



Lake County Illinois

Legislation Text

File #: 15-0551, **Version:** 1

Resolution to grant variances from the requirements of Chapter 151 of the Lake County, Illinois Code of Ordinances.

- Anna Roscher, record owner, and Derek McGrew, CelluSite, LLC, have petitioned Lake County to reduce the side yard and rear yard setback distances required by Chapter 151 of the Lake County, Illinois Code of Ordinances to place an equipment shelter and generator on an existing cellular communications facility. The cell tower facility containing the proposed structures is located at 16791 W. Aptakisic Road, Prairie View, Illinois approximately 400 feet south of Aptakisic Road.
- The criteria and procedures to consider variations relating to height and setback distances for telecommunication facilities are prescribed by 55 ILCS 5/5-12001.1 and have been incorporated in Chapter 151 of the Lake County Code by reference.
- According to the Telecommunications Act, the County Board must render a final decision on all telecommunication facility variances within 75 days of the date the application was received. On May 14, 2015, a public hearing was held before the Lake County Zoning Board of Appeals to consider the requested variations, with the Board recommending approval of the variances by a vote of 6 "Ayes" and 0 "Nays".
- The subject application is being submitted to the Planning, Building and Zoning Committee for review prior to consideration of the application by the County Board at their June 9th meeting.

WHEREAS, Chapter 151.112 (SS) of the Lake County, Illinois Code of Ordinances contains provisions for the regulation of Telecommunication Facilities as specified by 55 ILCS 5/5-12001.1, including the criteria, standards and procedures for reviewing variations for telecommunications equipment; and

WHEREAS, In the case of variations under the Telecommunications Act, the Zoning Board of Appeals conducts the public hearing and the final decision is determined by the County Board within 75 days of the date the application was received; and

WHEREAS, a petition has been filed by Anna Roscher, record owner, and Derek McGrew, CelluSite, LLC on April 14, 2015, to reduce the side yard and rear yard setback distances required by Chapter 151.112 (SS) of the Lake County, Code of Ordinances to place an equipment shelter and generator on an existing cellular communications facility, as follows:

1. To reduce the required rear yard setback for an equipment shelter from 10 feet to 1.93 feet.
2. To reduce the required side yard setback for a generator from 10 feet to 4.11 feet.
3. To reduce the required rear yard setback for a generator from 10 feet to 3.57 feet.

WHEREAS, On May 14, 2015, a public hearing was held before the Lake County Zoning Board of Appeals to consider the requested variations, with the Board recommending approval of the variances by a vote of 6 "Ayes" and 0 "Nays" because Board found the application satisfied the

criteria for granting a variance as specified in the statute; and

WHEREAS, after having reviewed the resolution of the Zoning Board of Appeals, said considered the facts associated with the requested variations, on June 2, 2015 the Planning, Building and Zoning Committee of the County Board considered the petition and report, and by a vote of six "Ayes" and no "Nays", recommend that above-described variation requests be granted; and

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board that the variations from Chapter 151.112 (SS) of the Lake County, Code of Ordinances to place an equipment shelter and generator on an existing cellular communications facility, as described above, are hereby approved.

DATED AT WAUKEGAN, Illinois, this 9th day of June, 2015.