

# Zoning Application Telecommunication Facilities

**Commentary:** This document has been created by the Lake County Planning, Building and Development Department as a tool to guide the applicant(s) through the application procedures for specified telecommunications facilities. Within 30 days of receipt of a complete written application for specified telecommunications facilities and the required fee<sup>1</sup>, Zoning Administration staff will:

- Review and evaluate the application in light of the County Zoning Enabling Act (state statute), the Neighbor Notice Statute and the Lake County, Illinois Code of Ordinances (the Lake County Code).
- Render an approval, an approval with conditions, or a denial of the application. In the event of a denial of the application, staff will inform the applicant of reason(s) for the denial.

## Required Information:

### 1. Property Ownership Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone # (    ) \_\_\_\_\_

### 2. Applicant Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone # (    ) \_\_\_\_\_

Contact person: \_\_\_\_\_

<sup>1</sup> Please refer to the current "Land Development Fee Schedule", accessible online at <http://www.lakecountvill.gov/DocumentCenter/Home/View/2693> for the current fee charged for this service. Please make checks payable to "Lake County Treasurer".

**3. Property Information**

Property Index Number(s): \_\_\_\_\_ Township: \_\_\_\_\_

Zoning: \_\_\_\_\_ Parcel Size: \_\_\_\_\_

Existing Land Use: \_\_\_\_\_

Proposed Land Use: \_\_\_\_\_

Surrounding Zoning: North \_\_\_\_\_ South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_

Surrounding Land Use: North \_\_\_\_\_ South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_

**4. Information relating to the proposed Telecommunication Facility:**

**a. Site Selection**

*Please note that the use of an existing "qualifying structure" is highly encouraged, as is the co-location of antennas on existing structures.*

***In the event that the use of an existing "qualifying structure" and/or co-location is not practical or feasible, then a non-residentially zoned lot is the most desirable location for a new facility. A residentially zoned lot that is not used for residential purposes is the second most desirable location. A residentially zoned lot that is two acres or more in size and is used for residential purposes is the least desirable location.***

***A residentially zoned lot (RE, E, R-1, R-2, R-3, R-4, R-5, R-6 and RR Zoning Districts) that is less than 2 acres in size and is used for residential purposes (currently improved with a residence, or in receipt of a building permit for a residence) shall not be used for a facility.***

***Please note whether you have considered the site selection hierarchy noted above. Please also indicate whether the selection site was the only alternative available:***

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**b. Height**

**Qualifying Structure:** A "qualifying structure" means a supporting structure that is (a) a structure existing as of the enactment of the Statute, 55 ILCS 5/5-12001.1, or (b) a substantially similar, substantially same-location replacement of an existing structure.

Regardless of location or height, an antenna may be attached to any "qualifying structure" provided that the antenna does not extend more than fifteen (15) feet above the height of the structure just before the facility is installed. The height of a facility may exceed the height limit established for a non-qualifying structure listed in the paragraph below if the supporting structure is a "qualifying structure". Any structure that does not satisfy the preceding definition of "qualifying structure" is a non-qualifying structure and is subject to the height requirements listed in the following paragraph.

**Non-qualifying Structures:** For all non-qualifying structures, the height of the facility shall not exceed 75 feet if the facility will be located in a **residential zoning district** (RE, E, R-1, R-2, R-3, R-4, R-5, R-6 and RR Zoning Districts) or 200 feet if the facility will be located in a **non-residential zoning district** (AG, GO, LC, RC, GC, LI, II and OS Zoning Districts).

**Please provide the information requested below:**

Is the telecommunication facility being co-located on an existing structure? Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered "yes" to the previous question, is the telecommunication facility no more than 15 feet higher than the existing structure before the new facility is installed?

Yes \_\_\_\_ No \_\_\_\_ N/A \_\_\_\_

Is the telecommunication facility a substantially similar or a substantially same location replacement of an existing structure?

Yes \_\_\_\_\_ No \_\_\_\_ N/A \_\_\_\_

If you answered "yes" to the previous question, is the telecommunication facility, including the replacement structure, no more than 15 feet higher than the height of the existing structure just before the facility is installed? Yes \_\_\_\_\_ No \_\_\_\_ N/A \_\_\_\_

Is the telecommunication facility proposed to be located on a new structure?

Yes \_\_\_\_\_ No \_\_\_\_ N/A \_\_\_\_

Height of supporting structure: \_\_\_\_\_

Height of antenna: \_\_\_\_\_

Total height: \_\_\_\_\_

**c. Setbacks**

No portion of a facility's supporting structure or equipment housing shall be less than 15 feet from the front lot line of the facility lot or less than 10 feet from any other lot line. If the supporting structure is an antenna tower other than a qualifying structure then (1) if the facility will be located in a **residential zoning district** (RE, E, R-1, R-2, R-3, R-4, R- 5, R-6 and RR Zoning Districts) the lot line set back distance to the nearest residentially zoned lot shall be at least 50% of the height of the facility's supporting structure or (2) if the facility will be located in a **non-residential zoning district** (AG, GO, LC, RC, GC, LI, II and OS Zoning Districts) the horizontal separation distance to the nearest principal residential building shall be at least equal to the height of the facility's supporting structure (a residential building on the same zoning lot as the facility shall not be considered the nearest principal residential building). **Please provide the setback distance of the facility from all lot lines. If the facility will be located in a residential zoning district please provide the setback distance to the nearest residentially zoned lot. If the facility will be located in a non-residential zoning district please provide the horizontal separation distance to the nearest principal residential building:**

Front: \_\_\_\_\_

Side: \_\_\_\_\_

Rear: \_\_\_\_\_

Side: \_\_\_\_\_

Lot line Setback distance to the nearest residentially zoned lot  
(If the facility is located in a residential zoning district):

\_\_\_\_\_

Horizontal separation distance between the facility's supporting structure and the nearest principal residential building located off-site  
(If the facility is located in a non-residential zoning district):

\_\_\_\_\_

**d. Variance**

**(A variance will be required if you answer "yes" to any of the first three questions that follow)**

**Please provide the information requested below:**

Will the telecommunications facility be built on a residentially zoned lot that is less than 2 acres in size and used for residential purposes? (Variance is required for non-qualifying structures that fall into this category):

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

If the facility will be located in a residential zoning district, is the lot line setback distance to the nearest residentially zoned lot less than 50 percent of the height of the facility's supporting structure? (Variance is required for non-qualifying structures that fall into this category):

Yes \_\_\_ No \_\_\_ N/A \_\_\_

If the facility will be located in a non-residential zoning district, is the horizontal separation distance to the nearest principal residential building less than the height of the facility's supporting structure? (Variance is required for non-qualifying structures that fall into this category):

Yes \_\_\_ No \_\_\_ N/A \_\_\_

Is a variance required for the telecommunication facility? (A variance is required if you answered "yes" to any of the preceding three questions):

Yes \_\_\_ No \_\_\_ N/A \_\_\_

**e. Does any building or tower that is part of the facility encroach onto any recorded easement? \_\_\_\_\_**

*If so, attach documentation showing that the grantees of the easement have given their approval.*

**f. Is any lighting to be installed within the facility? If so, please describe:**

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*Lighting should be installed for security and safety purpose only. Except with respect to lighting required by the FCC or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries of a facility.*

**g. Does the facility encroach onto an existing septic field? \_\_\_\_\_**

*Please submit documentation from the Lake County Health Department.*

**h. Is any portion of the facility located in a special flood hazard area or wetland? \_\_\_\_\_**

*Any facility located in a special flood hazard area or wetland should meet the legal requirements for those lands.*

- i. **Will any trees more than 3 inches in diameter be removed during construction? If so, please indicate the species and locations of replacement trees:**

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*Please note that replacement trees should be of same or similar species and should measure 3 or more inches in diameter at a point 3 feet above ground level.*

- j. **Does any elevation of the facility face an existing, adjoining residential use within a residential zoning district? \_\_\_\_\_**

*If any elevation of a facility faces an existing, adjoining residential use within a residential zoning district, transition area landscaping meeting the requirements of the "Landscape Standards for Streets" section of the Lake County Code (151.167(E)) shall be provided along the entire perimeter of the lease site facing the residential use. Depending on individual site characteristics, the extension of such landscaping beyond the perimeter of the lease site may be required in order to ensure at least partial screening of the facility.*

- k. **Indicate height and style of fence installation around the facility**

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*Please note that, as a minimum, 6' high cyclone fence is recommended. More opaque fencing may be required as part of the transition area landscaping requirements.*

- l. **Indicate materials and colors of all buildings comprising the facility**

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*Please note that all facility buildings should be designed with exterior materials and colors that are reasonably compatible with the residential character of the area.*

- m. **Will the facility be manned on a regular, daily basis? \_\_\_\_\_**

*If so, one off-street parking space per employee shall be required for the facility.*

\_\_\_\_\_  
**Applicant's Signature**

\_\_\_\_\_  
**Date**

**Telecommunications Facilities:**  
**Items Required for Pre-Application**  
**Submission for a New Telecommunications**  
**Tower**

To submit for permit application, the applicant must have all of the following documents **except FAA Approval** (see below). Please keep the following items separate and not stapled.

***Federal/State Agency Approvals***

1. **Two (2) copies of the letter of application to the Federal Aviation Administration (FAA).** [NOTE: *Prior to the issuance of the permit, two (2) copies of the FAA letter of approval or FAA determination of non-applicability shall be required. No permits will be issued without this approval.*] [Not required for Co-locates]
2. **Two (2) copies of the Federal Communications Commission (FCC) approval.** [Not required for Co-locates]
3. **Two (2) copies of documentation that the applicant qualifies as a telecommunications carrier:** (a) approval by the Illinois Commerce Commission as a telecommunications carrier, (b) verification that the applicant is subject to the Message Tax Act or (c) documentation that the applicant otherwise meets the statutory definition (under ILCS 5/5-12001.1) of a telecommunications carrier.

***Plans***

4. **Six (6) copies of a plat of survey annotated with the proposed site grading and stamped by a professional engineer. This plat of survey needs to show the facility location on the subject property and the location of all property lines, easements, deed-restrictions, and structures.** The survey shall be stamped approved by the Health Department. [Health Department stamp of approval not required for co-locates if no additional pad is proposed]
5. **Seven (7) sets of stamped building plans** (3 for the tower and fence, 3 for the vault, 1 for the Site Development Permit). [NOTE: For co-locates, the stamped plans must indicate that the tower has capacity for and can structurally support the co-locate equipment; a professional engineer's letter to that effect is also sufficient.]
6. **Six (6) copies of Landscaping Plans** (if applicable), upon determination by Zoning Administration that landscaping is required. [NOTE: such plans, if required, may be provided after the initial submission]

## ***Application/Information Forms and Other Items***

- 7. Two (2) Completed Office Information Sheets – One copy for the tower and one copy for the cabinet** (available at Permit Counter). This information must contain separate cost estimates for the tower/cabinet/collocation equipment.
- 8. Completed Zoning Application.**
- 9. Two (2) copies of a signed lease agreement or deed** for the subject property.
- 10. The completed affidavit** certifying that neighbor notice shall be provided in accordance with Public Act 093-0698. [Not required for Co-locates]

***This department must receive the above information in order to calculate fees; you will then be contacted to apply for the permit and present payment in full at our office. Permit reviews are initiated after full payment has been received.***

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**FOR OFFICE USE ONLY:**

Date of Submission \_\_\_\_\_ Name of Reviewer \_\_\_\_\_

## AFFIDAVIT

I/WE \_\_\_\_\_  
being first duly sworn on oath, state as follows:

I/WE are the duly designated representatives of the telecommunications carrier  
\_\_\_\_\_ that has submitted .an application to construct  
a telecommunications facility upon the following property:

(Describe property)

I/WE hereby certify and swear that in conjunction with the issuance of a permit to establish telecommunications facilities and equipment on the subject property, I/WE shall provide neighbor notice in accordance with Public Act 093-0698. Such notice shall include, at minimum, the following information:

- a. The proposed height of the telecommunications facility
- b. The facility design (i.e. lattice or monopole construction) and facility coloring
- c. The approximate location of the tower on the subject property
- d. A description of the required landscaping consistent with the approved landscape plan (if required by staff)
- e. The approximate month and year of anticipated construction
- f. The telecommunication carrier's current contact information.

I/WE further certify and swear that the Lake County shall not be held responsible for any failure to provide such notice in accordance with statute referenced above.

Signed: \_\_\_\_\_  
\_\_\_\_\_

Address

Dated: \_\_\_\_\_

Subscribed and Sworn to before me  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Telecommunication Facilities:**  
**Items Required for Pre-Application Submission for**  
**Co-locates and Generators**

1. Completed Permit Application
2. Two (2) copies of Completed Zoning Application
3. Two (2) copies of Lease Agreement
4. Three (3) copies of Plat of Survey or Site Plan They must show facility location on the property, property lines, easements, deed-restrictions, and propose and existing structures.
5. Three (3) sets of Stamped Building Plans, including two (2) Sets of Structural Engineer calculations indicating tower has capacity for and can structurally support the propose co-locate equipment. A professional engineer's letter to that effect is also sufficient. (Not required for generators.)
6. One (1) copy of State Fire Marshall letter for all generators.

This Department must receive the above information in order to calculate fees; you will then be contacted to apply for the permit and present payment in full to our office. Permit reviews are initiated after full payment has been received.