



October 4, 2024

TO: Gregory Koeppen, Chair
Lake County Zoning Board of Appeals

FROM: Frank Olson, Senior Planner
Lake County Department of Planning, Building, and Development

CASE NO: #RZON-001007-2024

HEARING DATE: October 9, 2024

REQUESTED ACTIONS: Rezoning approximately 35 acres of a 38.96-acre parcel from the General Office (GO) zoning district to the Agricultural (AG) zoning district.

GENERAL INFORMATION

OWNER: LPH Properties, LLC

OF PARCELS: One

SIZE: Approximately 38.96 acres, per Lake County's Geographical Information Systems

LOCATION: 31615 N Fairfield Rd, Grayslake, Illinois
PIN 10-06-200-003

EXISTING ZONING: General Office (GO)

EXISTING LAND USE: Agricultural/Vacant

PROPOSED LAND USE: The applicant is proposing to establish an agricultural use and construct a single-family home.

SURROUNDING ZONING / LAND USE

NORTH: Agricultural (AG) / Agricultural

EAST: Rural Estate (RE) / Single Family Residential

SOUTH: Agricultural (AG) and Open Space (OS) / Agricultural and open space

WEST: Agricultural (AG) / County Highway (N Fairfield Road) and Agricultural, Residential, and Kennel Facility

COMPREHENSIVE PLAN

LAKE COUNTY: Agricultural

MUNICIPALITIES WITHIN 1 ½ MILES:

VILLAGE OF ROUND LAKE: Not Designated

VILLAGE OF ROUND LAKE PARK: Not Designated

VILLAGE OF VOLO: Not Designated

VILLAGE OF WAUCONDA: Industrial/Employment

VILLAGE OF HAINESVILLE: Not Designated

DETAILS OF REQUEST

ACCESS: Access is provided via N. Fairfield Road.

CONFORMING LOT: The subject property is a conforming lot in the General Office (GO) zoning district.

FLOODPLAIN / WETLAND: Floodplain and wetlands are located on the southern portion of the property which is zoned OS and is not subject to the rezoning request.

There is also floodplain and wetland on the northeast corner of the property.

SEPTIC AND WATER: The subject property will be serviced by private septic system and well.

ADDITIONAL COMMENTS

- The subject parcel is unsubdivided and is considered metes and bounds. Per Environmental Health Department records, the property was occupied by a research lab since the 1960s. The property is currently zoned General Office but has been vacant of any non-residential use since June, 2023. There has been a continued agricultural use on the property that is consistent with the surrounding parcels. The Future Land Use map envisions this parcel becoming agricultural. The proposed map amendment attempts to meet the future land use plan.
 - A single-family dwelling is not permitted in the General Office (GO) zoning district. The applicant is requesting a rezoning to Agricultural (AG) to allow for the construction of a single-family dwelling and the continued agricultural use (horse farm) on the property
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STAFF COMMENTS

Joe Meyer – Lake County Division of Transportation

- Lake County Division of Transportation has no objection to the requested rezoning.
- A Lake County Division of Transportation Minor Access Permit will be required for the proposed single-family dwelling and owner-occupied barns and stables.

Mark Mussachio – Lake County Health Department

- Lake County Health Department has no objections to the requested rezoning.
- Permits for a code compliant septic system and well will be required for the proposed home.

Andrew Heuser – Engineering Division

- The Engineering Division has no objection to the requested rezoning.
- Any development would require a Site Permit.

Ieva Donev – Building Division

- The Building Division has no objection to the requested rezoning.

RECOMMENDATION

In Staff's opinion, the application meets the map amendment approval criteria specified in the Lake County, Illinois Code of Ordinances (LCC) Section 151.047(G)(2) and recommends approval of the rezoning for the following reasons:

1. LCC Section 151.047(G)(2)(a): The proposed amendment is consistent with the stated purpose and intent of Section 151.005.

Comment: Subsection 151.005(A) states that the purpose of the ordinance is to implement the regional framework plan. The comprehensive plan indicates the Future Land Use of this property to be agricultural. The rezoning of the subject parcel from General Office (GO) to Agricultural (AG) is consistent with the Lake County Future Land Use Map.

Subsection 151.005(C) indicates that the intent of the ordinance is to regulate and restrict the location and use of buildings, structures, and land for agriculture, natural resource conservation, recreation, trade, industry, residence, and other uses. The proposed rezoning will allow the parcel to retain agricultural uses and further, will protect the natural resources by preserving the Open Space (OS) zoning district which contains wetlands and floodplain.

Subsection 151.005(E) indicates that the intent of the ordinance is protect landowners from any adverse impacts associated with development that occurs in unincorporated Lake County. The proposed rezoning will preserve the agricultural integrity of the area, which will limit any adverse impacts that would normally be associated with new developments.

2. LCC Section 151.047(G)(2)(b): The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition in the area.

Comment: Per the 1966 Zoning Map, the subject property was in the Office and Research (OR) zoning district, and wholly surrounded by the AG zoning district, most likely due to the presence of the research lab, which ceased operations several years ago. Rezoning the property to the AG district will bring the property into alignment with the surrounding zoning and uses while decreasing the intensity of potential permitted uses on the property.

3. LCC Section 151.047(G)(2)(c): The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property.

Comment: The properties to the north, west, and south are all zoned Agricultural (AG) and maintain similar uses including agricultural and residential uses. The properties located to the east are zoned Rural Estate (RE) and contain single-family dwellings. The proposed agricultural and residential use is more consistent with the neighboring parcels than uses that are permitted within the General Office (GO) zoning district by right.

4. LCC Section 151.047(G)(2)(d): The County and other service providers will be able to provide adequate public facilities and services to the property, while maintaining adequate levels of service to existing development.

Comment: The subject property will be serviced by a private septic system and well. Low-density development such as the proposed development should not overburden local public resources. LCDOT will require a Minor Access Permit.

5. LCC Section 151.047(G)(2)(e): The proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife and natural resources.

Comment: The rezoning of the parcel will not have an adverse impact on other properties in the vicinity as an agricultural use already exists and the proposed single-family dwelling and horse farm should not have any significant adverse impact on other properties in the vicinity.

6. LCC Section 151.047(G)(2)(f): The subject property is suitable for the proposed zoning classification.

Comment: The parcel meets the area and width requirements of the Agricultural (AG) zoning district. In addition, the existing and proposed uses on the property are more suitable in the Agricultural (AG) zoning district.

In making its recommendation, the Zoning Board of Appeals shall consider, and make findings of fact in relation to, the above criteria.

RECOMMENDED CONDITION

In the event the ZBA recommends approval of the proposed map amendment, staff does not have any recommended conditions.