

MAYOR
Mark Kownick

VILLAGE
ADMINISTRATOR
Jacob Rife



VILLAGE TRUSTEES
Dale Collier, Jr
Kimberly Covelli
Rick Dudek
Ellen McAlpine
Rick Walrath
Jennifer Weinhammer

EXHIBIT
D

ADMINISTRATION

Sent Via Email Only

December 21, 2021

Steve Weber, Director of Operations
Mixed Media Group, Inc.
1152 Liberty Ave.
Cary, IL 60013

Re: Mixed Media Proposed Billboard

Dear Mr. Weber:

We appreciate you attending the December 7, 2021 Village Board meeting during open forum to provide an overview of Mixed Media and the proposed billboard to be located on Route 14 adjacent to the Village's boundary. After the meeting, you provided a letter to the Mayor and Village Board of Trustees requesting that the Village allow a portion of the proposed billboard sign to overhang the easement.

As you are aware, the Village does not support the billboard proposed by Mixed Media and sent a formal letter objecting to the billboard to the McHenry County Zoning Board of Appeals. The reasons the Village has objected to the sign are outlined in the attached letter.

Further, the Village has reviewed your request to have a portion of the proposed billboard sign overhang the easement. Please understand that the Village does not support any portion of the billboard sign overhanging the easement. This easement is reserved for the Village's watermain and any overhang could impact our ability to access and maintain our infrastructure with our equipment.

Please feel free to contact me with any questions.

Respectfully,
The Village of Cary

A handwritten signature in black ink, appearing to read "J. Rife", is written over a horizontal line.

Jacob Rife
Village Administrator

Cc: Mayor Kownick and Village Board
Dennis Orsinger, Mixed Media
Enc: Letter Dated November 15, 2021 to the McHenry County Zoning Board of Appeals

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OFFICE OF THE MAYOR

November 15, 2021

Mr. David Stone, Chairman
McHenry County Zoning Board of Appeals
2200 N. Seminary Avenue
Woodstock, IL 60098

**RE: CONDITIONAL USE PERMIT PETITION BY MIXED MEDIA, LLC FOR A DIGITAL
ADVERTISING SIGN
PUBLIC HEARING #2021-039**

Dear Mr. Stone and Members of the Zoning Board of Appeals,

The Village of Cary recently received notice regarding a zoning petition submitted by Mixed Media, LLC seeking a conditional use for a digital off-premises commercial advertising sign on a property adjacent to our municipal jurisdiction. The purpose of this letter is to provide written testimony for consideration during the November 18, 2021, public hearing regarding the Village of Cary's objection to the proposed sign as detailed below. We appreciate your consideration of this matter in your review of the petition for a conditional use permit.

As authorized by Illinois statute, the Village of Cary has the ability to plan for the area located within 1.5 miles of its municipal limits. This area is commonly referred to as the community's extraterritorial jurisdiction, or ETJ. The subject property is contiguous to the Village of Cary and lies within this ETJ planning area. Under the Village's current Comprehensive Plan the Village identifies the property as appropriate for annexation into Cary and future commercial development.

The proposed sign will be located on a parcel on Northwest Highway just west of Westbury Drive. While this parcel is unincorporated the full rights-of-way for each adjacent roadway are located within the Village's municipal boundaries. The proposed sign therefore will be sited a mere ten (10) feet from the Village of Cary's municipal limits on both its southern and eastern most points. The sign will also be located approximately 600 feet east of two other advertising signs located on an adjacent parcel. Further, the sign will be located within close proximity to the West Lake Subdivision currently under construction. The proposed sign will be located within 180 feet to this residential townhome development sited to the northeast. The visual impact of this proposed sign based on its electronic displays and size will be an undesirable eyesore for these existing, nearby neighborhood uses and the Village in general. The dimensions, lighting and changing displays are completely out-of-place and wholly incompatible with a local Village setting like this location. Our Village and residents are the most directly impacted by this intrusive use.

The Village understands that McHenry County has implemented its own rules and regulations for the placement of signage on property under its jurisdiction. As a practical matter however, this sign will essentially be placed within the Village of Cary, without the Village's ability to address the inappropriate siting of such a sign at this locale. The Village of Cary has also adopted regulations for the placement of signs within our municipality. For reference, the Village adopted a Unified Development Ordinance in 2019 which updated our local sign regulations. Please note that under Section 14.5.9 – *Prohibited Signs*, Off-Premises Signs/Billboards are specifically prohibited within the Village of Cary. Furthermore, Cary limits monument signs to a maximum of 72 square feet in area, maximum 10 feet in height, and can devote a maximum of 40% of the allowed sign area to electronic messaging. The proposed advertising sign will significantly exceed these requirements with a sign area of 242 square feet, height of 35 feet, and 100% electronic display area and would be completely out-of-character with the existing signage in the Village. The proposed sign would not be permissible if located within the Village of Cary's jurisdiction.

Per McHenry County's Unified Development Ordinance, various standards must be considered for the approval of conditional use permits (Section 16.20.040). The Village of Cary believes that based on the information provided above, and documentation provided by the petitioner, the proposed petition does not meet the following standards:

2. That the site shall be so situated that the proposed use is compatible with the existing or planned future development of the area.


The proposed sign location is subject to the extraterritorial planning jurisdiction of the Village of Cary as the sign will be located within ten (10) feet from Cary's municipal border. As the Village of Cary's own sign regulations do not permit the installation of billboards or off-premises advertising signs, the proposed use is not compatible with the planned future development of the area per the Village of Cary's 2015 Comprehensive Plan. The subject property is anticipated for future annexation and commercial development under this Plan. Further the sign significantly exceeds the Village of Cary's regulations for a monument sign related to total sign area, height, and electronic messaging surface area.

4. That the conditional use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

The proposed digital advertising sign will be located within close proximity to a residential townhome development which is currently under construction. The proposed sign may negatively impact the use and enjoyment of property within its immediate vicinity due to its electronic display and illumination during evening hours.

For the reasons stated above, the Village of Cary respectfully requests that you recommend denial of the conditional use permit.

Sincerely,
VILLAGE OF CARY


Mark R. Kownick
Mayor

cc: Village Administrator / Property File