



THAT PART OF THE NORTH EAST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 12, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH AND WEST OF THE CENTER LINE OF SAID DITCH OF DRAINAGE DISTRIC NO. 1 (EXCEPTING THEREFROM THAT PART LYING EAST OF A LINE 567.21 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID QUARTER QUARTER SECTION), IN LAKE COUNTY, ILLINOIS

WHEREAS, your Department of Planning, Building and Development duly considered the aforesaid petition and recommends that it be approved to allow the enlargement of the day camp; and

WHEREAS, your Zoning Board of Appeals, after reviewing the testimony presented at the public hearing on the aforesaid petition, has submitted its report thereon to the County Board and its report recommends by a vote of 7-0 that the petition be granted subject to the conditions contained in their recommendation; and

WHEREAS, your Planning, Building and Zoning Committee duly considered the petition and reports aforescribed and recommends by a vote of 6-0 that the petition be granted subject to the conditions attached hereto as Exhibit A. Motion by Member Mountsier, seconded by Member Sabonjian, to grant the petition. Voting "Aye": Members Martini, Sabonjian, Mountsier, Leafblad, Gravenhorst and Newton; voting "Nay", none.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board, that the prayer of the Petitioner be granted and that the above described real estate shall be issued a Conditional Use Permit to amend CUP #96-271-RS (ZBA #3005) in accordance with and subject to the conditions contained in Exhibit A; and

BE IT FURTHER RESOLVED that the County Board accepts the findings of the Zoning Board of Appeals and adopts them as its own; and

BE IT FURTHER RESOLVED, that the Secretary of said Zoning Board of Appeals be instructed to notify the petitioner as to the action taken by the Board.

STATE OF ILLINOIS            )  
  )  
COUNTY OF LAKE            )        SS

COUNTY BOARD, LAKE COUNTY, ILLINOIS  
August 12, 2008

MADAME CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

The Lake County Zoning Board of Appeals has conducted a public hearing on the application of Chicago Title and Trust Co., T/U/T #11649 which requests a Conditional Use Permit to amend CUP #96-271-RS (ZBA 3005) to expand the day camp area and extend both its operating hours and period of operation. After due consideration, we hereby recommend by a vote of 7 to 0 that this application be approved subject to the following conditions.

RECOMMENDED CONDITIONS:

The requested Conditional Use Permit for the purpose of amending C.U.P. #96-271-RS [ZBA #3005 to allow a camp on parcels 15-12-100-010 and -013 (1181 Riverwoods Road, Lake Forest, IL.)], extend the hours of operation and extend the period of operation shall be subject to the following conditions:

1. Banner Day Camp may operate as a camp year round.
2. Hours of operation for camp activities will be 8:00 a.m. to 9:30 p.m. All outdoor camp activities will end by the earlier of scheduled sunset or 8:30 p.m. All indoor activities shall end by 9:30 p.m. and the premises shall be vacated of all visitors by 10:00 p.m.
3. There will be no amplified outdoor sound for camp activities after 6:00 p.m., except for parent/child interactive evenings.
4. Parent/child interactive evenings will occur during weekdays only and will permit amplified music/sound up to 8:30 p.m. No more than 5 such parent/child interactive evenings shall be held annually.
5. Outdoor camp activities are only permitted from April 1 through November 30.
6. No new pavilion or meeting structure shall be built closer than 300 feet to the southern property line.
7. Indoor and outdoor camp activities are limited to children up to and including the age of 18 who are enrolled in camp.
8. There shall be no outdoor lighting of any courts or athletic fields.

We find this application meets the standards for a Conditional Use Permit in the following manner:

Standard A. The use in its proposed location will be consistent with the stated purpose and intent Section 1.5:

Finding: The Board finds that this standard has been met. The subject property is zoned Agricultural and designated Agricultural in the County's comprehensive plan. The proposed CUP, which will permit the camp's expansion, is also compatible with, and will protect the integrity of, the surrounding uses.

Standard B. The proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Sec. 6.2.

Finding: Banner Day Camp has operated on the subject property since 1987 and has demonstrated that it can comply with all ordinance requirements, including the requirements imposed by this Conditional Use Permit.

Standard C. The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of application or as they may be developed in the future due to implementation of the Comprehensive Plan:

1. adjacent property

Finding: Again, Banner Day Camp has operated on this property for 21 years without causing a substantial adverse impact on adjacent properties. Most camp activities take place on the north half of the property which is well shielded from all neighboring residential areas.

2. the character of the neighborhood

Finding: The character of the area is defined by Liberty Farm, Banner Day Camp, the Lake County Forest Preserve, the public park and nature preserves in Lincolnshire and the residential subdivisions. Granting the CUP to expand the day camp should not have a negative impact on the character of the neighborhood, provided impacts such as noise, parking and outdoor lighting can be contained within the subject property. The requirements of the Ordinance and additional conditions imposed by the County Board or Zoning Board of Appeals should ensure there will not be any significant adverse impacts to the area if the requested CUP is granted.

3. natural resources

Finding: Granting the CUP will not have any detrimental impacts on natural resources.

4. infrastructure

Finding: The existing infrastructure appears to be adequate. The memorandum from LCDOT states that the existing access points will be reevaluated because of the desired expansion of the camp but no improvements are necessary at this time.

5. public sites

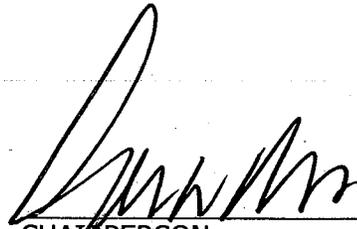
Finding: The proposed CUPs will not have an impact on public sites, i.e., the Lake County Forest Preserve, North Park, North Park Nature Preserve or the Florsheim Nature Preserve.

6. any other matters affecting the public health, safety, or general welfare.

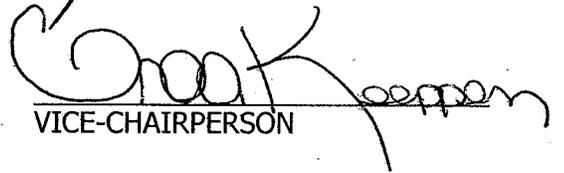
Finding: The safeguards required by the Ordinance, plus any additional conditions imposed by the County Board or ZBA should ensure there will not be any substantial adverse impacts to public health, safety or general welfare.

At the close of the hearing held on June 26, 2008, a motion to recommend the requested Conditional Use Permit be approved subject to the above conditions based on the above findings was made by Member Westerman, seconded by Member Stimpson, and passed by a vote of 7 to 0. Voting "Aye" were Members Koeppen, Reindl, Raymond, Stimpson, Westerman, Zerba and Bell; voting "Nay", none.

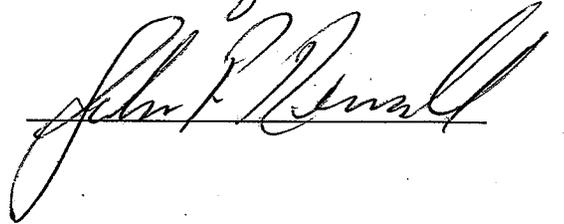
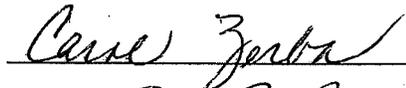
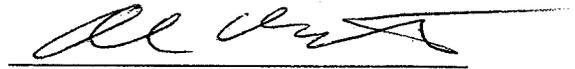
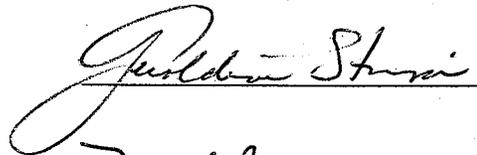
No. 3722  
Vernon Township



CHAIRPERSON



VICE-CHAIRPERSON



Dated this 3<sup>rd</sup> day of July, 2008.

## **Zoning Case #3722 Summary of Testimony**

The Lake County Zoning Board of Appeals held a public hearing on May 29, 2008 on the application of Chicago Title and Trust Company, T/U/T #117262-05 which seeks to amend CUP #96-271-RS (ZBA #3005) which affects Banner Day Camp to extend the hours of operation, allow year-round operation and enlarge the area of the camp to include an existing stable. The subject property contains approximately 65 acres and is located on the east side of Riverwoods Road approximately 1000 ft. south of Everett Road in Vernon Township.

The following is a summary of the testimony presented:

1. Mr. Brad Schwartz, Director of Operations of Banner Day Camp, testified that he is requesting previously issued CUP be amended to allow:
  - a. The area allowed for camp activities be enlarged by 9 acres to include an existing stable.
  - b. Daily operating hours be extended to 8:00 a.m. to 11:00 p.m.; current permitted hours are 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. weekends.
  - c. Year-round operation; currently limited to May 15<sup>th</sup> through September 15<sup>th</sup>.
2. Mr. Schwartz further testified that Banner Day Camp has operated from this property for 21 years. He is seeking these changes in response to requests from both the community and the Village of Lincolnshire to provide expanded activities much like those offered by local park districts. For example, often youth sports teams cannot meet the residency requirements to use park district facilities and therefore have difficulties finding sports fields. Also offered could be a variety of indoor athletic activities or classes. He has sufficient existing building floor space but these buildings would need to be enclosed. The existing access, parking and utility facilities are sufficient. While he does not intend to operate 365 days a year, he does want the scheduling flexibility; at this time he really doesn't know what activities will be desired or when they will occur. Mr. Schwartz also stated that any winter activities will be indoors (no sledding, skating or skiing) and no tall sport lights will be erected, outdoor activities will cease at 8:30 p.m. and any amplified sound will stop at 6:00 p.m.
3. Deputy Raul Aragon of the Lake County Sheriff's Department testified that he has worked special events at the camp for 8 or 9 years and during that time he has received no written, verified complaints about camp activities. He also has had no problems with parking, drinking or crowd control.
4. Mr. Steven McNellis, representing the Village of Lincolnshire, stated that to his knowledge the Village has made no request to Banner Day Camp for expanded activities.
5. Ms. Karen McGowon testified that there is a great need for additional sports facilities to accommodate youth sports teams.

Zoning Case #3722

Summary of Department Comments

Lake County Division of Transportation:

Based on the increased use and operation of the camp, LCDOT must re-evaluate the existing access points on Riverwoods Road.

Lake County Health Department:

The Department has no objection to the rezoning.

Lake County Department of Planning, Building and Development:

Staff recommends approval of the CUP to enlarge the camp to include the stable property. However, staff cannot make a recommendation on the requests for extended hours of operation or year round operation due to lack of specific information contained in the application.



Philip J. Rovang  
Director

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## MEMORANDUM

May 28, 2008

TO: George Bell, Chairman  
Lake County Zoning Board of Appeals

FR: Robert Mosteller, Deputy Director *RM*  
Lake County Department of Planning, Building and Development

CASE NO: 3722 CUP – as amended by applicant

REQUESTED ACTION: Conditional Use Permit for the purpose of amending C.U.P. #96-271-RS [ZBA #3005 to allow a camp on parcels 15-12-100-010 and -013 (1181 Riverwoods Road, Lake Forest, IL.)], extend the hours of operation to 8:00 a.m. to 11:00 p.m. (currently 8-6 M-F & 9-6 weekends) and extend the period of operation from May 15 through September 15 to year round and amend C.U.P. #3359 to increase the maximum number of "events of public interest" from 32 [actually 24 per ZBA # 3359, Exhibit B, Condition 1] to 60 per year, no more than 30 of which will be outdoors.

HEARING DATE: May 29, 2008

### GENERAL INFORMATION

OWNER: Chicago Title and Trust Co., T/U/T 11649, Albany Bank and Trust Co., T/U/T 11-4443 and Chicago Title Land Trust Co., T/U/T 117262-05, record owners. Sole beneficiary of the applicant Trusts is Riverwoods Road 2000 L and LLC, of which Allen and Helen Schwartz, 1225 Riverwoods Road, Lake Forest, IL own a 100% interest.

# OF PARCELS: Six

SIZE: 63.4 acres

LOCATION: 1181 & 1225 Riverwoods Road (aka 24279, 24543, 24571 & 24555 N. Riverwoods Rd.), Lake Forest, Vernon twp.

Development Review  
Bob Mosteller  
Deputy Director

Zoning Administration  
Sheel Yajnik  
Zoning Administrator

Planning and Support Services  
Dennis Sandquist  
Deputy Director

Community Development  
Vern Witkowski  
Deputy Director

EXISTING ZONING: Agricultural and Estate (a simultaneous request to rezone the Estate parcels to Agricultural has been submitted, ZBA #3721)

EXISTING LAND USE: Summer day camp (from May 15 to September 15) with up to 24 events of public interest per year

PROPOSED LAND USE: Expand the acreage of the day camp (through rezoning request ZBA # 3721); allow year round activities; extend the daily hours of operation from 8-6 M-F & 9-6 weekends to 8:00 a.m. to 11:00 p.m.; and increase the maximum number of "events of public interest" from 32 [actually 24] to 60 per year, no more than 30 of which will be outdoors.

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### SURROUNDING ZONING / LAND USE

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NORTH: Village of Lincolnshire: R1 + SU (2 acre minimum lot size and certain cultural, educational, recreational, religious and public uses) / North Park (active recreation)

EAST: Village of Lincolnshire: R1 + SU (2 acre minimum lot size and certain cultural, educational, recreational, religious and public uses) / North Park Nature Preserve (passive recreation)

SOUTHEAST: Village of Lincolnshire: R1 / Florsheim Nature Preserve

SOUTH: Village of Lincolnshire: R2A (.5 to 1 dwelling unit per acre) / Single-family residential subdivision

NORTHWEST: Unincorporated: Open space / Lake County Forest Preserve

WEST: Village of Lincolnshire: R1 / Single-family residential subdivisions

SOUTH, WEST & NORTH: Village of Lincolnshire: R1 + SU / Church  
Unincorporated: Estate / Single-family dwelling owned by the church

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### COMPREHENSIVE PLANS

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LAKE COUNTY: Agricultural

MUNICIPALITIES WITHIN 1½ MILES: Village of Mettawa: 5 acre residential  
Village of Lincolnshire: Environmentally sensitive estate residential  
City of Lake Forest: Not designated

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## DETAILS OF REQUEST

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- ACCESS:** Access from Riverwoods Road (County Highway 58) is existing. The memorandum from LCDOT states the access points must be reevaluated.
- FLOODPLAIN / WETLANDS:** According to the County's GIS, the subject property is not in a floodplain and does not contain any wetlands.
- SEWER AND WATER:** The property is served by a private, land applied spray irrigation wastewater treatment system and private water well.
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## ADDITIONAL COMMENTS

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- The subject property was granted two CUPs by the Lake County Board:
  - In 1996 a CUP was granted for a camp (ZBA # 3005). Note that according to the current petition, the camp had been in existence at its current location since 1987.
  - The second CUP was granted by the County Board in 2003 (ZBA # 3359) and allowed a total of 24 events of public interest per year, at least 6 of which may not include musical entertainment (the petitioner had requested 32 events of public interest per year).
- Camps are allowed in the AG district through a CUP granted by the County Board.
- UDO Section 6.5.10.A states that Events of Public Interest are limited to a maximum of seven (7) days per calendar year per zoning lot. A CUP approved by the ZBA is needed to have more than seven Events of Public Interest per year.
- If a CUP is granted to allow more than seven events per year, a Temporary Use Permit still must be obtained prior to each Event of Public Interest.

UDO 6.5.4.J. gives the Planning, Building and Development Director the authority to suspend or revoke a Temporary Use Permit immediately upon determination that the conditions and requirements set forth in the permit have been violated.

UDO 6.5.4.K. gives the Planning, Building and Development Director the authority to deny a Temporary Use Permit to an applicant who has demonstrated a willful history of violations.

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### RECOMMENDATION FOR CONDITIONAL USE PERMITS

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Staff recommends approval for the CUP request to expand the acreage of the day camp (subject to approval of rezoning request ZBA # 3721) to include the property that is owned by the applicant and currently operated as Liberty Farm horse stable.

Staff cannot make a recommendation on the other portions of the CUP request, namely to allow year round activities; extend the daily hours of operation from 8-6 M-F & 9-6 weekends to 8:00 a.m. to 11:00 p.m.; and increase the maximum number of "events of public interest" from 32 [actually 24] to 60 per year, no more than 30 of which will be outdoors, due to a lack of specific information explaining why these requests are being made and what types of activities would be involved.

According to the applicant, the recommended conditions in Exhibit A that have been proposed by the applicant have been agreed to by some neighboring property owners.

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#### General Standards – Section 3.6.7.

- A. The use in its proposed location will be consistent with the stated purpose and intent of Section 1.5:

Comment: Horseback riding is commonly offered as a camp activity. Thus, including the horse stable, which is under the same ownership as Banner Day Camp and has been at this location for 14 years, within the CUP for the camp as a whole, is consistent with purpose and intent of the Ordinance.

Day camps which primarily provide outdoor recreational activities, such as Banner Day Camp, have greatest usage during the summer. The applicant has not provided detailed information explaining what activities will be provided during the other times of the year that are the basis for the request for **year round activities**. The applicant has also not explained what existing on-site facilities will be used for the year round activities. We assume that most activities will be conducted in the 10,000 square foot multipurpose room, but do not know what types of activities can take place in the pavilions. The petition does not discuss winter outdoor activities such as skiing or dog sledding.

There is no specific explanation of what activities will take place if the **hours are extended**. Unless they have outdoor lighting, summer day camps with outdoor recreation are largely restricted to operating during daylight hours. The petition does state that Banner Day Camp is not seeking lighted fields that would be operated as late as 11:00 p.m., but otherwise does not discuss outdoor lighting. One of the petitioner's recommended conditions is that outdoor uses will not extend beyond 8:30 p.m. Staff interprets this to apply to outdoor uses of the day camp and events of public interest. At some times of the year it gets dark before 8:30 p.m. and thus outdoor activities would

require lighting. If the petitioner would like to install outdoor lighting to enable baseball games, sports clinics or "parent child interactive evenings" to be conducted after dark, up to 8:30 p.m., such lights could be disruptive to the residential subdivision to the south. How will the multipurpose room, pavilions, swimming pool and other camp facilities be utilized if the hours are extended?

With regard to **increasing the number of events of public interest**, once again information is lacking. On the site visit, staff was told that at least some events of public interest are held in the pavilions. Can events of public interest be held in the pavilions during the colder times of the year? Do the events now held commonly involve the entire property? The applicant has provided some conditions (see Exhibit A) to mitigate potential impacts from these events. However, staff feels that more detailed information on the types of events and the number of people expected to attend is needed in order to determine if the proposed conditions are adequate to protect nearby residential properties.

- B. The proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Section 6.3

Comment: The proposed use can comply with all Ordinance requirements.

- C. The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of the application or as they may be developed in the future due to implementation of the Comprehensive Plan:

1. adjacent property

Comment: Liberty Farm horse stable has been at its current location for 14 years and is surrounded on three sides by Banner Day Camp. Including the horse stable within the CUP for the camp as a whole will not have an impact on the properties west of it, across Riverwoods Road.

From the site plan, it appears that the buildings and parking areas that are used by the day camp and for events of public interest are in the northern area of the property which minimizes impacts to the residential subdivision to the south. The church and single-family residence owned by the church are surrounded on three sides by the day camp and are located in close proximity to the activity areas on the subject property; staff is unaware of any complaints by the church. UDO Section 6.5.10.F, Events of Public Interest, states that noise levels shall not exceed 60 dB(A) at the property line of any abutting property zoned and used for residential purposes. The requirements of the Ordinance, the petitioner's recommended conditions plus any additional conditions imposed by the County Board or Zoning Board of Appeals should ensure there will not be any significant adverse impacts to adjacent property if the requested CUPs are granted. However, as stated and explained in the comments to Standard A above, staff feels the applicant has not provided sufficient information to enable the request to be thoroughly evaluated for possible impacts to adjacent property.

2. character of the neighborhood

Comment: The character of the area is defined by Liberty Farm, Banner Day Camp, the Lake County Forest Preserve, the public park and nature preserves in Lincolnshire and the residential subdivisions. Housing developments, churches and parks are complimentary, residential uses. Granting the CUP to expand the day

camp and increase the number of events of public interest should not have a negative impact on the character of the neighborhood, provided impacts such as noise, parking and outdoor lighting can be contained within the subject property. Once again, the requirements of the Ordinance, the petitioner's recommended conditions plus any additional conditional imposed by the County Board or Zoning Board of Appeals should ensure there will not be any significant adverse impacts to the area if the requested CUPs are granted. However, here also staff feels the applicant has not provided sufficient information to enable the request to be thoroughly evaluated for possible impacts to the area.

3. natural resources

Comment: Granting the CUPs will not have any detrimental impacts on natural resources.

4. infrastructure

Comment: The existing infrastructure appears to be adequate. The memorandum from LCDOT states that the existing access points will be reevaluated because of the desired expansion of the camp.

5. public sites

Comment: The proposed CUPs will not have an impact on public sites, i.e., the Lake County Forest Preserve, North Park, North Park Nature Preserve or the Florsheim Nature Preserve.

6. any other measures affecting the public health, safety, or general welfare

Comment: The safeguards required by the Ordinance, the petitioner's recommended conditions plus any additional conditions imposed by the County Board or ZBA should ensure there will not be any substantial adverse impacts to public health, safety or general welfare. However, once again staff feels that specific information to evaluate impacts has not been provided by the applicant.

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**CONDITIONAL USE PERMIT # 3722**

**EXHIBIT A**

**RECOMMENDED CONDITIONS PROPOSED BY THE APPLICANT**

1. A maximum of 60 events of public interest may be held per calendar year, of which no more than 30 may be outdoors.
2. There will be no amplified outdoor sound for events of public interest after 6:00 p.m.
3. No outdoor uses of the day camp or events of public interest will extend beyond 8:30 p.m.

4. No parking will be allowed on Riverwoods Road.
5. Police traffic control personnel will be provided for events of public interest that exceed 1500 people.
6. Alcoholic beverages will be limited as follows:
  - A. Only beer and wine will be served. No "hard liquor" will be permitted.
  - B. The serving of beer and wine will be cut off one hour prior to the end of an event, with no announced "last call."
7. No more than five "parent child interactive evenings" will be held each camp session (June – August) with said evenings to occur during weekdays only. Amplified sound / music for these events will end by 8:30 p.m.
8. Parking attendants will be provided for all events of public interest.
9. Except for parking, events of public interest will not occur closer than 400 feet to Riverwoods Road.
10. There shall be no more than five (5) events of public interest that exceed three thousand (3,000) people during a calendar year.

**RECOMMENDED CONDITION FROM MEADOWS OF BIRCH LAKE  
HOMEOWNERS ASSOCIATION**

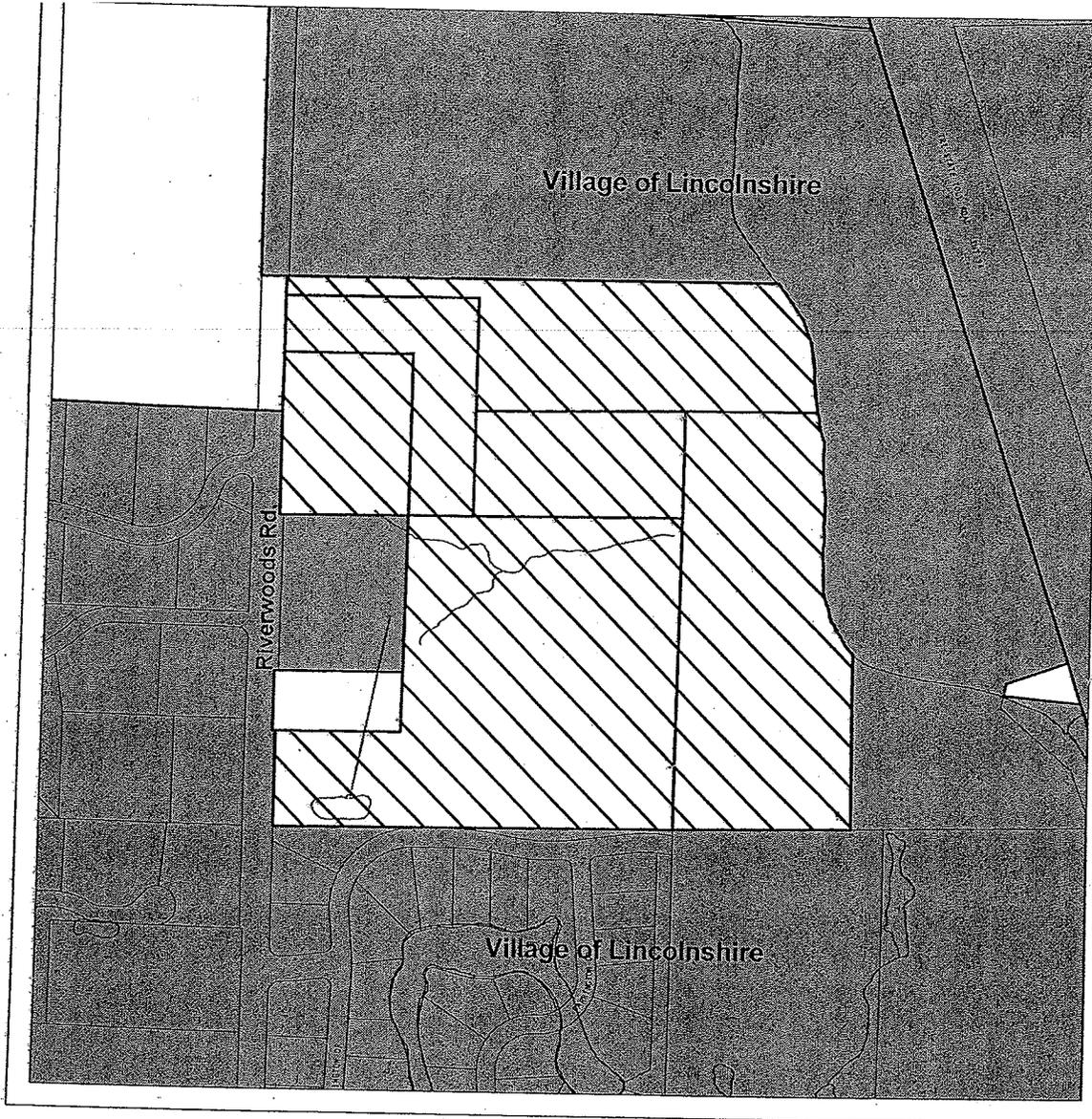
11. The Birch Lake Homeowners Association will be informed of camp activities and events of public interest that extend into the night.

**RECOMMENDED CONDITION FROM STAFF**

12. No event of public interest shall be held when the property is also being utilized as a day camp (adapted from ZBA # 3359, Exhibit B).

**EXHIBIT A**

1. Banner Day Camp may operate as a camp year round.
2. Hours of operation for camp activities will be 8:00 a.m. to 9:30 p.m. All outdoor camp activities will end by the earlier of scheduled sunset or 8:30 p.m. All indoor activities shall end by 9:30 p.m. and the premises shall be vacated of all visitors by 10:00 p.m.
3. There will be no amplified outdoor sound for camp activities after 6:00 p.m., except for parent/child interactive evenings.
4. Parent/child interactive evenings will occur during weekdays only and will permit amplified music/sound up to 8:30 p.m. No more than 5 such parent/child interactive evenings shall be held annually.
5. Outdoor camp activities are only permitted from April 1 through November 30.
6. No new pavilion or meeting structure shall be built closer than 300 feet to the southern property line.
7. Indoor and outdoor camp activities are limited to children up to and including the age of 18 who are enrolled in camp.
8. There shall be no outdoor lighting of any courts or athletic fields.
9. The Planning, Building and Zoning Committee of the Lake County Board shall review this Conditional Use Permit not later than August 12, 2013 and may refer this matter to the County Board. The County Board may authorize the Zoning Board of Appeals to conduct a public hearing to review these conditions.



Zoning Board of Appeals  
Case# 3722