

VILLAGE OF LILY LAKE

ORDINANCE NO. 2019-02

**AN ORDINANCE ADOPTING A MAP AMENDMENT TO THE
ZONING ORDINANCE AND GRANTING VARIATIONS FROM
THE ZONING ORDINANCE**

(5N097 Wooley Road, Maple Park, IL 60151)

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE**

March 25, 2019

Published in pamphlet form by authority of the President and Board of Trustees of
the Village of Lily Lake, Kane County, Illinois
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A public hearing on the application of Development Properties, Inc. and Craig R. Sennett for a map amendment to the Zoning Ordinance for a portion of the property commonly known as 5N097 Wooley Road, Maple Park, IL 60151, and for several variations from the standards applicable in the R2 Residential District and the B1 Business District for the resulting two zoning lots, was held before a duly appointed hearing officer of the Village on March 22, 2019, upon due notice published according to law.

After hearing from the Applicants and all members of the public present at the hearing, and after considering all written materials submitted in support of or against the application, the hearing officer recommended that the application be granted.

NOW THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Lily Lake, Kane County, Illinois, as follows:

§ 1. Rezoning

The portion of the property depicted as Parcel One on the Site Plan submitted as Exhibit D to the application and legally described in Exhibit A attached is rezoned from B1 Business District to R2 Residential District and the Official Zoning Map of the Village will be amended accordingly. Parcel Two as depicted on the Site Plan and legally described in Exhibit A remains zoned B1 Business District.

§ 2. Variations granted

The following variations are granted from the regulations of the Zoning Ordinance for each of the resulting zoning lots.

(a) Parcel One

(1) A variation of 5.67 feet from the setback requirement for the principal building from Wooley Road. (Actual setback = 19.33 feet; required setback = 25 feet.)

(2) A variation of 7.93 feet from the setback requirement for the existing accessory building from the northerly property line. (Actual setback = 7.07 feet; required setback = 15 feet.)

(3) A variation of 20.09 feet from the setback requirement for the existing accessory building from the easterly property line. (Actual setback = 19.91 feet; required setback = 40 feet.)

(4) Variations from the applicable 1 acre lot size requirement and the 150 foot lot width requirement for the use of an individual sewerage disposal system.

(5) A variation from the 100 foot lot width requirement applicable in the R2 Residence District.

(6) A variation of the yard requirements to permit the encroachment of the existing retaining wall on the north side of the lot.

(7) A variation from the 1.5% floor area ratio limitation for the existing accessory buildings.

(8) A variation from the architectural compatibility requirements for the existing accessory buildings.

(b) Parcel Two

(1) A variation of 10.26 feet from the setback requirement for the principal building from Route 64. (Actual setback = 29.74 feet; required setback = 40 feet.)

(2) A variation of 18.31 feet from the setback requirement for the principal building from Wooley Road. (Actual setback = 21.69 feet; required setback = 40 feet.)

(3) A variation of 24.98 feet from the setback requirement for the principal building from the southerly property line. (Actual setback = 15.02 feet; required setback = 40 feet.)

(4) A variation allowing the existing freestanding sign on the property and a variation of 10 feet from the applicable height restriction. (Actual height = 22 feet; maximum height = 12 feet.)

§ 3. Conditions

The approval of the minor subdivision, rezoning of Parcel One, and the variations granted by this ordinance are subject to the following conditions:

(a) If the property is ever divided a new well must be constructed on Parcel One in accordance with the regulations of the Kane County Health Department.

(b) The variations granted by this ordinance are specific to the existing improvements on the property. If any of the existing buildings or structures are removed or replaced, any replacement building or structure must meet all of the requirements of the Zoning Ordinance. With respect to the freestanding “For Lease” sign on the property, the applicant may retain the sign only until the property is leased after which the sign must be removed unless the Zoning Officer administratively approves another freestanding sign and then any replacement sign must meet all of the applicable restrictions of the Zoning Ordinance unless upon further application an additional variation is granted.

§ 4. Repealer

Any ordinance or any provision of any ordinance in conflict with the provisions of this ordinance is, to the extent of such conflict, repealed.

§ 5. Effective Date

This ordinance is fully effective from and after its passage, approval and publication as provided by law.

Adopted on March 25, 2019 pursuant to a roll call vote as follows:

[Signature page follows immediately.]

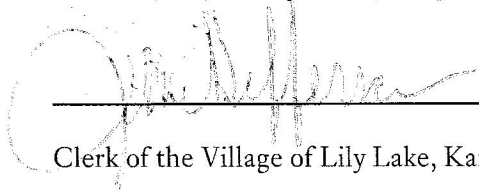
Trustee	Yes	No	Absent	Abstain
Conn	X			
Dell	X			
Damisch	X			
Marlovits			X	
Vaughn	X			
Walsh	X			
Overstreet				
Totals	5	0	1	0

Approved March 25, 2019.



President

Attested, Filed in my office, and published in pamphlet form on March 25, 2019.



Clerk of the Village of Lily Lake, Kane County, Illinois

EXHIBIT A

(Legal Descriptions)

Parcel One - Proposed R2 Single-family Detached Residence District

That part of the Southwest Quarter of the Southeast Quarter of Section 18, Township 40 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at the northwest corner of Altepeter Subdivision, Campton Township, Kane County, Illinois recorded as Document 1505121, being on the center line of Wooley Road; thence North 89°35' East along the north line of said subdivision 216.0 feet; thence northerly along a line forming an angle of 79°37'30" with said north line (measured counter-clockwise therefrom) 46.0 feet; thence northwesterly 182.0 feet to a point on said center line that is 128.0 feet North 26°58' East of the point of beginning; thence South 26°58' West along said center line 128.0 feet to the point of beginning excepting therefrom the northwesterly 30.0 feet thereof (measured at right angles to said center line) lying within said Wooley Road, in the Village of Lily Lake, Kane County, Illinois and containing 12,655 square feet (0.290 acre).

Parcel Two - Remaining B1 Business District

That part of the Southwest Quarter of the Southeast Quarter of Section 18, Township 40 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the northwest corner of Altepeter Subdivision, Campton Township, Kane County, Illinois recorded as Document 1505121, being on the center line of Wooley Road; thence North 89°35' East along the north line of said subdivision 216.0 feet for a point of beginning; thence northerly along a line forming an angle of 79°37'30" with said north line (measured counter-clockwise therefrom) 46.0 feet; thence northwesterly 182.0 feet to a point on said center line that is 128.0 feet North 26°58' East of said northwest corner; thence North 26°58' East along said center line 138.10 feet to the southwesterly line of the right of way of Illinois State Route No. 64; thence southeasterly along said southwesterly line 90.01 feet to a point of curvature in said southwesterly line; thence continuing southeasterly along said southwesterly line, being a curve to the left having a radius of 1677.28 feet, 222.07 feet to the north line of said subdivision; thence South 89°35' West along said north line 109.82 feet to the point of beginning excepting

therefrom the northwesterly 30.0 feet thereof (measured at right angles to said center line) lying within said Wooley Road, and excepting therefrom that part thereof conveyed by Document 2002K032980, in the Village of Lily Lake, Kane County, Illinois and containing 17,044 square feet (0.391 acre).