

Staff Report for the McHenry County Zoning Board of Appeals

Application: Z25-0036

PIN: 02-32-300-008

Address: Green Road, Harvard

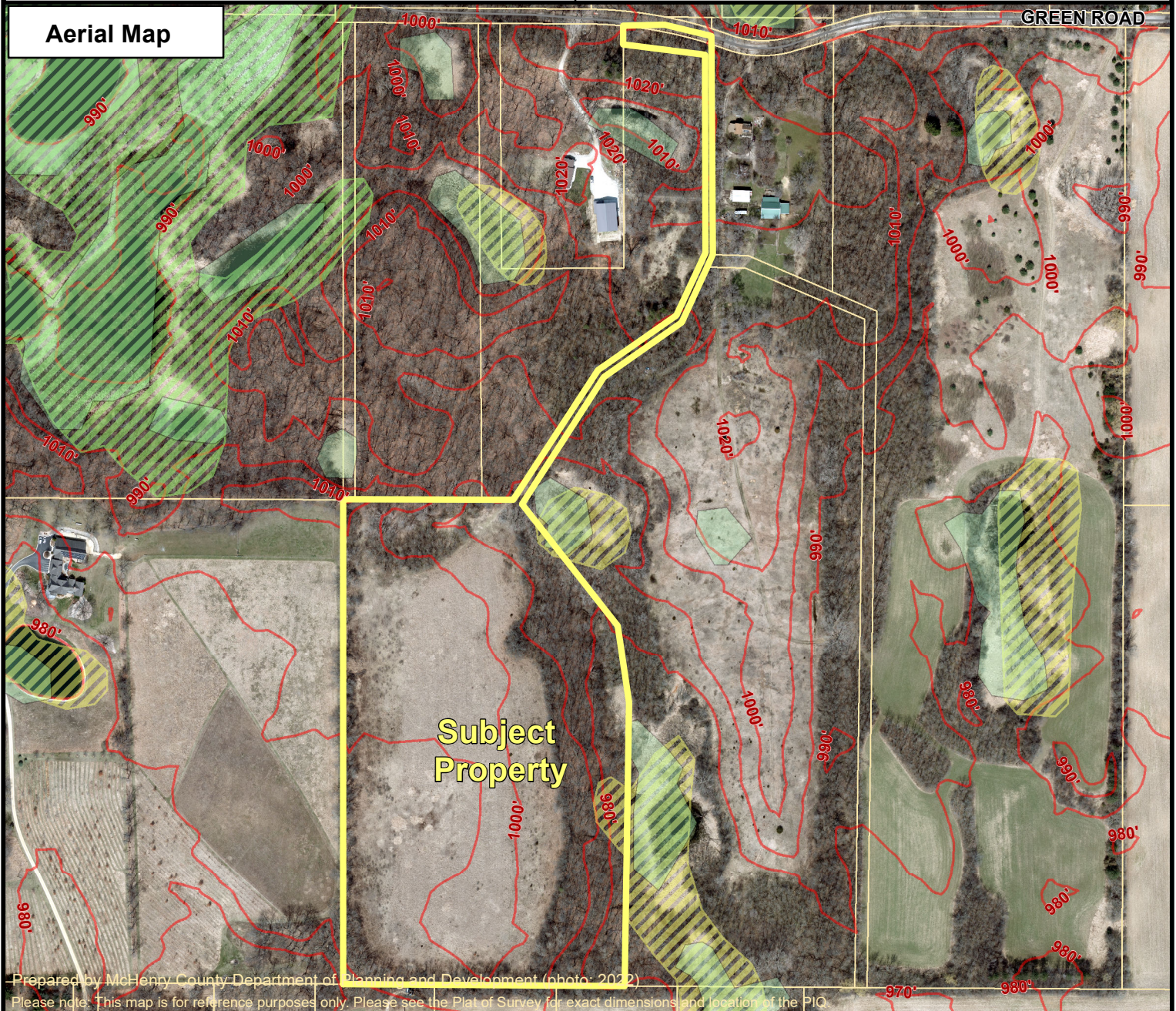
Request: Reclassification from A-1 Agriculture District and A-2 Agriculture District to E-5 Estate District with a variance to reduce the street frontage from the required three hundred thirty (330) feet to two hundred twenty-two and five hundredths (222.05) feet.

Hearing: May 7, 2025

Applicant: Jeffrey and Lisa Huemann

Location: The property consists of approximately twenty-three (23) acres and is located on the south side of Green Road, approximately four thousand three hundred feet (4,300) feet west of its intersection with Shields Road in Alden Township, Illinois.

Aerial Map



Elevation
(feet above sea level)

Contours

ADID Wetland Map 2005

- High Functional Value Wetland (hfvw)
- 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

Historic Flood Zone

Feet
200 100 0 200 400
1 inch equals 400 feet



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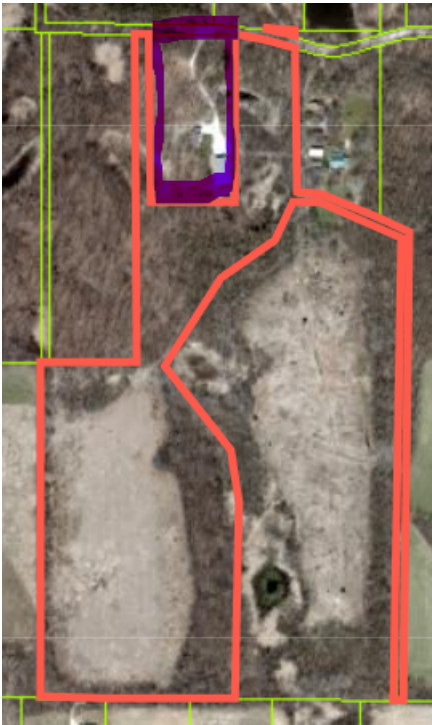
STAFF COMMENTS

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 and A-2 Agriculture District to the E-5 Estate District on a twenty-three (23) acre tract of land with a variance to reduce the required street frontage from three hundred thirty (330) feet to two hundred twenty-two point zero five (222.05) feet. This tract of land is part a larger thirty-three (33) acre parcel.

Staff has not been able to confirm why this parcel took on its unusual configuration (shown in red on the image of the parent parcel, below). The owner of the subject parcel also owns the property within the “U” formed from the parent parcel (depicted in purple, below). The current owner of the subject parcel purchased the property in 2024, in part, to “clean up” the configuration. Staff understands that the owner is in the process of transferring ownership of the eastern “leg” and a triangle portion on the north side of the road to adjacent landowners. The applicant has also informed staff that, if the reclassification is successful, he intends to sell the subject parcel, leaving the balance of the parent parcel in the applicant’s control.



MCHENNY 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*.
- The Applicant must meet the Approval Standards for a Zoning Variance, listed in § 16.20.020.F of the the *McHenry County Unified Development Ordinance*.

STAFF ANALYSIS

Current Land Use & Zoning

The property is currently zoned A-1 Agriculture and A-2 Agriculture and has been used with Agriculture uses. The proposed reclassification is consistent with the E-5 Estate zoning to the south of the subject property. Properties to the east and west along Green Road which are zoned A-2 Agriculture and properties to the south are zoned E-5 Estate.

Otherwise, the subject property is surrounded by A-1 Agriculture zoning. Uses within a half mile of the subject property include agriculture, single-family residences, and some vacant properties.

2030 Comprehensive Plan Future Land Use map

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

2030 Comprehensive Plan & 2030 and Beyond Analysis

The 2030 Comprehensive Plan and 2030 and Beyond Plan support the reclassification to the E-5 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 nearest municipality to this property is Harvard, which is approximately one and a half (1.5) miles from the subject property.

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)

- Granting the reclassification, with the associated variance, would allow a residence to occur on the southern portion of the property.

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 proposed reclassification is consistent with the agriculture use of the surrounding properties. Granting the reclassification would not prohibit agriculture uses in the area to continue.

Big Idea #4 Let's expand our economy

No applicable text.

McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010

Community Character & Housing

"Promote a mix of housing types and values to meet the needs of all segments of the population." (p. 15)

- Reclassification to the E-5 Estate District would continue to preserve the essential aspects of the rural character of the area.

Agricultural Resources

"Goal – To preserve the most productive farmland as a source for viable agricultural activities that will enhance the County's economy and contribute to its rural character." (p. 29)

- The proposed reclassification to E-5 Estate should not adversely impact the rural character of the area.

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 due the minimal amount of development contemplated for the site. The report does note the presence of some hydric soils and wetlands on the property. Please refer to attached NRI Letter #L25-014-4675 for details.

Water Resources

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

- The subject property is not within a SARA area. The applicant has indicated that the request to E-5 Estate zoning is to allow for the construction of a single-family residence towards the southern end of the property. Given the width

of the property at the street, only one (1) single-family residence could be placed on the property (in other words, the property could not be further subdivided). As such, the proposed reclassification should have minimal impacts to the groundwater.

Economic Development

No applicable text.

Infrastructure

No applicable text.

STAFF ASSESSMENT

The applicant is requesting a map amendment from the A-1 Agriculture District and A-2 Agriculture District to E-5 Estate District on twenty-three (23) acres. The applicant is also seeking a variance to reduce the street frontage from the required three hundred thirty (330) feet to two hundred twenty-two and five hundredths (222.05) feet. The area is predominately zoned A-1 Agriculture, however, there are parcels to the south of the subject parcel which are zoned E-5 Estate.

Given the size of the property a person might think that, with the E-5 classification, the property could be further divided. However, the property does not have sufficient width along Green Road to allow such divisions without benefit of creating a subdivision that has a new road. Given that the “neck” of this subject property is only thirty (30) feet wide, the creation of a road is not feasible (most roads require a minimum of sixty (60) to sixty-six (66) feet of right-of-way).

The request is consistent with the existing Agriculture and Single-Family Residential land uses of the area. 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 **Agricultural**. The subject property is not located in a sensitive aquifer recharge area (SARA). Staff has no objection to the applicant’s request for reclassification with the variance to reduce the street frontage from three hundred thirty (330) feet to two hundred twenty-two and five hundredths (222.05) feet.

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.

Section 16.20.020.F of the McHenry County Unified Development Ordinance

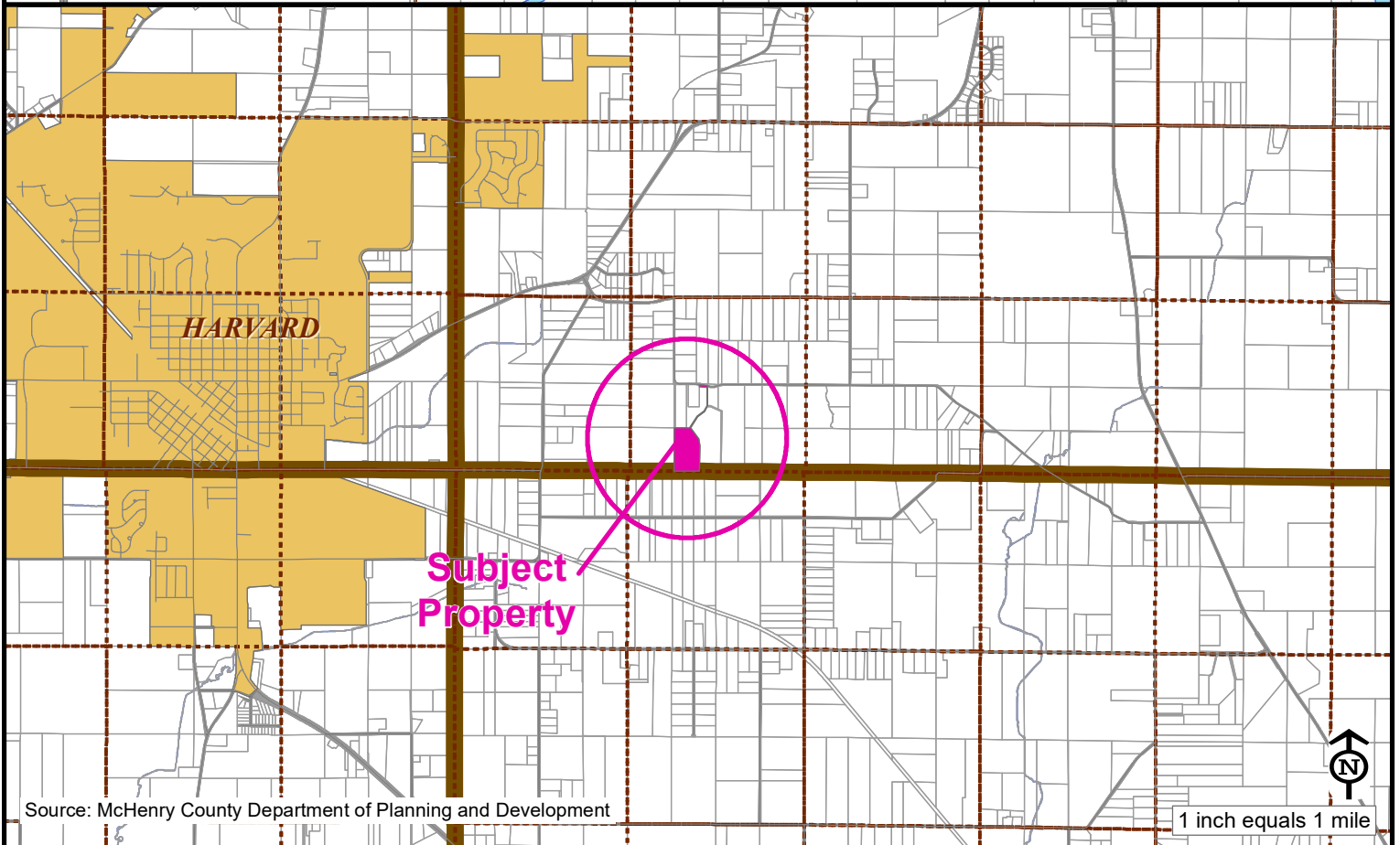
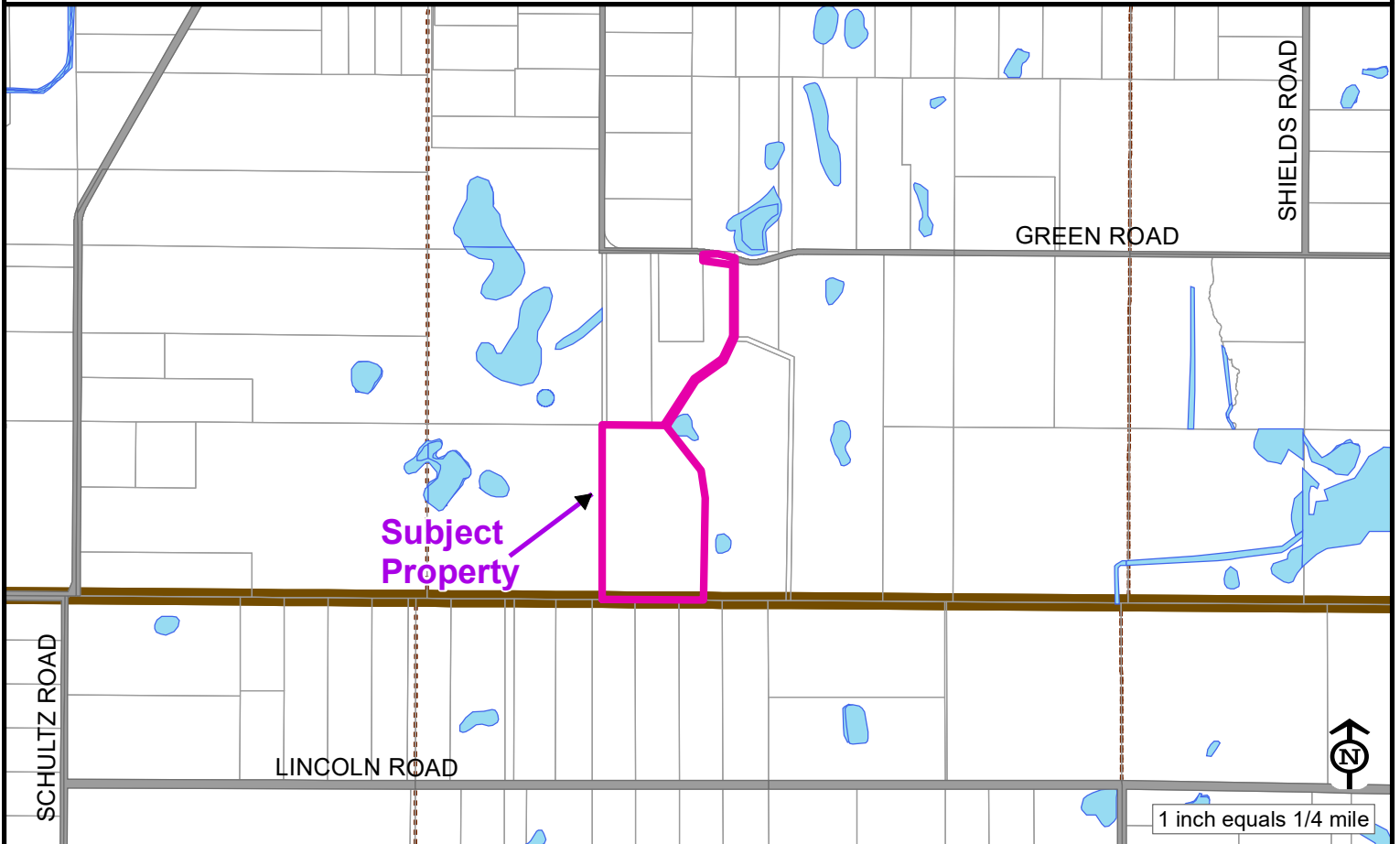
No zoning variation from the provisions of this Ordinance may be granted unless the Zoning Board of Appeals or Hearing Officer and County Board makes specific findings that the request meets each of the standards imposed by this section. These standards are as follows:

1. The particular surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
2. The conditions upon which the application for a variation are based are unique to the property for which the variation is sought and are not generally applicable to other property within the same zoning district.
3. The purpose of the variation is not based exclusively upon a desire to increase the monetary gain realized from the property.
4. The alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.
5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
7. That the granting of the variation requested will not confer on the applicant any special privilege that is denied by this Ordinance to other land or structure of the same zoning district.

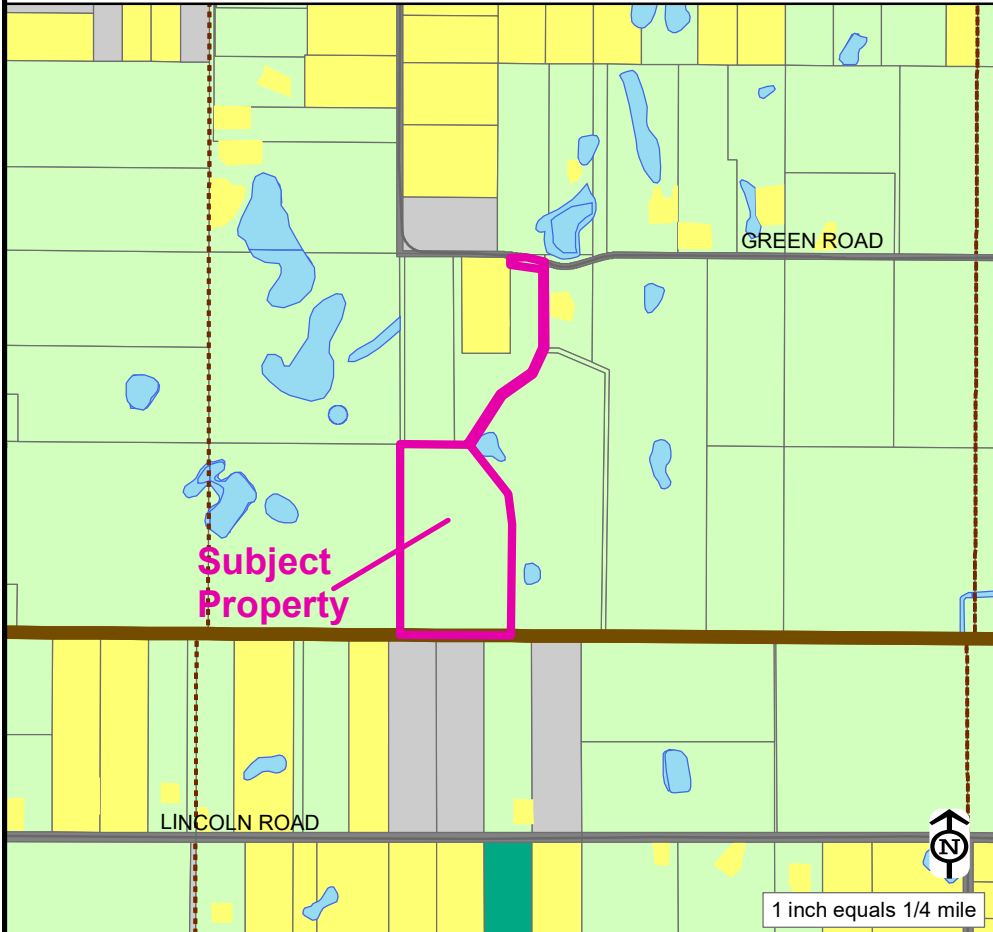
Location Map

Green Road, Harvard, Illinois

Alden Township



Current Land Use Map



Current Land Use

Agriculture

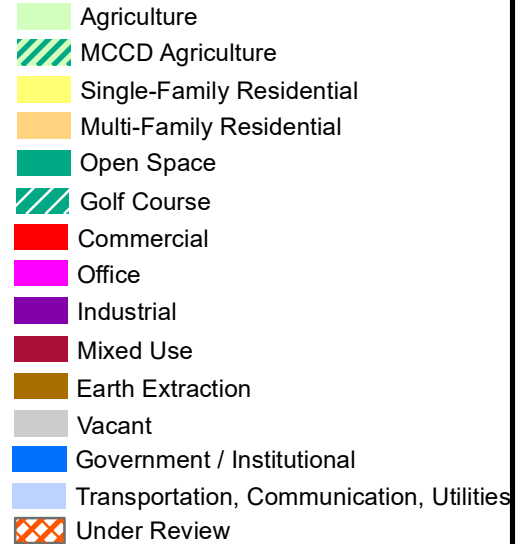
Adjacent Land Use(s)

North: Agriculture

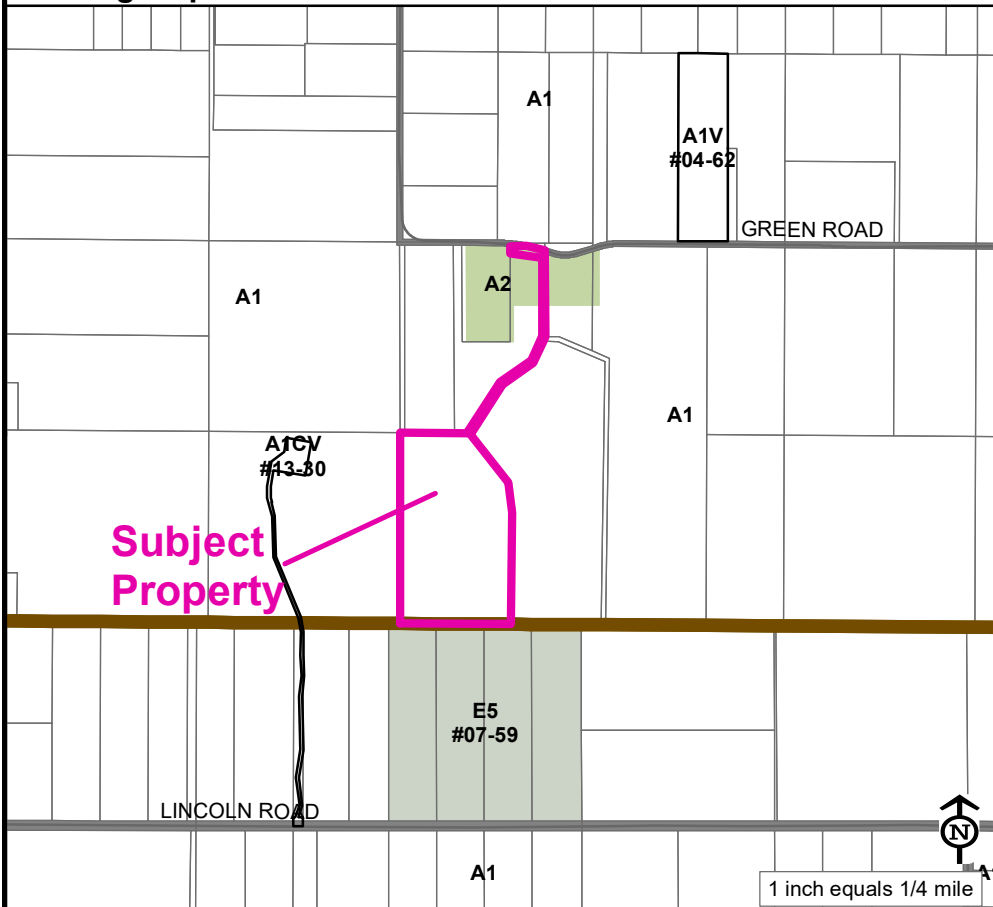
South: Agriculture and Vacant

East: Agriculture & Single-Family Residential

West: Agriculture



Zoning Map



Current Zoning

A-1 Agriculture/A-2 Agriculture

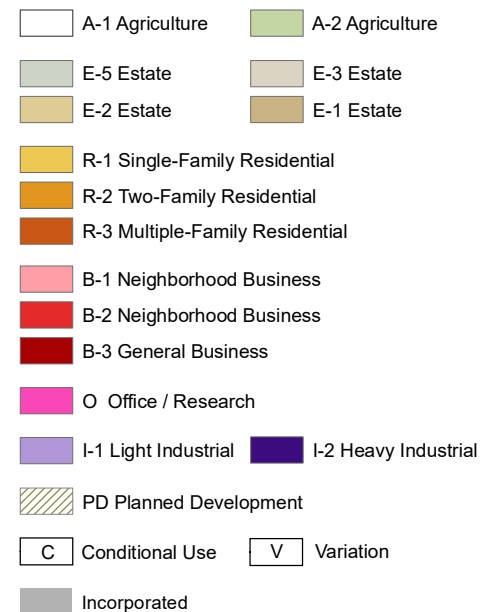
Adjacent Zoning

North: A-1 Agriculture

South: E-5 Estate

East: A-1/A-2 Agriculture

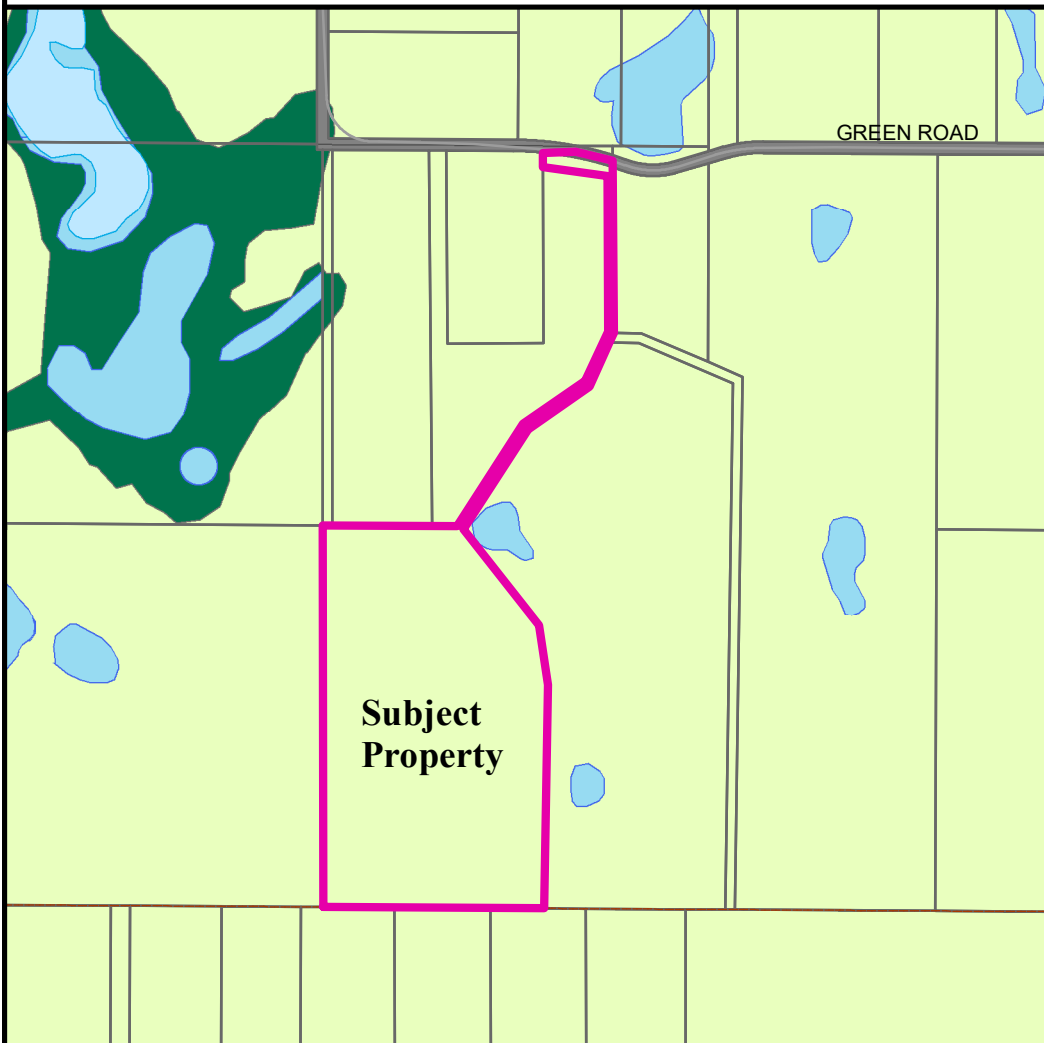
West: A-1/A-2 Agriculture



McHenry County 2030 Comprehensive Plan Future Land Use Map

Future Land Use Map Designation

Agricultural



- 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 = 1/8 mile



Municipal / Township Plan Designations

Alden Township: Agriculture/Rural

Harvard: Agriculture

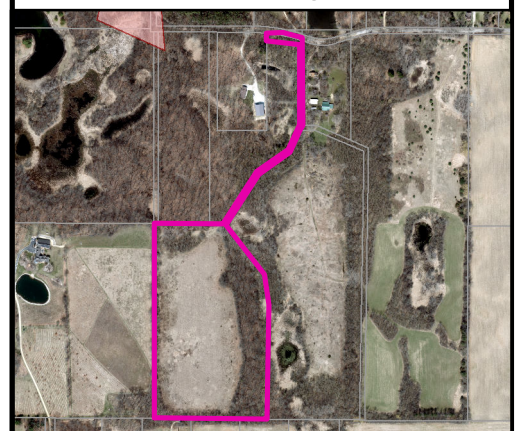
McHenry County 2030 Comprehensive Plan — Text Analysis Land Use

AGRICULTURAL – represents existing agricultural acres, including cropland, pastureland, farm yards, and farmsteads, that should remain in agricultural use through the 2030 planning horizon. Development in the Agricultural District should be strictly limited to agriculture, agricultural residences, and agricultural support uses. (p. 134)

Sensitive Aquifer Recharge Areas

The site is NOT located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



Sensitive Recharge Area