



**McHenry County**  
**Zoning Board of Appeals - Zoning Hearing**  
**AGENDA**

July 17, 2025, 1:30 PM  
County Board Conference Room  
Administration Building, 667 Ware Rd., Woodstock, IL 60098

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**Pages**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **NEW BUSINESS / PUBLIC HEARING**
  - 3.1 Z25-0050 Nikolich, A1-E2, Hartland Twp
4. **OLD BUSINESS**
5. **PUBLIC COMMENT**

Topics unrelated to public hearing - 3-minute time limit per speaker
6. **ANNOUNCEMENTS**
7. **ADJOURNMENT**

2



# Staff Report for the McHenry County Zoning Board of Appeals

**Application:** #Z25-0050

**PIN:** 07-36-100-013

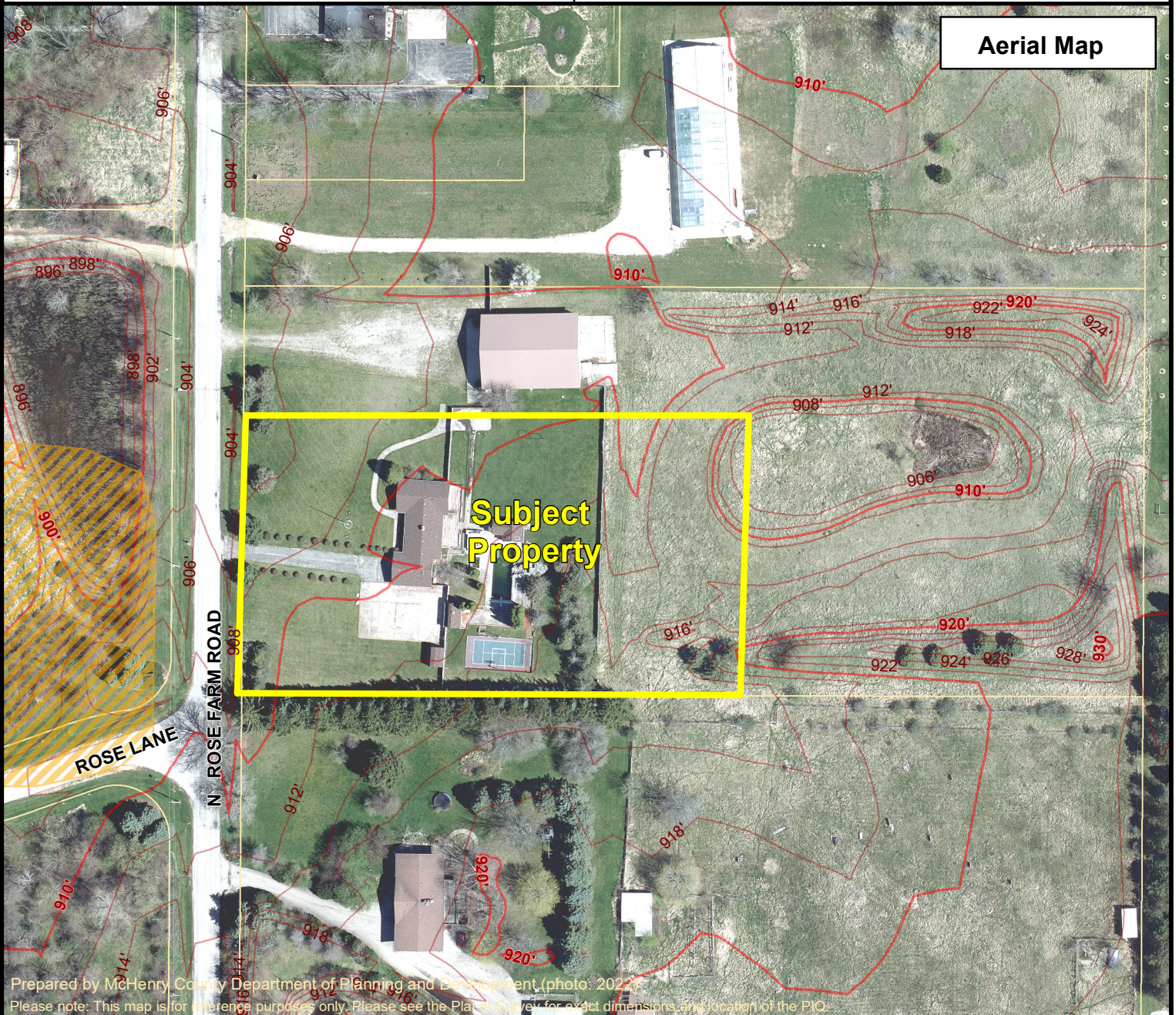
**Address:** 704 N Rose Farm Road, Woodstock

**Applicant:** Ryan and Michaleen Nikolich

**Request:** Reclassify A-1 Agriculture District to E-2 Estate District.

**Hearing:** July 10, 2025

**Location:** The two point three (2.3) subject property is located on the east side of North Rose Farm Road, approximately six hundred ninety (690) feet south of U.S. Route 14, in Hartland Township.



## Elevation

(feet above sea level)

- 10-foot contours
- 2-foot contours

## ADID Wetland Map 2005

- High Functional Value Wetland (hfw)
- High Quality Wetland (hqw)
- Wetland (w)
- Farmed Wetland (fw)

## FEMA Flood Hazard Areas

- 0.2 % Annual Chance of Flood
- 1% Annual Chance of Flood
- Floodway

Feet 60 30 0 60 120  
1 inch equals 125 feet





## Staff Report for the McHenry County Zoning Board of Appeals

### **STAFF COMMENTS**

*The following comments and conclusions are based upon staff analysis and review prior to this hearing and are to be considered viable unless evidence is established to the contrary. Staff may have additional comments based upon the testimony presented during the public hearing.*

### **BACKGROUND & REQUEST SUMMARY**

The applicant is requesting a map amendment from the A-1 Agriculture District to the E-2 Estate District on a two point three (2.3) acre parcel. According to the plat of survey, the subject property contains: a single-family residence, several detached accessory structures, an inground pool, a hot tub, a basketball court and several impervious surface areas.

### **MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE**

- The Applicant must meet the Approval Standards for Map Amendment, listed in §16.20.010.E.1 of the *McHenry County Unified Development Ordinance*.

### **STAFF ANALYSIS**

#### Current Land Use & Zoning

The subject property is currently zoned A-1 Agriculture and has been used as a Single-Family Residence. The property to the west is zoned E-2 Estate and is owned by the Homeowers Association to be used for stormwater management. The properties to the north, east and south are zoned A-1 Agriculture and are used for single-family residential purposes.

#### 2030 Comprehensive Plan Future Land Use map

The proposed reclassification is consistent with the future land use designation of **Residential**

#### 2030 Comprehensive Plan & 2030 and Beyond Analysis

The 2030 Comprehensive Plan and 2030 and Beyond Plan support the reclassification to the E-2 Estate District. There is minimal impact to the agricultural, natural, and water resources on the site (*See comments below*).

*McHenry County 2030 and Beyond, Adopted October 18, 2016—*

#### Big Idea #1 Let's make our communities healthy, active, and green

*"We can make it happen by promoting development that is compact, contiguous to, or located within municipalities in order to preserve rural landscapes while providing greater mobility choices for all residents." (p.12)*

- The subject property is located approximately a tenth (0.10) of a mile from the City of Woodstock.

#### Big Idea #2 Let's build on our strengths

*"We can make it happen by preserving our wide array of housing choices and lot sizes – from rural to urban." (p. 14)*

- The proposed reclassification will not change the density of the area. The reclassification would allow the single-family residence to remain and make the remainder of the parent parcel unbuildable under it's current designation of A-1 Agriculture as it would not be able to meet the minimum bulk requirements for the A-1 Agriculture district.

#### Big Idea #3 Let's grow smarter

*"We can make it happen by focusing development that is compact, contiguous to, or located within municipalities, and away from areas designated for agriculture and lacking infrastructure and services." (p. 16)*

- The parent parcel has two (2) uses – residential and agriculture. The portion associated with the reclassification has been used residential. The rest of the parent parcel would continue to be used for agricultural purposes.

#### Big Idea #4 Let's expand our economy

No applicable text.

Community Character & Housing

*"Promote increased density and compact contiguous development."* (p. 15)

- As noted previously, the subject property is located within a tenth (0.10) of a mile from the City of Woodstock.

Agricultural Resources

*"Maintain and protect the most productive agricultural lands, where appropriate, by discouraging nonagricultural growth in these areas."* (p. 29)

- The intent of the applicant's request to reclassify the subject property to E-2 Estate is similar to the intent of the A-2 Agriculture District. The applicant is seeking reclassification to allow them to split the agriculturally used property from the residentially used property, thus allowing both uses to continue.

Greenways, Open Space & Natural Resources

Objective: *"Promote land uses that minimize the impact on land, water, energy, and other natural resources" ...* (p. 43)

- The McHenry-Lake County Soil and Water Conservation District *Natural Resources Inventory* was received. The letter indicates that a full report isn't necessary as no wetlands or floodplains were identified as being located on this parcel. Please refer to attached NRI Letter #L25-35-4696 for details.

Water Resources

Objective: *"Preserve, improve, and replenish the quality and quantity of existing groundwater resources."* (p. 63)

- The proposed reclassification does not include any new improvements that would increase impervious surface area.

Economic Development

No applicable text.

Infrastructure

No applicable text.

**STAFF ASSESSMENT**

The applicant is requesting a map amendment from the A-1 Agriculture District to the E-2 Estate District on two point three (2.3) acres. The request is consistent with the existing Single-Family Residential land uses of the area and the E-2 Estate zoning to the west. The request is also consistent with the recommendations provided in the 2030 and Beyond Plan and the 2030 Comprehensive Plan text. The reclassification is consistent with the future land use map designations of **Residential**. The subject property is not located in a sensitive aquifer recharge area (SARA). Staff has no objection to the applicant's request for reclassification.

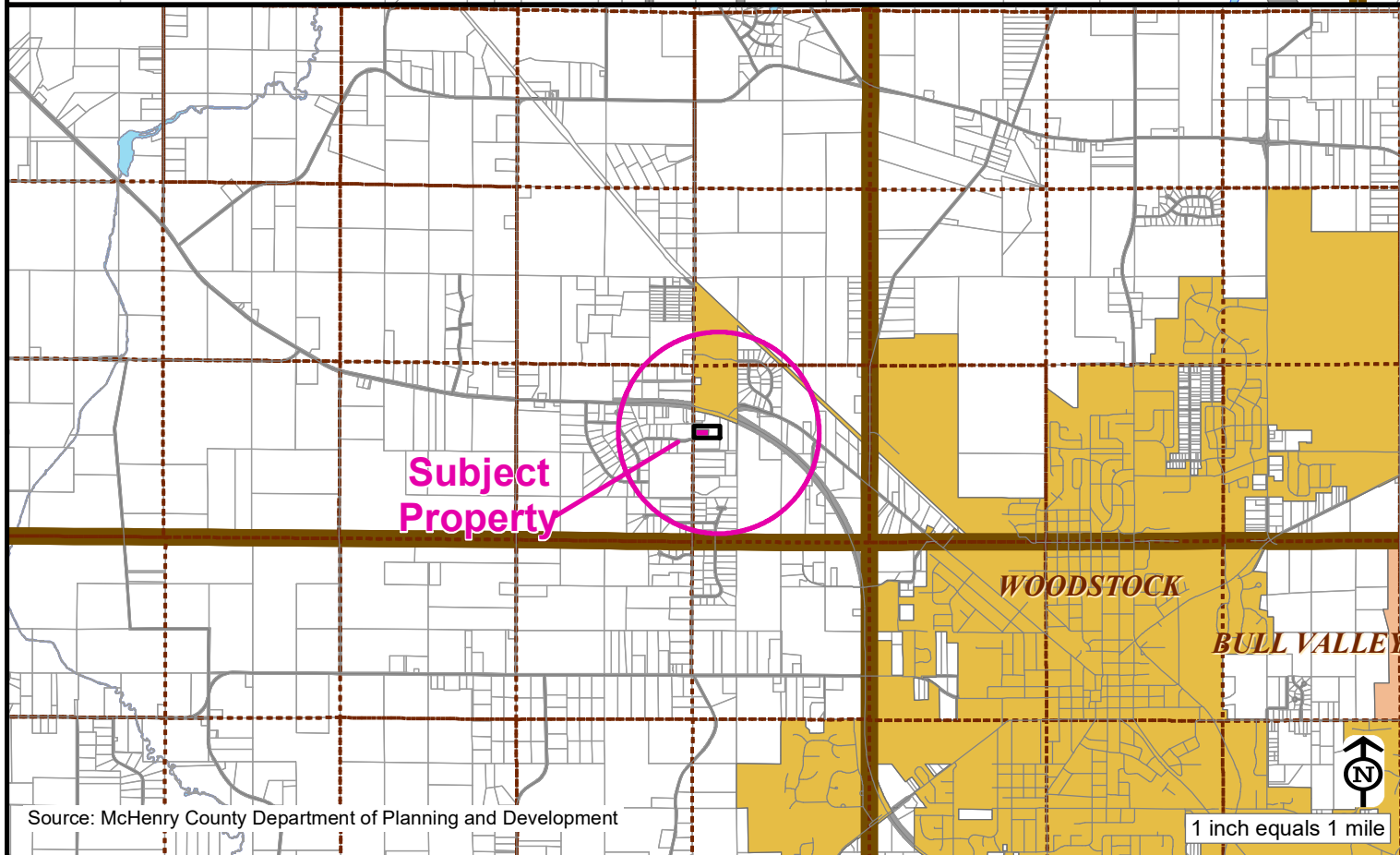
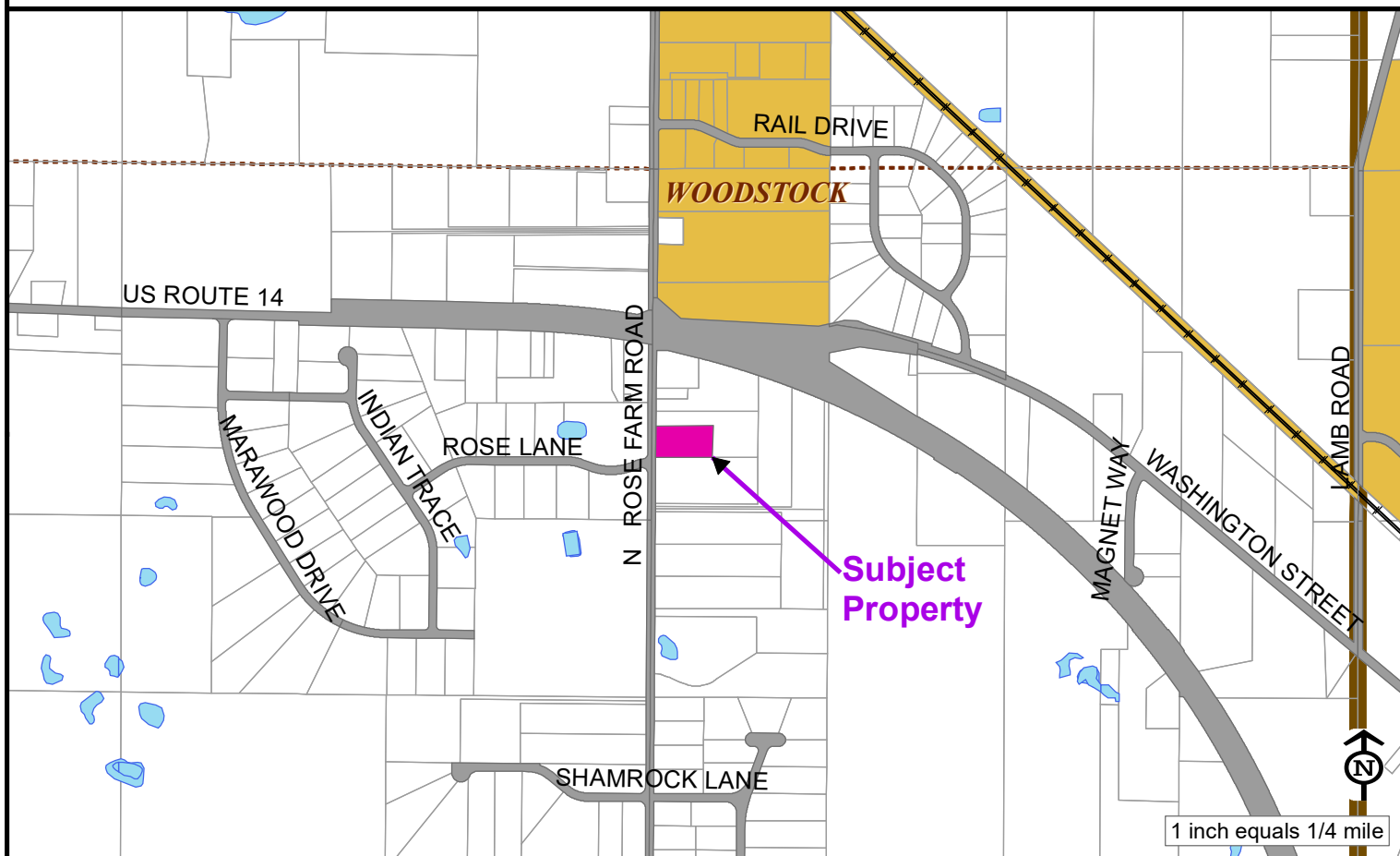
Report prepared the June 29, 2025, by Anna Kurtzman, Senior Planner - McHenry County Department of Planning & Development.

### **Section 16.20.010.E.1 of the McHenry County Unified Development Ordinance**

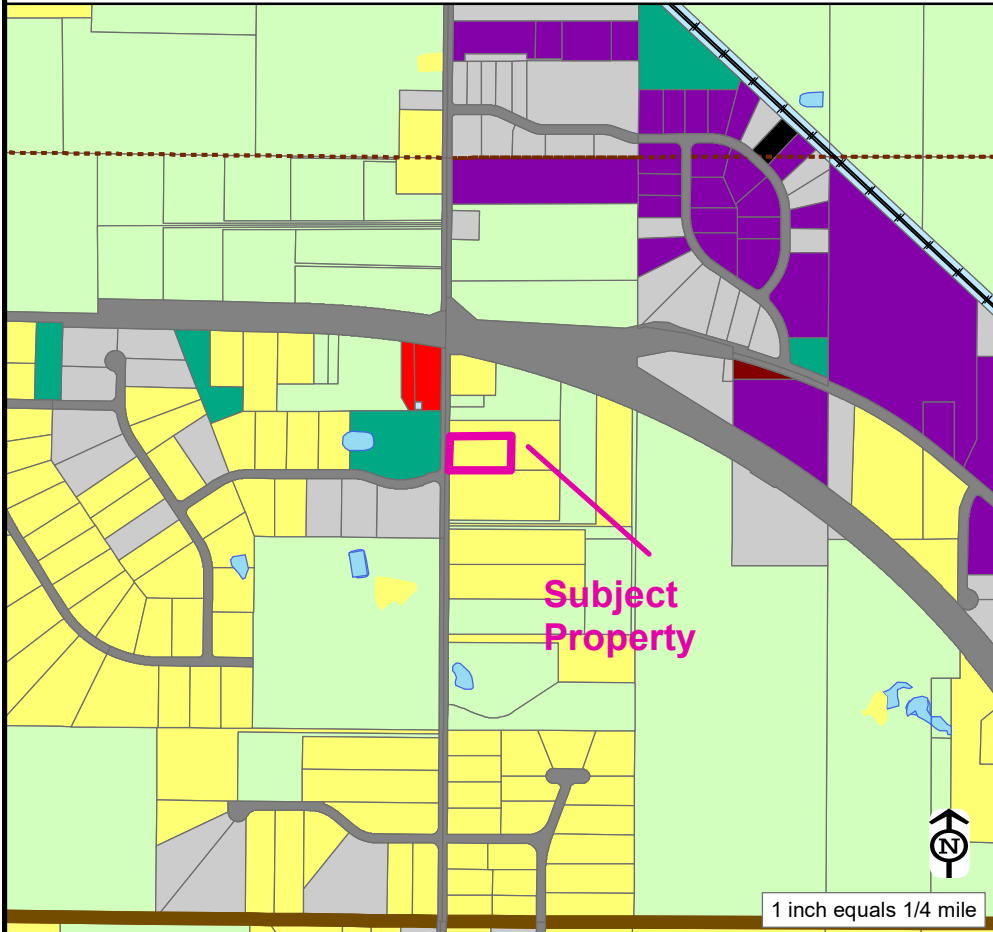
*Approval Standards for Zoning Amendments.* The Zoning Board of Appeals recommendation and the County Board decision shall consider the following standards. However, the Zoning Board of Appeals' recommendation and the County Board's decision on any zoning text or map amendment is not controlled by any one factor under the following standards, but rather the approval of amendments is based on a balancing of the factors under each standard.

1. *Approval Standards for Map Amendments.*

- a. The compatibility of the proposed zoning with the existing use and zoning of nearby property.
- b. The extent to which property values of the subject property are diminished by the existing zoning.
- c. The extent to which the public health, safety, and welfare of the public are promoted by the existing zoning.
- d. The relative gain to the public, as compared to the hardship imposed upon the applicant, if the proposed zoning is denied.
- e. The suitability of the property for the purposes for which it is presently zoned.
- f. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.
- g. The community need for the proposed use.
- h. The consistency of the proposed amendment with the adopted comprehensive plan and the appropriateness of the comprehensive plan to the subject property.



## Current Land Use Map



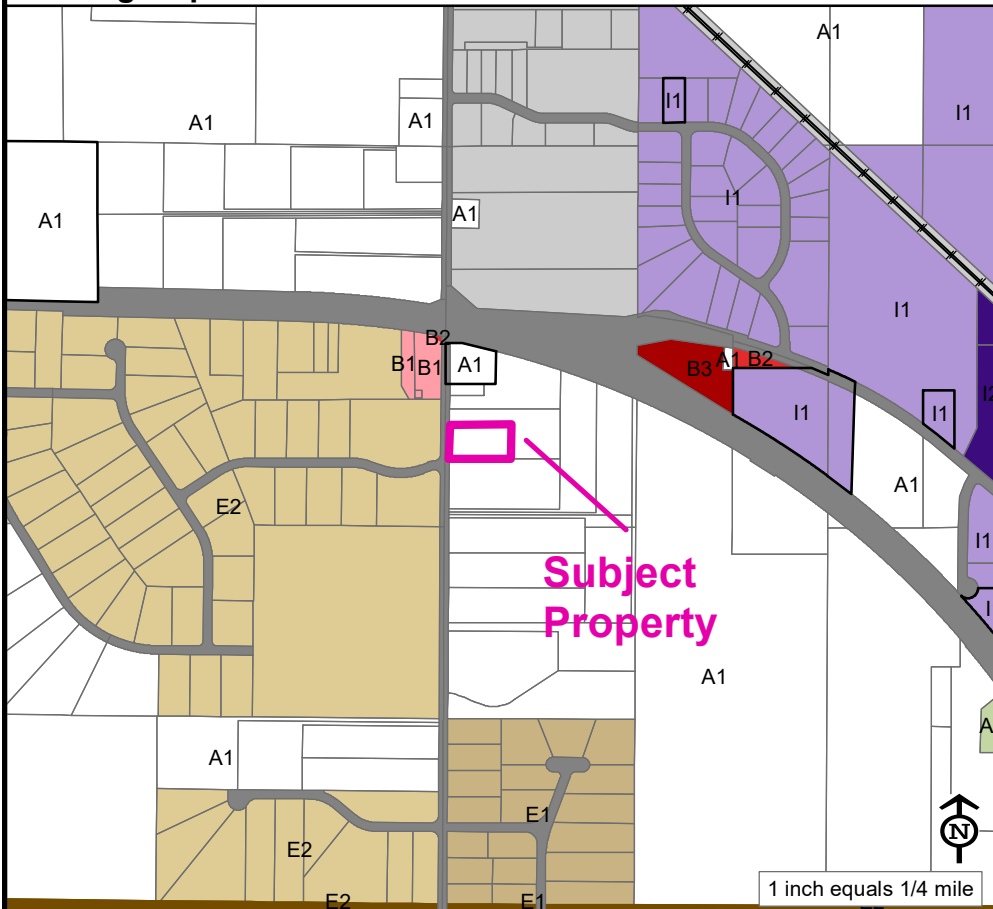
**Current Land Use**  
*Single-Family Residential*

### Adjacent Land Use(s)

North: *Single-Family Residential*  
South: *Single-Family Residential*  
East: *Single-Family Residential*  
West: *Open Space*

- Agriculture
- MCCD Agriculture
- Single-Family Residential
- Multi-Family Residential
- Open Space
- Golf Course
- Commercial
- Office
- Industrial
- Mixed Use
- Earth Extraction
- Vacant
- Government / Institutional
- Transportation, Communication, Utilities
- Under Review

## Zoning Map



**Current Zoning**  
**A-1 Agriculture**

### Adjacent Zoning

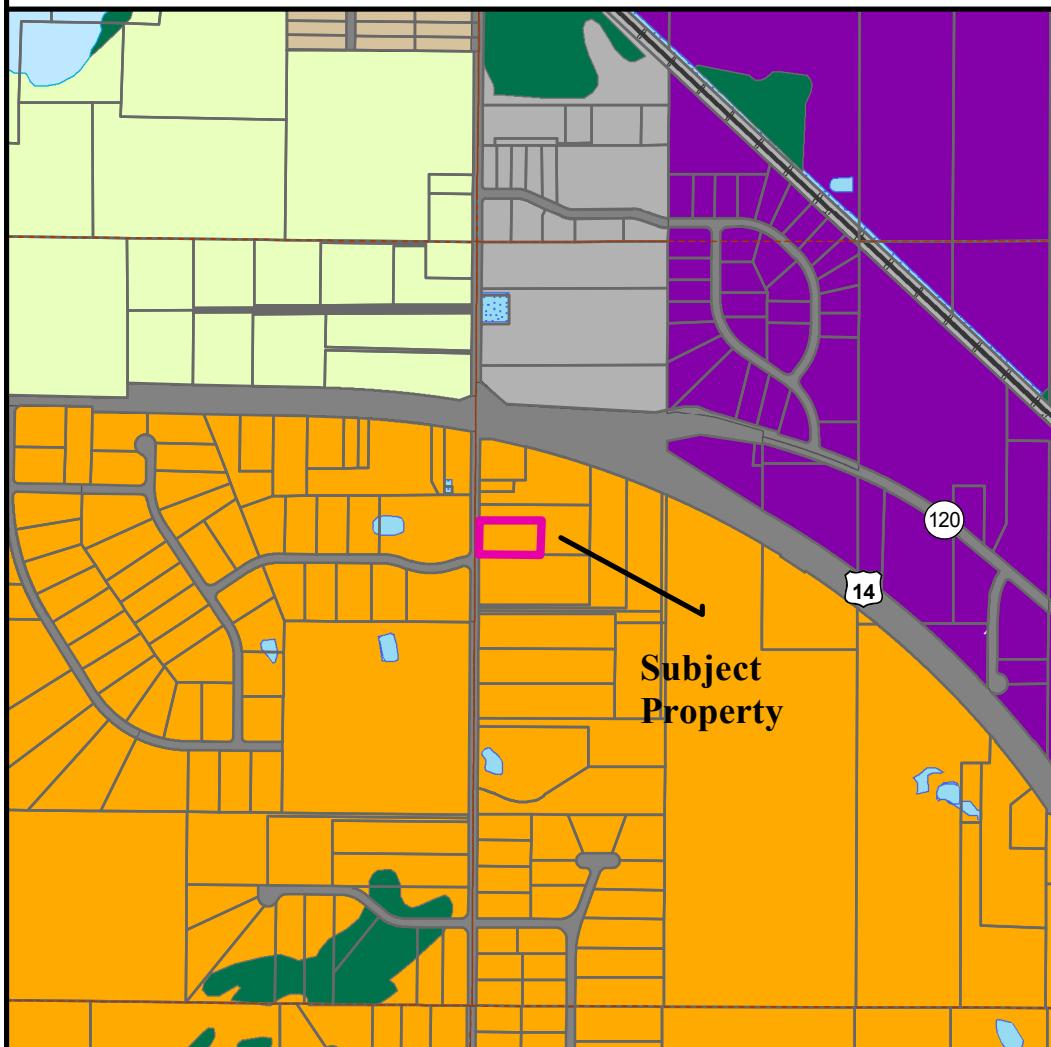
North: A-1 Agriculture  
South: A-1 Agriculture  
East: A-1 Agriculture  
West: E-2 Estate

- A-1 Agriculture
- A-2 Agriculture
- E-5 Estate
- E-3 Estate
- E-2 Estate
- E-1 Estate
- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- B-1 Neighborhood Business
- B-2 Neighborhood Business
- B-3 General Business
- O Office / Research
- I-1 Light Industrial
- I-2 Heavy Industrial
- PD Planned Development
- C Conditional Use
- V Variation
- Incorporated

# McHenry County 2030 Comprehensive Plan Future Land Use Map

## Future Land Use Map Designation

### Residential



- Agricultural
  - Open Space
  - Environmentally Sensitive Area
  - Estate
  - Isolated Estate
  - Residential
  - Isolated Residential
  - Retail
  - Mixed Use
  - Office, Research, Industrial
  - Gov't, Institutional, Utilities
  - TOD Existing Rail Station
  - TOD Future Rail Station
  - Active Earth Extraction Site
  - Municipality
- Scale: 1 inch = 1/4 mile



## Municipal / Township Plan Designations

Hartland Township: Single-Family Residential  
Woodstock: Neighborhood Development

## McHenry County 2030 Comprehensive Plan -Text Analysis

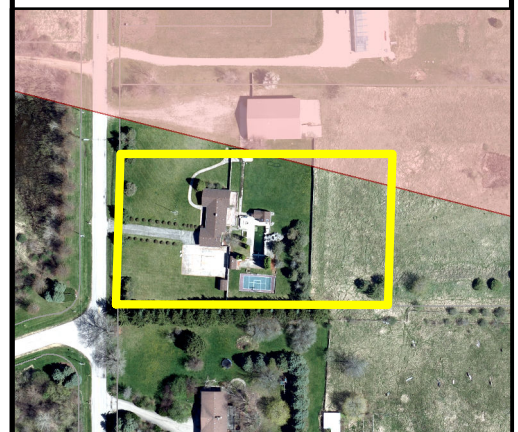
### Land Use

*Residential includes existing and proposed areas for single-family and multifamily residential uses at gross densities of less than one acre per dwelling unit. Within the Residential district, development densities should consider nearby land uses and zoning, and the availability of transportation, infrastructure, water supply, and other public services, environmental limitations, and other factors required by County ordinances, state statutes, and case law.*

### Sensitive Aquifer Recharge Areas

Most of the site is not located in a zone with moderate contamination potential.

## Sensitive Aquifer Recharge Areas (SARA)



Sensitive Recharge Area





IN THE MATTER OF THE APPLICATION OF  
**RYAN NIKOLICH AND MICHALEEN NIKOLICH**, OWNERS  
FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT  
ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR  
**A RECLASSIFICATION**

)  
)  
) LEGAL NOTICE OF PUBLIC HEARING  
) Z25-0050  
)

Notice is hereby given in compliance with the McHenry County Unified Development Ordinance, that a public hearing will be held before the **McHenry County Zoning Board of Appeals**, in connection with this Ordinance, which would result in a **RECLASSIFICATION** for the following described real estate:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 45 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 465 FEET; THENCE EASTERLY PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 30 FEET TO THE EAST LINE OF ROSE FARM ROAD AND THE PLACE OF BEGINNING; THENCE NORTHERLY ON AN ASSUMED BEARING OF NORTH 00°19'48" EAST, PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 236.38 FEET; THENCE SOUTH 89°58'06" EAST, 425.00 FEET; THENCE SOUTH 00°19'48" WEST PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 236.52 FEET; THENCE N 89°56'59" WEST, 425.00 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

***Part of PIN 07-36-100-013***

The subject property is located on the East side of Rose Farm Road, approximately six hundred ninety (690) feet south of the intersection of U.S. Route 14 and Rose Farm Road, ***with a common address of 704 North Rose Farm Road, Woodstock, Illinois in Hartland Township.***

The subject property is presently zoned ***"A-1" Agriculture District*** and consists of approximately **2.31 acres** with ***"A-1" Agriculture District*** zoning to the North, East, South and ***"E-2" Estate District*** Zoning to the West.

The Applicants are requesting a reclassification from <b><i>"A-1" Agriculture District</i></b> to <b><i>"E-2" Estate District</i></b> .
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The Applicants and Owners of Record, Ryan Nikolich and Michaleen Nikolich, presently can be reached at 708 Indian Trce, Woodstock, Illinois.

A hearing on this Petition will be held on the 10<sup>th</sup> day of July 2025 at 1:30 P.M. in the County Board Conference Room at the McHenry County Government Center/Ware Road Administration Building 667 Ware Road, Woodstock, Illinois at which time and place any person desiring to be heard may be present. The McHenry County Government Center mailing address is 2200 N. Seminary Avenue, Woodstock, Illinois 60098.

DATED THIS 20<sup>TH</sup> DAY OF JUNE 2025.

By: Linnea Kooistra, Chair  
McHenry County Zoning Board of Appeals  
2200 N. Seminary Avenue  
Woodstock, IL 60098

***Petitions for all Zoning Board of Appeals hearings can be accessed at the following link:***  
***[www.mchenrycountyil.gov/county-government/new-meeting-portal](http://www.mchenrycountyil.gov/county-government/new-meeting-portal) and choosing the “Agenda” link for the specific meeting date.***

***Live audio streams of all Zoning Board of Appeals hearings can be accessed at the following link:***  
***[www.mchenrycountyil.gov/county-government/new-meeting-portal](http://www.mchenrycountyil.gov/county-government/new-meeting-portal) and choosing the “Video” link for the specific meeting date.***

Z25-0050

Project Name: Home Parcel reclassification

Project Description: Create a 2+acre parcel for just the home and request it's new parcel informatioin to be zoned as E-2

Permit Type: MAP AMENDMENT

Site Address (Parcel) Owner Name: 704 N. Rose Farm Rd

Parcel Identification Number: 07-36-100-013

Site (Parcel) Address: 704 N ROSE FARM RD WOODSTOCK, IL 60098

Number of Acres: 2.31

Site Address (Parcel) Owner Phone Number:

Site Address (Parcel) Owner Email Address:

Applicant Name (if other than owner): Nikolich, Ryan

Primary Contact: Nikolich, Ryan

Applicant Address: 704 N. Rose Farm Rd

Applicant Phone Number: 8473812760

Applicant Email Address: r.nikolich@gmail.com



## **Narrative for Reclassification of Property**

### **Property Information:**

- **PIN:** 07-36-100-013
- **Address:** 704 N. Rose Farm Road, Woodstock, IL 60098

### **Proposed Changes:**

- **Current Classification:** A-1 (Agricultural)
- **Proposed Classification:** E-2 (Estate)
- **Total Property Size:** 6.1 acres
- **Proposed E-2 Parcel Size:** 2.31 acres
- **Remaining A-1 Parcel Size:** 3.79 acres

**Justification for Reclassification:** The proposed reclassification of the property located at 704 N. Rose Farm Road, Woodstock, IL, from A-1 to E-2 is consistent with the McHenry County 2030 and Beyond Comprehensive Plan

This plan promotes sustainable development and land use that aligns with the county's long-term vision for growth and community enhancement.

### **Compatibility with Existing Uses and Zoning Designations:**

The proposed E-2 classification is compatible with existing uses and zoning designations of nearby properties. The surrounding area includes similar estate properties, making the reclassification harmonious with the neighborhood's character and land use patterns

### **Compliance with Zoning Districts Bulk and Setback Regulations:**

The proposed E-2 parcel meets the county's Zoning Districts Bulk and Setback Regulations as outlined in the McHenry County Code of Ordinances

The new plat ensures that all development standards, including minimum lot size, building setbacks, and bulk regulations, are adhered to, thereby maintaining the integrity and orderly development of the area.

### **Conclusion:**

Reclassifying the 2.31-acre portion of the property to E-2 while retaining the remaining 3.79 acres as A-1 will facilitate the appropriate use of the land in accordance with county plans and regulations. This change supports the county's goals for sustainable development and enhances the compatibility of land use within the community.

Respectfully submitted,

Ryan S. Nikolich

**Approval Standards for Map Amendments**  
(McHenry County Unified Development Ordinance §16.20.010E.1)

This form must be completed for requests for map amendment(s). Yes and No answers are insufficient, please provide a minimum of one (1) or two (2) sentence explanation. If there is insufficient room (650 character limit), please provide a separate response page.

1. Is the **proposed zoning designation** compatible with the existing uses and zoning designations of nearby properties?

Yes, the proposed zoning designation is compatible with surrounding properties both in proximity and size. The neighborhood that is right across the street is all zoned E2.

2. To what extent is the value of the subject property diminished by the **existing zoning designation**?

The value of the subject property is not currently diminished by the existing zoning designation; it is in-line with the county's current E2 Zoning standards for properties of this size and location.

3. Is there a benefit to the health, safety, and welfare of the public under the **current zoning designation**?

No, not to my knowledge, there isn't a benefit or detriment to the health safety or welfare under the current designation.

4. Is the property suitable for uses allowed under the **current zoning designation**?

Yes, the property is suitable for uses allowed under the current designation and would be suitable under the proposed designation.

5. How long has the property been vacant under the **current zoning designation**?

Prior to my purchasing the property on 2/26/25, it had been vacant for over Ten years.

6. Is there a public need for the **proposed use** of the property?

No, there is no public need for the proposed use of the property.

7. Is the proposed use consistent with the McHenry County 2030 and Beyond Comprehensive Plan? If not, please explain how the plan designation is inappropriate for this property?

The proposed use is consistent with the McHenry County 2030 and Beyond Comprehensive Plan.

*If the requested zoning classification is A-2 Agriculture District, then address the following (From McHenry County Unified Development Ordinance §16.36.020)*

1. What is the current zoning of the subject property (note: only properties which are currently zoned A-1 Agriculture may be considered for A-2 Agriculture zoning)?

A-1 Agriculture District

2. Excluding mobile homes, agricultural trailers, and agriculture employee housing, is there a residence on the property?



Yes



No

3. Is the area being reclassified part of more than one parcel?



Yes



No

4. Which exemption from the Illinois Plat Act (765 ILCS 205/ et seq.) applies to this request?



- a. The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access?



- b. The sale or exchange of parcels or tracts of land following the division into no more than two (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?



- c. The sale of a single lot of less than five (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 property?

# McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT



1648 S. Eastwood Dr. Woodstock, Illinois 60098 (815) 338-0444 ext. 3 [www.mchenryswcd.org](http://www.mchenryswcd.org)

May 20, 2025

Ryan Nikolich  
704 N. Rose Farm Rd.  
Woodstock, IL 60098

Re: Parcel # 07-36-100-013  
Common Location: 704 N. Rose Farm Rd, Woodstock, IL  
NRI# L25-035-4696  
Zoning Change: A-1 to E-2

Dear Mr. Nikolich:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the Ryan Nikolich property as applied for in Report #25-035-4696. Due to the amount of previously disturbed soils on the site, the SWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report. A full Natural Resource Information Report will not be necessary.

No floodplain or wetlands were found on the site from office maps. Our wetland inventories are for informational and planning purposes only. Any proposed drainage work, in wet areas, requires a certified wetland delineation. If drainage work is to occur, please contact the Army Corps of Engineers and McHenry County Department of Planning & Development for permit information.

This letter fulfills your requirement to notify the SWCD of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Par 106 et seq. and the McHenry County Stormwater Ordinance. If you have any questions concerning this letter, feel free to call our office.

Sincerely,

Spring M. Duffey  
Executive Director

cc. McHenry County Department of Planning and Development