

IN THE MATTER OF THE APPLICATION OF
**RICHARD D. MILTIMORE AND
JENNIFER L. MILTIMORE, OWNERS**
FOR A **VARIATION** OF THE UNIFIED
DEVELOPMENT ORDINANCE OF
MCHENRY COUNTY, ILLINOIS

Z26-0006

WHEREAS, your petitioner, **Richard D. Miltimore and Jennifer L. Miltimore**, have filed a petition with the McHenry County Hearing Officer, requesting a **variation** as it relates to the McHenry County Unified Development Ordinance and to the real property more fully described as:

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 46 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, RICHMOND TOWNSHIP, MCHENRY COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER CORNER OF SECTION 26 MARKED BY A CAPPED 2" IRON PIPE, THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER, 683.30 (682.97 R) FEET TO A 1/2" IRON BAR IN THE CENTERLINE OF MAY LANE, THENCE SOUTH 89 DEGREES 36 MINUTES 24 SECONDS EAST (M) ALONG SAID CENTERLINE, 342.25 (342.24 R) FEET TO THE NORTHEAST CORNER OF RAMOS SUBDIVISION RECORDED AS DOCUMENT NO. 2005R0107168, SAID CORNER BEING THENCE CONTINUING ALONG SAID CENTERLINE, SOUTH 89 DEGREES 36 MINUTES 24 SECONDS EAST (M), 483.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CENTERLINE, SOUTH 89 DEGREES 36 MINUTES 24 SECONDS EAST (M), 340.25 FEET; THENCE 172.37 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WHOSE CHORD BEARS NORTH 64 DEGREES, 01 MINUTES, 29 SECONDS EAST 166.33 FEET, RADIUS 187.02 FEET AND CENTRAL ANGLE 52 DEGREES, 48 MINUTES, 23 SECONDS, TO THE CORNER OF NOTTINGHAM WOODS FIRST ADDITION RECORDED AS DOCUMENT NO. 571591, THENCE SOUTH 00 DEGREES, 12 MINUTES, 06 SECONDS WEST, ALONG THE WEST LINE OF SAID NOTTINGHAM WOODS AND CONTINUING ALONG THE WEST LINE OF OUTLOT A OF SPRING GROVE ESTATES RECORDED AS DOCUMENT NO. 90R045304, 673.50 (673.75 R) FEET TO A POINT ON THE MONUMENTED NORTH LINE OF SAID SPRING GROVE ESTATES; THENCE SOUTH 88 DEGREES, 49 MINUTES, 10 SECONDS WEST (M), ALONG SAID MONUMENTED NORTH LINE, 487.50 FEET; THENCE DEPARTING SAID NORTH LINE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 613.02 FEET TO THE POINT OF BEGINNING.

PIN 04-26-302-006

More commonly known as **3819 May Lane, Spring Grove, Illinois, in Richmond Township.**

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is "**E-5V**" **Estate District**; **but a variation be granted to the property to allow for a maximum height of twenty-seven (27) feet for a detached accessory structure instead of the maximum twenty (20) feet allowed.**

WHEREAS, the subject property consists of approximately **7.347 acres** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Hearing Officer 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 Hearing Officer of McHenry County ***did recommend the granting of a variation to allow for a maximum height of twenty-seven (27) feet for a detached accessory structure instead of the maximum twenty (20) feet allowed.***

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

WHEREAS, the McHenry County Board has determined that the standards for a variation 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 for a maximum height of twenty-seven (27) feet for a detached accessory structure instead of the maximum twenty (20) feet allowed.***

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

DATED this _____ day of _____, 2026.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

**HEARING OFFICER REPORT TO THE MCHENRY
COUNTY BOARD IN THE MATTER OF PETITION Z26-0006**

1. **Recommendation:** Approve
2. **Applicant:** Richard D. Miltimore and Jennifer L. Miltimore, Owners of Record
3. **Request:** Variation within the E-5V Estate District to allow for a maximum height of twenty-seven (27) feet instead of the maximum twenty (20) feet allowed for a detached accessory structure. (McHenry County Unified Development Ordinance §16.56.050.A.2)
4. **Location and size of property in question:** The subject property consists of approximately seven (7) acres and is located on the south side of May Lane, approximately eight hundred (800) feet east of the intersection of May Lane and South Solon Road, in Richmond Township, Illinois. Common address: 3819 May Lane, Spring Grove, Illinois. PIN: 04-26-302-006
5. **Present at hearing:**
Applicant: Rich Miltimore
Michael J. McNerney, Hearing Officer
Kim Scharlow, County Staff; Kit GearhartSchinske, County Staff
Public: None
6. **Date, time and location of the hearing:** at 11:00a.m., McHenry County Government Center, Ware Road Administration Building, Woodstock, IL 60098.
7. **Items of evidence:**
Official Site Plan, Application to allow variance, Natural Resource Information Report, McHenry-Lake County Soil & Water Conservation District Letter of L26-005-4788.
8. **Summary of Testimony at the hearing:**

The Hearing Officer opened the meeting, described the property, and the request.

Mr. McNerney asked Staff for clarification on the zoning. Staff stated that the in 2018 when the previous variance was granted, the applicant's parcel and the adjacent parcel, the applicant's father's, were one. The 2018 variance was granted for a specific building. Once the property was split, the variance did not carry over to the applicant's parcel even though it is mapped that way.

Staff asked the applicant about the septic size. Mr. Miltimore stated that at the time that the garage was designed, he had a cabinet business and thought he would build cabinets in the garage. So the septic was sized for three (3) employees. He stated that things have changed and he will not have employees. He stated that the building is for personal use.

The applicant answered the Variation Approval Standards questions asked by Mr. McNerney.

The Hearing Officer found that all of the Standards for Approval had been met and recommended approval of the request.

9. Recommended findings of fact as to the Request for the Variation:

The Witness has met their burden of establishing the necessary ordinance requirements. Accordingly, it is my recommendation that the petitioners' request be granted.

Respectfully submitted,

/S/: Michael J. McNerney

Michael J. McNerney

**Richmond Township
PLAN REVIEW REPORT
VARIATION REQUEST APPLICATION #Z26-0006**

Hearing Date: March 10, 2026

Applicant: Richard D. Miltimore and Jennifer L. Miltimore, Owner of Record

Request: **Variation** within the **E-5V Estate District** to allow for a maximum height of twenty-seven (27) feet instead of the maximum twenty (20) feet allowed for a detached accessory structure. (*McHenry County Unified Development Ordinance §16.56.050.A.2*)

Location: The subject property consists of approximately seven (7) acres and is located on the south side of May Lane, approximately eight hundred (800) feet east of the intersection of May Lane and South Solon Road, in Richmond Township, Illinois. Common address: 3819 May Lane, Spring Grove, Illinois
PIN: 04-26-302-006

Current Land Use: The property is designated **Single-Family Residential** on the Current Land Use map.

Adjacent Land Use: North: *SINGLE-FAMILY RESIDENTIAL/AGRICULTURE* East: *VACANT*
South: *SINGLE-FAMILY RESIDENTIAL/VACANT* West: *SINGLE-FAMILY RESIDENTIAL*

Current Zoning: The property is currently zoned **E-5V Estate District**.

Adjacent Zoning: North: *A-1 Agriculture* East: *Village of Spring Grove*
South: *Village of Spring Grove* West: *E-5V Estate*

2030 Plan: The property is designated **ESTATE** on the *McHenry County Land Use Plan Map*.

Improvements: The subject property currently contains a single-family residence, pool and asphalt driveway.

Natural Resources: No wetlands were found on the site. Impact to natural resources from the proposed use is minimal, according to Natural Resources Inventory (NRI) Letter L26-005-4788.

Flood Hazard Areas: No floodplain was found on site.

Flood-of-Record: No flood-of-record was found on site.

SARA: The site is located in a zone with elevated aquifer contamination potential, according to the McHenry County Sensitive Aquifer Recharge Area (SARA) map.

Comments/ Conclusion:

- The existing Variation that is designated for this property was issued when the subject property was combined with the parcel directly to the west. The Variation was specific to an accessory structure on the adjacent parcel that has been constructed and the parcel subsequently split. Thus, a new zoning variation is required for the proposed structure.
- Building Permit #BP-26-0001 is currently pending for the proposed 55' x 100' detached accessory structure. The granting of this variance would allow for the applicants to continue with their building permit application to construct the proposed structure.
- The applicant should be aware that under **Section 16.20.020 (F)** of the **McHenry County Unified Development Ordinance**, several standards are cited, all of which must be met in order for a Variation to be granted. These standards include hardship in relation to the site conditions, that the request is unique to the property, that the purpose of the request is not based on any monetary gain, that the petitioners did not cause or create the hardship, that the request is not detrimental to the public welfare and safety, that the request will not impair adequate light and air to adjacent property, or increase congestion in the public streets, or increase danger of fire, and that the request not confer any special privilege to the applicant that is denied to others of the same zoning district.
- An Illinois Department of Natural Resources (IDNR) report was not required for this project.

Aerial Photo

3819 May Lane, Spring Grove, Illinois

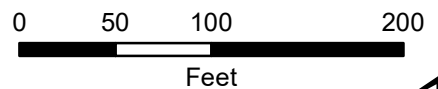


Photo: 2025

Any parcel lines depicted on the aerial photograph are for general reference only. Please refer to the plat of survey for the location of lot or parcel lines.

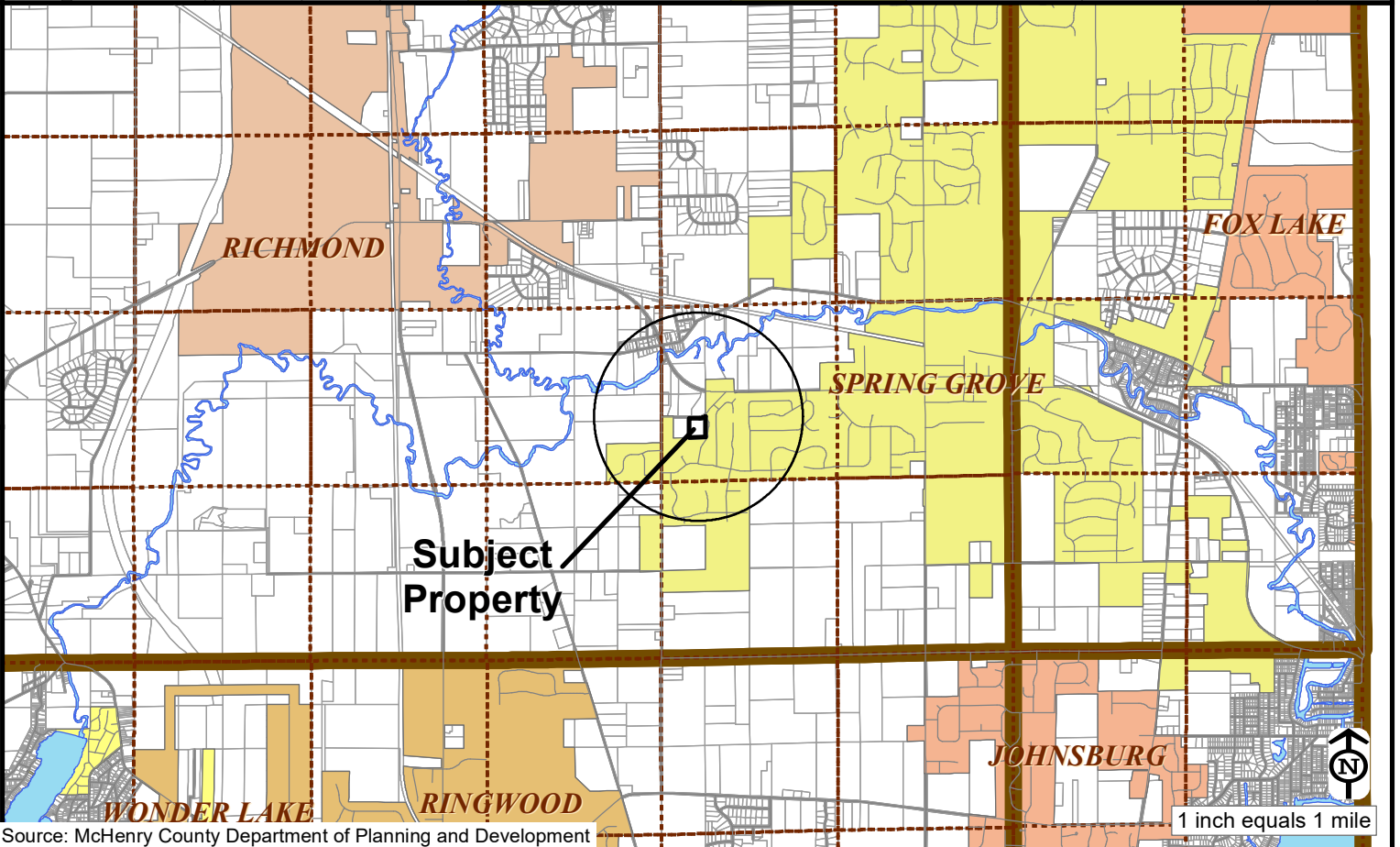
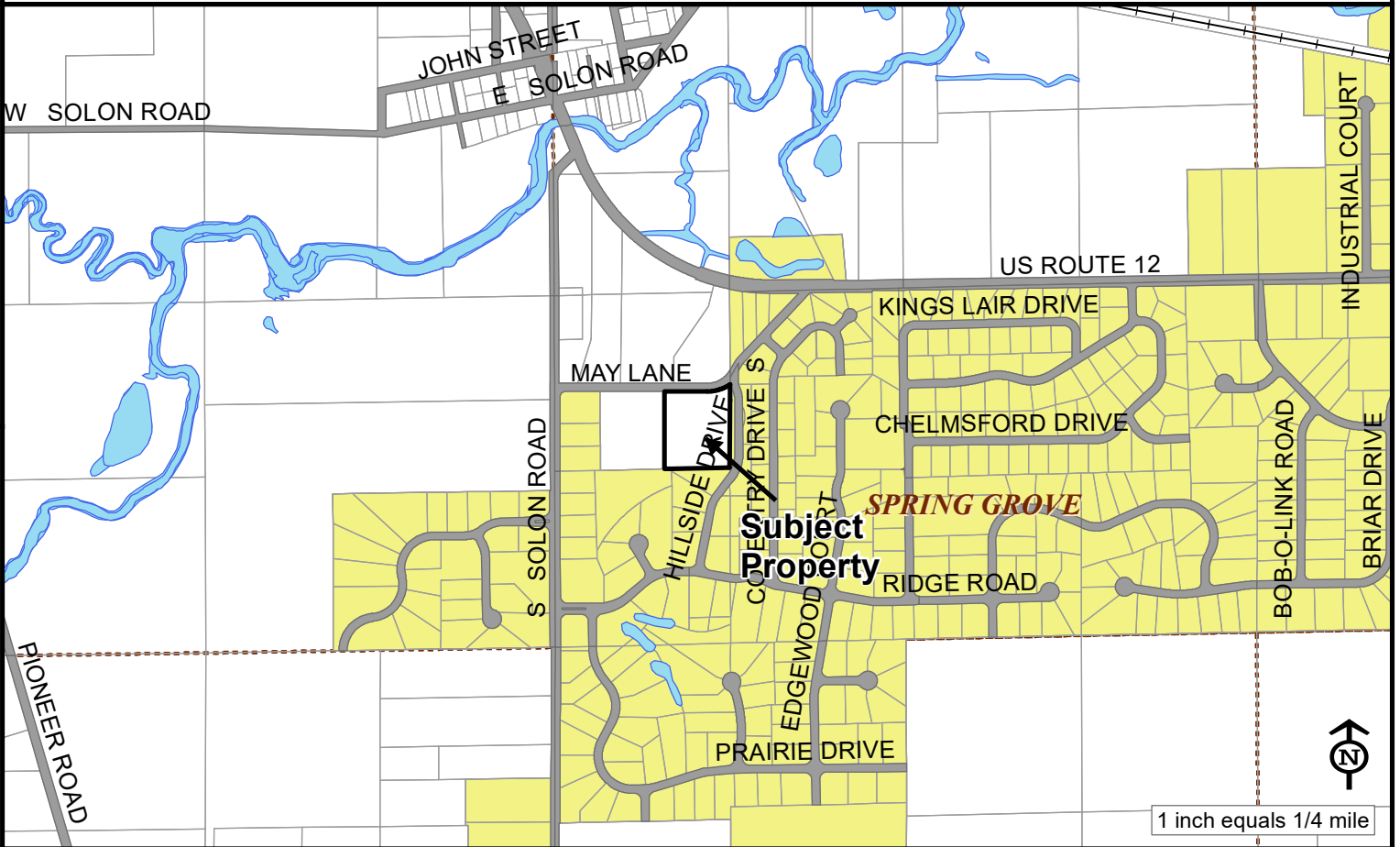
Elevation (feet above sea level)

— Contours

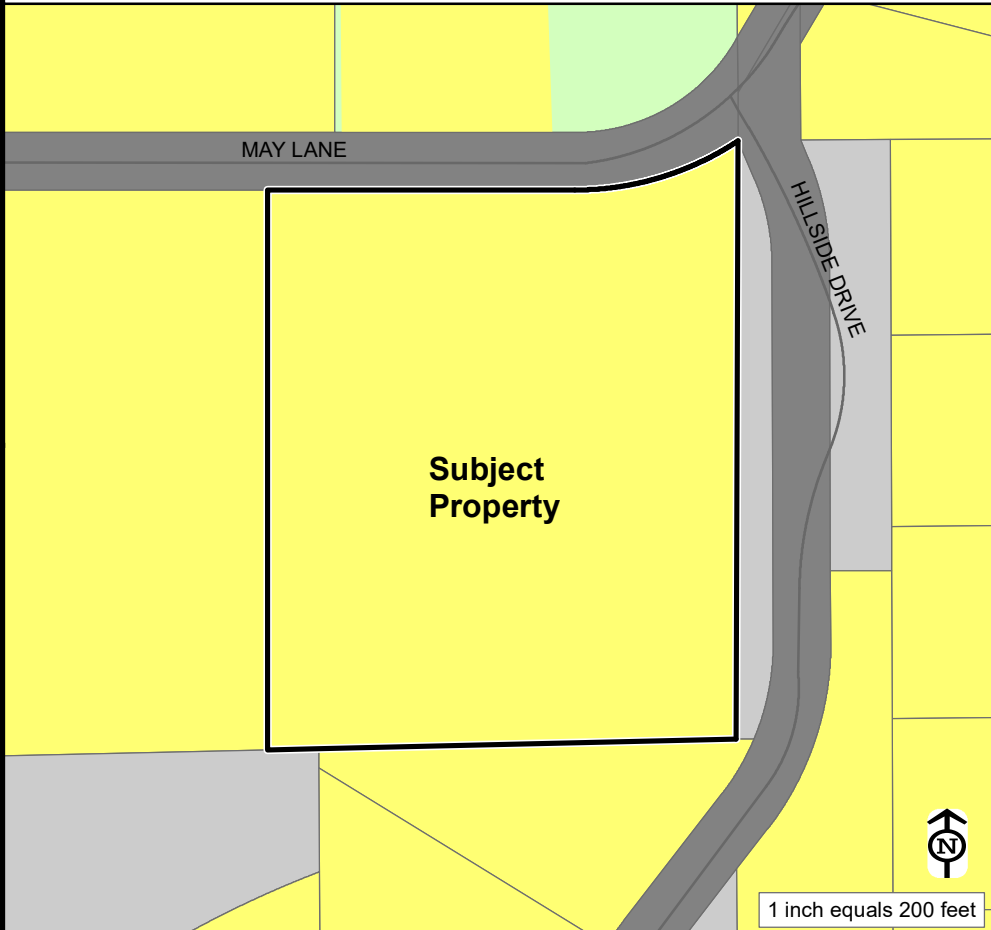


Prepared by the McHenry County
Department of Planning and Development





Current Land Use Map

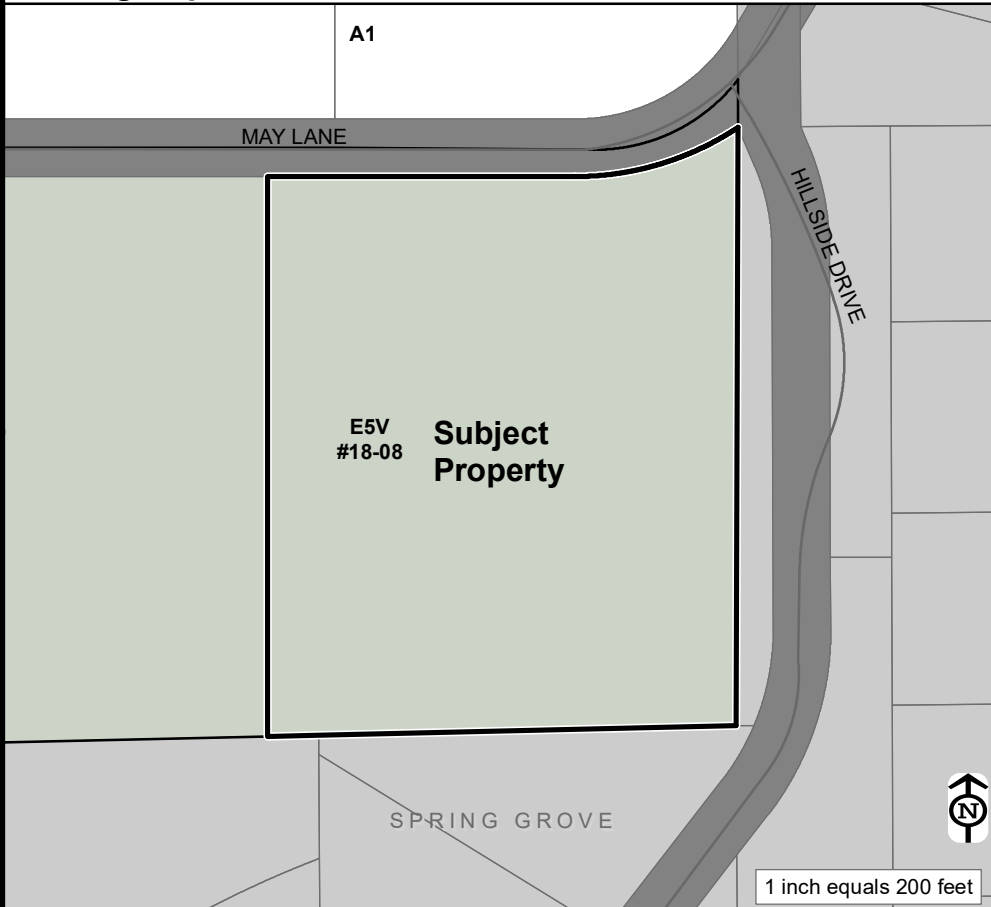


Current Land Use
Single-Family Residential

Land Use Adjacent to the PIQ
North: Single-Family Residential/Agriculture
South: Single-Family Residential/Vacant
East: Vacant
West: Single-Family Residential

- 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



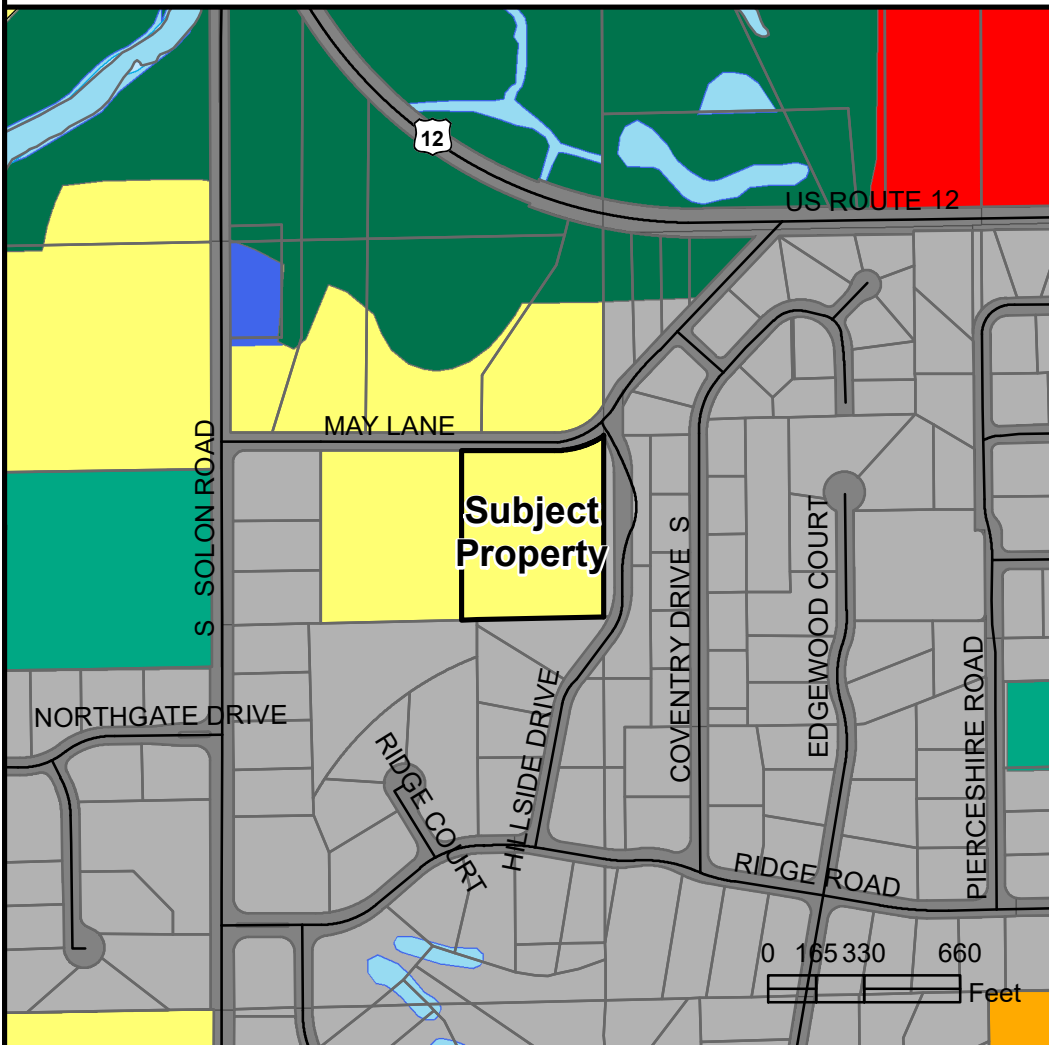
Current Zoning
E-5V Estate District

Adjacent Zoning
North: A-1 Agriculture
South: Village of Spring Grove
East: Village of Spring Grove
West: E-5V 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 Liquour 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
- Legacy Neighborhood

McHenry County 2030 Comprehensive Plan Future Land Use Map

Future Land Use Map Designation



- Estate*
- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - R1 TOD Existing Rail Station
 - R1 TOD Future Rail Station
 - ⌘ Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/8 mile

Municipal/Township Plan Designations

Richmond Township: Estate

Ringwood: No Designation

Richmond: No Designation

Spring Grove: Low Density Residential

McHenry County 2030 Comprehensive Plan — Text Analysis

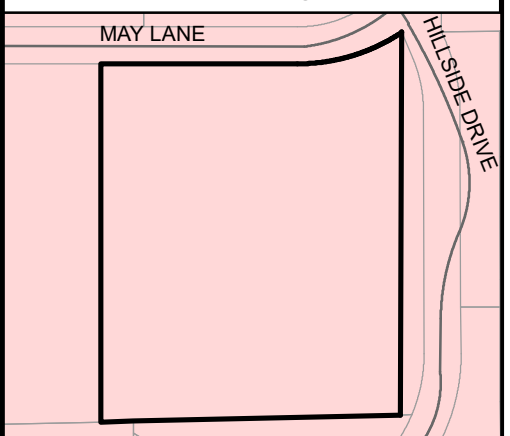
Land Use

Estate includes existing and proposed areas for single-family residential uses at gross densities of one to five acres per dwelling unit. Estate land use is generally designated in areas that are not projected to have access to public sewer and water. Where appropriate, conservation design is encouraged in order to cluster lots and maintain open space within estate developments. Increased estate densities are encouraged where appropriate; however, estate development in close proximity to a municipality should take into consideration that municipality's densities (p. 134).

Sensitive Aquifer Recharge Areas

The site is located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



- Sensitive Recharge Area

Standard Soil Erosion and Sediment Control Notes

1. Sediment control measures shall meet the minimum standards and specifications of the Illinois Erosion Manual (www.ecs.state.il.us) unless noted otherwise.
2. Soil disturbance shall be conducted in such a manner as to minimize erosion. Areas of the development site that are not to be disturbed shall be protected from concentrated runoff or other disturbance until final stabilization is achieved.
3. Erosion control measures shall be provided commencing at the start of construction and shall be maintained throughout the construction period.
4. Stabilization for seedings shall be based on soil type, soil texture, and the use of temporary or permanent measures.
5. Native seed in areas shall include rapid-growing annual grasses or small grains to provide initial temporary soil stabilization.
6. Office property shall be protected from erosion and sedimentation. Velocity dissipating devices shall be placed at concentrated discharge locations and along the length of any natural channels, as necessary to prevent erosion.
7. Stabilization of disturbed areas shall be initiated immediately, whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the development site or temporarily ceased on any portion of the development site for a period of 30 days or more. Erosion control measures shall be installed within 14 days from the initiation of stabilization work in an area. Exceptions to these time frames are specified below:
8. Where the initiation of stabilization measures is precluded by snow cover, stabilization measures shall be initiated as soon as they are feasible.
9. In areas where construction activity has temporarily ceased and soil remains after 14 days, a temporary stabilization mat shall be used.
10. Disturbance of steep slopes shall be minimized. Areas on embankments having slopes steeper than 3:1 shall be stabilized with staked in place erosion control measures.
11. Erosion control measures shall be provided perpendicular to the flow of runoff from disturbed areas, where the embankment area is greater than 5,000 square feet, and where runoff will flow in a sheet flow manner. Perimeter erosion control shall be provided where sheet flow is anticipated.
12. The use of erosion control systems shall be provided from erosion and sedimentation down-slopes from disturbed areas. Inlet protection that reduces sediment loading while allowing runoff to enter the inlet shall be required for all storm sewers. Check dams, or an equivalent control measure, shall be required for all channels. Filter fabric inlet protection and straw bale ditch checks are not acceptable control measures.
13. Effective control measures shall be utilized to minimize the discharge of pollutants from the development site. As a minimum, control measures shall be implemented in order to:
 - a. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash water used.
 - b. Minimize the exposure of pollutants, including pesticides, construction wastes, fuels, landscape materials, fertilizers, pesticides, herbicides, fungicides, and other materials present on the construction site, to propagation and to streamwater.
14. Adequate excavations shall be provided for the depositing of all construction material debris generated during the development process. Debris shall be stored in a designated area, and the debris shall be removed from the site as soon as it is generated.
15. The Erosion Control Officer may require additional or alternate soil erosion and sediment control measures, based on development site specific considerations and the effectiveness of the installed control measures.

Standard Drain Notes

1. Drains shall be installed during regulated development shall be reconstructed by those responsible for their disturbance, unless the development owner specifies otherwise.
2. Drains shall be installed in accordance with the standards of the Illinois Erosion Manual.
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4. Drains shall be installed in accordance with the standards of the Illinois Erosion Manual.

PERMIT NUMBER	DATE	BY	REVISION	DATE	BY	REVISION	DATE	BY	REVISION
15-0000	01/15/18	JM	ISSUE FOR PERMIT						
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15-0000	01/15/18	JM	ISSUE FOR PERMIT						
15-0000	01/15/18	JM	ISSUE FOR PERMIT						
15-0000	01/15/18	JM	ISSUE FOR PERMIT						

GENERAL SEPTIC SYSTEM NOTES:

1. THE SEPTIC SYSTEM SHALL BE DESIGNED TO RECEIVE ALL DOMESTIC WASTE FROM THE DEVELOPMENT.
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ADDITIONAL NOTES TO HEALTH DEPT.

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SEPTIC SYSTEM DESIGN SIDE PROFILE

TRENCH DETAIL:

WATER METERING

THIS OF CALIBRATED TO BE INSTALLED IN THE MAIN TO INDICATE THE FLOW OF WATER TO THE DEVELOPMENT.

LANE

340.25

320.054 30. FT. 7.341 ACRES

CURVE DATA TABLE

STATIONING	RIGHT-OF-WAY	RIGHT-OF-WAY	RIGHT-OF-WAY
0+00.00	180.00	180.00	180.00
0+100.00	180.00	180.00	180.00
0+200.00	180.00	180.00	180.00

PERMIT INFORMATION

ON-SITE WASTE DISPOSAL SYSTEM

3819 MAY LANE

SPRING GROVE, IL 60081

04-26-302-008

REVISIONS

DATE	DESCRIPTION

PERMIT NUMBER

15-0000

DATE

01/15/18

DESCRIPTION

ON-SITE WASTE DISPOSAL SYSTEM

PLANS PREPARED FOR:

RICH MILTAMORE

3819 MAY LANE

SPRING GROVE, IL 60081

224-49-7503

mch@mllt.com

BENCHMARK:

AS TRIM AT CORNER

42° 27' 03.4633"

100.00

100.00

100.00

100.00

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DATE	DESCRIPTION

PERMIT NUMBER

15-0000

DATE

01/15/18

WATER METERING

THIS OF CALIBRATED TO BE INSTALLED IN THE MAIN TO INDICATE THE FLOW OF WATER TO THE DEVELOPMENT.

LANE

340.25

320.054 30. FT. 7.341 ACRES

CURVE DATA TABLE

STATIONING	RIGHT-OF-WAY	RIGHT-OF-WAY	RIGHT-OF-WAY
0+00.00	180.00	180.00	180.00
0+100.00	180.00	180.00	180.00
0+200.00	180.00	180.00	180.00

PERMIT INFORMATION

ON-SITE WASTE DISPOSAL SYSTEM

3819 MAY LANE

SPRING GROVE, IL 60081

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**McHENRY-LAKE COUNTY
SOIL & WATER
CONSERVATION DISTRICT**



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

January 20, 2026

Rich Miltimore
3819 May Ln.
Spring Grove, IL 60081

Re: Parcel # 04-26-302-006
Common Location: 3819 May Ln., Spring Grove, IL
NRI# L26-005-4788
Zoning Change: Variance for Height

Dear Mr. Miltimore:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the Rich Miltimore property as applied for in Report #26-005-4788. 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 inventory is 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,

A handwritten signature in black ink that reads "Spring M. Duffey". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Spring M. Duffey
Executive Director

cc. McHenry County Department of Planning and Development