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Jeff Nielsen  
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**The Village of Lake Villa**

**Zoning Board of Appeals – Agenda  
Thursday, January 18, 2024  
Village Hall, 65 Cedar Avenue**

**7:00 pm**

1. Call to Order & Roll Call
2. Pledge of Allegiance
3. **Approval:**
  - a. Minutes of June 20, 2023 Zoning Board of Appeals Meeting
4. **Public Hearing:** Relative to a Zoning Variation Request at 229 Burnett Avenue
5. **Public Hearing:** Relative to Proposed Amendments to the Lake Villa Zoning Regulations
6. Public Comment
7. Adjournment

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are required to contact Village Hall at (847) 356-6100 promptly to allow the Village to make reasonable accommodations for those persons.

The Village of Lake Villa  
 Zoning Board of Appeals Meeting  
***DRAFT Proceedings of the Tuesday, June 20, 2023***  
 Zoning Board of Appeals – Village Hall  
 65 Cedar Avenue, Lake Villa, IL 60046

**1. CALL TO ORDER AND ROLL CALL**

Chairman Craig Kressner called a meeting of the Zoning Board of Appeals of the Village of Lake Villa to order at 7:00 pm, and Village Administrator Mike Strong called the roll of Members.

<b>Present:</b>	Chairman Craig Kressner, Members: Jerry Coia, , Mary Meyer, Tracy Lucas and Steve Smart
<b>Absent:</b>	Member Dan Lincoln
<b>Also Present:</b>	Village Administrator Michael Strong, Village Attorney Rebecca Bateman Alexopoulos, and four (4) members of the public.

**2. PLEDGE OF ALLEGIENCE**

**3. APPROVAL OF MINUTES**

Member Lucas made a motion to approve the minutes of the June 13, 2023 Zoning Board of Appeals meeting. The motion was seconded by Member Coia. The following voted “Aye”: Chairman Kressner, and Members Coia, Smart, Meyer and Lucas. The following voted “Nay”: None. The following voted “Abstain”: None. 5-Ayes, 0 Nays, motion carried.

**4. CONTINUED PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE PROPERTY LOCATED AT 485 N. PARK**

Chairman Kressner asked for a motion to open and continue a public hearing relative to a request for a Conditional Use Permit for the property located at 485 N. Park Avenue. Member Smart made a motion to open the public hearing at 7:03p.m. The motion was seconded by Member Coia. The following voted “Aye”: Chairman Kressner, Members Coia, Smart, Lucas and Meyer. The following voted “Nay”: None. 5-Ayes, 0 Nays, motion carried.

Village Administrator Michael Strong presented a request that was filed for Conditional Use Permit for the operation of a catering and carry-out restaurant use at the property located at 485 N. Park Avenue. Mr. Strong introduced a representative from V Legacy, LLC. who discussed the intent of the new business and intended uses they are interested in opening on the site. Mr. Kevin Ledesma, the Petitioner and Owner, reviewed the scope of the new business, which includes the operation of a smoked meat catering and restaurant use-concept, along with the proposed improvements that would be necessary to support the use.

Members of the Zoning Board of Appeals asked Village Staff and the Petitioner questions regarding the use, improvements, and requirements for the redevelopment project. Specific questions related to the location of the smokers/chimneys, parking, and hours of operation were questioned by the Board.

Chairman Kressner opened the hearing to public testimony. Public comments and testimony were provided relative to the request and included questions/concerns regarding the impacts the use will have on adjacent tenant parking, traffic, and risks/concerns with having a smoker outside of the building. Additional concerns relative to the traffic flow around the building and impacts on adjacent multi-tenant buildings were also raised by members of the public.

After discussions by the members of the Zoning Board of Appeals relative to the request, it was the consensus of the Zoning Board of Appeals to close the public hearing. A motion was made by Member Meyer to close the Public Hearing at 7:46pm. The motion was seconded by Member Smart. The following voted "Aye": Chairman Kressner and Members Coia, Smart, Myer and Lucas. The following voted "Nay": None. 5-Ayes, 0 Nays, motion carried.

The Board deliberated on the request and reviewed standards relative to conditional use permits for the LI-2 Zoning District. The Board discussed the need to grant an additional variation for parking, in the event that parking for the property is allocated for each tenant. The Board was amenable to granting the variation since the operation would not be a sit-down restaurant and would be limited to only a few pickups per evening.

Member Coia made a motion to approve a recommendation to the Village Board consistent with the recommendations provided by the Zoning Board of Appeals during their deliberation. The motion was seconded by Member Smart. The following voted "Aye": Chairman Kressner and Members Coia, Smart, Meyer, and Lucas. The following voted "Nay": None. 5-Ayes, 0 Nays, motion carried.

## **5. PUBLIC COMMENT**

No members of the public chose to speak on non-agenda matters.

## **6. ADJOURNMENT**

There being no further business Chairman Kressner asked for a motion to adjourn. Member Meyer made a motion to adjourn, seconded by Member Coia. The motion carried unanimously by voice vote at 8:50 p.m.

Respectfully submitted,  
Michael Strong, Village Administrator

**Zoning Variation Request – 229 Burnett Avenue  
(Cover Transmittal)**



**DATE:** January 15, 2024

**TO:** Chairman Craig Kressner and Members of the Zoning Board of Appeals

**FROM:** Michael Strong, Village Administrator

**RE:** **229 Burnett Avenue Variation Request (the “Subject Property”)**

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<u>Property Owner</u>	<u>Property Location</u>	<u>Zoning District</u>
Elzbieta Jakubiak	229 Burnett Avenue	Residential - 2 R2

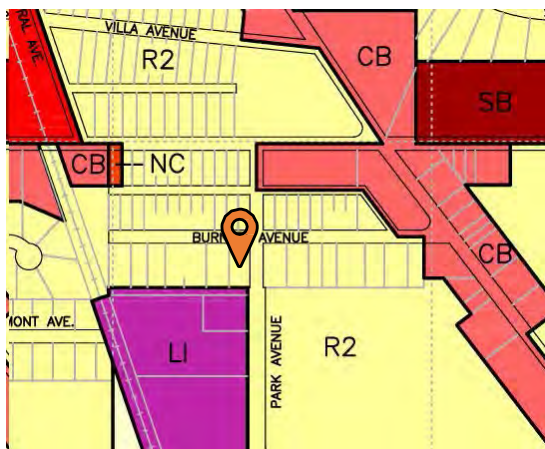
**Project Representatives:** Elzbieta Jakubiak

**Summary of Request:**

The Petitioner is requesting the approval of an Application for Variations from the Village of Lake Villa Zoning Regulations for the Subject Property in order to continue to operate and maintain the existing home occupation in the nature of a hair salon with more than one employee who is not a resident of the Subject Property. The Petitioner is requesting permission to add up to two (2) additional employees who are not residents of the Subject Property to be able to work on the Subject Property in this home occupation notwithstanding the fact that Section 10-4-5-3, “Home Occupations”, of the Village’s Zoning Regulations limits the number of employees who may work on the premises to not more than one person who is not a resident of the dwelling unit.

The Zoning Regulations of the Village limit the square foot area of any home occupation to 15% of the residence, or 400 square feet, whichever is less, therefore, an additional zoning variation may be required with respect to such provisions.

**Subject Property**



The Subject Property is located in the Village’s R-2 residential zoning district. The property is in the R2 Residential 2 Zoning District. The property is located at the southwest corner of Burnett Avenue and Park Avenue with a lot size of roughly 16,800 square feet.

The property is surrounded by Limited Industrial (LI) to the south and Residential 2 (R2) to the east, west, and north.

**Procedural Review for Variation Request**

Pursuant to Section 10-7-4 of the Village Code, a variation from the Zoning Code may be granted in accordance with the standards and procedures set forth in the Code. An application for variation must first be submitted to the Village, which will then be forwarded to the Zoning Board of Appeals for a required public hearing, after which the Board of Trustees will review such report or recommendation of the Board. During the Public Hearing, the Zoning Board of Appeals will hear the evidence presented by Village Staff, Applicant/Developer, and any individuals in the audience wishing to provide public comment, present evidence, and/or cross-examine witnesses relative to the proposed variation request. At the conclusion of the public hearing, the Board shall, with the aid and advice of Village Staff, transmit its findings and recommendations as to whether a variation should be approved, approved subject to modifications, or not approved.

**Recommendation by Village Staff**

Should the Zoning Board of Appeals be inclined to recommend to the Board of Trustees the approval of the requested variation required for the Project, Village Staff recommends the following conditions be included as part of such recommendation of the Zoning Board of Appeals to the Village Board as outlined below:

- 1) The home occupation shall otherwise abide by all other provisions of Section 10-4-5-3 (Home Occupations) of the Village’s Zoning Regulations.
- 2) The home occupation shall be limited to six (6) client visits per day.
- 3) Adequate, off-street parking shall be provided for all clients visiting the home.
- 4) The petitioner shall stagger appointments to avoid any conflicts with parking.
- 5) Consider limiting the hours of the additional employee to align with general business hour operations (e.g. 9am – 5pm daily)

**Action Requested**

Village Staff requests that the Zoning Board of Appeals hold a public hearing to consider the Petitioner’s request for variation and recommend approval, approval with modifications, or disapproval to the Village Board of Trustees.

**Attachments**

- Exhibit 1 – Aerial Photograph
- Exhibit 2 – Petitioner’s Application Packet and Submittals
- Exhibit 3 – Copy of Public Hearing Notice
- Exhibit 4 Findings of Fact (Approval/Denial)



Pleviak  
Elementary  
School

E Grand Ave

Lake Villa

E Grand Ave

Burnett Ave

Burnett Ave

Park Ave

S Milwaukee Ave

83

S Milwaukee Ave

Canadian National Railway

Canadian National Railway

Park Ave

Pressdown to  
start and let go  
to finish  
(Press CTRL to  
enable  
snapping)

**VILLAGE OF LAKE VILLA  
APPLICATION FOR ZONING RELIEF**

ZONING CHANGE, CONDITIONAL USE PERMIT, PLANNED UNIT  
DEVELOPMENT, AND VARIATION APPLICATION

Please print or type all information:

- I.  Zoning change
- Conditional Use Permit (CUP)
- Planned Unit Development (PUD)
- Variation from the zoning ordinance

II. Now come Elzbieta Jakubiak

and represent that they are the (owner) (contract purchaser) (lessee) of the following described real estate to-wit: (Legal description): E 100 FT 600 FTS 165 FT N 614 FT NE 1/4 NW 1/4 Section 4 Township 45 Range 10 (For full legal description see attached Plat of Survey and Deed.)

III. Commonly known as (street address): 229 Burnett Avenue, Lake Villa IL 60046

IV. Physical location of the property:  
Located on the North side of Burnett, approximately  
24.22 feet North from Burnett Avenue.  
(direction) (street name)

V. Permanent Real Estate Tax (PIN) Number: 0604100017

Assessed Valuation for the last three years:

2022	<u>\$208,527</u>
2021	<u>\$193,708</u>
2020	<u>\$228,565</u>

VI. That said premises are now classified under the Lake Villa Zoning Ordinance as the R2 zone, and are presently:

Residential with in home businesses

(insert vacation, or a description of the present use of the property)

VII. That under said current classification, the petitioner(s) are prohibited from installing and operating therein the following uses, of which they are desirous.

(Make a brief statement as to the proposed use.)

Currently, only one employee is allowed to work in my business according to the zoning ordinance.

But I need one or two more employees to sustain my Lake Villa location.

VIII. That petitioner(s) feel that their request is justified in a variation from the ordinance to allow for 2-3 employees. I have 2 ample driveway parking areas for residents,

employees, and customers with access from two streets. No street parking is necessary.

(Make a statement as to why you believe the requested change is desirable.)

WHEREFOR, your petition(s) pray that your Honorable Body, pursuant to your rules and regulations, will hold a public hearing as provided by ordinance and as a result of said hearing recommend to the Village Board of Lake Villa, that the Village amend, or modify the use(s) to which the above described premises may be put; that said premises be:

A.  Rezoned from the present  zone to the  zone.

B.  Issued a Conditional Use Permit.

C.  Issued a Planned Unit Development

D.  Issued a variation from Ordinance.

E.  Employ 2-3 people working in my salon.

IX. PETITIONER'S NAME Elzbieta Jakubiak

Print/type

Signature

229 Burnett Avenue Lake Villa IL 60046

Address

847-508-1459

Phone number



X. Some of the items required may be waived depending upon the nature and scope of this application.

1. If petitioner is a corporation, a counsel at the public hearing must represent you.
2. Petitioner must present with this petition the following:
  - i. Current evidence of title to property, purchase contract or lease agreement.
  - ii. Plat of Survey with square footage of property
  - iii. Plat of Survey with all existing buildings and structures shown and specifically located.
  - iv. Photographs of the area for which the change is requested.
  - v. Sketch drawn to scale of subject property with proposed changes, and all property and improvements within 300 feet of subject property (include North arrow.)
  - vi. Legal description of the property.
3. Indicated which portion, if any of subject property, is in flood plain.
4. Letter of Concurrence from present property owner if different from petitioner(s). Letter from owner must show owner's name, address, and present phone number.
5. If requested for a Conditional Use Permit, requirements of the Lake Villa Zoning Ordinance Article Four, Section IV.

***For office use only***

Zoning change fee:	\$_
Variation fee:	\$_
CUP fee:	\$_
PUD fee:	\$_
Escrow:	\$_
<b>Total amount received:</b>	<b>\$ _____</b>

Date payment received: \_

Cash Check#\_





Lake County

FROM THE OFFICE OF HOLLY KIM, LAKE COUNTY COLLECTOR  
Make Checks Payable to: LAKE COUNTY COLLECTOR

1ST INSTALLMENT

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1

06-04-100-017

06-04-100-017



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229 BURNETT AVE  
LAKE VILLA IL 60046-7149

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2022 1st Installment due by 06/05/2023

\$3,441.70 DUE

Tax Bills are mailed to the taxpayer of record,  
even if your Lender is responsible for payment.

060410001700000000344170202213



Lake County

FROM THE OFFICE OF HOLLY KIM, LAKE COUNTY COLLECTOR  
Make Checks Payable to: LAKE COUNTY COLLECTOR

2ND INSTALLMENT  
PAYMENT COUPON  
RETURN WITH PAYMENT

2

Tax Year 2022

06-04-100-017

06-04-100-017



ROMAN JAKUBIAK  
229 BURNETT AVE  
LAKE VILLA IL 60046-7149

2022 2nd Installment due by 09/05/2023

\$3,441.70 DUE

For information on exemptions, contact your local assessor

060410001700000000344170202221

+ TEAR HERE +

Please fold on perforation BEFORE tearing

Pin Number: 06-04-100-017  
Tax Year: 2022  
Tax Code: 05159  
Acres: .38



AUTHORIZATION CODE  
LCT-VPGW 76TR

Property Location: 229 BURNETT AVE LAKE VILLA IL 60046  
Legal Description: E 100 FT W 600 FT S 165 FT N 6 14 FT NE 1/4 NW 1/4 SECTION 4 TO WNSHIP  
45 G 10

Fair Market Value \$208,527

Land Assessed Value \$12,452  
Bldg. Assessed Value \$7,050

Taxing Body	Rate	Current Amount	Change From Prior Year
LAKE COUNTY SPECIAL SERVICE AREA 16	0.308956	\$148.62	\$-10.68
COLLEGE OF LAKE COUNTY #532	0.295800	\$142.28	\$1.12
COUNTY OF LAKE	0.498428	\$239.75	\$2.04
COUNTY OF LAKE PENSION	0.090300	\$43.43	\$-6.38
LAKE VILLA SCHOOL DISTRICT #41	3.741935	\$1,799.87	\$-48.28
LAKE VILLA SCHOOL DISTRICT #41 PENSION	0.129796	\$62.43	\$2.36
LAKE VILLA TOWNSHIP FIRE PROT DIST	0.667049	\$320.85	\$8.34
LAKE VILLA TOWNSHIP FIRE PROT DIST PENSION	0.082686	\$39.77	\$-15.44
FOREST PRESERVE	0.165653	\$79.67	\$-1.86
FOREST PRESERVE PENSION	0.007580	\$3.65	\$-0.86
ANTI OCH COMM HIGH SCHOOL DISTRICT #117	2.960317	\$1,423.92	\$-23.14
ANTI OCH COMM HIGH SCHOOL DISTRICT #117 PENSION	0.040417	\$19.44	\$-4.12
LAKE VILLA PUBLIC LIBRARY DIST	0.471438	\$226.76	\$-17.32
LAKE VILLA PUBLIC LIBRARY DIST PENSION	0.000000	\$0.00	\$0.00
VIL OF LAKE VILLA	0.489557	\$235.48	\$-9.10
VIL OF LAKE VILLA PENSION	0.433021	\$208.28	\$-13.12
ROAD AND BRIDGE-LAKE VILLA	0.280056	\$134.71	\$-3.09
ROAD AND BRIDGE-LAKE VILLA PENSION	0.009545	\$4.59	\$-0.01
TOWNSHIP OF LAKE VILLA	0.143867	\$74.01	\$-5.63
TOWNSHIP OF LAKE VILLA PENSION	0.013253	\$6.37	\$-0.49
CEN LK COUNTY JOINT ACTION WATER AGENCY	0.000000	\$0.00	\$-0.02
LAKE VILLA TIF #1	0.000000	\$1,669.52	\$503.68
<b>TOTALS</b>	<b>10.839654</b>	<b>\$6,883.40</b>	<b>\$358.00</b>

- Home Improvement  
- Disabled Vet Homestead  
x State Multiplier  
= Equalized Value \$69,502  
+ Farm Land & Bldg Assessed Value  
+ State Assessed Pollution Control  
+ State Assessed Railroads  
= Total Assessed Value \$69,502  
- General Homestead Exemption \$6,000  
- Sr. Citizen Homestead Exemption  
- Senior Freeze  
- Returning Veterans Homestead  
- Disabled / Disabled Veterans  
- Natural Disaster Homestead  
= Taxable Valuation \$63,500  
x Tax Rate 10.8396  
= Real Estate Tax \$6,883.40  
+ Special Service Area \$0.10  
+ Drainage \$0.10  
= Total Current Year Tax \$6,883.40  
+ Omit/Roll-Back Tax \$0.10  
+ Forfeited Tax \$0.10  
+ Interest as of 04/28/2023  
+ Cost \$0.10  
- Payment Received \$0.10  
= TOTAL AMOUNT DUE \$6,883.40







CHANGING THE FACE OF HOME LOANS

RETURN SERVICE ONLY  
SEND MAIL TO THIS ADDRESS  
5801 Postal Road  
Owensboro OH 44181

MORTGAGE LOAN STATEMENT

08/02/2023

09/01/2023



LOAN NUMBER  
0630608552

AMOUNT DUE  
\$1,564.80

PROPERTY ADDRESS  
229 BURNETT AVE

LAKE VILLA, IL 60046

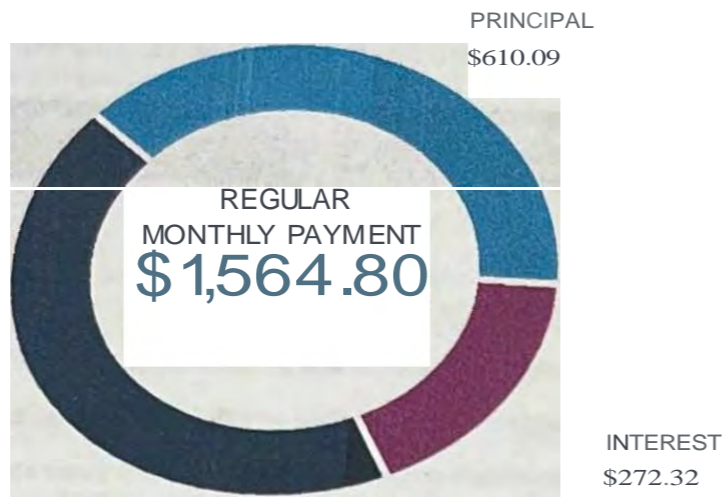
If payment is received on or after 09/17/2023, a \$44.12 late fee will be charged.

0009337 01 MB 0.558 01 TR 00040 RNRGEGG4 100000  
ROMAN JAKUBIAK  
229 BURNETT AVE  
LAKE VILLA, IL 60046



QUESTIONS? WE'RE HERE TO HELP.

CUSTOMER SERVICE: 888-480-2432  
Mon-Thu 7 am. to 8 pm. <CD  
Fri 7 am. to 7 pm. <CD  
Sat 8 am. to 12 pm. <CD  
www.mrcooper.com  
@GoPaperless  
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ACCOUNT OVERVIEW

INTEREST BEARING PRINCIPAL BALANCE \$76,891.69  
INTEREST RATE 4.250%  
ESCROW BALANCE \$4,169.83

The Principal Balance does not represent the payoff amount of your account and is not to be used for payoff purposes.

PAST PAYMENTS BREAKDOWN

CATEGORY	> 1.10 SINCE 07/06/2023	> 1.10 YEAR TO DATE
PRINCIPAL	\$1,141.24	\$7,904.62
INTEREST	\$276.37	\$2,046.85
ESCROW(TAX & INSURANCE)	\$682.39	\$4,776.73
OPTIONAL INSURANCE	\$0.00	\$0.00
FEES & CHARGES	\$0.00	\$0.00
LENDER PAID EXPENSES	\$0.00	\$0.00
PARTIAL PAYMENT (UNAPPLIED)	\$0.00	\$0.00
TOTAL	\$2,100.00	\$14,700.00

EXPLANATION OF AMOUNT DUE

REGULAR MONTHLY PAYMENT	\$1,564.80
TOTAL FEES & CHARGES	\$0.00
OVERDUE PAYMENT(S)	\$0.00
PARTIAL PAYMENT (UNAPPLIED)	\$0.00
TOTAL AMOUNT DUE	\$1,564.80
TRIAL/WORKOUT PAYMENT AMOUNT	\$0.00

HERE'S SOME HELPFUL INFORMATION

Don't like paper? Go Paperless by signing into your account at www.mrcooper.com and updating your settings. You can also manage your account paperlessly with the Mr. Cooper app. Download it wherever you get your apps.

Want to make payments even easier? Pay online at www.mrcooper.com, on the go with the Mr. Cooper app, or by setting up AutoPay. No matter how you pay, we'll never charge a transaction fee.

Please note the overflight payment address has changed. Please see the back of the statement for the updated address.

Be the first to receive discount alerts, offers and new products by signing up for Mr. Cooper's text alerts. Simply, text JOIN to COOPER (266731)

TRANSACTION ACTIVITY (07/06/2023 to 08/02/2023)

DATE	DESCRIPTION	TOTAL	PRINCIPAL	INTEREST	ESCROW	OTHER
07/18/2023	Principal Payment	\$535.20	\$535.20			
07/18/2023	Payment	\$1,564.80	\$606.04	\$276.37	\$682.39	

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CHANGING THE FACE OF HOME LOANS www.mrcooper.com

PLEASE CHECK BOX IF MAILING ADDRESS OR PHONE NUMBER HAS CHANGED. ENTER CHANGES ON BACK OF COUPON

ROMAN JAKUBIAK

ACCOUNT NUMBER  
0630608552

WRITE YOUR LOAN NUMBER ON YOUR CHECK OR MONEY ORDER AND MAKE PAYABLE TO MR. COOPER

TOTAL AMOUNT DUE  
09/01/2023 \$1,564.80

PAYMENT DUE IF RECEIVED ON OR AFTER  
09/17/2023 \$1,608.92

MR. COOPER  
PO BOX 650783  
DALLAS, TX 75265-0783



ADDITIONAL ESCROW	\$ _____
ADDITIONAL PRINCIPAL	\$ _____
FEES	\$ _____
LENDER PAID EXPENSES	\$ _____
TOTAL AMOUNT OF YOUR CHECK	\$ _____
DO NOT SEND CASH	

All amounts must be paid in full before additional principal can be repaid.

PLAT OF SURVEY

OF

4 TOWNSHIP 45 NORTH, RANGE 10, EAST OF T' A E THAT PART OF LOT 2 OF THE NORTHWEST 1/4 OF SECTION 18, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF BEGINNING, BOUNDED BY A LINE BEING THE WEST LINE OF PARK AVENUE, AS SHOWN ON THE PLAT OF BURNETT'S SUBDIVISION OF PLATS, PAGE 7; BY A LINE BEING THE WEST LINE OF BURNETT AVENUE, 100 FEET; BY A LINE BEING THE EAST LINE OF BURNETT AVENUE, 100 FEET TO THE POINT OF BEGINNING.

Commonly known as: 229 Burnett Avenue, Lake Villa, IL



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

I, PATRICK MCKIERNAN, A REGISTERED ILLINOIS LAND SURVEYOR HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE MENTIONED PARCEL OF LAND AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, DATED THIS 2<sup>ND</sup> DAY OF JUNE, 2004.



*Patrick McKiernan*  
 PATRICK MCKIERNAN #2131

680 SADDLE RIDGE  
 CRYSTAL LAKE, IL 60011  
 815-477-8255

1, My name is Ela I came from Poland 20 years ago and moved here to Lake Villa to my current home at 229 Burnett Avenue. I apologize for my accent, I have been working on making my English better. I raised all of my children here in Lake Villa and I have been lucky enough to serve my neighbors as the neighborhood hair stylist.

2. I am here today to ask for a variance on how many employees I can have in my in home salon. The reason I have come before you today is because I feel that it is very important to follow the laws and rules. I know a lot of hair stylists who work out of their home but don't follow the rules and regulations by having more than one employee or not being licensed through the state of Illinois department of professional regulations. Just look on Facebook and you can see all these ads for hairstyling out of their home who are not licensed and not following our rules and not registered as businesses with Lake Villa.

3. In addition, I believe that our rules and regulations are part of what makes America great. This is why I have sent all four of my children into the military service. My first son Beau, joined the Army and served two tours in Afghanistan and still suffers PTSD from this. My second son, Maciej, joined the Army as well and was a paramedic, and then studied IT and now works with the military in IT. My adopted nephew, Bartek, joined the Air Force and is currently stationed in Virginia. My daughter, Juliana, just joined the Air Force and will be graduating basic training January 30. She is specializing in cryptology and languages.

4. As you can see, despite being from Poland originally I am very patriotic to the United States and encouraging and supporting all of my children to serve in the armed forces. But I am not here today to brag about my children to you. I am here to ask for a variance on the zoning code that only allows for one employee per home business.

5. The reason I am asking for this hardship is because my home is specially situated on a corner allowing me to build two driveways. After permitting and construction, this has been a big cost to me. The special corner lot that I have is different from many other homes and home businesses. Because of this, I am able to accommodate three customers at a time. Also at great expense to me I have built two styling stations and one hair washing sink with seating for 5 people.

6. Ever since moving here 20 years ago, I opened this salon in my neighborhood serving all of the neighbors. I tend to know more about what is happening in the neighborhood more than others because when they come for a cut and style, they tell me what's going on in their lives. I try to help them with their personal issues and connect people. I love this part of what I do.

7. Having a home salon allowed me to be home with my daughter while she was growing up and to be here for my sons and nephews. I still have one nephew, Lucas lives with me. His father, my brother, Robert passed away unexpectedly 6 years ago and took him in. Lucas also plans to join the military by the way.



8. Right before the pandemic hit in 2020, I had started to open a bigger salon in Palatine, where I could employ lots of stylists and other aestheticians. Unfortunately the pandemic hit just as I was about to open. I lost thousands of dollars because of this. I am finally starting to make back my initial investment.

9. But, now that I should be able to be working full time and making back my initial investment, I have gotten very sick. I was just in the hospital emergency room a few weeks ago. I have stents from a heart attack which makes my heart more weak. When I was in the emergency room a few weeks ago, they told me that my symptoms were a result of stress. I thought I was having another heart attack. In fact I have been in and out of the hospital these past three years with heart issues, asthma. chronic sinus issues.

10. With all of these heart issues, I would just live off of my husband's income, but he has also had issues. He had a bad accident on the job, he lays concrete and had to have major surgeries including knee replacements. So, it is basically up to me to support the family.

11. Being able to make a living and work from my home will significantly reduce my stress. But, without having two employees my family will barely make it. With two employees, I can support my family. I can employ one hair wash girl and one stylist.

12. I have spoken with my neighbors and customers and they like having me here and being able to provide convenient and lower cost hair styling.

13. The increase in customers from 1 to 3 at a time will not create any problems in the neighborhood. As I mentioned earlier, with my two fully built driveways I can accommodate 8 people. So, no parking on the roads is necessary at all. No neighbors have ever complained about parking. All the cars are able to be kept safe in my driveways.

14. My property is different from the other properties in that I have the corner lot with two driveways built. Not being able to use these driveways for my business will cause a hardship for me. In order to make use of my property, I would ask for a variance of the zoning ordinance that only allows for one employee. I would ask that I be given a variance to have two employees. This way, I can make use of my driveways and run a hair salon that will support my family.

LEGAL NOTICE  
VILLAGE OF LAKE VILLA ZONING BOARD OF APPEALS  
PUBLIC HEARING RELATIVE TO A ZONING VARIATION

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Zoning Board of Appeals of the Village of Lake Villa for the purpose of considering an Application for a Variation from the Zoning Regulations of the Village of Lake Villa as follows:

HEARING DATE AND TIME: Thursday, January 18, 2024, at 7:00 p.m. or as soon thereafter as the agenda permits.

PLACE OF HEARING: Village of Lake Villa Village Hall, 65 Cedar Avenue, Lake Villa, Illinois 60046.

NATURE OF REQUEST AND PROPOSED USE: The Petitioner is requesting the approval of an Application for Variations from the Village of Lake Villa Zoning Regulations for the Subject Property in order to continue to operate and maintain the existing home occupation in the nature of a hair salon with more than one (1) employee who is not a resident of the Subject Property. The Petitioner is requesting permission to add up to two (2) additional employees who are not residents of the Subject Property to be able to work on the Subject Property in this home occupation notwithstanding the fact that Section 10-4-5-3, "Home Occupations", of the Village's Zoning Regulations limits the number of employees who may work on the premises to not more than one (1) person who is not a resident of the dwelling unit. The Zoning Regulations of the Village also limit the square foot area of any home occupation to 15% of the residence, or 400 square feet, whichever is less, therefore, an additional zoning variation may be required with respect to such provisions.

SUBJECT PROPERTY: The Subject Property is located in the Village's R-1 residential zoning district, is commonly known as 229 Burnett Avenue (P.I.N. 06-04-100-017) (the "Subject Property"), and is legally described as follows:

THAT PART OF LOT 2 OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 45 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF PARK PLACE EXTENDED SOUTH, AND THE SOUTH LINE OF BURNETT AVENUE, AS SHOWN ON THE PLAT OF BURNETT'S ADDITION TO LAKE CITY (NOW LAKE VILLA), ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "B" OF PLATS, PAGE 7; THENCE SOUTH, 165 FEET; THENCE WEST, 100 FEET; THENCE NORTH 165 FEET TO THE SOUTH LINE OF BURNETT AVENUE; THENCE EAST, 100 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

Permanent Index Number: 06-04-100-017

OWNER OF RECORD AND PETITIONER: The owner of record of the Subject Property is Roman Jakubiak and the Applicant for said variation is Elzbieta Jakubiak whose address is 229 Burnett Avenue, Lake Villa, IL 60046.

A copy of the application for variation is available at the office of the Village Clerk at the Village of Lake Villa Village Hall, 65 Cedar Avenue, Lake Villa, IL, 60046.

All interested persons are invited to attend the hearing and will be given an opportunity to be heard.

The Village of Lake Villa is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, are requested to contact the Village's ADA Coordinator at (847) 356-6100 promptly to allow the Village to make reasonable accommodations for those persons.

/s/ Michael Strong  
Village Administrator,  
Village of Lake Villa

#### **EXHIBIT B – REQUIRED TAX MAPS FOR PUBLIC HEARING NOTIFICATION AREA**

This item is on file with the Village Clerk.



**DATE:** January 15, 2024  
**TO:** Chairman Craig Kressner and Members of the Zoning Board of Appeals  
**FROM:** Michael Strong, Village Administrator  
**RE:** **Proposed Text Amendments to Title 10 (Zoning Regulations) of the Village Code**

---

**Introduction & Background**

The Village of Lake Villa, applicant, propose various text amendments to Title 10 of the Village Code (Zoning Regulations) relative to new definitions and abbreviations, zones and zoning regulations, buffer yard/bulk standards, renewable energy systems and landscape buffer yard requirements.

Specifically, the proposed amendments include:

- (A) Section 10-2-2, “Definitions and Abbreviations”, of Chapter 2, “Definitions”, of Title 10 is proposed to be amended to add the following new definitions: Geothermal Energy System; Large Wind Energy System; Net Metering; Renewable Energy System; Small Wind Energy System; Small Wind Energy System, Ground-Mounted; Small Wind Energy System, Building-Mounted; Solar Energy System; Solar Energy System, Building-Mounted; Solar Energy System, Ground-Mounted; and Total System Height.
- (B) Chapter 3, “Zones and Zone Regulations”, of Title 10, as follows:
  - (1) Table 10-3B-2, “Permitted Conditional, Temporary, and Prohibited Uses”;
  - (2) Table 10-3C-2, “Lot Area, Yard and Bulk Regulations Table”.
- (C) Paragraph G, “Buffer Yards”, of Section 10-4-6, “Landscaping”, of Chapter 4, “Supplementary Zone Regulations”, is proposed to be amended relative to the landscaping required for different types of buffer yards.
- (D) Chapter 6, “Zoning Requirements”, of Title 10 is proposed to be amended by adding a new Article E, “Renewable Energy Systems”.

The Zoning Board of Appeals, at the direction of the Village Board, discussed this item during its December 12, 2023 meeting (See attached materials). The specific amendments to the Village’s zoning regulations are included in the attached document.

**Comprehensive Plan**

In January 2022, the Village Board adopted the community’s first Comprehensive Plan which lays the foundation for zoning and future land use planning within the Village. The Comprehensive Plan sets forth broad and ambitious goals relative to housing, economic development, transportation and future land use throughout the Village. One of the main land use goals and strategies is to *Preserve the Village’s history and character while also responding to the current economic conditions* (Land Use Goal and Strategies 1.1). A specific strategy relative to this goal

is to ***Preserve the character of existing neighborhoods while allowing for redevelopment and reinvestment that enhances the vitality of the community.***

The proposed amendments have been drafted to provide for additional protection and buffering between low density (residential) to high intensity industrial and institutional uses and redevelopment opportunities within the Village. Additionally, these amendments seek to promote broader mixed-use development goals that have been established within the Village's Downtown Plan while supporting new patterns of development within the community.

### **Procedural Review and Standards for Text Amendments**

Pursuant to Section 10-7-6 of the Village Code, amendments to the Zoning Code may be granted in accordance with the standards and procedures set forth in the Code. An application for variation must first be submitted to the Village, which will then be forwarded to the Zoning Board of Appeals for a required public hearing, after which the Board of Trustees will review such report or recommendation of the Board. During the Public Hearing, the Zoning Board of Appeals will hear the evidence presented by Village Staff, Applicant, and any individuals in the audience wishing to provide public comment, present evidence, and/or cross-examine witnesses relative to the proposed variation request. At the conclusion of the public hearing, the Board shall, with the aid and advice of Village Staff, transmit its findings and recommendations as to whether amendments should be approved, approved subject to modifications, or not approved.

Proposed amendments shall be considered on their own merits consistent with the following conditions:

- The proposed amendment shall correct an error or meet the challenge of some changing condition in the area and the zones affected;
- The proposed amendment shall be consistent with the intent of this zoning ordinance and with its various provisions;
- The proposed amendment shall not be detrimental to the development of the village;
- The proposed amendments meet the challenge of changing conditions in the area and the zoning districts affected;
- The proposed amendments are consistent with the intent of the zoning ordinance and with its various provisions;
- The proposed amendments will not be detrimental to the development of the village; and
- The proposed amendments are consistent with the village's official comprehensive plan and the official land use map which is part thereof.

### **Action Requested**

Village Staff requests that the Zoning Board of Appeals hold a public hearing to consider whether to deny or continue the request, or recommend Village Board approval of text amendments to Title 10 of the Village Code. In taking action on this item, the Board shall make findings of fact regarding the standards for text amendments.

### **Attachments**

- Exhibit 1 – Proposed Text Amendments to the Zoning Code
- Exhibit 2 – Copy of Public Hearing Notice
- Exhibit 3 – Suggested Findings of Fact

**PROPOSED TEXT AMENDMENTS  
LAKE VILLA ZONING REGULATIONS**

**VILLAGE STAFF RECOMMENDATION**

**A. AMENDMENTS TO CHAPTER 2 (“Definitions and Abbreviations”):**

“GEOHERMAL  
ENERGY SYSTEM

A system which utilizes renewable energy generated from the interior of the Earth and used to produce energy for heating buildings or serving building commercial or industrial processes. A Geothermal Energy System does not include systems that use energy independent of the geothermal source to raise the temperature of the extracted heat, such as heat pumps.

LARGE WIND ENERGY SYSTEM

A wind energy conversion system consisting of a wind turbine, a tower or mounting, and associated control or conversion electronics, which is intended primarily to generate utility power at a commercial scale.

NET METERING

An arrangement by which excess energy generated by a Renewable Energy System is distributed back to the electrical utility grid.

RENEWABLE ENERGY SYSTEM

A system that generates energy from natural resources such as sunlight, wind, and geothermal heat. As used herein, the term “Renewable Energy System” refers to Large Wind Energy Systems, Small Wind Energy Systems, Geothermal Energy Systems, and Solar Energy Systems only.

SMALL WIND ENERGY SYSTEM

A wind energy conversion system consisting of a wind turbine, a tower or mounting, and associated control or conversion electronics, which is intended primarily to reduce on-site consumption of utility power. All small wind energy systems, whether ground-mounted or building-mounted, are prohibited in all of the Village’s zoning districts, except within the CB, SB, LI, or LI-2 Zoning Districts where each shall require specific authorization by a conditional use permit approved by Village ordinance.

SMALL WIND ENERGY SYSTEM,

**GROUND-MOUNTED**

A Small Wind Energy System that is not attached to another structure and is affixed to the ground, or that is attached to an antenna, light pole or other utility facility.

**SMALL WIND ENERGY SYSTEM, BUILDING-MOUNTED**

A Small Wind Energy System affixed to a building or other principal structure.

**SOLAR ENERGY SYSTEM**

A system that uses the power of the sun to capture, distribute, and/or store energy for on-site consumption of utility power within a principal or accessory structure.

**SOLAR ENERGY SYSTEM, BUILDING-MOUNTED**

A Solar Energy System affixed to either the principal or accessory structure. A building-mounted solar energy system shall be a permitted use within any zoning district of the Village.

**SOLAR ENERGY SYSTEM, GROUND-MOUNTED**

A Solar Energy System that is not attached to another structure and is affixed to the ground, or that is attached to an antenna, light pole or other utility facility. A ground-mounted solar energy system shall not be permitted by right in any zoning district of the Village, but may be authorized by a conditional use in the AG, LI, or LI-2 Zoning Districts of the Village.

**TOTAL SYSTEM HEIGHT**

The total height of the tower and the wind turbine of a Small Wind Energy System, as measured from the average grade at the base of the system to the top of the blade or rotor.”

**B. AMENDMENTS TO CHAPTER 3 (“Principal Uses Permitted in Zones”):**

USE	AG	NC	SR	UR1	UR2	UR3	UR3A	UR4	CR	CBD	CA	CB	SB	LI	LI-2	RD <sup>1</sup>
* * * *																
Antique sales								C		X	X	X	X	X	X	X
Appliance, sales, repair or service								C		X		X	X	X	X	X
* * * *																
Art gallery, commercial								C		X	X	X	X			X

Art supply store								C		X	X	X	X			X
*****																
Bakery, retail								C		X	X	X	X			X
Bank								C		X		X	X			X
Barbershop								C		X	X	X	X			X
*****																
Beauty salon/ tanning salon								C		X	X	X	X			X
*****																
Bicycle sales								C		X	X	X	X			X
*****																
Bookstore (except no adult bookstore permitted)								C		X	X	X	X			X
*****																
Camera shop								C		X	X	X	X			X
*****																
Candy store								C		X	X	X	X			X
*****																
Clothing store								C		X	X	X	X			X
Commercial center (see Subsection 10- 4-4B10 of this Title								C	C	C	C	C	C	C	C	C
*****																



Computer sales, retail								C		X	X	X	X			
*****																
Dance and/or fitness studio (instructional)								C		X	X	X	X	X	X	X
Dance hall (instructional)								C	C			C	C			C
*****																
Drugstore								C		X	X	X	X			X
Dry cleaning, pressing, repair								C		X		X	X			X
Dwelling, apartments								X				C	C			
*****																
Dwelling unit (if restricted to <b>owner-occupied, single-family condominium, second floor and above</b> )										X	X	X	X			
										C	C	C	C			
*****																
Electronic equipment sales (not installation)								C		X	X	X	X	X	X	X
Emergency care, trauma center (see Subsection 10-4-3B2 of this Title)	S							C				S	S			
*****																
Florist sales								C		X	X	X	X	X	X	X
*****																
Fruit and vegetable market, retail								C		T	T	X	X	S	S	X
*****																
Furnace, HVAC, and water heater sales, display, service								C				X	X	X	X	X
*****																
Gift store								C		X	X	X	X	X	X	X
*****																

Grocery store or supermarket								☒		X	X	X	X			X
Hair salon								☒		X	X	X	X			X
Hardware store, retail								☒		X	X	X	X			X
Health club or gymnasium								☒	X			X	X	X	X	X
Health food store								☒		X	X	X	X			X
Hobby shop, retail								☒		X	X	X	X			X
*****																
Household furnishing shop								☒	X	X	X	X				X
Ice cream shop								☒	X	X	X	X	X			X
*****																
Insurance Office								☒		X	X	X	X	X	X	X
Interior Decorators								☒		X		X	X	X	X	X
Jewelry, sales								☒		X	X	X	X			X
*****																
Leather goods Sales								☒		X	X	X	X			X
*****																
Locksmith								☒				X	X	X	X	X
*****																
Meat market, Retail								☒		X	X	X	X			X
*****																
Medical clinic or Office								☒		X	C	X	X	X	X	X
*****																
Music, musical Instruments, and CD sales								☒		X	X	X	X	X	X	
*****																
Office equipment and supplies, retail sales and service								☒		X	X	X	X	X	X	X
*****																

Paint and wallpaper sales								£		X	X	X	X	X	X	X	
*****																	
Pet store and Grooming								£		X		X	X	X	X	X	
Photography studio								£		X	X	X	X	X	X	X	
*****																	
Printing and photo-Copying service								£		X		X	X	X	X	X	
Professional Office								£		X	X	X	X	X	X	X	
Radio and TV sales Or repair								£				X	X	X	X	X	
*****																	
Restaurant								£	X	X	X	X	X	C	C	X	
Retail sales as an Accessory use								£						X	X		
*****																	
Savings and loan association								£		X		X	X			X	
*****																	
Shoe repair shop								£				X	X	X	X	X	
Shoe store								£		X	X	X	X			X	
*****																	
<b><u>Solar Energy System, Ground-Mounted</u></b>	£	X	X	X	X	X	X	X	X	X	X	X	X	X	£	£	X
<b><u>Solar Energy System, Building-Mounted</u></b>															£	£	
*****																	
Souvenir, curio sales								£	X	X	X	X	X			X	
*****																	
Sporting goods, sales								£		X	X	X	X	X	X	X	
*****																	
Stationery store, Retail sales								£		X	X	X	X	X	X	X	
*****																	

Toy store										c		X	X	X	X	X	X	X
Travel agency										c		X		X	X	X	X	X
* * * * *																		
Upholstery shop										c		X		X	X	X	X	X
* * * * *																		
<u>Wind Energy System, Large</u>																		
<u>Wind Energy System, Small – Building-Mounted</u>														c	c	c	c	
<u>Wind Energy System, Small – Ground-Mounted</u>																		

(The following is not part of the aforesaid amendment to Title 10 but is included in this Ordinance for informational purposes only)

x = Permitted by right  
s = Permitted by right as a special use (See Section 10-4-3 of this Title)  
c = Permitted with conditional use permit (See Section 10-4-4 of this Title)  
t = Permitted with temporary use permit

TABLE 2  
LOT AREAS, YARD AND BULK REGULATIONS

ZONE	USE	LOT SIZE		YARDS						BULK			
		MIN. AREA	MIN. WIDTH	MIN. FRONT	MIN. REAR	TOTAL SIDE YARD MIN.	MIN. SIDE YARD	MIN. SETBACK ABUTTING A STREET	MIN. SETBACK ABUTTING A RESIDENTIAL OR AG ZONING	MAX. LOT COVERAGE	MAX. FAR	MAX. HEIGHT OF PRINCIPAL USE	MAX. HEIGHT OF ACCESSORY USE
		Sq. Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	%	%	Ft.	Story

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
* * * * *															
SB	Suburban Business	40,000	150	50	20	30	15	50	<del>50-30</del>	70	80	40	3	25	1
* * * * *															
CBD	Central Business District	--	--	-- 12	-- 13	-- 3	-- 3	-- 12	-- 13	50	200	50	4	25	1
LI	Light Industrial 4, 6, 8	40,000	130	50	20 <sup>5</sup>	40	20	50	<del>20-50</del>	60	80	40 <sup>9</sup>	3	30	
LI-2	Light Industrial 2 1,2,3,4	20,000	90	50	20 <sup>5</sup>	20	10	50	<del>20-50</del>	40	80	40 <sup>9</sup>	3	25	
RD	Railroad District	10,000 <sup>1</sup>	50	30	12 <sup>5</sup>	15	6	30 <sup>15</sup>	6	40	80	40	3	25	1

Notes:

\* \* \* \*

- 12. CBD 2 foot front yard from Cedar Avenue; ~~25-12~~ feet from all other streets in CBD.

\* \* \* \*

### C. AMENDMENTS TO CHAPTER 4 (“Landscaping and Zoning Requirements”)

#### “10-4-6: LANDSCAPING:

\* \* \* \*

G. Buffer Yards: Buffer yards are intended to mitigate the impacts associated with land uses of differing intensity on abutting properties. The standards require landscape buffer yards between such uses to minimize the harmful impacts of dust, debris, litter, glare, noise, signs, unsightly buildings and other objectionable features.

1. Standards: The buffer yard standards apply to all development or redevelopment.
2. Requirements: Buffer yards are required in accordance with the following table. To determine the type of buffer yard required, first identify the zoning of the site that is being developed (the first column of the table) and the abutting site's zoning (along the top of the table). Find where the zoning of the developing site and the abutting site intersect on the table. If a buffer yard is required, a letter designation will indicate the type of buffer yard required. See below for descriptions of buffer yards.

Developing Site's Zoning (Developing Land Use)	Abutting Site's Zoning					
	AG	NC/SR	UR1-3A	UR4	Commercial	Industrial
AG	-	-	-	-	-	-
NC/SR (Residential Use)	-	-	-	-	-	-
NC/SR (Nonresidential Use)	-	B	B	A	-	-
UR1-3A (Residential Use)	-	-	-	-	-	-
UR1-3A (Nonresidential Use)	-	B	B	A	-	-
UR4	-	B	B	-	-	-
Commercial	-	C	C	B	-	-
Industrial	-	D	D	C	B	-
Any zoning (Parking lots and vehicular use areas with 5 or more parking spaces)	-	C	C	C	-	-

3. Buffer Yards For Abutting Property Outside Village: For purposes of determining buffer yards for property lines abutting properties which lie outside of the village of Lake Villa, the zoning of such properties shall be assigned the most equivalent district from the village of Lake Villa ordinance. In cases where the equivalent zone is unclear, the zoning officer shall determine this assignment.
4. Landscape Screening: Except as provided in Section 10-3E-4(K)(f), all buffer yards shall include screen and barrier sufficient to protect residential and all other environments from adverse effects, such as noise, lighting, odors and dust, of more intensive adjacent uses and contribute to improved community appearance and property values while preserving and enhancing the mature “established” character of

Village neighborhoods. To determine the type of screening intensity required, first identify the zoning of the site that is being developed (the first column of the table) and the abutting site's zoning (along the top of the table). Find where the zoning of the developing site and the abutting site intersect on the table.




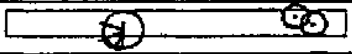


<u>Developing Site's Zoning (Developing Land Use)</u>	<u>Abutting Site's Zoning</u>					
	<u>AG</u>	<u>NC/SR</u>	<u>UR1-3A</u>	<u>UR4</u>	<u>Commercial</u>	<u>Industrial</u>
<u>AG</u>	-	-	-	-	-	-
<u>NC/SR (Residential Use)</u>	-	-	-	-	-	-
<u>NC/SR (Nonresidential Use)</u>	-	<u>B</u>	<u>B</u>	<u>A</u>	-	-
<u>UR1-3A (Residential Use)</u>	-	-	-	-	-	-
<u>UR1-3A (Nonresidential Use)</u>	-	<u>B</u>	<u>B</u>	<u>A</u>	-	-
<u>UR4</u>	-	<u>B</u>	<u>B</u>	-	-	-
<u>Commercial</u>	-	<u>C</u>	<u>C</u>	<u>B</u>	-	-
<u>Industrial</u>	-	<u>D</u>	<u>D</u>	<u>C</u>	<u>B</u>	-
<u>Any zoning (Parking lots and vehicular use areas with 5 or more parking spaces)</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	-	-

<u>Screening Intensity</u>				
	<u>Light</u>	<u>Medium</u>	<u>Heavy</u>	<u>Maximum</u>
<u>Height in feet <sup>a,b</sup></u>	<u>--</u>	<u>2.5</u>	<u>4</u>	<u>6</u>
<u>Year-round opacity <sup>c</sup></u>	<u>--</u>	<u>50%</u>	<u>75%</u>	<u>75%</u>
<u>All requirements 1 through 4 are mandatory; all figures are minimum.</u>				
<u>a = At time of installation</u>				
<u>b = Fence height as defined herein.</u>				
<u>c = By the end of the second growing season after installation, if a screen composed of landscaping is used.</u>				

45. Buffer Yard Types: The following tables list the requirements for the various types of buffer yards and their development options. A graphic depiction of each option is provided to illustrate the approximate projected density of required plantings five (5) years after installation. Landscape standards are based on the minimum requirements per one hundred (100) linear feet. Any fractional plant units must be rounded up to the nearest whole plant unit. Where the minimum required setback width is less than the minimum required buffer yard width, the buffer yard may be reduced to that setback width provided there is no change in the total number of plants provided.”




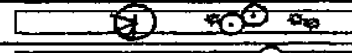



a. Type A:

**Type A**

	Width (feet)	Required per 100 Linear Feet				Example Canopy  Understory  Shrubs 
		Canopy Trees	Understory Trees	Shrubs	Fence	
Option 1	10	1	2	0	-	
Option 2	20	1	1	0	-	
Option 3	25	0	1	0	-	





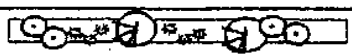
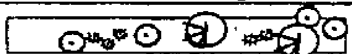
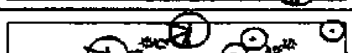

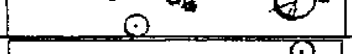
b. Type B:

**Type B**

	Width (feet)	Required per 100 Linear Feet				Example Canopy  Understory  Shrubs 
		Canopy Trees	Understory Trees	Shrubs	Fence	
Option 1	10	1	2	3	-	
Option 2	15	1	2	2	-	
Option 3	20	1	1	2	-	
Option 4	25	0	1	1	-	









c. Type C:

**Type C**

	Width (feet)	Required per 100 Linear Feet				Example Canopy  Understory  Shrubs 
		Canopy Trees	Understory Trees	Shrubs	Fence	
Option 1	1	0	0	0	6' opaque	
Option 2	10	2	4	6	-	
Option 3	15	2	4	5	-	
Option 4	20	2	3	5	-	
Option 5	25	1	2	4	-	
Option 6	30	1	2	2	-	

d. Type D:

## Type D

	Width (feet)	Required per 100 Linear Feet				Example Canopy  Understory  Shrub 
		Canopy Trees	Understory Trees	Shrubs	Fence	
<del>Option 1</del>	<del>1</del>	<del>0</del>	<del>0</del>	<del>0</del>	<del>6' opaque</del>	
Option 2	10	3	5	8	44" picket	
Option 3	15	3	6	10	-	
Option 4	20	3	6	9	-	
Option 5	25	2	5	9	-	
Option 6	30	2	5	5	-	

~~5-6.~~ Responsibility For Buffer Yard Installation: The developing property is responsible for providing required buffer yards. In those cases where a buffer yard that complies with the standards of this section is already in place, whether on the site of the developing property or on the site of the adjacent property, the developer is not required to install another buffer yard. The developer is only responsible for ensuring that the intervening buffer yard complies with the standards of this section.

~~6-7.~~ Use Of Buffer Yards:

- a. A buffer yard may be used for passive recreation and may contain pedestrian, bicycle, or equestrian trails provided that: 1) no required plant material is eliminated; 2) the total width of the buffer yard is maintained; and 3) all other regulations of this title are met.
- b. In no event shall the following uses be permitted in buffer yards: ice skating rinks, playfields (active recreation fields such as baseball, softball, football, and soccer fields), ski hills, stables, swimming pools, or play courts.

~~7-8.~~ Buffer Yard Design:

- a. Buffer yards are intended to create a visual screening effect between sites. Therefore, buffer yard landscaping must be distributed to achieve such an effect.
- b. All buffer yards must be seeded or covered with another approved vegetative ground cover.

~~8-9.~~ Substitutions:

- a. Evergreen canopy trees may be substituted for up to one-half (1/2) of the required deciduous canopy.
- b. Evergreen understory trees and shrubs may be substituted for required deciduous understory trees and shrubs without limitation.
- c. A four foot (4') high berm may be substituted for a six foot (6') opaque fence.

\* \* \* \* \*



## **D. RENEWABLE ENERGY SYSTEMS – NEW ARTICLE (E)**

### ARTICLE E: RENEWABLE ENERGY SYSTEMS:

- 1: PURPOSES: The purposes of this Section are to:
  - A. Establish zoning regulations relative to the installation and operation of renewable energy systems permitted to be installed within the Village, i.e., Small Wind Energy Systems and Solar Renewable Energy Systems.
  - B. Accommodate sustainable energy production from renewable energy sources.
  - C. Preserve the character and aesthetics of the Village's zoning districts in the interest of maintaining property values, and promoting the public health, safety and welfare of Village residents and businesses.
- 2: GENERAL REQUIREMENTS: The requirements set forth in this Section shall govern the Renewable Energy Systems which may be installed within the Village.
  - A. Applicability: The provisions of this Section are intended to establish zoning regulations for Solar Energy Systems and Small Wind Energy Systems which may be installed in the Village. Geothermal Energy Systems and Large Wind Energy Systems are not permitted within any zoning district of the Village. Renewable energy installations not explicitly addressed herein may be authorized by a conditional use permit issued by the Village subject to compliance with the applicable provisions of this Village Code.
  - B. Use: Except as authorized by the Board of Trustees of the Village for public utility purposes, a Renewable Energy System shall be accessory to the principal permitted use of a site.
  - C. Approvals: No approval granted for a Renewable Energy System under the provisions of this Section shall be construed to prevent ordinary or permitted building, landscaping, or other accessory improvements on adjacent properties.
  - D. Permitting and Installation:
    - (1) A building permit is required to be obtained from the Village prior to commencement of any construction activity relative to the installation of any Renewable Energy System.
    - (2) The owner of a Renewable Energy System shall ensure that it is installed and maintained in good condition and in compliance with all applicable provisions of this Village Code and the laws, statutes, codes, and

regulations enforced by any State or Federal agency of competent jurisdiction.

- (3) All Small Wind Energy Systems shall be equipped with manual and/or automatic controls to limit rotation of blades to a speed below the manufacturer's designed limits.
- (4) All wiring associated with a Renewable Energy System shall be underground or contained within a raceway that complements the building materials of the principal structure.
- (5) Interconnection: Energy produced by a Renewable Energy System shall be utilized on-site, except for Net Metering as authorized by the appropriate regulatory agencies required by law.
- (6) Illumination of a Renewable Energy System shall be prohibited, except to accommodate co-installation of parking lot lighting luminaries, where applicable.
- (7) Signage: No commercial signage or attention-getting device is permitted on any Renewable Energy System. A sign of a plain white background with black lettering not exceeding four (4) square feet in size shall be provided on each Small Wind Energy System which indicates the emergency contact information of the property owner or operator.
- (8) Screening: There shall be no required mechanical screening for Renewable Energy Systems.

### 3: SMALL WIND ENERGY SYSTEMS:

#### A. Authorization of Use:

- (1) Building-Mounted Small Wind Energy System:
  - (a) Conditional Use: Building-Mounted Small Wind Energy Systems shall be permitted as a conditional use in the CB, SB, LI, and LI-2 Zoning Districts and shall be installed in compliance with the requirements of this Section and the other applicable provisions of this Village Code.
  - (b) Maximum Permitted Height: The maximum total permitted height of a Building-Mounted Small Wind Energy System shall not exceed ten feet (10') above the peak roof height of the building upon which said System is installed, or ten feet (10') above the maximum building height permitted in the respective zoning district in which said System will be located, whichever is less.

(c) Location:

- (i) Building-Mounted Small Wind Energy Systems shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure.
- (ii) Such systems shall be set back a minimum of five feet (5') from the edge or eave of the roof.

(2) Ground-Mounted Small Wind Energy System: Ground-mounted Small Wind Energy Systems shall be prohibited in all Zoning Districts of the Village.

B. Noise: Sound levels for any Building-Mounted Small Wind Energy System shall not exceed the maximum decibels established in Section 10-4-1-3 (Performance Standards) of this Title. The Village may, at its discretion, require a professional sound measurement by a third party expert at the expense of the property owner, to confirm that the performance of such a wind energy system complies with said Performance Standards.

C. Color: Building-Mounted Small Wind Energy Systems shall be monochromatic in color, finished with a neutral and non-reflective coating, such as white or light grey. Ground equipment, such as cabinets and associated facilities, shall be factory-finished to match or complement the color of other structures on the respective property.

4: SOLAR ENERGY SYSTEMS:

A. Authorization of Use:

- (1) Permitted Use: Building-Mounted Solar Energy Systems may be authorized administratively by a building permit in all zoning districts in accordance with the requirements of this Section and the other applicable provisions of this Village Code and shall be subject to prior review of the plans therefor and written approval thereof by the Zoning Enforcement Officer and the Building Commissioner, or their designees.
- (2) Conditional Use: Any Ground-Mounted Solar Energy System must be specifically authorized by a conditional use, but such systems shall only be located within the Village's AG, LI, or LI-2 Zoning District.

B. Height:

- (1) Building-Mounted Solar Energy System:

- (a) When installed on a flat roof, a Building-Mounted Solar Energy System shall not exceed a maximum height of six feet (6') as measured from the roof surface of the building on which the system will be mounted to the highest point of the system as installed;
  - (b) When installed on a pitched roof, a Building-Mounted Solar Energy System shall be mounted parallel to the pitch of the roof and not extend more than one (1) foot off of the roof surface;
  - (c) In any event, the height of a Building-Mounted Solar Energy System shall not exceed five feet (5') above the peak roof height of said building or five feet (5') above the maximum permitted building height of the respective zoning district, whichever is less.
- (2) Ground-Mounted Solar Energy System: The maximum height of a Ground-Mounted Solar Energy System shall be six feet (6') as measured from the average grade at the base of the system to the highest edge of the system as installed.

C. Location of Ground-Mounted Solar Energy Systems:

- (1) All Ground-Mounted Solar Energy Systems shall be subject to and shall require a conditional use permit authorizing installation and maintenance thereof by an ordinance approved by the Corporate Authorities of the Village after a required public hearing thereon, which conditional use permit shall require and include, but not be limited to, the Applicant's submission to the Village of a landscape screening plan and a plan for the decommissioning of such System, including a performance guarantee, all of which shall be approved by the conditional use ordinance.
- (2) Ground-Mounted Solar Energy Systems shall not be located within any portion of the required front yard or corner side yard of any lot or parcel or in any utility, water, sewer, or other type of public or Village easement.
- (3) All parts of any Ground-Mounted Solar Energy System shall be set back at least fifteen feet (15') from any interior side lot line(s) and at least fifteen feet (15') from any rear property line(s) of any lot or parcel, and a clear, brush-free and vegetation-free area not less than ten feet (10') in width, which area shall be required and maintained between the System and any property line.
- (4) To the extent the respective requirements of Subparagraphs (2) and (3) are inconsistent, the more restrictive requirement of such Subparagraphs shall prevail and control.

- (5) Each ground-Mounted Solar Energy System shall be located on a lot or parcel so that no portion of the System is visible from any street. Where the Village Administrator determines that it is necessary to accomplish the foregoing requirement of this Subparagraph 5, any Ground-Mounted Solar Energy System shall be effectively screened by fencing or landscaping in a manner approved in advance by the Village Administrator in order that no portion of said System is visible from any street(s) adjacent to the subject property.
- D. Size of Ground-Mounted Solar Energy Systems: Ground-mounted, large-scale solar energy systems may not exceed 30 acres in size or five (5) megawatts a/c in capacity.

5: MAINTENANCE AND REMOVAL OF RENEWABLE ENERGY SYSTEMS

- A. The owner(s) and/or occupant(s) of the property upon which a Renewable Energy System-is located shall be responsible to maintain said System: (1) in good repair and proper operating condition, (2) in compliance with this Village Code, including compliance with all applicable standards to ensure structural integrity of such facilities, (3) in compliance with (i.e., not exceeding) the noise level standards set from time to time by the Illinois Pollution Control Board for noise emissions from Class C land to Class A land and such other noise regulations as set forth in this Village Code, as amended from time to time, and (4) in compliance with the conditional use granted by the Village to authorize such system at all times. If a system becomes inoperable or damaged, operation of such system must cease and be promptly and properly remedied, or such system shall be removed.
- B. If the Village determines that a Renewable Energy System fails to comply with the applicable provisions of this Village Code, the Village shall provide written notification to the property owner. The property owner shall have a period of sixty (60) days from the date of notification to either restore the Renewable Energy System to proper operating condition and to a condition of compliance with the applicable provisions of this Village Code, or remove the system.
- C. In the event such Renewable Energy System is not brought into compliance with this Village Code within the specified time period, the Village may, and shall have the authority to remove or to cause the removal of said system at the property owner's expense and record a lien against the respective property for the Village's costs incurred relative to removal thereof, including but not limited to attorneys' fees.
- D. The Village may pursue any and all available legal remedies to ensure that a Renewable Energy System which fails to comply with this Village Code or which constitutes a danger or a nuisance to persons or property is brought into compliance or removed.

- E. Any delay by the Village in taking enforcement action against the owner of a Renewable Energy System and the owner of the property upon which such system is located, if such owner is different from the owner of such system, shall not constitute any waiver of the Village's right to take any action thereon at a later time.
- F. The Village may seek to have the Renewable Energy System removed regardless of the owner's or operator's intent to repair or remove said system, and regardless of any permits that may have been issued or granted therefor.
- G. After the Renewable Energy System is removed, the owner and occupant of the subject property shall be jointly and severally obligated to promptly restore the subject property to a condition reasonably consistent with such property's condition prior to the installation of said system."

6: PROHIBITED RENEWABLE ENERGY SYSTEMS:

- A. Geothermal Energy Systems shall be prohibited within all Zoning Districts of the Village as they present a risk to the aquifer which is relied upon by most of the Village for its potable water supply.
- B. Large Wind Energy Systems and ground-mounted small wind energy systems shall be prohibited within all Zoning Districts of the Village as they are inconsistent with the character and/or the scale of permitted uses within each of the Village's Zoning Districts.

7: STANDARDS FOR CONDITIONAL USES:

- A. Standards for Granting a Certain Conditional Use:
  - (1) The proposed Renewable Energy System shall provide demonstrable benefits in furthering the intent of this Section and providing renewable energy to the property on which it is proposed; and
  - (2) The proposed Renewable Energy System is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment, and such other appropriate means; and
  - (3) The establishment of the proposed Renewable Energy System will not prevent the normal and orderly use, development, or improvement of the adjacent property for uses permitted in the respective zoning district.

LEGAL NOTICE  
VILLAGE OF LAKE VILLA ZONING BOARD OF APPEALS  
PUBLIC HEARING RELATIVE TO PROPOSED AMENDMENTS TO THE  
LAKE VILLA ZONING REGULATIONS

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Zoning Board of Appeals of the Village of Lake Villa as follows:

HEARING DATE AND TIME: Thursday, January 18, 2024, at 7:00 p.m. or as soon thereafter as the agenda permits.

PLACE OF HEARING: Village of Lake Villa Village Hall at 65 Cedar Avenue, in the Village of Lake Villa, Illinois 60046.

NATURE OF REQUEST: A Public Hearing will be held by the Village of Lake Villa Zoning Board of Appeals on the request of the Village of Lake Villa for the following proposed text amendments to the Lake Villa Village Code, and specifically, to Title 10 thereof which are the Village's Zoning Regulations, relative to renewable energy systems which are prohibited, permitted, or permitted with conditions within the Village:

- (A) Section 10-2-2, "Definitions and Abbreviations", of Chapter 2, "Definitions", of Title 10 is proposed to be amended to add the following new definitions: Geothermal Energy System; Large Wind Energy System; Net Metering; Renewable Energy System; Small Wind Energy System; Small Wind Energy System, Ground-Mounted; Small Wind Energy System, Building-Mounted; Solar Energy System; Solar Energy System, Building-Mounted; Solar Energy System, Ground-Mounted; and Total System Height.
- (B) Chapter 3, "Zones and Zone Regulations", of Title 10, as follows:
  - (1) Table 10-3B-2, "Permitted Conditional, Temporary, and Prohibited Uses";
  - (2) Table 10-3C-2, "Lot Area, Yard and Bulk Regulations Table".
- (C) Paragraph G, "Buffer Yards", of Section 10-4-6, "Landscaping", of Chapter 4, "Supplementary Zone Regulations", is proposed to be amended relative to the landscaping required for different types of buffer yards.
- (D) Chapter 6, "Zoning Requirements", of Title 10 is proposed to be amended by adding a new Article E, "Renewable Energy Systems".

A draft of the proposed text amendments is available for public inspection at the Village of Lake Villa Village Hall during regular business hours.

All interested persons are invited to attend the hearing and will be given an opportunity to be heard.

The Village of Lake Villa is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, are requested to contact Michael Strong, Village Administrator, who is the Village's ADA Coordinator at (847) 356-6100 promptly to allow the Village to make reasonable accommodations for those persons.

/s/ Michael Strong  
Village Administrator, Village of Lake Villa

VILLAGE OF LAKE VILLA ZONING BOARD OF APPEALS  
MEETING OF JANUARY 18, 2024  
RE: AMENDMENTS TO VILLAGE OF LAKE VILLA  
ZONING REGULATIONS

A motion was made by ZBA Member \_\_\_\_\_ and seconded by ZBA Member \_\_\_\_\_ to recommend to the Mayor and Board of Trustees of the Village of Lake Villa approval of the following text amendments to Title 10, "Zoning Regulations", of the Lake Villa Village Code:

- (1) Chapter 2, "Definitions" - Section 10-2-2, "Definitions and Abbreviations": To be amended to add the following new definitions: Geothermal Energy System; Large Wind Energy System; Net Metering; Renewable Energy System; Small Wind Energy System; Small Wind Energy System, Ground-Mounted; Small Wind Energy System, Building-Mounted; Solar Energy System; Solar Energy System, Building-Mounted; Solar Energy System, Ground-Mounted; and Total System Height.
- (2) Chapter 3, "Zones and Zone Regulations", to be amended:
  - (1) Table 10-3B-2, "Permitted Conditional, Temporary, and Prohibited Uses";
  - (2) Table 10-3C-2, "Lot Area, Yard and Bulk Regulations Table".
- (3) Paragraph G, "Buffer Yards", of Section 10-4-6, "Landscaping", of Chapter 4, "Supplementary Zone Regulations": To be amended relative to the landscaping required for different types of buffer yards.
- (4) Chapter 6, "Zoning Requirements", of Title 10 is proposed to be amended by adding a new Article E, "Renewable Energy Systems".

Based upon the following findings of fact:

- (A) It is in the best interests of the Village, its residents, and the public health, safety, and welfare to provide for the aforesaid amendments to Title 10, "Zoning Regulations", of the Village of Lake Villa Village Code.
- (B) The proposed text amendments meet the challenge of changing conditions in the Village and in the zones affected.
- (C) The proposed amendments are consistent with the intent of the Zoning Ordinance and with its various provisions and also are consistent with the Village's Official Comprehensive Plan and Land Use Map.
- (D) The proposed amendments will not be detrimental to the development of the Village.