District required rear yard setback of 75' at 9340 Halligus Road, Parcel # 18-22-200-031, to allow for the construction of a Class III Solar Energy System with the following condition;

1. Approval of Conditional Use Permit for Class III Solar Energy System.



PLANNING & ZONING APPLICATION

Property Information

Common street address: Haligus Road, Huntley, IL 60142

PIN (Property Index Number): 18-22-200-031

Current Zoning: R-4 Proposed Zoning: _____

Current Use: vacant Proposed Use: solar energy system 3

Is the request consistent with the Comprehensive Plan? yes

Number of Acres: 2.69 acres **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 exhibit A

Property Owner Information

Name(s): Joseph Billitteri

Business/Firm Name (if applicable): Parkside Apts. LITH, LLC

Address: 201 Penny Ave Apt 2D

City/State/Zip: East Dundee, IL 60118

Phone Number: 847-833-5004

Email: joeb@profit-success.net

Applicant Information

Name(s): Joseph Billitteri, John Curtis

Business/Firm Name (if applicable): United Construction Services

Address: 1055 Nimco Drive Suite E

City/State/Zip: Crystal Lake, IL 60014

Phone Number: 847-417-9884 (John Curtis) 224-281-8279 (Malia Ohland phone)

Email: malia@unitedconstructionserv.com, csccommercial@gmail.com, joeb@profit-success.net

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 of 50 feet from rear yard requirement of 75 feet.

This is prompted because of the proposed installation of solar field.

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.**

Due to it's location next to a L.I.T.H. water facility, the highest and best use for the
property is for a solar field.

With current economic times of high material and labor costs and high taxation it
is not feasible to build apartments.

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

Owner has held this property since 2014 and has been unable to find a use for the
property which is econimcally feasible. A solar field is the only development
which works economically.

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

A solar field is low profile and is adjacent to a the water treatment facility, which is
in the same character.

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.**

wetlands - see wetland study

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.**

Other property in the same zoning classification does not have the L.I.T.H. water

treatment facility and wetland next to it.

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.**

Solar energy generation is a positive green effect on our environment and is

also state mandated to achieve alternative energy sources.

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.**

see item 5 - The difficulty has not been created by ownership.

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 variation will allow for "green" energy. The project is low in profile and won't

be obtrusive.

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.**

Solar fields are very low in height and will not effect adjacent properties. For safety

the field will be fenced.

Applicant's Signature

Date

4/27/22

Property Owner's Signature

Date

4/27/22

EXHIBIT A

Legal Description of the Property

That part of the West Half of the Northeast Quarter of Section 22, Township 43 North, Range 7 East of the Third Principal Meridian, described as follows: commencing at the Northwest Corner of the Northeast Quarter of said Section 22, and running thence South along the West line thereof, 1288.33 feet; thence South 90 degrees 00 minutes 00 seconds East to the East right of way line of Haligus Road, said point also being the point of beginning; thence continuing South 90 degrees 00 minutes 00 seconds East, 214.00 feet; thence South 23 degrees 53 minutes 30 seconds East, 578.10 feet to the North line of the South 826.14 feet of the West half of said section; thence South 89 degrees 45 minutes 01 seconds West along said North line, 230.0 feet; thence North 00 degrees 00 minutes 00 seconds West, 249.57 feet; thence North 90 degrees 00 minutes 00 seconds West 217.83 feet to a point on said East line of Haligus Road; thence North 00 degrees 03 minutes 45 seconds West along said East line, 280.00 feet to the point of beginning in McHenry County, Illinois.

NB (A)

1445842mc



WARRANTY DEED
Illinois Statutory

~~Grantor's Address~~
NAME & ADDRESS OF TAXPAYER:

Billitteri Enterprises, LLC
707 Goldenrod Ct.
Crystal Lake, IL 60014

STATE OF ILLINOIS
AUG. 21. 15
MCHENRY COUNTY
000014457
REAL ESTATE TRANSFER TAX
00-120.00
FP351022

STATE & COUNTY TAX

PHYLIS K. WALTERS
RECORDER-MCHENRY COUNTY, IL
2015R0031511
08/21/2015 02:36PM PAGES 4
RECORDING FEE 25.00
GIS FEE 15.00
STATE STAMP FEE 80.00
COUNTY STAMP FEE 40.00

RECORDER'S STAMP

THE GRANTOR(S) GRAFTON TOWNSHIP, County of McHenry, State of Illinois, for and in consideration of Ten and no/100 DOLLARS and other good and valuable considerations in hand paid.

CONVEYS AND WARRANTS TO PARKSIDE APTS. LITH, LLC, an Illinois limited liability company, of the City of Crystal Lake, County of McHenry, State of Illinois, the following described Real Estate situated in the County of McHenry, State of Illinois, to wit:

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 22, AND RUNNING THENCE SOUTH ALONG THE WEST LINE THEREOF, 1288.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST TO THE EAST RIGHT OF WAY LINE OF HALIGUS ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 214.00 FEET; THENCE SOUTH 23 DEGREES 53 MINUTES 30 SECONDS EAST, 578.10 FEET TO THE NORTH LINE OF THE SOUTH 826.14 FEET OF THE WEST HALF OF SAID SECTION; THENCE SOUTH 89 DEGREES 45 MINUTES 01 SECONDS WEST ALONG SAID NORTH LINE, 230.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 0 SECONDS WEST, 249.57 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 217.83 FEET TO A POINT ON SAID EAST LINE OF HALIGUS ROAD; THENCE NORTH 00 DEGREES 03 MINUTES 45 SECONDS WEST ALONG SAID EAST LINE, 280.00 FEET TO THE POINT OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS

Subject to covenants, conditions restrictions of record.

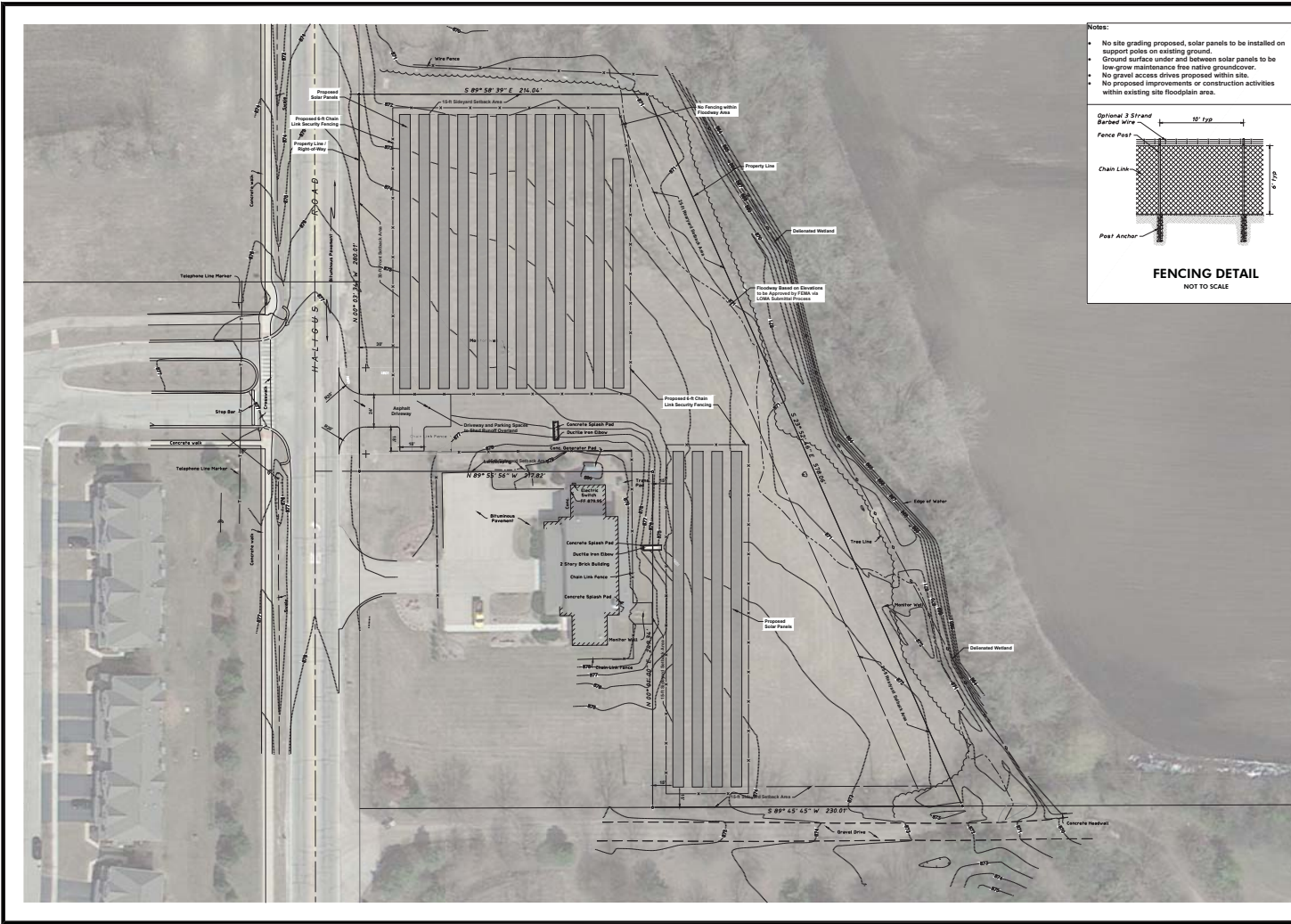
hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. **TO HAVE AND TO HOLD** said premises in **Fee Simple**.

Mail to:
HERITAGE TITLE COMPANY
4405 THREE OAKS ROAD
CRYSTAL LAKE, IL 60014

HT
AD.-



Copyright County of McHenry 2014.
All information is provided 'as-is' with no
guarantee of accuracy, completeness, or currency.



Notes:

- No site grading proposed, solar panels to be installed on support poles on existing ground.
- Ground surface under and between solar panels to be low-grow maintenance free native groundcover.
- No gravel access drives proposed within site.
- No proposed improvements or construction activities within existing site floodplain area.

FENCING DETAIL
NOT TO SCALE

HAEGGER ENGINEERING

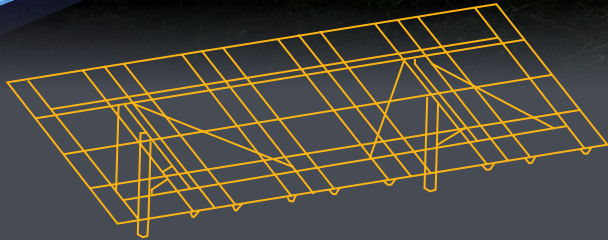
PROPOSED PRELIMINARY
ENGINEERING PLAN
9260 HALIGUS ROAD
LAKE IN THE HILLS
ILLINOIS 60156

Project Manager: MJA
Engineer: MJA
Date: 04.26.2023
Project No: 14-204
Sheet: 1

THE FLEXRACK SERIES G3-X



156 FlexRack Series G3P-X racks
1.9MW Nixon Farms Project | West Friendship, MD



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Contact us to see how our team of project engineers, field techs, geologists and other specialists can help make sure your next project is a success.

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Solar Developers and EPCs demand choices and continued innovation to maintain their leadership position. The Field Assembled G3-X Ground Rack joins our flagship Pre-assembled G3L and G2P series as the latest advancement in our ongoing quest to provide products which meet project-specific needs. Solar FlexRack stands alone as the only racking company able to provide you with these options.

Easy assembly

The G3-X system is easily staged on the jobsite, can be assembled in the field by crews of nearly any skill level, and has been third-party verified for speed of installation by The Industrial Time Study Institute, Inc. Multiple pre-drilled holes, slot to slot connections, and generous construction tolerances make the G3-X an efficient and adaptable model on the jobsite.

Seamless flexibility

The G3-X, available in both Portrait and Landscape orientations, leverages the knowledge gained in delivering nearly 1 GW of pre-assembled ground mounts into a racking system which is assembled in the field. This product is a perfect fit for projects where labor costs are low and field assembly is preferred.

Intelligent design

The series G3-X is value-engineered by our professional team of best-in-class engineers to optimize materials and limit components to create a cost-effective solution. Our field engineering team will work with you personally to ensure that whatever system you choose will be the most cost effective solution for your project needs.

Bankability

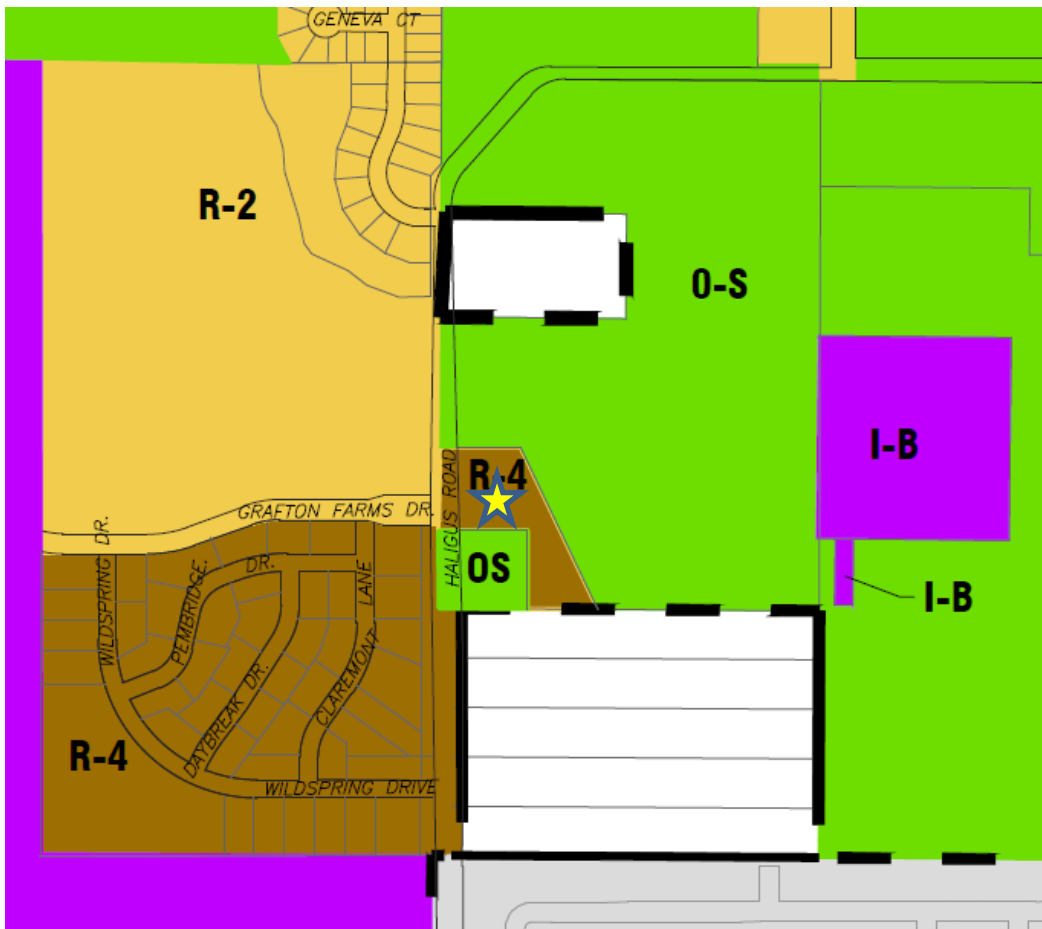
Solar FlexRack is a product of Northern States Metals, a full service manufacturer with over 40 years of experience. With close to 1 GW of installed capacity Solar FlexRack has the experience and sustainability to be a reliable partner for your next successful solar project. The G3-X series also comes standard with a 20 year warranty.

Variation request to allow for development of a Class III Solar Energy System at 9340 Halligus Road

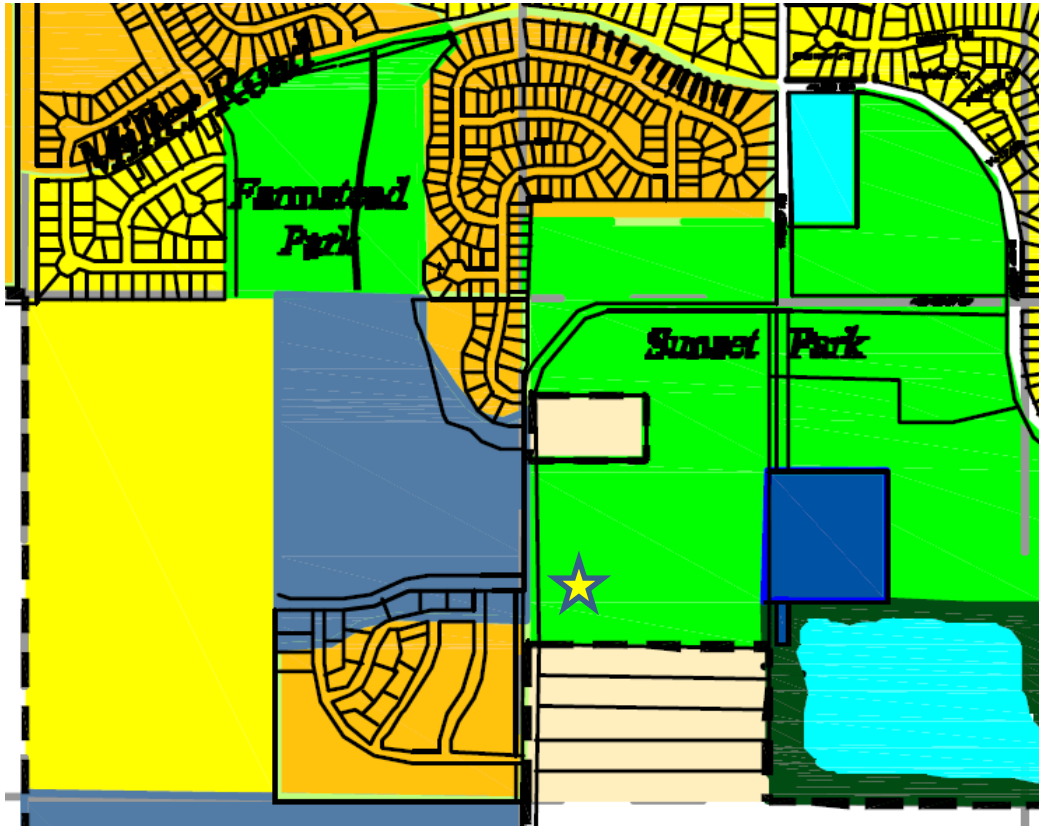










EXHIBITS

2. ZONING MAP

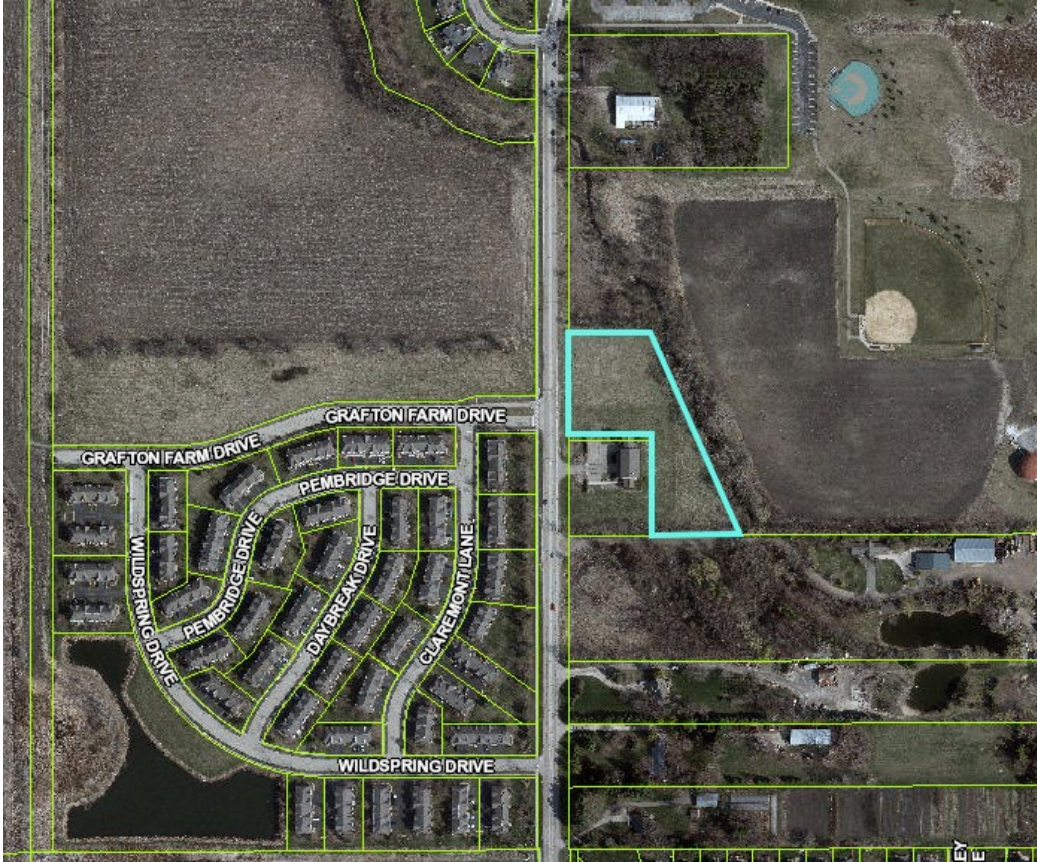


3. FUTURE LAND USE MAP



	Commercial		Mined Lands
	Municipal/Government		Parks/Recreation
	Institutional		Open Space/ Natural Areas
	Manufacturing/Industrial		Water

4. AERIAL PHOTO

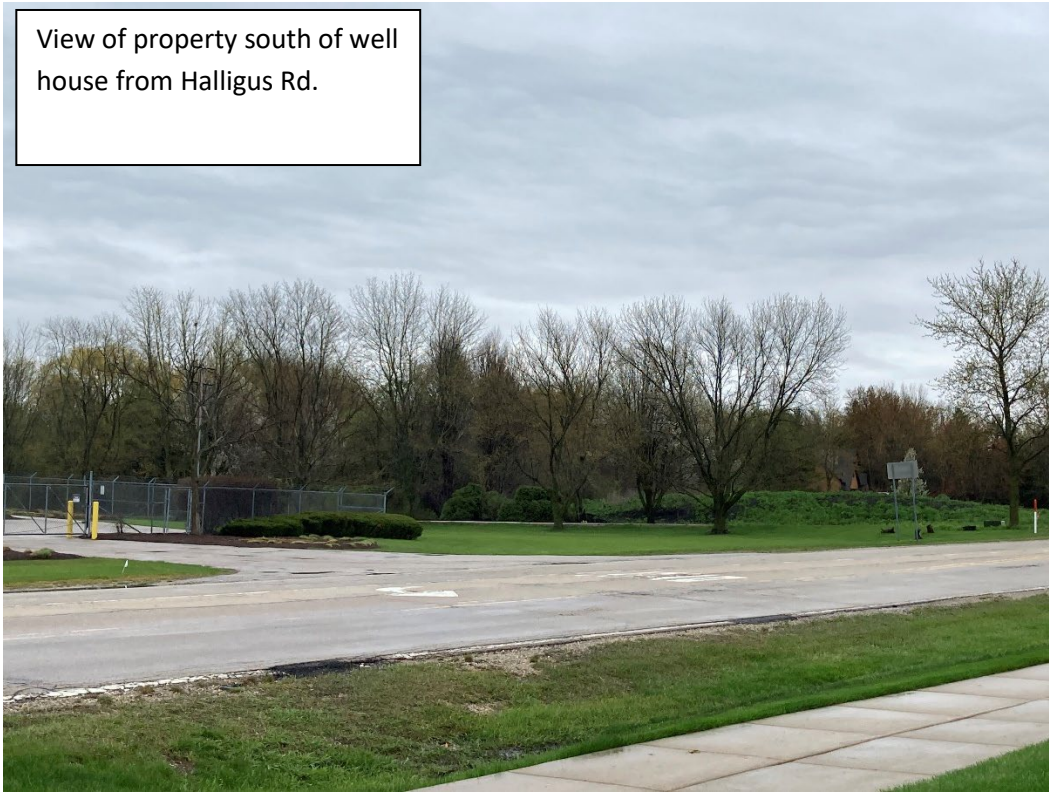


5. SITE PHOTOS

View of property north of well house from Halligus Rd.



View of property south of well house from Halligus Rd.





REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION

PLANNING AND ZONING COMMISSION

MEETING DATE: May 16, 2022

DEPARTMENT: Community Development

SUBJECT: Zoning Text Amendments to Section 3, Definitions, 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 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 new plate classifications of "Motorcycle TA", and "UT" would be permitted in residential districts, with restrictions on cargo height & length.
- Commercial vehicles with license plate higher than class "D" are not permitted to be stored or parked on residential properties, beyond deliveries and on-premise construction.
- Trailers with "TB" license plates would be allowed in residential districts.
- Temporary trailer approvals would be issued by Community Development Director.
- Trailer height and length allowances have been raised to 9' and 16', respectively.
- Boats, trailers, and recreational vehicles 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. For front yard (front) and front yard (side) yards on corner lots, fencing shall be the maximum allowable height and within the location allowed in Section 15, fences. Vehicles do not need to be completely screened from view. Recreational vehicles not requiring a license plate do not need to be behind a fence.
- Trailers with a classification of "Motorcycle TA" or "UT" Utility Trailer may be stored year-round in any yard.

Proposed amendments to Section 3 include amended and added definitions aligned with State Vehicle Code. 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 3, Definitions
2. Proposed changes to Section 7, Residential Districts
3. Proposed changes to Section 18, Off-Street Parking and Loading

RECOMMENDED ACTION

Commission recommends approval to the Village Board to amend Section 3, Definitions, 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 now available from the Office of Secretary of State.

SECTION 3

DEFINITIONS

In the construction and interpretation of this Zoning Code, the following terms shall have the meanings herein ascribed to them. Words or phrases not defined herein shall be defined as provided in the American Heritage Dictionary of the English Language, Fourth Edition.

Words used or defined in one tense shall include other tenses and derivative forms.

Words used in the singular number shall include the plural number, and words in the plural number shall include the singular number.

Abut: To touch or lie immediately next to, to share a common wall or lot line, or to be separated by only a street, alley, or drainage course.

Accessory Building or Use: A building or use that is subordinate in extent and purpose to, that is located on the same lot, and that is customarily found incident to the principal building or use, when permitted by district regulations.

Acreage: Any tract or parcel of land having an area of one acre or more which has not been subdivided or platted.

Addition: A physical enlargement of an existing structure.

Adult Booth: Any area of an Adult Entertainment Establishment set off from the remainder of such establishment by one or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any Adult Materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of Specified Anatomical Areas or the conduct or simulation of Specified Sexual Activities.

Collection Bin: An unattended container, receptacle, or similar device that is used for soliciting and collecting clothing, shoes, books, small household items or other salvageable personal property. This term does not include any unattended collection bin located within a building, which is permitted by right.

~~**Commercial Vehicle:** Any vehicle having a registration other than a passenger, motorcycle, recreational, "B", or "D" plated vehicle or a "TA" plated trailer under the provisions of the Illinois Vehicle Code and is further restricted in Section 18.4-1 of this Zoning Code.~~

Commercial Vehicle. Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, For-Hire or Not-For-Hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.

Curb Level: The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the curb level shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the mean level of the land immediately adjacent to the building shall be considered the curb level.

Day Care Center: Any child care facility which regularly provides day care for less than 24 hours per day for (1) more than 8 children in a family home, or (2) more than 3 children in a facility other than a family home, including senior citizen buildings. The term does not include (a) programs operated by public or private elementary schools or secondary level schools or institutions of higher learning which serve children who shall have attained the age of 3 years; (b) programs or that portion of the program which serves children who shall have attained the age of 3 years and which are recognized by the State Board of Education; (c) educational program or program or programs serving children who shall have attained the age of 3 years and which are operated by a school which is registered with the State Board of Education and which is recognized or accredited by a recognized national or multi-state educational organization or association which regularly recognizes or accredits schools; (d) programs which exclusively serve, or that portion of the program which serves, handicapped children who shall have attained the age of 3 years

owner or lessee thereof.

Inflatable Sign: Any sign or inflatable device designed to be filled with air or other gas, used singly or in clusters, displayed to attract the attention of the public.

Inoperable ~~Motor~~ Vehicle: Any ~~motor~~ vehicle from which, for a period of at least seven days, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven or drawn under its own motor power.

In-season : That period of time from April 1st through November 30th within a calendar year.

Internally Illuminated Sign: A sign, all or any part of which the letters or design of which is illuminated with incandescent, neon or other types of lamps; or a sign with painted, flush or raised letters lighted by an electric lamp or lamps attached thereto; or a sign having a border of incandescent or fluorescent lamps thereto attached and reflecting light thereon; or a transparent sign whether lighted by electricity or other illuminating feature.

Kennel: Any premises where three or more dogs, at any one time, over three months of age, are accepted for boarding, breeding, training or sale, including overnight boarding, provided that the operator is properly licensed by the State of Illinois. If located outside of a Business (zoning) District, 600 square feet or 25 percent of the floor area (as outlined in Section 18.2-6B) occupied by the facility, whichever is less, may be used for retail sales related to dog care.

Land Use or Master Plan or Comprehensive Plan: The long range plan for the desirable use of land in the Village of Lake in the Hills as officially adopted and as amended from time to time; the purpose of such plan being, among other things, to serve as a guide in the zoning and progressive changes in the zoning of land to meet the Village's changing needs, in the subdividing

would not conform to the applicable regulations if the structure were to be erected under the provisions of this Zoning Code.

Non-Conforming Use: Use of land, buildings or structures lawfully existing as of the effective date of this Zoning Code which does not comply with the regulations of this Zoning Code.

Nursery School: An institution providing a regular program of instruction for children from three years of age through the first grade.

Occupant: Any person living in, sleeping in or having actual possession of a building or portion thereof.

Off-season: That period of time from December 1st to March 31st of the subsequent year.

Off-Season Storage: Temporary storage of any mobile home, boat, trailer~~or~~, recreational or other vehicle during the off-season, as defined herein in Chapter 18 Off-Street Parking and Loading.

Office/Service - Business/Professional: An establishment that uses space for conducting the affairs of a business, profession, service industry or government.

Octave Band: A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

Outdoor Sales/Open Sales Lot: Land devoted to the display of non-accessory goods for sale, rent, lease, advertising or trade where such goods are not entirely enclosed within a building.

Outdoor Storage: Materials, products or goods stored outdoors on site which are associated with and accessory to the principle use. Vehicles used in relation to the principle use, construction equipment and other equipment used in the principle uses operation shall also be considered an accessory use and outdoor storage. When vehicles are considered a principle use for outdoor storage it shall include all licensed vehicles.

Outdoor Use: Any service/processing areas or any use that is not fully enclosed within a building on site which is associated with and accessory to the principal use.

Recreation Center, indoor: A facility whose main purpose is to provide the general public with leisure-time activities and where tickets are sold or fees are collected for the activity, except facilities otherwise referenced in this Zoning Code.

Recreation Equipment: Play apparatus such as swing sets, slides, and boxes, poles for nets, picnic tables, lawn chairs, barbecue stands and similar apparatuses, but not including tree houses, swimming pools, playhouses exceeding 25 square feet of floor area and sheds utilized for storage of equipment.

Recreation, Private: Any recreation for which a fee is collected.

Recreational Vehicle: Any vehicle designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power, having an "RV" license plate, or is mounted on or drawn by a motor vehicle, having an "RT" license plate. All-terrain vehicles are classified as recreational vehicles for the purposes of this zoning code ~~and/or vehicles with "RV" licenses plates~~. ~~A r~~Recreational vehicles also includes but areis not limited to, ~~a travel trailer, camping trailer, truck camper, motor home,~~ golf carts, and other off-road vehicles that do not require license plates.

Religious Use: A building, together with its accessory buildings and uses, where persons assemble for religious worship and which building, together with its accessory buildings and uses, is maintained by a religious body organized to sustain worship.

Remote Control Race Track - An indoor or outdoor race track, usually fashioned from a combination of clay, other soils, rubber and other materials customarily used in remote control race tracks, which provides for the recreational use, by residents and guests, of remote controlled cars and trucks, and for the racing of miniature motorized cars and trucks, in a supervised and professionally maintained race course.

Residence: Every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

Sound, impulsive: A single pressure peak or a single burst of transmitted vibrations that has a duration of less than one second.

Specified Anatomical Areas: Any of the following:

1. Less than completely and opaquely covered human genitals; pubic region; buttocks; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed.
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

Specified Sexual Activities: Any of the following:

1. Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
3. Masturbation, actual or simulated.
4. Human genitals in a state of sexual stimulation, arousal, or tumescence.
5. Excretory functions as part of or in connection with any of the activities set forth in paragraphs 1, 2, 3, or 4 of this definition.

Stock-in-Trade: All the merchandise and equipment kept on hand and used in carrying on a business.

Storage: The stationary placement of any materials, products, or goods, or any mobile home, boat, trailer ~~or~~, recreation or other vehicle for a continuous period in excess of 48 hours, Monday through Friday.

particular district, provided it conforms with all of the regulations of such district.

Use, Principal: The main use of land or buildings as distinguished from a subordinate or accessory use.

Utility, Public: Any person, firm, corporation or municipal department duly authorized to furnish under public regulation to the public cable television, electricity, gas, sewers, steam, telephone, telegraph, transportation or water including buildings or structures with such utilities.

Vehicle: Every device, in, upon or by which any person or property is or may be transported or drawn upon a highway or requiring a certificate of title under the Illinois Vehicle Code, except devices moved by human power, and devices used exclusively upon stationary rails or tracks and snowmobiles as defined in the Snowmobile Registration and Safety Act.

Veterinary clinic, small animals: A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases, wherein the animals are limited to dogs, cats, or other comparable household pets, and wherein the overnight care and boarding of said animals is prohibited except when necessary in the medical treatment of the animals.

Village: The Village of Lake in the Hills, McHenry County, Illinois.

Wall Sign: A sign mounted or attached to the outside surface of a wall or building in a plane parallel to that of the supporting wall.

Warehouse/Distribution/Trucking: The storage of materials or equipment within a structure or enclosure and distribution by means of air, rail or road.

Wind energy system, ground-mounted: A SWES (see definition below under Wind energy system, small, on-site) which is affixed to a tower or pole which is anchored to a foundation in the ground.

Wind energy system, roof-mounted: A SWES (see definition below under Wind energy system, small, on-site) which is affixed to a

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

18.1 PURPOSES:

The purposes of this Section 18 are to alleviate and prevent congestion of the public streets, and so to promote the safety and welfare of the public by establishing minimum requirements for the off-street parking, loading and unloading, and storage of motor vehicles, recreational vehicles, and trailers in accordance with the use to which property is zoned.

18.2 GENERAL PROVISIONS:

18.2-1 *Procedure:* An application for a building permit for a new or enlarged building, structure or use shall include a plot plan, drawn to scale, and fully dimensional showing all parking and loading facilities to be provided in compliance with the requirements of this Zoning Code.

18.2-2 *Extent of Control:* The off-street parking and loading requirements of this Zoning Code shall apply as follows:

- A. All buildings and structures shall provide accessory off-street parking, loading, and vehicle storage facilities as required by this Section 18.
- B. When a building or structure undergoes any decrease in the number of dwelling units, gross floor area, seating capacity, number of employees or other unit of measurement specified in this Section 18 for the required parking or loading facilities, and further, when said decrease would result in a requirement for fewer total parking or loading spaces through application of the provisions of this Section 18, then the parking and loading facilities may be reduced accordingly, provided that existing parking or loading facilities remaining will at least equal the minimum parking or loading required by this

Section 18 for the building or structure as modified.

- C. When a building or structure undergoes any increase in the number of dwelling units, gross floor area, seating capacity or other unit of measurement specified in this Section 18 for the required parking or loading facilities, and further, when said increase would result in a requirement for additional total parking or loading spaces under this Section 18, then the parking and loading facilities shall be increased accordingly, to at least equal the parking or loading required by this Section 18 for the building or structure as modified.

18.2-3 *Existing Parking and Loading Spaces:* Accessory off-street parking and loading spaces in existence as of the effective date of this Zoning Code shall not be reduced to a number less than required by this Section 18 for equivalent new construction.

18.2-4 *Permissive Parking and Loading Spaces:* Nothing in this Section 18 shall prevent establishing off-street automobile parking or loading spaces to serve any existing use of land or buildings, subject to full compliance with the provisions of this Zoning Code.

18.2-5 *Damage or Destruction:* Any building, structure or use that has fewer parking or loading spaces than are required by this Zoning Code and that is damaged or destroyed by fire, collapse, explosion or other cause may be reconstructed, re-established or repaired without the addition of off-street parking or loading facilities, provided, however, that the same number of parking and loading spaces that existed prior to such damage or destruction shall be provided. No building, structure, or use that meets or exceeds the parking or loading space requirements of this Section and that is damaged or destroyed by fire, collapse, explosion, or other cause, shall be reconstructed, re-established, or repaired except only if all parking and loading spaces required by this Section are provided.

18.2-6 *Schedule of Required Number of Parking Spaces:*

A. *Required Parking and Loading:* Requirements governing the number of off-street parking spaces and off-street loading spaces are established in Sections 18.3 and 18.8 of this Section. The parking and loading requirements for any use not specified herein shall be the same as for a similar specified use, as determined pursuant to Sections 18.3 and 18.8.

B. *Floor Area:* For office, retail, merchandising or service types of use, the term "floor area" as used in this Section 18 shall mean the gross floor area of a building or structure used or intended to be used for service to the public as customers, patrons, clients, patients or tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise, and areas used for food preparation in restaurants. For purposes of this Section 18, "floor area" shall not include any area used for:

1. Floor area primarily devoted for storage purposes.
2. Processing or packaging of merchandise.
3. Show windows or offices incidental to the management or maintenance of a store or building.
4. Restrooms
5. Utilities
6. Dressing, fitting or alteration rooms
7. Stairwells
8. Elevator Shafts

18.2-7 *Surfacing Requirements for Outdoor Parking and Storage Areas in Commercial Districts:*

Areas in the M-1 or M-2 Manufacturing Districts used strictly for the outdoor storage of equipment or vehicles may be treated with gravel, ground asphalt, crushed limestone or other material as approved by the Community Development Department. Such areas shall not exceed 10% of the total site area and shall not be located in a front yard. A 50 foot long asphalt or concrete driveway shall be provided from the paved street onto the property to prevent gravel or dirt from being carried onto the public street. Areas for the outdoor storage of equipment or vehicles shall be clearly shown and labeled on the plans required for permitting.

18.3 **MINIMUM OFF-STREET PARKING REQUIREMENTS:**

The minimum parking requirements are listed in the chart at the end of this Section.

18.4 **ADDITIONAL PARKING REGULATIONS ~~IN RESIDENTIAL DISTRICTS~~**

18.4-1 *Use of Approved Parking Areas in Residential Districts*: 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 parking or storage of commercial vehicles and commuter vans must be within a fully enclosed structure, except as allowed as follows. The outside parking and storage of 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. Commercial Vehicles with a class "F" or higher plate and semi-trailer tractor units shall not be parked or stored in residential zoning districts. Recreational vehicles having a class "RV" plate, recreational trailers with a class "RT" plate, and recreational vehicles not required to have a plate are permitted in residential districts, subject to "off-season" and other restrictions listed in this section.

Trailers with a classification of "TA", "TB", "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 ~~11-16~~ 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~~ Community Development Director 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 each day.

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 and inoperable motor vehicles. The covering of an unlicensed or 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.

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 be parked 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 is~~ 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 stored vehicles ~~except when the vehicle is temporarily parked~~.
- G. *Temporary Trailer and Recreational Vehicle Parking and Storage Limits*: 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/ trailer combination, ~~recreational trailer, "TA", "TB", "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. Boats, trailers, and recreational vehicles may be parked or stored in any yard, on an approved surface, during the "In season".
- K. *"Off season"*: During the "off season", ~~a~~ boats, trailers with a classification of "RT", "TA", or "TB" or recreational vehicles 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", "TA", or "TB", or recreational vehicles which require a license plate 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, Boats, trailers with a classification of "RT", "TA", or "TB", and trailer or recreational vehicles which require a license plate may be stored in the front yard (side) or front yard (front) yard on an approved surface and shall be behind the a screening fence, shall not be over 6 feet in the maximum height allowed, within a

~~location allowed by Section 15, and a maximum of 30% open height at any point, or contain cargo visible above the height of the screening fence.~~

~~K.L.~~ All year storage: Trailers with a classification of "Motorcycle TA" or "UT", with or without a loaded vehicle, 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.

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

18.4-2 *Control of Off-Site Facilities:* When required accessory off-site parking spaces are provided elsewhere than on the lot on which the principal use served is located, they shall be in the same possession, either by deed or long term lease, as the property occupied by such principal use. The owner shall be bound by covenants filed of record in the office of the McHenry County Recorder of Deeds requiring the owner and his or her heirs and assigns to maintain the required number of parking spaces during the existence of said principal use.

18.4-3 *Design and Maintenance in all districts, unless otherwise noted:*

A. *Parking Space and Aisle Size:* A required off-street parking space shall be in accordance with the requirements specified herein (also see Section 18.4-6). These specifications are exclusive of access drives and aisles, ramps, columns and office and work areas accessible from streets or alleys or from private driveways or aisles leading to streets or alleys and to be used for the storage or parking

of passenger vehicles or commercial vehicles under 12 ton.

Angle	Stall Width	Stall Length	Aisle Width (1 way)	Aisle Width (2 way)
0	8	22		
45	9	18	13	25
60	9	18	18	25
75	9	18	18	25
90	9	18	25	25

- B. *Calculation of Required Spaces:* When the calculation of the required number of off- street parking spaces results in a requirement for a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall be interpreted as one parking space.
- C. *Open and Enclosed Spaces:* Except as provided herein, parking areas may be open or enclosed.
- D. *Access:* Parking facilities shall be designed with appropriate means of vehicular access to a street or alley in such a manner providing least interference with the movement of traffic. A driveway access in any residential zoning district shall be at least 12 feet in width and not exceed 30 feet in width from the lot line to the edge of the roadway pavement, and shall not exceed a 20 percent grade in any direction (that is, a 20 foot vertical rise in 100 feet of horizontal distance). The Community Services Director shall have authority to allow grades in excess of 20 percent on lots where the driveway services an existing building and site conditions prevent meeting the 20 percent standard. The driveway in any residential zoning district shall be at least 12 feet wide throughout its length. The Community Services Director shall have authority to reduce driveway to a width not less than 10 feet in cases where site conditions prohibit construction to a width of 12 feet.
- E. *Signs:* No signs shall be displayed in any parking area within any residential zoning district except as may be reasonably necessary for the orderly use

of the parking facilities. All signs must conform with Section 16 of this Zoning Code.

- F. *Surfacing:* All open off-street parking areas and driveways shall be constructed as an approved hard surface.
- G. *Lighting:* Lighting shall be required for new business, manufacturing and residential off-street parking areas with 20 or more spaces.

1. *General Requirements:* Any lighting shall be directed away from adjoining and adjacent properties. The height and shielding of lighting fixtures shall provide proper lighting without hazard to motorists on adjacent roadways or nuisance to adjacent residents by extending on to adjacent property. Shielding means that a) the bulb/light source and cover portion of a fixture that transmits the light shall not extend beyond or below the opaque portion of such fixture so the bulb/light source is not visible from general side view and b) the fixture itself is angled properly so the bulb/light source is not visible from general side view.

2. Pole Height

a. In Business, Manufacturing, Airport District 2 and Institutional Buildings Zoning Districts:

- i. for developments up to 2 acres the maximum height of light fixtures including the pole, pole support, fixture and related equipment shall be 25 feet;
- ii. for developments over 2 acres the maximum height of light fixtures including the pole, pole support, fixture and related equipment shall be 35 feet;

b. In Residential Zoning Districts the maximum height of light fixtures including the pole, pole support, fixture and related equipment shall be 25 feet.

c. In the Airport District 1 Zoning District, lighting shall be allowed only per the regulations described in Chapter 26 of the Municipal Code.

3. Light intensity

a. Light intensity at a property line abutting a residential property shall not exceed 0.1 foot candle.

b. Light intensity at a property line abutting a non-residential property right-of-way shall not exceed 0.5 foot candle.

4. Lighting Plans: A lighting plan shall be submitted in conjunction with applications for subdivision, planned unit development and development within any environmentally sensitive area. Such lighting plans shall be subject to establishment and approval through the applicable review processes. Said lighting plan shall show the following:

a. The location and height of external light fixtures;

b. The type (such as incandescent, halogen, high pressure sodium) and luminous intensity of such light source;

c. The type of fixture (such as floodlight, full-cutoff, lantern, coach light);

d. Estimates for site illumination resulting from the lighting, as measured in foot-candles, should include minimum, maximum and average illumination. Comparable examples already in the community that demonstrate technique, specification and/or light level should be provided if available to expedite the review process; and;

e. Other information deemed necessary by the Director of Community Development.

5. The provisions for lighting are applicable to the use and development of all private and public lands, exclusive of the following:

a. Public street lighting;

b. Temporary seasonal decorative lighting;

- c. Specialized lighting necessary for safety, such as navigational or runway lighting at the Lake in the Hills Airport, temporary lighting associated with emergency operations, road hazard warnings and other similar operations;
- d. Outdoor recreational uses, such as ball diamonds, playing fields and tennis courts, which have unique requirements for nighttime visibility and generally have limited hours. These uses may exceed the lighting standards provided. To the maximum extent possible, lighting is to be located and directed to minimize spillover onto residential properties.

H. *Miscellaneous*: Any wall or fence developed around any parking area shall be subject to the front yard setback requirements of this Zoning Code in the same manner as a building or structure. No parking spaces shall be permitted beyond the boundaries of a zoned lot.

18.4-4 *Overnight Parking*: In all Business, Manufacturing and Airport zoning districts overnight parking shall not be permitted except for vehicles accessory to the principal use of the lot and in the case of a vehicle owned by an employee at a business that operates 24 hours a day.

18.4-5 *Stacking Design*: Stacking spaces provided for drive-thru uses shall 1) be a minimum of 9 feet wide and 20 feet in length; 2) be placed in a single line; 3) be located so that when in use they do not obstruct ingress/egress to the site and do not obstruct access to required parking or loading spaces; 4) begin behind the last vehicle being washed in an automobile laundry and from the last point of service, such as a window, for all other drive-thru uses.

18.4-6 *Non-Parking Aisle Design*: Aisles provided to allow traffic circulation that do not have adjacent parking stalls shall be a minimum of 11 feet wide for one-way and a minimum of 22 feet wide for two way traffic.

18.4-7 *Storage for Automotive Repair Operations*: Any inoperable vehicle or trailer temporarily parked or

stored in relation to a vehicle repair facility, shall be placed in the rear yard, or screened from view from the public road with fencing in compliance with the fencing regulations of the Zoning Ordinance, or as approved by ordinance specific to the location. No vehicles stored in relation to a repair facility shall be stored on the lot for a period of more than 60 days.

18.5 LOCATION OF PARKING AREAS:

18.5-1 *Extent of Control:* Off-street vehicle parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be measured from the nearest point of the parking area to the nearest entrance of the building that the parking area is required to serve.

- A. One and two family dwellings: off-street parking facilities shall be provided on the same lot with the buildings the parking area is required to serve.
- B. Single-family attached dwellings not exceeding two stories in height: off-street parking facilities shall be provided on the same lot or parcel of land as the building the parking area is required to serve. For the purpose of this requirement, a group of such uses constructed and maintained under single ownership or management shall be considered as a single lot or parcel of land.
- C. Multiple family dwellings containing four or more dwelling units and three and four family dwellings exceeding two stories in height: off-street parking facilities shall be provided on the same lot or parcel of land as the building the parking area is required to serve, or on a separate lot or parcel of land not more than 300 feet from the nearest entrance to the main building being served, provided the lot or parcel of land selected for the parking facilities is located in an R-4 or less restricted zoning district.
- D. Hotels, motels, clubs, hospitals, sanitariums, orphanages, homes for the aged, convalescent

homes and for other similar uses: off-street parking facilities shall be provided on the same lot or parcel of land as the main building or buildings being served, or upon properties contiguous to the zoning lot upon which is located the building or buildings the parking area is intended to serve.

- E. For uses other than those specified above: off-street parking facilities shall be provided on the same lot or parcel of land as the main building served, or on a separate lot or parcel of land not exceeding 1,000 feet from the entrance of the main building, measured from the nearest point of the parking area, provided the separate lot or parcel of land intended for the off-street parking facilities is located in the same zoning district as the principal permitted use or in a less restricted zoning district.

18.6 PARKING SETBACKS:

- 18.6-1 *Parking within buildings and structures:* Enclosed buildings, carports, or other structures containing off-street parking shall comply with the front, rear and side yard setback requirements for such structures as contained in this Section or as otherwise applicable to the property in question.
- 18.6-2 *Yards adjoining streets:* With the exception of single family and two family dwellings, off-street parking spaces and access drives shall not be located within a required front yard, except that an access drive generally perpendicular to such right of way may traverse such yard.
- 18.6-3 *One and two family front yards:* Off-street parking spaces and access drives may be located in any yard of single family and two family dwellings, provided that such parking spaces and access drives shall not cover more than fifty (50%) percent of a front yard, nor more than fifty (50%) percent of a side yard abutting a street. For a single family detached unit with a front yard of 1,000 square feet or less (or a lot width of 50 feet or less), the maximum width for an off-street parking space or access drive shall be 12 feet for a one-car garage and 20 feet for a two-car garage.

18.6-4 *Parking adjacent to residential districts:* Open off-street parking spaces for five or more vehicles and access drives adjoining a lot zoned for a residential use shall be separated from such lot by a yard not less than ten (10) feet in depth. Screening consisting of earth berms, landscaping, and/or fencing shall be provided and maintained so as to protect the privacy of adjoining residential uses. Such screening shall be a minimum of five (5) feet in height above the adjacent parking lot pavement grade; except that screening located within twenty (20) feet of a street right-of-way line shall not exceed thirty inches in height above the parking lot pavement adjoining such yard.

18.7 **OFF-STREET LOADING FACILITIES:**

18.7-1 *Design in all districts:*

- A. *Construction, Size:* An off-street loading space shall be a hard-surfaced area of land, open or enclosed, other than a street or a public way, used principally for the standing, loading or unloading of motor trucks, tractors and trailers so as to avoid undue interference with the public use of streets and alleys. The loading space shall be a minimum of 10 feet in width and 45 feet in length exclusive of access aisles and maneuvering space, except as otherwise specifically dimensioned hereafter.
- B. *Location:* No loading space, whether required in addition to any requirement, shall be closer than 50 feet to any property in any Residential zoning district unless completely enclosed by building walls, or a uniformly painted solid fence or wall, or any combination thereof not less than six feet in height. No such loading space shall be located within 25 feet of the nearest point of an intersection of any two streets. Loading spaces open to the sky may be located in any required yard.
- C. *Calculation of Required Spaces:* When the calculation of the required number of off-street loading spaces results in a requirement

for a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall be interpreted as one loading space.

- D. *Surfacing:* All open loading spaces shall be improved with a compacted macadam base not less than seven inches thick, surfaced with a minimum of two inches compacted asphaltic concrete or some comparable all-weather dustless material.

18.8 **MINIMUM LOADING SPACE REQUIREMENTS:**

In all zoning districts where property uses include the loading and unloading of materials or merchandise from vehicles, off-street loading spaces shall be provided as required herein. For buildings under the square footage thresholds listed herein, the Director of Community Development may determine the number, if any, of off-street loading spaces required.

18.8-1 Hotels containing exhibition halls, convention halls, auditoriums, office facilities or retail shops: one off-street loading space for the first 40,000 square feet of gross floor area, plus one additional off-street loading space for each 150,000 square feet of gross floor area or fraction thereof of gross floor area in excess of 40,000 square feet.

18.8-2 Hospitals or sanitariums containing 40,000 to 100,000 square feet of gross floor area: one off-street loading space, plus one additional such space for each additional 100,000 square feet of gross floor area or fraction thereof in excess of 100,000 square feet.

- 18.8-3 Buildings containing bowling alleys, taverns, restaurants or any retail shop containing 40,000 to 100,000 square feet of gross floor area: one off-street loading space, plus one additional such space for each additional 100,000 square feet of gross floor area or fraction thereof in excess of 100,000 square feet.
- 18.8-4 Banks, business or professional offices or public administration buildings containing 40,000 to 100,000 square feet of gross floor area: one off-street loading space, plus one additional such space for each additional 100,000 square feet of gross floor area or fraction thereof in excess of 100,000 square feet.
- 18.8-5 Buildings containing furniture and appliance stores, motor vehicles sales, wholesale stores, household equipment or machinery sales and having 8,000 to 25,000 square feet of gross floor area: one off-street loading space, plus one additional space for each 25,000 square feet of gross floor area or fraction thereof in excess of 25,000 square feet.
- 18.8-6 Buildings containing manufacturing uses; research and testing laboratories; laundry and dry-cleaning establishments; printing, binding and publishing of newspapers, periodicals, books and other reading matter; warehouses and storage facilities; engraving shops; assembly of materials and products; processing and distribution of materials and products; and other similar uses having more than 10,000 square feet of gross area, exclusive of basement area, and less than 40,000 square feet of gross floor area: one off-street loading space, plus one additional such space for each additional 60,000 square feet of gross floor area in excess of 40,000 square feet.

18.9 MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS

Use of Property	Required Parking Spaces
Airport and associated uses	Per the Director of Community Development
Airport Hangar (For private land and hangars)	.5 per aircraft space
Assembly hall / Convention hall	1 space per 100 square feet
Automobile Sales	1 space per 250 sq. ft. of floor area
Automobile Repair, Major and Minor	3 parking spaces per service bay
Automotive Service Facility	3 spaces per service bay
Bank	1 parking space for each space 250 square feet of floor area, 5 stacking spaces for each drive-thru service lane
Bar / Lounge	1 space per 70 square feet
Bowling alley	3 parking spaces for each alley, 1 parking space for each 300 feet of floor area devoted to affiliated uses such as restaurant, bar, etc.
Car Wash (full service automatic)	5 stacking spaces for each wash bay plus 1 drying space per bay
Car Wash (full service by hand)	3 stacking spaces for each wash bay, plus 1 drying space per bay
Car Wash (self-serve)	1 parking space for every 2 wash bays, 2 stacking spaces per wash bay plus 1 drying space per bay
Club, lodge (private)	1 space per 250 square feet
Contractors Office/Shop	1 parking space per 300 sq. ft.
Day care center	1 space per 400 square feet
Drive-thru establishments, except as specifically listed elsewhere in this Section	5 stacking spaces for each drive-thru service lane
Dwelling unit, single family, two family	2 parking spaces per unit

Use of Property	Required Parking Spaces
Dwelling unit, multiple family	2 parking spaces for each unit plus 2 additional spaces for each four units
Educational facility: Elementary and middle school, public or private	1 space for each classroom plus 1 space for each 4 seats or 72" of seating spaces in the main place of assembly
Educational facility: High school, public or private	1 space per teacher and staff member plus 1 space per 5 students plus 1 space for each 4 seats or 72" of seating spaces in the main place of assembly
Educational Facilities: Pre-schools	1 parking space for each employee/teacher, plus 1 space for each 10 students for guest parking
Equestrian sports facility	Per the Director of Community Development
Funeral home	1 space per 100 square feet of chapel area, 1 space for each funeral vehicle maintained on premises, 2 spaces for each family residing on premises
Gas Station	1 space per 4 gas pumps plus 1 space per 350 sq. ft. of floor area where the retail sale of goods takes place
Group Home	2 spaces for every 3 bedrooms
Horse Stable	1 space for each 2 stalls
Hospital	1 parking space for each 2 hospital beds plus 1 parking space for each 1,500 square feet gross floor area in residents' quarters, plus 1 space for each staff or visiting doctor
Hotel / Motel	1 space per lodging room plus 1 space per 300 square feet of meeting and restaurant space.
Industrial use	1 space per 1,000 square feet.
Kennel	1 space per 500 square feet.
Library	1 space per 800 square feet.
Long Term Care Facility	0.5 spaces per dwelling unit

Use of Property	Required Parking Spaces
Mining operation	2 spaces for every 3 employees on the maximum shift, plus 1 space for every vehicle used in the operation of the use or stored on the premises.
Motor vehicle sales	1 space per 400 square feet.
Museum	1 space per 800 square feet.
Nursery, including retail sales	1 space per 1,000 sq. ft.
Nursing Homes / Sanitariums	1 space for each 4 beds.
Office: Business	1 space per 300 square feet.
Office: Medical or Dental	1 space per 200 square feet.
Office: Public Administration	1 space per 300 square feet.
Places of Worship	1 space for each 4 seats.
Post Office	1 space per 200 square feet plus 1 space per government-owned vehicle stored on the premises.
Restaurant	1 space per 70 square feet plus 10 stacking spaces for drive-thru
Retail / Service Establishment Single-tenant buildings under 30,000 sq. ft. (Multi-tenant buildings 30,000 sq. ft. or less, provided that no more than 50% of the building is occupied by restaurant uses ¹)	1 space per 200 square feet.
Retail / Service Establishment (Single-tenant buildings over 30,000 sq. ft.; Multi-tenant buildings over 30,000 sq. ft., provided that no more than 50% of the building is occupied by restaurant uses ¹)	1 space per 300 square feet.
Senior Housing	1 parking space per dwelling unit
Skating rink	1 parking space for each 100 square feet of floor area used for assembly

Use of Property	Required Parking Spaces
Sports / recreational facility / health club	1 space per 300 square feet.
Stadium, sports arena, auditorium, gymnasium (other than incidental to a school or place of worship)	1 parking space for each 4 seats
Storage facility	1 space per 20 storage stalls plus 1 per 400 square feet of usable area
Theater, indoor	1 parking space for each 4 seats up to 500 plus 1 parking space for each 2 seats over 500
Vehicle rental facility	1 space per 300 square feet of indoor office area plus 1 space per rental vehicle.
Warehouse	1 space per 1,000 square feet
Wholesale store	1 space per 600 square feet.

¹ To the extent that restaurant uses exceed 50% of a Retail/Service Establishment multi-tenant building, additional parking requirements based on calculations for Restaurant use must be met.

If a use is not specifically mentioned, the Director of Community Development shall make a determination on the number of required parking spaces based upon standards of the closest comparable use or data provided from the American Planning Association or Institute of Traffic Engineers to determine the particular parking demand.