

**Item #6:**

**Referral To PCZBA Text Amendment(s)**

**R-2 Zoning District:**

**Min Scenic Corridor; Min Lot Sizes & Max Setback Relief**



MEMORANDUM

To: Village President Underwood and Board of Trustees  
From: James M. Hogue, Village Planner  
Date: 7.5.16  
RE: Referral of Text Amendments & Variation Request

Staff has received a request for an 8 lot PUD on property on Midlothian Road. The petitioner is proposing a "conservation" type development on the property. As proposed the development would be very much in keeping with the character (lot size, setbacks, etc) of the Indian Creek Club Development to the west of the subject property.

The development would be comprised of 8 lots on 16.77 acres for and overall site density of 2.1 acres per unit. Lot sizes would be between 10,310 sq. ft. & 14,450 sq. ft. with an average lot size of 12,706 sq. ft. This is well below the 33,000 sq. ft. lot size mandated by the subdivision code and PUD regulations. Approximately 4.14 acres of site would be utilized for development the remaining 12.63 acres would be kept as open space. ( See attached site plan.)

The project is proposed to be served by public water and sewer through Lake County.

Setback relief beyond the 20% maximum provided for in the PUD regulations is required.

Scenic Corridor requirements along right-of way acquired for the Rt. 53 extension are also not met.

As the relief requested is beyond the limits of what the code would allow text amendments are required. These text amendments require referral by the Village Board to the PCZBA for public hearing (as part of the PUD request) and further consideration should the Village Board deem that action appropriate.

**TEXT AMENDMENTS**

Text amendments will be required for lot size, setback & scenic corridor relief. Per the PUD regulations;

G) Authority To Vary Regulations:

1. Subject to the limitations contained in subsections (E)2(m), (E)2(n), and (G)2 of this section, the planned unit development may depart from strict conformance with the required density, dimension, area, bulk, use, and other regulations for the standard zoning districts and other

provisions of this title to the extent specified in the preliminary land use and zoning plat and documents authorizing the planned unit development so long as the planned unit development will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

2. Notwithstanding the provisions of subsection (G)1 of this section, the following limitations will apply:

**(a) In no event may a front or side yard setback on a lot be reduced by more than twenty percent (20%) from the setback required for that lot by the underlying zoning district.**

(b) No variation is permitted from subsection (E)2(i) of this section.

**(c) Except as otherwise expressly provided in subsection (E)2(m)(2) of this section, no variation may be granted to permit a lot within a planned unit development to be less than thirty three thousand (33,000) square feet in lot area. (Ord. 2009-O-07, 3-10-2009)**

In addition the ROW for the RT 53 extension abuts the NE side of the property. As this constitutes existing ROW a 100' foot scenic corridor would be required along this ROW as well. As this is not identified on the submitted plans and no provisions for variation are made in the current code a text amendment appears to be required. Again per the Village Code;

(C) Scenic Corridor Easements:

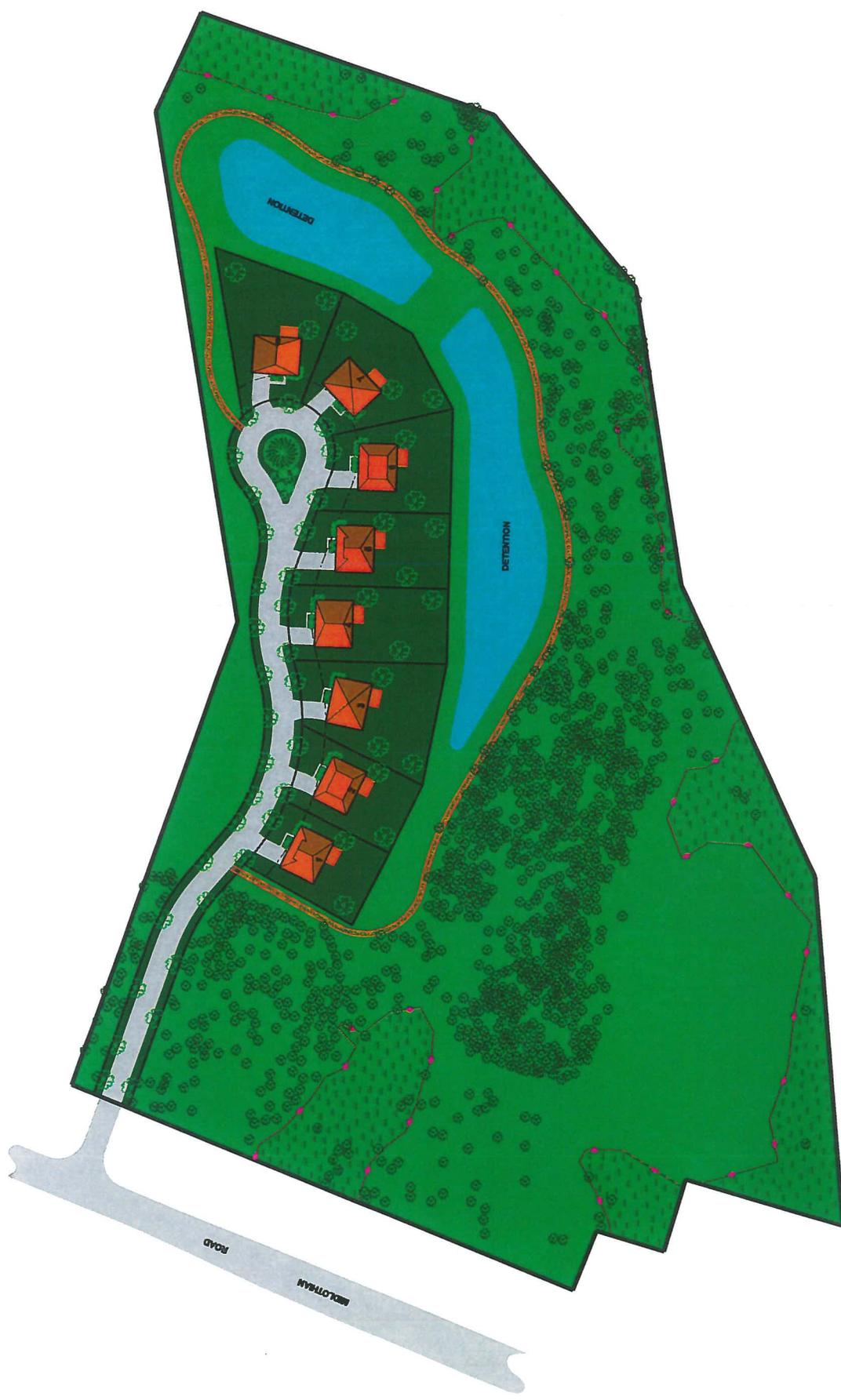
1. Purpose: The purpose of the scenic corridor easement requirement is that it has been determined that corridors of land should remain undeveloped on each side of all major roads and it has been further determined that if this is done, the traffic noise normally associated with collector streets will not have as deleterious an impact and it has further been determined that the requirement of scenic corridor easements will serve to protect and maintain the rural atmosphere of the village and further provide a refuge for native animal and bird life, and serve as an area which yields undisturbed native trees, shrubs and prairie plant life and also provide an excellent natural buffer between more developed areas.

3. Dimensions: The dimensions of the scenic corridor shall be as follows:

**(b) On all other property sought to be subdivided or developed as a planned unit development which lies adjacent to all other remaining state, county and streets designated as collector streets within the village, including, but not limited to, Route 53, Route 83, Route 22, Old McHenry Road, Cuba Road, Aptaksic Road, Indian Creek Road, Diamond Lake Road and Gilmer Road, there shall be a one hundred foot (100') easement, measured from the right of way, on either side of said roads.**

4. Plan Approval: As a condition of approval of a final plat, the developer shall submit a development plan of all scenic corridor easements, showing the dimensions thereof, the extent and nature of all significant natural vegetation, both forest and prairie, all berms sought to be constructed, the amount and size and type of all planting sought to be installed. The plan shall be reviewed and approved by the plan commission. (Ord. 2000-O-17, 8-8-2000).

If recommended for referral this request would be considered at the August 2<sup>nd</sup> PCZBA meeting.



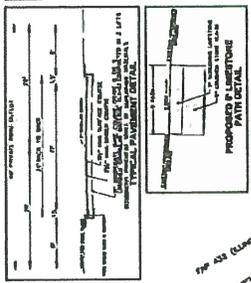
|  |   |   |                                     |
|--|---|---|-------------------------------------|
|  <b>PEARSON, BROWN &amp; ASSOCIATES, INC.</b><br>CONSULTING ENGINEERS<br>1800 W. WINCHESTER ROAD - SUITE 208<br>LIBERTYVILLE, IL 60068<br>PHONE: (630) 397-2897<br>FAX: (630) 397-2897<br>E-MAIL ADDRESS: pba@pearsonbrown.com | NORTH<br>            | TITLE<br><b>ILLUSTRATIVE SITE PLAN</b>                  | EXHIBIT<br><b>A</b>                 |
|  | SCALE: 1" = 100'<br> | PROJECT:<br><b>STEINBACH PROPERTY</b><br>LONG GROVE, IL | PROJECT NO.: 1871<br>DATE: 08/20/15 |

PROFESSIONALS ASSOCIATED SURVEY, INC.

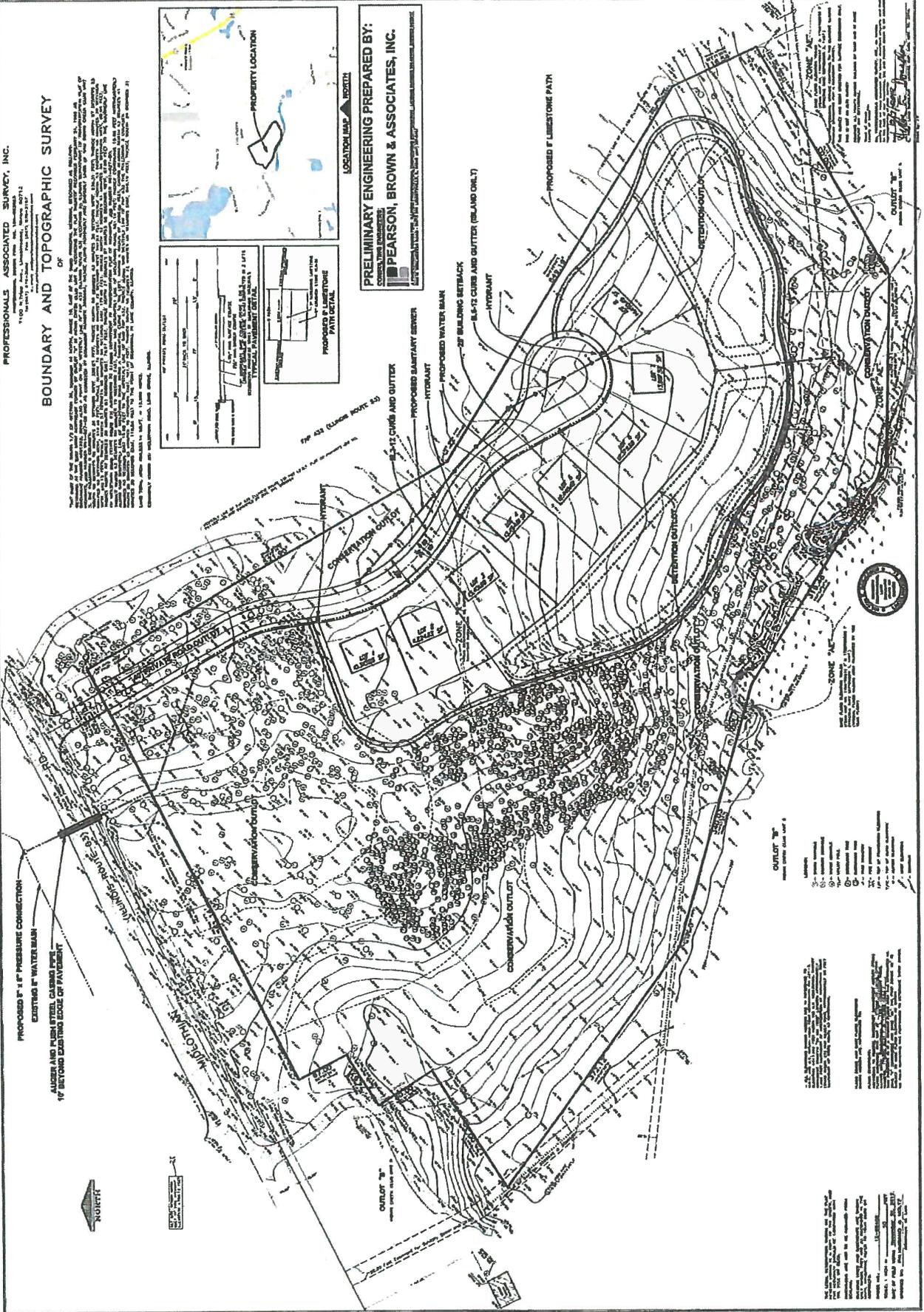
1100 N. 10th Street, Suite 100, Lincoln, Nebraska 68502

# BOUNDARY AND TOPOGRAPHIC SURVEY

OF  
[Detailed text regarding survey methods, accuracy, and legal notices]



PRELIMINARY ENGINEERING PREPARED BY:  
**PEARSON, BROWN & ASSOCIATES, INC.**



PROPOSED 8" PRESSURE CONNECTION  
EXISTING 8" WATER MAIN  
ALONG AND PUSH WATER MAINS ONE  
14' SETBACK EASTING SIDE OF PAVEMENT



OUTLET "B"  
[Detailed description of the outlet]

OUTLET "B"  
[Detailed description of the outlet]

- Legend for symbols used on the plan, including various types of lines and markers.

Notes and specifications regarding the survey and proposed work.

