

IN THE MATTER OF THE APPLICATION OF	)	
<b>MIXED MEDIA, LLC, APPLICANT</b>	)	
FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT	)	Z25-0034
ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR	)	
<b>A CONDITIONAL USE</b>	)	

WHEREAS, your Petitioner, **Mixed Media, LLC**, as your Applicant, has filed a petition with the McHenry County Zoning Board of Appeals requesting the renewal of a Conditional Use as it relates to the McHenry County Unified Development Ordinance, as it relates to the real property more fully described as:

**LOTS 8, 9 AND 10 (EXCEPT THE WEST 15 FEET OF SAID LOTS) IN BLOCK 2 IN FRANK E. MERRILL AND CO.'S ALGONQUIN HILLS UNIT 1, BEING A SUBDIVISION OF PARTS OF SECTIONS 22 AND 27, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1926 AS DOCUMENT NO. 73664 IN BOOK 5 OF PLATS, PAGE 57. IN MCHENRY COUNTY, ILLINOIS.**

**PIN 19-27-205-026**

More commonly known **as 10216 S Illinois Route 31, Algonquin, Illinois, in Algonquin Township.**

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is **"B-3" General Business with a Conditional Use and Variations** but a renewal of Conditional Use be granted **to allow for a digital off-premise commercial advertising sign.**

WHEREAS, the subject property consists of approximately **one half (0.5) acre** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Zoning Board of Appeals of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Zoning Board of Appeals of McHenry County **did recommend by a vote of 7 ayes and 0 nays the granting of a renewal of a Conditional Use to allow for a digital off-premise commercial advertising sign with the following conditions:**

- 1. The time limit for this conditional use permit shall be twenty (20) years from the date of approval by the McHenry County Board.**
- 2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.**
- 3. All other federal, state, and local laws shall be met.**

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Zoning Board of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a Conditional Use Permit as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County, and such Ordinances and such maps as amended, be and the same are hereby amended to allow the ***renewal of a digital off-premise commercial advertising sign with the following conditions:***

- 1. The time limit for this conditional use permit shall be twenty (20) years from the date of approval by the McHenry County Board.***
- 2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.***
- 3. All other federal, state, and local laws shall be met.***

If any part, sentence, clause, or provision of this ordinance is adjudged to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chairperson, McHenry County Board  
McHenry County, Illinois

ATTEST:

\_\_\_\_\_  
County Clerk

NUMBER VOTING AYE: \_\_\_\_\_

NUMBER VOTING NAY: \_\_\_\_\_

NUMBER ABSTAINING: \_\_\_\_\_

NUMBER ABSENT: \_\_\_\_\_

ATTACHMENT: OFFICIAL SITE PLAN



913 Hickory Nut Grove Ln.

Cary, IL 60013

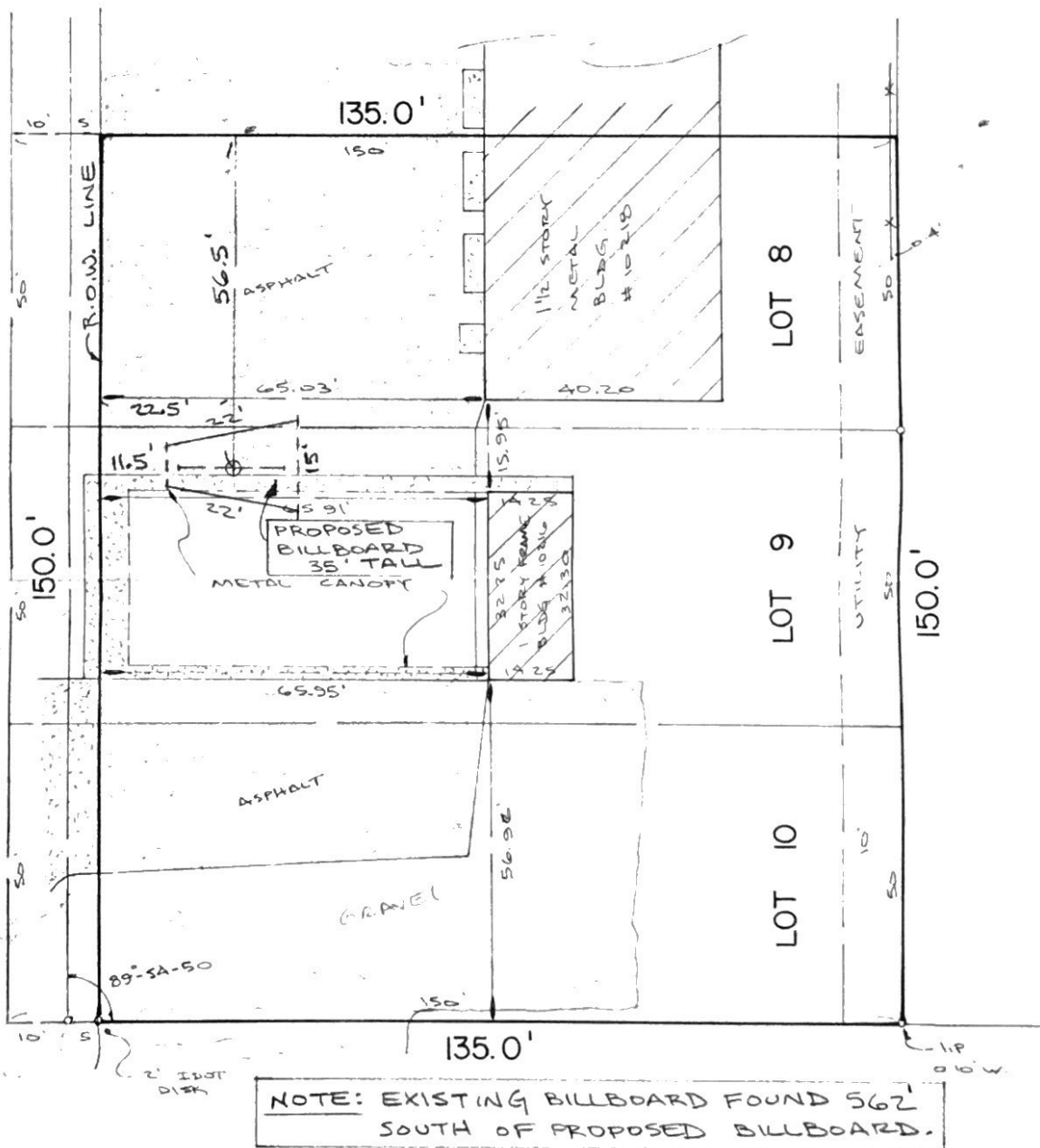
847-516-2700

## OFFICIAL SITE PLAN



OF PROPERTY DESCRIBED AS: LOTS 8, 9 AND 10 (EXCEPT THE WEST 15 FEET OF SAID LOTS) IN BLOCK 2 IN FRANK E. MERRILL AND CO.'S ALGONQUIN HILLS UNIT 1, BEING A SUBDIVISION OF PARTS OF SECTIONS 22 AND 27, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1926 AS DOCUMENT NO. 73664 IN BOOK 5 OF PLATS, PAGE 57, IN MCHEMRY COUNTY, ILLINOIS.

SITE DRAWING #15038  
PREPARED FOR PROPOSED  
BILLBOARD LOCATION 4-28-15



OAKWOOD

CT.

Order # 02235

Ordered by Steve Weber

Prop. address 10216-10218 Rte. 31

Algonquin, IL

Distances are given in feet and decimal parts thereof  
No dimension or angle shall be assumed by scale.

State of Illinois )  
County of McHenry ) SS

I, William M TenBusch, an Illinois Professional Land Surveyor, do hereby certify that I have located the above shown buildings as of this 9<sup>th</sup> day of

— AUGUST —, 2002

Will: al. J. B. L.  
Professional Land Surveyor # 2767

This survey does not constitute a title search.  
Refer to current title policy, deeds, local ordinances or any  
other documents which might affect ownership, easements,  
building setbacks, encumbrances or restrictions not shown.

State of Illinois )  
County of McHenry ) SS

I, William M. TenBusch, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property and that this plat is a correct representation of said survey as of this 9th day of

AUGUST 2002

Willie L. Buel  
Professional Land Surveyor # 2767

Plat not valid without embossed seal  
License expires 11-30-2012.  
Design Firm # 184-3300

This professional service conforms to the current Illinois minimum standards for a boundary survey.

**REVIEW LEGAL DESCRIPTION AND RECORD MEASUREMENTS ON THIS PLAT AND AT ONCE REPORT ANY APPARENT DIFFERENCES TO THE SURVEYOR**

**MCHENRY COUNTY**  
**ZONING BOARD OF APPEALS**  
**MINUTES ● May 29, 2025**

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**Zoning Hearing**

**County Board Conference Room**

**1:30 PM**

**667 Ware Rd, Woodstock, IL 60098**

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**ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD – Z25-0034**

- 1. APPLICANT:** Mixed Media LLC
- 2. REQUEST:** B-3C to B-3C, Renewal of Conditional Use Permit 2014-43 allowing a digital off-premise commercial advertising sign
- 3. LOCATION AND SIZE OF PROPERTY IN QUESTION:** The almost half (0.5) acre parcel is located at the northeast corner of the intersection of South Illinois Route 31 and Oakwood Court in Algonquin Township with a common address of 10216 S Illinois Route 31, Algonquin. PIN: 19-27-205-026
- 4. DATE AND TIME OF HEARING AND VOTING MEETING:** May 29, 2025, 1:30 PM
- 5. LOCATION OF HEARING AND VOTING MEETING:** County Board Conference Room, 667 Ware Road, Woodstock, Illinois
- 6. PRESENT AT HEARING:**
  - A. ZBA Members: Linnea Kooistra – Chair, Vicki Gartner – Vice Chair, Charles Eldredge, Robert Kosin, Kurt Schnable, Jessica Beverly, Mary Donner
  - B. Witness: Steve Weber, Director of Operations for Mixed Media LLC
  - C. Public: Anna Kurtzman – County Staff, Kit GearhartSchinske – County Staff, Dennis Orsinger
- 7. ITEMS OF EVIDENCE:** Petitioner’s Exhibit One (1)
- 8. SUMMARY OF TESTIMONY AT HEARING:** Chair Kooistra opened the hearing. The board members introduced themselves. Ms. Kooistra introduced the application and swore in the applicant and Staff.

Mr. Weber introduced himself and the application. He addressed the sign siting requirements. He introduced Petitioner's Exhibit One (1), an example of the messages posted on the applicant's digital sign for the benefit of the community.

Mr. Weber addressed the applicant's request for a fifty (50) year conditional use permit. Mr. Weber stated that digital billboards require a major financial investment and a longer permit term would give them the stability needed to continue maintaining and improving the site. He stated that it would also ensure they can continue serving the community without interruption. He stated that extending the permit to fifty (50) years aligns with the lifespan of the structure. He stated that they are asking for long-term continuity of something that has already proven to be in good standing.

Ms. Gartner asked the applicant if they would be planning any changes to the sign at this time. Mr. Weber stated that they are not.

Staff gave their report. The property is currently zoned "B-3" General Business with Conditional Use and Variance. The property to the North is also zoned "B-3" General Business with Conditional Use and Variance. The property to the East is Residential zoning. The property to the West is incorporated. The land use to the West is an earth extraction area. The future land use plan indicates residential development, but it has not developed residentially. There are several text statements in the 2030 Land Use Plan that could support continuation of the digital sign in its current location. Staff stated that prior to the Unified Development Ordinance's adoption in 2014, digital signs did not require a conditional use permit. The County uses the ten (10) year timeframe for initial use permits, primarily to allow time for the conditional use to be established and to create its own record. The property does not have any violations.

Mr. Kosin asked Staff what the timeline is for land use plans. Staff stated that a comprehensive plan is generally twenty (20) years.

Ms. Kooistra closed the testimony portion of the hearing.

## **9. SOIL AND WATER CONSERVATION DISTRICT REPORT:**

For further information refer to report number: L25-015-4676.

## **10. ILLINOIS DEPARTMENT OF NATURAL RESOURCES:**

The consultation was not required for this application.

## **11. SUMMARY OF VOTING MEETING DISCUSSION:**

Chair Kooistra opened the voting meeting immediately following the hearing. She read the conditions into the record. Mr. Eldredge motioned to amend condition number one (1), the requested timeline of fifty (50) years to twenty (20) years. Mr. Schnable seconded the motion. Mr. Eldredge stated that the

sign itself is not the concern. He stated that projecting land use fifty (50) years into the future is difficult. He stated that twenty (20) year time frame is more reasonable. Motion carried (7-0).

Mr. Eldredge motioned to accept the conditions as amended. Mr. Schnable seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the petition subject to the conditions. Mr. Schnable seconded the motion. Mr. Eldredge stated that the sign is located on a major state highway. He stated that the sign has been a benefit to the community and does not have any violations. Motion carried (7-0).

Ms. Gartner stated that the digital signs are smaller than non-digital billboards, and do not have the glare that billboard lamps have. She stated that the standards have been met.

Ms. Kooistra stated that all standards for an off-premise commercial advertising sign have been met. Motion carried (7-0).

## **12. FACTS THAT SUPPORT RECOMMENDING APPROVAL OF THE REQUEST:**

- All standards have been met.
- The subject parcel is zoned "B-3" General Business with Conditional Use and Variance.
- The subject property has not had any violations during their initial conditional use term.

## **13. FACTS THAT SUPPORT RECOMMENDING DENIAL OF THE REQUEST:** None.

## **14. MOTIONS:**

Mr. Eldredge motioned to amend condition number one (1): reduce the timeline for conditional use from fifty (50) years to twenty (20) years. Mr. Schnable seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the conditions as amended. Mr. Schnable seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the petition subject to the conditions. Mr. Gartner seconded the motion. Motion carried (7-0).

## **15. VOTE:**

7 – AYES; 0 – NAYS; 0 – ABSTAIN

## **GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR Approval of the Conditional Use subject to the conditions:**

1. The time limit for this conditional use permit shall be twenty (20) years from the date of approval by the McHenry County Board.
2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.
3. All other federal, state, and local laws shall be met.

Full Comments and complete application submittal for the above agenda items are available on the McHenry County Meeting Portal.

Steve Weber:

Thank you for your time. I've said it all.

Linnea Kooistra:

Okay, so at this time we'll close the hearing portion of the meeting and we'll move on to the voting portion of the meeting. For C25-0034, staff has proposed some conditions. I will go through them. Number one, the time limit for this conditional use permit shall be 50 years from the date of approval by the McHenry County Board.

Charles Eldredge:

Madam Chairman, I'd like to propose an amendment.

Linnea Kooistra:

Yes, sir?

Charles Eldredge:

I would like to propose the amendment of the timeline from 50 years to 20 years.

Kurt Schnable:

I would like to second that for purpose of discussion.

Linnea Kooistra:

Discussion, Mr. Eldredge?

Charles Eldredge:

Yes. I also sat on this the last time around. I have no problem with the sign presently or in the foreseeable future. I think 50 years is stretching it. I'm not concerned that the sign will be a problem, but I think that the land use over the next 50 years in that area is likely to be completely different. And I think that the County ought to, in something shorter than the 50 years, have another look at it. And so, I'm proposing doubling the time to save them a little money. But I don't think that extending beyond the lifetime probably of everybody in this room, to my mind, is an overreach. And that's why I'm proposing the 20 years.

Linnea Kooistra:

Ms. Gartner, do we have any comments?

Vicki Gartner:

Not yet, no.

Linnea Kooistra:

Mr. Kosin, any comments?

Robert Kosin:

Yes. I, too, will be supporting the amendment to the 20 years, having been a somewhat practitioner in land use, I have noted that it is very difficult to foresee anything beyond 20 years, despite the rollout of

Comprehensive Plan after Comprehensive Plan. I believe many of us could bring forward surprises, and that from the 1970s that we now take for granted, as well as things that have disappeared that we thought were permanent. One that just comes to mind for purposes of discussion is public telephone booths. All saying that I think 20 years is the most that we can, with any reason, foresee in the future of something as regulated as we have the obligation to do so. Thank you.

Linnea Kooistra:  
Mr. Schnable?

Kurt Schnable:  
I agree with all the comments made thus far.

Linnea Kooistra:  
Ms. Beverly?

Jessica Beverly:  
I also agree.

Linnea Kooistra:  
Ms. Donner?

Mary Donner:  
We always look at what's going on and it says it conforms to the 2030 Plan. And then the 2030 Plan that was updated, we now are looking at a 2050 Plan by the time. And as we've been looking at that, and the County is looking at it, we know that you have to be looking at other things in between so that you can't go out more than 20 years, maybe 25. But I am far more content with, 20 myself.

Linnea Kooistra:  
And I like the 20 year. I like the amendment. So I will call for the vote. This would be changing condition number one from 50 years to 20 years. Mr. Eldredge?

Charles Eldredge:  
Yes.

Linnea Kooistra:  
Ms. Gartner?

Vicki Gartner:  
Yes.

Linnea Kooistra:  
Mr. Kosin?

Robert Kosin:  
Yes.

Linnea Kooistra:  
Mr. Schnable.

Kurt Schnable:  
Yes.

Linnea Kooistra:  
Ms. Beverly?

Jessica Beverly:  
Yes.

Linnea Kooistra:  
Ms. Donner?

Jessica Beverly:  
Yes.

Linnea Kooistra:  
And I'll vote yes. So the amendment is approved seven to zero.  
Number two, the construction of an off-premises commercial advertising sign shall be in substantial performance with the attached plan of survey, prepared by William M. Tenbush, dated August 9th, 2002.  
Number three, all other federal, state, and local laws shall be met.  
Are there any other proposed conditions?

Charles Eldredge:  
Madam Chairman, I propose acceptance of the petitions as amended.

Kurt Schnable:  
Second.

Linnea Kooistra:  
Been moved by Mr. Eldredge and second by Mr. Schnable to approve these conditions. Is there any discussion?  
Then I'll call for the vote. Mr. Eldredge?

Charles Eldredge:  
Yes.

Linnea Kooistra:  
Ms. Gartner?

Vicki Gartner:  
Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Donner?

Mary Donner:

Yes.

Linnea Kooistra:

And I'll vote yes. So the conditions are approved seven to zero.

Charles Eldredge:

Madam Chairman, I move acceptance of the petition subject to the conditions.

Vicki Gartner:

I'll second.

Linnea Kooistra:

Okay. Been moved by Mr. Eldredge, second by Ms. Gartner to approve the request for a renewal of the conditional use permit, subject to the conditions. Discussion?

Charles Eldredge:

Yes. This is one of the few digital signs in McHenry County. It is on a major state highway that is one of the vital north-south arterials in the County. Route 31, at a very active area, very near the municipality of Algonquin. It was one of the first, if not the first digital sign. I think it was actually the second digital sign in the County. And they had to convince us that they were a good idea 10 years ago. But they have been a good citizen and this has been a benefit to the County. It has not had any violations. It has not been a problem in any way. And I do not foresee that it will be.

As I said in the discussion on the conditions, I thought that 50 years was a little long. But with the 20 years, I am very comfortable in supporting the petition.

Linnea Kooistra:

Ms. Gartner?

Vicki Gartner:

I, too, was on this Board for the first approval. And I was very much in favor of it at that time. I like these signs. They're smaller, they don't have any glare, they just glow. I just really think that they're much better than billboards with lights coming down to show what's on the billboard and glaring all around. I think, for sure, you've met the standards as far as I can tell, and I'm all for approval on this.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Thank you, Madam Chairman.

I appreciate the depth of the conversation. It is one that is called out in the approval standards, meaning the recognition of planned future development in the area. My tenure in Algonquin Township is certainly is not as long as some of my colleagues on the Board, but I recall when Three Oaks Recreational area was an active gravel pit. And it is wonderful now to sit out in the center of that lake trying to catch that elusive bass and look over that tree line without any reminder of the urbanization around it. When the time does come for the gravel pit to the west of your site to get reclaimed and restored, possibly some new technology will replace that sign to your economic benefit, but also will not distract from the development of another recreational area in Algonquin Township. And for that reason, I'll be supporting this petition.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

I agree with all of that. Plus the digital sign also offers the benefit that they don't degrade in the weather, like the traditional billboards with the posters glued onto them, and start peeling off, and whatever have you. So I agree with that.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

I have no comments.

Linnea Kooistra:

And I agree that the standard has been met.

Charles Eldredge:

Ms. Donner?

Linnea Kooistra:

Oh, I'm sorry, Mary? Ms. Donner?

Mary Donner:

And you thought I wasn't going to say anything. Well, mum is the word. I'm good with it.

Linnea Kooistra:

Really, that's all you got? I'm sorry.

Mary Donner:

Oh, you don't know.

Robert Kosin:

I love your company.

Linnea Kooistra:

And I agree that the approval standards for the off-premise commercial advertising sign, as well as conditional use permits have been met. So I will call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Ms. Gartner?

Vicki Gartner:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner?

Mary Donner:

Aye.

Linnea Kooistra:

And I'll vote yes. So this will go to the County Board, seven to zero approval.

At this time, the portion of the meeting of the petition is finished.

# Staff Report for the McHenry County Zoning Board of Appeals

**Application:** #Z25-0034

**PIN:** 19-27-205-026

**Address:** 10216 S Illinois Route 31, Algonquin

**Request:** B-3C to B-3C, Renewal of Conditional Use Permit 2014-43 allowing a digital off-premise commercial advertising sign

**Hearing: May 29, 2025**

**Applicant:** Mixed Media, LLC

**Location:** The almost half (0.5) acre parcel is located at the northeast corner of the intersection of South Illinois Route 31 and Oakwood Court in Algonquin Township.

## Aerial Map



### Elevation


(feet above sea level)


— 10-foot contours

— 2-foot contours

ADID Wetland Map 2005

 High Functional Value Wetland (hfw)

 High Quality Wetland (hqw)

 High Quality

 Wetland (w)

 Wetland (w)


 Farmed Wetland (fw)

### FEMA Flood Hazard Areas

 0.2 % Annual Chance of Flood

■ 1% Annual Chance of Flood

 Floodway

Feet  10 5 0 10 20  
1 inch equals 25 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 renewal for a Conditional Use Permit allowing for a digital off-premises commercial advertising sign in the B-3CV General Business District. The subject property is twenty thousand, two hundred fifty (20,250) square feet located at the northeast corner of Illinois Route 31 and Oakwood Court (common address of 10216 S. Route 31, Algonquin). This structure has been present at this location for close to ten (10) years. The applicant is requesting that the Conditional Use Permit be extended for fifty (50) years.

## MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE

- The applicant must meet the Approval Standards for Conditional Use Permit, listed in Section 16.20.040.E of the McHenry County Unified Development Ordinance.
- The applicant must meet the Use Standards for an Off-Premises Commercial Advertising Sign listed in Section 16.56.030.EE of the McHenry County Unified Development Ordinance.

## STAFF ANALYSIS

### Current Land Use & Zoning

The subject property is currently improved with a commercial building and an existing digital off-premise commercial advertising sign in the B-3CV General Business District. The land uses of the adjoining properties to the north and east are used residentially. The property to the west is used for earth extraction. Property to the south is not developed.

The property to the north is zoned B-3Cv, General Business District. The property to the south is zoned B-1 Neighborhood Business District. The property to the east is zoned R-1 Single-Family Residential District. The property to the west is incorporated.

### 2030 Comprehensive Plan Future Land Use Map

The proposed Conditional Use Permit is in line 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 proposed Conditional Use permit due to the fact that it promotes the economic development initiative. (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 preserving our groundwater aquifers, lakes, rivers, streams, and their natural functions."* (p.11)

- Part of the subject property is located within a Sensitive Aquifer Recharge Area (SARA).

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

*"We can make it happen by preserving our cultural and agricultural heritage while fostering new opportunities for the appreciation of arts, culture, and history."* (p. 16)

- The proposed Conditional Use Permit will allow for commercial advertising, which serves as a communication medium for these opportunities.

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

*"We can make it happen by supporting business development and commercial uses to reduce the property tax burden on residential homeowners."* (p. 17)

- The proposed Conditional Use will allow for commercial advertisement use.

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

*"We can make it happen by facilitating new business and the expansion of existing businesses."* (p. 21)

- The proposed Conditional Use Permit would renew an existing use and would not be creating a new business nor would it expand an existing use.

## *McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010*

### Community Character & Housing

*"Limit the premature conversion of agricultural areas and protect large contiguous agricultural and natural areas from fragmentation." (p.15)*

- The proposed Conditional Use Permit will not encourage the premature conversion of agricultural areas as the property isn't currently used for agricultural.

### Agricultural Resources

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

- The proposed Conditional Use Permit does not promote the development of productive agricultural land.

### Greenways, Open Space & Natural Resources

*"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 letter has been received and states that a full Natural Resource Information Report (NRI) will not be required. Please refer to the attached NRI letter (L25-015-4676) for more information.

### Water Resources

*"...land use and development should be carefully examined and regulated within sensitive groundwater recharge areas to ensure that the water quality, quantity, and natural recharge functions of the area are safely maintained." (p.67)*

- A portion of the subject property, including the location of the sign, is located within a Sensitive Aquifer Recharge Area (SARA).

### Economic Development

No applicable text

### Infrastructure

No applicable text

## **STAFF ASSESSMENT**

The applicant is seeking to renew the Conditional Use Permit (14-043), allowing for a digital Off-Premise Commercial Advertising Sign and has requested that CUP expire fifty (50) years after County Board Approval. Staff notes that prior to the adoption of the Unified Development Ordinance in 2014, all off-premise commercial advertising signs were allowed by right in certain districts and digital signs did not require a Conditional Use Permit. Staff is aware of three (3) other digital off-premise commercial signs within unincorporated McHenry County. Two (2) were granted last year and the third was granted in 2014 – all with ten (10) year expirations. Staff has no objection to the request to the expiration date given that there have been no complaints or violations with the sign at this location and given that there are procedures for expiring a CUP if necessary.

The request is inconsistent with the Future Land Use Map designation of Residential. However, the request is consistent with the text of the McHenry County 2030 Comprehensive Plan and 2030 and Beyond Plan, because it promotes the economic development initiative. The proposed use is in line with the nearby non-residential uses.

If the Zoning Board of Appeals finds that the Approval Standards for Conditional Use Permit and the Use Standards for an Off-Premises Commercial Advertising Sign and Zoning Variations have been addressed, staff recommends consideration of the following proposed conditions:

1. The time limit for this conditional use permit shall be fifty (50) years from the date of approval by the McHenry County Board.
2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.
3. All other federal, state, and local laws shall be met.

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

### **(Section 16.20.040 E of the Unified Development Ordinance)**

- E. *Approval Standards for Conditional Use Permits.* No conditional use permit may be granted unless the Zoning Board of Appeals and County Board makes specific written findings that the request meets each of the standards imposed by this section. These standards are as follows:
1. That the petitioner has demonstrated the ability to meet any applicable standards contained in [Chapters 16.56](#) (Use Standards) and [16.60](#) (Site Development Standards).
  2. That the site shall be so situated that the proposed use is compatible with the existing or planned future development of the area.
  3. That the establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.
  4. That the conditional use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
  5. That the conditional use shall not substantially diminish and impair property value within the neighborhood.
  6. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
  7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on public streets.
  8. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located.
  9. That the conditional use is reasonably in the interest of the public welfare.
  10. That adequate measures will be taken to provide protection to groundwater recharge and groundwater quality.

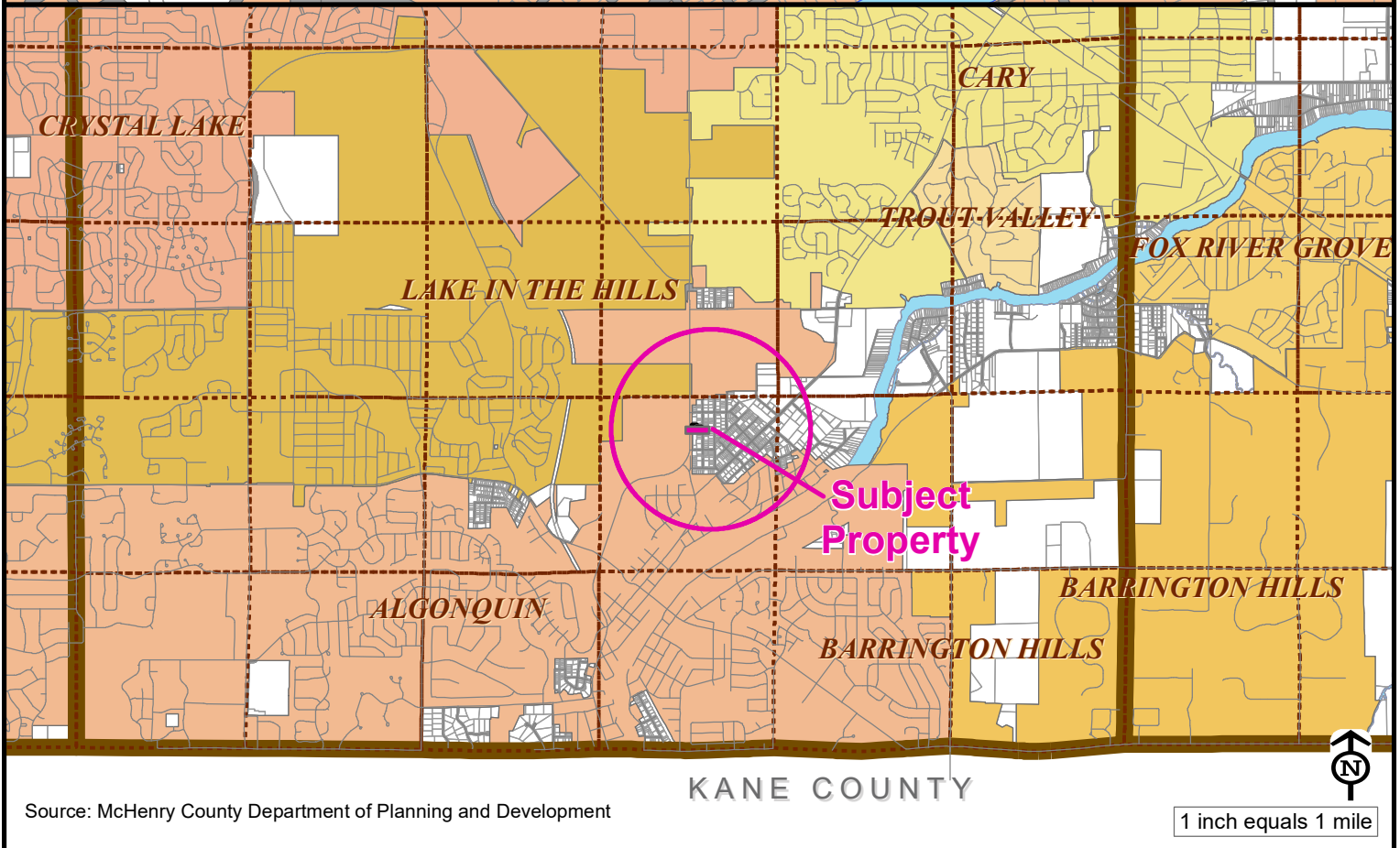
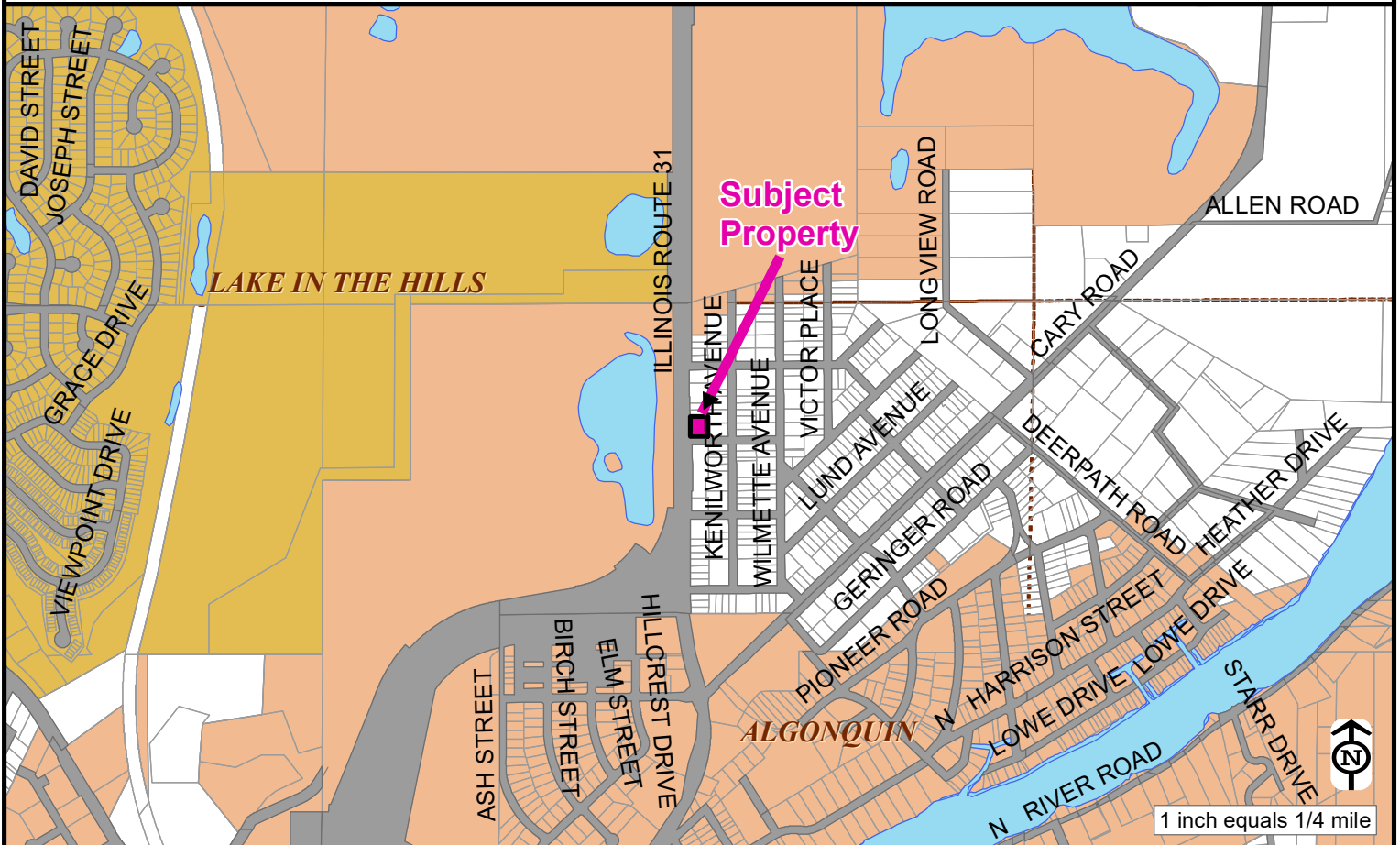
## **Approval Standards for Off-Premise Commercial Advertising Sign**

### **(Section 16.56.030 EE of the Unified Development Ordinance)**

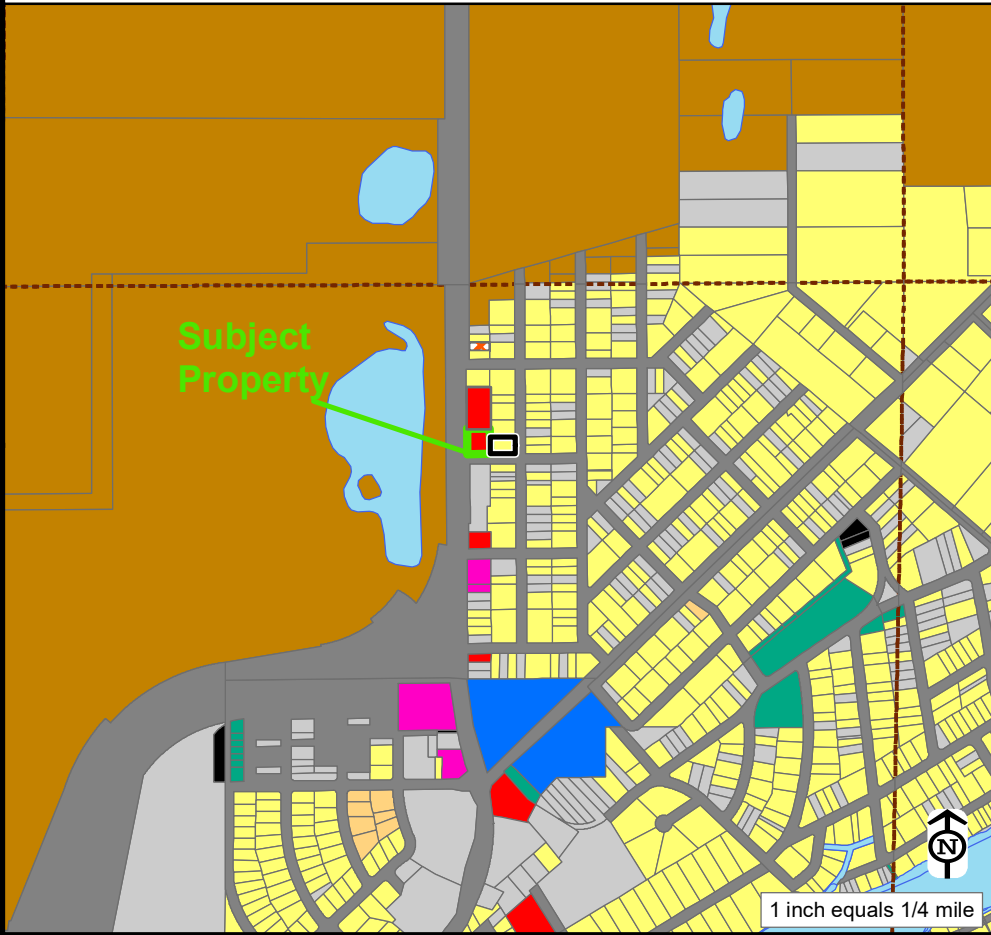
EE. *Off-Premises Commercial Advertising Sign.* The following standards apply to all off-premises commercial advertising signs, unless more restrictive standards are required by the state. All off-premises commercial advertising signs shall be measured in accordance with the standards of § [16.72.050](#) (Sign Dimension Computations).

1. No off-premises commercial advertising sign may be located within one hundred (100) feet of any residential zoning district or residential structure located in an agricultural zoning district. When an off-premises commercial advertising sign one hundred and fifty (150) square feet or larger in size is located within five hundred (500) feet of a residential zoning district, or within five hundred (500) feet of a residential structure within an agricultural zoning district, a conditional use permit is required.
2. Each off-premises commercial advertising sign must be located at least three hundred (300) feet from another off-premises advertising sign.
3. Off-premises commercial advertising signs must be located at least five (5) feet from any side lot line and ten (10) feet from a street lot line.
4. Off-premises commercial advertising signs are limited to a maximum height of thirty-five (35) feet, as measured from the grade of the roadway.
5. Off-premises commercial advertising signs are limited to a maximum sign area of two hundred sixty (260) square feet unless the sign is oriented to an Interstate Highway with a posted speed limit in excess of fifty five (55) miles per hour, in which case the maximum sign area is four hundred (400) square feet.
6. Off-premises commercial advertising signs are limited two (2) sides placed either back-to-back or in a V-type configuration, provided that the angle between V-type mounted sign faces does not exceed forty-five (45) degrees. If the angle between two (2) sign faces is greater than forty-five (45) degrees, the sign area is computed as the sum of the areas of the two (2) faces (see [Figure 16.72-3](#)).
7. Off-premises commercial advertising signs shall be maintained in sound structural condition and shall comply with all building and electrical codes.
8. Off-premises commercial advertising signs shall not create obstacles or traffic hazards by distracting or confusing motorists, impairing motorists' ability to see pedestrians, read other traffic signs, or see other vehicles.
9. A conditional use permit is required for all digital off-premises commercial advertising signs. In addition, digital off-premises commercial advertising signs must meet the following standards:
  - a. Each message or image displayed on a digital off-premises commercial advertising signs must be static or depicted for a minimum of ten (10) seconds. Animation, streaming video, and images that move or give the appearance of movement are prohibited.
  - b. A digital off-premises commercial advertising sign must not exceed a maximum illumination of three-tenths (0.3) footcandles above the ambient light level when measured from a distance equal to the square root of the square footage of the sign multiplied by one hundred. (measurement distance =  $(\text{sign area}) \times 100$ ) All digital off-premises commercial advertising signs must have ambient light monitors installed, which automatically adjust the brightness level based on ambient light conditions.
  - c. In response to complaints, the Zoning Enforcement Officer may require that the owner of a digital off-premises commercial advertising sign submit a certification demonstrating that the sign complies with the maximum illumination standards.

- d. All digital off-premises commercial advertising sign must be programmed to automatically revert to a full black screen in the event of a malfunction.
- e. Conversion of an existing non-digital off-premises commercial advertising sign to a digital off-premises commercial advertising sign is subject to the following:
  - (1) A conforming off-premises commercial advertising sign may be converted to a digital sign with approval of a conditional use permit.
  - (2) A nonconforming off-premises commercial advertising sign within a district that permits such signs may be converted to a digital off-premises commercial advertising sign if the nonconformity is remedied (i.e., the sign is brought into compliance) and a conditional use permit is approved.
  - (3) A nonconforming off-premises commercial advertising sign within a district that does not permit such signs may not be converted to a digital off-premises commercial advertising sign.
- 10. The owner of a digital off-premises commercial advertising sign shall provide the County with space for public service announcements including Amber Alerts, weather related evacuations, or other emergency situations.
- 11. An off-premises commercial advertising sign may be utilized to display a noncommercial message under the same standards as the display of a commercial message, unless otherwise allowed or restricted by State laws including, but not limited to, the Illinois Election Code and/or 10 ILCS 5/1-1 *et seq.* as enforced by State Board of Elections or other appropriate officials.



## Current Land Use Map



### Current Land Use

*Commercial*

### Adjacent Land Use(s)

North: *Commercial*

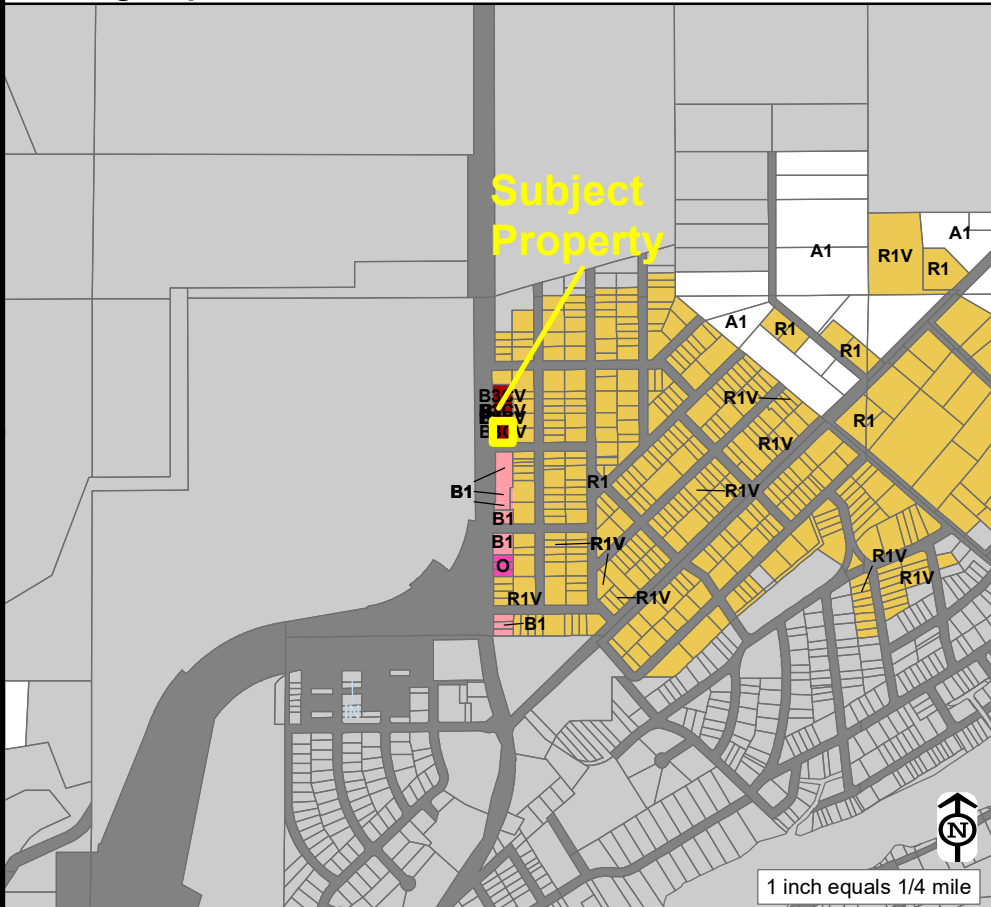
South: *Vacant*

East: *Single-Family Residential*

West: *Earth Extraction*



## Zoning Map



### Current Zoning

**B-3CV General Business**

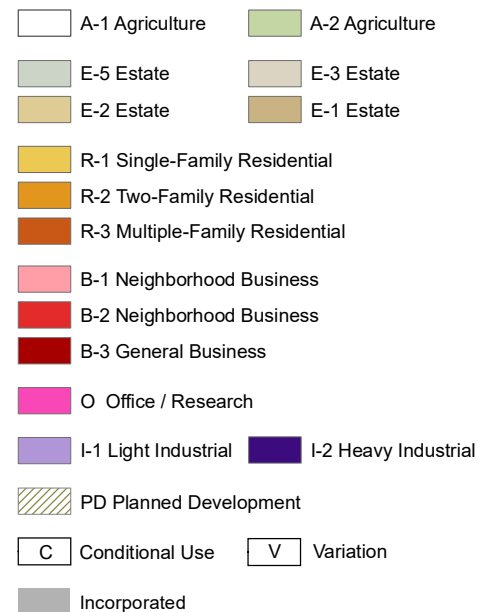
### Adjacent Zoning

North: B3CV General Business

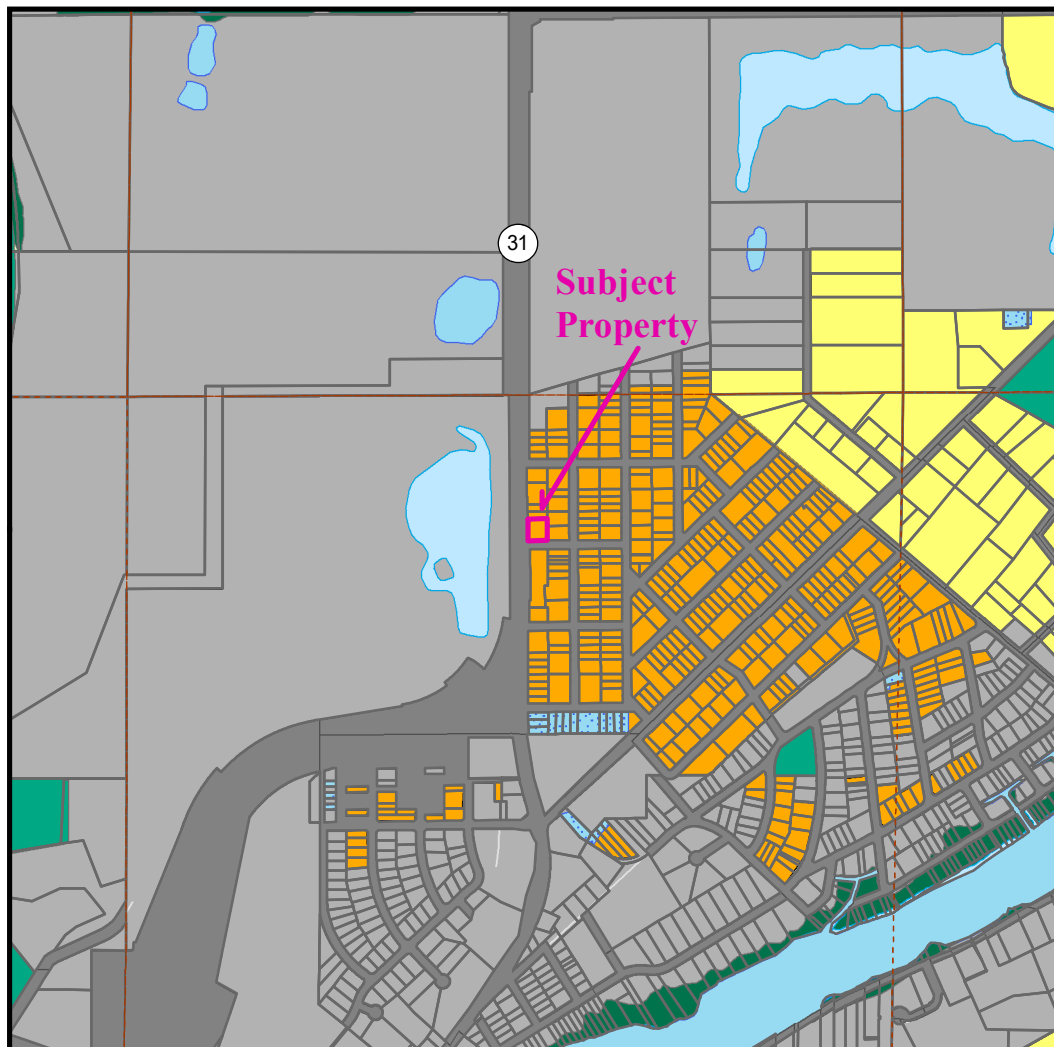
South: B-1 Neighborhood Business

East: R-1 Single-Family Residential

West: 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

<u>Algonquin Twp:</u>	N/A	<u>Barrington Hills:</u>	N/A
<u>Algonquin:</u>	Medium Density Subdivision Residential	<u>Cary:</u>	N/A
<u>Crystal Lake:</u>	N/A	<u>Lake in the Hills:</u>	N/A

## 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

A portion of the site is located in a zone with moderate contamination potential.

## Sensitive Aquifer Recharge Areas (SARA)



Sensitive Recharge Area

# 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)

March 7, 2025

Steve Weber  
1152 Liberty Avenue  
Cary, IL 60013

<u>Re:</u>	Parcel # 19-27-205-026
<u>Common Location:</u>	10216 Route 31, Algonquin, IL 60013
<u>NRI#</u>	L25-015-4676
<u>Zoning Change:</u>	B-1V to B-1V CUP

Dear Mr. Weber:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the David Hinz property as applied for in Report #L25-015-4676. Due to the size of the parcel and minimal or no new construction, 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 wetlands, hydric soils, or floodplains were found on the site from office maps. Our 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,

Ryan Bieber  
Urban Conservation Specialist