

**CALL TO ORDER**

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on January 21, 2026 at 300 Plaza Circle, Mundelein. Commission Chairman T. Roswick called the meeting to order at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

Chairman T. Roswick led the Pledge of Allegiance.

**ATTENDANCE**

Chair Roswick took the roll call. It indicated as follows:

**Board Attendance**

PRESENT: K. Anderson, J. Holden, T. Roswick, T. Wilson, K. Teehan  
ABSENT: K. Garesche, S. Petti

**Village Attendance**

PRESENT: Amanda Orenchuk, Director of Community Development; Colleen Malec, Senior Planner; Isabel Gudarrama, Senior Planner; and J. Marvin, Associate Planner

**MINUTES APPROVAL**

**Approve the Planning and Zoning Commission Regular meeting minutes from January 7, 2026**

K. Teehan moved, seconded by K. Anderson, a **Motion** to approve the Planning and Zoning Commission meeting Minutes from January 7, 2026. Motion passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
<b>MOVER:</b>	Commissioner K. Teehan
<b>SECONDER:</b>	Commissioner K. Anderson
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	None

**PUBLIC COMMENTARY**

T. Roswick opened the floor to general public commentary.

Shawn Killackey of the Fremont School District No. 79 Board of Education approached the podium to speak. Mr. Killackey shared some concerns with the comprehensive plan amendments as well as concerns with how the comprehensive plan is utilized as a decision-making tool for new developments in relation to the school districts. He stated that he had concerns over the proposed 75 changes to be made to the Comprehensive Plan.

*Mr. Killackey's public commentary was addressed later in the PZ2025-0038 Comprehensive Plan Staff Presentation.*

T. Roswick closed the floor to general public commentary.

## **OLD PZC BUSINESS**

### **Continuation of Public Hearing - PZ2025-0039 - Mundelein High School District 120 - Variation for Interior Parking Lot Landscape from December 17, 2025.**

#### **Staff Presentation**

I. Guadarrama gave an overview of the updates to the case since the last meeting on December 17, 2025. Ms. Guadarrama stated that the petitioner made some changes to their application and that will be addressed in the Petitioner Presentation.

#### **Petitioner Presentation**

T. Roswick swore in all present who expressed a wish to speak at tonight's hearing.

Kevin Quinn of Mundelein High School District 120 approached to give an overview of the project and introduced the members of Wight and the Board of Education that were present.

Kyle Buck, Architect of Wight and Company, approached to speak. 777 spaces are being proposed, which is 43 spaces short from the school's need of 820 currently. The school is requesting a reduction in the required landscaping islands within the interior parking lot to help meet the need for more parking, as well as maintenance and safety concerns regarding available line of sight.

T. Roswick clarified that the request for the elimination of parking lot islands also reduced the number of required trees being planted. Mr. Roswick wanted clarification that those required trees are being planted elsewhere in the property landscaping. I. Guadarrama confirmed the number of trees proposed is correct based on the

information provided.

Gage Berger, Landscape Architect of Wight and Company, approached to speak. A tree survey was done by a certified Arborist to analyze the trees being removed from the property. Mr. Berger shared the results of the tree survey. The survey showed that based on the 142 trees being removed, there would be a total of 145 trees that would need to be replaced. Mr. Berger shared the most recent proposed landscape plan. There are 162 trees being planted to replace these and the required ones that would be needed in the parking lot islands.

Peter Rastrelli, School District 120 Board of Education President, approached to speak. He shared comments regarding the following:

- He shared feedback from the community regarding the need for an increase in parking.
- The need for an improved lot with newer drivers in mind.
- The psychology of a parking lot.
- The unique constraints to the school and parking lot being land-locked.
- The School District's plan for sustainable improvements.

T. Wilson asked how many storm water retention ponds there are on the property. K. Quinn stated that there are 5 total as of right now.

### **Public Commentary**

T. Roswick asked staff if any public commentary had been received prior to the meeting. I. Guadarrama stated that there had not been any received since the posting of the agenda.

T. Roswick opened the floor to public commentary.

There was no public commentary.

T. Roswick closed the floor to public commentary.

### **Commission Discussion**

T. Wilson stated that in reviewing the prior meeting minutes, he felt the commission acted appropriately to ask for more information. He felt that the School District listened and provided the information that the Commission requested.

J. Holden agreed with T. Wilson's comments and felt the School District did well with listening to the concerns of the Commission and fulfilled the request for additional information adequately. This will not solve the problem with lack of parking, but this

will help improve the need.

K. Teehan stated that his concerns were addressed to support the request.

The commission reviewed the Findings of Fact.

**Request for Variation for interior parking lot islands and required shade trees.**

J. Holden moved, seconded by K. Teehan, a **Motion** to to recommend Approval of a Variation from Section 20.60.110 (A) for the reduction in the number and location for the required parking lot islands and (B) for the required number of shade trees from the Zoning Ordinance at 1350 and 1500 W Hawley Street, including the Findings of Fact with the requested changes. Motion passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
<b>MOVER:</b>	Commissioner J. Holden
<b>SECONDER:</b>	Commissioner K. Teehan
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	None

**Close Public Hearing**

K. Anderson moved, seconded by J. Holden, a **Motion** to close Public Hearing PZ2025-0039. Motion passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
<b>MOVER:</b>	Commissioner K. Anderson
<b>SECONDER:</b>	Commissioner J. Holden
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	None

**Continuation of Public Hearing - PZ2025-0038 - Comprehensive Plan Amendment from December 17, 2025.**

**Staff Presentation**

A. Orenchuk gave a refresher on the proposed amendment. The intention of the continuation was to allow proper time for public commentary on this item. A. Orenchuk

addressed the statements made during this evening's General Public Commentary that it was stated there were a proposed 75 amendments to the Comprehensive Plan. There was some confusion. There are 75 proposed amendments to the Zoning Code, not the Comprehensive Plan. The proposed amendment is mainly to one section of the Comprehensive Plan. This was included in the presentation from the meeting held on December 17, 2025.

**Public Commentary**

The meeting has remained open to public commentary since December 17, 2025.

There were no members of the public who wished to speak at the meeting.

T. Roswick asked staff if any commentary had been received prior to the meeting. Staff confirmed that there was no public commentary received on the comprehensive plan.

T. Roswick closed the floor to public commentary.

**Commission Discussion**

J. Holden felt that the scope of the update is small and was in approval of the proposed change. No commissioners voiced opposition to the change. A. Orenchuk stated that there are no findings of fact as this is a guiding document, not an item enforcing zoning standards.

**Approval of the Comprehensive Plan Amendment**

J. Holden moved, seconded by K. Teehan, a **Motion** to to recommend approval of the proposed amendment to the Comprehensive Plan amendment to include Traditional Neighborhood Design. Motion passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
<b>MOVER:</b>	Commissioner J. Holden
<b>SECONDER:</b>	Commissioner K. Teehan
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	None

**Close Public Hearing**

J. Holden moved, seconded by K. Anderson, a **Motion** to close Public Hearing PZ2025-0038. Motion passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
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<b>MOVER:</b>	Commissioner J. Holden
<b>SECONDER:</b>	Commissioner K. Anderson
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	None

**Continuation of Public Hearing - PZ2025-0037 - Zoning Ordinance Text Amendments, Title 20 of the Municipal Code from December 17, 2025.**

**Staff Presentation**

Staff gave the attached presentations on the following items:

**Home Daycares**

The current zoning code allows up to 8 children to be cared for by a home daycare provider.

The new proposed recommendation is to remove the use in the R-5 multi-family zoning district and will update the language to have a maximum of 8 children outside the household to be cared for by a home daycare provider, not to include the daycare provider's own children in this number.

**Access Parcels**

C. Malec gave an overview of this topic. The code currently does not address this subject at all, and staff would like to propose more flexibility. Staff will occasionally receive requests to build accessory structures on vacant lots along the north shore of Diamond Lake. These lots are considered unbuildable because they are not attached to any fully built-out right-of-way. The code also currently does not allow building accessory structures if the lot does not have a primary structure on it. The proposed change would define what a lake access parcel is. The proposed use would also need to meet additional criteria.

**Ground Floor Transparency**

Commercial buildings currently require 50% transparency on any facade that faces a right-of-way at a height of 2ft-8ft from grade, according to the zoning code. This can create an issue particularly in outlots and freestanding buildings. Sometimes this can cause issues with restaurant kitchens, restaurants, drive-throughs or storage. The intent of this is to encourage the feeling of openness. The proposed change will be to change this from a Variation to an Administrative Variation so these requests could be handled internally without requiring the applicant to require a full Public Hearing.

### **Existing, but Non-Conforming Fences and Driveways**

If a non-conforming structure is taken down, it needs to be replaced by a conforming structure. This has felt restrictive for driveways and fences in particular that may have been in their current form for sometimes decades. The proposed change by staff is to allow non-conforming fences and driveways to allow removal and replacement as-is with the caveat that the original fence or driveway was constructed with a permit or prior to 2012.

### **Deck Railings and Privacy Screens**

Deck railings are currently technically considered a fence by code and is limited to 6 feet above grade, so if someone has a deck their railing may exceed the 6 feet above grade. The proposed change to this is limiting a deck railing to 4 feet above the floor of the deck. The current code does not provide for privacy screens at all. A privacy screen is a common request, and staff would like to find a reasonable way to accommodate and control these requests. Staff provided recommended topics of possible restrictions, including setbacks and maximum height.

### **Townhouse Setback Requirements**

Staff has reviewed the setback requirements for Townhouses and has found them to be more restrictive than necessary. Staff provided a proposed table to review the current and proposed updated setbacks for Townhouses.

### **Parking Lot Landscape Requirements**

Staff presented updating parking requirements based on the feedback from the last meeting. Staff updated the sizes of what would be considered small, medium, and large parking lots and different perimeter and landscaping islands that would be required for each size.

### **Public Commentary**

Public Commentary has been opened since the last meeting of December 17, 2025.

### **Home Daycares**

Milen Aguilar approached to speak. She asked about the prohibited use mentioned. C. Malec clarified that the intent of this is just to prohibit it in multi-family homes and it will remain an allowed use in single-family homes. Ms. Aguilar then asked if the maximum of 8 children would be allowed to be increased for school-aged children who would attend before or after school.

Diana Chavarria approached to speak. Ms. Chavarria wanted to speak on the importance of the work of home daycare and would like to have the topic of part timers added in to the discussion. Reducing the number of children currently in the current daycare homes will impact the families currently being cared for in these homes.

The Public Hearing will be continued, and Public Commentary will remain open.

## **Commission Discussion**

### **Home Daycares**

T. Roswick asked about the state's guidelines about the number of allowed school-aged children. If it was a hard number, or if it was a scale. A. Orenchuk stated that it is a sliding scale formula based on the age of children and the number of adult providers in the home. The commission discussed the need of more Village staff enforcement for an increase in the number of children. A. Orenchuk let the commission know they can give direction to staff if they would like to include language on breaking down part time and full time staff. With talking to Public Safety staff, eight children was an acceptable amount for the aspect of being able to monitor and control.

T. Roswick requested to put a pin in the conversation to consider the breakdown of full-time and part-time children. The commission would like to work with Village staff to refine the language further. This item will be continued for further discussion on **February 18, 2026**.

### **Access Parcels**

The Commission discussed the right of way access and the common ownership with neighboring parcels. The distance between lots with primary structures and the proposed access parcels was discussed in-depth. J. Holden stated she did not like the idea of allowing structures on the access parcels with height.

### **Ground Floor Transparency**

The Commission reviewed the types of uses that may have difficulty meeting the transparency requirement and the approval process for an Administrative Variation. The commission supported the proposed change.

### **Existing, but Non-Conforming Fences and Driveways**

The Commission discussed the difference between full replacement and partial replacements of the non-conforming fences and driveways. The Commission shared concerns that driveways and fences that are egregious or have safety concerns should not be considered grandfathered in.

### **Deck Railings and Privacy Screens**

The Commission discussed the standard heights of deck railings. They discussed in detail the restrictions for privacy screening setbacks and height as well as possible issues with townhome setbacks. The Commission was in support of the proposed changes.

### **Townhouse Setback Requirements**

The Commission reviewed the current setbacks and discussed the difficulties with a mix of front and rear loaded townhouses. After review, the Commission was in support of the proposed changes.

### **Parking Lot Landscape Requirements**

The Commission discussed landscaping maintenance for the proposed changes and reviewed the proposed changes from the prior meeting. The Commission used the case PZ2025-0039 for the High School as a reference when reviewing how these landscaping requirements would be applied in the future. The Commission was in support of the landscaping requirements.

### **Continuation**

J. Holden moved, seconded by K. Teehan, a **Motion** to continue Public Hearing PZ2025-0037 to Wednesday, February 18th, 2026, at 7:00 PM located at the Mundelein Village Hall at 300 Plaza Circle, Mundelein, Illinois. Motion Passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
<b>MOVER:</b>	Commissioner J. Holden
<b>SECONDER:</b>	Commissioner K. Teehan
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	None

### **NEW PZC BUSINESS**

There was no new PZC business.

### **QUESTIONS AND COMMENTS**

There was no further questions or comments.

### **ADJOURNMENT**

### **Adjourn the Planning and Zoning Commission Meeting**

K. Anderson moved, seconded by K. Teehan, a **Motion** to adjourn the Planning & Zoning Commission meeting of January 21, 2026. Motion passed 5-0.

<b>RESULT:</b>	<b>Passed [Yes 5, No 0, Abstained 0]</b>
<b>MOVER:</b>	Commissioner K. Anderson
<b>SECONDER:</b>	Commissioner K. Teehan
<b>AYES:</b>	T. Roswick, K. Anderson, J. Holden, K. Teehan, T. Wilson

**NAYS:** None  
**ABSTAIN:** None

The meeting was adjourned at 10:03 PM.

*Erin Swanson*

Erin Swanson, Recording Secretary

## Sign-In Sheet

NAME/COMPANY	ADDRESS	PHONE/EMAIL
Name: Milen Aguilar		Phone: (224) 778-0074
Company:		Email:
Name: Alondra		Phone: 847-971-4272
Company:		Email:
Name: Kevin Quinn		Phone: 847-949-2200
Company: DISTRICT 120		Email: KQUINN@DIZO.ORG
Name: Gage Berger		Phone: 319-361-8138
Company: Wight & Co		Email: gberger@wightco.com
Name: KYIE BUCK		Phone: 630-918-3420
Company: WIGHT & CO		Email: KBUCK@WIGHTCO.COM
Name: CRAIG SIEPKA		Phone: 312-656-9078
Company: WIGHT & CO		Email: csiepka@wightco.com
Name: Shawn Killackey		Phone: 847-570-2805
Company: FSD 79		Email: skillackey@fsd79.org
Name: Diana Chavarria		Phone: dianalariza09@gmail.com
Company:		Email: 224-572-0264
Name: Nicole Sullivan		Phone: 815 914-1181
Company:		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
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Company:		Email:
Name:		Phone:
Company:		Email:





Mundelein Consolidated High School District ·  
MUNDELEIN HIGH SCHOOL MASTER FACILITY PROJECTS

Planning and Zoning Meeting · 01/21/26



# VARIANCE REQUESTS

## 1. Reduction in number of Required Interior Parking Lot Islands

Why Requested

School Requirements

Proposed

A. Population: 445 Staff / 2,200 Students

Parking Needed: 820 Spaces

Parking Proposed: 777 Spaces

Parking Deficiency: 43 Spaces

*Current Deficiency: 60 Spaces*

B. Parking Needs:

- 445 staff
- 350 permitted spaces for students  
(additional 125 on wait list)
- 10 Visitor
- 15 Maintenance & Bus Vehicle

**Proposed Parking Summary**

PARKING LOT	STANDARD	ADA	TOTAL
NORTH LOT	44	2	46
NORTHWEST LOT	107	5	112
SOUTH OF TRACK LOT	184	6	190
WEST MAIN LOT	143	6	149
EAST MAIN LOT & CIRCLE DRIVE	229	7	237
<b>MUNDELEIN HIGH SCHOOL SUBTOTAL</b>	<b>707</b>	<b>26</b>	<b>733</b>
TRANSITION CENTER LOT	42	2	44
<b>TOTAL</b>	<b>749</b>	<b>28</b>	<b>777</b>

C. Student Activities:

- 647 Students involved in 31 athletic programs
- 970 Students in 50 Clubs & After Hour Activities
- Approx. 20% of Students need transportation to jobs or internships

PER VILLAGE CODE 20.56.130, TABLE 20.56-1; INSTITUTIONAL - EDUCATION FACILITY, SECONDARY

**VILLAGE CODE REQUIRED PARKING:**  
 STAFF MEMBERS = 445 STAFF x 1 SPACE/STAFF = 445 SPACES  
 STUDENTS = 2200 STUDENTS x  $\frac{1}{10}$  SPACE/STUDENT = 220 SPACES

VILLAGE CODE REQUIRED SPACES = 665 SPACES  
 MHS NEEDED SPACES = 820 SPACES  
 TOTAL PROPOSED SPACES = 777 SPACES

## 2. Alternate locations of Interior Parking Lot Trees and Landscape Areas

Why Requested

Section 20 Code Requirements

Proposed

A. Maximized Deficient Parking Count

A. Min. Interior Parking Lot Landscaping: 17,280 s.f.

A. 14 New Parking End Islands within Existing Parking Lots

B. Maintenance Considerations

B. Section 20 Trees: 135

B. 28,762 s.f. of Proposed Parking Islands  
(66% Over Code Minimum)

C. Efficiency and Safety

C. 162 Trees (20% Over Code Minimum)

# TREE SURVEY



## TREE SURVEY SUMMARY

Total Trees Surveyed.....	139
Onsite Trees Surveyed.....	117
Trees to be Removed .....	42
Replacement Trees Required.....	145

## TREE SPECIES SURVEYED (16)

Colorado Blue Spruce.....	26
Honeylocust.....	24
Austrian Pine .....	20
Little-Leaved Linden.....	14
Crabapple.....	10
Sugar Maple.....	8
Red Maple.....	7
Norway Maple.....	4
Ornamental Pear.....	4
Redbud.....	4
Allegheny Serviceberry.....	3
Hackberry.....	3
Silver Maple.....	3
Douglas Fir.....	3
Amur Maple.....	2
Balsam Fir.....	2
White Ash .....	1

## TREE REMOVAL SUMMARY

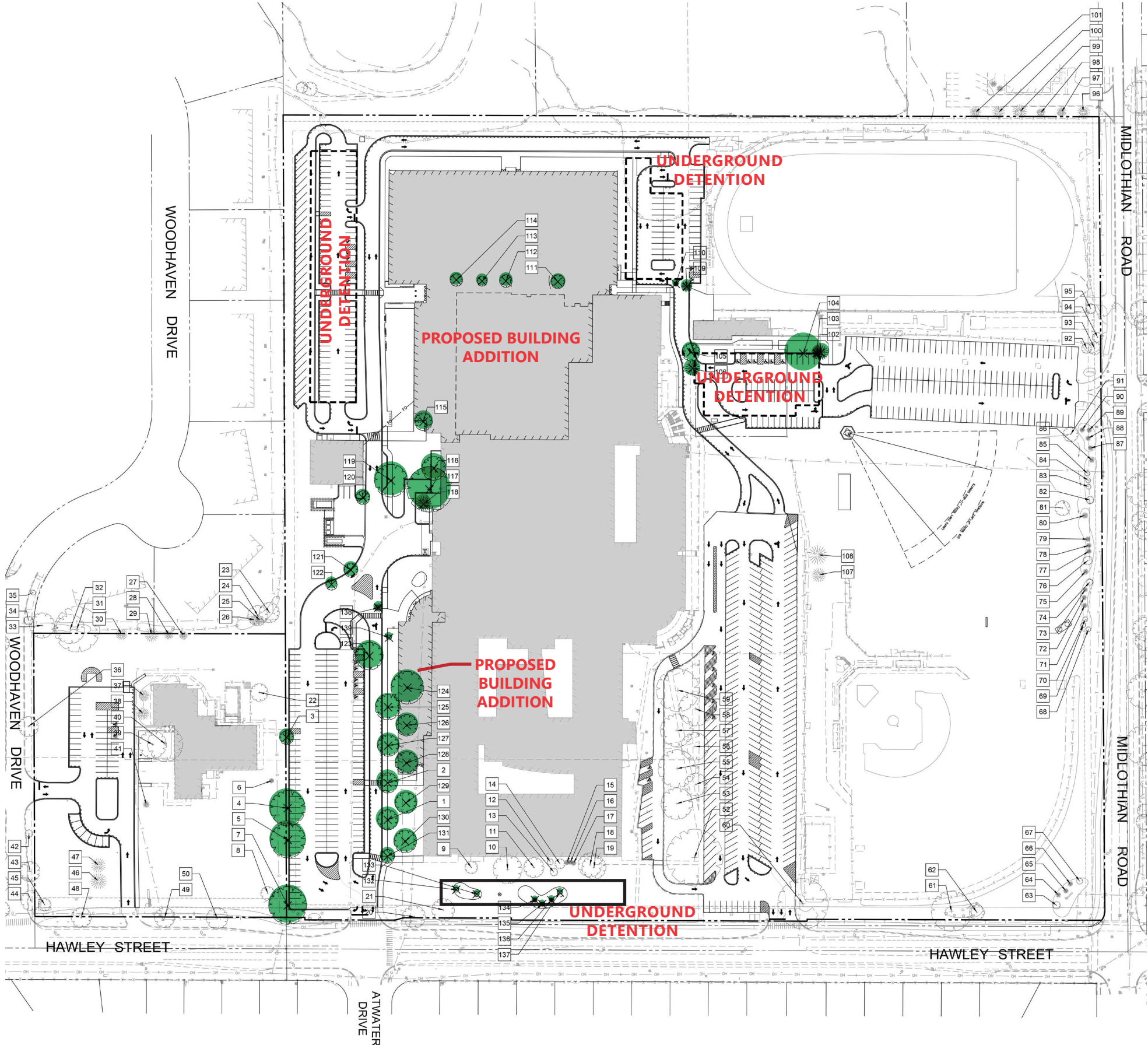
Honeylocust .....	14
Sugar Maple .....	7
Austrian Pine.....	6
Colorado Blue Spruce.....	6
Little Leaved Linden.....	4
Red Maple.....	3
Crabapple.....	1
Ornamental Pear.....	1

**145 Required Replacement Trees**

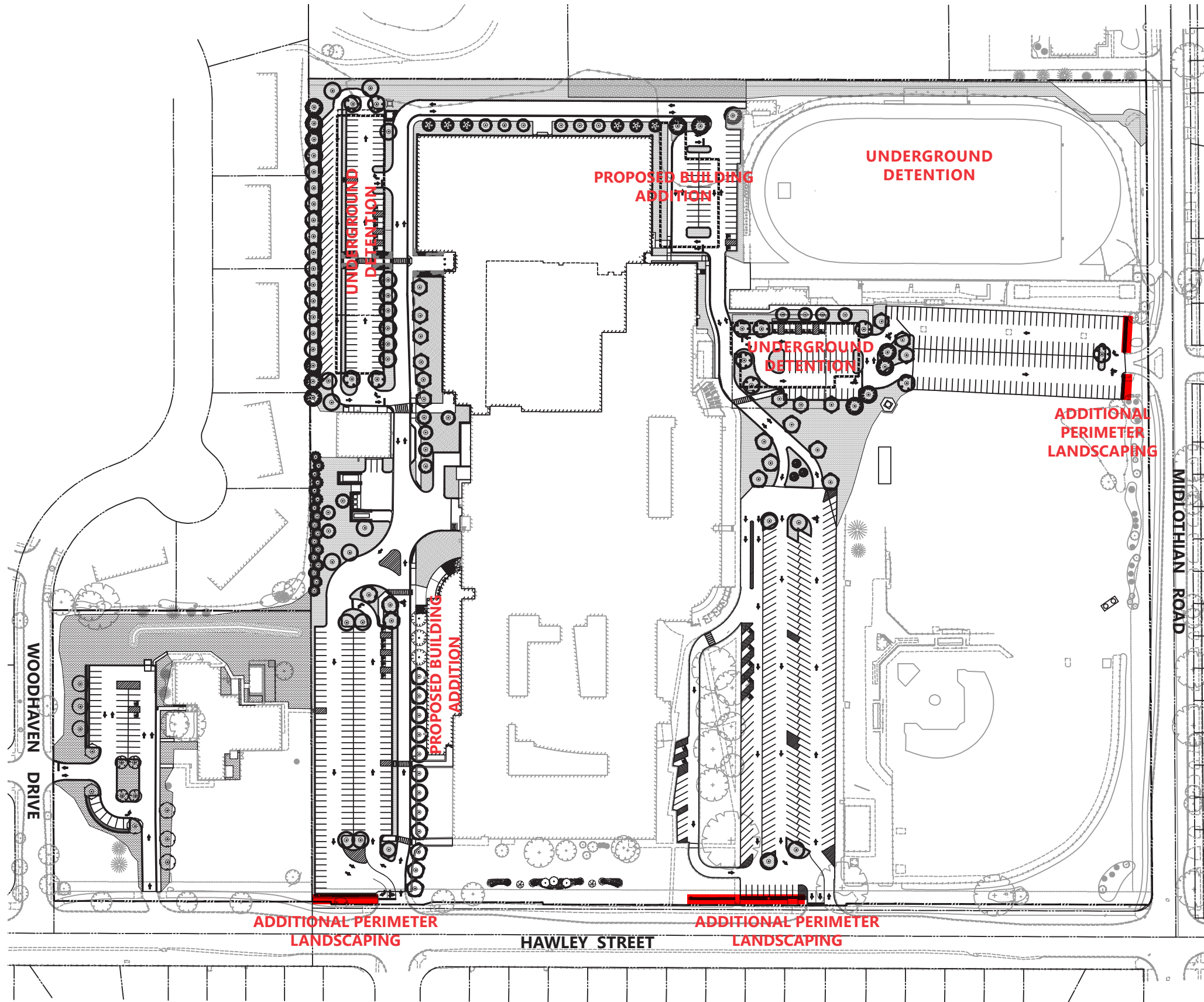
*(Other trees required by code can count towards this requirement)*



PROPOSED SITE WITH TREE SURVEY



# PHASE 2 OVERALL LANDSCAPE PLAN



## Proposed Planting Summary

Plant Type	Quantity	# of Species
Shade Trees	133	11 (9 new)
Ornamental Trees	9	2 (2 new)
Evergreen Trees	20	2 (2 new)
Deciduous Shrubs	369	7
Evergreen Shrubs	24	1
Ornamental Grasses	625	5
Perennials	866	15

*Includes Phase 1, Phase 2, and Transition Center Plantings*

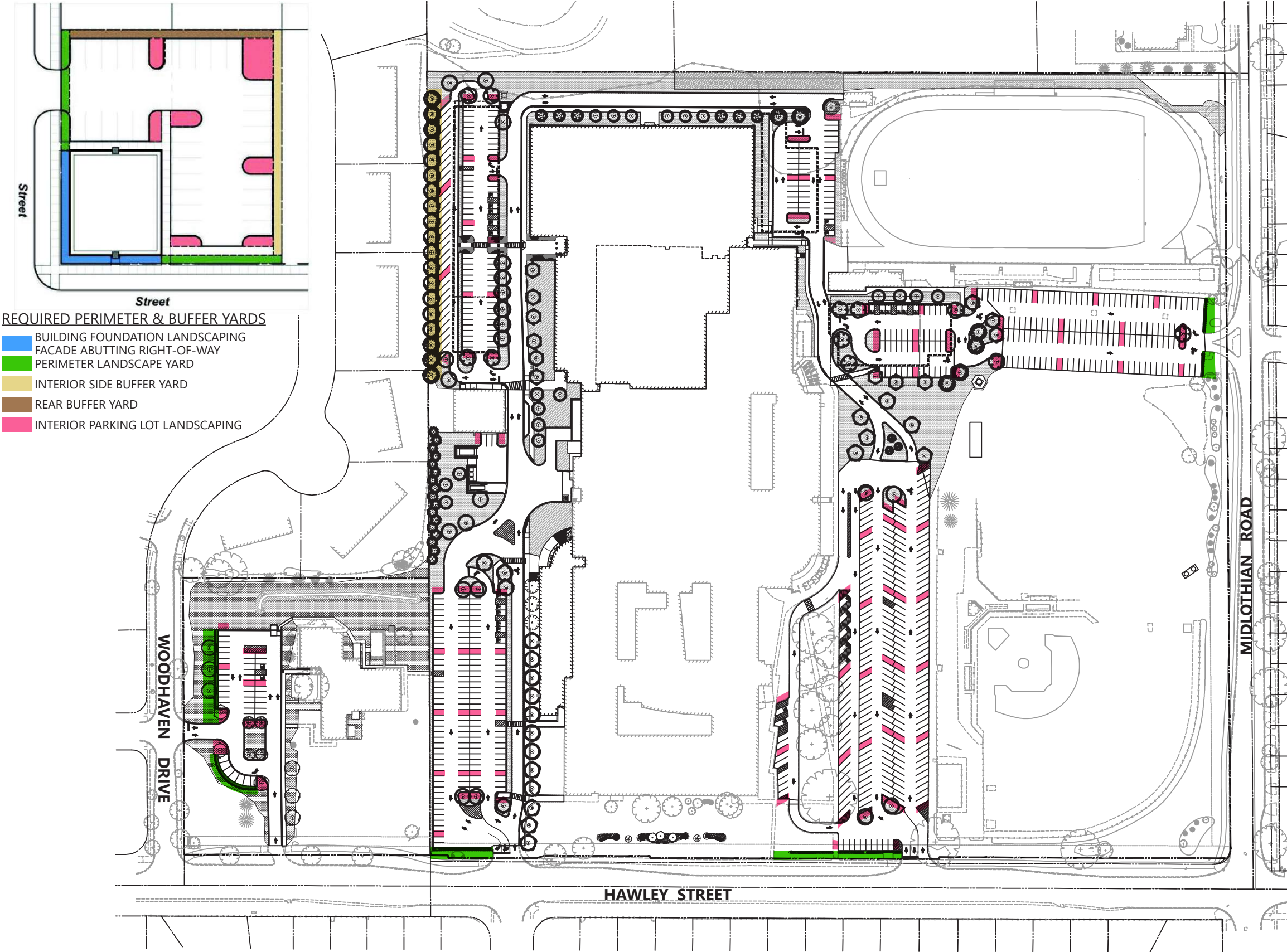
Section 20 Trees Required: 135

Trees Proposed: 162



SECTION 20 REQUIRED ISLANDS, PERIMETER, & BUFFER YARDS

FIGURE 20.60-4



**Required Islands:**

Min. Interior Parking Lot Islands: 17,280 s.f.  
*(1 internal island for every 10 spaces, 1 island at each end of a row / 144 s.f. of landscape area per island)*

**Required Trees:**

118 Parking Lot Island Trees  
 17 Buffer Trees  

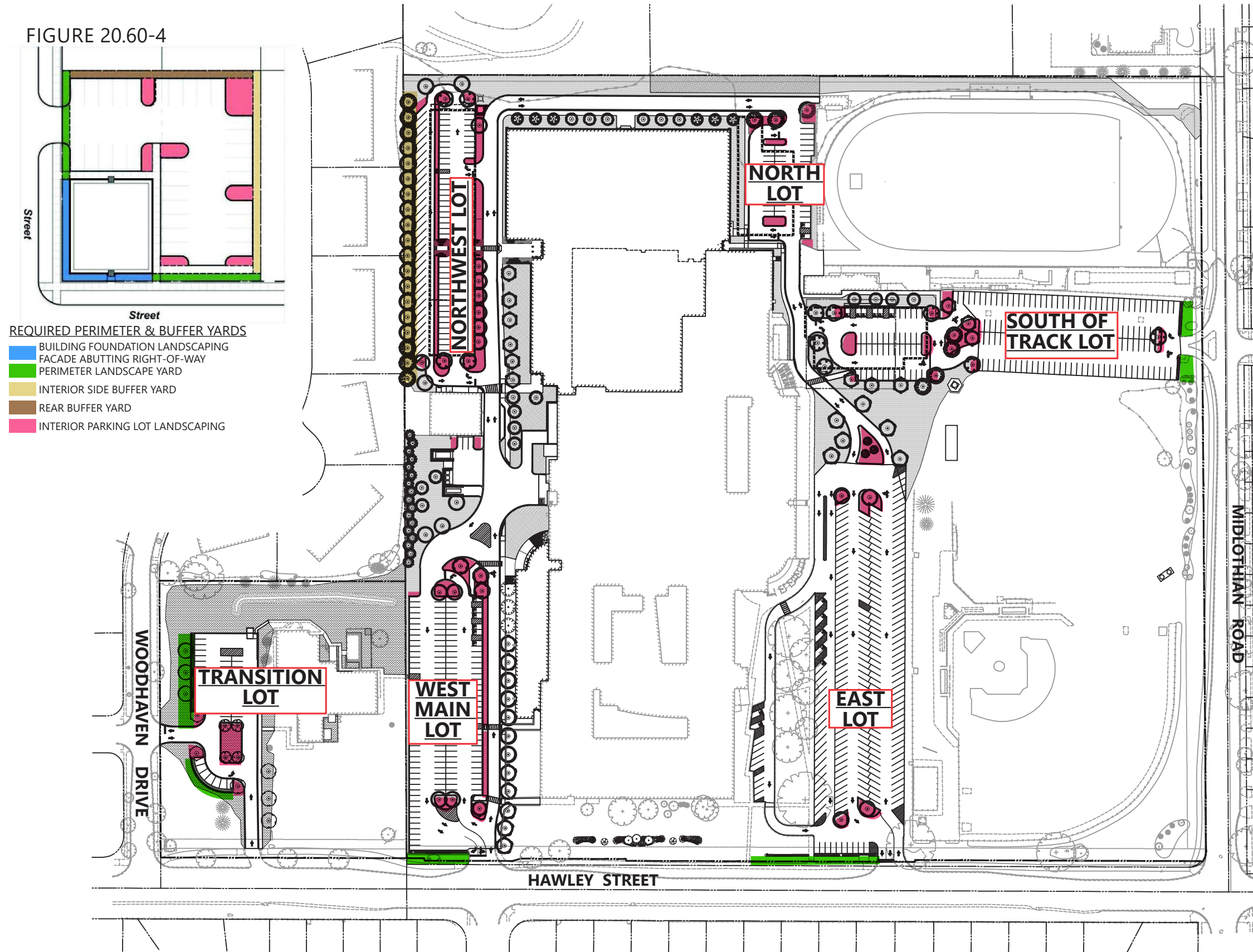

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 135 Total Trees



# SECTION 20 PROPOSED ISLANDS, PERIMETER, & BUFFER YARDS

FIGURE 20.60-4



## Required Islands:

**Interior Parking Lot Islands: 17,280 s.f.**  
*(1 internal island for every 10 spaces, 1 island at each end of a row / 144 s.f. of landscape area per island)*

## Proposed Islands:

**Interior Parking Lot Islands: 28,762 s.f.**  
*(66% increase from code minimum)*

## Required Trees:

**118 Parking Lot Island Trees**  
**17 Buffer Trees**  


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**135 Total Trees**

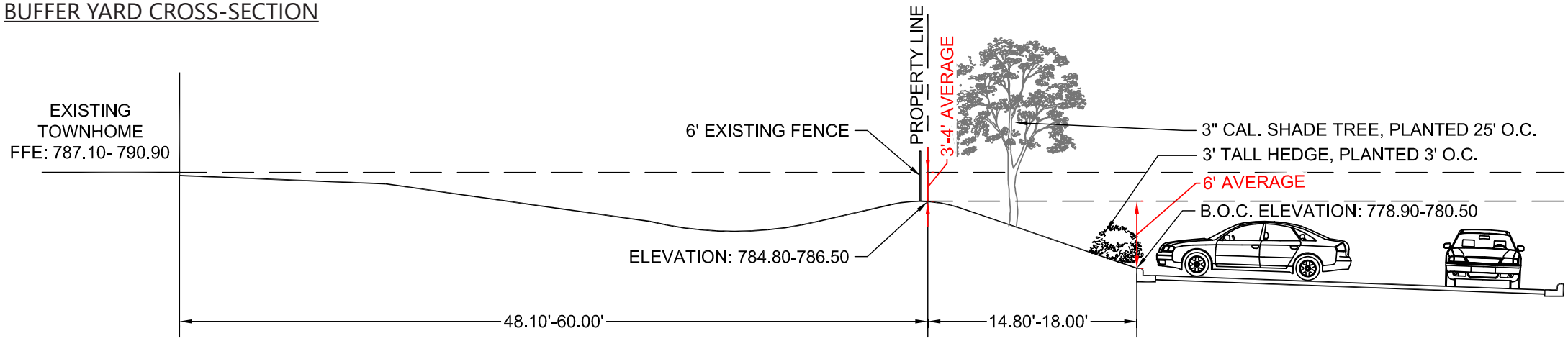
## Proposed Trees:

**162 Interior Parking Lot Trees**  
*(20% increase from code minimum)*  
  
**237 Total On-Site Trees**  
*(105% increase from existing conditions)*

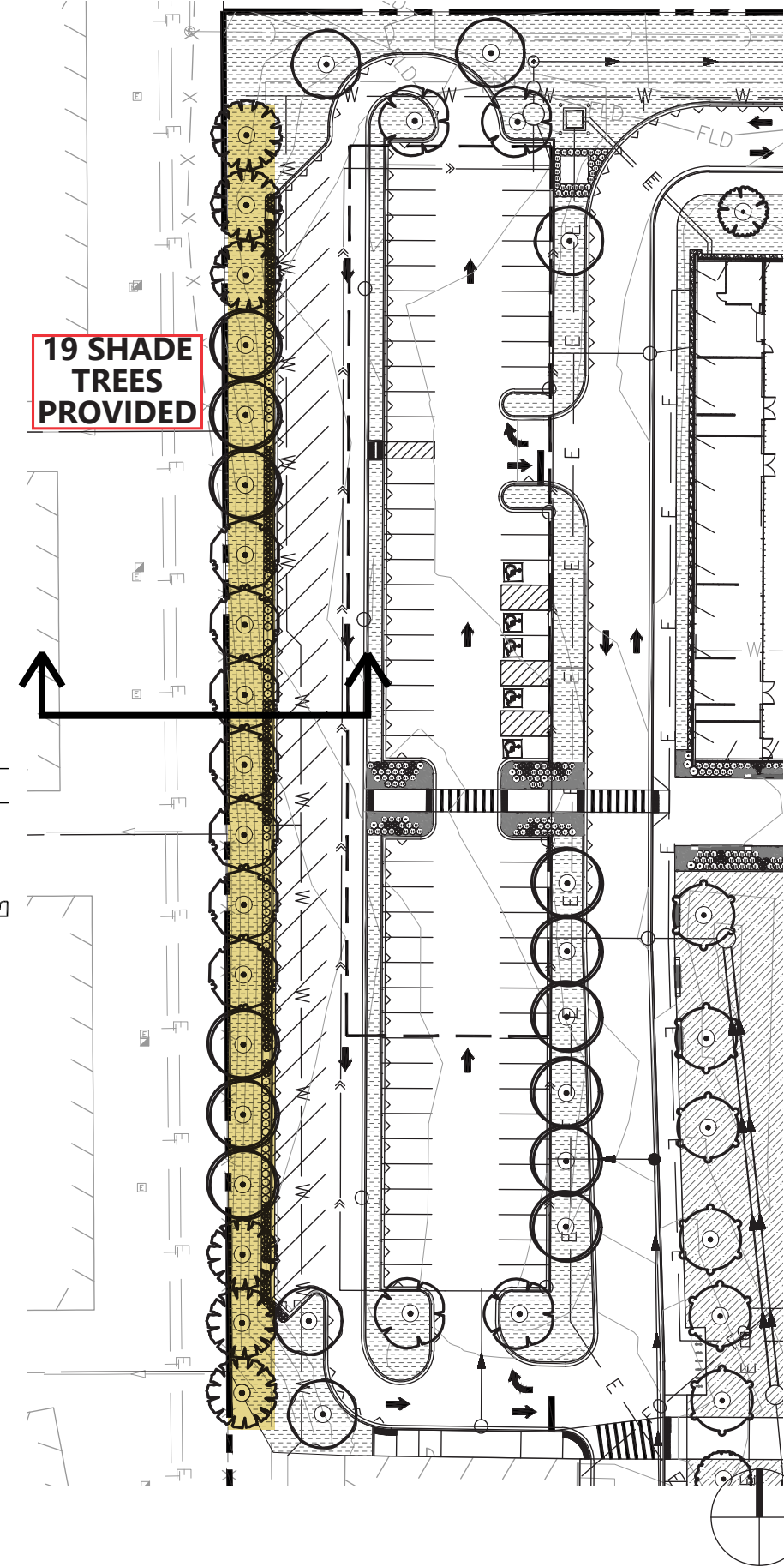


**BUFFER YARD PLANTINGS**

BUFFER YARD CROSS-SECTION



PLAN VIEW



**PLANT PALETTE**



**ARMSTRONG FREEMAN MAPLE**



**MARMO FREEMAN MAPLE**



**COMMON HACKBERRY**



**AMERICAN YELLOWWOOD**



**TULIP POPLAR**



**URBAN PINNACLE OAK**



**SWAMP WHITE OAK**



**SHINGLE OAK**



**NORTHERN RED OAK**



**SHAWNEE BRAVE BALD CYPRESS**



**ACCOLADE ELM**



**AUTUMN BRILLIANCE SERVICEBERRY**



**SERBIAN SPRUCE**



**NORWAY SPRUCE**

PARKING LOT PERIMETER / BUFFER



**LITTLE DEVIL DWARF NINEBARK**



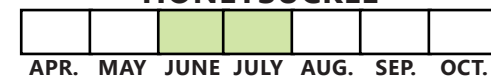
**SPICE BABY KOREANSPICE VIBURNUM**



**SUGARSHACK BUTTONBUSH**



**COOL SPLASH DWARF BUSH HONEYSUCKLE**



CLUBHOUSE ENTRANCE PLANTINGS



**PUFFER FISH HYDRANGEA**



**SHENANDOAH SWITCH GRASS**



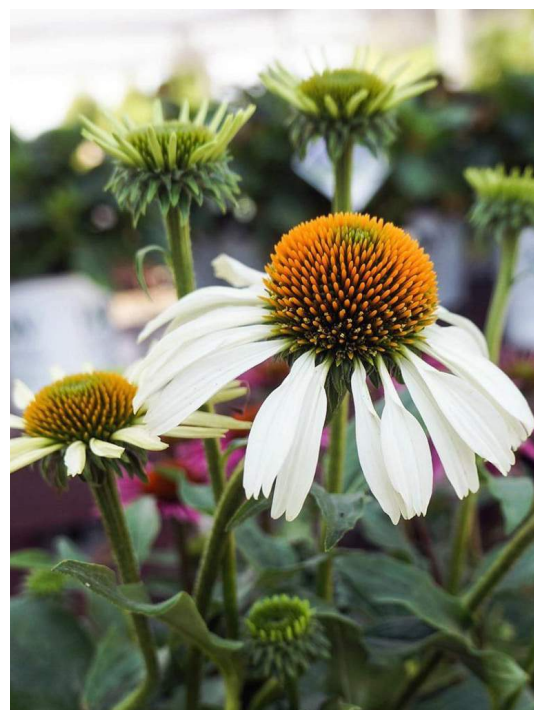
**STROM CLOUD EASTERN BLUESTAR**



**PINK LEMONADE WILD INDIGO**



**SUMMER BEAUTY ONION**



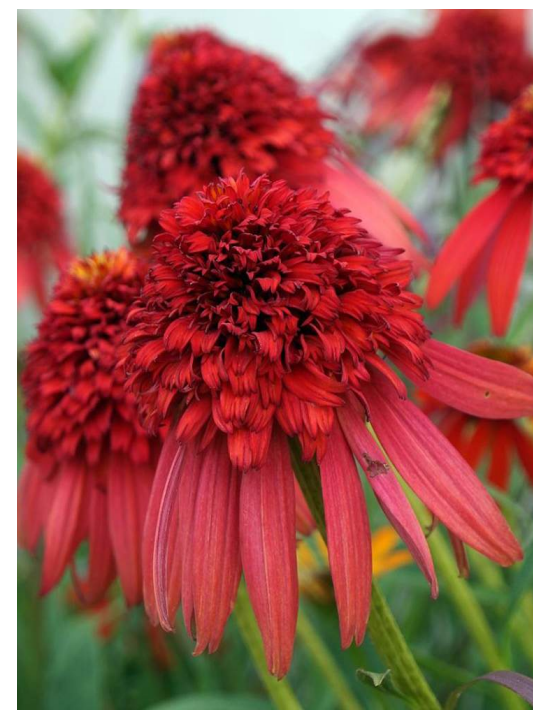
**WHITE CONEFLOWER**



**CARADONNA MEADOW SAGE**



**AUTUMN MOOR GRASS**



**HOT PAPAYA CONEFLOWER**



## FINDINGS OF FACT – VARIATION

<b>CASE NUMBER</b>	PZ2025-0039
<b>PUBLIC HEARING DATE</b>	December 17, 2025, and January 21, 2026
<b>VARIATION</b>	Waiver for the required number of interior parking lot islands and the location of parking landscape islands and trees.
<p>On January 21, 2026, the Planning and Zoning Commission voted 5-0 for <b>approval</b> of a variation from Section 20.60.110 (A) and (B) of the Zoning Ordinance to waive the required number and location of the interior parking lot islands and the required location of the shade trees within those islands at 1350 and 1500 W. Hawley Street.</p>	
<p><i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning &amp; Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i></p>	
<p><b>1. The strict application of the terms of this Ordinance will result in undue hardship;</b></p>	
<p>The strict enforcement of this Ordinance would impose undue hardship on the Petitioner, as the proposed parking layout is intended to maximize available spaces for the district and the community. Requiring the installation of the internal islands would result in a loss of approximately 7.5% of the parking spaces.</p>	
<p><b>2. The plight of the owner is due to unique circumstances;</b></p>	
<p>The property is subject to unique circumstances, as the Zoning Ordinance does not account for all potential uses, particularly those arising from factors beyond the control of the Petitioner and Property Owner. In addition to its everyday use as a school, the facility hosts after-school events for students and the community. The school cannot always predict how much parking will be needed or how much traffic an event will generate, further demonstrating that the demand for parking may exceed what the Ordinance anticipates.</p>	
<p><b>3. The variation, if granted, will not alter the essential character of the locality;</b></p>	
<p>The requested variation will not alter the essential character of the locality, as parking will still be provided and landscaping will continue to be installed throughout the property.</p>	
<p><i>The Zoning Administrator, Planning &amp; Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i></p>	
<p><b>1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.</b></p>	
<p>The shape and size of the Subject Property, as well as the characteristics of the surrounding area, impose a hardship on the property owner, distinguishing it from a mere inconvenience if the regulations are strictly enforced. Adhering strictly to the Zoning Ordinance could create hardships in the school's maintenance operations and limit the availability of needed parking spaces during school hours and after-school events.</p>	
<p><b>2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.</b></p>	
<p>The Commission finds that the Petitioner has successfully demonstrated that the requested variation was not caused by any person currently holding a proprietary interest in the Subject Property.</p>	
<p><b>3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.</b></p>	
<p>The Commission finds that the granting of the requested variation will not be detrimental to the public welfare in which the property is located.</p>	
<p><b>4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.</b></p>	
<p>The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood. Parking lot lighting is proposed but will accommodate full cut off shields to achieve the 0.0fc light levels along the property lines while maintaining security light levels within the parking lots. The added parking spaces will not impair the surrounding neighborhood and streets. Appropriate drive aisle widths and circulation have been incorporated into the design so a fire truck can maneuver throughout the site for public and school safety.</p>	
<p><b>5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.</b></p>	
<p>The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.</p>	

**6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.**

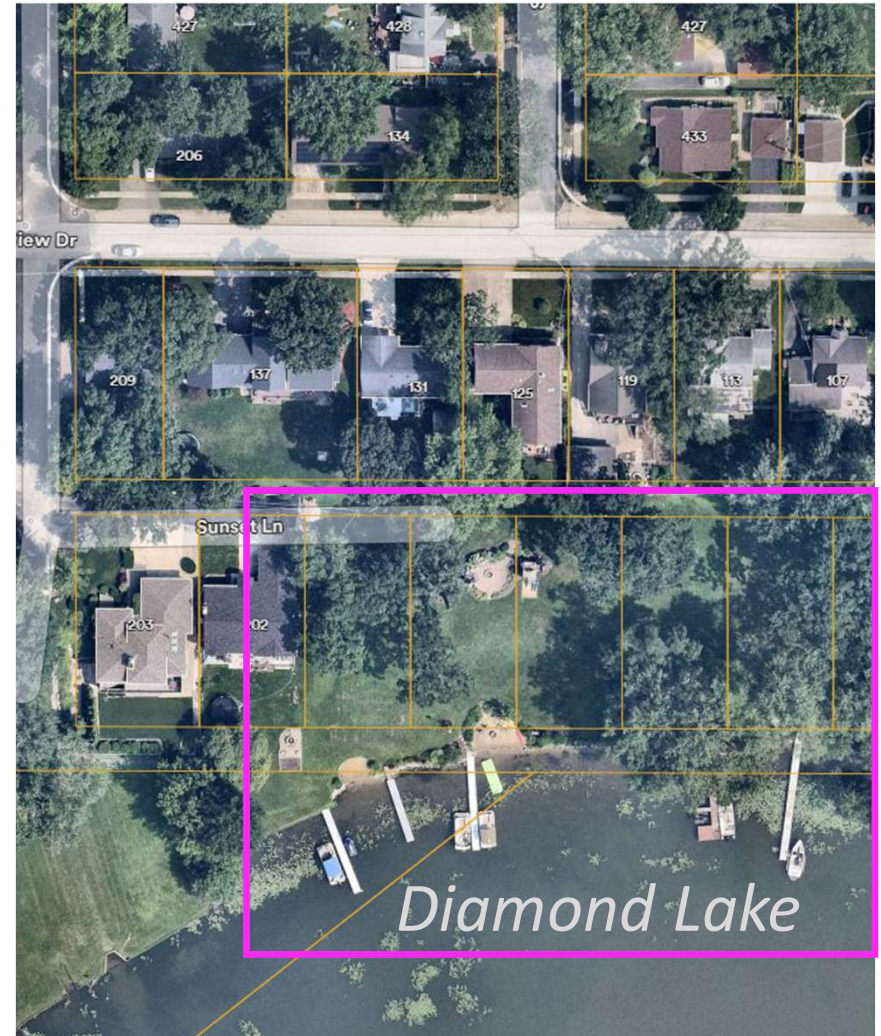
The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

# Lake Access Parcels

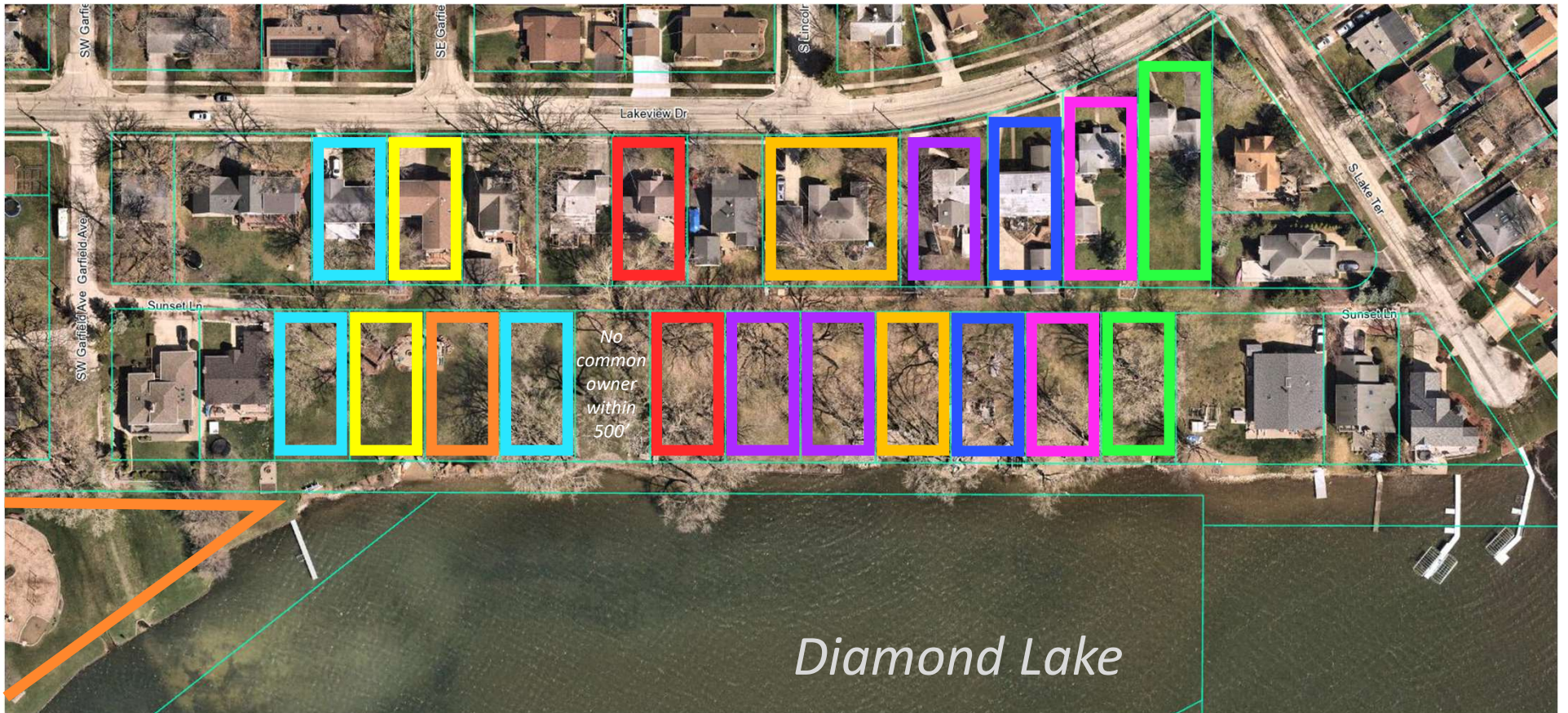


# History

- Village receives requests to install **accessory structures on vacant lots along the north shore of Diamond Lake**. The parcels are unbuildable due to Sunset Lane being unimproved – leaving them without access to ROW.
- However, most are **owned by nearby owners as “lake access” parcels**, who wish to improve them with **piers, fire pits, etc.**
- Village code prohibits **accessory structures on a lot without a principal structure** (i.e. a house) unless those parcels are contiguous with another under common ownership that does have a principal structure. These are not “contiguous” due to the Sunset ROW.
- Legal counsel has advised that we cannot issue permits for accessory structures, as our code technically prohibits it. Many owners have installed structures without permits over the years as a result.



# Common Ownership Along Sunset Lane



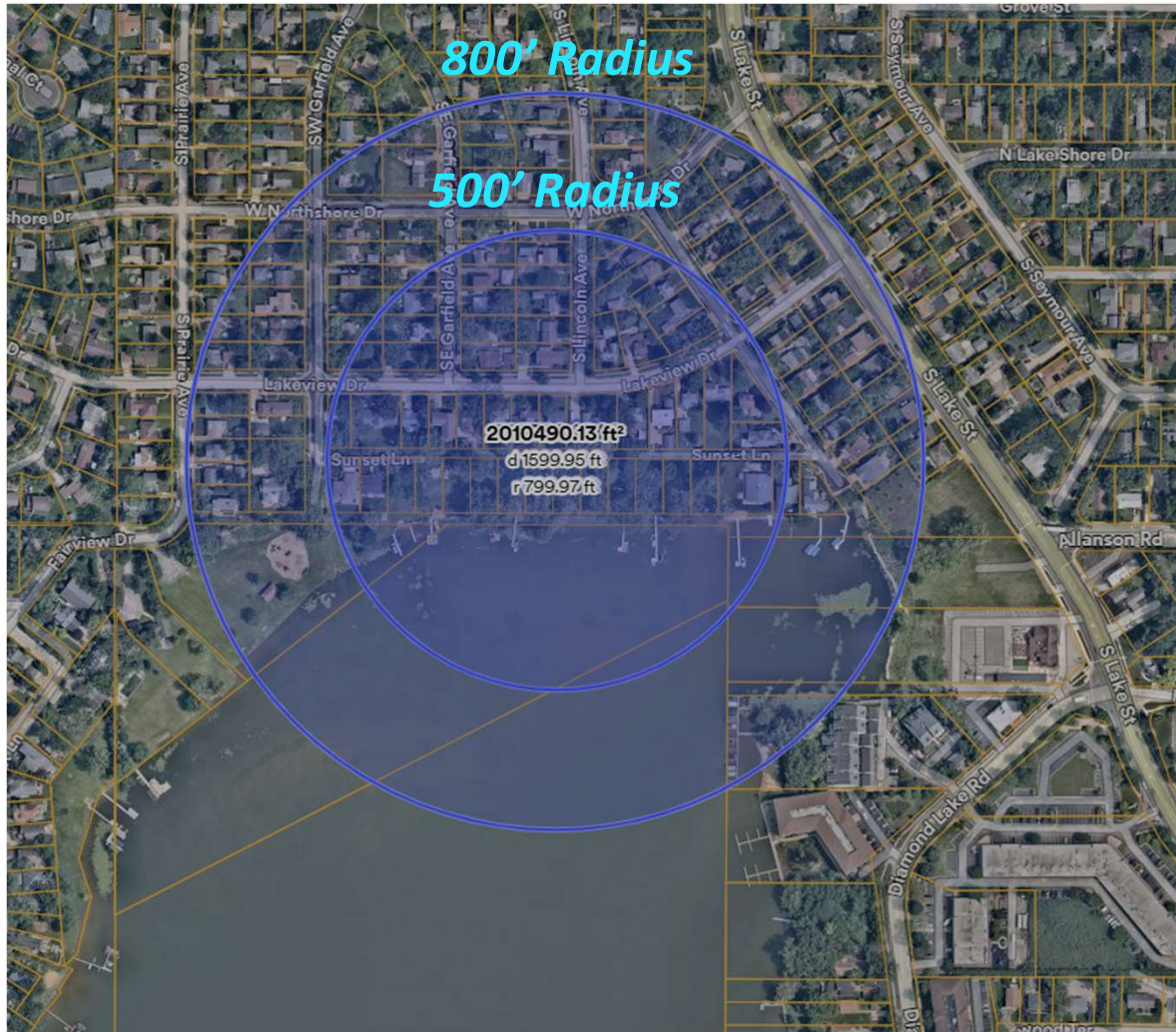
Not as common, but this is theoretically possible along Loch Lomond, too (fabricated example):



# Staff Recommendation

## B. Accessory Structures on Lake Access Parcels.

1. **Purpose and Applicability.** This section applies to certain vacant parcels with frontage on Diamond Lake or Loch Lomond that function solely to provide lake access to a nearby residential property.
2. **Definition of Lake Access Parcel.** A “Lake Access Parcel” is an individual lot that **does not contain a principal structure** and has **frontage along Diamond Lake or Loch Lomond**, provided that both of the following criteria are met:
  1. The parcel is under common ownership with a separate lot containing a principal structure; and
  2. The **lot containing the principal structure is located within five hundred (500) feet** of the Lake Access Parcel.
3. **Permitted Accessory structures.** Accessory structures may be constructed on a Lake Access Parcel despite the absence of a principal structure on that parcel. Only the following accessory structures are permitted, and **no more than one (1) of each type** may be established. No other accessory structures or uses are permitted:
  1. Pier
  2. Shed
  3. Patio
  4. Deck
  5. Walkway
  6. Pergola
  7. Gazebo
  8. Fire pit
  9. Recreational equipment
4. **Lot Coverage Limitation.** The combined lot coverage of all accessory structures on a Lake Access Parcel shall not exceed **twenty-five percent (25%)** of the total lot area.
5. **Prohibited Improvements and Uses.** The following improvements and activities are expressly prohibited on a Lake Access Parcel:
  1. Driveways or parking pads
  2. **Parking or storage of motor vehicles**, recreational vehicles, boats on trailers, or commercial vehicles. **Boats may be stored on a pier.**



# Ground Floor Transparency



## History

Commercial buildings are required to have 50% transparency on facades facing ROW (between 2' and 8' from grade). Sometimes, those areas of the floor plan have kitchens, restrooms, drive-throughs, or storage, and cannot easily accommodate transparent windows – especially on a corner lot.

In practice, staff has let allowed some of these cases to install faux windows or spandrel glass. However, the code is very explicit on what constitutes as transparent.



- b. Non-residential units under twenty-five thousand square feet on the ground floor along a public street require fifty percent transparency comprised of clear windows or doors for the façade area between two feet and eight feet above the average grade for all walls that front on a public street or access area, which allows views of indoor space or product display areas. Parking structures or walls of structures that are used for ground floor parking are exempt from the transparency requirements: however, decorative elements and architectural elements are required to break up the façade. Windows shall be constructed of clear or lightly tinted glass. Tinting above twenty percent or reflective glass is prohibited. In-line retail is considered multiple uses with each unit counting individually towards the size requirement.

## Staff Recommendation

- Staff recommends adding **ground floor transparency** to the list of requests that qualify for an **Administrative Variation**, which does not require a public hearing.
  - Applicants must mail notice to all adjacent property owners. If a noticed property owner objects within 30 days of the received notice, then the request must proceed to a traditional variation process.
  - If there are no objections, the Zoning Administrator renders a decision after 30 days. The Zoning Administrator reserves the right to escalate any administrative variation request to a traditional variation process.
- We do not necessarily want to *encourage* faux windows, so the Administrative Variation still presents a small barrier (time and certified mailings) and provides an opportunity for adjacent property owners to object. It lessens the barrier when the request is reasonable in nature – which it often is.

# Nonconforming Fences and Driveways



# History

The **Nonconformity** chapter of the Zoning Ordinance states that if a *nonconforming* structure is replaced, the new structure must meet all current-day zoning regulations.

Typically, this makes sense. However, time and time again, this does not feel appropriate when we apply it to **fences** and **driveways**.

Fences and driveways strongly impact the use, layout, and landscaping of a property over time. Furthermore, the impact already exists (often for decades). Common in Ambria, Hampton Reserve, and other subdivisions on the north end of Mundelein.



## Staff Recommendation

Staff recommends making two exceptions from this requirement – specifically for fences and driveways. In other words, **grandfather in all existing nonconforming fences and driveways**, provided that they meet the following:

- A) Originally constructed with a permit or were constructed prior to 2012;
- B) Are replaced as-is or in a way that reduces the degree of the nonconformity.



# Deck Railings and Privacy Screens



## History

The Zoning Ordinance interprets deck railings and privacy screens as fences, which are limited to 6' high from grade. This becomes an issue when either:

- The deck is elevated, so a reasonable railing is technically higher than 6' above grade.
- Privacy screens exceed 6' (typically 7-10' from the floor of the deck).

## Staff Recommendation

**For privacy screens on decks, Staff proposes an exemption from the maximum fence height with some restrictions:**

- Must be setback a certain distance from any property lines (so it doesn't block sunlight);
- Maximum height above the deck floor = 10 feet ?
- Must be a certain % open above a certain height?
- Restrict the number of sides a privacy screen can be installed on (so they can't create a "room")

**For deck railings, staff proposes a maximum height of 4 feet.**



# Home Day Cares



## History

This use was brought forward as a result of a code enforcement violation involving a home day care caring for more than six (6) children from outside households. A text amendment was submitted to the Planning and Zoning Commission requesting permission to allow up to 16 children from outside households within one home day care. The Planning and Zoning and Village Board denied the request and directed staff to review the Zoning Ordinance, work with the applicant and other home day care providers and return with a revised proposal in the future.

## Staff Recommendation

### **Proposed Option:**

Eliminate “Day Care Home, Adult or Child” as a permitted use in the R-5 Zoning District and classify it as a prohibited use in multi-family buildings. **Additionally, limited to the care of a maximum of eight (8) children from outside households, not including the provider’s own children.**

# Townhome Setbacks

Front and Rear Loaded



# Staff Recommendation

## History

The townhouse setback requirements in the R-5 zoning district are excessive and impractical when applied to proposed townhouse developments.

	Current Requirement	Proposed Requirements
Minimum Lot Width	30' for the front façade of each Townhouse Unit	20' for the front façade of each Townhouse Unit
Minimum Front Yard	FL: 20' RL: 15'	No Changes
Minimum Interior Side Yard	FL: 0' at the party wall, otherwise 7.5'  RL: 0' at the party wall, otherwise 7.5'	FL <sup>2</sup> : 0' at party wall, otherwise 7.5.'  RL <sup>2</sup> : 0' at party wall, otherwise 7.5'
Minimum Corner Side Yard	FL: 20' RL: 20'	No Changes
Minimum Rear Yard	FL: 40' between TH buildings, 30' to the property line of adjacent developments.  RL: 50' between TH buildings rear-load facing rear-load; otherwise 35'	FL <sup>2</sup> : 30' between TH buildings, 30' to the property line of adjacent developments.  RL <sup>2</sup> : 50' between TH buildings rear-load facing rear-load; otherwise, 20'.
Front Load: FL  Rear Load: RL		

<sup>2</sup> When a required rear yard setback and an interior side yard setback overlap, the greater dimension shall prevail and only the greater setback shall apply within the overlapping area.

# Parking Lot Landscape



# Landscape Requirements

- a. A new principal building is constructed or a building addition is constructed that increases the floor area by thirty percent or more.
- b. Over fifty percent of the total area of an existing parking lot is reconstructed. For purposes of this section, reconstruction shall include all paving of previously unpaved surfaces, **replacement of pavement with new binder and/or surface courses**, construction of curbing, and similar activities. Reconstruction shall not include maintenance activities such as repair of existing curbing, repairs, sealing, re-striping, or placement of surface course pavement over previously paved areas.
- c. When an existing parking lot under ten thousand square feet in area is expanded by fifty percent or more in total surface area.
- d. When an existing parking lot over ten thousand square feet in area is expanded by twenty-five percent or more in total surface area.

# Add Square Footage?



1390 WILHELM RD



507.09 ft

389.16 ft

192946.06 ft<sup>2</sup>

463.64 ft

150.93 ft

238,32 ft

1501 S LAKE ST



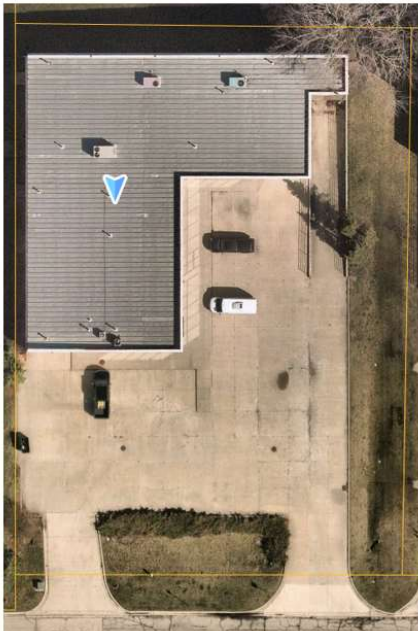
350 TOWNLINE RD

Address	District	sq ft	# parking	existing lands.	if compliant - lose sq ft	if compliant - lose spaces	% spaces lost	Size	Variance?
1312 Armour	Industrial	10,000	21	perimeter	600	3	14%	small	
1515 Reidel	Industrial	14,000	34	end caps and perimeter	360	4	12%	small	
1363 Wilhelm	Industrial	23,000	64	perimeter	2,960	8	13%	medium	
1700 Butterfield	Industrial	25,800	55	perimeter and buffer	960	8	15%	medium	Parking V
1390 Wilhelm	Industrial	32,000	93	end caps and perimeter	840	7	8%	medium	
405 Washington Blvd	Industrial	45,000	70	perimeter	1,560	13	19%	large	
401 Terrace Dr	Industrial	100,700	274	some perimeter and some end caps	3,240	27	10%	large	

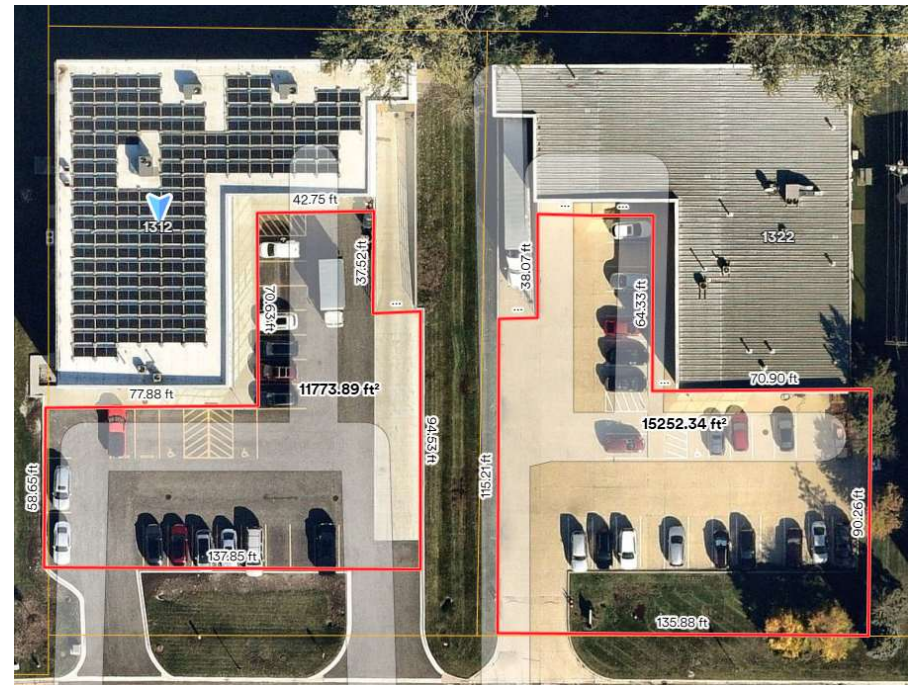
Address	District	sq ft	# parking	existing lands.	if compliant - lose sq ft	if compliant - lose spaces	% spaces lost	Size
1520 S. Lake St	Commercial	7,262	23	Complies	0	0	0%	Small
800 Rt 83	Commercial	23,091	26	perimeter	480	4	15%	Medium
815 S. Lake St	Commercial	24,000	48	-	3,820	11	23%	Medium
342 Townline R	Commercial	68,835	154	-	3240	27	18%	Large
900 S. Lake St	Commercial	77,091	160	-	4600	23	14%	Large
654 S. Lake St	Commercial	93,366	190	Complies	0	0	0%	Large

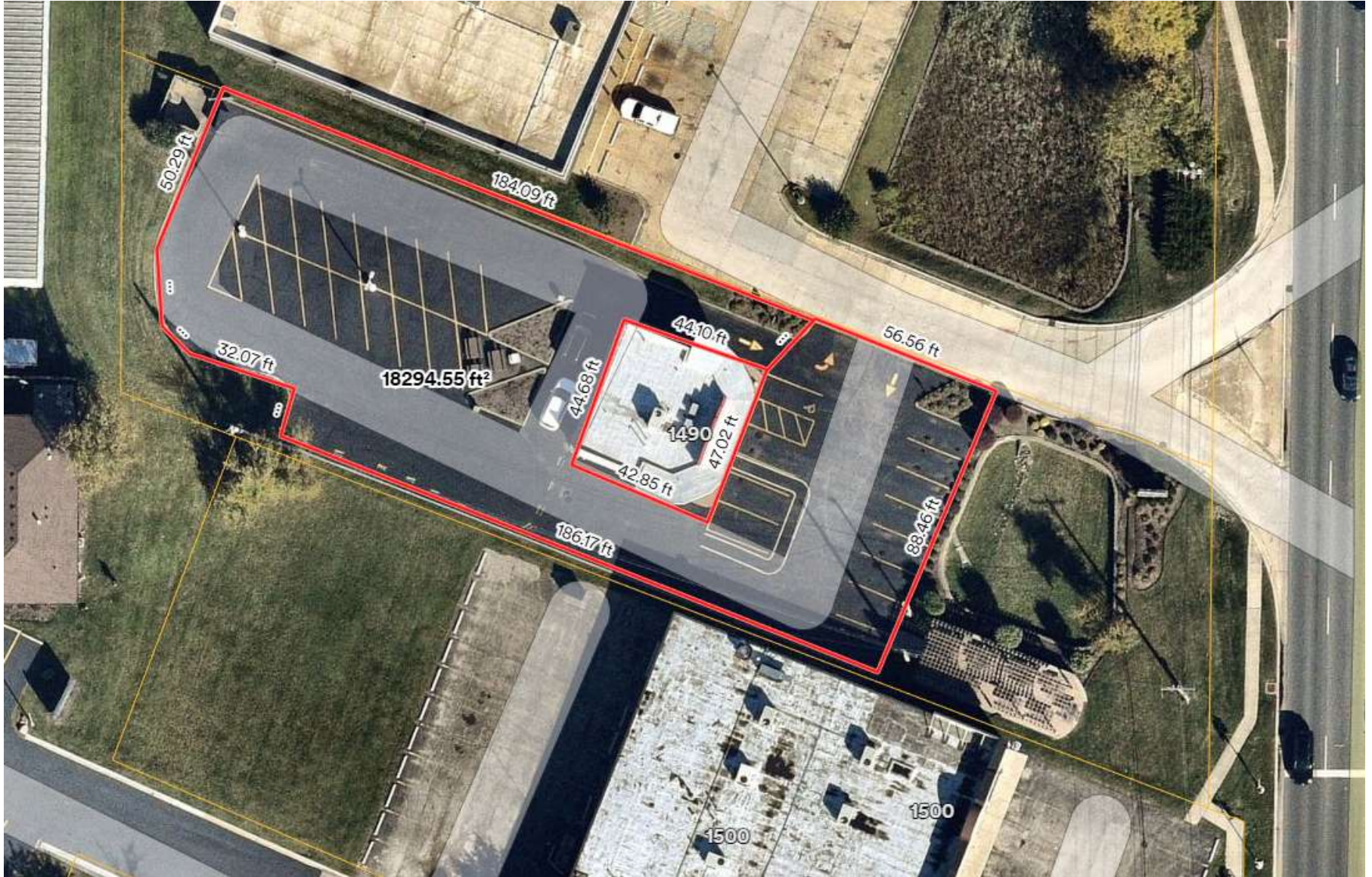
Size	Landscape Requirement
Small (0-20,000 sq. ft.)	Perimeter landscaping
Medium (20,001 – 40,000 sq. ft.)	Perimeter landscaping & landscape islands at the end of each row of parking
Large (40,000 sq. ft. <)	All minimum parking lot landscape requirements must be applied

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1312 Armour Blvd





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Large (40,000 sq. ft. <)	All minimum parking lot landscape requirements must be applied



Address	District	sq ft	# parking	existing lands.	if compliant - lose sq ft	if compliant - lose spaces	% spaces lost
815 S. Lake St	Commercial	24,000	48	-	3,820	11	23%

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Small (0-20,000 sq. ft.)	Perimeter landscaping
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Large (40,000 sq. ft. <)	All minimum parking lot landscape requirements must be applied



Address	District	sq ft	# parki	existing lands.	if compliant - lose sq ft	if compliant - lose spaces	% spaces lost
405 Washington Blvd	Industrial	45,000	70	perimeter	1,560	13	19%