

**Planning and Zoning Commission Meeting
Minutes**

December 18, 2024

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on December 18, 2024 at 300 Plaza Circle, Mundelein. Chairman T. Roswick called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chairman T. Roswick led the Pledge of Allegiance.

ATTENDANCE

E. Swanson took the roll call. It indicated as follows:

Board Attendance

PRESENT: Chairman T. Roswick, K. Anderson, S. Petti, S. Schneckloth

ABSENT: K. Garesche, J. Holden, K. Teehan

Village Attendance

PRESENT: C. Malec, Senior Planner, I. Guadarrama, Senior Planner, E. Swanson, Recording Secretary

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from November 6, 2024

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

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	S. Petti
SECONDER:	K. Anderson
AYES:	Chairman T. Roswick, K. Anderson, S. Petti, S. Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

Chairman T. Roswick opened the floor to public commentary.

There was no public commentary.

OLD BUSINESS

No Old Business

NEW BUSINESS

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

Motion to Open Public Hearing PZC-15-2024 - 760-780 S Midlothian Road - Outdoor Contractor Storage Yard

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	S. Schneckloth
SECONDER:	S. Petti
AYES:	Chairman T. Roswick, K. Anderson, S. Petti, S. Schneckloth
NAYS:	None
ABSTAIN:	None

Chairman T. Roswick shared that this item will be continued to the next Planning and Zoning Commission meeting, but today there will be a brief project overview as well as an opportunity for public commentary on this item.

C. Malec gave a brief explanation of the petitioner's request for a continuance due to only 4 out of 7 commissioners being able to attend the meeting. C. Malec gave a brief overview on the history of the property. The property was annexed into the Village in 2019, and by default was zoned as R-1 residential single family. The current owner purchased the property shortly thereafter, and has been using the property as an outdoor contractor storage yard. The house is used as an office and the owner runs a landscaping business out of the location. The property owner is requesting to continue to use the property for outdoor contractor storage as-is, and there is no request to expand at this time. Any expansion or change in intensity would require the property owner to come back to apply for new zoning permission. There will be a presentation of the full project on the next meeting date of January 15, 2025. The petitioner will give a presentation and answer any questions at that time.

K. Anderson inquired as to why the Village is requesting a variation to permitted uses on a residential property instead of rezoning the parcel for commercial use. C. Malec clarified that the only zoning that allows an outdoor storage yard would be an industrial zoning district. Currently no other parcels surrounding the property are zoned industrial. The Village attempts to avoid spot zoning whenever possible. This also allows more control on future uses. If kept as a variation - it would only apply to

this specific use by this specific owner and would not be transferrable, whereas if the property was rezoned as industrial it would allow the future development of any industrial use upon sale of the property.

S. Schneckloth asked if there would be any limitations preventing expanding into the open field in the back of the property. C. Malec stated that this could be a condition that could be built into the approval.

Chairman T. Roswick requested clarification that this variation request would only run with the owner and not with the land - so any transfer of property would not allow the use moving forward. Staff replied that ordinances are typically written this way unless there is a specific request for the approval to run with the land.

S. Petti clarified that the business has been run for several years. He inquired if we have received any history of complaints on the property. C. Malec stated that we had not received a list from code enforcement, but Staff would research further for the next meeting.

S. Schneckloth asked for clarification on whether the business was landscaping or construction. After C. Malec confirmed it was a landscaping business, Ms. Schneckloth inquired as to if there would be a list of materials that they would be allowed on site, or if there would be a limitation on trucks allowed to prevent overburdening the land. C. Malec stated that under our zoning code that there are no restrictions specifying these things - but that can be a condition that the Commission recommends to the Board.

Chairman T. Roswick asked if there were any comments the petitioner would like to address before opening the floor to public commentary. A representative for the petitioner stated they had nothing at this time, but plan to have a presentation for the January 15, 2025 continuation that would include addressing the concerns presented.

Chairman T. Roswick opened the floor to public commentary. Mr. Roswick swore in all members of the public in attendance.

Karen Rainish of 693 Wortham Drive approached the podium and stated that she did not receive a letter about the hearing, but received one from a neighbor. (Upon research, staff found that the address was outside of the 250 foot radius of the property that is required to notify for public hearings.) Ms. Rainish has a concern about the rear of the property being historically wet and is interested to know if the Lake County Stormwater Management Commission (SMC) has been contacted to weigh in on the concerns of the proposed use of the property. C. Malec stated that any work done in the village is required to conform to the Lake County SMC's requirements. The Village Engineer reviews all permits to ensure that all permits meet the Lake County SMC's requirements. If the proposed use passes, the petitioner would be required to

submit for permits for both past and future projects that would be reviewed by the Village Engineer to ensure it meets requirements for stormwater management. C. Malec clarified that the annexation documents do not mention stormwater or stormwater improvements (which is typical unless there is a known issue or construction is proposed).

NOTE: At the January 15, 2025 continuation meeting, Ms. Rainish wanted to clarify statements that she made. Her updated statement was added as an attachment to the January 15, 2025 meeting minutes.

Alicia Valestin of 677 Wortham Drive is concerned about the proximity to residences, property values, and discussed her history in the neighborhood. She shares concerns about stormwater as well as a concern on the health of the pond in regards to possible runoff from materials being stored on the property. Her kids fish in the pond and they enjoy the wildlife present. Ms. Valestin also has concerns on the number of vehicles, noise concerns, pets getting loose, and company parties. She is concerned about background checks for employees of the business due to the close proximity of children in the neighborhood, as well as the safety of kids walking to nearby businesses with truck traffic.

Claudio Diaconeasa of 681 Waverly Drive stated that he was not aware that the use was not allowed when he moved into the home in 2019. His house backs up to the property and there is no buffer. The vehicles are large commercial vehicles. His concern is the expansion of the business into the rest of the property. Mr. Diaconeasa assembled a petition of neighbors that are against the proposed use. He also expressed concern with large company parties that the landowner hosts with a stage and music, and the potential for those to expand. He can smell diesel fuel, especially when they are mulching and cutting wood. He plans to move if the business is approved.

Ryan Ricci of 689 Waverly Place shared that he has been at his property for 12 years, and was living there before the business was established. He backs up directly to where the main work occurs. The company started small but has been slowly expanding over time, and understands why it wouldn't be noticed. Noise is a daily issue on the property, and has had his fence damaged by vehicles (neither he nor the applicant addressed this). Trucks are parked within 2' of his fence. He's concerned about the business being allowed without limitations, as the use standards don't have specific limits on number of vehicles, types of storage, etc. for industrial properties. He believes property values have gone down and does not feel that the surroundings warrant approval.

Tomas Solnick of 677 Waverly Drive stated that he is a contractor and has experience with landscaping contractors. He has concerns with daily fumes, mulching and material storage. He also has concerns with the daycare located on the other side of the lot

(Kindercare). The vehicles on the property are commercial bobcats that are not normally allowed on residential properties. S. Petti asked Mr. Solnick if he was under the impression that this property was zoned commercial or if he was aware that this was residentially zoned.

Mr. Ricci stated that he was never under the impression that this property was commercial. He states that the previous owner never did anything commercial and had one single truck on the property. Slowly over the years the business has expanded. Mr. Ricci inquired as to what the next steps would be if the application is denied. C. Malec stated that the property is zoned single family residential, and only the single-family residential use would be permitted. If the petitioner is unsuccessful in getting the variation, then all commercial work must stop and it must adhere to all regulations regarding commercial vehicles stored on the property.

Chairman T. Roswick asked C. Malec what would happen to the day to day operations. C. Malec responded that it would be the Code Enforcement Officer's role to take over. She would follow the same process of any property that has violations. There is an escalating system of hearings and fines until the property is in compliance.

C. Malec did clarify that there is a home occupation section of the code where someone can operate a home business. However, the primary use of the property is required to be residential, no employees are allowed, no outdoor operations, and no noise or trash is allowed in excess of any standard single family use. C. Malec also clarified that according to the Petitioner stated in their application that there will be no residential use of the home – no one lives there (therefore the home occupation standards do not apply).

S. Schneckloth inquired as to whether any fines have been issued or where this property is in the code enforcement process. C. Malec stated that this zoning hearing application is part of the code enforcement process. The petitioner opted to apply for zoning relief process in lieu of ceasing business activity on the property. The code enforcement process is on pause to wait for the result of the hearing before escalating to any fines or citations. C. Malec stated that she will be providing more robust information on the code enforcement history and process at the January 15, 2025 continuation meeting.

S. Schneckloth also asked what year the property annexed and when it was sold to the new owner. C. Malec stated that it annexed in 2019 and to our knowledge the property was purchased shortly thereafter, but we do not have a record of the specific date of sale.

Mr. Ricci asked if the petitioner was under the impression that this property was zoned

for commercial use. C. Malec stated that that question would need to be directed to the petitioner at the January 15, 2025 continuation meeting. Mr. Ricci shared concern about safety and said it should have been the responsibility of the business owner to check that the zoning of the property was not residential when going through the purchase process.

Chairman T. Roswick clarified that when an individual or business purchases a property for commercial use, it is up to them to do their due diligence to ensure that the business is allowable. The burden of responsibility falls upon the purchaser. Mr. Roswick also clarified that the petitioner has a right to due process of the request, and public opinion is one item taken into consideration during the process.

K. Anderson asked whether the property fell under the jurisdiction of Lake County before annexation. C. Malec confirmed. K. Anderson then noted that Lake County would have had different

zoning regulations, and this would likely be the reason for the two outbuildings to be built close to the property lines. C. Malec stated that we do not have much background about what received permits prior to annexation of the property. C. Malec stated any outbuildings at the time of annexation would now be considered legal non-conforming.

Chairman T. Roswick clarified that regardless of prior Lake County zoning, this property was annexed in as R-1 Single Family Residential. C. Malec confirmed that it was and added that R-1 zoning is the default to all properties being annexed into the Village. If there is another intended use of the property not permitted in R-1, it would be the responsibility of the property owner to apply for rezoning.

S. Schneckloth asked if there was any indication that the property had other intended uses at the time of annexation. C. Malec confirmed that there were multiple written letters and applications stating that the use of this property was a single-family home.

Ms. Valestin stated that the property had a history of being a single-family residence despite having two garages on the property. The petitioner is using the property to run a commercial business and is profiting and expanding their business knowing that it is residential. They are continuing to bring more materials and use commercial vehicles despite now knowing the zoning is residential and the use is not allowed.

Mr. Ricci asked how they can submit documentation to share the scale of the building. C. Malec said all items such as pictures, videos, sound recordings, or any other documentation can be sent to either info@mundelein.org or planning@mundelein.org. The hearing will remain open so any new documentation can still be submitted until the public hearing is closed.

Bianca Diaconeasa of 681 Waverly Drive asked the commission what the next steps of the process are and if the public will be allowed to speak again. C. Malec stated that the meeting will be continued to January 15th, 2025 at 7:00 PM at the Mundelein Village Hall. There will be a staff presentation, the petitioner will have an opportunity to present and answer questions, and after that there will be another public commentary opportunity. The PZC will then make a recommendation to the Village Board, and the Village Board will have the final say on whether or not the application is approved. The Village Board meeting also has a public commentary portion at the beginning of the meeting.

Chairman T. Roswick thanked the members of the public for coming out and speaking on this matter.

Mr. Ricci asked how the public would find out if the date changes again. C. Malec stated that in the event of another continuation, the next meeting of January 15, 2025 will still be held and a new date will be stated at that meeting. The public is also welcome to call or email the Village of Mundelein's Community Development department for questions or updates. Chairman T. Roswick stated that the website is also kept up to date with agendas so the public is welcome to review all agendas and minutes to review cases to be scheduled.

Ms. Valestin stated that there were many unanswered questions on this case. She asked if the due diligence of answering these questions would fall on the applicant. C. Malec stated that it is typically the burden of the applicant to address questions if the PZC requests it. Ms. Valestin stated that she had asked questions about how property values would be affected and was directed to another entity to contact and she didn't feel that was her responsibility to go research information. Ms. Malec clarified that the Village is not equipped to answer questions related to property values as the Village does not assign property values. The agency that determines property values for this area is the Fremont Township Assessor's Office. It is up to the PZC to direct the Petitioner on what questions they need them to address or information they need to provide.

Motion to Continue case PZC-15-2024 to January 15, 2025 at 7:00PM at the Mundelein Village Hall.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	K. Anderson
SECONDER:	S. Petti
AYES:	Chairman T. Roswick, K. Anderson, S. Petti, S. Schneckloth
NAYS:	None
ABSTAIN:	None

QUESTIONS AND COMMENTS

No further questions or commentary

ADJOURNMENT

Motion to Adjourn the Planning & Zoning Commission Meeting of December 18, 2024.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	S. Petti
SECONDER:	S. Schneckloth
AYES:	Chairman Roswick, Commissioner Anderson, Commissioner Petti, Commissioner Schneckloth
NAYS:	None
ABSTAIN:	None

Meeting was adjourned at 8:17 PM

Erin Swanson

Erin Swanson, Recording Secretary



Village Hall

Sign-In Sheet

PHONE/EMAIL



Village Hall

Sign-In Sheet

PHONE/EMAIL[illegible]

Erin Swanson

From: Tomas Solnicky <tomsol11@yahoo.com>
Sent: Monday, December 16, 2024 11:14 PM
To: Planning
Cc: Dorotka; Tim - Neighbor; c.diaconeasa@gmail.com
Subject: EXTERNAL -Petition Submission: Opposition to Case PZC-15-2024
Attachments: Petition Against the Proposed Variation for an Outdoor Contractor Storage Yard and Office in R.pdf; Signed petition.pdf

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.

To: Mundelein Planning and Zoning Commission
Village Hall, 300 Plaza Circle
Mundelein, Illinois 60060

Dear Members of the Planning and Zoning Commission,

We, the undersigned residents, neighbors, and concerned citizens of Mundelein, hereby submit this petition in opposition to the request by Maria and Jose Gonzalez (Case PZC-15-2024) for a Variation from Table 20.28-1 of Section 20.28.020 to permit an Outdoor Contractor Storage Yard and Office within the R-1 Single-Family Residential zoning district at 760-780 South Midlothian Road, Mundelein, IL.

Reasons for Opposition:

1. Preservation of Residential Character

The R-1 zoning district is specifically designated for single-family residential use. Allowing a contractor storage yard and office would disrupt the neighborhood's character, diminishing the quality of life for residents.

2. Traffic and Safety Concerns

Commercial vehicle traffic entering and exiting the site poses serious safety risks to pedestrians, residents, and local commuters—especially near schools, parks, and residential streets.

3. Noise and Environmental Impact

Activities associated with a contractor storage yard will likely generate noise, dust, and pollution, impacting the peaceful environment and air quality that residents value.

4. Property Value Decrease

Introducing commercial operations into a residential neighborhood will likely decrease property values, deterring future investments and affecting long-term homeowners.

5. Precedent for Zoning Violations

Approving this variation could set a dangerous precedent, encouraging similar commercial encroachments in residential zones and undermining the integrity of Mundelein's zoning laws.

Call to Action:

We respectfully urge the Planning and Zoning Commission to:

- Deny the request for this Variation to protect and preserve the R-1 Single-Family Residential zoning district.
- Encourage the petitioners to explore alternative locations within existing commercial or industrial zones more suitable for such a use.

Conclusion:

We stand united in our commitment to preserving the residential integrity of our neighborhood and ensuring that zoning regulations reflect the best interests of Mundelein's residents. We trust that the Commission will carefully consider these concerns and act to deny this proposed variation.

Thank you for your attention and consideration.

Please find in attachment signed petition by our fellow neighbors.

Sincerely

Tomas Solnicky

On behalf of Petitioning Residents and Neighbors

630-802-3546

tomsol11@yahoo.com

Erin Swanson

From: Katie Smith <kathryn8smith@gmail.com>
Sent: Tuesday, December 17, 2024 9:01 PM
To: Daniel Juarez; Kara Lambert; Steve Lentz; Robin Meier; Jenny Ross; Erich Schwenk; Tim Wilson; Planning
Subject: EXTERNAL -Case PZC-15-2024 | Outdoor Contractor Storage

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.

This email is regarding the proposed variation by Maria and Jose Gonzales (Case PZC-15-2024) to permit an outdoor contractor storage yard and office in the R-1 Single-Family Residential zoning district at 760-780 South Midlothian Road.

We the residents at 1401 Thorton Way have many questions and concerns about this proposed change. The property at 760-780 backs up to a residential subdivision with over 200 houses, eight (8) of which directly border the property in question.

The items that immediately come to mind include:

1. Additional commercial traffic to an already busy thoroughfare Midlothian Road.
 - a. This property exits directly across from the Countryside Fire Protection Service.
 - b. This already traffic-heavy area is within a few hundred feet of the traffic signal at 60 and Midlothian.
2. Construction yard contaminants, both ground and air, to the neighboring residential area will no doubt be significant.
 - a. Soil contamination from spills or leaks of the stored materials will travel via groundwater directly into the easement storm sewers and into the nearby retention pond that is home to various local wildlife.
 - b. Without knowing what materials will be held in this proposed yard, the typical storage yard base or gravel is enough to create dust and debris clouds any time they are utilized.
 - i. What control measures will be put in place for the additional pollutants to not alter the surrounding residents' current air quality?
3. Pollutants such as noise and light also need to be addressed by the proposer.
 - a. Noise pollution from machinery operations – noise ordinances and barriers?
 - i. Heavy truck reverse alarms
 - ii. Elongated cold fire diesel engine warmups
 - iii. Frequent loading and unloading of heavy commercial materials in the early mornings and late evenings
 - b. Light pollution from needed security lighting and morning/evening use.
 - i. What barriers will be put in place to prevent additional truck and yard lighting from hitting the neighboring residents' homes from dusk 'til dawn in order to keep the proposed construction yard safe and navigable?
4. Without knowing what is going to be stored, what measures will be put in place to make sure that OSHA compliance is upheld regarding; pesticides, herbicides, and fertilizers?
 - a. Will there be closed storage with inspected facilities to house potentially hazardous material?

b. Is there a waste disposal plan to recycle and properly dispose of materials generated onsite?

Not only do we have concerns about the items listed above, but as a resident that borders the property we are concerned with the inevitable reduction of property value that this entire residential area will endure if this is granted.

Respectfully,

Doug and Katie Gamorth

Petition Against the Proposed Variation for an Outdoor Contractor Storage Yard and Office in R-1 Residential Zoning at 760-780 South Midlothian Road, Mundelein, IL

To:

The Mundelein Planning and Zoning Commission
Village Hall, 300 Plaza Circle
Mundelein, Illinois 60060

Subject: Opposition to Case PZC-15-2024

We, the undersigned residents, neighbors, and concerned citizens of Mundelein, hereby voice our opposition to the petition by Maria and Jose Gonzalez (Case PZC-15-2024) requesting 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.

Reasons for Opposition

1. **Preservation of Residential Character**
 - The R-1 zoning district is intended for single-family residential use. Allowing a contractor storage yard and office will disrupt the residential nature of the area, negatively impacting the community's character and quality of life.
2. **Traffic and Safety Concerns**
 - Increased traffic from commercial vehicles entering and exiting the proposed site poses significant safety risks to pedestrians and residents in the neighborhood, especially near schools, parks, and residential streets.
3. **Noise and Environmental Impact**
 - The operation of a contractor storage yard will likely generate noise, dust, and potential pollution, undermining the tranquility and environmental quality that residents value in this residential area.
4. **Property Value Decrease**
 - Commercial activities in a residential neighborhood can lead to a decline in property values, discouraging future investments and long-term residency in the area.
5. **Precedent for Zoning Violations**
 - Granting this variation could set a concerning precedent, opening the door to further commercial encroachments into residential zones, eroding the integrity of Mundelein's zoning laws.

Call to Action

We respectfully urge the Planning and Zoning Commission to:

- **Deny the request for a Variation** to ensure the protection and preservation of the R-1 Single-Family Residential zoning district.

- Consider alternative locations for the proposed outdoor contractor storage yard and office that align with existing commercial or industrial zoning classifications.

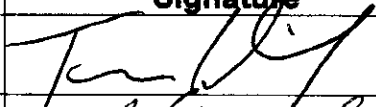
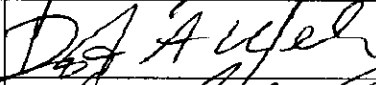
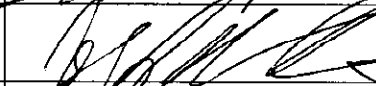
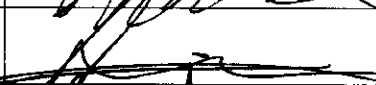
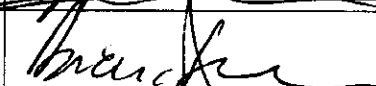
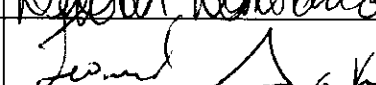
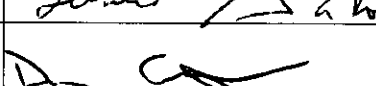
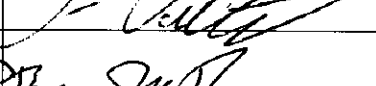
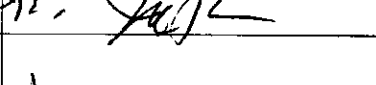
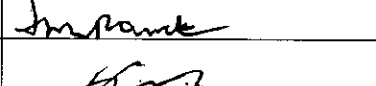
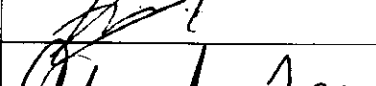
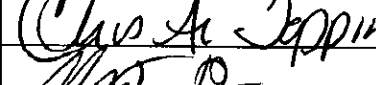
How to Support

Residents are encouraged to attend the public hearing on **December 18, 2024, at 7:00 p.m. at the Village Hall** to voice their concerns. Those unable to attend can submit written comments to **planning@mundelein.org**, with the subject line “Public Commentary Case PZC-15-2024.”

Conclusion

We stand united in our commitment to preserving the residential nature of our neighborhood and ensuring that zoning regulations reflect the best interests of Mundelein residents. We trust that the Planning and Zoning Commission will act in accordance with these priorities and deny the proposed variation.

Petition Against the Proposed Variation for an Outdoor Contractor Storage Yard and Office in R-1 Residential Zoning at 760-780 South Midlothian Road, Mundelein, IL

Printed Name	Address	Signature
TOMAS SOLNICKY	677 WAVERLY DR.	
DOROTA BUZAK	677 Waverly Dr	
Alexander Buzak	677 Waverly Dr	
Claudia Diaconescu	681 Waverly Dr	
Bianca Diaconescu	681 waverly dr.	
Ophrah Dombrowski	688 Weyham Dr.	
LEW SAKODA	1405 THORNTON WAY	
DOUG GAMROTH	1401 THURTON WAY	
Tim Valeski	677 Weyham dr	
Stacy C Ranchero	673 Waverly Dr.	
Josephine M Ranchero	673 Waverly Dr.	
LEONARDUM FIVI	1600 WAKEFIELD CT	
Chris Ann Toppin	1604 Wakefield ct	
Matt Roberts	681 Weyham Dr	
R-FAN FICCI	681 WAVERLY DR	