



Lake County Central Permit Facility
500 West Winchester Road
Libertyville, Illinois 60048-1331
Phone: 847.377.2600
E-mail: lcpermits@lakecountyil.gov

November 22, 2021

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

FROM: Eric Tooke, Principal Planner/Project Manager
Lake County Department of Planning, Building and Development

CASE NO: CUP-000566-2020

REQUESTED ACTION: Conditional Use Permit (CUP) to allow Contractor's Equipment Sales and Storage (Outdoor).

HEARING DATE: November 30, 2021

GENERAL INFORMATION

OWNER: RR LLC, record owner, which is 100% owned by Bobbie Jackson.

OF PARCELS: Two

SIZE: 1.87 Acres, per Lake County Maps Online

LOCATION: 43420 and 43380 N. U.S. Highway 45, Antioch, Illinois
PINs: 02-02-401-004 and 02-02-401-005

EXISTING ZONING: General Commercial (GC)

EXISTING LAND USE: Indoor contractor's office and storage and vacant land

PROPOSED LAND USE: Establish contractor's equipment sales and storage (outdoor).

SURROUNDING ZONING / LAND USE

NORTH:	General Commercial (GC) / Crop Raising
WEST:	Agriculture (AG) / Crop Raising
SOUTH:	Agriculture (AG) / Single-Family Residence
EAST:	Recreational Commercial (RC) and General Commercial (GC) / Self-Service Storage, Vehicle Repair, and Contractor's Equipment Sales and Storage (Outdoor) per delegated CUP-000211-2017.

COMPREHENSIVE PLANS

LAKE COUNTY:	Agricultural
VILLAGE OF ANTIOCH:	Low Density Residential

DETAILS OF REQUEST

ACCESS:	Access from IL Rte. 45 has been approved by the Illinois Department of Transportation as shown in the site plan.
CONFORMING LOT:	The subject property is a conforming zoning lot in the GC district.
WETLAND / FLOODPLAIN:	The property does not contain any floodplain; however, it does contain mapped wetlands on the northeast corner of the property.
SEWER AND WATER:	Private septic system and private water well.

LAKE COUNTY AGENCY COMMENTS

Staff of the Illinois Department of Transportation, the Health Department, and the Building and Engineering Division, have provided the following comments:

Tom Copenhaver – Environmental Health

- The Health Department has no objections to this Conditional Use Permit request.

Joel Krause – Engineering

- Environmental Engineering has no objections to this Conditional Use Permit request.

Ieva Donev – Building

- The Building Department has no objections to this Conditional Use Permit request.

ADDITIONAL COMMENTS

- The ZBA has been delegated the authority for the CUP requested in ZBA #000566-2020. The property is subject to the Site Capacity/Site Plan Review procedures of Lake County Code (LCC) Section 151.070; the setback, height, impervious surface ratio (ISR), and floor area ratio (FAR) standards of LCC Section 151.125, and the general development standards of LCC Section 151.165. The applicant has completed this process and the site plan associated with the CUP application meets all development standards of the LCC
- Per LCC Section 151.167 (H) (2)(b) nonresidential uses abutting an arterial or collector street shall have one plant unit per 100 feet of road frontage. Staff is recommending a modification of this requirement. Please see the Recommended Conditions of Approval for details.

RECOMMENDATION FOR CONDITIONAL USE PERMIT

Staff recommends approval of the proposed Conditional Use Permit subject to the Conditions on the final page of this report. The request will meet the criteria for a Conditional Use Permit in the following manner:

Conditional Use Approval Criteria – Section 151.050 (F)(3)

1. The use in its proposed location will be consistent with the stated purpose and intent of Section 151.005.

Comment: The current zoning of the property is General Commercial (GC) which is intended to accommodate commercial uses. The proposed use is similar to the Delegated CUP approved in 2017 for the property at 43441 N. U.S. Highway 45, located near the subject property on the east side of U.S. Highway 45. which permits self-service storage, vehicle repair, and contractor's equipment sales and storage (outdoor) uses on that property also located in the GC zoning district. The subject property is served by adequate infrastructure as it is served by a private septic and well and has existing access onto U.S. Highway 45 and should not pose any adverse impacts on surrounding properties.

2. The proposed use in its proposed location complies with all applicable standards of this Chapter, including any applicable use standards of Section 151.112.

Comment: Staff has completed their review of the site plan submitted as part of the Site Capacity/Site Plan Review process. The proposed use complies with all requirements of Chapter 151 of the Lake County Code as demonstrated by the site plan submitted with the application.

3. The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of the application or as they may be developed in the future due to implementation of the Regional Framework Plan:

a) Adjacent property

Comment: The adjoining property to the north is zoned GC and is used for crop raising purposes. To the west, the parcel is zoned Agricultural and is also used for crop raising. The property to the south is zoned Agriculture and is improved with a single-family dwelling that is located approximately 300 feet to the common lot line and nearly 500 feet from the closest point of the new gravel located on the south side of the parking area on PIN -004. In addition to the significant land separation, the residence is also shielded by a woodland. On the east side of U.S. Highway 45 there is a small portion of land fronting the ROW that is zoned Recreational Commercial (RC). This sliver of property is improved with access from U.S Highway 45 that continues to the larger tract of land further east which as previously mentioned is in the GC zoning district and approved for self-service storage, vehicle repair, and contractor's equipment sales and storage (outdoor) uses. Granting the requested CUP should not have a substantial adverse impact on adjacent property. The Zoning Board of Appeals can include additional conditions to ensure that there is no impact on adjacent properties if necessary.

b) Character of the neighborhood

Comment: Primarily, the character of the surrounding area is either agricultural or commercial with an approved CUP for contractor's equipment sales and storage and other more intensive uses. In addition, the property fronts a major thoroughfare of the County, where commercial uses should be located. In staff's opinion, granting the requested CUP will not have a significant adverse impact on the character of the area. Additional conditions can be required by the Board to ensure compatibility with the character of the surrounding area.

c) Natural resources

Comment: The proposed project complies with all regulations which should ensure there will not be any significant negative impact to natural resources. The applicant has received an NRI Report from the McHenry-Lake County Soil and Water Conservation District which states that impact to the natural resources from the proposed use is minimal. The report also indicates that a full Natural Resource Information Report will not be necessary.

d) Infrastructure

Comment: There will not be an impact on infrastructure. The property will be served by a private septic system and private water well. The Illinois Department of Transportation has reviewed the proposal and has indicated that they do not need any additional permits.

e) Public sites

Comment: There are no public sites in close proximity to the subject property.

f) Any other measures affecting the public health, safety, or general welfare

Comment: The use is required to comply with all Ordinance requirements, the requirements of other permitting agencies, and any appropriate conditions applied by the Zoning Board of Appeals as part of the CUP. Granting the CUP will not have a substantial negative impact on public health, safety, or general welfare.

PROPOSED CONDITIONS FOR CUP #000566-2020

1. The parking surface of all outdoor contractor storage vehicles, equipment, and materials must be improved with gravel or pavement and kept in a dust free condition at all times.
2. Any dumpsters located on the subject property must be screened with either a privacy fence or similar screening.
3. The outdoor storage or parking of trailers, vehicles, boats, or any other equipment not associated with contractor storage is prohibited.
4. For the required landscaping along the ROW, one plant unit must be installed on PIN 02-02-401-004 prior to May 15, 2022. The remaining required three plant units must be installed on PIN 02-02-401-005 at the time development occurs.