



June 11, 2019

Lake County Central Permit Facility
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TO: George Bell, Chairman
Lake County Zoning Board of Appeals

FROM: Thomas Chefalo, Principal Planner
Lake County Planning, Building and Development Department

CASE NO: CUP-000424-2018

REQUESTED ACTION: A Conditional Use Permit (CUP) to allow a landscape contractor's storage yard.

HEARING DATE: June 27, 2019

GENERAL INFORMATION

OWNER: Domanski Family GST Trust, record owner

OF PARCELS: Five

SIZE: 1.22 Acres

LOCATION: 39498 N IL Route 59 Lake Villa, IL, PIN:0230302001 PIN:0230302002
PIN:0230302003 PIN:0230302004 PIN:0230302005

EXISTING ZONING: General Commercial (GC)

EXISTING LAND USE: vacant land

PROPOSED LAND USE: landscape contractor's storage yard

SURROUNDING ZONING / LAND USE

NORTHEAST across W. Highwoods Dr.: General Commercial – Upholsterer's shop

NORTHWEST across W. Highwoods Dr.: R-1 – Single-family residence

WEST across N. Park Ave: R-1 – Single-family residences

SOUTH: GC / Office
EAST across IL RT. 59 AG / Woodlands & farmstead

COMPREHENSIVE PLANS

LAKE COUNTY: Retail Commercial

DETAILS OF REQUEST

ACCESS: Access from IL Route 59 has been approved by the Illinois department of Transportation and access from Highwood Dr. has been approved by the Lake Villa Township Highway Commissioner, as shown in the site plan.

CONFORMING LOT: The subject property is a legal conforming lot in the GC district.

WETLAND / FLOODPLAIN: There are no mapped wetlands or floodplain on the lot.

SEWER AND WATER: The applicant does not propose to have access to well or septic

ADDITIONAL STAFF COMMENTS

Staff of the Lake County Health Department, and the Building and Engineering Division, have provided the following comments:

Mark Mussachio – Environmental Health

- No septic or well is being proposed on the site.

Brian Frank – Engineering

- The Engineering Division has no objection to the requested Conditional Use Permit.
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ADDITIONAL STAFF COMMENTS

- The ZBA has been delegated the authority for the CUP requested in ZBA #000424-2018.
- The contract purchaser of the property is Edgar Herrera. He will be operating the landscaping business.

- The property had been used for commercial purposes. The commercial building was demolished sometime before 2002. The asphalt driveway was not removed.

RECOMMENDATION FOR CONDITIONAL USE PERMIT

Staff recommends approval of the proposed Conditional Use Permit subject to 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 General Commercial (GC) District is intended to accommodate commercial uses. The GC district is not a neighborhood-oriented district and is not generally appropriate to be in residential areas. The property is in a GC zoning district that fronts along IL Rt. 59 and while the property is adjacent to residential properties to its north and west, the site plan complies with applicable vegetative screening standards from residential properties, as is called for in Chapter 151. The proposed use is compatible with the proposed location, the composition of the commercial corridor, and the future land use map.

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: 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 south is zoned GC and is used for a commercial purpose. To the west and on the opposite side of N. Park Ave, the properties are occupied by single-family residences. There is substantial natural vegetative screening along N. Park Ave that will be kept when the property is developed. The commercial property directly to the south of the site and backing onto Park Ave. has no vegetative screening from the adjacent residential uses. Property to the north located on the opposite side of Highwoods Dr, is occupied by a commercial property and a single-family residence. The property on the east, located on the opposite side of Route 59, is woodland and a farmstead. Because the property will be screened from adjacent residential properties and because Mr. Herrera has stated most vehicles will be entering and leaving the site from Rt 59, granting the requested CUP should not have a substantial adverse impact on adjacent property. Additional conditions can be required by the Board to ensure compatibility.

b) Character of the neighborhood

Comment: The area is a mix of residential and commercial uses. The site is in an established commercial strip and its location on Rt. 59 provides adequate access to the site. Therefore, 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: There are no protected natural resources on the site. The site was formerly developed and is a significant portion is covered by asphalt. Additional conditions can be required by the Board to ensure there will not be any significant adverse impacts to natural resources.

d) Infrastructure

Comment: There will not be an impact on infrastructure. The property will not be served by public sewer or water. The Illinois Department of transportation is requiring Mr. Herrera to repair a piece of stormwater infrastructure located in the Rt 59 ROW and has issued a permit to allow access to Rt 59. The Lake Villa Township Highway Commissioner has approved access to Highwoods Dr. He has not required any infrastructure improvements at that access point

e) Public sites

Comment: This use will not have a detrimental impact on public sites.

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

Comment: The use will have 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.

CONDITIONS OF APPROVAL FOR CUP #000424-2018

1. The property shall be developed in accordance to the plans submitted as part of site capacity/site plan review application #CUP-000424-2018.