



**PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MEETING  
FRANK G. BAUER MUNICIPAL HALL ~ 300 ROOSEVELT ROAD  
MONDAY, OCTOBER 3, 2022 - 5:30 PM**

**Trustee Joe Seipts, Chairperson**

**A G E N D A**

- I. Roll Call and Declaration of Quorum
- II. Approval of Minutes from September 6, 2022 PED Meeting
- III. Ordinance 40-22, Variance from Front Yard Setback for a Privacy Fence, 9414 Baldwin Dr.
- IV. Ordinance 41-22, Special Use Permit for Outdoor Self-Storage, 10446 Product Dr.
- V. Ordinance 45-22, Zoning Map Amendment from the Agricultural (AG) District to the Office (OF) District, 900 Roosevelt Rd.
- VI. Ordinance 46-22, Variance from Accessory Building Area Regulations in the Single-Family Residential (R1) District, 8205 N. Second St.
- VII. Ordinance 47-22, Special Use Permit for Outdoor Storage in the General Industrial (IG) District, 8181 Burden Rd.
- VIII. Ordinance 48-22, Text Amendment to the Zoning Code, "Non-Profit and Charitable Institutions" as a Special Use in the R1 and R2 Districts.
- IX. Ordinance 49-22, Text Amendment to the Zoning Code, Definition and Regulations for "Residential Care Homes"
- X. Reports
- XI. Public Comment
- XII. Adjourn



PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE  
HELD AT THE FRANK G. BAUER MUNICIPAL HALL,  
300 ROOSEVELT ROAD, MACHESNEY PARK, ILLINOIS  
TUESDAY, SEPTEMBER 6, 2022 ~ 5:30 PM

Present: Chair Joe Seipts, Vice-Chair Erick Beck, Mrs. Jeanne Bailey, Mr. Ike Trickie, Mrs. Amanda Miller  
Absent: Trustee James Kidd  
Also  
Present: Mayor Steve Johnson  
Clerk Robbin Snodgrass  
Village Attorney Tom Green  
Village Administrator James Richter II  
Finance and HR Manager Michelle Johannsen  
Superintendent of Public Works Mitch Hilden  
Village Engineer Chris Dopkins  
Treasurer Deb Alms  
Public Safety Supervisor Anthony Michele  
Planning and Zoning Manager Carrie Houston

The meeting was called to order at 5:30 p.m. by Chairperson Joe Seipts.

Chair Seipts called for a motion to approve the minutes from the August 1, 2022, Planning and Economic Development Committee Meeting. Motion made by Mr. Trickie and seconded by Mrs. Miller to approve the minutes. Motion approved on Roll Call, 5 ayes (Seipts, Beck, Bailey, Miller, and Trickie) 1 absent (Kidd).

Chair Seipts called for a motion to approve Ordinance 42-22, Variance from Side Yard Setback for a Carport, 14 Gilbert Terr. Mr. Trickie made a motion with second by Ms. Bailey. Staff Report given by Planning and Zoning Manager Carrie Houston. Staff recommended approval. PZC recommended approval. Motion approved on Roll Call, 5 ayes (Seipts, Beck, Bailey, Miller, and Trickie) 1 absent (Kidd). Ordinance 42-22 will go to board with a positive recommendation on September 19.

Chair Seipts called for a motion to approve. Ordinance 43-22, Zoning Map Amendment from the Single-Family Residential (R1) District to the Two-Family Residential (R2) District, 909 Drexel Blvd. Tr. Beck made a motion with second by Mrs. Miller. Staff Report given by Planning and Zoning Manager Carrie Houston. Staff recommended approval. PZC recommended approval. Motion approved on Roll Call, 5 ayes (Seipts, Beck, Bailey, Miller, and Trickie) 1 absent (Kidd). Ordinance 43-22 will go to board with a positive recommendation on September 19.

Reports: None

Public Comment: None

Chair Seipts called for a motion to adjourn Mr. Trickie moved to adjourn; second by Ms. Bailey. Motion approved by voice vote.

Meeting adjourned at 5:35 p.m.

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*Robbin Snodgrass, Village Clerk*



## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 40-22, Variance from Front Yard Setback for a Privacy Fence, 9414 Baldwin Dr.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

This subject property is a corner lot, where the owners desire to put a privacy fence right up to the property boundary fronting the roadway at the side of the home. The Village Zoning Code does allow fences up to 6' tall to be located in the side front yard area on corner lots. However, when the fence is over 4' tall it does need to be at least 3' inside of the property line that runs parallel to the roadway. The owners have applied for this Variance from that 3' setback regulation.

### **Recommendation:**

Staff recommends approval of this Setback Variance. The attached Staff Report further explains this recommendation.

Nobody from the public attended the Planning and Zoning Commission to speak for or against the request.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of the Variance.



**ORDINANCE NO. 40-22**  
**AN ORDINANCE GRANTING A VARIANCE**

WHEREAS, application has been made for the issuance of a Variance pursuant to applicable provisions of The Zoning Ordinance of The Village of Machesney Park; and

WHEREAS, the Planning and Zoning Commission, a quorum being present, did conduct a public hearing, at least 15 days' notice of the time and place of such hearing having been published in a newspaper of general circulation in the Village of Machesney Park, Illinois on said application; and

WHEREAS, The Planning and Zoning Commission, having examined said application and having considered the evidence, both oral and documentary, and being fully advised in the premises did make findings of fact and a recommendation.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Machesney Park, Illinois as follows:

Section 1. The following described premise is granted a VARIANCE to allow a 6-foot tall privacy fence to be constructed at the front property boundary.

**LEGAL DESCRIPTION:**

**VARIANCE FROM FRONT YARD SETBACK FOR A PRIVACY FENCE.** Pin #: 08-19-378-001. Legally described as Lot 11 in Plat 1 of Andrews River Ridge. Property known as 9414 Baldwin Dr., Machesney Park, IL. Filed by Scott and Karen Johnson, 1704 Roosevelt Rd., Machesney Park, IL 61115.

Section 2. That said premises shall be used in compliance with and subject to the applicable provisions of the Zoning Ordinance of the Village of Machesney Park and shall not be used except as may otherwise be expressly authorized by the Variance.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Steve Johnson  
President, Village of Machesney Park

ATTEST:

\_\_\_\_\_  
Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_  
Nays: \_\_\_\_  
Absent: \_\_\_\_



## STAFF REPORT TO THE PLANNING & ZONING COMMISSION

### Variance from Front Yard Setback Regulations for a Privacy Fence

<b>Applicant:</b> Scott and Karen Johnson	<b>Location:</b> 9414 Baldwin Dr.	<b>Existing Zoning:</b> Single-Family Residential
<b>Owner:</b> Scott and Karen Johnson	<b>Property Size:</b> 0.23 acres	<b>Existing Land Use:</b> Residence
<b>Consistency with Comprehensive Plan:</b> YES – Low Density Residential		<b>Trustee District:</b> 4
<b>Staff Report By:</b> Carrie Houston, AICP – Planning & Zoning Manager		<b>Staff Recommendation:</b> Approval
<b>Public Hearing Date:</b> September 26, 2022	<b>Agenda Item:</b> 5	<b>Ordinance #:</b> 40-22

### Key Issues

- The subject property is a residential property at the corner of Baldwin Dr. and Gary Dr.
- In 2017 the Village Board approved a text amendment that allows 6-foot fences in front yard areas on corner lots, on the side fronting a roadway which is not considered the front of the home. However, 6-foot fences in these areas must be at least 3 feet inside of the property boundary fronting the public right-of-way. This is to prevent tall fences from directly abutting public sidewalks and to allow vision clearance for motorists to safely exit driveways in that block.
- The property owners have applied for this Variance to allow a new 6-foot fence to go right up to the property boundary fronting Gary Dr., rather than abide by the required 3-foot setback.

### Surrounding Zoning and Land Uses

North:	Village R1 (Single-Family Residential)	Residence
South:	Village R1 (Single-Family Residential)	Residence
East:	Village R1 (Single-Family Residential)	Residence
West:	Village R1 (Single-Family Residential)	Residence

### Findings of Fact

Regarding the six criteria for Variances (Sec. Z-89(3)(f)), Staff has the following Proposed Findings of Fact:

1. *Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.*

Standard 1: Not Met

Moving the fence location eastward a mere 3 feet may pose a minor inconvenience. However, there would be no foreseen hardship if the Village regulations were complied with regarding this fence location.

2. *The conditions upon which a petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.*

Standard 2: Not Met:

This property is not unique.

3. *The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property.*

Standard 3: Met.

This Variance is not sought to raise the property value or income potential.

4. *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.*

Standard 4: Met.

The property boundary starts approximately 20' back from the edge of Gary Dr., where this fence is proposed. This is wider than typical residential right-of-ways. Additionally, other than the applicant's driveway, there is only one other driveway on this block and it is over 80' away from the proposed fence location so vision clearance should not be compromised in any way.

5. *The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets or increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood.*

Standard 5: Met.

The placement of this fence would not be a hazard or a danger to public safety.

6. *The proposed variance complies with the spirit and intent of restrictions imposed by this chapter.*

Standard 6: Met.

This Variance request is consistent with the spirit and intent of the Ordinance.

#### **Staff Comments/Recommendations**

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Staff finds that this request meets four of the six Findings of Fact above. Although there is no hardship that necessitates the need for this fence in this location, the proposed fence would provide some privacy for residents of this home to enjoy their back patio area, and this fence is not expected to be a detriment or a danger to the surroundings. Therefore, Staff recommends approval of this Variance request.

#### **Attachments**

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Application, General Location Map

## Zoning Application Form

To Petition for Zoning Map Amendments, Special Use Permits, and Variances

This is an application for:

☐ Zoning Map Amendment from \_\_\_\_\_ to \_\_\_\_\_

*\*If Map Amendment is not for full parcel(s), please provide legal description.*

☐ Special Use Permit for \_\_\_\_\_

*\*Site Plan Attached*

☒ Variance in Z-9 (10) to allow 0' setback from the corner side yard

*\*Site Plan Attached* property line

Site Address of the Subject Property: 9414 Baldwin Dr, Machesney PK

Existing Use: Residential

~~Proposed Use:~~ \_\_\_\_\_

Applicant's Name: Sott Karen Johnson Daytime Phone #: 815-997-6415

E-Mail Address: my06220@comcast.net

Street Address: 1704 Roosevelt Rd, Machesney P City: Machesney PK Zip: 61115

Property Owner's Name (if not same as the Applicant): \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

*\*If the Property Owner is not the Applicant, please provide letter from Property Owner stating the Applicant does have authority to submit this Zoning Application.*

Applicant's Signature: Karen Johnson Date: 7-14-22

FOR OFFICE USE ONLY

Date Filed: 7-14-22 Fee Paid: 75 cash 7.14.22

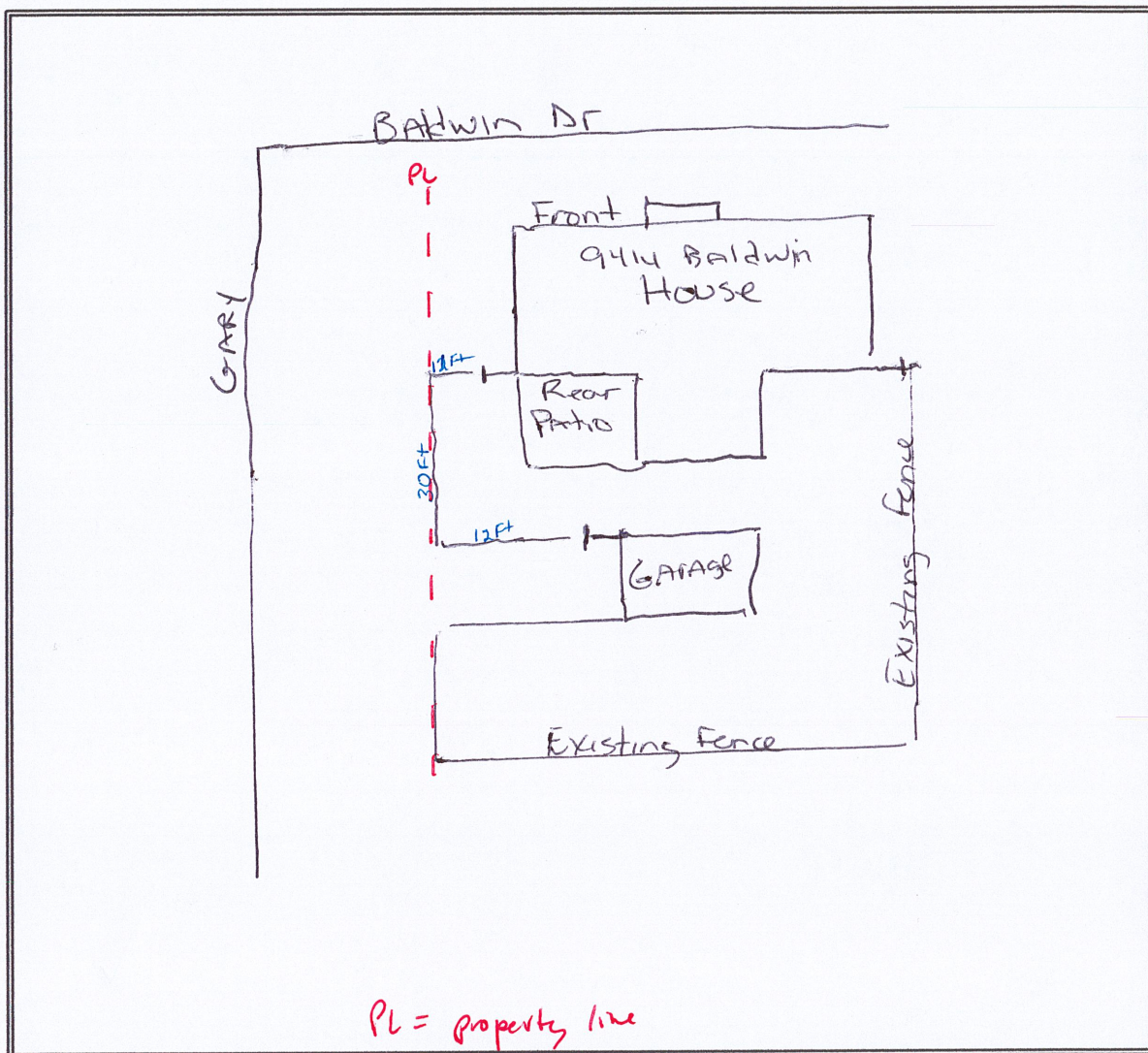
Staff Signature: [Signature]



# Fence Site Plan

**Please indicate:**

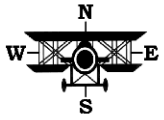
- Location of streets fronting your property
- Location of your home
- Front of your home
- Location and height of your proposed fence



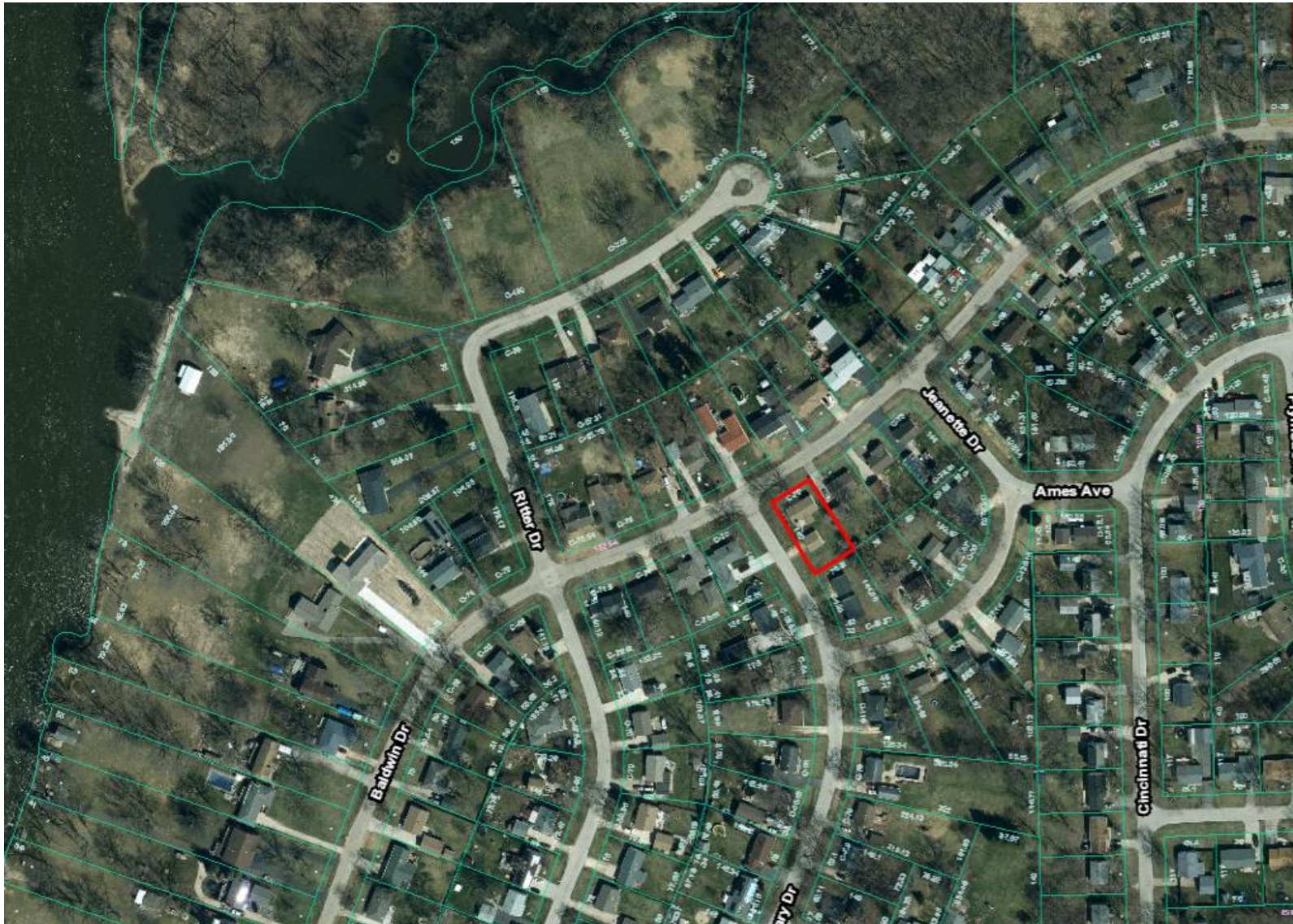
If submitting via email, please send to [carrieh@machesneypark.org](mailto:carrieh@machesneypark.org)

**Machesney Park, Illinois**  
**Community Development Department**  
300 Roosevelt Rd., Machesney Park, IL 61115  
(815)877-5432





General Location Map  
Variance from Front Yard Setback for a Privacy Fence  
9414 Baldwin Dr.





## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 41-22, Special Use Permit for Outdoor Self-Storage in the Light Industrial District, 10446 Product Dr.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

In October of 2018 an identical Special Use Permit to establish an outdoor self-storage area on this vacant lot was approved. That use was not established, and the Special Use subsequently lapsed. Now a new representative for the property owner is again seeking approval to build an outdoor self-storage facility at the subject property.

### **Recommendation:**

Staff recommends approval of this Special Use Permit with seven (7) recommended conditions of approval. The attached Staff Report further explains this recommendation.

Nobody from the public attended the Planning and Zoning Commission to speak for or against the request.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of the Special Use with the recommended conditions.



**ORDINANCE NO. 41-22**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
FOR OUTDOOR SELF-STORAGE**

WHEREAS, application has been made for the issuance of a Special Use Permit pursuant to applicable provisions of the Zoning Ordinance of the Village of Machesney Park; and

WHEREAS, the Planning & Zoning Commission, a quorum being present, did conduct a public hearing, at least 15 days notice of the time and place of such hearing having been published in a newspaper of general circulation in the Village of Machesney Park, Illinois, on said application: and

WHEREAS, the Planning & Zoning Commission having examined said application and having considered the evidence, both oral and documentary, and being fully advised in the premises did make findings of fact and a recommendation.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Machesney Park, Illinois as follows:

Section 1. That a Special Use Permit for Outdoor Self-Storage in the Light Industrial (IL) District is hereby granted:

**LEGAL DESCRIPTION:**

**SPECIAL USE PERMIT FOR OUTDOOR SELF-STORAGE IN THE LIGHT INDUSTRIAL (IL) DISTRICT.** Pin #: 08-17-354-021. Legally described as Lot 9 in Ralston Industrial Park. Property known as 10446 Product Dr., Machesney Park, IL. Filed by Henri Rocha c/o Bednarz Tovar Series - Product Drive LLC, 9 Porter School Rd., Barrington Hills, IL 60010.

Section 2. That said premises shall be used in compliance with and subject to the applicable provisions of the Zoning Ordinance of the Village of Machesney Park and shall not be used except as may otherwise be expressly authorized by the Special Use Permit.

Section 3. That acceptance of any of the benefits of this Special Use Permit shall be deemed acceptance of all the terms and conditions set forth herein.

- 1) The development of the outdoor self-storage facility shall conform to the site plan submitted with the Special Use application.
- 2) The entire parking/storage area shall be located inside of a chain-link fence, 7-8 feet in height. The fence shall not be installed prior to the issuance of a Village Fence Permit.
- 3) Crushed "chip" Asphalt is permitted as the parking surface for this Special Use, and must be compacted and properly maintained on an ongoing basis.

- 4) The rear/western 25-feet of the property shall remain undisturbed and undeveloped.
- 5) All outside lighting shall be directed away from the adjacent residential properties and fixture shielding should be used when necessary. The direct light source should not be visible from the adjacent residential properties and the maximum permitted illumination, measured in footcandles, shall not be more than .5 footcandles at the property lines.
- 6) The display of advertising shall be prohibited, except for reasonable signage to identify the self-storage use and display contact information. Any signage shall not be installed prior to the issuance of a Village Sign Permit.
- 7) An engineered site plan shall be submitted for a permit/approval, prior to installing the parking area.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Steve Johnson,  
President, Village of Machesney Park

ATTEST:

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Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_

Nays: \_\_\_\_

Absent: \_\_\_\_



## STAFF REPORT TO THE PLANNING & ZONING COMMISSION

### Special Use Permit for Outdoor Self-Storage in the Light Industrial (IL) District

<b>Applicant:</b> Henri Rocha	<b>Location:</b> 10446 Product Dr.	<b>Existing Zoning:</b> Light Industrial
<b>Owner:</b> Bednarz Tovar Series - Product Drive LLC	<b>Property Size:</b> 0.82 acres	<b>Existing Land Use:</b> Vacant

<b>Consistent with Comprehensive Plan:</b> YES-Light Industrial/Business Park	<b>Trustee District:</b> 2
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<b>Staff Report By:</b> Carrie Houston, AICP – Planning & Zoning Manager	<b>Staff Recommendation:</b> Approval
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**Public Hearing Date:** September 26, 2022

**Agenda Item:** 6

**Ordinance #:** 41-22

### Key Issues

- The applicant has submitted this Special Use petition on behalf of Bednarz Tovar, who owns the subject property. This property is a vacant lot located among older industrial buildings. Tovar also owns the property immediately to the south, as a location from which they operate their snow plowing business.
- A Special Use for Outdoor Self-Storage at this location was already approved by the Board in 2018, and an extension was granted by the Planning and Zoning Commission the following year. However, the use was never established, and the Special Use expired.
- Just as before, this would be outdoor storage where vehicles such as boats and RVs could be kept. The storage area would be enclosed by a fence, with ample security lighting.

### Surrounding Zoning and Land Uses

North: Village IL (Light Industrial)	Industrial Manufacturer
South: Village IL (Light Industrial)	Plowing / Maintenance Service
East: Village IL (Light Industrial)	Industrial Garages
West: Village R1 (Single-Family Residential)	Residences

### Findings of Fact

Regarding the six criteria for Special Use Permits (Sec. 20-71(3)(d)), Staff has the following Proposed Findings of Fact:

1. *The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

Standard 1: Met.

The proposed outdoor self-storage use is not expected to be a detriment to the neighborhood. This is an older, industrial area and a use such as this is consistent with the surroundings.

2. *The proposed Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

Standard 2: Met.

This use is in line with the character of the vicinity, and with Staff recommended conditions, it should not be injurious to the neighborhood. Although fencing and parking do not have regulated setback requirements; Staff suggests the fencing surrounding this outdoor storage area be no less than 25' from the property line abutting residential lots, as 25' is the required rear yard setback for industrial structures. This required setback, and the Code requirement that lighting be directed away from residential properties, should ensure that safety and enjoyment will be maintained in the area.

3. *The establishment of the Special Use will not impede normal or orderly development and improvement of the surrounding property for uses permitted in the district.*

Standard 3: Met.

Normal or orderly development and improvement of the surroundings should not be impacted.

4. *Adequate utilities, access roads, drainage and / or necessary facilities have been, are being or will be provided.*

Standard 4: Met.

This lot is completely vacant. This lot has been platted and utilities are available.

5. *Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.*

Standard 5: Met.

A driveway off Product Dr. will be installed when the use is established.

6. *The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

Standard 6: Met.

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#### **Staff Comments/Recommendations**

Staff finds that this request meets the above criteria for the granting of a Special Use permit to allow Outdoor Self-Storage on the subject property. This application is identical to the previously approved request, and therefore Staff recommends approval of the Special Use Permit and again recommends the following conditions:

- 1) The development of the outdoor self-storage facility shall conform to the site plan submitted with the Special Use application.
- 2) The entire parking/storage area shall be located inside of a chain-link fence, 7-8 feet in height. The fence shall not be installed prior to the issuance of a Village Fence Permit.
- 3) Crushed "chip" Asphalt is permitted as the parking surface for this Special Use, and must be compacted and properly maintained on an ongoing basis.
- 4) The rear/western 25-feet of the property shall remain undisturbed and undeveloped.
- 5) All outside lighting shall be directed away from the adjacent residential properties and fixture shielding should be used when necessary. The direct light source should not be visible from the adjacent residential properties and the maximum permitted illumination, measured in footcandles, shall not be more than .5 footcandles at the property lines.
- 6) The display of advertising shall be prohibited, except for reasonable signage to identify the self-storage use and display contact information. Any signage shall not be installed prior to the issuance of a Village Sign Permit.
- 7) An engineered site plan shall be submitted for a permit/approval, prior to installing the parking area.

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#### **Attachments**

Application, General Location Map



## Zoning Application Form

To Petition for Zoning Map Amendments, Special Use Permits, and Variances

This is an application for:

☐ **Zoning Map Amendment** from \_\_\_\_\_ to \_\_\_\_\_

*\*If Map Amendment is not for full parcel(s), please provide legal description.*

☒ **Special Use Permit** for Outdoor Self-Storage

*\*Site Plan Attached*

☐ **Variance** in \_\_\_\_\_

*\*Site Plan Attached*

Site Address of the Subject Property: #00446 Prospect Dr. Machesney Park Il.

Existing Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Applicant's Name: Henri Rocha Daytime Phone #: 847-417-6114

E-Mail Address: hrocha@yahoo.com

Street Address: 9 Porter School Rd. City: Barrington Hills Zip: 60010

Property Owner's Name (if not same as the Applicant): \_\_\_\_\_

Street Address: 9 Porter School Rd. City: Barrington Hills Zip: 60010

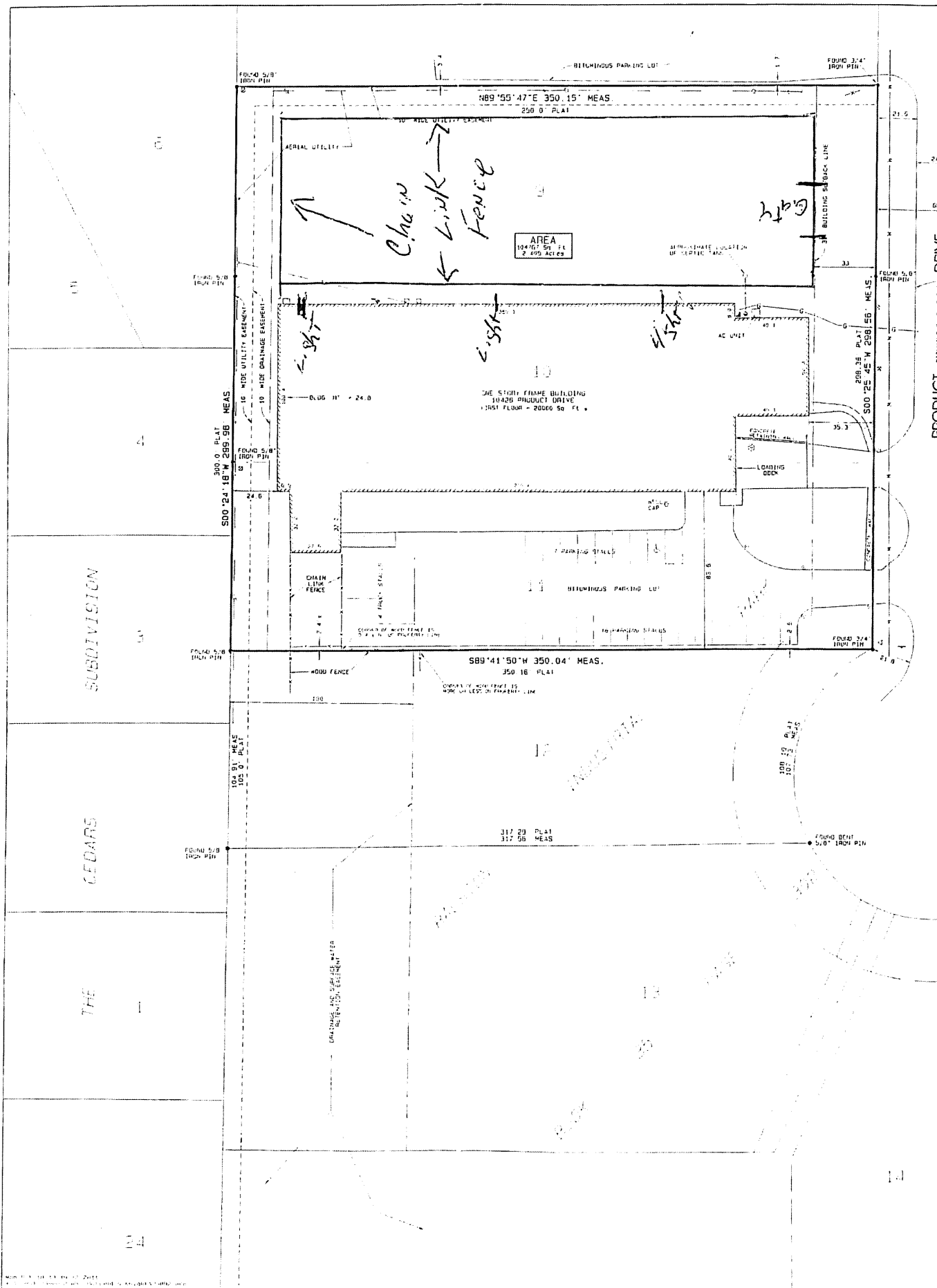
*\*If the Property Owner is not the Applicant, please provide letter from Property Owner stating the Applicant does have authority to submit this Zoning Application.*

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

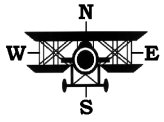
### FOR OFFICE USE ONLY

Date Filed: 7-19-22 Fee Paid: \$100.00

Staff Signature: \_\_\_\_\_







General Location Map  
Special Use Permit for Outdoor Self-Storage  
10446 Product Dr.





## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 45-22, Zoning Map Amendment from the Agricultural District to the Office District, 900 Roosevelt Rd.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

The subject property is the site of the Harlem Community Center (HCC), which was established on Agricultural Zoning. Now HCC is in the process of transferring the northern portion of this land to the North Park Public Water District, and they have future plans to demolish and rebuild their HCC facility. They have applied for this zoning change to make the use and the property itself conforming with the Village's zoning regulations.

### **Recommendation:**

Staff recommends approval of this Zoning Map Amendment. The attached Staff Report further explains this recommendation.

Nobody from the public attended the Planning and Zoning Commission to speak for or against the request.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of this change to the Office Zoning District.



**ORDINANCE NO. 45-22**

**AN ORDINANCE GRANTING A ZONING MAP AMENDMENT  
FROM THE AGRICULTURAL DISTRICT  
TO THE OFFICE DISTRICT**

WHEREAS, application has been made for the issuance of a Map Amendment pursuant to applicable provisions of The Zoning Ordinance of the Village of Machesney Park; and

WHEREAS, the Planning & Zoning Commission, a quorum being present, did conduct a public hearing, at least 15 days' notice of the time and place of such hearing having been published in a newspaper of general circulation in the Village of Machesney Park, Illinois, on said application; and

WHEREAS, the Planning & Zoning Commission, having examined said application and having considered the evidence, both oral and documentary, and being fully advised in the premises did make findings of fact and a recommendation.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Machesney Park, Illinois, as follows:

Section 1. The following described premises are rezoned from the Agricultural (AG) District to the Office (OF) District to and the zoning map of Machesney Park is changed accordingly:

**LEGAL DESCRIPTION:**

**ZONING MAP AMENDMENT FROM THE AGRICULTURAL (AG) DISTRICT TO THE OFFICE (OF) DISTRICT.** Pin #s: 08-30-251-005 and part of 08-30-251-004. Legally described as Part of the NE  $\frac{1}{4}$  of Sec. 30-45-2, beginning at a pt 33 ft. N of the S line NE  $\frac{1}{4}$  + 1485.36 ft. E of the original C/L of Hwy then N 1023 ft., E 300.0 ft., S 773 ft., W 50-90 ft., S 250 ft., W 250 ft. to the POB. Property known as 900 Roosevelt Rd., Machesney Park, IL. Filed by Shannon Scheffel c/o Harlem Community Center, 900 Roosevelt Rd., Machesney Park, IL 61115.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Steve Johnson,  
President, Village of Machesney Park

ATTEST:

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Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_

Nays: \_\_\_\_

Absent: \_\_\_\_



## STAFF REPORT TO THE PLANNING & ZONING COMMISSION

### Zoning Map Amendment: from the Agricultural (AG) District to the Office (OF) District

<b>Applicant:</b> Shannon Scheffel	<b>Location:</b> 900 Roosevelt Rd.	<b>Existing Zoning:</b> Agricultural
<b>Owner:</b> Harlem Community Center	<b>Property Size:</b> 6.75 acres	<b>Existing Land Use:</b> Community Center
<b>Consistent with Comprehensive Plan:</b> NO: Institutional & Open Space		<b>Trustee District:</b> 5
<b>Staff Report By:</b> Carrie Houston, AICP – Planning & Zoning Manager		<b>Staff Recommendation:</b> Approval
<b>Public Hearing Date:</b> September 26, 2022	<b>Agenda Item:</b> 7	<b>Ordinance #:</b> 45-22

### Key Issues

- The subject property is the site of the Harlem Community Center (HCC), which provides childcare and other youth activities and sports.
- This subject property is now zoned in the Agricultural district. Although this use was allowed to be constructed in Agricultural zoning many years ago, neither childcare nor community or charitable organizations are permitted in the Agricultural zoning district.
- There are plans to sell the northern portion of the property to the North Park Public Water District so that the district has additional land to construct a water filtration and treatment building, and there are plans to build a new HCC building here in the future.
- This Zoning Map Amendment is sought only to bring the property into conformity, to allow the property line adjustment and the future new construction, without encountering any issues with compliance with the Village Zoning Code.
- The use of the subject property will not change. With this change to the Office zoning district, HCC intends to just continue the same programs and services they have been providing for many years.

### Surrounding Zoning and Land Uses

North: Village AG (Agricultural)	Water Utility
South: Village R1 (Single-Family Residential)	Residences
East: Village R1 (Single-Family Residential)	Residences
West: Village AG (Agricultural)	School

### Findings of Fact

Regarding the two criteria for Zoning Map Amendments, Staff has the following Proposed Findings of Fact:

1. *Will this Zoning Map Amendment provide for the citizens of the Village adequate light, pure air and safety from fire and other dangers, to conserve the value of land and buildings, to lessen or avoid congestion of traffic on the public roads and to promote the public health, safety, comfort, convenience, morals and general welfare?*

Yes. This zoning change only brings an existing community facility into conformity with zoning regulations. The use of the property will not change.

2. *Will this Zoning Map Amendment protect the character and the stability of the residential, business, and industrial areas within the Village and to promote the orderly and beneficial development of such areas?*

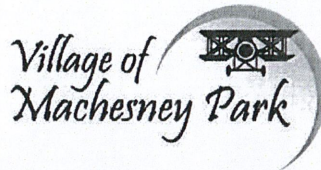
Yes.

### Staff Comments/Recommendations

Staff finds that this Zoning Map Amendment meets the two findings and recommends approval. The Village appreciates what HCC does and we support their planned improvements in our community.

### Attachments

Application, General Location Map



## Zoning Application Form

To Petition for Zoning Map Amendments, Special Use Permits, and Variances

This is an application for:

☒ **Zoning Map Amendment** from Agriculture district to Office District  
*\*If Map Amendment is not for full parcel(s), please provide legal description.*

☐ **Special Use Permit** for \_\_\_\_\_  
*\*Site Plan Attached*

☐ **Variance** in \_\_\_\_\_  
*\*Site Plan Attached*

Site Address of the Subject Property: 900 Roosevelt Road

Existing Use: Community Center

Proposed Use: Community Center/Daycare

Applicant's Name: Shannon Scheffel, Executive Director Daytime Phone #: 815-978-9092

E-Mail Address: shannonlscheffel@gmail.com

Street Address: 900 Roosevelt Road City: Machesney Park, IL Zip: 61115

Property Owner's Name (if not same as the Applicant): \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

*\*If the Property Owner is not the Applicant, please provide letter from Property Owner stating the Applicant does have authority to submit this Zoning Application.*

Applicant's Signature: Shannon Scheffel Date: 8/23/22

---

### FOR OFFICE USE ONLY

Date Filed: 8-26-22 Fee Paid: \$400.00

Staff Signature: [Signature]

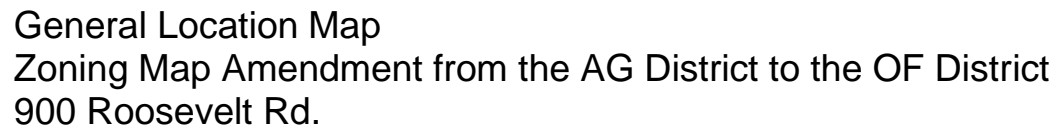
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**Machesney Park, Illinois**  
**Community Development Department**  
300 Roosevelt Rd., Machesney Park, IL 61115  
(815)877-5432











## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 46-22, Variance from Accessory Building Area Regulations, 8205 N. Second St.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

The subject property is a residential lot, where there is a smaller home and a detached garage which is already larger than the home. Therefore, the area of accessory structures already exceeds what is allowed per the Village's zoning regulations. Now the owner wishes to build a small shed in his yard. Because the total area of all accessory structures would be larger than the area of his home, Staff could not approve the permit for this small shed. The property owner is seeking this Variance from those accessory building area regulations, to allow the addition of the desired shed.

### **Recommendation:**

Staff recommends approval of this Variance. The attached Staff Report further explains this recommendation.

Nobody from the public attended the Planning and Zoning Commission to speak for or against the request.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of this Variance to allow up to 1,140 sq. ft. of accessory structure area at this property.



**ORDINANCE NO. 46-22**  
**AN ORDINANCE GRANTING A VARIANCE**

WHEREAS, application has been made for the issuance of a Variance pursuant to applicable provisions of The Zoning Ordinance of The Village of Machesney Park; and

WHEREAS, the Planning and Zoning Commission, a quorum being present, did conduct a public hearing, at least 15 days' notice of the time and place of such hearing having been published in a newspaper of general circulation in the Village of Machesney Park, Illinois on said application; and

WHEREAS, The Planning and Zoning Commission, having examined said application and having considered the evidence, both oral and documentary, and being fully advised in the premises did make findings of fact and a recommendation.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Machesney Park, Illinois as follows:

Section 1. The following described premise is granted a VARIANCE to allow a 120 sq. ft. shed to be constructed at the subject property.

LEGAL DESCRIPTION:

**VARIANCE FROM ACCESSORY BUILDING AREA REGULATIONS IN THE SINGLE-FAMILY RESIDENTIAL (R1) DISTRICT.** Pin #: 08-30-379-003. Legally described as Lot 68 in Harlem School Park Subdivision. Property known as 8205 N. 2<sup>nd</sup> St., Machesney Park, IL. Filed by Andrew Mercaitis, 8205 N. 2<sup>nd</sup> St., Machesney Park, IL 61115.

Section 2. That said premises shall be used in compliance with and subject to the applicable provisions of the Zoning Ordinance of the Village of Machesney Park and shall not be used except as may otherwise be expressly authorized by the Variance.

Section 3. That acceptance of any of the benefits of this Variance shall be deemed acceptance of all the terms and conditions set forth herein.

- 1) This Variance allows a maximum of 1,140 square feet of accessory building area at the subject property.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.



PASSED by the Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Steve Johnson  
President, Village of Machesney Park

ATTEST:

\_\_\_\_\_  
Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_  
Nays: \_\_\_\_  
Absent: \_\_\_\_



## STAFF REPORT TO THE PLANNING & ZONING COMMISSION

### Variance from Accessory Building Area Regulations

<b>Applicant:</b> Andrew Mercaitis	<b>Location:</b> 8205 N. Second St.	<b>Existing Zoning:</b> Single-Family Residential
<b>Owner:</b> Andrew Mercaitis	<b>Property Size:</b> 0.42 acres	<b>Existing Land Use:</b> Residence
<b>Consistency with Comprehensive Plan:</b> YES – Low Density Residential		<b>Trustee District:</b> 5
<b>Staff Report By:</b> Carrie Houston, AICP – Planning & Zoning Manager		<b>Staff Recommendation:</b> Approval
<b>Public Hearing Date:</b> September 26, 2022	<b>Agenda Item:</b> 8	<b>Ordinance #:</b> 46-22

### Key Issues

- The subject property is a residence where the owner desires to build a small 120 sq. ft. shed.
- With the addition of this shed, the total area of accessory structures would exceed what is permitted per Section Z-12(3) of the Zoning Code, which limits the total area of all accessory structures not to be larger than the principal structure at a residential property.
- The home at this subject property is only 900 sq. ft. The existing detached garage already exceeds 900 sq. ft. in size, and therefore is pre-existing non-conforming. The addition of the proposed shed would increase the degree of the non-conformity and cannot be permitted without a Variance.

### Surrounding Zoning and Land Uses

North: Village R1 (Single-Family Residential)	Residence
South: Village R1 (Single-Family Residential)	Residence
East: Village R1 (Single-Family Residential)	Residence
West: Village CC (Commercial Community)	Gas Station / Convenience Store

### Findings of Fact

Regarding the six criteria for Variances (Sec. Z-89(3)(f)), Staff has the following Proposed Findings of Fact:

1. *Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.*

Standard 1: Not Met

Restricting the area of detached buildings on this lot may pose an inconvenience. However, there are no conditions specific to this property which present a particular hardship.

2. *The conditions upon which a petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.*

Standard 2: Not Met:

This property is not unique. If the home were larger, the area of detached buildings would still be limited to no more than 1000 sq. ft. and this proposed shed still would not be allowed.

3. *The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property.*

Standard 3: Met.

This Variance is not sought to raise the property value or income potential.

4. *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.*

Standard 4: Met.

The property is a rather large lot. Even with the large garage and the proposed shed, total lot coverage of structures would be under 12%, which would not be excessive. The neighborhood is not expected to be negatively impacted by if this shed is allowed.

5. *The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets or increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood.*

Standard 5: Met.

The placement of this shed would not be a hazard or a danger to public safety.

6. *The proposed variance complies with the spirit and intent of restrictions imposed by this chapter.*

Standard 6: Met.

This Variance request is consistent with the spirit and intent of the Ordinance.

#### **Staff Comments/Recommendations**

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Staff finds that this request meets four of the six Findings of Fact above. Although there is no hardship that necessitates the need for additional detached buildings at this property, the proposed shed is not expected to be a detriment or a danger to the surroundings. Therefore, Staff recommends approval of this Variance request with one recommended condition:

- 1) This Variance allows a maximum of 1,140 sq. ft. of accessory building area at the subject property.

#### **Attachments**

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Application, General Location Map



## Zoning Application Form

To Petition for Zoning Map Amendments, Special Use Permits, and Variances

This is an application for:

☐ Zoning Map Amendment from \_\_\_\_\_ to \_\_\_\_\_

*\*If Map Amendment is not for full parcel(s), please provide legal description.*

☐ Special Use Permit for \_\_\_\_\_

*\*Site Plan Attached*

☒ Variance in accessory structure lot coverage

*\*Site Plan Attached*

Site Address of the Subject Property: 8205 N 2nd St

Existing Use: residential

Proposed Use: residential

Applicant's Name: Andrew Mercatilis Daytime Phone #: 815-494-4932

E-Mail Address: mrcat5272hd@yahoo.com

Street Address: 8205 N. 2nd St City: Machesney Park Zip: 61115

Property Owner's Name (if not same as the Applicant): \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

*\*If the Property Owner is not the Applicant, please provide letter from Property Owner stating the Applicant does have authority to submit this Zoning Application.*

Applicant's Signature: Andrew Mercatilis Date: 8-30-2022

### FOR OFFICE USE ONLY

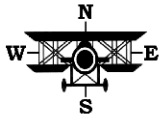
Date Filed: 8/31/22 Fee Paid: \$75.00

Staff Signature: [Signature]

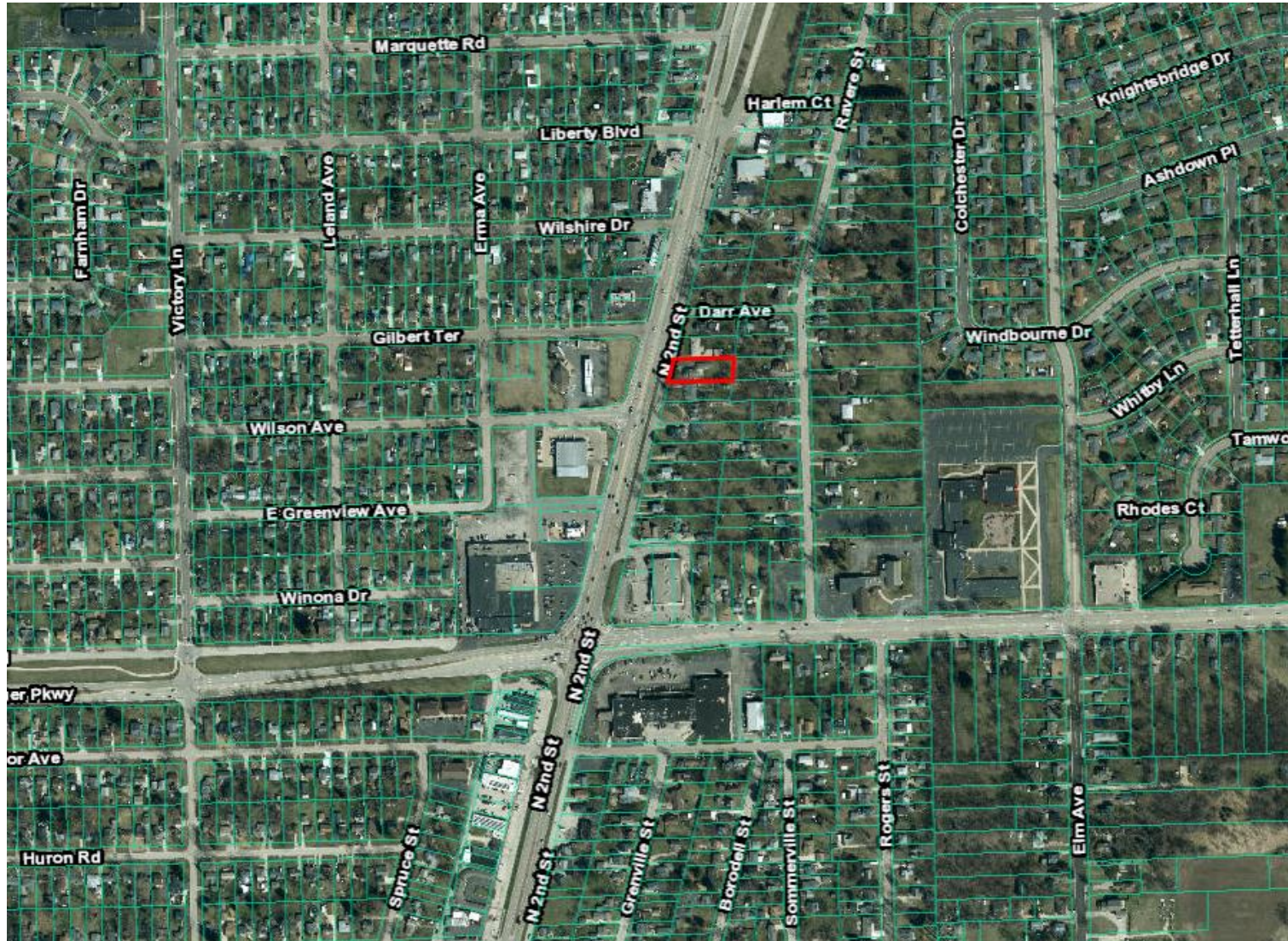








General Location Map  
Variance from Accessory Building Area Regulations  
8205 N. Second St.





## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 47-22, Special Use Permit for Outdoor Storage in the General Industrial District, 8181 Burden Rd.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

The subject property is a vacant lot between Burden Rd. and Forest Hills Rd. As Hennig's business continues to grow, the company's need for unenclosed product storage and testing area has increased significantly. This new proposed outdoor storage area is just northeast of their land on Marlin Dr. that was approved for outdoor storage in September of 2019.

### **Recommendation:**

Staff recommends approval of this Special Use Permit with seven (7) recommended conditions of approval. The attached Staff Report further explains this recommendation.

One of the owners of Astro-Physics, located just north of the subject property, attended the public hearing to voice her concern about lighting from this storage yard affecting their ability to test their telescope equipment after dark. She stated that as long as lighting is directed downward, as included as one of the recommended conditions of approval, they are not opposed to the use.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of this Special Use with the recommended conditions.

**ORDINANCE NO. 47-22**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
FOR OUTDOOR STORAGE**

WHEREAS, application has been made for the issuance of a Special Use Permit pursuant to applicable provisions of the Zoning Ordinance of the Village of Machesney Park; and

WHEREAS, the Planning & Zoning Commission, a quorum being present, did conduct a public hearing, at least 15 days notice of the time and place of such hearing having been published in a newspaper of general circulation in the Village of Machesney Park, Illinois, on said application: and

WHEREAS, the Planning & Zoning Commission having examined said application and having considered the evidence, both oral and documentary, and being fully advised in the premises did make findings of fact and a recommendation.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Machesney Park, Illinois as follows:

Section 1. That a Special Use Permit for Outdoor Storage in the General Industrial (IL) District is hereby granted:

**LEGAL DESCRIPTION:**

**SPECIAL USE PERMIT FOR OUTDOOR STORAGE IN THE GENERAL INDUSTRIAL (IG) DISTRICT.** Pin #: 08-16-103-008. Legally described as Sec. 16-45-2 commencing NE corner Lot 2 of Forest Hills Industrial Park No. 2, then N 549.05 ft to the POB, then N 489.05 ft, W 976.02 ft, S 489.05 ft, then E 976.02 ft. to the POB. Property known as 8181 Burden Rd., Machesney Park, IL. Filed by Hennig, Inc., 9900 N. Alpine Rd., Machesney Park, IL 61115.

Section 2. That said premises shall be used in compliance with and subject to the applicable provisions of the Zoning Ordinance of the Village of Machesney Park and shall not be used except as may otherwise be expressly authorized by the Special Use Permit.

Section 3. That acceptance of any of the benefits of this Special Use Permit shall be deemed acceptance of all the terms and conditions set forth herein.

- 1) The proposed outdoor storage shall conform to the site plan submitted with the Special Use application.
- 2) The fence enclosing the property shall be between 6' and 12' tall and shall be completely solid and sight-obscuring.
- 3) Security lighting shall be directed downward.



- 4) The material, height, and location of this fence shall be approved by Staff with submittal and review of a Fence Permit Application.
- 5) Items stored outside shall never be placed in a haphazard manner.
- 6) The owner shall not be allowed to lease outdoor storage area to another user without approval from the Village.
- 7) Items may be stored on a gravel surface until June 30, 2023, at which time the site shall be paved with an asphalt or concrete surface.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Steve Johnson,  
President, Village of Machesney Park

ATTEST:

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Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_

Nays: \_\_\_\_

Absent: \_\_\_\_



## STAFF REPORT TO THE PLANNING & ZONING COMMISSION

### Special Use Permit: For Outdoor Storage in the General Industrial (IG) District

<b>Applicant:</b> Hennig Inc.	<b>Location:</b> 8181 Burden Rd.	<b>Existing Zoning:</b> General Industrial
<b>Owner:</b> Hennig Inc.	<b>Property Size:</b> 10.55 acres	<b>Existing Land Use:</b> Vacant

**Consistent with Comprehensive Plan:** YES-Light Industrial/Business Park

**Trustee District:** 1

**Staff Report By:** Carrie Houston, AICP – Planning & Zoning Manager

**Staff Recommendation:** Approval

**Public Hearing Date:** September 26, 2022

**Agenda Item:** 9

**Ordinance #:** 47-22

### Key Issues

- Hennig Inc. manufactures commercial/institutional generators at their Alpine Rd. location. They own the subject property, and they would like to use it as an additional area to store, stage, and test the generators they manufacture.
- In September of 2019, the Village Board approved Hennig's Special Use Permit for Outdoor Storage at 9900 N. Alpine Rd. and again Outdoor Storage was approved at their 4950 Marlin Dr. location in January of this year.
- Due to Hennig's growth and success, they require additional storage area. Thus, they have applied for this Special Use Permit.

### Surrounding Zoning and Land Uses

North: Village IG (General Industrial)  
South: Village IG (General Industrial)  
East: Village IG (General Industrial)  
West: Village IG (General Industrial)

Credit Union and Manufacturing  
Manufacturing  
Vacant  
Vacant

### Findings of Fact

Regarding the six criteria for Special Use Permits (Sec. Z-88(3)(d)), Staff has the following Proposed Findings of Fact:

- The establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

Standard 1: Met.

The proposed outdoor storage use is not expected to be a detriment to the surroundings. This is an industrial area, with additional Hennig outdoor storage already directly southwest of the subject property.

- The proposed Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

Standard 2: Met.

This use should not be injurious to the surroundings.

- The establishment of the Special Use will not impede normal or orderly development and improvement of the surrounding property for uses permitted in the district.*

Standard 3: Met.

Normal or orderly development and improvement of the surroundings should not be impacted.

4. *Adequate utilities, access roads, drainage and / or necessary facilities have been, are being or will be provided.*

Standard 4: Met.

Driveway access is planned off both Burden Rd. and Forest Hills Rd., and a civil site plan will need to be submitted and approved before any construction of this outdoor storage area begins.

5. *Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.*

Standard 5: Met.

The proposed site design would not cause traffic congestion.

6. *The Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

Standard 6: Met.

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#### **Staff Comments/Recommendations**

Staff finds that this request meets the above criteria for the granting of a Special Use permit to allow Outdoor Storage on the subject property. Staff recommends approval of the request with the following conditions:

- 1) The proposed outdoor storage shall conform to the site plan submitted with the Special Use application.
- 2) The fence enclosing the property shall be between 6' and 12' tall and shall be completely solid and sight-obscuring.
- 3) Security lighting shall be directed downward.
- 4) The material, height, and location of this fence shall be approved by Staff with submittal and review of a Fence Permit Application.
- 5) Items stored outside shall never be placed in a haphazard manner.
- 6) The owner shall not be allowed to lease outdoor storage area to another user without approval from the Village.
- 7) Items may be stored on a gravel surface until June 30, 2023, at which time the site shall be paved with an asphalt or concrete surface.

---

#### **Attachments**

Application, Site Plan, General Location Map





## Zoning Application Form

To Petition for Zoning Map Amendments, Special Use Permits, and Variances

This is an application for:

☐ **Zoning Map Amendment** from \_\_\_\_\_ to \_\_\_\_\_

*\*If Map Amendment is not for full parcel(s), please provide legal description.*

☒ **Special Use Permit** for Storage Yard

*\*Site Plan Attached*

☒ **Variance** in Entrance widths

*\*Site Plan Attached*

Site Address of the Subject Property: 8181 Burden Road, Machesney Park, IL 61115

Existing Use: Farmland

Proposed Use: Storage Yard

Applicant's Name: Robin Moore (Hennig, Inc.) Daytime Phone #: 815-218-4115

E-Mail Address: robinm@hennig.ame.com

Street Address: 9900 N. Alpine Rd. City: Machesney Park Zip: 61115

Property Owner's Name (if not same as the Applicant): Hennig, Inc.

Street Address: 9900 N. Alpine Rd. City: Machesney Park Zip: 61115

*\*If the Property Owner is not the Applicant, please provide letter from Property Owner stating the Applicant does have authority to submit this Zoning Application.*

Applicant's Signature: Robin Moore Digitally signed by Robin Moore  
Date: 2022.04.25 15:20:16 -05'00' Date: 4/25/22

### FOR OFFICE USE ONLY

Date Filed: 4-29-22 Fee Paid: \$ 225.00

Staff Signature:

**Machesney Park, Illinois**  
**Community Development Department**  
300 Roosevelt Rd., Machesney Park, IL 61115  
(815)877-5432



ARC DESIGN  
RESOURCES INC.

5281 ZENITH PARKWAY  
LOVES PARK, IL 61111  
VOICE: (815) 484-4300  
FAX: (815) 484-4303  
www.arcdesign.com  
Illinois Design Firm License No. 184-001334

PROJECT NAME  
OWNER'S NAME

## HENNIG NEW STORAGE YARD

BURDEN ROAD  
MACHESNEY PARK, IL  
WINNEBAGO

HENNIG INC.  
9900 N ALPINE ROAD  
MACHESNEY PARK, IL  
(815) 636-9900

CONSULTANTS

ISSUED FOR

1. BIDDING	DATE
2. ---	09.07.2022
3. ---	---
4. ---	---
5. ---	---
6. ---	---
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12. ---	---

REVISIONS

ITEM	DATE
1. ---	---
2. ---	---
3. ---	---
4. ---	---
5. ---	---
6. ---	---

SHEET TITLE

## LAYOUT PLAN

DRAWN

DB

CHECKED

JSL

PM

JSL

PROJECT NUMBER  
SHEET NUMBER

22060

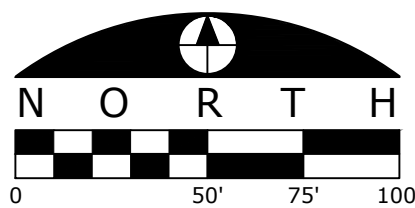
C06

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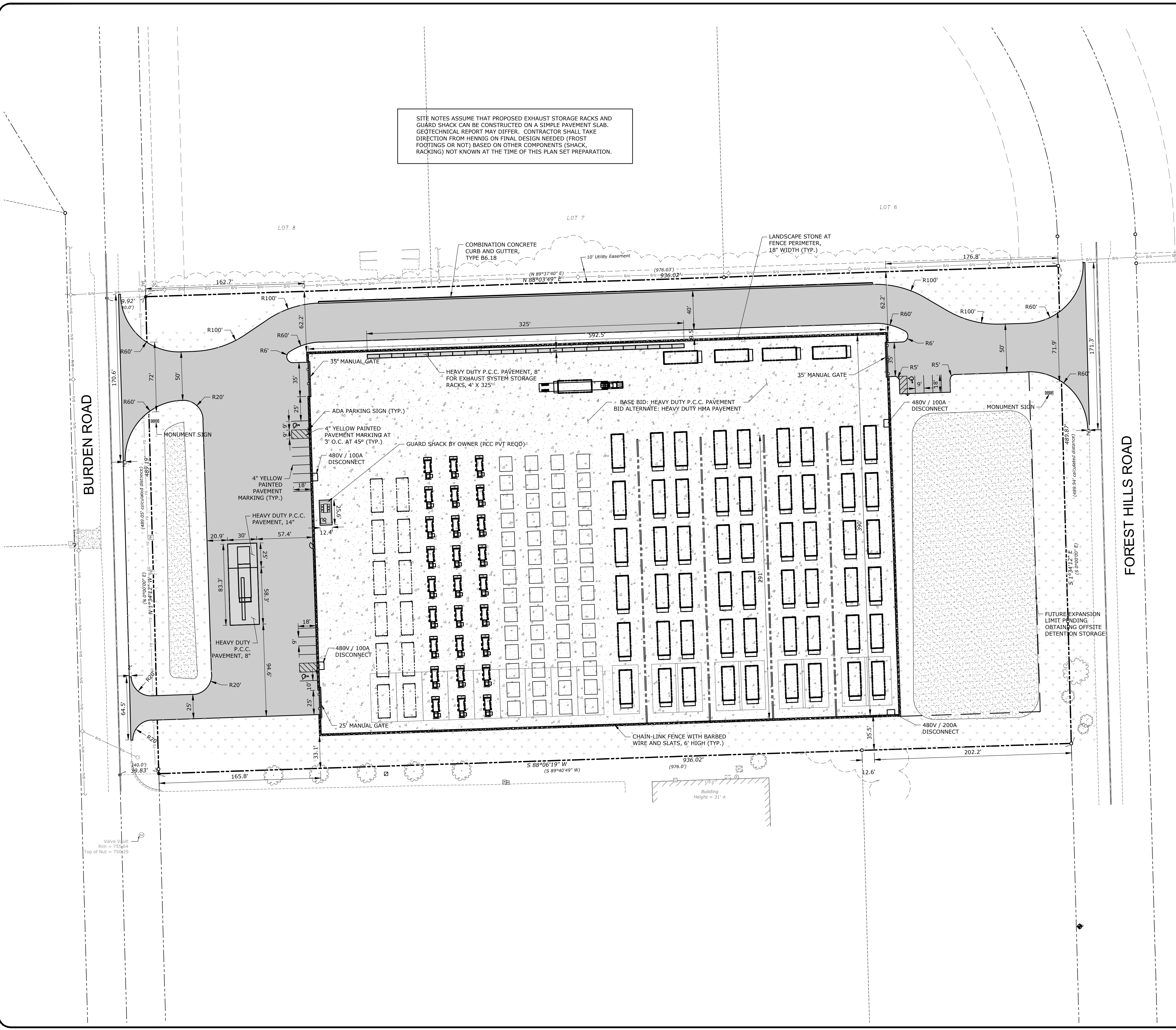
---	PROPERTY LINE
---	LOT LINE
---	EXISTING RIGHT-OF-WAY
---	EXISTING EASEMENT LINE
---	PROPOSED EASEMENT LINE
---	EXISTING CURB AND GUTTER
---	EXISTING EDGE OF PAVEMENT
---	PROPOSED EDGE OF PAVEMENT
---	PROPOSED FENCE (CHAIN LINK)
---	EXISTING FENCE
---	PROPOSED ADA PARKING SPACE
12	NUMBER OF PROPOSED PARKING SPACES IN A ROW
---	PROPOSED PARKING STALLS
---	BASE BID: HEAVY DUTY P.C.C. PAVEMENT (SEE PLAN FOR THICKNESS) BID ALTERNATE: HEAVY DUTY HMA PAVEMENT
---	PROPOSED HEAVY DUTY P.C.C. PAVEMENT (SEE PLAN FOR THICKNESS)
---	PROPOSED HEAVY DUTY HMA PAVEMENT
---	PROPOSED TURF AREA
---	EXPOSED SAND SUB-GRADE

## LAYOUT NOTES

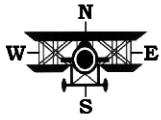
- THE CONTRACTOR SHALL FIELD VERIFY THE ELEVATIONS OF THE BENCHMARKS PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL ALSO FIELD VERIFY LOCATION AND ELEVATION OF EXISTING PIPE INVERTS, FLOOR ELEVATIONS, CURB OR PAVEMENT WHERE MATCHING INTO EXISTING WORK. THE CONTRACTOR SHALL FIELD VERIFY HORIZONTAL CONTROL BY REFERENCING SHOWN COORDINATES TO KNOWN PROPERTY LINES. NOTIFY ENGINEER OF DISCREPANCIES IN EITHER VERTICAL OR HORIZONTAL CONTROL PRIOR TO PROCEEDING WITH WORK.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
- DIMENSIONS THAT LOCATE THE BUILDING ARE MEASURED TO THE OUTSIDE FACE OF THE BUILDING.
- SIGN CONSTRUCTION AND PAVEMENT MARKINGS SHALL CONFORM TO THE REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, CURRENT EDITION.
- ALL RADII ARE DIMENSIONED TO THE EDGE OF PAVEMENT.
- SOME FIELD ADJUSTMENTS MAY BE NECESSARY AT POINTS WHERE PROPOSED PAVEMENT, CURB AND SIDEWALKS MEET EXISTING PAVEMENT, CURB AND SIDEWALKS. REVIEW ANY REQUIRED CHANGES WITH ENGINEER PRIOR TO CONSTRUCTION OF WORK.
- ELECTRICAL CIRCUITRY TO SITE LIGHTING AND SIGNS SHOWN ON ARCHITECTURAL PLANS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREPARATION, COORDINATION AND OBTAINING APPROVAL OF A TRAFFIC MANAGEMENT PLAN IF CLOSURES OF LANES EXCEED THE THE CRITERIA ESTABLISHED IN THE BOE MANUAL.



SITE NOTES ASSUME THAT PROPOSED EXHAUST STORAGE RACKS AND GUARD SHACK CAN BE CONSTRUCTED ON A SIMPLE PAVEMENT SLAB. GEOTECHNICAL REPORT MAY DIFFER. CONTRACTOR SHALL TAKE DIRECTION FROM HENNIG ON FINAL DESIGN NEEDED (FROST FOOTINGS OR NOT) BASED ON OTHER COMPONENTS (SHACK, RACKING) NOT KNOWN AT THE TIME OF THIS PLAN SET PREPARATION.







General Location Map  
Special Use Permit for Outdoor Storage  
8181 Burden Rd.







## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 48-22, Text Amendment to add “Non-Profit and Charitable Institutions” as a Special Use in the Single-Family Residential and the Two-Family Residential Zoning Districts.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

Staff discovered that the Zoning Code now allows “Non-Profit and Charitable Institutions” as a Special Use only in the Rural Residential and Multi-Family Residential zoning districts. This proposed text amendment would add the option to allow these uses with a Special Use in the Single-Family Residential and Two-Family Residential districts as well.

### **Recommendation:**

Staff recommends approval of this amendment to the Agricultural and Residential Table of Uses in Section Z-49 of the Zoning Code. The attached Staff Report further explains this recommendation.

Nobody from the public attended the Planning and Zoning Commission to speak for or against the amendment.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of the Text Amendment.

**ORDINANCE 48-22**

**AN ORDINANCE OF THE VILLAGE OF MACHESNEY PARK, ILLINOIS ADDING  
“NON-PROFIT AND CHARITABLE INSTITUTIONS” AS A SPECIAL USE  
IN THE SINGLE-FAMILY RESIDENTIAL AND THE TWO-FAMILY RESIDENTIAL  
ZONING DISTRICTS.**

WHEREAS, the Village of Machesney Park, Illinois (“Village”) has adopted a Zoning Code (“Code”); and

WHEREAS, the Code is known as “Appendix A” of the Village’s Code of Ordinances; and

WHEREAS, Article 9, Section Z-49 is the Agricultural and Residential Table of Uses; and

WHEREAS, the Village now desires to amend this Section to add “Non-Profit and Charitable Institutions” as a Special Use in the Single-Family Residential and Two-Family Residential Zoning Districts; and

WHEREAS, the Village has determined that such amendments are in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees for the Village of Machesney Park, Illinois, that:

Section 1. The following row shall be amended as follows in the table in Section Z-49, Agricultural and Residential Land Uses:

Agricultural and Residential Land Use	Regulating Section	AG	RR	R1	R2	R3	R4	MH
Non-Profit and Charitable Institutions			S	S	S	S	S	

Section 2. This Ordinance shall be in full force and effect from after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

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Steve Johnson  
President, Village of Machesney Park

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Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_  
Nays: \_\_\_\_  
Absent: \_\_\_\_





**STAFF REPORT  
TO THE PLANNING & ZONING COMMISSION**

**Text Amendment, Article 8, Section Z-49 of the Zoning Code  
Adding "Non-Profit and Charitable Institutions"  
as a Special Use in the Single-Family Residential and Two-Family Residential Districts.**

**Public Hearing Date: September 26, 2022**

**Agenda Item: 10**

**Ordinance #: 48-22**

**Key Issues**

- Unfortunately, the Neighborhood Strong House at 825 Marie Ave. is no longer going to be utilized by the United Way or the Loves Park or Winnebago County police departments. The United Way now wishes to find a different neighborhood-appropriate community-based organization to use the property.
- As Staff was researching to see what other potential uses would be allowed according to the Village Zoning Regulations, it was discovered that "Non-Profit and Charitable Institutions" are only allowed with a Special Use Permit in the Rural Residential and Multi-Family zoning districts. This seems like an unintentional oversight to omit this Special Use as an option in the Single-Family or Two-Family districts.
- This proposed text amendment only rectifies this oversight by making "Non-Profit and Charitable Institutions" a Special Use in all residential zoning districts, excluding the Mobile Home district.

**Staff Comments/Recommendations**

This text amendment would amend the "Non-Profit and Charitable Institutions" use category to make it a Special Use in the Single-Family Residential and Two-Family Residential districts, in addition to the other districts where it is already a Special Use.

The Agricultural and Residential Table of Uses would be amended as follows:

Agricultural and Residential Land Use	Regulating Section	AG	RR	R1	R2	R3	R4	MH
Non-Profit and Charitable Institutions			S	S	S	S	S	



## **AGENDA SUPPLEMENT**

**Agenda item:** Ordinance # 49-22, Text Amendment to add a Definition and Regulations for “Residential Care Homes”.

**Staff contact:** Carrie Houston, Planning and Zoning Manager

**Date:** September 27, 2022

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### **Background:**

The Village Zoning Code now has regulations for two different uses called “Family Care Facilities” and “Group Living”. These two uses are not adequately defined but appear to both describe the same kind of residential group living arrangement for therapeutic needs. However, while “Family Care Facilities” are permitted in the AG, R1, and R2 districts, “Group Living” is only allowed with a Special Use Permit, only in R3 and R4 zoning. Clearly the Code needs to be updated to provide consistent regulations for this type of use.

Staff has drafted this Text Amendment to eliminate “Family Care Facilities” and “Group Living” from the Code, and replace these uses with a use called “Residential Care Homes”. A definition for “Residential Care Homes” would be added to the Zoning Code, and the Agricultural and Residential Table of Uses would be amended to list this use as a Permitted Use in the RR, R1, and R2 districts when there are 4 or fewer unrelated residents living together, and as a Special Use in the RR, R1, and R2 districts when there are 5 to 8 unrelated residents living together.

### **Recommendation:**

Staff recommends approval of this amendment to the Zoning Code. The attached Staff Report further explains this recommendation.

Nobody from the public attended the Planning and Zoning Commission to speak for or against the amendment.

The Planning and Zoning Commission voted 6-0, with one absent, to recommend approval of the Text Amendment.

## ORDINANCE 49-22

### AN ORDINANCE OF THE VILLAGE OF MACHESNEY PARK, ILLINOIS ADDING A DEFINITION AND REGULATIONS FOR “RESIDENTIAL CARE HOMES”

WHEREAS, the Village of Machesney Park, Illinois (“Village”) has adopted a Zoning Code (“Code”); and

WHEREAS, the Code is known as “Appendix A” of the Village’s Code of Ordinances; and

WHEREAS, Article 1, Section Z-4 lists definitions; and

WHEREAS, Article 9, Section Z-49 is the Agricultural and Residential Table of Uses; and

WHEREAS, the Village has determined that such amendments are in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees for the Village of Machesney Park, Illinois, that:

Section 1. In Section Z-4 of the Zoning Code, the definition for “Group Living” shall be removed, and a new term and definition shall be added for “Residential Care Homes” to be stated as follows:

Residential Care Homes. A maximum of eight (8) unrelated persons living together as a single housekeeping unit to provide care and oversight, and other appropriate services to meet the social, recreational, medical, employment, educational, rehabilitative, and other therapeutic needs of the residents. Does not include nursing homes, hospitals, adult daycare centers, child daycare centers or a dwelling unit or living quarters which serves to house persons as an alternative to incarceration for a criminal offense.

Section 2. The rows for “Boarding Houses and Group Living” and “Family Care Facilities” shall be removed from the table in Section Z-49, and the following rows shall be added to the table in Section Z-49:

Agricultural and Residential Land Use	Regulating Section	AG	RR	R1	R2	R3	R4	MH
Residential Care Homes, 4 Unrelated Residents or Less	Sec. Z-49(12)		P	P	P			
Residential Care Homes, 5 to 8 Unrelated Residents	Sec. Z-49(12)		S	S	S			



Section 3. The regulating subsection Z-49(6) Family Care Facilities shall be removed in its entirety. Then the following regulating subsection Z-49(12) shall be added to Section Z-49 and the subsequent regulating subsections shall be numbered sequentially.

12. Residential Care Homes

- a. A sponsoring agency of the Residential Care Home is required to be licensed or certified by the State of Illinois.
- b. A minimum of seventy (70) square feet of bedroom space shall be provided for every resident, exclusive of caregivers' rooms.
- c. Shall comply with all applicable State and Federal regulations, including the Illinois Accessibility Requirements.

This Ordinance shall be in full force and effect from after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED by the President of the Village Board this \_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Steve Johnson  
President, Village of Machesney Park

\_\_\_\_\_  
Robbin Snodgrass  
Village Clerk

Ayes: \_\_\_\_  
Nays: \_\_\_\_  
Absent: \_\_\_\_



**STAFF REPORT  
TO THE PLANNING & ZONING COMMISSION**

**Text Amendment, Article 1, Section Z-4 and Article 8, Section Z-49 of the Zoning Code  
Adding a Definition and Regulations for “Residential Care Homes”.**

**Public Hearing Date: September 26, 2022**

**Agenda Item: 11**

**Ordinance #: 49-22**

**Key Issues**

- The Village Zoning Code currently has regulations in place for “Family Care Facilities” and for “Boarding Houses and Group Living”. These uses are not clearly defined, and it is Staff’s opinion that these regulations are not sensible or practical. For the most part, these two uses appear to be for the same type of use, but the regulations are conflicting.
- This proposed text amendment would eliminate all reference to “Family Care Facilities” and “Boarding Houses and Group Living” and replace this type of use with simply the term “Residential Care Homes”.
- A clear definition for “Residential Care Homes” would be added to the Zoning Code, and the use would be added to the Table of Agricultural and Residential Land Uses. “Residential Care Homes, 4 Unrelated Residents or Less” would be a Permitted Use in the RR, R1 and R2 districts, while “Residential Care Homes, 5 to 8 Unrelated Residents” would require a Special Use Permit in the RR, R1 and R2 districts. Furthermore, Use Criteria would be added to this Section of the Zoning Code for this use.

**Staff Comments/Recommendations**

This text amendment would define the new use category called “Residential Care Homes” as follows:

Residential Care Homes. A maximum of eight (8) unrelated persons living together as a single housekeeping unit to provide care and oversight, and other appropriate services to meet the social, recreational, medical, employment, educational, rehabilitative, and other therapeutic needs of the residents. Does not include nursing homes, hospitals, adult daycare centers, child daycare centers or a dwelling unit or living quarters which serves to house persons as an alternative to incarceration for a criminal offense.

This text amendment would add this use category to the Agricultural and Residential Table of Uses and a new Regulating Section, as follows:

Agricultural and Residential Land Use	Regulating Section	AG	RR	R1	R2	R3	R4	MH
Residential Care Homes, 4 Unrelated Residents or Less	Sec. Z-49(12)		P	P	P			
Residential Care Homes, 5 to 8 Unrelated Residents	Sec. Z-49(12)		S	S	S			

#### Residential Care Homes

- a. A sponsoring agency of the Residential Care Home is required to be licensed or certified by the State of Illinois.
- b. A minimum of seventy (70) square feet of bedroom space shall be provided for every resident, exclusive of caregivers' rooms.
- c. Shall comply with all applicable State and Federal regulations, including the Illinois Accessibility Requirements.