



#2015-37
1394 Teakwood Lane (Beard) – SUP
Project Review for Planning and Zoning Commission

Meeting Date: August 5 2015

Request: Special Use Permit Amendment for Home Daycare.

Location: 1394 Teakwood Lane

Acreage: 9,757 square feet

Existing Zoning: R-2 Single Family

Surrounding Properties: North: R-2 Single Family
South: R-2 Single Family
East: R-2 Single Family
West: R-2 Single Family

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- **Existing Use:** The property is improved with a single family home and received a Special Use Permit for a home daycare in 2006. A fenced area exists along the front of the house.
- **Project:** The owner has gone through the DFCS requirements to amend her license to allow up to 12 children. The City's criteria allows up to 8 children, requiring the amendment to the Special Use Permit.

Development Analysis:

General

- **Request:** Special Use Permit to allow a home daycare for 12 children.
- **Land Use:** The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- **Zoning:** The site is zoned R-2 Single Family. This property is used as single-family home.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Housing – Single Family Housing

Goal: Promote strong neighborhoods by preserving their character and historical significance and ensuring that they are well served by a variety of community facilities and services.

This can be accomplished with the following supporting action:

Supporting Action: Preserve the unique character of existing neighborhoods.

Findings of fact:

SPECIAL USE PERMIT

The petitioner has requested a Special Use Permit to allow a home daycare. Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.
 Meets *Does not meet*

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.
 Meets *Does not meet*

3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.
 Meets *Does not meet*

4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.
 Meets *Does not meet*

5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.
 Meets *Does not meet*

6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.
 Meets *Does not meet*

7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.
 Meets *Does not meet*
8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.
 Meets *Does not meet*
9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.
 Meets *Does not meet*
10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.
 Meets *Does not meet*

HOME DAYCARE

A home daycare has specific criteria in the ordinance. A home daycare is a use which provides daycare for three to eight children and must comply with the following standards:

1. State License: If licensed by the Illinois Department of Children and Family Services (DCFS), the daycare provider shall provide a copy of the DCFS license.
 Meets *Does not meet*
2. Evacuation Plan: The daycare provider shall provide a copy of the evacuation plan.
 Meets *Does not meet*
3. Hours of Operation: Home daycare uses shall be permitted to provide daycare services from 6:00 am to 7:00 pm.
 Meets *Does not meet*
4. Fenced Play Area: All daycare uses shall provide a fenced outdoor play area measuring at least 600 square feet in area. The fencing surrounding the play area shall contain at least one gated exit that measures at least three feet in height.
 Meets *Does not meet*
5. Pick-up and Drop-off: Customers picking up or dropping off children must park in the driveway of the daycare or outside the functional area of any intersection to avoid sight-distance issues.
 Meets *Does not meet*

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Beard, received 06/29/15)
 - B. Plat of Survey (Beard, received 06/29/15)
 - C. Evacuation Plan (Beard, received 06/29/15)
2. The petitioner shall address all of the review comments and requirements of the Community Development Department.

**City of Crystal Lake
Development Application**

Office Use Only
File # 2015 37

Project Title: Home Day Care Special Use Permit
amendment.

Action Requested

RECEIVED
JUN 29 2015
BY: _____

- Annexation
- Comprehensive Plan Amendment
- Conceptual PUD Review
- Final PUD
- Final PUD Amendment
- Final Plat of Subdivision
- Preliminary PUD
- Preliminary Plat of Subdivision
- Rezoning
- Special Use Permit
- Variation/Amendment
- Other

Petitioner Information

Name: Kristine Beard
Address: 1394 Teakwood Ln
Crystal Lake, IL 60014
Phone: 847-422-3081
Fax: _____
E-mail: Kristinebeard@yahoo.com

Owner Information (if different)

Name: _____
Address: _____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: I currently have a special use permit
for a home day care in Crystal Lake. I just
received a permit for a group home from DDFS
allowing care for 12 children. I would like to amend
my special use permit for 12 children.

Project Address/Location: 1394 Teakwood Ln, Crystal Lake, IL 60014

PIN Number(s): 13-36-356-021

Development Team

Please include address, phone, fax and e-mail

Developer: none

Architect: none

Attorney: none

Engineer: none

Landscape Architect: none

Planner: none

Surveyor: none

Other: none

Signatures

Wylie Beard 6/27/2015

PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

KRISTINE BEARD Wylie Beard 6/27/2015

OWNER: Print and Sign name Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

PUBLIC NOTICE

**BEFORE THE PLANNING AND
ZONING COMMISSION
OF THE CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS**
IN THE MATTER OF THE PETITION
OF
Kristine Beard

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission on the application by Kristine Beard, seeking a Special Use Permit Amendment at 51394 Teakwood Lane, Crystal Lake, Illinois. PIN: 13-36-356-021.

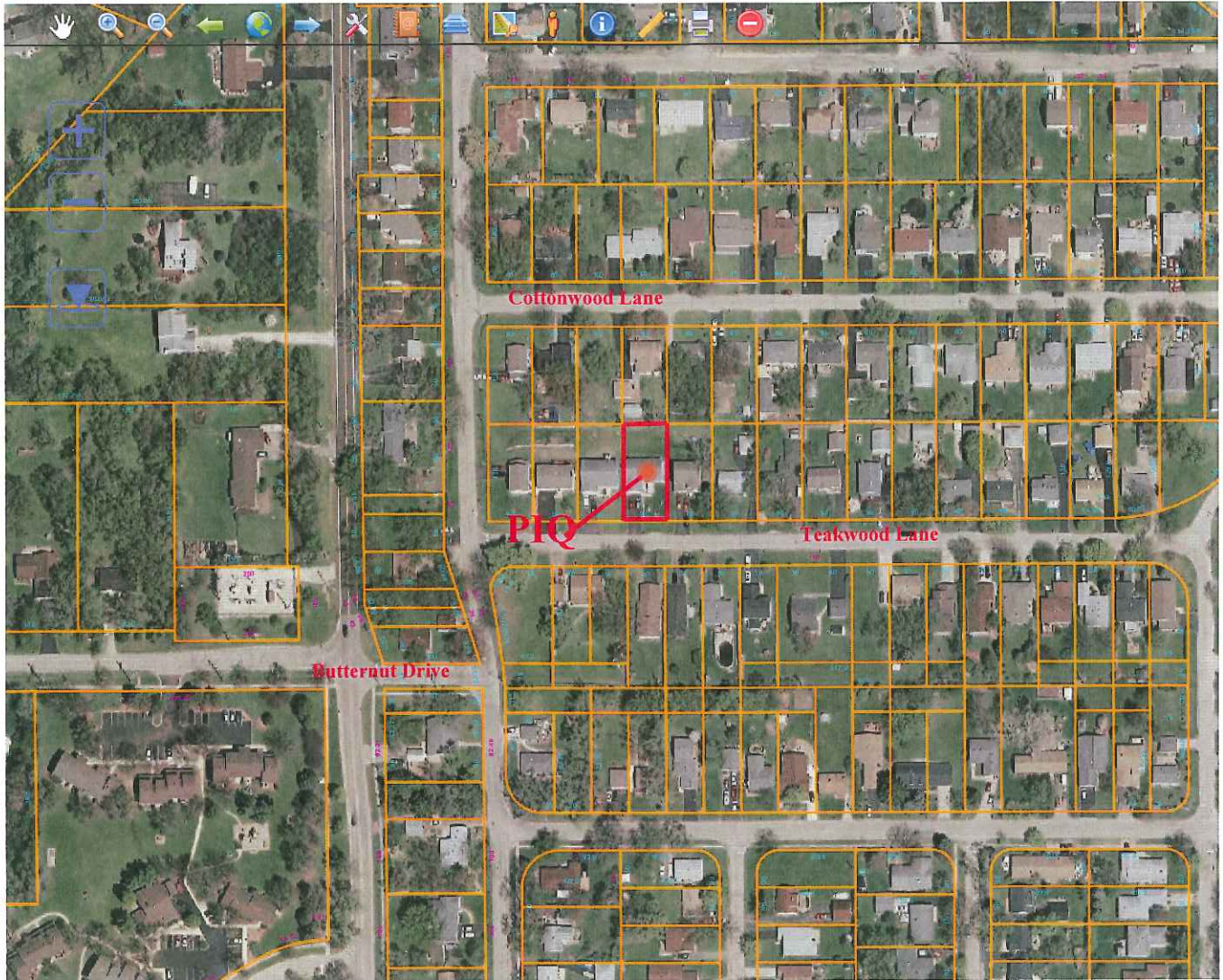
This application is filed for the purpose of seeking a Special Use Permit Amendment pursuant to Article 2-400, Article 9-200 D to allow a home daycare to care for up to 12 children. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission on this request will be held at 7:30 p.m. on Wednesday, August 5, 2015, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be

present.
Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
July 13, 2015.) NW 6988

CITY OF
Crystal Lake Illinois



Evacuation Plan

Pitter Patter Pathways

Tornado:

1. Stay, or go, inside, downstairs in the hallway away from windows and close all the doors. A flashlight is located on the kitchen counter within reach in the hallway.
2. Children should protect their heads. Adults should straddle infants, and protect their own heads,
3. Wait in the hall until the storm passes.
4. Call 911 if able.

Fire:

1. Leave the house and go outside to the mailbox in the front yard. Keep children inside the fenced area.
 - a. Use the main exit with stairs connecting the two levels, the front door, or the patio door to the backyard.
 - b. Use the egress window located on the loft.
2. If shelter is needed, proceed to the neighbor's home located on either side of the daycare home. Do not cross, or walk on the street. Walk in the yards.
3. A fire extinguisher is located on the kitchen counter.

Illness:

1. Separate the child from other children, and retrieve the first aid kit located in the outdoor basket.
2. Take the child's temperature either orally or under the arm pit with the thermometer, or administer first aid as needed.
3. Contact the parent. The child will be excluded from care when:

- The child has a fever (101oral/100 under arm, or is persistently crying, or has difficulty breathing).
 - The child is unable to participate in the program activities (for example if the child cannot go outdoors to play).
 - The child requires more care than the provider can reasonably provide and still care for the other children.
 - The child has a condition, for example diarrhea, rash, or vomiting that requires exclusion to protect the other children from being exposed to a transmissible infectious disease.
 - The child must be fever-free for 24 hours before returning for care.
 - The provider may request that the child have a doctor's note stating that the child may return to care.
4. Notify the parent regarding the symptoms of the child, and make arrangements for the parent to retrieve the child.

Injury:

1. Separate the child from other children, and retrieve the first aid kit located in the outdoor basket. A larger first aid kit, along with cpr/first aid instructions is located in the locked cabinet to the right of the microwave downstairs.
2. Administer first aid as needed.
3. Contact the parent. The child will be excluded from care when:
 - The child has a fever (101oral/100 under arm, or is persistently crying, or has difficulty breathing).
 - The child is unable to participate in the program activities (for example if the child cannot go outdoors to play).
 - The child requires more care than the provider can reasonably provide and still care for the other children.
 - The child has a condition, for example diarrhea, rash, or vomiting that requires exclusion to protect the other children from being exposed to a transmissible infectious disease.
 - The child must be fever-free for 24 hours before returning for care.

- The provider may request that the child have a doctor's note stating that the child may return to care.
4. Notify the parent regarding the symptoms of the child, and make arrangements for the parent to retrieve the child. If possible call the parent before calling 911 to request permission to call an ambulance.
 5. Make arrangements with the parent as to when they can retrieve the child.
 6. Complete an injury report using the Injury Report Form located in the Child Records Binder by the front window downstairs.



AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AND VARIATION
AT 1394 TEAKWOOD LANE

WHEREAS, pursuant to the terms of a Petition (File #2006-79) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a Home Day Care and Zoning Variation from Section 3 to allow the petitioner to provide care for up to 8 children instead of the maximum 7 allowed for the property located at 1394 Teakwood Lane; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued as requested in said Petition.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit be issued to allow a Home Day Care for the property commonly known as 1394 Teakwood Lane, Crystal Lake, Illinois.

SECTION II: Said Special Use is issued with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Beard, received 09/25/06).
 - B. Plat of Survey (Land Technology, dated 10/1/01).
2. The petitioner shall work with staff to provide an adequately sized fenced outdoor play area within 30 days of Council approval.
3. A Zoning Ordinance Variation from Section 3 to allow the petitioner to provide care for a maximum number of 8 children, who are under the age of 12, including their own, for less than 24 hours a day is hereby granted.
4. A life safety inspection shall be conducted prior to Council approval. Contact the Crystal Lake Fire Prevention Bureau as soon as possible to set up this inspection.

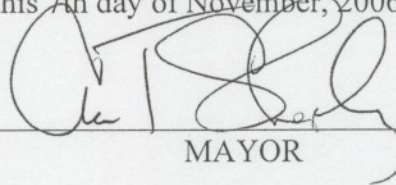
5. The petitioner shall comply with all of the requirements of the Building, Engineering, Fire/Rescue, Police and Public Works Departments.

6. Unannounced inspections will be conducted by the Fire Prevention Bureau.

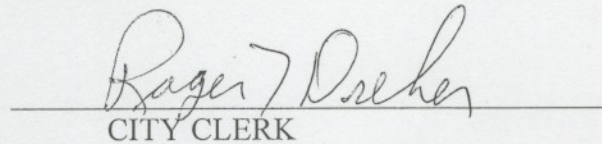
Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATED at Crystal Lake, Illinois, this 7th day of November, 2006.


MAYOR

ATTEST:


CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

Ordinance restricting parking on Amberwood Drive

Victor Ramirez, Director of Engineering and Building, explained that the proposed restrictions along both sides of the 90 degree curve would greatly enhance safety in the area.

Councilwoman Brady Mueller moved to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council making it unlawful to park, stand or stop any vehicle on the west side of Amberwood Drive from a point that is 216 feet south of the Windslow Circle and Amberwood Drive intersection right-of-way centerline to a point 397 feet south of the Windslow Circle and Amberwood Drive centerline right-of-way and on the east side of Amberwood Drive from a point that is 278 feet south of the Windslow Circle and Amberwood Drive intersection right-of-way centerline to a point that is 378 feet south of the Windslow Circle and Amberwood Drive intersection right-of-way centerline. Councilman Goss seconded the motion. On roll call, all present vote yes. Motion passed.

The Woods of Crystal Lake – 444 Route 31 – Final PUD Amendment for the addition of wood decks to the north side of office building #3 and Zoning Variation to allow the proposed decks to exceed the permitted encroachment into the rear yard setback.

Greg Schmitt of Talon Development was present for the matter. He stated that the purchaser of Building #3 had requested to have decks on the rear of the building, which they felt would enhance the building and not negatively affect stormwater management, traffic flow or any new trees or landscaping.

Mayor Shepley noted that the Planning and Zoning Commission had voted to recommend approval by an 8-0 margin, and asked Mr. Schmitt if he was in agreement with their conditions. Mr. Schmitt stated that he was. Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilwoman Ferguson moved to approve the recommendations of the Planning and Zoning Commission and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council authorizing the Zoning Variation and Final PUD Amendment for office building #3 in The Woods of Crystal Lake (Talon) at 444 Route 31. Councilman Thorsen seconded the motion. On roll call, all present voted yes. Motion passed.

1394 Teakwood – Special Use Permit for a Home Day Care and Zoning Variation from the maximum number of 7 children permitted for a Home Day Care to allow 8 children.

Attorney Paige Hoyt and petitioner Kristine Beard were present for the matter. Ms. Hoyt noted that the Planning and Zoning Commission had voted 8-0 to approve the Special Use Permit, but had denied the variation to be consistent with another property variation that had been denied last July. She stated that this petition should not be compared with that one, since the circumstances were much different. Ms. Hoyt stated that Ms. Beard was only requesting one more child be allowed in her daycare for a total of 8, and that they were dropped off and picked up at various times of the day with none in the late evenings. She stated that the other request had been objected to by several neighbors, but there were no objections to Ms. Beard's request and there had been no complaints. She noted that Ms. Beard had received special training from DCFS to work with special needs children, who flourish under her care. She stated that to deny the

request would be a disservice to the parents who rely on her care of their children, as she would have to choose one child to let go. She added that having one more child than allowed under the City's ordinance would not adversely affect the neighborhood.

Mayor Shepley asked if anyone in the audience wished to speak on the matter.

Stephanie Fitch spoke highly in favor of the petition and Ms. Beard's care of children, noting the difference between her daycare facility and other daycare facilities she has had experience with, and noting her work with special needs children. She urged the Council to grant the request.

A man in the audience stated that he was the primary caregiver for his special needs daughter, and worked at 3 jobs to be able to do that. He stated that there were still times when he needed day care, and spoke very highly about Ms. Beard's care. He urged the Council to approve the request.

Councilman Dawson stated that he did not have a problem with granting the request, but felt that the Council should make a decision on how many children should be allowed on a consistent basis. Councilwoman Ferguson stated that her stance has always been to adhere to DCFS's policy, stating that they were the experts in knowing how many children should be in a facility.

Councilman Thorsen stated that he was not in favor of blanket DCFS numbers because the Council needed to consider the impact on a neighborhood. Councilwoman Brady Mueller stated that she agreed with Councilwoman Ferguson regarding DCFS.

Mayor Shepley stated that he also supported this petition, noting that in order to be granted a variation, a hardship must be proven and he felt Ms. Beard had demonstrated a hardship. He stated that economic factors, such as noted in the July petition, were not a hardship. He stated that DCFS exists exclusively for the protection of the children, and the City Council's job was to determine the impact on the neighborhood.

Councilman Dawson moved to approve the recommendations of the Planning and Zoning Commission and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council authorizing a Special Use Permit and Zoning Variation to allow up to 8 children, including her own, for Ms. Beard's daycare facility at 1394 Teakwood Drive. Councilman Thorsen seconded the motion. The City Attorney clarified that the approval was for this petition only, and did not go with the property. On roll call, all present voted yes. Motion passed.

Acceptance of the Annual Audit for the Fiscal Year 2005/2006

Mark Nannini, Finance Director, stated that the City is financially sound and noted that the Annual Audit document was quite extensive. He introduced Linda Abernathy of McGladery and Pullen, LLP. Ms. Abernathy confirmed that the City had a clean audit, with the best opinion possible. Mayor Shepley noted that one of the greatest obligations of the City Council was to the taxpayers, and Ms. Abernathy confirmed that the City was meeting those obligations.

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 18, 2006
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chair Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Greenman, Hopkins, Jouron, Schofield, Skluzacek, and Hayden were present.

Michelle Rentzsch, Planning Director, Leslie Schott, Planner, and James Richter, Senior Planner, were present from Staff.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station. He stated that there are a number of items on the agenda and asked that those in attendance, who wished to speak on any of the petitions, please sign in on the sheets provided for each petition.

2006-79 BEARD – 1394 Teakwood Ln. – PUBLIC HEARING

Special Use Permit, Variation for a home day care.

Mr. Hayden stated the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice with no objection.

Paige Hoyt, attorney, and Kristine Beard, petitioner, were present to represent the petition. Ms. Hoyt said the petitioner is currently licensed by DCFS to have up to 12 children in her home daycare. They will need to put a fence in the front yard since the rear yard is too steep for the children to play in. The fence will be 3 feet in height. Ms. Hoyt said the driveway is 33 feet long and can hold up to 6 cars. She said Ms. Beard does have an on-call assistant.

Ms. Hoyt stated that one additional child would not be a noise problem since they are outside for only an hour a day. She said the petitioner rarely has 8 children in the home at one time. The children are dropped off between 7 and 8 a.m. and picked up between 3 and 6:30 p.m. at varying times. Ms. Hoyt said the lot is zoned "R-2" and the house is 2,000 square feet, which DCFS allows 12 children for a home of that size.

Ms. Hoyt said the Fire Protection District asked to see the home and they received the report earlier in the day. There were a couple of things mentioned that need to be repaired.

Ms. Hoyt said the petitioner has two special needs children under her care. It is very hard to find day care for children with special needs. She said the hardship is on the Community. The traffic for this use is spread out over a period of time. There also may be one child who stays into the evening hours but not 11 children.

Ms. Hoyt said they understand the requirement for a fence. She said the State of Illinois has grants for home daycares but the grants can take 90 days to receive. They would request that they be given longer than 30 days to put up the fence.

Mr. Hayden said they recently have experienced a better working relationship with DCFS. He said our ordinance requires home daycares to have a Special Use Permit. They believe there are approximately 20 to 25 home daycares within Crystal Lake that don't have the City's Special Use Permit. Mr. Hayden said they want to be fair and consistent with all of the uses.

Jennifer Bartell said she hasn't lived in Illinois very long. Her hours vary so Kinder Care wasn't an option. She has had a bad experience with an unlicensed day care in the past.

Chris Krambeer, 7413 Redwood, said he has two children in daycare and one has a disability. He said since his one son has been in Ms. Beard's care he has made progress. Mr. Krambeer said her services are vital to them.

Mr. Hayden asked for a show of hands from the people in attendance who support this request. There were many. He asked for a show of hands for those who opposed the use. There were none.

Tracey Schocke, 2014 Swinford, McHenry, said she looked at several home daycares before deciding on this one. Ms. Schocke said Ms. Beard does a lot of learning things with numbers and letters with the children. She said in a center, the children would be divided by ages while in a home daycare they learn how to be with kids of other ages.

Jan Fox, 1560 Wicker St, Woodstock, said there is a list of licensed home daycare facilities that the County keeps. She said they are very supportive of both the home daycares and the centers. She said McHenry County and surrounding areas need them.

Mr. Hayden said the City is in the process of creating a unified ordinance and updating sections of the current ordinances. He said he was giving some thought of possibly basing the number of children allowed based on the size of the property but changes to the current ordinances are some time off.

There was no one else in the public who wished to speak on this petition. The public hearing was closed at this time.

Mr. Skluzacek said he has no problem with the home daycare but would like to keep the approval at 7 until our ordinance changes. Mr. Batastini agreed and added that they need to be consistent with their approval of the number of children.

Mrs. Schofield asked if the number of children allowed includes or excludes the children that already live in the house. Ms. Schott read the definition from the Zoning Ordinance.

Ms. Hoyt said she has a copy of the minutes from the July 5th hearing for Kidzone. She understands why the Commission would want to be consistent but believe they need to look at on a case-by-case basis. Ms. Hoyt said Kidzone was requesting 12 children until 11 p.m. and there was resistance from surrounding property owners. Mr. Hayden said both requests are in quiet residential areas. He said the lot for Kidzone was larger and had a 6-foot fence. This is a smaller lot with a shorter fence.

Erick Pieler, 710 Windsor, said City Council approved 7 children not including their own. Mr. Hayden said our ordinance states no more than 7 and DCFS says 8.

Mr. Batastini said the property on Teakwood has a detention pond in the rear yard. He said the 3-foot fence in the front yard is a concern.

Mr. Hayden asked if play equipment is allowed in a front yard. Ms. Schott said toys are allowed but not jungle gyms or structures of a permanent nature. Mr. Richter said what is not allowed normally could be allowed as a condition of the Special Use Permit. There is no requirement to permanently mount play equipment. He said the equipment on display on Route 176 was required because kids might play on it anyway without supervision.

Mr. Batastini asked about the different requirements between a home daycare and a commercial daycare. He said they still should be concerned about the safety of the children no matter where they are. Ms. Schott said this is a home first and a daycare as a secondary use. She said the Fire Prevention Bureau would be inspecting the homes on an annual basis. Ms. Rentzsch said the requirements of the Fire Safety Code couldn't be waived nor could variations be granted.

Ms. Rentzsch handed out the Council minutes for Kidzone. She said that Mr. Richter recalled the Council approving a variation for the number of children allowed and he was going to review the tape.

Mr. Greenman said he was impressed with the people who attended the meeting on the petitioner's behalf. He also thanked the petitioner for providing a needed service. He said the Commission needs to receive clarification on what was approved at Council for the other daycare.

Mr. Hayden asked what the petitioner would do if she didn't receive the grant from the State for the fence. Ms. Beard said she would have to put it on her charge card. Mr. Hayden asked if she could install the fence, pay for it on the credit card and pay off the charges when she received the grant. Ms. Beard said she would not receive the grant if the fence were already installed. Mr. Hayden asked if they would be using the basement for the daycare. Ms. Beard said they don't have a basement. The home is a raised ranch.

Mr. Esposito said he has no problem with the request. He has heard many wonderful things about the petitioner prior to the meeting. He said he voted no for the previous request because of the traffic in that area and the location near the high school.

Ms. Rentzsch reported that the room with the tape is locked and they can't view it at this time. She said based on the body of the Council minutes, there was no variation granted.

Mr. Greenman asked if it possible to add allowing the City to inspect the home daycare unannounced during normal business hours. Ms. Rentzsch said they would work with the City Attorney on the wording for that condition.

Mr. Hayden said in the future they would be receiving the report from the Fire Prevention Bureau with their packets.

Mr. Greenman moved to approve the Special Use Permit for a Home Day Care at 1394 Teakwood Lane with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Beard, received 09/25/06).
 - B. Plat of Survey (Land Technology, dated 10/1/01).
2. The petitioner shall work with staff to provide an adequately sized fenced outdoor play area within 30 days of Council approval.
3. ~~A Zoning Ordinance Variation from Section 3 to allow the petitioner to provide care for a maximum number of 8 children, who are under the age of 13, including their own, for less than 24 hours a day is hereby granted.~~
4. A life safety inspection shall be conducted prior to Council approval. Contact the Crystal Lake Fire Prevention Bureau as soon as possible to set up this inspection.
5. The petitioner shall comply with all of the requirements of the Building, Engineering, Fire/Rescue, Police and Public Works Departments.

6. Unannounced inspections will be conducted by the Fire Prevention Bureau.

Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Greenman moved to approve the Zoning Variation from Section 3 to allow the petitioner to provide care so long as it is consistent with the previous Council approval for Kidzone in home day care at 710 Windsor Drive at 1394 Teakwood Lane with the following condition:

1. ~~Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Beard, received 09/25/06).
 - B. Plat of Survey (Land Technology, dated 10/1/01).~~
2. ~~The petitioner shall work with staff to provide an adequately sized fenced outdoor play area within 30 days of Council approval.~~
3. A Zoning Ordinance Variation from Section 3 to allow the petitioner to provide **care so long as it is consistent with the previous Council approval for Kidzone in home day care at 710 Windsor Drive** provided for a maximum number of 8 children, who are under the age of 13, including their own, for less than 24 hours a day is hereby granted. **(It has since been determined that 7 maximum was granted, so no variation was granted.)**
4. ~~A life safety inspection shall be conducted prior to Council approval. Contact the Crystal Lake Fire Prevention Bureau as soon as possible to set up this inspection.~~

~~5. The petitioner shall comply with all of the requirements of the Building, Engineering, Fire/Rescue, Police and Public Works Departments.~~

Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.