

AGENDA

PLANNING AND ZONING COMMISSION MEETING

December 18, 2024 - 7:00 PM
Village Hall - Board Room
300 Plaza Circle, Mundelein, IL 60060

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ATTENDANCE
- IV. MINUTES APPROVAL
 - A. Approve the Planning and Zoning Commission Regular meeting minutes from November 6, 2024
- V. PUBLIC COMMENTARY
- VI. OLD BUSINESS
- VII. NEW BUSINESS
 - A. PUBLIC HEARING - PZC-15-2024 – 760-780 S. Midlothian Road - Outdoor Contractor Storage Yard
- VIII. QUESTIONS AND COMMENTS
- IX. ADJOURNMENT

The Village of Mundelein, in compliance with the Americans with Disabilities Act, requests that persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions about the accessibility of the meeting or facilities, to contact the ADA Coordinator at 847-949-3200 to allow the Village to arrange accommodations for those persons.

**Planning and Zoning Commission Meeting
Minutes**

November 6, 2024

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on November 6, 2024 at 300 Plaza Circle, Mundelein. Chair Terry Roswick called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chair Roswick led the Pledge of Allegiance.

ATTENDANCE

Secretary Erin Swanson took the roll call. It indicated as follows:

Board Attendance

PRESENT: Chairman Roswick, Commissioner Anderson, Commissioner Garesche, Commissioner Holden, Commissioner Petti, Commissioner Schneckloth
ABSENT: Commissioner Teehan

Village Attendance

PRESENT: Senior Planner Colleen Malec, Recording Secretary Erin Swanson
ABSENT:

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from September 4, 2024

Motion to approve the September 4, 2024, Planning and Zoning Commission Regular Meeting Minutes.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Kevin Anderson
SECONDER:	Commissioner Jennifer Holden
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

There was no public commentary.

OLD BUSINESS

There was no old business.

NEW BUSINESS

428 N Chicago Avenue - Plat of Vacation - Fenton Brewing

C. Malec reviewed the attached presentation and gave a brief overview of the case.

Scott Hezner of Hezner Corporation gave a description of the brew pub facility that is being designed for conceptual design and construction on the parcel. No variations will be requested for the project other than anticipated signage.

Commissioner S. Schneckloth raised questions on easements of the property. C. Malec noted that the Village Attorneys are already looking into any possible easement conflicts.

Chair T. Roswick requested any public commentary. There were no public comments regarding the plat of vacation.

Motion to Recommend Approval of a Plat of Vacation regarding the public alley south of 428 N Chicago Avenue.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Sophia Schneckloth
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC HEARING - PZC-16-2024 - Flaherty & Collins – Townhouses (322-360, 331-339, and 385 Plaza Circle)

Motion to Open Public Hearing PZC-16-2024

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Jennifer Holden
SECONDER:	Commissioner Steven Petti
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden,

	Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

C. Malec reviewed the attached presentation and gave a detailed history of the case. The petitioner is requesting a special use to allow for Townhouses, as well as four variations regarding articulation of the townhouses. Commissioner K. Garesche questioned if the design was reviewed by Trustees. C. Malec confirmed that the negotiating team has been working with Flaherty and Collins on the design being presented.

Zack Henley of Flaherty and Collins and Craig Pryde of KTGy were sworn in. Mr. Henley gave a background a overall philosophy of Flaherty and Collins' approach to choosing and getting established in new communities. Mr. Pryde discussed the design approach of the multifamily project.

Mr. Henley gave an overview of the site plan of the townhouse project and reviewed the floor plans. Mr. Pryde gave an overview on the style of architecture and the multiple drafts gone over with staff and Trustees to make the townhouses better match the vision and architectural character of the Village Center.

Commissioner K. Anderson raised questions on the amount of variations on both the multifamily and townhouse projects. He inquired if our current zoning code is too restrictive for design. Mr. Pryde felt that the zoning code is not too restrictive as it is designed to create consistency throughout the community and the variations are made to assist with hardships. The variations requested are being requested in a holistic approach with the intent of the code in mind. C. Malec reiterated that the intent of the code is to create a baseline quality of architecture in the village, but the code cannot anticipate every architectural style and vision.

Commissioner K. Garesche inquired as to the location of the balconies above the garage and if that is standard design practice. There are several townhouses located within the Village that also have this design feature. C. Malec added that this allows for some privacy for the residents and keeps items like grills, storage, etc. out of public view.

Chair T. Roswick opened the floor to public commentary. There were no public comments received by staff.

Melanie Barret, an owner in the Cardinal Square building, was sworn in. She wanted to know what the new view would be as they are now used to the open field view. C. Malec and Mr. Pryde opened the aerial design to show Ms. Barret what the layout of the building would be. Ms. Barret inquired if the Village would meet with the Cardinal Square Condominium Association Board of Directors to give them an opportunity to

weigh in on the project. T. Roswick let Ms. Barret know that the current meeting would be the time to comment on the townhouse proposal, and the multifamily project was already passed at a previous meeting. Ms. Barret claimed that she knew of some owners who did not receive a notification about the meeting, so not everyone from the Cardinal Square building would be able to weigh in. C. Malec requested the names so that the Village could research the issue to ensure that everyone was on the mailing list that went out. (This item has since been addressed by staff). C. Malec did let Ms. Barret know that the item will progress to the Village Board and she is welcome to attend that meeting to speak as well.

Therese and Patrick Lupton, owners in the Cardinal Square building, were sworn in. Therese spoke about the open space and how the population enjoyed the open area for the annual Forth of July celebration in 2023 when it was held there.

Chair T. Roswick closed the floor to public commentary.

Commission Discussion

S. Schneckloth discussed the item on the parking garage and how the commission requested further design features to make the building more visually appealing. J. Holden clarified that the parking garage motion is a follow-up item that is separate from the public hearing on the townhouses.

Motion to recommend Approval of a Special Use pursuant to Section 20.36.020 for Townhouses in the C-5-VC Zoning District, including the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Kevin Anderson
SECONDER:	Commissioner Kerry Garesche
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Motion to recommend Approval of a Variation from Section 20.36.050(B)(8)(b) regarding window setbacks and projections, including the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Jennifer Holden
SECONDER:	Commissioner Steven Petti
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth

NAYS:	None
ABSTAIN:	None

Motion to recommend Approval of a Variation from 20.36.050(C)(1)(a) regarding building articulation on the side and rear elevations, including the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Sophia Schneckloth
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Motion to recommend Approval of a Variation from Section 20.36.050(H)(1) regarding attached garage details, including the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Jennifer Holden
SECONDER:	Commissioner Sophia Schneckloth
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Motion to recommend Approval of a Variation from Table 20.36-5 of Section 20.36.040 regarding the front build-to zone for townhouses, with the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Jennifer Holden
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Motion to Accept the redesigned architectural elevations for the previously approved multi-family building regarding enhanced vertical uprights above the parking garage, with the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Kerry Garesche
SECONDER:	Commissioner Sophia Schneckloth
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Motion to Close Public Hearing PZC-16-2024

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Jennifer Holden
SECONDER:	Commissioner Steven Petti
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

QUESTIONS AND COMMENTS

ADJOURNMENT

Motion to Adjourn the Planning and Zoning Commission Meeting of November 6, 2024.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Sophia Schneckloth
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

The Regular Scheduled Meeting adjourned at 8:19 PM.

Sign-In Sheet

NAME/COMPANY	ADDRESS	PHONE/EMAIL
Name: ZACH HENLEY		Phone: 317-213-5413
Company: FLCO		Email: henleyzc@gmail.com
Name: CRAIG PRYDE		Phone: 630-881-3950
Company: KTGY		Email: CPRYDE@KTGY.COM
Name: Ben Fenton	428 N. Chicago	Phone: 847-533-4771
Company: Fenton Brewing		Email: BenXfenton@outlook.com
Name: Joe Fenton		Phone: 847-533-4291
Company: Fenton Brewing	438 N. Ch. Co	Email: JoeFenton@comcast.net
Name: Alex Fenton		Phone: 847 533 4192
Company: Fenton BREW	" "	Email: alexfenton18@hotmail.com
Name: NANCY FENTON		Phone: (847) 533-4290
Company: FENTON BREWING	" "	Email: nancyifenton@comcast.net
Name: Venul Kakumani		Phone: }
Company:		Email: } 2243212608
Name: Hima Kakumani		Phone: }
Company:		Email: } venulkakumani@icloud.com
Name: HASVIKA KUMARI		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:

Sign-In Sheet

NAME/COMPANY

ADDRESS

PHONE/EMAIL

Name: SCOTT HEZNER		Phone: 847-221-2601
Company: THE HEZNER CORP		Email: scotth@hezner.biz
Name: LUCAS CONFALONIERI		Phone: 847-918-3800 x117
Company: THE HEZNER CORP		Email: lucasc@hezner.biz
Name:		Phone:
Company:		Email:
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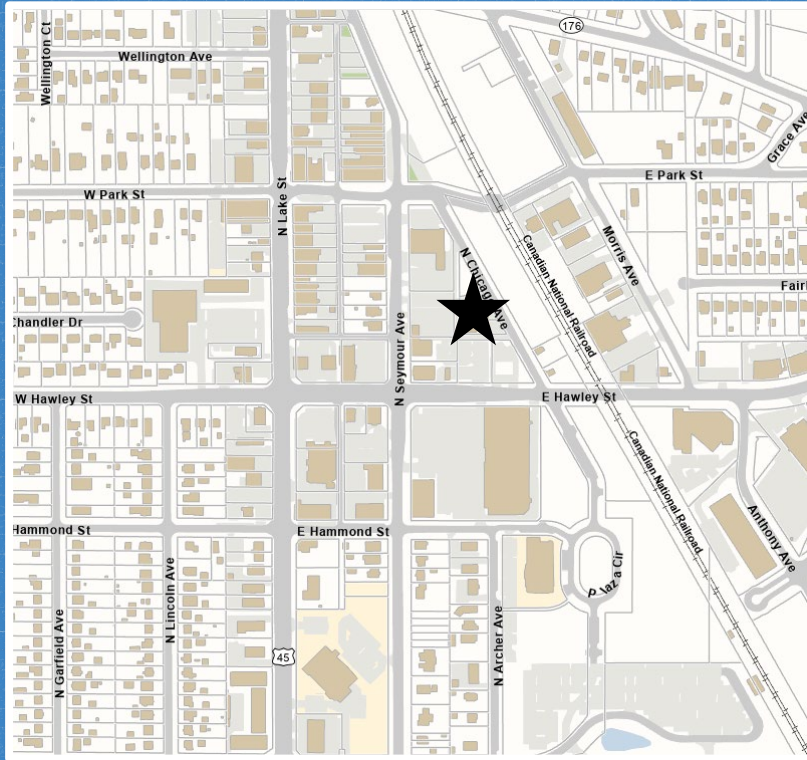


Fentons Brewing Company

Plat of Vacation – 428 N. Chicago

Staff Presentation – November 6, 2024

PROPERTY LOCATION



HISTORY



- Property owned by Village since at least 1910.
- Home to many municipal uses for a century.
- For the last 70 years, it was home to the Public Works Water Division.
- After the new Public Works Headquarters was built in 2020, space was vacated.
- For 4 years, it was used as an incubator for the Mundelein Tool Library. It also housed the North Central 'O' Gaugers Model Railroad Club.
- Both occupants have relocated within Downtown Mundelein.

Microbrewery to replace tool library in Mundelein



Mundelein is selling the building at 428 N. Chicago Avenue to a company that plans to open a microbrewery and restaurant on the site. The Mundelein Tool Library has been operating in the former municipal building but needs to move out. *Paul Valade/pvalade@daillyherald, 2023*



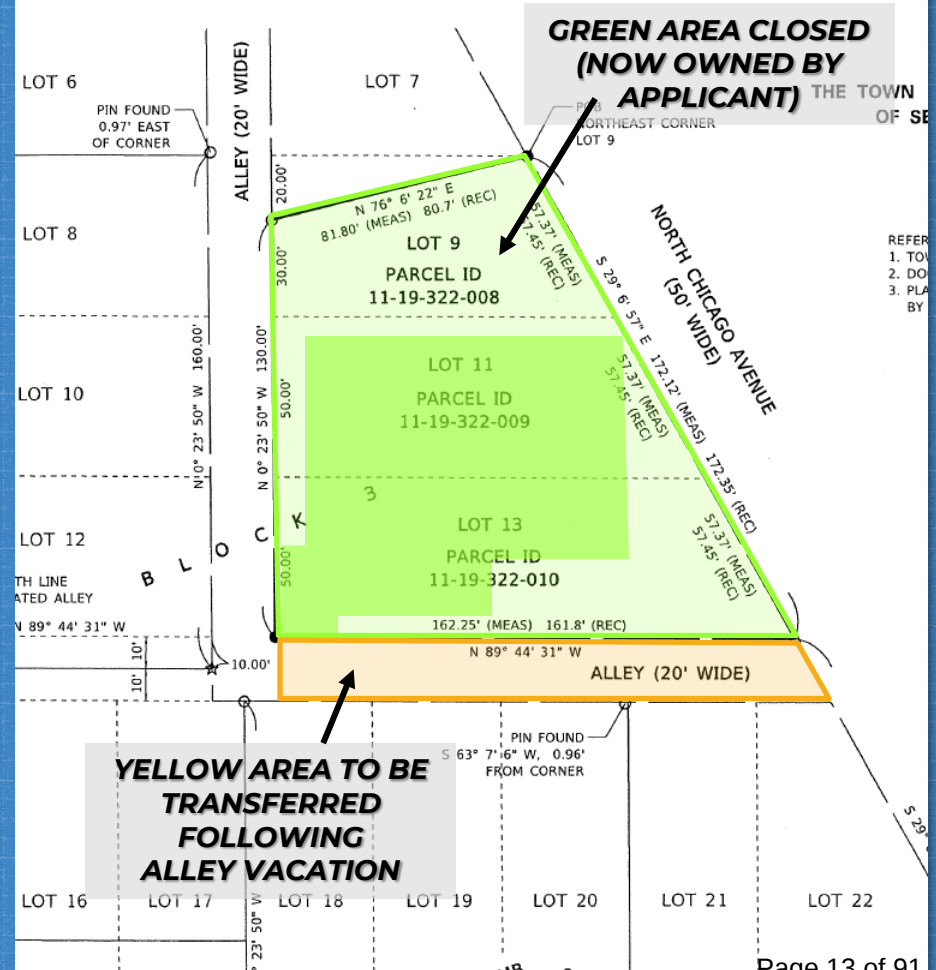
Russell Lissau

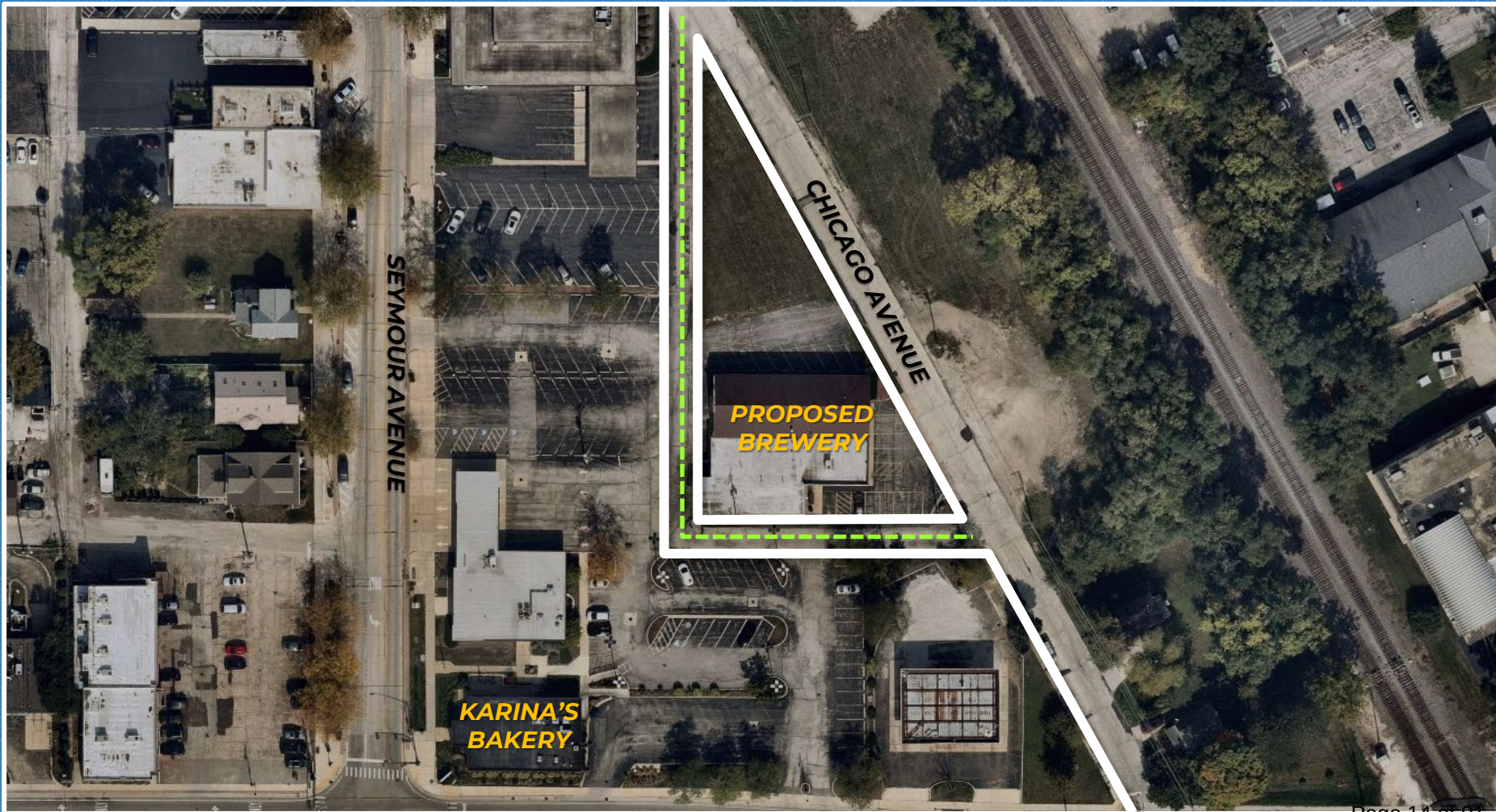
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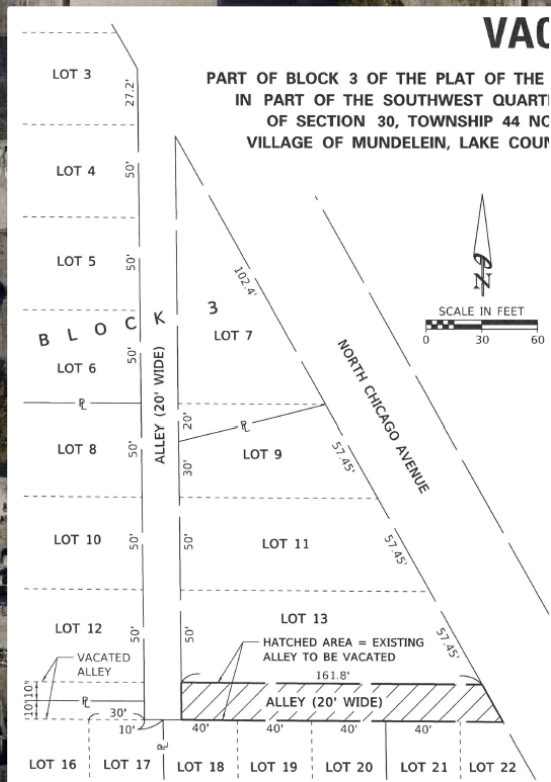
Posted June 10, 2024 8:13 pm

Another microbrewery offering on-site food and drink service is coming to downtown Mundelein.

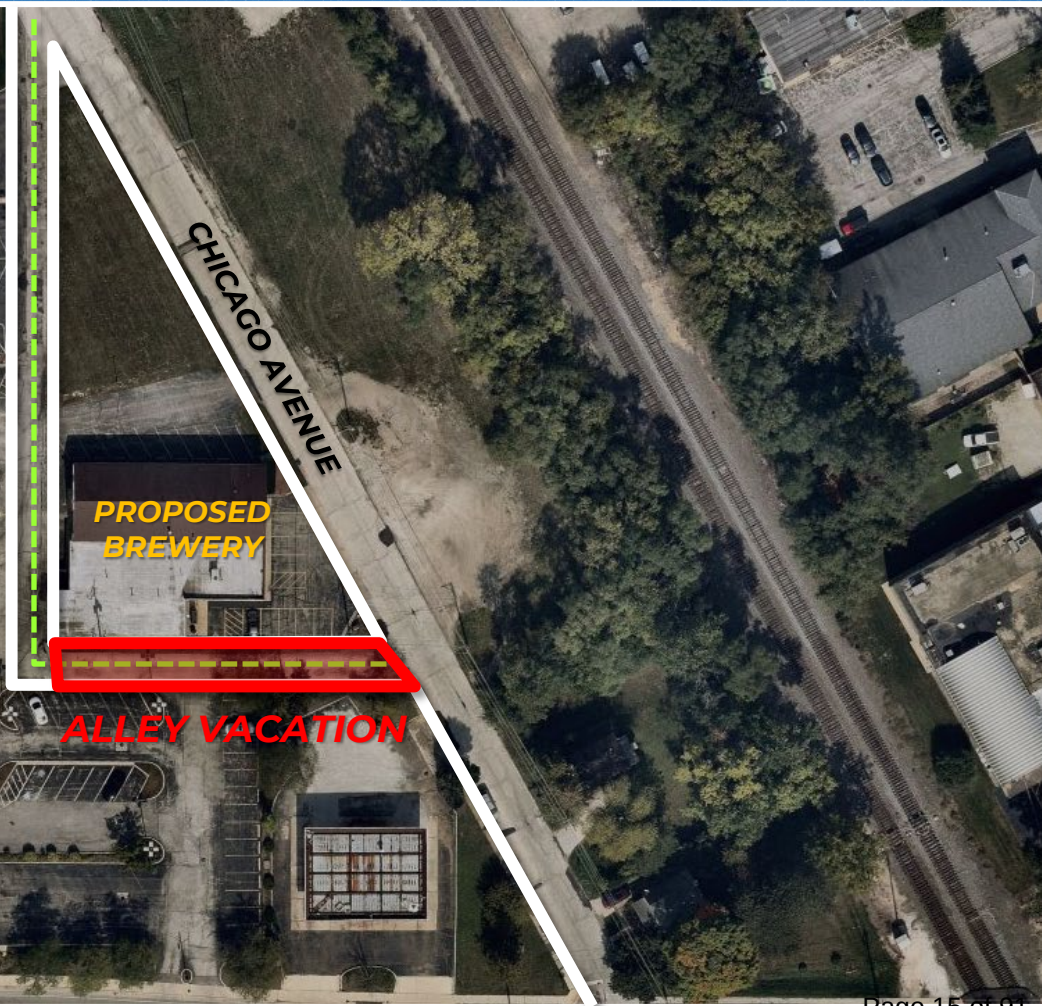
The village board on Monday agreed to sell a former municipal building at 428 N. Chicago Ave. to a limited liability company planning to open Fenton's Brewing Company there. The village also sold the company some vacant







**KARINA'S
BAKERY**





Important Notes

- No formal submittal received for building renovations yet.
- If there are zoning requests related to the use, layout, or architecture, those would come at a future time.
- Planning and Zoning Commission's role for Plats of Vacation? In brief – not much.
- If the applicant resubdivides or consolidates, that would come to the PZC at a future time.

QUESTIONS FOR STAFF?

Next: Applicant's Presentation



Flaherty & Collins

Plaza Circle Redevelopment: “AREA”

Zoning Application for Townhouses

Staff Presentation
PZC-16-2024
November 6, 2024

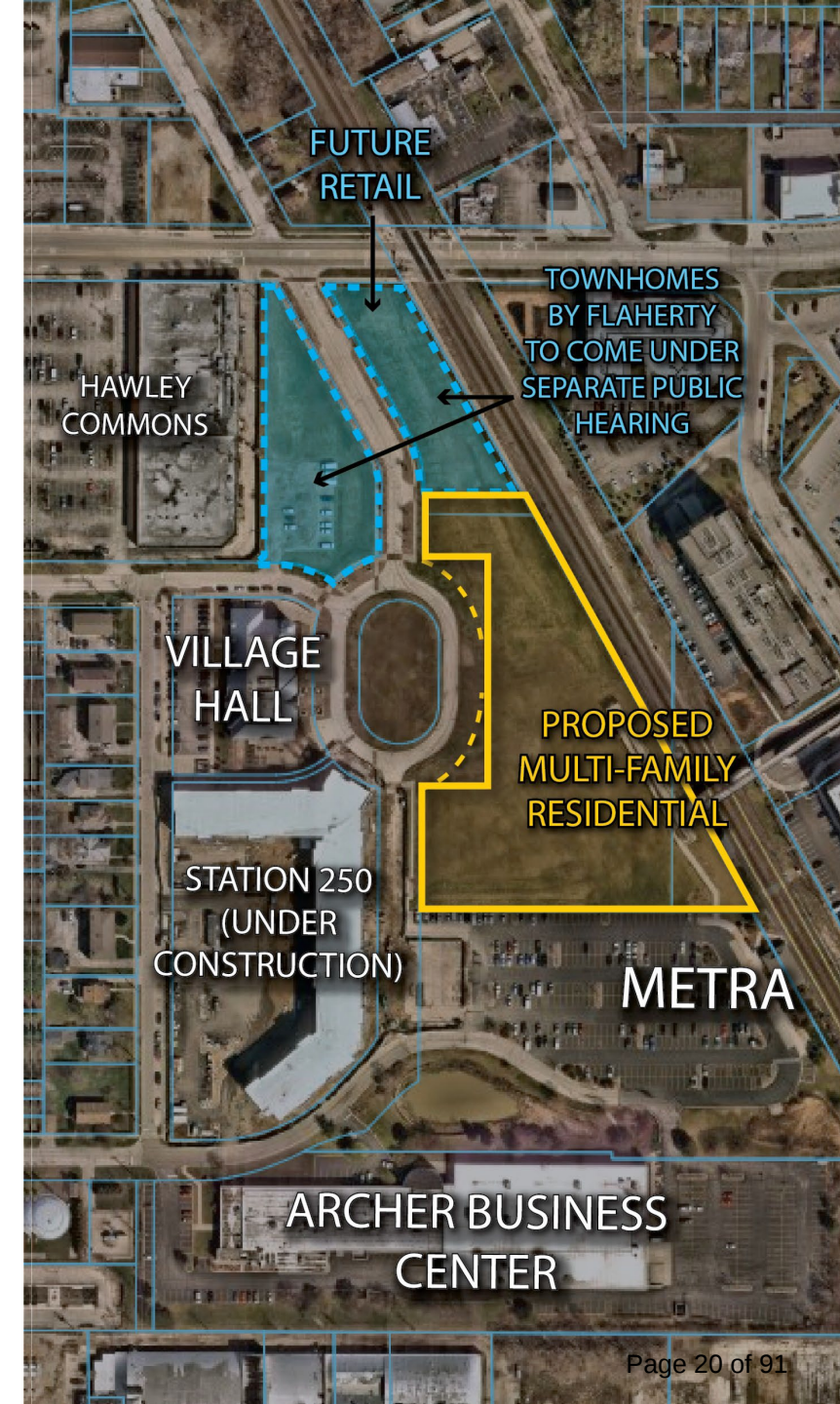
Village Hall Subdivision History

- Village Hall Subdivision was previously occupied by an industrial user (Sigma Services).
- Mundelein plans began to envision the area surrounding the Metra Station as a **focal point for the community**, including retail, residential, and civic uses:
 - *2004 - Transit Oriented Development (TOD) Plan*
 - *2005 - TIF district created to incentivize development*
 - *2012 - Master Redevelopment Implementation Plan*
 - *2012 – New Zoning Ordinance created the “Downtown” designation and phased out industrial users*
- To fulfill those goals, Village acquired the Sigma Services property to create the Village Hall Subdivision.
- In 2014, Village entered into a PPP with Weston Solutions to construct the first building (Mundelein Village Hall).
 - *Remainder of property was subdivided to create “shovel-ready lots”.*



Village Hall Subdivision History

- Since then, Village has worked with interested developers to find the best fit for the subdivision.
- Older plans called for ground floor retail around the circle, but financial consultants, research, and market feedback indicate that retail would need more visibility to succeed. Plan has shifted to predominantly residential around the circle as a result, with the possibility for retail near Hawley Street.
- Station 250 (165 apartments) broke ground on Lot 3 in 2023.
- Flaherty & Collins, a multifamily developer, now proposes a project for the remainder of the lots:
 - *Lot 5 – Multifamily residential (225 apartments)*
 - *Lots 2 and 4 – Townhomes and a pad for future retail at the northernmost end.*
- Flaherty & Collins team has been working diligently with Mundelein since 2022 to create a site plan and architectural design that capture's Mundelein's vision for an urban, vibrant, walkable TOD.

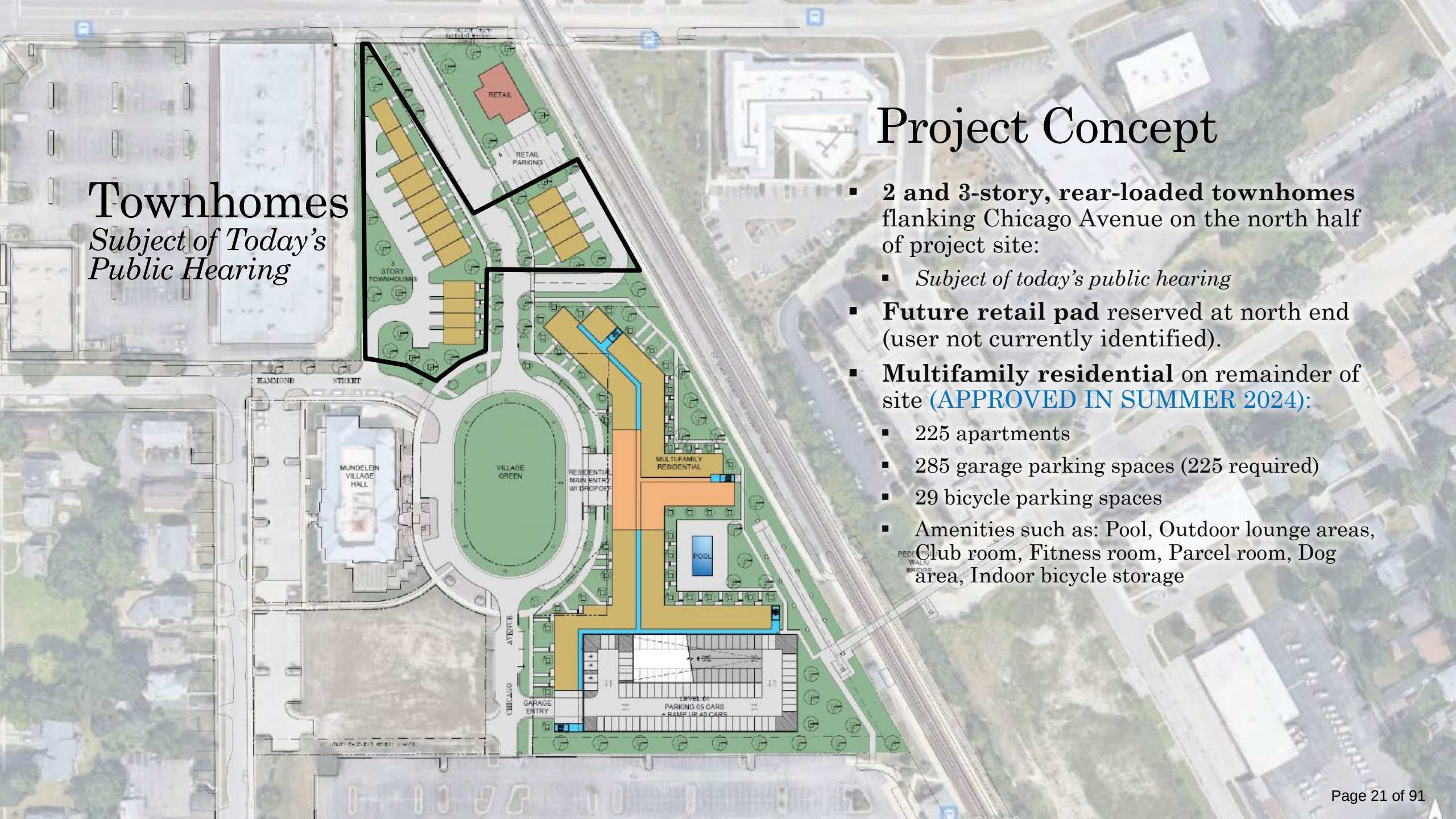


Townhomes

*Subject of Today's
Public Hearing*

Project Concept

- **2 and 3-story, rear-loaded townhomes** flanking Chicago Avenue on the north half of project site:
 - *Subject of today's public hearing*
- **Future retail pad** reserved at north end (user not currently identified).
- **Multifamily residential** on remainder of site (**APPROVED IN SUMMER 2024**):
 - 225 apartments
 - 285 garage parking spaces (225 required)
 - 29 bicycle parking spaces
 - Amenities such as: Pool, Outdoor lounge areas, Club room, Fitness room, Parcel room, Dog area, Indoor bicycle storage

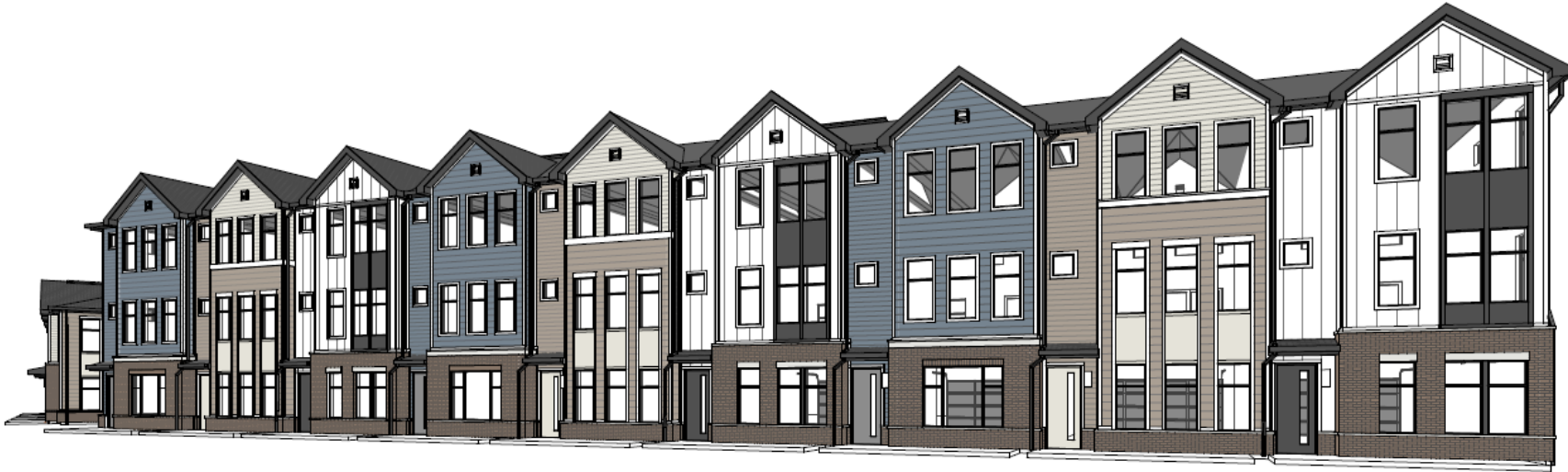


Plaza Improvements

- Developer agrees to make a \$300,000 contribution towards the design and construction of a public open space in the central plaza.
- Village agrees to complete the improvements no later than August 1, 2028.
- Plaza will feature landscaping and hardscaping, along with other possible features such as seating, open lawn space, pergolas, water features, lighting, and signage.



Townhouse Architectural Design



- 17 units across 3 buildings
- 68 parking spaces provided (half enclosed in garages)
- Exceeds parking requirements (1 enclosed space per unit required)
- Height:
 - ❖ 3 stories (9 units)
 - ❖ 2 stories (8 units)

Townhouse Architectural Design Background

- Architecture was negotiated extensively between Flaherty & Collins and the Village Board (Negotiating Team).
- Original design was very different than what is now proposed. The developer and architect worked diligently with the Negotiating Team to rework the architecture into a design they felt had the right character.
- Some elements that were desired by the Negotiating Team and incorporated into the design:
 - ✓ More of a residential feel
 - ✓ More emphasis on vertical elements rather than horizontal elements
 - ✓ Visual differentiation between units
 - ✓ Cleaner design rather than busy (e.g. less is more)
 - ✓ Brighter color scheme
 - ✓ No unnecessary articulation where it clutters the design and doesn't add architectural value
- Staff supports all variation requests, as the character and balance of the building aesthetic is more important than strict adherence to the Zoning Ordinance design requirements.

Zoning Variation Requests (4)

Section 20.36.050(B)(8)(b) – Window Setbacks and Projections.

Code Reads: “*Windows and doors shall have raised elements to create shadow and articulation. In addition, three-dimensional elements, such as balconies and bay windows, should be incorporated to provide dimensional elements on a façade. **Windows shall be set back (“punched”) into or projected out from the façade** to provide façade depth and shadow, vertical in orientation and of a consistent style.”*

- **Variation Required – Windows are not punched in or projected from façade.**

Section 20.36.050(C)(1)(a) – Building Articulation on Side and Rear Elevations.

Code Reads: “***All facades require articulation of no less than 12” in depth and 36” in width.** Walls less than 25’ in width are required one area of articulation. Walls between 25’ and 75’ in width are required two significant areas of articulation. Walls over 75’ are required one articulation of significance for every 25’ in building width at regular intervals.”*

- **Variation Required – Articulation requirements not fully satisfied on the side and rear elevations (front meets them).**

Zoning Variation Requests (4)

Section 20.36.050(H)(1) – Garage Details.

Code Reads: *“Attached garage overhead doors in the C-5-VC Zoning District must contain windows or other details such as applied brackets, hinges, arched panels, or other design elements to enhance the look of the overhead door.”*

- **Variation Required – Garages do not have embellishments (windows, brackets, etc.)**

Table 20.36-5 of Section 20.36.040 – Front Build-To Zone for Townhouses.

Townhouses and most other building types in the C-5-VC Zoning District are subject to a **“Build-To Zone” along the front property line**, which is the opposite of a front yard setback. The front of the building must start within **0’ – 15’** of the front property line. The intention of this section is to encourage development in the Village Center to be closer to the street for an urban, walkable feel.

- **Variation Required – Small section on the southern end of Building D is further than 15’ away from the front property line.**

June 19th Meeting Condition Follow-Up (Multi-Family Building)

*“The applicant must bring potential designs to **enhance the blank vertical uprights above the parking garage** (stairwell and elevator columns) back to the Planning and Zoning Commission for consideration at a public meeting prior to the issuance of a building permit.”*



Questions for Staff?

Next: Petitioner's Presentation

**FINDINGS OF FACT – SPECIAL USE PERMIT
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
Motion to recommend approval of a Special Use Permit pursuant to Section 20.36.020 for Townhouses in the C-5-VC Zoning District.	
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned motion.	
1. The establishment, maintenance, and operation of the special use in the specific location proposed will not endanger the public health, safety, or general welfare of any portion of the community.	
The Commission finds that the proposed townhouse use is consistent with, and complimentary to, the proposed multi-family building to the south of this site. The proposed development provides valuable housing stock to the community and will not endanger the public health, safety, or general welfare of the community.	
2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use.	
The Commission finds that the proposed townhouse use is compatible with the adjacent uses, which include multi-family, the Village Hall, and a shopping center. The project is designed to compliment the proposed multi-family building to the south.	
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Village land use policies.	
The Commission finds that the proposed townhouses are consistent with the spirit and intent of the Zoning Ordinance and Comprehensive Plan, which encourage a diverse mix of residential types in the downtown.	
4. The special use conforms to the applicable regulations of the zoning district in which it is to be located.	
The Commission finds that the proposed townhouses conform to all requirements of the Zoning Ordinance, minus four architectural variations which are separately requested.	

**FINDINGS OF FACT – VARIATION (1) – WINDOW SETBACKS AND PROJECTIONS
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Section 20.36.050(B)(8)(b) regarding window setbacks and projections .
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
DRAFT APPROVAL	The strict application of the Zoning Ordinance would require the developer to increase the thickness of the walls beyond necessary to accommodate the “punched or recessed” windows, which would add cost with little architectural value added.
2. The plight of the owner is due to unique circumstances;	
DRAFT APPROVAL	The plight of the petitioner is due to unique circumstances because the architecture, which was heavily negotiated by the Village Board, achieves a similar effect through trim elements and color changes.
3. The variation, if granted, will not alter the essential character of the locality;	

DRAFT APPROVAL	The variation requested is with the intent to allow the proposed development to help “establish” the essential character of the locality as guided by the Comprehensive Plan. A large portion of the Village Center is undeveloped and there is an opportunity to establish an architectural character.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
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.	
DRAFT APPROVAL	The Commission finds that the physical surroundings, shape, or topographical conditions of the property do not present a particular hardship with regards to window design.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
DRAFT APPROVAL	The Commission finds that the Petitioner has not created this hardship, as the architecture of the townhouses has been heavily negotiated by the Village Board through the adoption of the Redevelopment Agreement.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
DRAFT APPROVAL	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner has offset the lack of window recesses with ample articulation, changes in material, and other architectural detail.
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.	
DRAFT APPROVAL	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.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
DRAFT APPROVAL	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which were written to encourage better building design within the Village Center.
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.	
DRAFT APPROVAL	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

**FINDINGS OF FACT – VARIATION (2) – WINDOW SETBACKS AND PROJECTIONS
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Section 20.36.050(C)(1)(a) regarding building articulation on the side and rear elevations.
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
DRAFT APPROVAL	The strict application of the Zoning Ordinance would require the developer to create articulation beyond necessary to satisfy the letter of the articulation requirements, which would add cost with little architectural value added.

2. The plight of the owner is due to unique circumstances;	
<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because the architecture, which was heavily negotiated by the Village Board, achieves a similar effect with trim elements that provide “visual articulation”, “doghouse” structures on the side elevation for utilities, and using at least two materials on the side elevations. The roof design along the front and rear also achieve a visual articulation effect.
3. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The variation requested is with the intent to allow the proposed development to help “establish” the essential character of the locality as guided by the Comprehensive Plan. A large portion of the Village Center is undeveloped and there is an opportunity to establish an architectural character.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
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.	
<i>DRAFT APPROVAL</i>	The Commission finds that the physical surroundings, shape, or topographical conditions of the property do not present a particular hardship with regards to articulation.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
<i>DRAFT APPROVAL</i>	The Commission finds that the Petitioner has not created this hardship, as the architecture of the townhouses has been heavily negotiated by the Village Board through the adoption of the Redevelopment Agreement.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner has introduced ample architectural detail such as trim, changes in material, etc.
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.	
<i>DRAFT APPROVAL</i>	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.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which were written to encourage better building design within the Village Center.
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.	
<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

**FINDINGS OF FACT – VARIATION (3) – ATTACHED GARAGE DETAILS
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Section 20.36.050(H)(1) regarding attached garage details .
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	

No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:

1. The strict application of the terms of this Ordinance will result in undue hardship;

<i>DRAFT APPROVAL</i>	The strict application of the Zoning Ordinance would require unnecessary embellishment on elevations that the Village Board has negotiated and feels that it meets the intent of the Village Center vision. The applicant also feels that adding windows in the garage door creates security and maintenance issues.
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2. The plight of the owner is due to unique circumstances;

<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because the architecture, which was heavily negotiated by the Village Board, achieves visual interest on the rear elevation through articulation, balconies, changes in materials, 5+ windows and/or doors, etc.
-----------------------	--

3. The variation, if granted, will not alter the essential character of the locality;

<i>DRAFT APPROVAL</i>	The variation requested is with the intent to allow the proposed development to help “establish” the essential character of the locality as guided by the Comprehensive Plan. A large portion of the Village Center is undeveloped and there is an opportunity to establish an architectural character.
-----------------------	---

The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.

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.

<i>DRAFT APPROVAL</i>	The Commission finds that the physical surroundings, shape, or topographical conditions of the property do not present a particular hardship with regards to garage details.
-----------------------	--

2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.

<i>DRAFT APPROVAL</i>	The Commission finds that the Petitioner has not created this hardship, as the architecture of the townhouses has been heavily negotiated by the Village Board through the adoption of the Redevelopment Agreement.
-----------------------	---

3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.

<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner has offset the lack of garage embellishments with articulation, balconies, changes in materials, and ample windows and doorways.
-----------------------	--

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.

<i>DRAFT APPROVAL</i>	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.
-----------------------	---

5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.

<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which were written to encourage better building design within the Village Center.
-----------------------	--

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.

<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
-----------------------	---

**FINDINGS OF FACT – VARIATION (4) – FRONT BUILD-TO ZONE FOR TOWNHOUSES
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Table 20.36-5 of Section 20.36.040 regarding the front build-to zone for townhouses.
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
<i>DRAFT APPROVAL</i>	The strict application of the Zoning Ordinance would require the developer to wrap the southern portion of one of the 4-unit buildings around the curved roadway, which would incur great cost and could result in a less visually appealing and less efficient building design.
2. The plight of the owner is due to unique circumstances;	
<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because amount of the building that exceeds the 15' build-to zone is very minimal, and the costs of altering the building design to satisfy this requirement would far outweigh any visual or placemaking benefits.
3. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The Commission finds that the amount of the townhouse building that exceeds the 15' build-to zone is very minimal and will not be apparent to residents, visitors, or passerby.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
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.	
<i>DRAFT APPROVAL</i>	The Commission finds that the shape of the property presents a particular land-based hardship, as the building would need to be wrapped around a curvilinear shape to satisfy the code requirement.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
<i>DRAFT APPROVAL</i>	The Commission finds that the Petitioner has not created this hardship, as the shape of the property was put into place by the Village many years before the applicant proposed a project on the property.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within.
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.	
<i>DRAFT APPROVAL</i>	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.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which were written to encourage better building design within the Village Center.
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.	
<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

To: Commission Members

From: Colleen Malec, Senior Planner
Erin Swanson, Administrative Assistant

For: Planning and Zoning Commission Meeting of December 18, 2024

Subject: PUBLIC HEARING - PZC-15-2024 – 760-780 S. Midlothian Road - Outdoor Contractor Storage Yard

Attachments:

1. Certificate of Publication
2. Petitioner's Packet
3. Public Commentary as of December 12, 2024

Background:

In 2019, the Village annexed 760-780 S. Midlothian Road at the former property owner's request. The former owner, Gerald Teegan, represented that it was used as a single-family home and had a failing well that required extensive repair. Mr. Teegan asked to instead connect to the Village's water main, which requires annexation per the Village's agreement with our water provider (Central Lake County Joint Action Water Agency).

There were some unique elements to this particular annexation:

- a. No Rezoning. When properties are annexed, they are by default assigned the R-1 Single-Family Residential designation, as it is the least intense zoning district. If the applicant proposes a specific use, they may request a rezoning to a more appropriate district at the same time as annexation. Mr. Teegan did not request a rezoning, as the stated single-family use was already permitted in the R-1 district.
- b. Sanitary Connection Variation. The Annexation Agreement included a variation from the Municipal Code requirement that all incorporated properties must be connected to the Village's sanitary sewer. It specified that if the property were ever to be redeveloped in the future (or in this case, converted to a commercial land use), the property must be connected to the sanitary sewer.
- c. Annexation Fee Deferral. Mr. Teegan requested a deferral of a portion of the Annexation Fee (\$10,233.90 deferred), claiming financial hardship because of the single-family nature of the

property. The Annexation Agreement specified that the remainder of the fee must be paid if the property were ever redeveloped or converted to commercial.

In February of 2024, Code Enforcement noticed the property being used for commercial purposes without any permits or business registrations. Specifically, the property owner was operating a landscaping business with an office and outdoor contractor storage yard. They were advised of the zoning violation, and the property owner opted to apply for a use variation to continue the commercial use.

Figure 1: Subject Property Location (Dated July 2019)

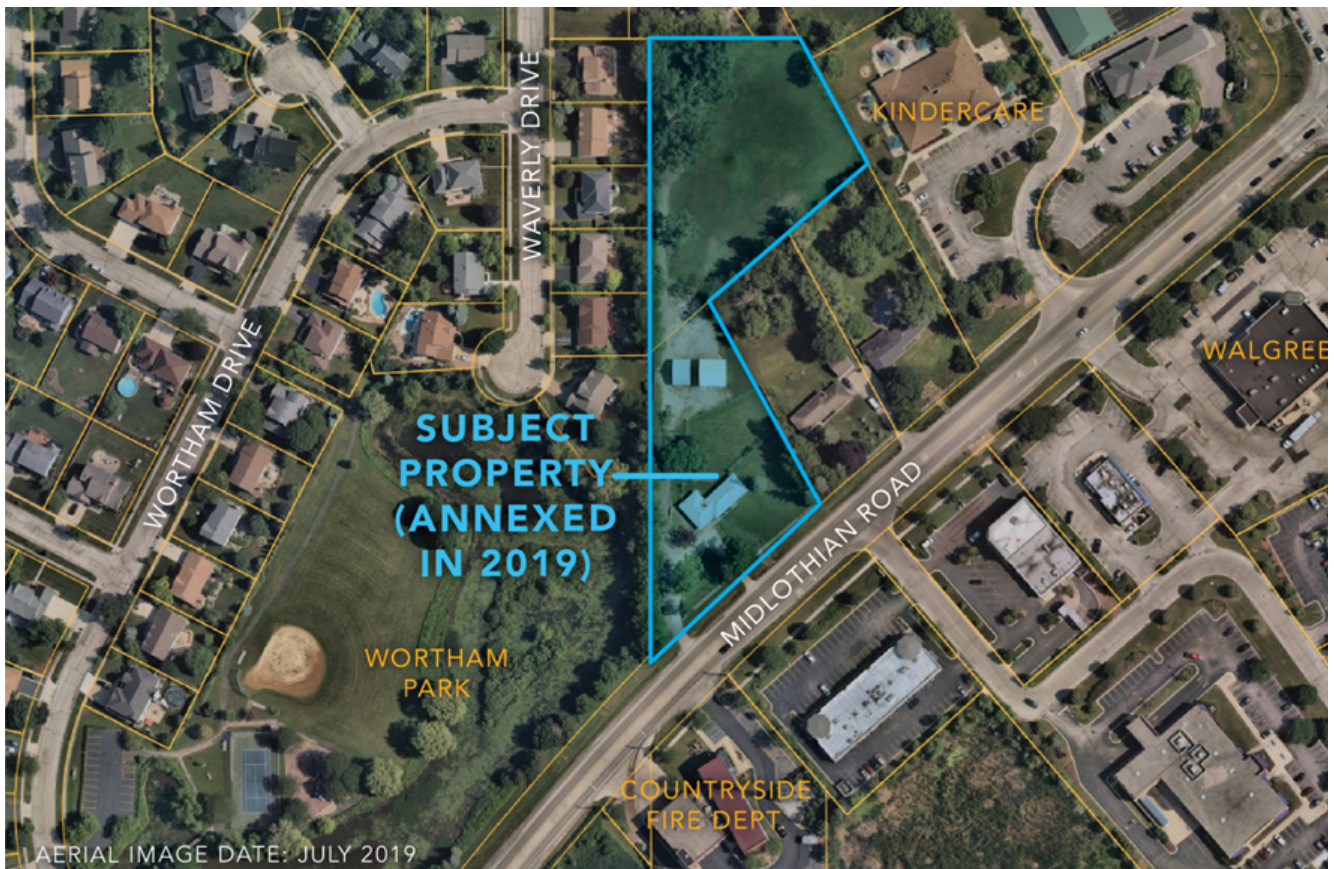


Figure 2: View from Street (Dated September 2024)



Variation Requested

The Petitioner is requesting a use variation to operate a (1) Outdoor Contractor Storage Yard; and (2) an office in the R-1 Single-Family Residential zoning district. The Petitioner will use the former house entirely as an office and there will be **no residents**.

There was some gravel installed without a permit, which is not a permitted surface in Mundelein. The Petitioner will remove and pave over the new gravel areas, so a variation for gravel is not needed. Any gravel areas that existed prior to annexation are grandfathered in, including the pre-existing gravel driveway.

Site Details

See **page 26** of the Petitioner's Packet for the site plan, and **page 20** for the office floor plan. The site includes:

- **Office** (formerly the single-family home) – No residents
- Pre-existing **solid wooden fence** around a substantial portion of the property
- Two **pre-existing metal garages** to the rear of the office
- A **concrete pad** for storing material piles, installed by the applicant in 2021
- Proposed **asphalt parking** for landscaping vehicles and equipment

Any future expansions or changes beyond the Petitioner's site plan would require zoning relief due to the R-1 designation.

Figure 3: Aerial Comparison Pre- and Post-Annexation



Use Standards for Outdoor Storage Yards

The business must adhere to the Use Standards for Outdoor Storage Yards. As far as staff is aware, these are all either satisfied, or will be satisfied during the building permit review.

1. All outdoor storage must comply with the **screening requirements** of Section 20.60.150 (Screening Requirements).
 - a. *Per the Petitioner: They will comply with all screening requirements, including the perimeter fencing (6' high and solid) and landscaping.*
2. When there is a structure affiliated with the storage yard, the structure shall be oriented toward the front of the lot and the storage area shall be located to the rear of the lot. The outdoor storage area should be located to the rear of the lot where possible. All structures must be located towards the front of the lot, in compliance with the front yard of the underlying zoning district.
 - a. *Site layout already meets this requirement.*
3. Outdoor storage areas shall be surfaced, and graded and drain all surface water. Outdoor storage areas may be surfaced with pervious paving, if adequate drainage and erosion and dust control are provided. However, gravel is prohibited.
 - a. *Per the Petitioner: The outdoor storage area is currently gravel, but any portions installed post-annexation will be removed. A new asphalt paved surface will be installed in the contractor storage yard area for the Petitioner's business vehicles.*
4. Any lighting used to illuminate an outdoor storage area shall be directed and shielded as to not illuminate any adjacent residential areas.
 - a. *Per the Petitioner: The lighting used to illuminate the outdoor storage area is directed away from nearby residential areas. Petitioners will comply with all lighting requirements.*

5. All items stored outdoors must be related to the on-site business and its operations.
 - a. *Per the Petitioner: All items stored on the property relate to the Petitioner's landscape business.*

Staff Comments

- **Building Department:** Due to the conversion of a single-family home to a commercial use (office), please note that there may be some modifications required to bring the building up to code for commercial use (ADA accessibility, fire alarms, etc.).
- **Public Works and Engineering:** The Petitioner must comply with all Watershed Development Ordinance requirements with regards to new surfaces.
- **Community Development:** Per the Annexation Agreement, the Petitioner will be responsible for paying the remainder of the Annexation Fee (\$10,233.90) and must connect to the Village's sanitary sewer system.

Public Comments

As of December 12th, Staff has been contacted by four residents:

- Residents at 693 Waverly Drive provided a written email in support of the Petition, which is attached.
- Another nearby resident contacted Staff with questions about the contents of the petition, hours of operation, construction schedule, security, and surrounding property values. They have not yet followed up with written public commentary as of December 6th.
- Residents at 668 Wortham Drive provided a written email in opposition of the Petition, which is attached.
- Residents at 26862 N Midlothian Road provided a written email in support of the Petition, which is attached.

Comprehensive Plan

Relevant excerpts from the Comprehensive Plan to provide guidance:

- **Future Land Use Plan:**
 - The Future Land Use Map designates this property under the **"Flexible Use"** category.
- **Residential Chapter:**
 - Preserve and enhance the **residential character** of the Village.
 - Ensure **residential areas are adequately screened/buffered** from incompatible adjacent non-residential uses and activity.
 - Protect residential areas from **encroachment by incompatible land uses** and the adverse impacts of adjacent non-residential activities through implementation of the Future Land Use Plan and the strict enforcement of buffering, landscaping, screening, and lighting requirements of adjacent non-residential properties.
- **Economic Development Chapter:**

- Improve and **strengthen the Village's diverse tax base** and fiscal stability through the attraction, retention, and expansion of businesses in the Village.
- Consistently and **strictly administer property maintenance** and code enforcement process in nonresidential areas of the Village.
- Promote the **appropriate mix and intensity of non-residential uses** in the various districts throughout the Village.
- Support and encourage an appropriate mix of retail, office, service commercial, and industrial activities to be organized by use and concentrated within or near areas of complementary uses.
- Require all **industrial development to meet specific applicable performance standards** for noise, air, odor, and any other forms of environmental pollution.

Analysis

Staff does not strongly oppose nor support the proposed use as presented. The following points are offered for consideration:

- A. The use has been conducted on the site for several years (albeit without permission), and no complaints have been received from neighboring residents. Due to the solid fence and gate screening the storage area, it is not immediately apparent from the roadway that the property is being used for commercial purposes.
- B. The "Flexible Use" category is often assigned to properties located at a junction between multiple land use types because more than one use may be compatible with the surrounding area. The PZC should evaluate these "Flexible Use" properties on a case-by-case basis. This property is surrounded by a wide variety of uses, such as:
 - a. Single-family residential
 - b. Recreation/open space
 - c. Agriculture
 - d. Institutional (fire station)
 - e. Commercial strip centers and freestanding businesses
- C. Staff recommends reserving judgement until all public commentary is received. If nearby residents are negatively impacted by the proposed use, it may not be compatible with residential areas.
- D. The property is much larger than the Petitioner's outdoor storage area and has far more potential for intensity than the Petitioner has requested. This existing, large lawn area on top of the existing screening may provide a buffering affect to surrounding properties.
- E. If approved, the surrounding area can have an expectation that the size, use, and intensity of the commercial use cannot increase without a public hearing.

Recommendation:

Motion to recommend Approval/Denial of a use variation to **Table 20.28-1 of Section 20.28.020** to permit an Outdoor Contractor Storage Yard and Office in the R-1 Single-Family Residential zoning district at 760-780 S. Midlothian Road, Mundelein, Illinois.

NOTICE OF HEARING BEFORE THE
VILLAGE OF MUNDELEIN PLANNING & ZONING
COMMISSION

NOTICE IS HEREBY GIVEN that on December 18, 2024, at the hour of 7:00 p.m., there will be a public hearing before the Village of Mundelein Planning and Zoning Commission at the Mundelein Village Hall, 300 Plaza Circle, Mundelein, Illinois, concerning a petition by Maria and Jose Gonzalez. The petition requests a Variation from Table 20.28-1 of Section 20.28.020 to permit an **Outdoor Contractor Storage Yard and Office** in the **R-1 Single-Family Residential** zoning district at 760-780 South Midlothian Road, Mundelein, IL (PINs 10-36-100-003 and 10-36-100-019), in accordance with the application on file with the Village of Mundelein.

If you cannot attend the meeting in-person and you wish to submit a question or comment to be provided to the Planning and Zoning Commission, please email your full name and your question or comment to planning@mundelein.org. Please put "Public Commentary" in the subject line. Comments received during the meeting, but after the public commentary portion has ended, will be provided to the Commission Members after the meeting.

CASE NO.: PZC-15-2024

The name and address of the Petitioner:

Maria and Jose Gonzalez
780 S. Midlothian Road
Mundelein, IL 60060

This Notice is an invitation to all interested persons to submit oral or written testimony or other evidence concerning the above case to the Village of Mundelein Planning and Zoning Commission to planning@mundelein.org. Comments received by 5:00 p.m. CT on December 11, 2024, will be included in the meeting agenda packet. Comments received after this date will be provided to the Commissioners on the day of the public hearing. Persons with questions are encouraged to call the Village of Mundelein at (847) 949-3282. The Planning and Zoning Commission's actions are not final for this case. The Planning and Zoning Commission will forward its findings and recommendations to the Village Board of Trustees for final consideration and action.

Dated at Mundelein, Illinois, this 3rd day of

December, 2024.

Terry Roswick /s/

Chairman

Planning and Zoning Commission

Published in Daily Herald Dec. 2, 2024 (270854)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Lake County Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Lake County DAILY HERALD**. That said **Lake County DAILY HERALD** is a secular newspaper, published in Libertyville, Lake County, State of Illinois, and has been in general circulation daily throughout Lake County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Lake County DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 12/02/2024 in said **Lake County DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY


Designee of the Publisher of the Daily Herald

Control # 270854 *LAKE*



INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

PROPERTY INFORMATION

Address 760-780 Midlothian Rd., Mundelein, IL 60060
Property Index Numbers (PIN) 10-36-100-003 and
10-36-100-019
Size of Property 136,948 (sq. ft./acres)
Size of Building Space _____ (sq. ft.)
Size of Space Utilized _____

ZONING

Current Zoning R-1
Proposed Zoning R-1
Current Use _____
Proposed Use contractor storage yard and office

PETITIONER INFORMATION

Business/Org. Name _____
Name Maria and Jose Gonzalez
Title _____
Address 780 S. Midlothian Road
City, State, Zip Mundelein, IL 60060
Phone (847) 924-5557
Email gonzalezjose1260@yahoo.com
Petitioner Status: ☒ Owner ☐ Lessee ☐ Contract Purchaser

PROPERTY OWNER INFORMATION

Business/Org. Name _____
Name Maria S. Gonzalez
Title _____
Address 780 S. Midlothian Road
City, State, Zip Mundelein, IL 60060
Phone (847) 924-5557
Email gonzalezjose1260@yahoo.com

SECTION OF ZONING ORDINANCE: 20.28.020

DESCRIPTION OF PROPOSED ZONING VARIATION *(Attach additional pages, if necessary)*

Petitioners seek a variation from the Permitted and Special Uses in the R-1 Residential District to allow for
a contractor's storage yard and office as a permitted use for Petitioner's landscaping business.
Please see attached Narrative.

STANDARDS FOR GRANTING A VARIATION PLEASE SEE ATTACHED EX. B NARRATIVE

In evaluating the proposed variation, the Zoning Administrator, Planning and Zoning Commission and Village Board will make findings based on the standards imposed by Section 20.16.020 of the Zoning Ordinance. **Please provide a detailed response to each of the following criteria** (*attach additional pages, if necessary*):

- a. The strict application of the terms of this Ordinance will result in undue hardship.
- b. The plight of the owner is due to unique circumstances.
- c. The variation, if granted, will not alter the essential character of the locality

The Zoning Administrator, Planning and Zoning Commission, and Village Board, in making its findings, may further inquire into the following evidentiary issues, as well as any others deemed appropriate. **Please provide a detailed response to each of the following criteria** (*attach additional pages, if necessary*):

- a. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of regulations were to be carried out.
- b. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.
- c. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.
- d. 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.
- e. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.
- f. 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.

SITE VISIT AUTHORIZATION

I hereby grant employees of the Village of Mundelein, their agents, and members of the Mundelein Planning and Zoning Commission permission to enter on the property located at the following address:

(Address) 760-780 S. Midlothian Rd., Mundelein, IL 60060

Visual inspection of the site shall be accomplished during reasonable hours to examine only those portions of the property relating to this application. This permission is granted in regards to the Mundelein Planning and Zoning Commission Petition for the above-cited property.

**If Owner or if Owner is a
Corporation or Partnership:**

Maria S Gonzalez 8-21-24
Signature of Owner Date

By Maria S. Gonzalez

Title/Full Corporate Name

If Contract Purchaser:

Signature of Contract Purchaser Date

By _____

Title/Full Corporate Name

If Lessee (Corporate or Partnership):

Signature of Lessee Date

By _____

Title/Full Corporate Name

REQUIRED SIGNATURES

The undersigned states under oath that he/she/they are the **Legal Owner(s)** of record of the realty described in this Planning and Zoning Commission Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature (Owner): Maria S Gonzalez
Printed Name: Maria S. Gonzalez

Date: 8-21-24
Title: Owner and Petitioner

Signature (Owner): Jose Gonzalez
Printed Name: Jose Gonzalez

Date: 8-21-2024
Title: Petitioner

The undersigned states under oath that he/she/they are the **Contract Purchaser** of record of the realty described in this Planning and Zoning Commission Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature Contract Purchaser: _____
Printed Name: _____

Date: _____
Title: _____

The undersigned states under oath that he/she/they are the **Lessee** of record of the realty described in this Planning and Zoning Commission Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature Lessee: _____
Printed Name: _____

Date: _____
Title: _____

VARIANCE APPLICATION EXHIBIT LIST

760-780 Midlothian Road, Mundelein, IL 60060

Exhibit "A": Warranty Deed

Exhibit "B": Narrative

Exhibit "C": Plat of Survey

Exhibit "D": Site Plan

Exhibit "E": Aerial Photograph

Exhibit "F" Photographs

VARIANCE APPLICATION
760-780 Midlothian Road, Mundelein, IL 60060

EXHIBIT A
WARRANTY DEED

**WARRANTY DEED
ILLINOIS**

MAIL TO:
Alicia Ayala
1800 Nations Road
Suite 218
Gurnee, IL 60031

NAME & ADDRESS OF TAXPAYER:
Maria S. Gonzalez
26754 N Midlothian Road
Mundelein, IL 60060

04/195702056 LV

Image# 058400850004 Type: DW
Recorded: 07/15/2019 at 03:55:03 PM
Receipt#: 2019-00034517
Page 1 of 4
Fees: \$585.00
IL Rental Housing Fund: \$9.00
Lake County IL Recorder
Mary Ellen Vanderventer Recorder
File **7576243**

REAL ESTATE TRANSFER TAX



County: \$175.00
Illinois: \$350.00
Total: \$525.00

Stamp No: 1-706-981-472
Declaration ID: 20190704924898
Instrument No: 7576243
Date: 15-Jul-2019

RECORDED

THE GRANTOR, GERALD R. TEEGEN, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 5, 1997, AND KNOWN AS THE GERALD R. TEEGEN DECLARATION OF TRUST DATED JUNE 5, 1997, of Wilmette, State of Illinois, for and in consideration of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration in hand paid, CONVEY AND WARRANT to MARIA S. GONZALEZ^{*}, all interest in the following described Real Estate situated in the County of Lake, in the State of Illinois, to-wit: * a married woman

PARCEL 1:

THAT PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID 1/4 SECTION 535.46 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 36; THENCE NORTH 49 DEGREES 13 MINUTES EAST, 96.3 FEET TO THE MOST WESTERLY CORNER OF PREMISES CONVEYED BY DEED RECORDED AS DOCUMENT 848754; THENCE SOUTH 28 DEGREES EAST 335.15 FEET ALONG THE SOUTHWESTERLY LINE, OF DOCUMENT 848754 TO THE CENTER LINE OF STATE ROUTE 63; THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF SAID HIGHWAY ON A CURVED LINE CONVEX NORTHWESTERLY TO THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTH ON THE WEST LINE OF SAID 1/4 SECTION, 455.99 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF THE WEST LINE OF SAID SECTION 36, 141.02 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 36; THENCE SOUTH ALONG SAID WEST LINE, A DISTANCE OF 394.44 FEET TO A POINT THAT IS 535.46 FEET SOUTH OF SAID

6
④

NORTHWEST CORNER; THENCE NORTH 49 DEGREES 13 MINUTES EAST, 362.25 FEET TO AN OLD IRON PIPE; THENCE NORTH 28 DEGREES 35 MINUTES WEST ALONG A LINE THAT INTERSECTS THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP AND RANGE AFORESAID, AT APPOINT AS ESTABLISHED BY ARTHUR DUNAS HAWTHORNE HEIGHTS SUBDIVISION NOW VACATED, A DISTANCE OF 179.86 FEET; THENCE WEST A DISTANCE OF 188.03 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

Subject to: General real estate taxes for the year 2019 and all years subsequent thereto: other restrictions, conditions, covenants and easements of record.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index Number(s): 10-36-100-003 and 10-36-100-019
Property Address: 780 S. Midlothian Road (formerly known as 26754 N. Midlothian Road), Mundelein, IL 60060 AND 780 S. MIDLOTHIAN ROAD, MUNDELEIN, IL 60060

DATED this 10th day of July, 2019.

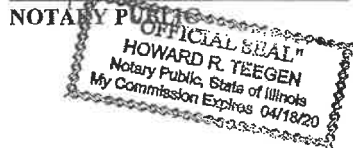
 (SEAL)
**GERALD R. TEEGEN, AS TRUSTEE
UNDER TRUST AGREEMENT DATED
JUNE 5, 1997 AND KNOWN AS THE
GERALD R. TEEGEN DECLARATION
OF TRUST DATED JUNE 5, 1997**

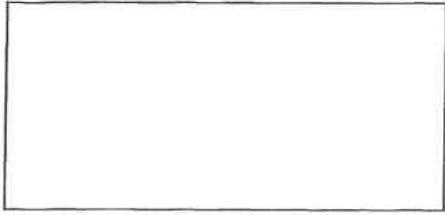
STATE OF ILLINOIS)
) ss.
COUNTY OF LAKE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY GERALD R. TEEGEN, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 5, 1997, AND KNOWN AS THE GERALD R. TEEGEN DECLARATION OF TRUST DATED JUNE 5, 1997**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under our hand and seal, this 10th day of July, 2019.

Our commission expires on 4/18/20





COUNTY - ILLINOIS TRANSFER
STAMPS
EXEMPT UNDER PROVISIONS
OF PARAGRAPH _____, SECTION 4,
REAL ESTATE TRANSFER ACT
DATE: _____, 2019

Buyer, Seller or Representative

NAME AND ADDRESS OF PREPARER:

Howard R. Teegen
74 E. Grand Avenue, P.O. Box 86
Fox Lake, Illinois 60020

** This conveyance must contain the name and address of the Grantee for tax billing purposes: (Chap. 55 ILCS 5/3-5020) and name and address of the person preparing the instrument: (Chap. 55 ILCS 5/3-5022).



Plat Act Affidavit

18 N County St - 6th Floor
Waukegan, IL 60085-4358
Phone: (847) 377-2575
FAX: (847) 984-5860

STATE OF ILLINOIS }
COUNTY OF LAKE } SS

I, (name) Gerald R. Teege, Trustee being duly sworn on oath, state that I reside at 4071 Fairway, Wilmette, IL 60091 and that the attached deed is not in violation of the Plat Act, Ch. 765 ILCS 205/1.1(b), as the provisions of this Act do not apply and no plat is required due to the following allowed exception (Circle the number applicable to the attached deed):

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance of land does not involve any land division and is described in the same manner as title was taken by grantor(s).

AFFIANT further states that this affidavit is made for the purpose of inducing the RECORDER OF LAKE COUNTY, ILLINOIS to accept the attached deed for recording. (This affidavit is not applicable to Facsimile Assignment of Beneficial Interest.)

SUBSCRIBED and SWORN to before me this 10 day
of July 2014


(Signature)



Revised: September 7, 2010 11:40 AM

VARIANCE APPLICATION
760-780 Midlothian Road, Mundelein, IL 60060

EXHIBIT B
NARRATIVE

EXHIBIT B
VILLAGE OF MUNDELEIN
PETITION FOR ZONING VARIATION

NARRATIVE STATEMENT

760-780 S. MIDLOTHIAN RD., MUNDELEIN, IL 60060

Zoning Relief Requested

Mr. and Mrs. Maria and Jose Gonzalez, husband and wife, (jointly “**Petitioners**”) hereby request a Zoning Variation to operate their landscaping business, Jose Gonzalez Landscaping, Corp. , at their property located at 760-780 S. Midlothian Road, Mundelein, Illinois 60060, legally described on Exhibit A attached to the Application for Zoning Variance (the “**Application**”) and depicted in the aerial photograph attached as Exhibit E to the Application and made a part hereof (the “**Property**”). The zoning classification for Petitioners’ Property is R-1 Residential District.

The Property is bounded on the east by properties zoned C-2 Commercial plus two unincorporated Lake County lots zoned residential. It is bounded on the south by properties zoned C-2 Commercial and the Village fire station zoned I Institutional. The property is bounded to the north and west by properties zoned R-2 Residential and OS Open Space.

Petitioners request a variation from the Permitted and Special Uses in Section 20.28.020 to allow for a Contractor Storage Yard and Office for the operation of Petitioners’ landscape business. The Petitioners’ Property is an irregular shaped lot consisting of approximately 3 acres and is not well suited for the R-1 Residential District. The north half of the Property, 760 Midlothian Road, PIN 10-36-100-019, abuts the R-2 residential lots on the north and west and is mostly vacant open space. The south half of the Property, 780 N. Midlothian, PIN 10-36-100-003 is improved with a house (proposed future office), garage and shed. Petitioners was previously located in unincorporated Lake County and was annexed into the Village of Mundelein by Resolution dated June 24, 2019 and Ordinance recorded July 2, 2019.

Background

The owner of record is Mrs. Maria S. Gonzalez (“**Owner**”) pursuant to a Deed dated July 10, 2019 and recorded July 15, 2019. See Exhibit A attached to the Application. Shortly before the purchase by Owner, the Village of Mundelein adopted Resolution 19-06-36 dated June 24, 2019, authorizing the execution an annexation agreement between the Village and the prior owner, Gerald R. Teegan. The Petitioners had no involvement in the annexation negotiations with the Village and the prior owner did not notify the Petitioners that the Property was in the process of being annexed to the Village. While, the terms of the annexation agreement assign a R-1 zoning code classification to the Property, consistent with the Zoning Ordinance, it also anticipates a

rezoning or redevelopment of the Property. Petitioners understand that additional fees will be due if their Petition is granted, including the annexation fee which was previously waived or deferred at the request of the prior owner.

As noted on the Plat of Survey attached to the Petitioner's Variance Application, the building is located at the front of the lot. The building is intended to be utilized for office purposes only and not for residential purposes. Adjacent to the building, a wooden fence runs across the width of the lot to screen the storage area located behind it. The area for the contractor storage yard is not visible from Midlothian Road. Trees and other landscaping are located along the west and east sides of the property. Outdoor lighting in the contractor storage yard area is directed to the space between the sheds and the parked vehicles.

Petitioners understand that areas of gravel existing prior to the Property's annexation into the Village of Mundelein are grandfathered in and that no permit is required for these areas. Petitioners plan to replace the newly installed gravel area with asphalt as shown on the preliminary Site Plan attached as Exhibit D to the Application.

Petitioners are residents of Mundelein and have lived in Mundelein for over 25 years. They have raised their children in Mundelein and been involved in the Mundelein community. Petitioners' landscape business, Jose Gonzalez Landscaping Corp. has been in business for over 20 years. The business services approximately 200 clients, including local businesses as well as neighbors. The business utilizes 5 work trucks and 1 tree trimmer truck and operates from 6:00am to 6:00 pm Monday thru Saturday . The proposed contractor storage yard stores dirt, sand and fence posts behind the two metal sheds. The sheds contain landscaping equipment, extra mowers, blowers, snowplow machines, grass trimmers and hardware. The vehicles are parked in the storage area as noted on the Site Plan.

STANDARDS FOR GRANTING A VARIATION

Petitioners respond to the following variance and use standards as noted below:

1. Approval Standards for Variance pursuant to Section 20.16.030F1:

(a) The strict application of the terms of this title will result in undue hardship.

The Owner acquired the Property in 2019. At the time the Owner entered into a contract with the seller, the Property was located in unincorporated Lake County, Illinois. The Petitioners were not informed of the pending annexation and the annexation ordinance was recorded days before the closing. Due to its proximity to commercial properties, Petitioners believed that this property also allowed for commercial uses. A strict application of the Code will render the Property unusable by Petitioners.

(b) The plight of the owner is due to unique circumstances.

The Property consists of a deep irregular shaped lot of two parcels with a narrow access to the back parcel. Its shape and orientation does not make is conducive to single family or even multi - family residential use.

(c) The variation, if granted, will not alter the essential character of the locality.

The requested variation in use will not alter the essential character of the locality. The Property is bounded on the east by properties zoned C-2 Commercial plus two unincorporated Lake County lots zoned residential. It is bounded on the south by properties zoned C-2 Commercial and the Village fire station zoned I Institutional. The property is bounded to the north and west by properties zoned R-2 Residential and OS Open Space.

Uses include a fire station and retail shopping area to the south,(including a car wash, Walgreens, Goodwill, Aldi, UPS store and fast food); daycare facility, bank with drive thru and fast-food drive thru to the east; single family housing subdivision to the north and west.

2. Evidentiary Issues pursuant to Section 20.16.030F2:

(a) The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Due to the unusual configuration of the Property and the narrow access to the rear parcel, present a challenge for the owner. The site, which adjoins both residential and commercial properties, is not suitable for residential use.

(b) The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.

The Petitioners were not involved in the annexation of the Property into the Village of Mundelein. The Annexation Ordinance was recorded just 8 days prior to the Owner's purchase of the Property.

(c) The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.

The variation in use at the Property will not endanger public health or safety or general welfare of the community. Petitioner will address all concerns of the Village with respect to screening, border landscaping, paving and other actions to minimize disruptions to neighbors. Petitioners are residents of the Village and value all community members.

(d) 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.

The Petitioner's landscape business does not have customers on the site and the operations are limited to certain hours of the day. There are no structures that will impact light and air. The Property is located near a busy commercial intersection and its operations will have no substantial impact on traffic congestion or increase the danger of fire or impact public safety. The business operations, located behind the residential structure used as an office, will not be visible and will have no substantial impact on property values.

(e) The proposed variation is consistent with the spirit and intent of this title and village land use policies.

The variation in use to allow a Contractor Storage Yard and Office is consistent with and complementary to the Village Comprehensive Plan for that area which consists of several commercial properties. Moreover, the taxes paid by the business relative to its operation will benefit and support Village services provided to the community.

(f) 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.

If the variation in use is not allowed, it will reduce the value of the Property and render it unusable by the Petitioners.

3. Use Standards for a Contractor Storage Yard pursuant to Section 20.48.040 (DD):

1. All outdoor storage must comply with the screening requirements of Section 20.60.150 (Screening Requirements).

Petitioner will comply with all screening requirements including perimeter fencing and landscaping including the requirement for a solid wood or wood composite fence at least six feet in height.

2. When there is a structure affiliated with the storage yard, the structure shall be oriented toward the front of the lot and the storage area shall be located to the rear of the lot. The outdoor storage area should be located to the rear of the lot where possible. All structures must be located towards the front of the lot, in compliance with the front yard of the underlying zoning district.

Petitioner's building faces Midlothian Road. The building will be used for office purposes and will not involve interior renovations. The building is located at the front of the lot. Due to the

angle and irregular shape of the lot , the outdoor storage is located behind the structure near the rear of parcel 1. Parcel 2 is vacant.

3. Outdoor storage areas shall be surfaced, and graded and drain all surface water. Outdoor storage areas may be surfaced with pervious paving, if adequate drainage and erosion and dust control are provided. However, gravel is prohibited.

Petitioners' outdoor storage area surface is currently gravel. A portion of the gravel area, including the gravel driveway existed prior to Owner's purchase of the Property and prior to the Property's annexation into the Village of Mundelein. As proposed on the Site Plan, Petitioners plan to install asphalt pavement in the contractor storage yard area for the vehicles used in the Petitioners' business.

4. Any lighting used to illuminate an outdoor storage area shall be directed and shielded so as not to illuminate any adjacent residential areas.

The lighting used to illuminate the outdoor storage area is directed away from nearby residential areas. Petitioners will comply with all lighting requirements.

5. All items stored outdoors must be related to the on-site business and its operations.

All items stored on the Property relate to the Petitioner's landscape business operations.

EXHIBIT B
VILLAGE OF MUNDELEIN
PETITION FOR ZONING VARIATION
SUPPLEMENTAL NARRATIVE STATEMENT
760-780 S. MIDLOTHIAN RD., MUNDELEIN, IL 60060

In response to the comments from the various Village of Mundelein departments, the Petitioners, Mr. and Mrs. Jose and Maria Gonzalez, provide the following supplemental information with respect to their Petition for Zoning Variation filed on August 21, 2024:

Building Department Comments:

Petitioners will work with the building department to bring the building up to code for commercial use.

Public Works & Engineering Department Comments:

Petitioners will comply with all Lake County Watershed Development Ordinance (WDO) requirements regarding the new paved surfaces.

Petitioners are not requesting a variation to keep the newly installed gravel (post 2019) without a permit. The new gravel areas will be paved.

Community Development Department Comments:

Petitioners are not requesting a variation for the new gravel areas. Petitioners will pave the new gravel areas. Per discussion with the Community Development Department, the old gravel driveway areas are grandfathered in.

Petitioners confirm that they do intend to connect to the Village sanitary sewer.

Petitioners confirm that the building will only be used for commercial purposes. The building will not be used for residential purposes. Petitioners have included a floor plan with this supplemental package attached hereto as Schedule 1.

Petitioners have no present plans to use the unused portion of the rear parcel located outside the proposed asphalt parking extension. Petitioners reserve the right in the future to apply for zoning relative to the vacant rear parcel and will comply with all applicable zoning application requirements at that time.

The Petitioners will replace those sections of fencing located around the storage areas that are not at least six feet in height. Please see diagram attached as Schedule 2. Petitioners will comply with all other screening standards for outdoor storage.

SCHEDULE 1 TO SUPPLEMENTAL NARRATIVE

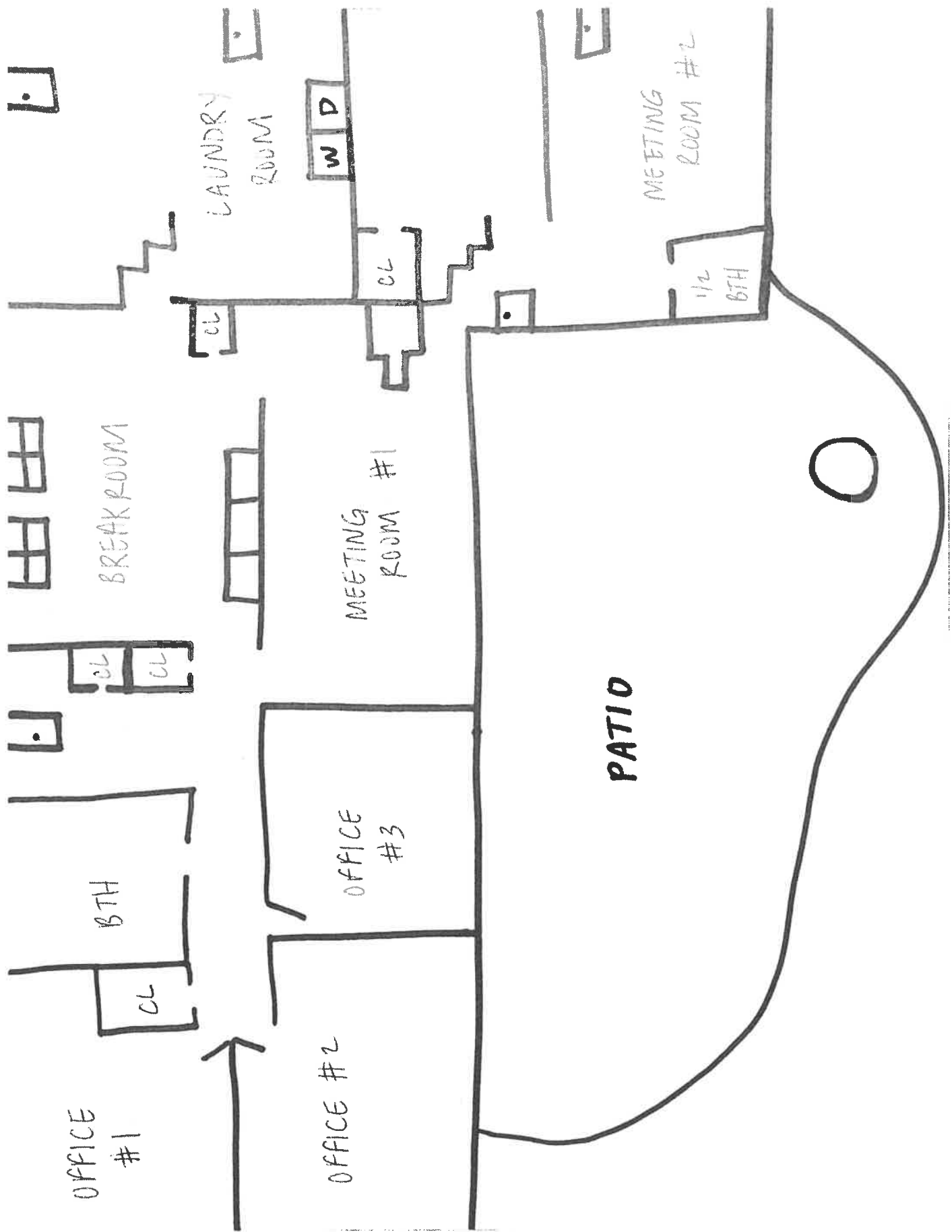
OFFICE FLOOR PLAN

VILLAGE OF MUNDELEIN

PETITION FOR ZONING VARIATION

SUPPLEMENTAL NARRATIVE STATEMENT

760-780 S. MIDLOTHIAN RD., MUNDELEIN, IL 60060



SCHEDULE 2 TO SUPPLEMENTAL NARRATIVE

FENCING REPLACEMENT LOCATION

VILLAGE OF MUNDELEIN

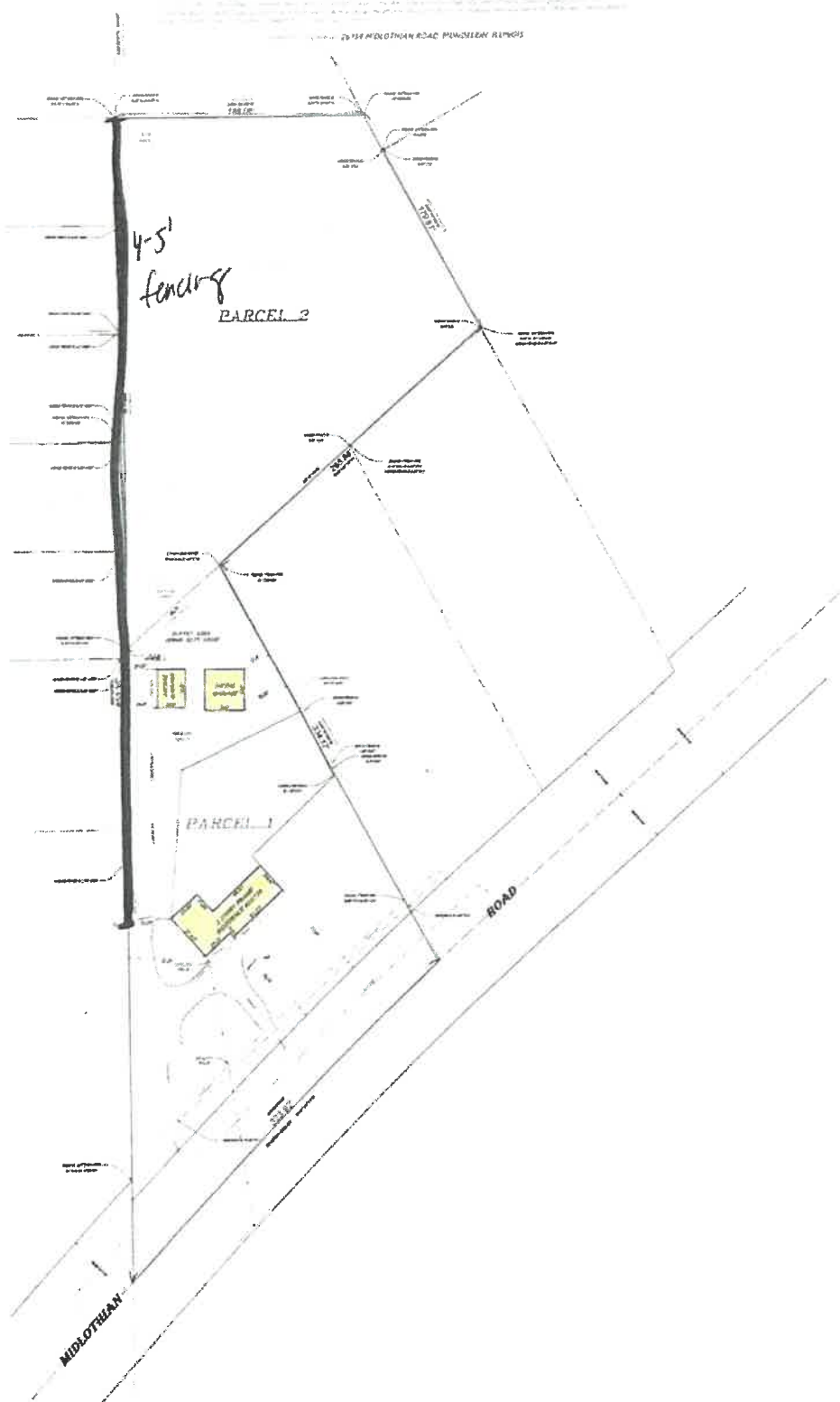
PETITION FOR ZONING VARIATION

SUPPLEMENTAL NARRATIVE STATEMENT

760-780 S. MIDLOTHIAN RD., MUNDELEIN, IL 60060

- 1. 1/4 Sec. 10, T. 10 N., R. 10 E., S. 42 N.
- 2. 1/4 Sec. 11, T. 10 N., R. 10 E., S. 42 N.
- 3. 1/4 Sec. 12, T. 10 N., R. 10 E., S. 42 N.
- 4. 1/4 Sec. 13, T. 10 N., R. 10 E., S. 42 N.
- 5. 1/4 Sec. 14, T. 10 N., R. 10 E., S. 42 N.
- 6. 1/4 Sec. 15, T. 10 N., R. 10 E., S. 42 N.
- 7. 1/4 Sec. 16, T. 10 N., R. 10 E., S. 42 N.
- 8. 1/4 Sec. 17, T. 10 N., R. 10 E., S. 42 N.
- 9. 1/4 Sec. 18, T. 10 N., R. 10 E., S. 42 N.
- 10. 1/4 Sec. 19, T. 10 N., R. 10 E., S. 42 N.
- 11. 1/4 Sec. 20, T. 10 N., R. 10 E., S. 42 N.
- 12. 1/4 Sec. 21, T. 10 N., R. 10 E., S. 42 N.
- 13. 1/4 Sec. 22, T. 10 N., R. 10 E., S. 42 N.
- 14. 1/4 Sec. 23, T. 10 N., R. 10 E., S. 42 N.
- 15. 1/4 Sec. 24, T. 10 N., R. 10 E., S. 42 N.
- 16. 1/4 Sec. 25, T. 10 N., R. 10 E., S. 42 N.
- 17. 1/4 Sec. 26, T. 10 N., R. 10 E., S. 42 N.
- 18. 1/4 Sec. 27, T. 10 N., R. 10 E., S. 42 N.
- 19. 1/4 Sec. 28, T. 10 N., R. 10 E., S. 42 N.
- 20. 1/4 Sec. 29, T. 10 N., R. 10 E., S. 42 N.
- 21. 1/4 Sec. 30, T. 10 N., R. 10 E., S. 42 N.
- 22. 1/4 Sec. 31, T. 10 N., R. 10 E., S. 42 N.
- 23. 1/4 Sec. 32, T. 10 N., R. 10 E., S. 42 N.
- 24. 1/4 Sec. 33, T. 10 N., R. 10 E., S. 42 N.
- 25. 1/4 Sec. 34, T. 10 N., R. 10 E., S. 42 N.
- 26. 1/4 Sec. 35, T. 10 N., R. 10 E., S. 42 N.
- 27. 1/4 Sec. 36, T. 10 N., R. 10 E., S. 42 N.
- 28. 1/4 Sec. 37, T. 10 N., R. 10 E., S. 42 N.
- 29. 1/4 Sec. 38, T. 10 N., R. 10 E., S. 42 N.
- 30. 1/4 Sec. 39, T. 10 N., R. 10 E., S. 42 N.
- 31. 1/4 Sec. 40, T. 10 N., R. 10 E., S. 42 N.
- 32. 1/4 Sec. 41, T. 10 N., R. 10 E., S. 42 N.
- 33. 1/4 Sec. 42, T. 10 N., R. 10 E., S. 42 N.
- 34. 1/4 Sec. 43, T. 10 N., R. 10 E., S. 42 N.
- 35. 1/4 Sec. 44, T. 10 N., R. 10 E., S. 42 N.
- 36. 1/4 Sec. 45, T. 10 N., R. 10 E., S. 42 N.
- 37. 1/4 Sec. 46, T. 10 N., R. 10 E., S. 42 N.
- 38. 1/4 Sec. 47, T. 10 N., R. 10 E., S. 42 N.
- 39. 1/4 Sec. 48, T. 10 N., R. 10 E., S. 42 N.
- 40. 1/4 Sec. 49, T. 10 N., R. 10 E., S. 42 N.
- 41. 1/4 Sec. 50, T. 10 N., R. 10 E., S. 42 N.
- 42. 1/4 Sec. 51, T. 10 N., R. 10 E., S. 42 N.
- 43. 1/4 Sec. 52, T. 10 N., R. 10 E., S. 42 N.
- 44. 1/4 Sec. 53, T. 10 N., R. 10 E., S. 42 N.
- 45. 1/4 Sec. 54, T. 10 N., R. 10 E., S. 42 N.
- 46. 1/4 Sec. 55, T. 10 N., R. 10 E., S. 42 N.
- 47. 1/4 Sec. 56, T. 10 N., R. 10 E., S. 42 N.
- 48. 1/4 Sec. 57, T. 10 N., R. 10 E., S. 42 N.
- 49. 1/4 Sec. 58, T. 10 N., R. 10 E., S. 42 N.
- 50. 1/4 Sec. 59, T. 10 N., R. 10 E., S. 42 N.
- 51. 1/4 Sec. 60, T. 10 N., R. 10 E., S. 42 N.
- 52. 1/4 Sec. 61, T. 10 N., R. 10 E., S. 42 N.
- 53. 1/4 Sec. 62, T. 10 N., R. 10 E., S. 42 N.
- 54. 1/4 Sec. 63, T. 10 N., R. 10 E., S. 42 N.
- 55. 1/4 Sec. 64, T. 10 N., R. 10 E., S. 42 N.
- 56. 1/4 Sec. 65, T. 10 N., R. 10 E., S. 42 N.
- 57. 1/4 Sec. 66, T. 10 N., R. 10 E., S. 42 N.
- 58. 1/4 Sec. 67, T. 10 N., R. 10 E., S. 42 N.
- 59. 1/4 Sec. 68, T. 10 N., R. 10 E., S. 42 N.
- 60. 1/4 Sec. 69, T. 10 N., R. 10 E., S. 42 N.
- 61. 1/4 Sec. 70, T. 10 N., R. 10 E., S. 42 N.
- 62. 1/4 Sec. 71, T. 10 N., R. 10 E., S. 42 N.
- 63. 1/4 Sec. 72, T. 10 N., R. 10 E., S. 42 N.
- 64. 1/4 Sec. 73, T. 10 N., R. 10 E., S. 42 N.
- 65. 1/4 Sec. 74, T. 10 N., R. 10 E., S. 42 N.
- 66. 1/4 Sec. 75, T. 10 N., R. 10 E., S. 42 N.
- 67. 1/4 Sec. 76, T. 10 N., R. 10 E., S. 42 N.
- 68. 1/4 Sec. 77, T. 10 N., R. 10 E., S. 42 N.
- 69. 1/4 Sec. 78, T. 10 N., R. 10 E., S. 42 N.
- 70. 1/4 Sec. 79, T. 10 N., R. 10 E., S. 42 N.
- 71. 1/4 Sec. 80, T. 10 N., R. 10 E., S. 42 N.
- 72. 1/4 Sec. 81, T. 10 N., R. 10 E., S. 42 N.
- 73. 1/4 Sec. 82, T. 10 N., R. 10 E., S. 42 N.
- 74. 1/4 Sec. 83, T. 10 N., R. 10 E., S. 42 N.
- 75. 1/4 Sec. 84, T. 10 N., R. 10 E., S. 42 N.
- 76. 1/4 Sec. 85, T. 10 N., R. 10 E., S. 42 N.
- 77. 1/4 Sec. 86, T. 10 N., R. 10 E., S. 42 N.
- 78. 1/4 Sec. 87, T. 10 N., R. 10 E., S. 42 N.
- 79. 1/4 Sec. 88, T. 10 N., R. 10 E., S. 42 N.
- 80. 1/4 Sec. 89, T. 10 N., R. 10 E., S. 42 N.
- 81. 1/4 Sec. 90, T. 10 N., R. 10 E., S. 42 N.
- 82. 1/4 Sec. 91, T. 10 N., R. 10 E., S. 42 N.
- 83. 1/4 Sec. 92, T. 10 N., R. 10 E., S. 42 N.
- 84. 1/4 Sec. 93, T. 10 N., R. 10 E., S. 42 N.
- 85. 1/4 Sec. 94, T. 10 N., R. 10 E., S. 42 N.
- 86. 1/4 Sec. 95, T. 10 N., R. 10 E., S. 42 N.
- 87. 1/4 Sec. 96, T. 10 N., R. 10 E., S. 42 N.
- 88. 1/4 Sec. 97, T. 10 N., R. 10 E., S. 42 N.
- 89. 1/4 Sec. 98, T. 10 N., R. 10 E., S. 42 N.
- 90. 1/4 Sec. 99, T. 10 N., R. 10 E., S. 42 N.
- 91. 1/4 Sec. 100, T. 10 N., R. 10 E., S. 42 N.

Plot of Survey



CASPER SCHWENK JR.
 Surveyor
 1000 N. 10th St.
 Casper, WY 82401
 (307) 233-1111

R E DECKER
 Surveyor
 1000 N. 10th St.
 Casper, WY 82401
 (307) 233-1111

STATE OF WYOMING
 COUNTY OF CASSIA
 R E DECKER, P.E.
 Surveyor

VARIANCE APPLICATION
760-780 Midlothian Road, Mundelein, IL 60060

EXHIBIT C
PLAT OF SURVEY

LEGEND

1.	4x4
2.	10x10
3.	10x10
4.	10x10
5.	10x10
6.	10x10
7.	10x10
8.	10x10
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100.	10x10

R.E. DECKER
(708) 437-0091

E.C. PAVLETIC
PA 2-131213

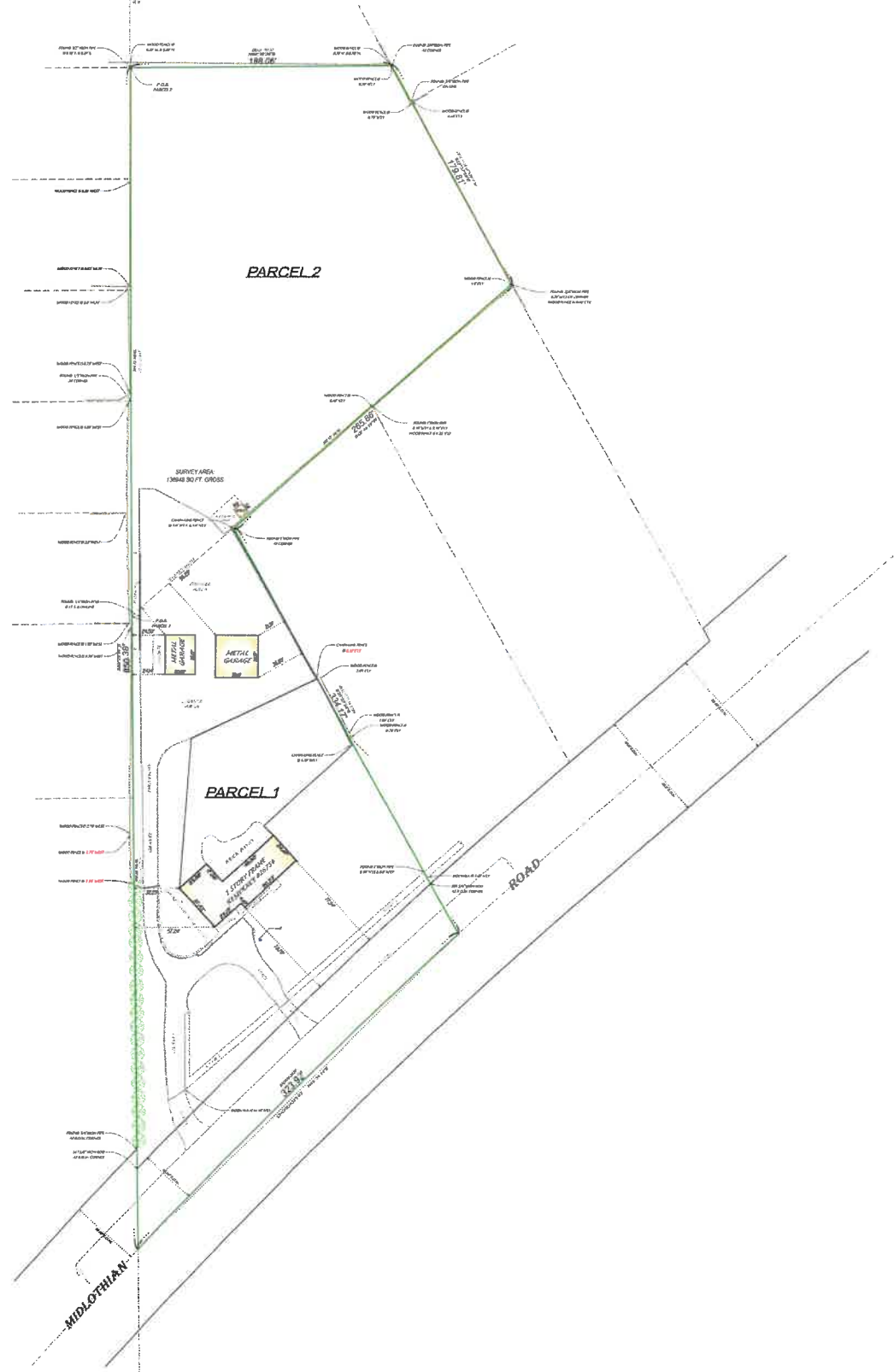
Plat of Survey



Parcel 1: That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 44 North, Range 10, East of the Third Principal Meridian, described as follows: Commencing at a point on the West line of said Quarter Section 33.46 feet South of the Northwest corner of said Section 36, thence North 43 degrees, 13 minutes East, 96.3 feet to the most Westerly corner of premises, conveyed by deed recorded as Document 846724, thence South 28 degrees East 335.15 feet 335.15 feet Southwesterly line of premises conveyed by deed, recorded as Document 846754 to the center line of State Route 48, thence Southwesterly along the center line of said Highway, on a curved line convex Northwestwardly to the West line of said Quarter Section, thence North on the West line of said Quarter Section, 455.99 feet, more or less, to the place of beginning, in Lake County, Illinois.

Parcel 2: That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 44 North, Range 10, East of the Third Principal Meridian, described as follows: Beginning at a point on the West line of said Section 36, 145.02 feet South of the Northwest corner of said Section 36, thence South along said West line, a distance of 334.44 feet to a point that is 535.48 feet South of the Northwest corner, thence North 43 degrees, 13 minutes East, 362.25 feet to an old iron pipe, thence North 28 degrees, 35 minutes West, along a line that intersects the West line of the Southwest Quarter of the Southwest Quarter of Section 25, Township and Range aforesaid, at a point as established by Arthur Zuercher, Hawthorne Heights, Subdivision, now vacated, a distance of 279.88 feet, thence West a distance of 188.03 feet to the point of beginning, in Lake County, Illinois.

Commonly known as: 26754 MIDLOTHIAN ROAD, MUNDELEIN, ILLINOIS.



ORDER NUMBER: 21-162
 ORDERED BY: JSC SONDZELER
 FOR: JSC SONDZELER
 REFERENCED:



R E DECKER
 PROFESSIONAL LAND SURVEYOR P.C.
 333 W. PETERSON RD SUITE B
 LIBERTYVILLE, IL 60246
 TEL: 847-363-0091
 DeckerSurvey@gmail.com
 Website: DeckerSurvey.com



Field Work Completed on: 4-2-20
 STATE OF ILLINOIS
 COUNTY OF LAKE
 This Professional service conforms to the current Illinois Minimum Standards for a "Primary Survey."
 R.E. DECKER, P.C.
 E.C. PAVLETIC, P.C.

Compare the Description on this Plat with your deed and Title also compare all shown in this Plat before building or other use and report any difference in view. Discrepancies are shown in Red and should be corrected. Refer to this Plat, or Building Requirements for additional Documents, Decks or Foundations when any make.

VARIANCE APPLICATION
760-780 Midlothian Road, Mundelein, IL 60060

EXHIBIT D
SITE PLAN

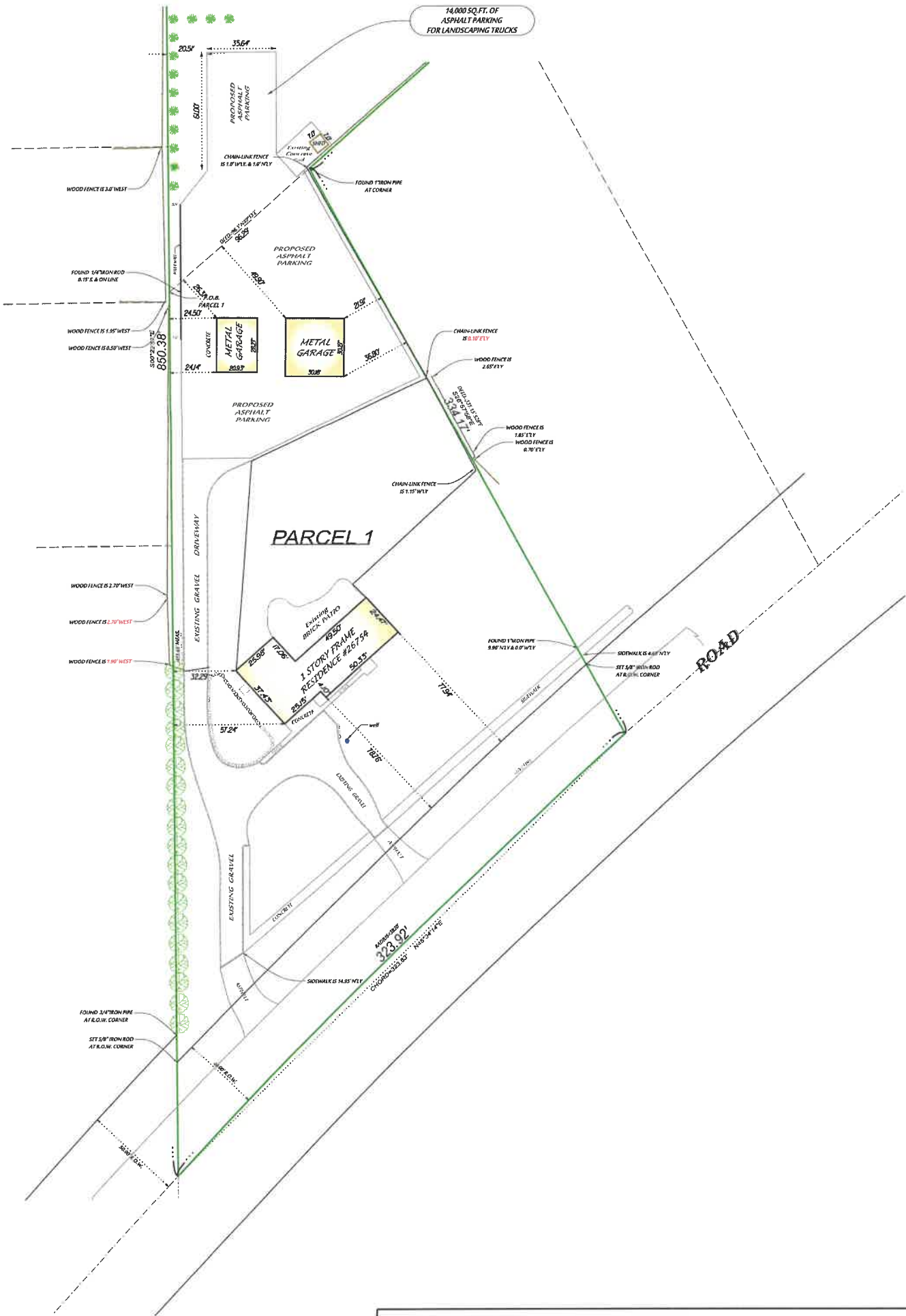
Preliminary Site Plan

N
W E
S
The Meridian is assumed but reflects the record Subdivision or Deed, except when noted.
Scale 1"= 30ft

Parcel 1: That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 44 North, Range 10, East of the Third Principal Meridian, described as follows: Commencing at a point on the West line of said Quarter Section 535.46 feet South of the Northwest corner of said Section 36, thence North 49 degrees, 13 minutes East, 96.3 feet to the most Westerly corner of premises, conveyed by deed recorded as Document 848754; thence South 28 degrees East 335.15 feet along the Southwesterly line of premises conveyed by deed, recorded as Document 848754 to the center line of State Route 63; thence Southwesterly along the center line of said highway, on a curved line convex Northwesterly to the West line of said Quarter Section; thence North on the West line of said Quarter Section, 455.99 feet, more or less, to the place of beginning, in Lake County, Illinois.

Parcel 2: That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 44 North, Range 10, East of the Third Principal Meridian, described as follows: beginning at a point on the West line of said Section 36, 141.02 feet South of the Northwest corner of said Section 36; thence South along said West line, a distance of 394.44 feet to a point that is 535.46 feet South of said Northwest corner; thence North 49 degrees, 13 minutes East, 362.25 feet to an old iron pipe; thence North 28 degrees, 35 minutes West, along a line that intersects the West line of the Southwest Quarter of the Southwest Quarter of Section 25, Township and Range aforesaid, at a point as established by Arthur Dunas' Hawthorne Heights Subdivision, now vacated, a distance of 179.86 feet; thence West a distance of 188.03 feet; to the point of beginning, in Lake County, Illinois.

Commonly known as: 26754 MIDLOTHIAN ROAD, MUNDELEIN, ILLINOIS.



Prepared for:
JOSE GONZALEZ
26303 Route 83
Mundelein IL 60060

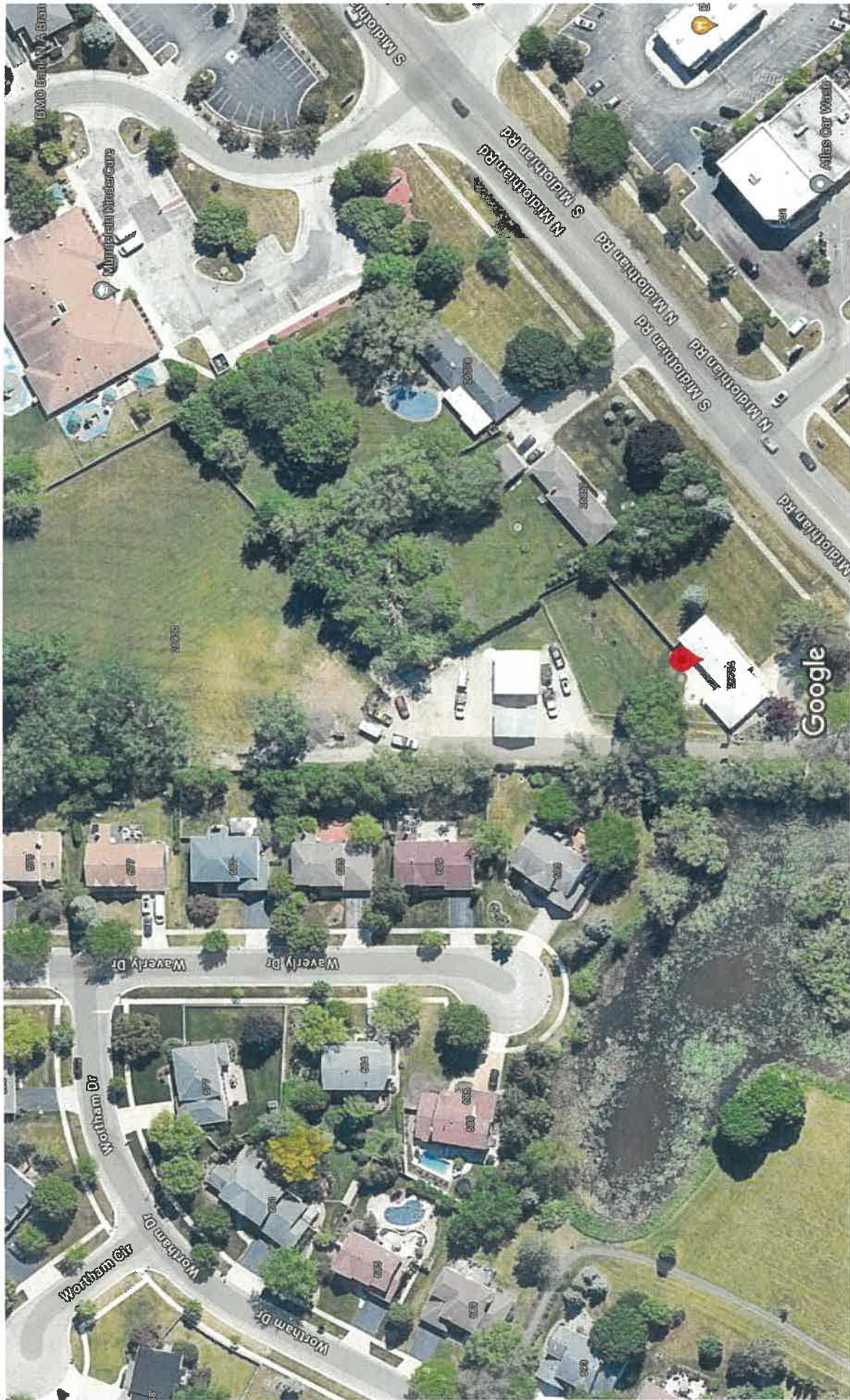
Order Number: 24-165-5
Field Work Completed on: 4-02-24
Date: 4-05-24 issued

Prepared by:
R E DECKER
PROFESSIONAL LAND SURVEYORS PC
114 E COOK AVENUE
LIBERTYVILLE IL 60048
TEL 847-362-0091
DECKERSURVEY@GMAIL.COM



VARIANCE APPLICATION
37540 Route 12, Fox Lake, IL 60020

EXHIBIT E
AERIAL PHOTOGRAPH



VARIANCE APPLICATION
760-780 Midlothian Road, Mundelein, IL 60060

EXHIBIT F
PHOTOGRAPHS OF THE PROPERTY





































From: [Planning](#)
To: [Colleen Malec](#)
Subject: FW: EXTERNAL -PUBLIC Commentary on Planning & Zoning Commission Gonzalez petition (Case PZC-15-2024)
Date: Monday, December 2, 2024 9:11:24 AM

From: mlgalante <mlgalante@att.net>
Sent: Friday, November 29, 2024 1:05 PM
To: Planning <planning@mundelein.org>
Cc: Steve Odes <rphhomeopath@att.net>
Subject: EXTERNAL -PUBLIC Commentary on Planning & Zoning Commission Gonzalez petition (Case PZC-15-2024)

Caution: This message originated outside of the Village of Mundelein -- DO NOT CLICK on links or open attachments unless you are sure the content is safe. If you have any doubt, contact the sender by phone to confirm.

We received today a letter from the Attorneys for the petitioners, Maria & Jose Gonzalez, regarding Outdoor Contractor Storage in the Yard and Office in the R-1 Single-Family Residential zoning district at 760-780 South Midlothian Rd.

We will be unable to attend the Village meeting addressing this petition on Dec 18, 2024, and wish to record these comments.

We are adjacent neighbors to the west of these properties, and have the unique opportunity to observe activities on the property on a daily basis. The property is well-maintained by the owners, without any community impact nor disruption by the outdoor storage situation onsite. The Gonzalez family is hard working, considerate, polite and extremely neighbor sensitive to any impact from their own activities.

We encourage the Commission to endorse the petition for variation, as filed.

Respectfully submitted,

Marlene and Steve

Marlene Galante and Steven Odes
693 Waverly Dr
Mundelein, IL 60060

Sent via the Samsung Galaxy S23 5G, an AT&T 5G smartphone

From: [Chris Dombrowski](#)
To: [Planning](#)
Subject: EXTERNAL -case PZC-15-2024
Date: Monday, December 9, 2024 11:08:36 AM

Caution: This message originated outside of the Village of Mundelein -- DO NOT CLICK on links or open attachments unless you are sure the content is safe. If you have any doubt, contact the sender by phone to confirm.

I am Deborah Dombrowski. I live at 668 Wortham drive Mundelein. I have been at this residence for 14 yrs. I purchased it for its location, school district, privacy, and esthetic value. This proposed building of an outdoor contractor storage would damage ALL the reasons I bought my home. I grew up a landscape contractor's daughter and he required storage. I understand that but I also have full idea and experience with the amount of dust, dirt and vermin these sites bring. They are noisy and increase traffic particularly early in the morning as most construction businesses do. They store materials or use the area as a dumping ground increasing the population of vermin. Diesel engines are extremely pungent and those things would compromise this neighborhood's quality of living. I strongly object to this building and use of this property.

Thank you

Deborah Dombrowski

847 682-3595

From: dlfinch@comcast.net
To: [Planning](#)
Subject: EXTERNAL -Public Commentary - Case PZC-15-2024
Date: Wednesday, December 11, 2024 11:38:07 AM

Caution: This message originated outside of the Village of Mundelein -- DO NOT CLICK on links or open attachments unless you are sure the content is safe. If you have any doubt, contact the sender by phone to confirm.

Hi,

We have lived next to the property that is currently owned by Maria and Jose Gonzalez since 1998, before they purchased the property. We have no concerns with their zoning variation request. They have always been very pleasant to live next to, and very respectful in regards to noise control in the operation of their business. They are the best neighbors that we have had in the years that we have lived here.

Sincerely,
Laura M Finch
David L Finch
26862 N. Midlothian Rd.
Mundelein, IL. 60060