



## #2012-89 Hughes & Sons Annexation Project Review for Planning and Zoning Commission

---

**Meeting Date:**

August 3, 2016

**Request:**

- 1) Rezoning upon annexation to W- Watershed,
- 2) Special Use Permit for outdoor storage of material and equipment, and
- 3) Special Use Permit for two wireless communications towers.

**Location:**

652 W. Terra Cotta Ave

**Acreage:**

Approximately 0.5 acres

**Existing Zoning:**

B-1 – Neighborhood Business & B-3 – General Business (McHenry County)

**Surrounding Properties:**

North: W – Watershed  
South: W – Watershed & B-2 – General Commercial  
East: R-2 – Single-Family Residential  
West: W – Watershed

**Staff Contact:**

Kathryn Cowlin (815.356.3798)

---

**Background:**

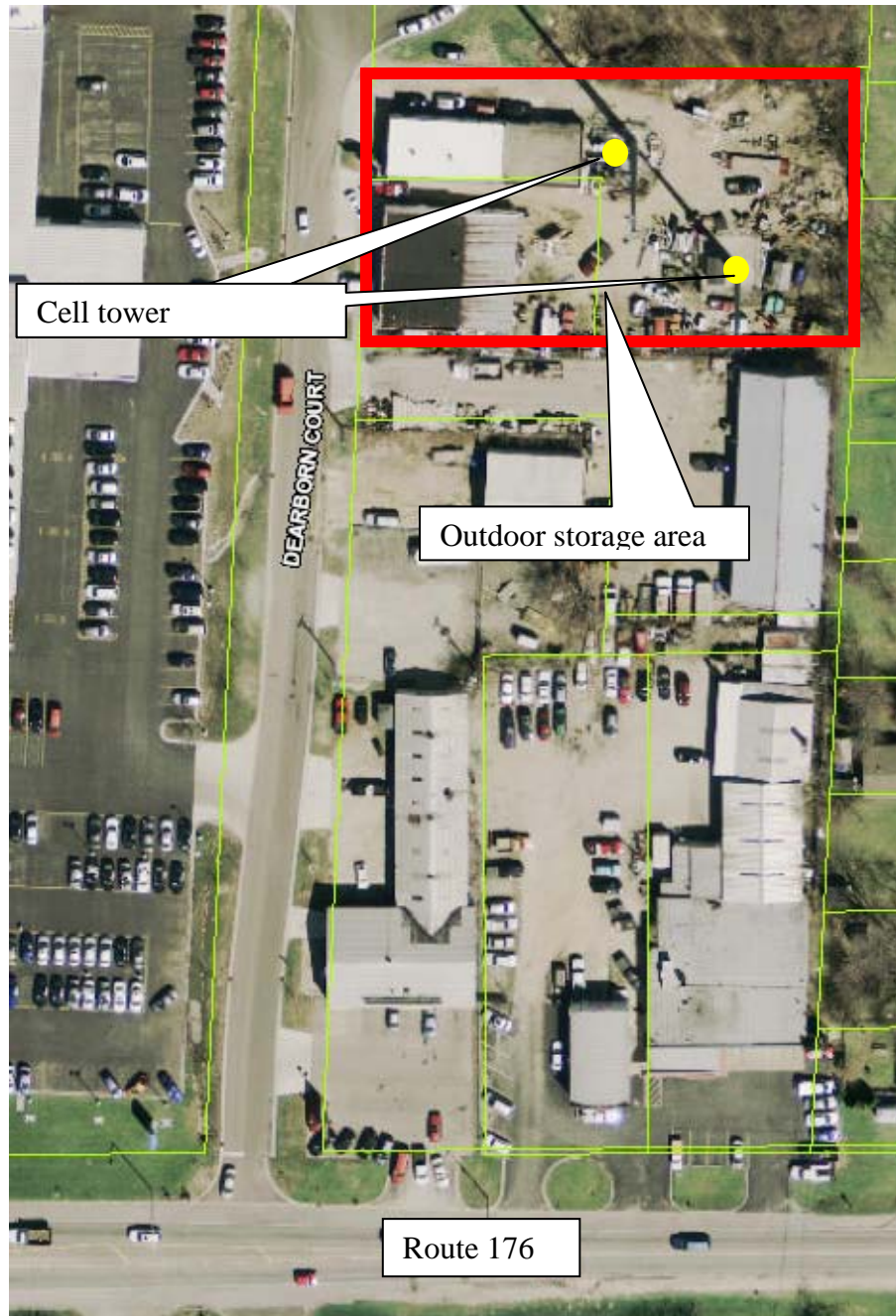
- Existing Use: The property is currently improved with Hughes & Sons Signs Company and its ancillary outdoor storage of vehicles, equipment and materials. An auto repair business is also located on the property.
- The existing conditions of the property would be allowed to remain ‘as is’ upon annexation into the City and allowed to continue for the term of the annexation agreement.
- History: This property is a county island, meaning it is surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

**Development Analysis:**

**General**

- Request: To zone the property W-Watershed upon annexation and a Special Use Permit for the two existing wireless communication towers and outdoor storage of vehicles, equipment and materials.

- Land Use: The land use map shows the property as Commerce. No Comprehensive Land Use Plan Map Amendment is necessary at this time.
- Zoning: The property is currently zoned B-1 – Neighborhood Business and B-3 General Business in McHenry County. The property will be rezoned to W-Watershed with M-Manufacturing standards and uses, which is appropriate for the existing sign and auto repair business.
- The outdoor storage and cell towers are located in the rear of the properties.



**Findings of Fact:**

**REZONING**

- The property is currently zoned B-1 Neighborhood Business & B-3 General Business in McHenry County. Property annexed into the City of Crystal Lake comes in as E- Estate zoning unless rezoned to the appropriate zoning district.
- The property would be rezoned to the City's W- Watershed zoning district upon annexation.

Criteria for Rezoning

(a) The existing uses and zoning of nearby property.

*Meets*                       *Does not meet*

(b) The extent to which property values are diminished by a particular zoning classification or restriction.

*Meets*                       *Does not meet*

(c) The extent to which the destruction of property value of a petitioner property owner promotes the health, safety, morals or general welfare of the public.

*Meets*                       *Does not meet*

(d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.

*Meets*                       *Does not meet*

(e) The suitability of the subject property for its zoned purposes.

*Meets*                       *Does not meet*

(f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.

*Meets*                       *Does not meet*

(g) The Comprehensive Plan designation and the current applicability of that designation.

*Meets*                       *Does not meet*

(h) The evidence or lack of evidence, of community need for the use proposed.

*Meets*                       *Does not meet*

**SPECIAL USE PERMIT**

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*

Outdoor sales, service, storage or display. All outdoor sales, service, storage or display must comply with the following standards:

1. General: An on-site circulation pedestrian and vehicle plan, illustrating the location of the sales, service, storage or display area shall be provided.

*Meets*                       *Does not meet*

2. Site design: Outdoor service or storage areas shall be located at the rear of the property. Special attention must be given to locate outdoor service or storage areas away from adjacent residential properties and at the least obtrusive location for adjacent commercial uses.

*Meets*                       *Does not meet*

3. Screening: All outside service or storage areas shall be screened from view with solid wooden fencing or opaque landscaping, in accordance with the standards in Section 4-700, Fences, walls and screening. The height of the fencing shall be adequate to conceal the stock, equipment or materials from view of adjacent properties. In cases where the height of materials exceeds 15 feet in height making it difficult to screen with fencing and landscaping, consideration will be given to the type of materials being stored and the impact of the visibility on the adjacent and surrounding property owners.

*Meets*                       *Does not meet*

*Meets requirement, the outdoor storage area is screened with a chain link fence and buildings.*

4. Other applicable regulations: Written evidence, that applicable standards and requirements for health and safety protection and licensing by jurisdictions other than the City, as well as those required by the City ordinances, have been met shall be provided.

*Meets*                       *Does not meet*

5. All outdoor sales, service, storage and display must meet the Guidelines for Outdoor Sales, Service, Storage and Display that are included in the Appendix.

*Meets*                       *Does not meet*

Radio transmission towers, wireless communication facilities. All radio transmission towers and wireless communication facilities must comply with the following standards:

1. Towers shall be designed to meet the wind loading requirements specified in the American National Standards Institute TIA-222-F Report, as amended.  
 *Meets*                       *Does not meet*
  
2. The owner/applicant shall provide documentation to the City demonstrating that the structural integrity of the towers and antenna will continue to comply with state and federal standards, local building codes, and the applicable standards for towers published by the American National Standards Institute (ANSI), as amended. If, upon inspection, it is determined a tower fails to comply with such standards and constitutes a danger to persons or property, the owner shall be notified that he/she has 30 days to bring the tower into compliance. Failure to bring the tower into compliance within 30 days shall constitute grounds for the removal of the tower at the owner's expense.  
 *Meets*                       *Does not meet*
  
3. Freestanding wireless communication or radio transmission towers shall not exceed 200 feet in height as measured from the tower base to the highest point of the tower and any attached receiving or transmitting device.  
 *Meets*                       *Does not meet*
  
4. Franchises and licenses: The operator shall provide documentation to the City to demonstrate that all franchises and licenses required by law for the construction and/or operation of a tower or antenna have been obtained.  
 *Meets*                       *Does not meet*
  
5. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color (i.e., light grey) to reduce visual obtrusiveness or painted in a sky-tone above the top of surrounding trees and in an earth-tone below the treetop level.  
 *Meets*                       *Does not meet*
  
6. At a tower site, the design of buildings and related structures shall, to the maximum extent practicable, use materials, colors and architectural styles, that blend into the natural setting and surrounding buildings.  
 *Meets*                       *Does not meet*
  
7. Storage: No outside storage shall be allowed on any facility site.  
 *Meets*                       *Does not meet*

8. Lighting: Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.  
 *Meets*                       *Does not meet*
9. A single sign measuring no more than two square feet in size shall be located on or near the tower, and shall identify the tower owner, the street address of the tower, the owner's identification code for the tower, and a twenty-four-hour emergency contact telephone number.  
 *Meets*                       *Does not meet*
10. No commercial advertising shall be allowed on the tower or its related facilities.  
 *Meets*                       *Does not meet*
11. Single lot: Towers, guy anchors, equipment buildings, and any other appurtenances related to the tower shall be considered as being located on one zoning lot.  
 *Meets*                       *Does not meet*
12. Setbacks: Wireless communications facilities shall comply with the following setback standards. Self supporting and monopole towers shall be setback from all property lines by a distance of 110% of the height of the tower.  
 *Meets*                       *Does not meet*
13. Equipment buildings associated with a wireless communication facility shall meet the minimum setback requirements for the zoning district where located.  
 *Meets*                       *Does not meet*
14. Separation: If an applicant proposes a new wireless communications tower or radio transmission tower within 1,200 feet of an existing tower, the applicant shall submit a statement indicating the reasons why the existing tower(s) was inadequate or unavailable. The Zoning Administrator shall allow the owner of such existing tower an opportunity to comment prior to making a decision.  
 *Meets*                       *Does not meet*
15. Collocation: New wireless communication or radio transmission towers shall provide evidence that the tower is structurally designed to support at least three additional users, and provide a written statement that the owner of the tower is willing to permit other user(s) to attach communication facilities, on a commercially reasonable basis, which do not interfere with the primary purpose of the tower. The site plan shall indicate a location for at least one equipment building in addition to that proposed for use by the applicant. A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless a monopole is determined more appropriate at the specific location. If an existing tower is

increased in height or reconstructed to accommodate the collocation of additional antenna it shall meet the height restrictions outlined within this section of the Ordinance.

*Meets*                       *Does not meet*

16. Landscaping: Unless existing vegetation provides a buffer strip, all property lines along roadways or visible to existing abutting or nearby buildings (within 1/4 mile radius), for all facilities shall be landscaped as follows:

- a. With six-foot to eight-foot evergreen shrubs planted in an alternate pattern, five feet on center and within 15 feet of the site boundary; or
- b. With at least one row of deciduous trees, not less than 2 1/2 inch to three inches caliper measured three feet above grade, and spaced not more than 30 feet apart and within 25 feet of the site boundary; or
- c. With at least one row of evergreen trees at least four to five feet in height when planted, and spaced not more than 15 feet apart within 40 feet of the site boundary.
- d. In lieu of the foregoing, the Planning and Zoning Commission may determine that the existing vegetation must be supplemented to meet an equivalent means of achieving the desired goal of minimizing the visual impact.

*Meets*                       *Does not meet*

17. Security fencing: Towers, guy anchor supports, and ground-based equipment buildings shall be enclosed by security fencing not less than eight feet in height and equipped with an appropriate anti-climbing device.

*Meets*                       *Does not meet*

18. Radiation reporting: It shall be demonstrated that the proposed tower, antenna, and supporting equipment complies with FCC nonionizing radiation requirements for individual and combined facilities.

*Meets*                       *Does not meet.*

19. Interference: No wireless communications tower, antenna, or supporting equipment shall interfere with equipment operated by the City of Crystal Lake.

*Meets*                       *Does not meet*

**Recommended Conditions:**

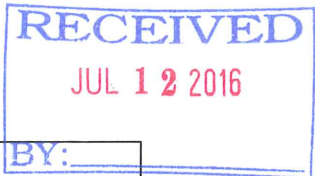
- 1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Gottmoller, received 07/12/16)
  - B. Petition to Annex (Gottmoller, received 07/12/16)
  - C. Petition to Zone (Gottmoller, received 07/12/16)



2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on the grass is prohibited.
3. The petitioner shall comply with all the watershed requirements and would need to take precautions to ensure any outdoor storage would not contaminate the surface and ground water that flows to the lake, including, but not limited to, using mats under any leaking vehicles and not storing any hazardous materials on site.
4. The petitioner shall comply with the requirements of the Community Development Department.

**CITY OF CRYSTAL LAKE  
DEVELOPMENT APPLICATION**

Please type or print legibly



OFFICE USE ONLY  
CASE #

**PROJECT TITLE:** Home State Bank Trust 5331 Zoning upon Annexation

**ACTION REQUESTED:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Annexation        | <input type="checkbox"/> Preliminary PUD                 |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review        | <input checked="" type="checkbox"/> Rezoning             |
| <input type="checkbox"/> Final PUD                    | <input checked="" type="checkbox"/> Special Use Permit   |
| <input type="checkbox"/> Final PUD Amendment          | <input checked="" type="checkbox"/> Variation            |
| <input type="checkbox"/> Final Plat of Subdivision    | <input type="checkbox"/> Other:                          |

**Petitioner Information:**

NAME: Home State Bank Trust 5331  
C/O Kathryn Hughes, Patricia Hughes and Dennis Hughes  
 ADDRESS: PO Box 367  
Crystal Lake, IL 60039-0367  
 PHONE: 815 459 1887  
 FAX: 815-459-8872  
 E-MAIL: penny.hughessign@sbcglobal.net

**Owner Information:(if different)**

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

**Property Information:**

**Project Description:** The petitioner is seeking upon annexation a zoning classification of M-Manufacturing, a special use permit for outside storage and cell towers to allow the existing buildings to remain and continue operating without a rear transition yard, and a variation allowing the continued using of the existing signage on the property and a variation to allow the two cell towers to remain on the property. All subject to annexation by the City.

**Project Address/Location:** 652 W. Terra Cotta Ave, Crystal Lake Illinois. The property is located off of Dearborn Court on the North side of Route 176 and runs perpendicular to Route 176.

**PIN Number(s):** Trust 5331 is 14-31-252-001

**Development Team:**

Developer: \_\_\_\_\_

Architect: \_\_\_\_\_

Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, 815 459-5152, FAX 815-459-0290

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

Surveyor: \_\_\_\_\_

Other: \_\_\_\_\_

This instrument is executed by Home State Bank/National Association, Crystal Lake, IL., not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.

**Signatures:**

Home State Bank Trust 5331

By: Thomas A. Tearney X Thomas A. Tearney

**THOMAS A. TEARNEY** PETITIONER: Print and Sign Name (if different from owner) Date  
**VICE PRESIDENT & SR. TRUST OFFICER**

By: \_\_\_\_\_ X \_\_\_\_\_

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

By: \_\_\_\_\_ X \_\_\_\_\_

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 actions.

By \_\_\_\_\_

OWNER: Print and Sign Name Date



# CITY OF CRYSTAL LAKE DEVELOPMENT APPLICATION

Please type or print legibly

OFFICE USE ONLY  
CASE #

**PROJECT TITLE:** Hughes Partnership Zoning upon Annexation

### ACTION REQUESTED:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Annexation        | <input type="checkbox"/> Preliminary PUD                 |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review        | <input checked="" type="checkbox"/> Rezoning             |
| <input checked="" type="checkbox"/> Final PUD         | <input checked="" type="checkbox"/> Special Use Permit   |
| <input type="checkbox"/> Final PUD Amendment          | <input checked="" type="checkbox"/> Variation            |
| <input type="checkbox"/> Final Plat of Subdivision    | <input type="checkbox"/> Other:                          |

### Petitioner Information:

NAME: Hughes Partnership  
 C/O Dennis Hughes, Howard Hughes & Victoria Hughes  
 ADDRESS: 1015 S. State Street  
Marengo, IL 60152  
 PHONE: 815-482-7745  
 FAX: \_\_\_\_\_  
 E-MAIL: vickihughes65@gmail.com

### Owner Information:(if different)

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

### Property Information:

**Project Description:** The petitioner is seeking upon annexation a zoning classification of W-Watershed Improved Commercial, M-Manufacturing District, a special use permit for outside commercial storage, set back variations from 30 to 5 feet and side yard setback variation from 20 feet to 5 feet to allow the existing buildings to remain and continue operating, a variation for road frontage to allow 55 feet of width, and a variation allowing the continued use of the existing signage on the property and possible future cell tower location. All subject to annexation by the City.

**Project Address/Location:** 652 W. Terra Cotta Ave, Crystal Lake Illinois. The property is located off of Dearborn Court on the North side of Route 176 and runs perpendicular to Route 176.

**PIN Number(s):** 14-31-252-002

**Development Team:**

Developer: \_\_\_\_\_

Architect: \_\_\_\_\_

Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, 815 459-5152, FAX 815-459-0290

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

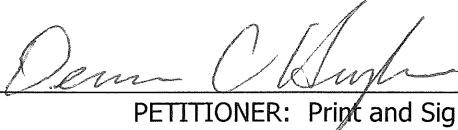
Planner: \_\_\_\_\_

Surveyor: \_\_\_\_\_

Other: \_\_\_\_\_

**Signatures:**

Hughes and Hare Partnership

By:  X  
PETITIONER: Print and Sign Name (if different from owner) Date

By: \_\_\_\_\_ X  
PETITIONER: Print and Sign Name (if different from owner) Date

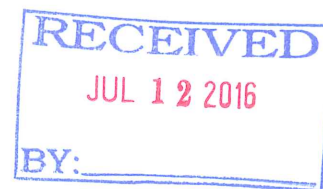
By: \_\_\_\_\_ X  
PETITIONER: Print and Sign Name (if different from owner) Date

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

By \_\_\_\_\_  
OWNER: Print and Sign Name Date

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

BEFORE THE CORPORATE AUTHORITIES OF  
THE CITY OF CRYSTAL LAKE  
MCHENRY COUNTY, ILLINOIS



IN THE MATTER OF THE APPLICATION OF )  
Home State Bank of Crystal Lake as Trustee under Trust Agreement )  
Dated January 6, 2004 and known as Trust No. 5331 )  
for the Entry into Annexation Agreement with the City )  
subject to the Annexation of the Properties by the City )  
Pursuant to the Ordinances of the City of Crystal Lake )

**PETITION FOR ANNEXATION**

Now comes the Petitioners, HOME STATE BANK OF CRYSTAL LAKE as Trustee under Trust Agreement dated January 6, 2004 and known as Trust Number 5331, and hereby respectfully petitions pursuant to Annexation Agreements to annex to the City of Crystal Lake, McHenry County, Illinois, the territory herein described in Exhibit A attached hereto and made a part hereof, and to zone the territory upon annexation following the required process in accordance with the request set forth below and states as follows:

1. The Territory herein described in Exhibit A, hereafter "Territory", is not within the corporate limits of any municipality.
2. The Territory is contiguous to the City of Crystal Lake, McHenry County, Illinois at the time of annexation.
3. The Petitioner Trust is the Owner of the Territory.

4. There are no electors residing on the property.
5. The Territory is located on the East side of Dearborn Road at the North end of the road, directly East of the new Brilliance Honda dealership.
6. That the Territory contains approximately .59 acres.
7. That the name and address of the beneficial owners of the property are Dennis Hughes, Kathryn Hughes and Patricia Hughes. All of whom may be reached at P.O. Box 367, Crystal Lake Illinois 60039-0367.
8. That the permanent property index numbers are set forth in Exhibit A.

WHEREFORE, the Petitioner respectfully requests the annexation of the Territory described in Exhibit A to said City subject to annexation agreements entered into between the Petitioners and the City mutually acceptable to the parties, in accordance with the law in such cases made and provided.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK

Dated in Crystal Lake, Illinois this 7 day of July, 2016.

Home State Bank of Crystal Lake as Trustee under Trust Agreement

Dated January 6, 2004 and known as Trust No. 5331

This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.

By Barbara Dunge Asst. TO

Attest: [Signature] VP

STATE OF ILLINOIS )

COUNTY OF McHENRY )

I, Jill Heffron, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Barbara Dunge and Brad M. Helcht personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act, and that they are authorized to act for the Land Trust and that they in fact did act for the land trust for the uses and purposes therein set forth.

Given under by hand and official seal, the 7 day of July, 2016.

[Signature]  
Notary Public

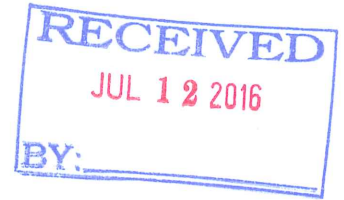




**Exhibit A**

14-31-252-001

BEFORE THE CORPORATE AUTHORITIES OF  
THE CITY OF CRYSTAL LAKE  
MCHENRY COUNTY, ILLINOIS



IN THE MATTER OF THE APPLICATION OF )  
Hughes Partnership, Owners, for the entry into an )  
Annexation Agreement with the City subject to the )  
Annexation of the Property by the City pursuant )  
to the Ordinances of the City of Crystal Lake )

**PETITION FOR ANNEXATION**

Now comes the Petitioners, Hughes Partnership, Owner, and hereby respectfully petitions pursuant to Annexation Agreements to annex to the City of Crystal Lake, McHenry County, Illinois, the territory herein described in Exhibit A attached hereto and made a part hereof, and to zone the territory upon annexation following the required process in accordance with the request set forth below and states as follows:

1. The Territory herein described in Exhibit A, hereafter "Territory", is not within the corporate limits of any municipality.
2. The Territory is contiguous to the City of Crystal Lake, McHenry County, Illinois at the time of annexation.
3. The Petitioner Partnership is the Owner of the Parcel.
4. There are no electors residing on the Parcel.
5. The Territory is located on the East side of Dearborn Road at the North end of the road, directly east of the new Brilliance Honda dealership.
6. That the Territory contains approximately .23 acres.
7. That the name and address of the Partners who own the property are owners of the property are Dennis Hughes, Howard Hughes and Victoria Hughes. All of whom may be reached at 1015 S. State Street, Marengo, IL 60152.

8. That the permanent property index number is 14-31-252-002.

WHEREFORE, the Petitioner respectfully requests the annexation of the Territory described in Exhibit A to said City subject to annexation agreements entered into between the Petitioners and the City, mutually acceptable to the parties, in accordance with the law in such cases made and provided.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK

Dated in Crystal Lake, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Hughes Partnership

By *Dennis Hughes*

Attest: \_\_\_\_\_

STATE OF ILLINOIS            )

COUNTY OF McHENRY        )

I, *Joseph Gottemoller*, a Notary Public in and for said county, in the state aforesaid, do hereby certify that *Dennis Hughes* and \_\_\_\_\_ personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act, and that they are authorized to act for the Partnership and that they in fact did act for the Partnership for the uses and purposes therein set forth.

Given under by hand and official seal, the *8* day of *July*, 2016.

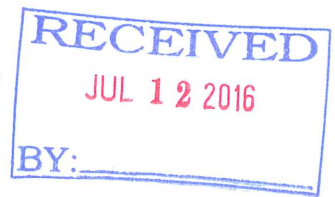
*Joseph Gottemoller*  
Notary Public

(Notary Stamp)



**Exhibit A**

14-31-252-002



BEFORE THE PLAN AND ZONING COMMISSION OF  
THE CITY OF CRYSTAL LAKE  
MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF )  
Home State Bank of Crystal Lake as Trustee under Trust Agreement )  
Dated January 6, 2004 and known as Trust No. 5331 )  
for Initial Zoning subject to the Entry into Annexation Agreement )  
with the City subject to the Annexation of the Properties by the City )  
Pursuant to the Ordinances of the City of Crystal Lake )

**PETITION FOR INITIAL ZONING**

Now comes the petitioner, Home State Bank of Crystal Lake as Trustee under Trust Agreement dated January 6, 2004 and known as Trust No. 5331, Owners, by and through their attorneys, MADSEN, SUGDEN & GOTTEMOLLER, to request the Planning and Zoning Commission of the City of Crystal Lake to recommend an initial zoning classification of Watershed Improved Commercial to have the subject property be designated for uses allowed in M-Manufacturing under the City of Crystal Lake Unified Development Ordinance (“UDO”) with a special use permit for outside storage and cell towers and variations to allow the continued uses currently in existence on the property, subject to a pending Petition to Annex the property, and in support thereof, petitioner states:

1. Home State Bank Trust Number 5331 is the owner of property which houses the Hughes Sign Company, two cell towers, some outside storage and parking. The beneficial owner of the land trust is TCB PARTNERS AN ILLINOIS GENERAL PARTNERSHIP. The partnership members are Patricia (Penny) Hughes, Kathryn Hughes and Dennis Hughes. The legal description of PIN 14-31-252-001 is described in Exhibit A.

2. Said property is subject to a petition to annex which is pending before City Counsel. Said properties have not been classified under the Zoning Ordinance of the City of Crystal Lake because they have yet to be annexed to the City of Crystal Lake.

3. The property is used for sign construction, manufacturing, auto repair (exhaust), outside storage of commercial equipment and materials, and two cell towers.

4. The property is currently developed watershed, and has an approximate acreage of .59 acres.

5. The property is between lands used and zoned as follows: North - Watershed Vacant Commercial; South - County zoning, M-Manufacturing Improved Commercial; West - Watershed Commercial (car dealership); East - R-2 Single Family Improved Lots.

6. The requested zoning of W-Watershed improved commercial with allowed uses of M-Manufacturing, special use permit for outdoor storage and cell towers, signage and variations are all requested in order to allow the existing uses on the properties to continue. All of the requests are consistent with the general purpose in the creation of commercial districts in the City of Crystal Lake under the Crystal Lake Zoning Ordinance. The City Comprehensive Plan calls for commerce on the property.

7. The initial zoning special use permits and variations for these parcels as described above, will not materially impair an adequate supply of light or air to the surrounding properties, increase the hazards of fire or other dangers, diminish the taxable value of land and buildings of the City and throughout the City, increase the congestion of public streets, or impair the public health, safety, comfort, morals and general welfare of the City.

8. The property's current use is the operation of a manufacturing business, commercial storage and cell towers.

WHEREFORE, the petitioner respectfully requests the Crystal Lake Planning Commission entertain this petition, set a date, time and place for a hearing on this matter. Further, petitioner prays that after such hearing and as a result thereof, the Board recommend to the City Council of Crystal Lake that the parcel be classified as W-Watershed Improved Commercial with the uses allowed in a M-Manufacturing District, issuance of a special use permit for outdoor storage and cell towers and signage variations and any other variations necessary to allow the continued use of this property for its current configuration and manufacturing uses under the terms and conditions of the City of Crystal Lake Zoning Ordinance.

Home State Bank Trust # 5331

By Barbara Burget ATO

Attest: [Signature] UP

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MCHENRY )

Barbara Burget ATO, after being first duly sworn, deposes on oath, states that he signed and delivered the foregoing instrument as his free and voluntary act and as the free and voluntary act of Home State Bank Trust # 5331, for the purposes set forth therein.

Barbara Burget ATO

Subscribed and sworn to before me  
this 7 day of July, 2016

[Signature]  
Notary Public

Prepared by: Joseph Gottemoller  
MADSEN, SUGDEN & GOTTEMOLLER  
One North Virginia Street, Suite A  
Crystal Lake, IL 60014



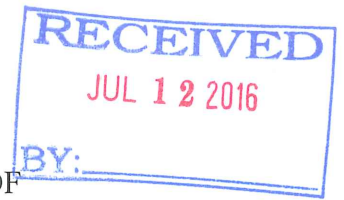
This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.



(815)459-5152

**Exhibit "A"**  
**Legal Description of Property**

14 31 252 001



BEFORE THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF CRYSTAL LAKE  
MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF )  
Hughes Partnership for the Initial Zoning of property )  
Subject to the Entry into an Annexation Agreement with )  
the City for the Annexation of the Property to the City )  
Pursuant to the Ordinances of the City of Crystal Lake )

**PETITION FOR INITIAL ZONING**

Now comes the petitioner, Hughes Partnership, Owner, by and through their attorneys, MADSEN, SUGDEN & GOTTEMOLLER, to request the Planning and Zoning Commission of the City of Crystal Lake to recommend an initial zoning classification of W-Watershed Improved Commercial to have the subject property be designated for uses allowed in M-Manufacturing District under the City of Crystal Lake Unified Development Ordinance (“UDO”) with a special use permit for outside storage and future cell towers, and to allow the continued uses currently in existence on the property, subject to a pending Petition to Annex the property, and in support thereof, petitioner states:

1. Hughes Partnership is the owner of property which houses a manufacturing company, cell towers, some outside storage and parking. The partnership members are Howard Hughes, Dennis Hughes and Victoria Hughes. The legal description of PIN 14-31-252-002 is described in Exhibit A.

2. Said property is subject to a petition to annex which is pending before the City Counsel. Said property has not yet been classified under the Zoning Ordinance of the City of Crystal Lake because it has yet to be annexed to the City of Crystal Lake.

3. The property is used for manufacturing, outside storage of commercial equipment and materials and future cell towers.

4. The property is currently developed watershed and has an approximate acreage of .23 acres.

5. The property is between lands used and zoned as follows: North – County zoning I-Industry; South – W-Watershed Improved Commercial, M-Manufacturing; West – W-Watershed Improved Commercial (car dealership); East – R-2 Single Family Improved Lots.

6. The requested zoning of W-Watershed Improved Commercial with allowed uses of Manufacturing with a special use permit for outdoor commercial storage and cell towers, and signage and set back variations are all requested in order to allow the existing uses on the properties to continue. All of the requests are consistent with the general purpose in the creation of commercial districts in the City of Crystal Lake under the Crystal Lake Zoning Ordinance. The City Comprehensive Plan calls for commerce on the property.


7. The initial zoning special use permits and variations for these parcels as described above, will not materially impair an adequate supply of light or air to the surrounding properties, increase the hazards of fire or other dangers, diminish the taxable value of land and buildings of the City and throughout the City, increase the congestion of public streets, or impair the public health, safety, comfort, morals and general welfare of the City.

8. The property's current use is the operation of a business and storage.

WHEREFORE, the petitioner respectfully requests the Crystal Lake Planning and Zoning Commission entertain this petition, set a date, time and place for a hearing on this matter. Further, petitioner prays that after such hearing and as a result thereof, the Commission recommend to the City Council of Crystal Lake that the parcel be classified as Watershed Improved Commercial

with the uses allowed in Manufacturing, issuance of a special use permit for outdoor commercial storage, and a cell tower, along with signage and setback variations and any other variations necessary to allow the continued use of this property in its current configuration and manufacturing uses under the terms and conditions of the City of Crystal Lake Zoning Ordinance.

Hughes Partnership

By 

Attest: \_\_\_\_\_

STATE OF ILLINOIS )

COUNTY OF McHENRY )

I, Joseph Gottemoller, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Dennis Hoopes and \_\_\_\_\_ personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act, and that they are authorized to act for the Partnership and that they in fact did act for the Partnership for the uses and purposes therein set forth.

Given under by hand and official seal, the 8 day of July, 2016.

Joseph Gottemoller  
Notary Public

(Notary Stamp)

Prepared by: Joseph Gottemoller  
MADSEN, SUGDEN & GOTTEMOLLER  
One North Virginia Street, Suite A  
Crystal Lake, IL 60014  
(815)459-5152



**Exhibit "A"**  
**Legal Description of Property**

14-31-252-002

## **PUBLIC NOTICE**

**BEFORE THE PLANNING AND  
ZONING COMMISSION OF  
THE CITY OF CRYSTAL LAKE,**

---

### **MCHERRY COUNTY, ILLINOIS**

**IN THE MATTER OF THE  
APPLICATION OF  
Home State Bank Trust 5331 and  
Hughes Partnership**

#### **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 upon the application of the Home State Bank Trust 5331 and Hughes Partnership for the following described real estate commonly known as 652 W. Terra Cotta Ave, Crystal Lake, Illinois 60014, PIN: 14-31-252-001 & 14-31-252-002.

The petitioner seeks a classification of a W- Watershed zoning district with M- Manufacturing uses upon annexation to allow the existing manufacturing uses to continue, a Special Use Permit for outdoor storage, a Special Use Permit for two wireless communications towers pursuant to Article 2-400, and any variations as necessary to approve the plans as presented. This request will allow the existing facility and operations to continue upon the annexation of the property into the City of Crystal Lake. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday August 3, 2016 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 19, 2016) 1208020



Map created on June 14, 2016.

© 2016 GIS Consortium and MGP Inc. All Rights Reserved.

The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law.

Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.