MCHENRY COUNTY PLANNING AND DEVELOPMENT 2200 N. SEMINARY AVENUE, WOODSTOCK, IL 60098 815-334-4560

Office Use Only		
Petition #/Permit #	2023-021	

#### APPLICATION FOR ZONING PETITION, ADMINISTRATIVE VARIATION OR SITE PLAN REVIEW

OWNER INFORMATION:	ATTORNEY or AGENT CONTACT INFORMATION (If Applicable):	
NameHenri and June Giugni	Name James G. Militello III, Prime Law Group, LLC	
Address 17519 Lincoln Road	Address 747 S. Eastwood Drive	
City, St, Zip Harvard, IL 60033	City, St, Zip Woodstock, IL 60098	
Phone 626-274-0304	Phone_815-338-2040 ext 123	
Email: henrigiugni@hotmail.com	Email: jmilitello@primelawgroup.com	
ADDITIONAL WEST AND ADDITIONAL OF THE PROPERTY		
APPLICANT (If other than owner):	TRUSTEE/BENEFICIARY/OFFICERS/DIRECTORS/CONTRACT PURCHASER (please use separate page for additional information):	
Name	Name	
Address	Address	
City, St, Zip	City, St, Zip	
Daytime Phone	Phone	
Email	Email	
PARCEL INFORMATION: Address 17519 Lincoln Road City Harvard, RECEIVED		

Illinois 60033

Parcel/Tax Number 07-04-200-007

Number of Acres 10.416 +-; of which 6.467 +- Reclassified from A2- A-1

2.673 +- acres conditional use in the A-1

MAY 1 3 2024

**ZONING DIVISION** 

Applying For:	□ X Reclassification	Current Zoning: A-2 Requested Zoning: A-1
(Check all that apply)	□ CX Conditional Use & Site Plan Review	CUP Request: Reception Facility and Arts Studio
1	☐ Variation, Administrative☐ Variation, Zoning	Variation Request:
	☐ Site Plan Review	Type:
,	☐ Text Amendment	UDO Section(s):
	☐ Appeal	Туре:

Please provide additional information on the back of this page.

	*	
NARRATIVE: Please use this space to explain your request in detail.		
SEE NARRATIVE ATTACHED AS EXHIBIT "A"		
CONSENT  I/We hereby authorize that the aforementioned applicant, attorney, and agent may act and testify on my behalf as my agent in the matter of this zoning application regarding the property listed above that is the subject of this application.		
VERIFICATION		
I/We hereby verify and attest to the truth and correctness sented herein.		
Honri Giugni	June Giugni	
	Signature	
Henri Giugni Print Name	June Giugni Print Name	
SUBSCRIBED and SWORN to before me his <u>(g***</u> day of <u>April</u> , 20 <u>23</u> .	*	
Viller	DEOFILED	
NOTARY PUBLIC	RECEIVED	
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OFFICIAL SEAL KARLA ISLAS	MAI 1 0 2024	
NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES: 10/11/2026	ZONING DIVISION	

#### CONSENT TO ON-SITE INSPECTION

I/We are the owners of record of the real estate which is the subject of this application. Owners of the described real estate do hereby freely and voluntarily consent to inspection of the site of the parcel in question for purposes of determining the appropriateness of the pending proposed zoning petition by the Zoning Enforcement Officer and/or designated representative, McHenry County Zoning Board of Appeals or where applicable, the McHenry County Hearing Officer, and hereby release such persons from any liability based in whole or in part on the inspection of the parcel in question. That in exchange for the above actions by the Applicant(s), McHenry County agrees that the Zoning Enforcement Officer and/or designated representative, member of the Zoning Board of Appeals or, if applicable, the McHenry County Hearing Officer, will inspect the parcel in question prior to considering the evidence presented upon the above application. In the case of Conditional Use applications, if approved by the McHenry County Board, the Zoning Enforcement Officer and/or designated representative many inspect the property periodically to ensure compliance with the adopting ordinance and any conditions therein.

#### **ACCEPTANCE OF FEES FOR TRANSCRIPTION SERVICES**

I/We, the applicant(s), verify that I/we are aware of the use of a transcription service utilized by McHenry County to prepare a record of public hearings. Applicant(s) agree to directly reimburse the Department of Planning and Development for all incurred transcript fees and associated costs for hearings before the McHenry County Zoning Board of Appeals or where applicable, the McHenry County Hearing Officer unless determined otherwise by McHenry County. The applicant(s) further recognizes failure to fully reimburse the County prior to the scheduled County Board Date will grant McHenry County the unconditional right to withhold the application from McHenry County Board action. Applicant(s) further understand that transcripts shall be retained by McHenry County as part of the permanent zoning application file.

#### ZONING APPLICATION INTERPRETATION

I/We understand that the McHenry County Department of Planning and Development Staff will review and evaluate this application per the text of the McHenry County Unified Development Ordinance, the Official Zoning Maps, and any relevant documentation provided by the applicant and otherwise available to the Department, and consult with other staff to create a Legal Notice and staff report.

#### ACCEPTANCE OF FEES FOR NOTIFICATION

I/We, the applicant(s), authorize the McHenry County Department of Planning and Development Staff to produce the Legal Notice of Public Hearing to be published and mailed per the requirements of Chapter 16.16 (Zoning Application Process) of the McHenry County Code of Ordinances. I/We agree to reimburse the County for the cost of certified mailing and publication to the newspaper, prior to a vote by the McHenry County Board, in order to meet the notification requirements for a public hearing by Illinois State Statute.

Henri Giugni	Juno Giugni
Owner's Signature	Signature
Henri Glugni Print Name	June Giugni Print Name
SUBSCRIBED and SWORN to before me this 6th day of April , 2023.	
NOTARY PUBLIC	RECEIVED

OFFICIAL SEAL
KARLA ISLAS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 10/11/2026

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ZONING DIVISION



MAY 13 2024

#### **Approval Standards for Conditional Use**

(McHenry County Unified Development Ordinance §16.20.040E)

This form must be completed for requests for conditional use. Yes and No answers are insufficient, please provide a minimum one or two sentence explanation.

1. Please describe how the conditional use meets all applicable standards of UDO §16.56 (Use Standards) and §16.60 (Site Development Standards)?

The conditional use meets all the applicable standards of the UDO, Section 16.56 and 16.60, and should be considered in harmony with the general purpose and intent of the UDO. Specifically, the conditional use for a reception facility and arts studio which will provide weddings and yoga wellness retreats which will fit seamlessly with the existing natural or man-made character of the surroundings of the property and area as depicted on the plat of survey / site plan attached. Furthermore, the use will not have any undue deleterious effect on the environment utility, property values, or neighborhood character, and in fact the requested use is intended to ensure that it is compatible with the surrounding area.

2. Is the conditional use compatible with the existing or planned future development of the area?

The conditional use requested is specific to the intended use of this property for a reception facility and arts studio for yoga retreats and other related events. The CU requested is particular to this uniqueness of property and the CU requested compliments and is compatible with the existing or planned future developments of the area.

3. Is the conditional use detrimental to or endanger the public health, safety, morals, comfort or general welfare of the area?

The conditional use requested is not detrimental to or endangers the public health, safety, morals, comforts or general welfare of the area. In fact, the conditional use requested is provide and nurture harmony, relaxation and community togetherness in the area.

4. Will the conditional use be injurious to the use and enjoyment of other property in the area?

The conditional use requested is not injurious to the use and enjoyment of the property in the area.

5. Will the conditional use substantially diminish and impair property value in the area?

The conditional use requested will not diminish and/or impair property values in the area.

6. Are adequate utilities, access roads, drainage, and other necessary facilities provided?

The conditional use requested will will provide adequate utilities, access roads, drainage, and other necessary facilities.

7. Has conditional use operation been designed to provide ingress and egress to minimize traffic congestion and hazard on the public streets?

The conditional use requested has been designed to provide ingress and egress to minimize traffic congestion and hazards on the public streets. The Plat of Survey / Site Plan demonstrates the ingress and egress and necessary parking.

8. Will the conditional use conform to the applicable standards of the underlying zoning district?

The conditional use requested will conform to the applicable standards of the underlying zoning district, in that the use is requested in a A-1 district and such use is in harmony with the existing nature of the property and surrounding area.

#### **EXHIBIT LIST**

- 1. Exhibit A Narrative
- 2. Exhibit B Plat of Survey A-2
- 3. Exhibit C Reclassification from A-2 to A-1
- 4. Exhibit D New Combined Plat of Survey A-1
- 5. Exhibit E Site Plan Conditional Use

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#### Exhibit "A"

#### NARRATIVE

The applicant owns 10.416 acres pin# 07-04-200-007 (see Plat of Survey - Exhibit "B") which is zoned A-2. The applicant is applying for reclassification of 6.467 acres, part of pin # 07-04-200-007 (see Reclassification Survey - Exhibit "C"), from A-2 to A-1, which will be combined with other contiguous piece of property owned by the applicant which is zoned A-1 of approximately 49.868 acres total combined, (see New Combined A-1 - Exhibit "D") (includes: part of pin # 07-04-200-007, pin # 07-04-200-006, pin # 07-04-400-005, and part of pin # 07-04-200-005 (westerly triangle piece).

In addition, to the reclassification the applicant is seeking a conditional use of the 2.673 acres for a reception facility and arts studio (see Site Plan – Conditional Use – Exhibit "E"). The uses would consist of weddings and other private social gatherings. The term arts studio is from the UDO and the applicant does not intend to offer art shows or classes, but yoga wellness retreats, classes and other related wellness events. The yoga classes are classified by the UDO as an "arts studio".

The applicant proposes the use of a 50 x 50 tent from time to time which will be located in the center of the garden and identified as "proposed tent" on Exhibit "E". No permanent foundation, only temporary anchoring. There will be no structures built for the reception facility. Temporary structures such as the tents will be removed after the events. No tent shall be up more than 60 days for any event. Applicant will not be providing food. Events will be fully catered. Portable toilets will be used for restroom, see proposed 20 x 10 wash trailer (Exhibit "E"), and will be removed after each event. There will be no access by any events to the contiguous residence, in addition, the existing potable water well will not be used for any of the events.



The property is designed for a maximum of 150 people with 50 designed gravel parking spots. The events will usually be in the range of 40 to 100 people. The parking for max of 50 cars is for private events only.

For the avoidance of doubt, it is the intention of the applicant to use the temporary tent until such time as ready to erect a permanent structure.



#### Exhibit "B"

### Current Property Zoned A-2

**Plat of Survey** 

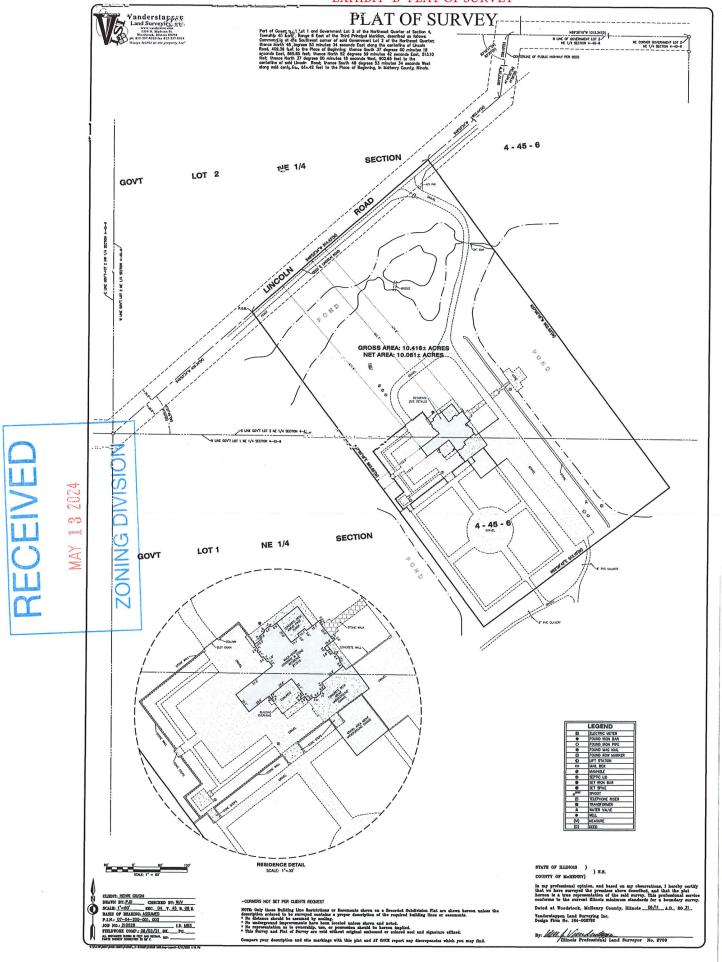
Common Address: 17519 Lincoln Road, Harvard, IL

PIN: 07-04-200-007

10.416 +- acres



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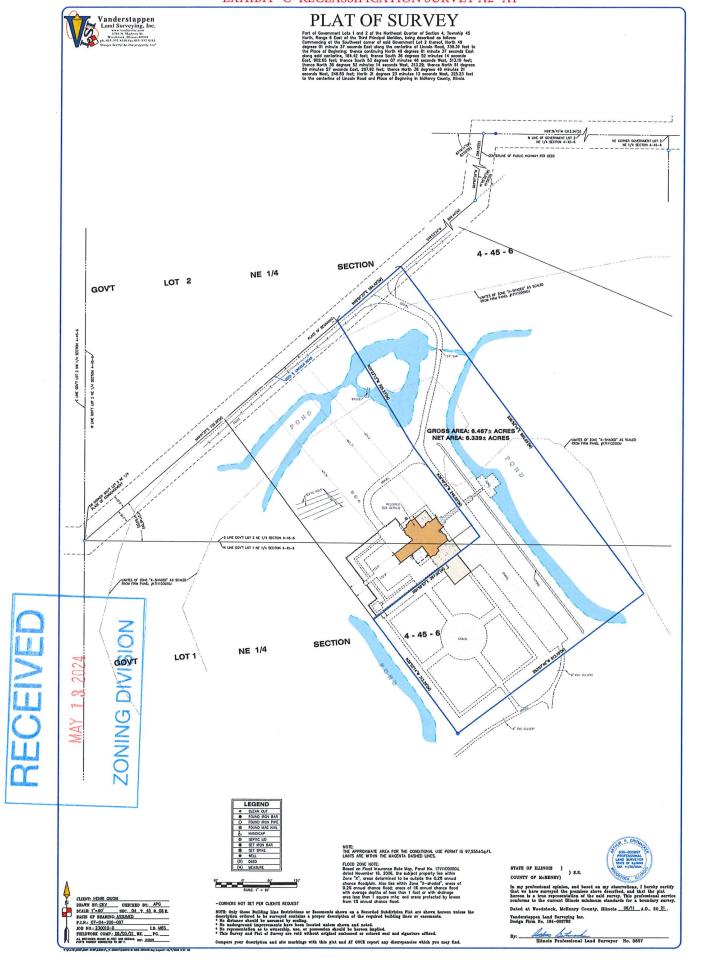
## Exhibit "C" Reclassification from A-2 to A-1 Plat of Survey

Part of PIN: 07-04-200-007

6.467 +- acres

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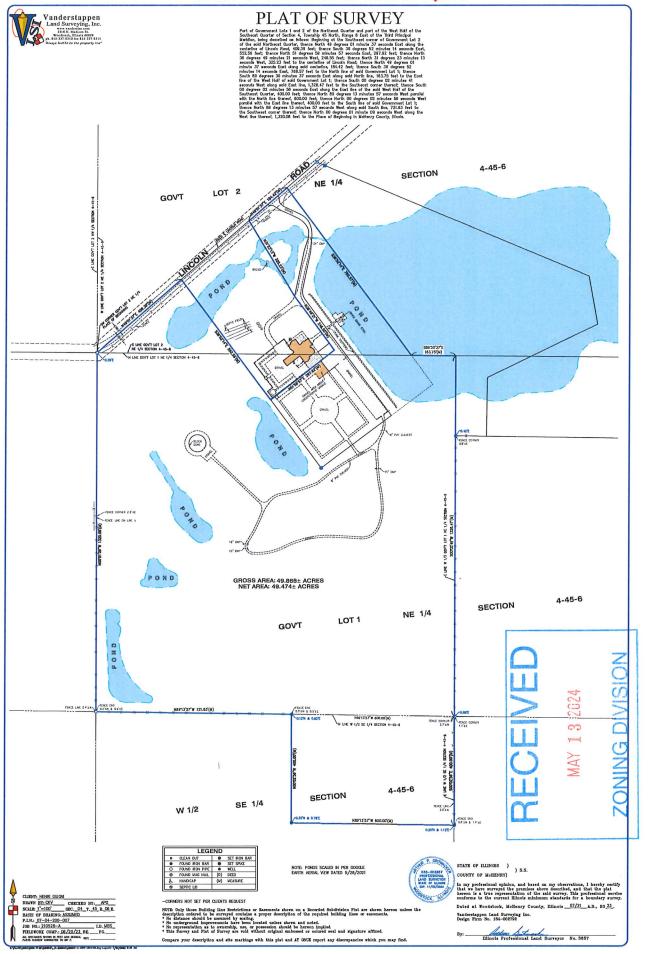


#### Exhibit "D"

## New Combined Properties – A-1 Classification Plat of Survey

Part of Pin #07-04-200-007
Pin # 07-04-200-006
Pin # 07-04-400-005
Part of Pin # 07-04-200-005
49.868 +- acres





# Exhibit "E" Conditional Use Reception Facility and Arts Studio Plat of Survey - Site Plan



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