

LAKE COUNTY ZONING NOTICE VAR-000428-2018

Antioch Township

The Lake County Zoning Board of Appeals has scheduled a public hearing at 9:00 AM on Thursday November 29, 2018 at the Central Permit Facility, 500 W. Winchester Rd., Libertyville on the petition of Brigette A. Bell and Eric P. Bell, Trustees of The Eric P. Bell Living Trust, U/A and The Brigette A. Bell Living Trust, U/A, who seek the following variation from the requirements of the Lake County Code and any other zoning relief as required:

- 1.) Reduce the front setback from 30 feet to 11.25 feet to accommodate a new garage.
- 2.) Reduce the rear yard setback from 5 feet to 0.5 feet to build a deck.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions. The subject property is located at 42363 N Woodbine Ave. Antioch, IL 60002 and is approximately 0.23 acres.

PIN:0111404009

This application is available for public examination at the office of the Lake County Zoning Board of Appeals, 500 W. Winchester Rd, Libertyville, Illinois, Attn: Thomas Chefalo, Project Manager 847-377-2120

George Bell
Chairman

LAKE COUNTY ZONING BOARD OF APPEALS

VARIATION APPLICATION

Applicant(s): (please print)	Eric P. Bell and Brigette A. Bell, as Tenants by the Entirety	Phone: [REDACTED]
	Owner(s)	
	310 E. Adelia St.	Fax: _____
	Elmhurst, IL 60126	Email: [REDACTED]
	Address	
	Contract purchaser(s) if any	Phone: _____
		Fax: _____
		Email: _____
	Address	

I/we hereby authorize the following person to represent me/us in all matters related to this application:

Name	Phone: _____
	Cell: _____
	Fax: _____
	Email: _____
Address	

Subject Property:	Present Zoning:	R-1
	Present Use:	R-1
	Proposed Use:	R-1
	PIN(s):	01-11-404-009
	Address:	42363 N. Woodbine Avenue Antioch, IL 60002
	Legal description:	(<input checked="" type="checkbox"/> see deed)

Request:

The following variation(s) are requested:

1. Front Set Back Requirement for Garage from 30 feet to 11 feet-3.5 inches.
2. Rear Set Back Requirement for Deck from 5 feet to 5/10 of a foot.
3. _____

Explain why this variation(s) is necessary: The variations are necessary for the construction of a new home and garage. The new home will be constructed on the existing foundation. The rear set back variance will allow for an open air deck to be constructed. The front set back variance will provide for a new garage to be constructed within current side yard set back parameters and allowing for a larger back yard where the septic field is located.

Approval
Criteria:

The Lake County Zoning Board of Appeals is required to make findings of fact on your request. You should "make your case" by explaining specifically how your proposed request relates to each of the following criteria:

1. Exceptional conditions peculiar to the applicant's property.

Response:

(see attached)

2. Practical difficulties or particular hardship in carrying out the strict letter of the regulation.

Response:

(see attached)

3. Harmony with the general purpose and intent of the zoning regulations.

Response:

(see attached)

Variation Application
Approval Criteria for
42363 N. Woodbine Ave., Antioch, IL
01-11-404-009-0000
Zoning Board of Appeals
Lake County Planning, Building and Development Department

August 24, 2018

Eric and Brigitte Bell have owned their home at 42363 N. Woodbine for 17 years. They and their children have enjoyed this home as a “weekend” place for recreation filled with many years of memories. The owners would like to move to Antioch and make this property their permanent home. They look forward to becoming full-time members of the community and contributing toward making Antioch a great place to live.

The current structure was built many years ago and the owners would like to build a new home and more efficient structure. The gross living area of the existing structure is 1,848 SF with 3 bedrooms and 2 bathrooms. The approximate gross living area of the new structure (built on the existing foundation) would be 2,300 SF with 2 bedrooms and 2 bathrooms.

The owners, Eric and Brigitte Bell are requesting 2 zoning variances: one for the front setback requirement and the other for the rear setback requirement. The following outlines the approval criteria.

The following variations are requested:

Reduce the rear yard setback from 5.5 feet to 5/10 of a foot.

Reduce the front yard set back from 30 feet to 12 feet – 7 inches on the south and 11 feet 3.5 inches on the north.

The present and proposed use is a single-family home.

Rear Setback Variance: The owners would like a variance that would allow an open deck to be constructed 6 inches from the rear property line.

1. Exceptional conditions peculiar to the applicant’s property. The rear property line is adjacent to a strip of land that measures approximately 50’ along the east property line of the subject property and 23’ – 30’ along the north and south neighboring strips, respectively. The neighboring strips of land also share the

same set of circumstances (these strips are neither associated with a PIN number or immediate identifiable ownership).

2. The practical difficulty with setback requirement would present a hardship on the homeowner due to the setback infringing on the owners ability to have an open deck to the rear of the house or any type of ingress or egress on the east side of the proposed new home on the existing foundation.
3. Over many years, this home has been used a lakefront property. The small deck requested would be in harmony with its intended use and the uses of its immediate neighbors.

Front Setback Variance: The owners would like a variance that would allow for a new garage to be constructed outside the limits of the front setback. Please note, that the proposed new garage is within the stipulated side yard setbacks.

1. The property's dimensions are approximately 58' X 188' X 50' X 182' indicating a deep narrow lot. The existing garage is on the neighbor to the south's property line and therefore does not meet current sideyard setback requirements. Building a new garage would eliminate the condition and by moving it closer to the street would create more backyard space for a septic system expansion if needed.
2. The practical difficulty or particular hardship in carrying out the strict letter of the regulation is the limitation of the septic field potential expansion if ever required due to failure of the existing system. It is not anticipated that a new septic system is necessary in the foreseeable future. However, if it should become necessary the additional space created by moving the garage closer to the street would be beneficial to the lot.
3. The requested zoning variance for the front setback would situate the garage in line with the neighbor's existing garages creating harmony in the surrounding area. The proposed driveway would provide ample room for uncovered parking.

This Document Prepared By:
Creative Planning Legal, P.A.
3400 College Blvd
Leawood, Kansas 66211
913 815 6526

After Recording, Return To:
Christine Delvaux
Creative Planning Legal, P.A.
3400 College Blvd
Leawood, Kansas 66211

Mail Tax Statements To:
Eric P. Bell and Brigitte A. Bell, as co-Trustees
310 E. Adelia Street
Elmhurst, IL 60126


Image# 056712480003 Type: DW
Recorded: 10/05/2017 at 02:26:51 PM
Receipt#: 2017-00059774
Page 1 of 3
Fees: \$39.00
IL Rental Housing Fund: \$9.00
Lake County IL Recorder
Mary Ellen Vanderventer Recorder
File **7433263**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

The Grantors,

ERIC P. BELL and BRIGETTE A. BELL, husband and wife,

Whose mailing address is 310 E. Adelia Street, Elmhurst, IL 60126;

FOR GOOD AND VALUABLE CONSIDERATION, in hand paid, convey and warrant to:

ERIC P. BELL and BRIGETTE A. BELL, as co-Trustees of THE ERIC P. BELL LIVING TRUST,
U/A dated July 29, 2002, as to an undivided one-half interest, and to

ERIC P. BELL and BRIGETTE A. BELL, as co-Trustees of THE BRIGETTE A. BELL LIVING
TRUST, U/A dated July 29, 2002, as to an undivided one-half interest, as Tenants-in-Common, the
GRANTEES,

Whose mailing address is 310 E. Adelia Street, Elmhurst, IL 60126;

Said homestead real estate is specifically intended to be held as Tenants by the Entirety under this Trust Agreement pursuant to 765 ILCS 1005/1c, as amended.

And to Grantees' successors and assigns, all of the following described real estate situated in the County of Lake, State of Illinois, to wit:

LOT 15 IN WOODBINE PARK (EXCEPT COMMENCING AT THE NORTH WEST CORNER; THENCE SOUTHERLY ALONG WOODBINE AVENUE 112 FEET; THENCE EASTERLY TO A POINT 50 FEET NORTH OF THE SOUTH EAST CORNER; THENCE NORTHERLY 85.4 FEET TO THE NORTHEAST CORNER; THENCE WEST 199.6 FEET TO THE PLACE OF BEGINNING), BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 11, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1892, AS DOCUMENT 51423, IN BOOK "C" OF PLATS, PAGE 39, IN LAKE COUNTY, ILLINOIS.

Permanent Index Number: 01-11-404-009

Site Address: 42363 N. Woodbine, Antioch, IL.

3
17H

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois; however, SUBJECT TO any Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements now of record; to have and to hold said premises forever. **Said homestead real estate is specifically intended to be held as Tenants by the Entirety under 765 ILCS 1005/1c, as amended, under the above-mentioned Trust Agreement, and said Trust Agreement so states the same.**

The then-acting Trustee has the power and authority to encumber or otherwise to manage and dispose of the hereinabove described real property; including, but not limited to, the power to convey.

Dated this 18th day of September, 2017
2016 9/18/17


ERIC P. BELL


BRIGETTE A. BELL

STATE OF ILLINOIS)

COUNTY OF Cook) ss.

The foregoing instrument was acknowledged before me on this September 18th, 2017, by
2016 EB
ERIC P. BELL and BRIGETTE A. BELL.





NOTARY PUBLIC

My commission expires: 4.17.20

"Exempt under Paragraph (e), Section 31-45;
Illinois Real Estate Transfer Tax Act"

9-18-17
Date


Buyer/Seller or Representative

STATEMENT BY GRANTOR AND GRANTEE

The **grantor** or his agent affirms that, to the best of his knowledge, the name of the **grantee** shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated September 18, 2017

State of Illinois

County of

Cook

Signature: 

Grantor or Agent

Subscribed and sworn to before me

By the said Eric A Bell

This 18 day of September, 2017

Notary Public [Signature]



The **grantee** or his agent affirms and verifies that the name of the **grantee** shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Date September 18, 2017

State of Illinois

County of

Cook

Signature: 

Grantee or Agent

Subscribed and sworn to before me

By the said Brigitte A Bell

This 18 day of September, 2017

Notary Public [Signature]



Note: Any person who knowingly submits a false statement concerning the identity of a **Grantee** shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to **deed** or **ABI** to be recorded in Cook County, Illinois if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

I/we hereby attest that all information given above is true and complete to the best of my/our knowledge.


Signature(s) of owner(s)

Signature(s) of contract purchasers

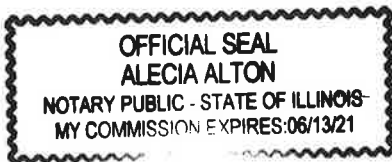
I, Alecia Alton a Notary Public aforesaid, do hereby certify that Eric + Brigitte Bell

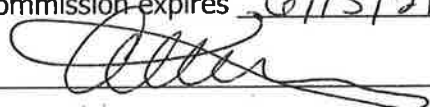
personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of October 18, 2018 and appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered the same instrument for the uses and purposes therein set forth.

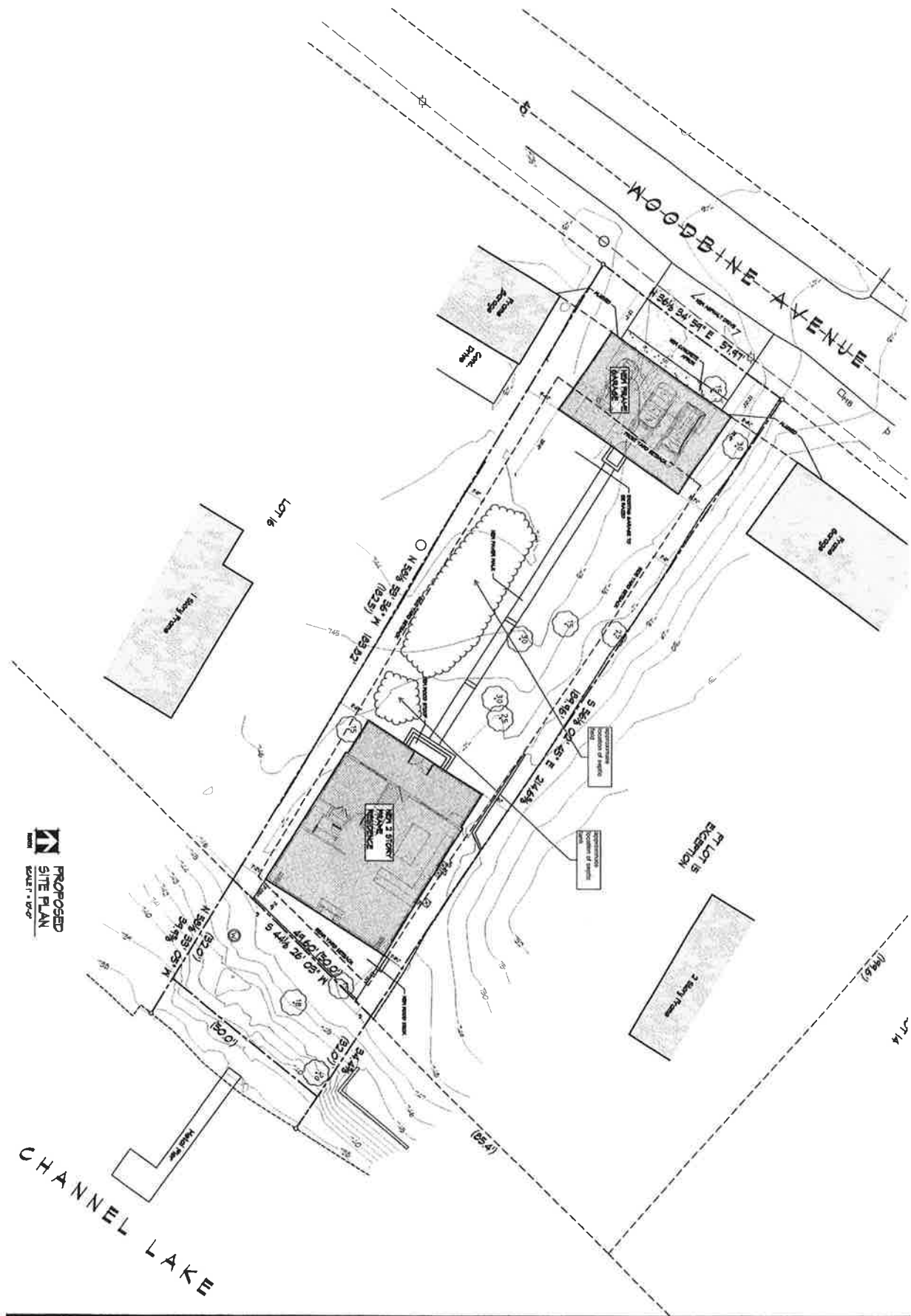
Given under my hand and Notarial Seal this 18 day of October, 2018.

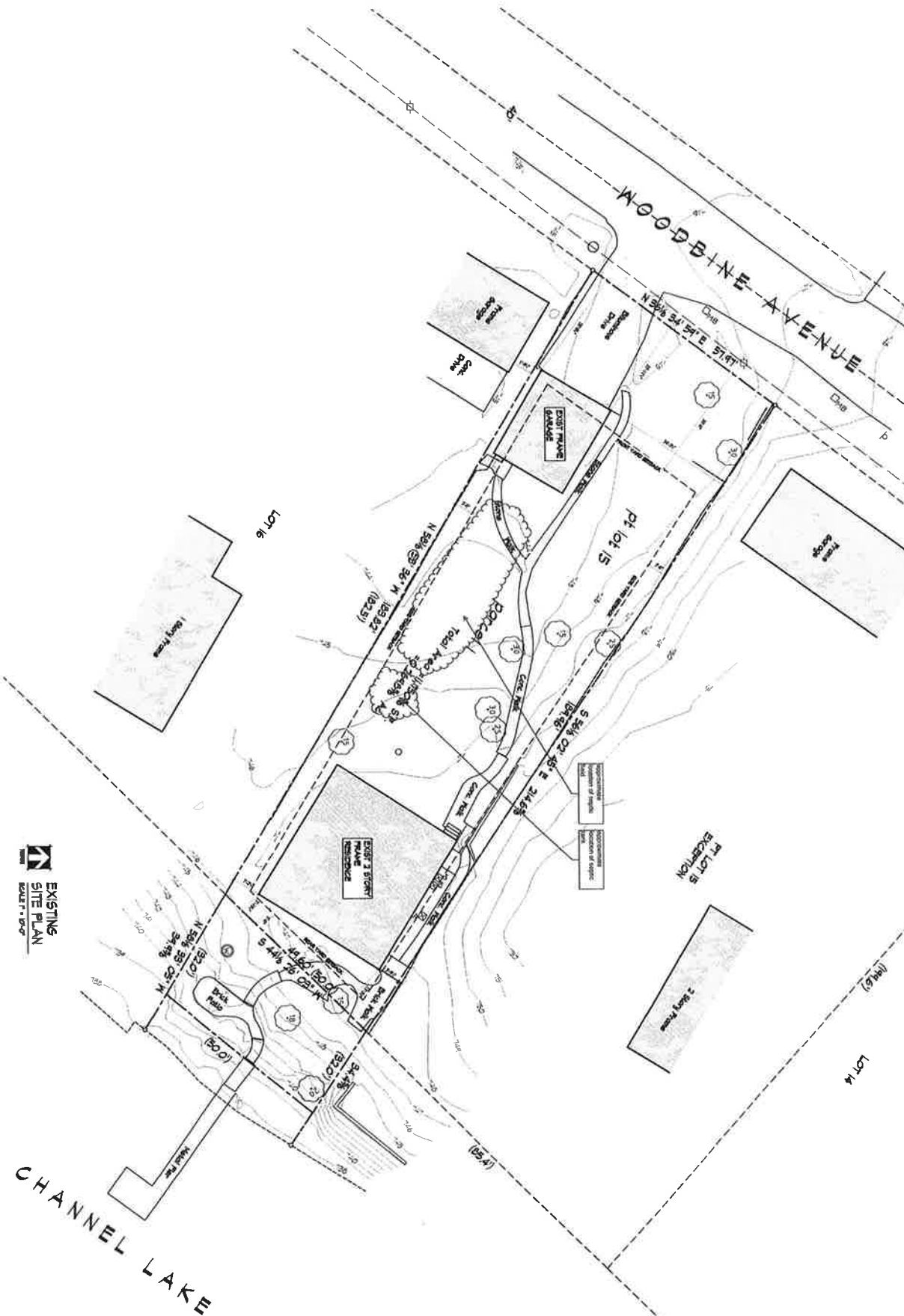
(Seal)

My Commission expires 06/13/21

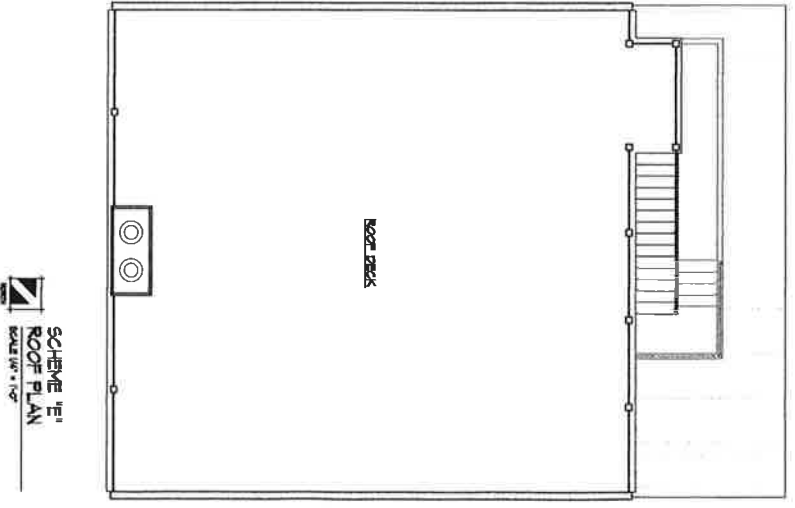
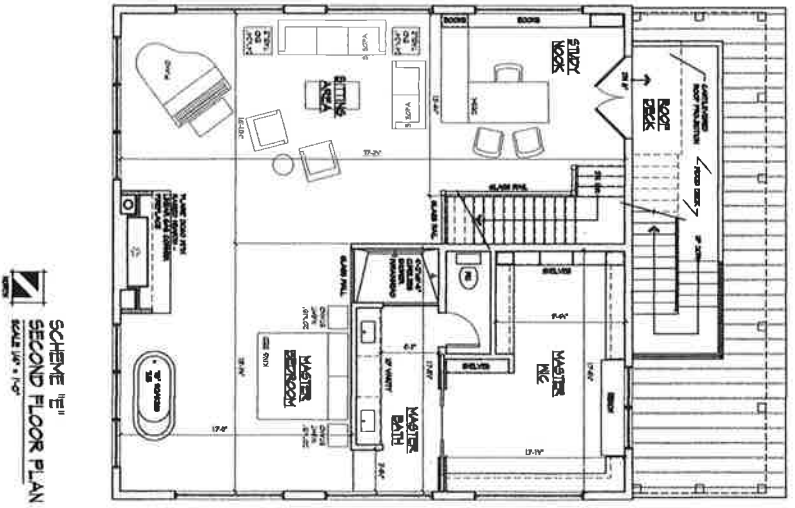
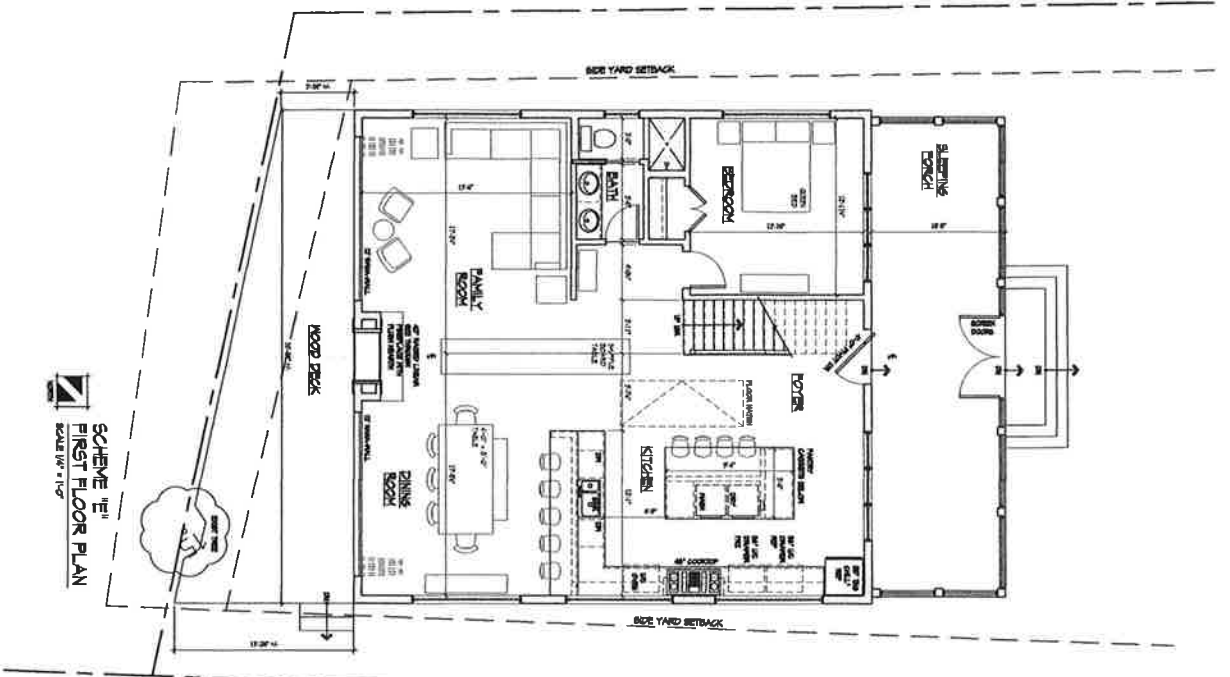


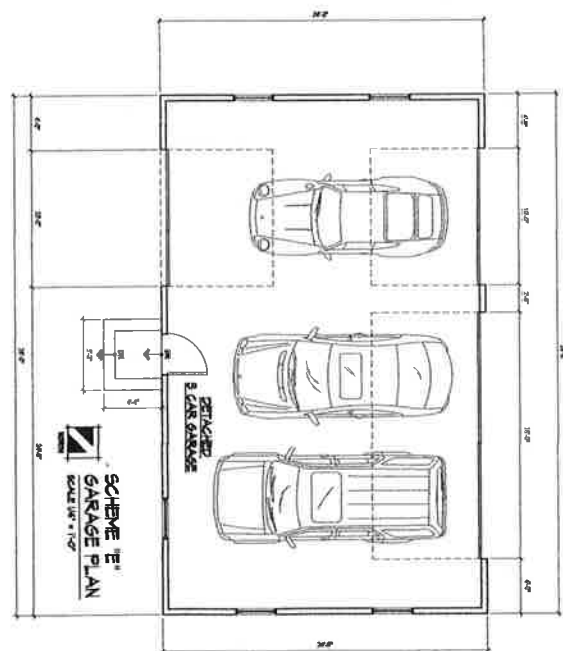




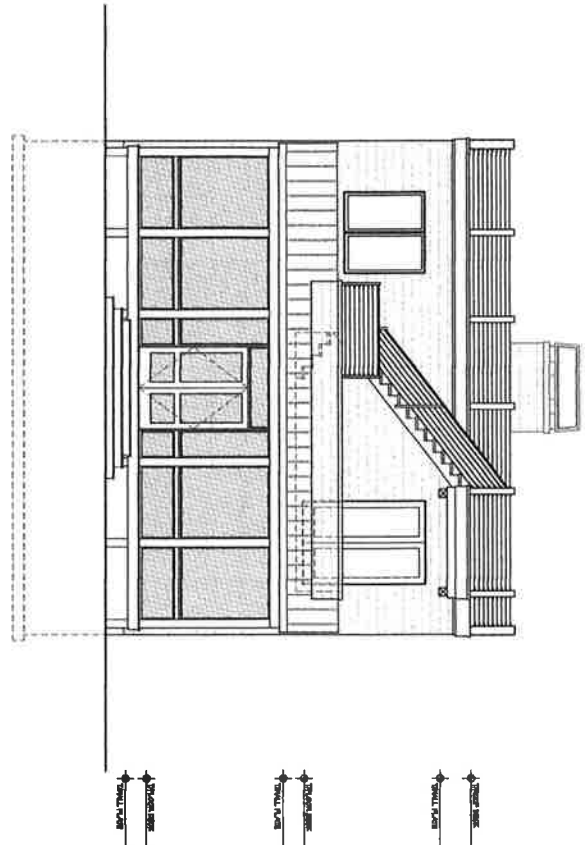


**EXISTING
SITE PLAN**
SCALE: 1" = 20'

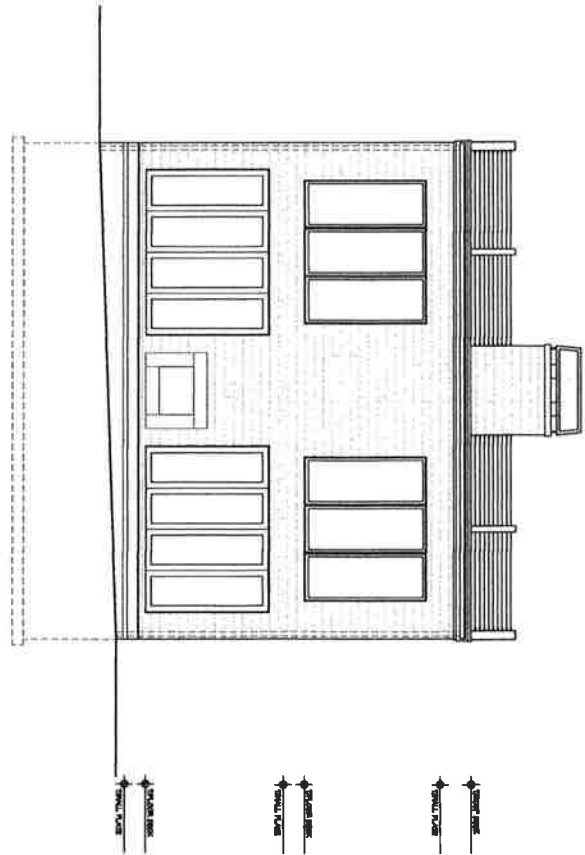




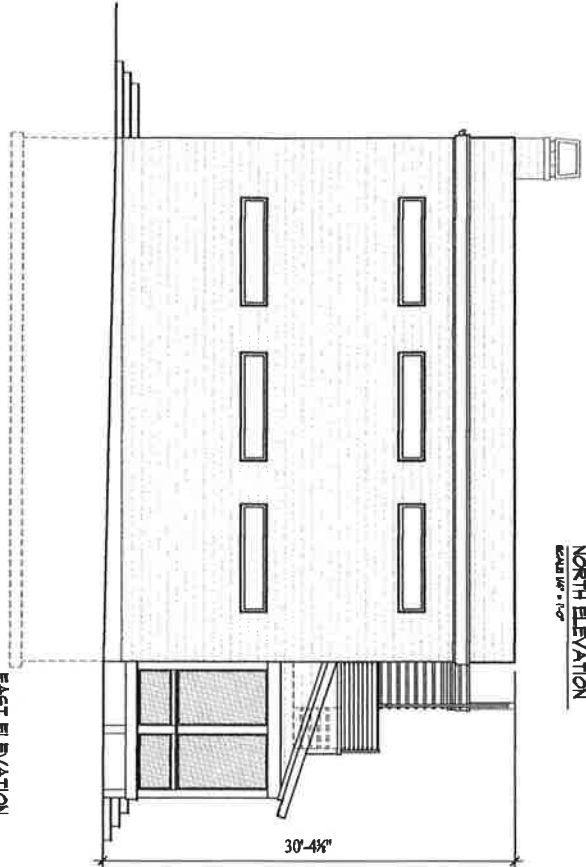
DATE	NO.	REVISION
SCALE		DESIGN REVIEW



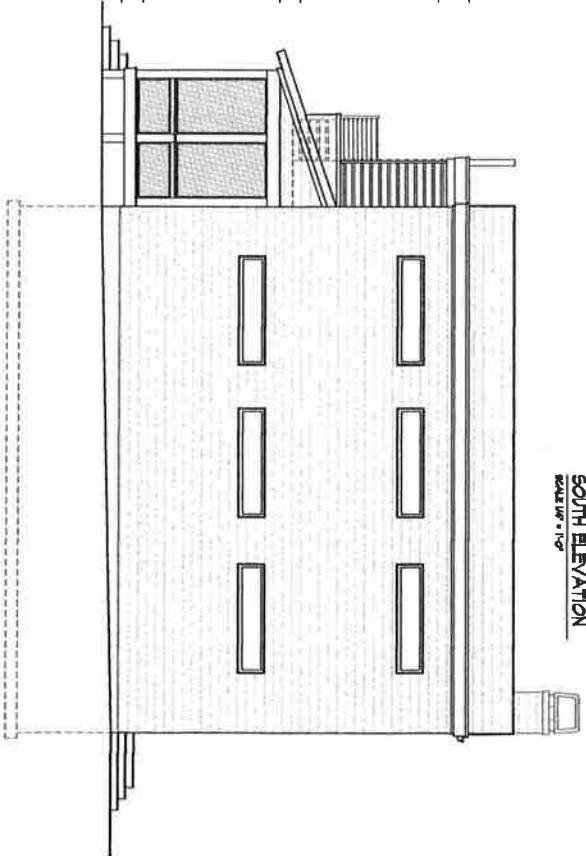
NORTH ELEVATION
SCALE 1/8" = 1'-0"



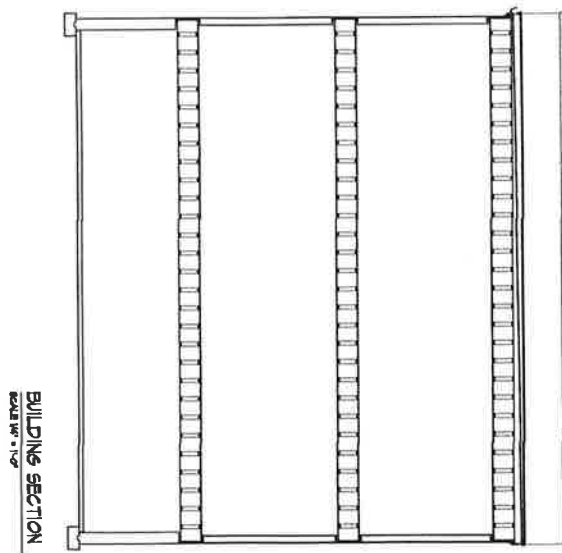
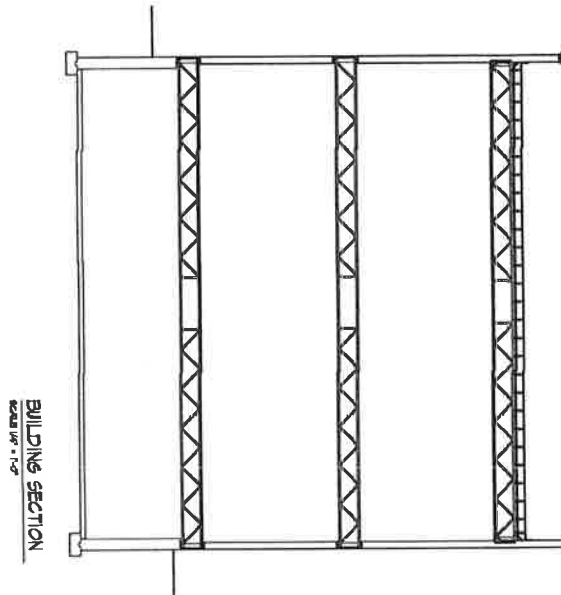
SOUTH ELEVATION
SCALE 1/8" = 1'-0"



EAST ELEVATION
SCALE 1/8" = 1'-0"



WEST ELEVATION
SCALE 1/8" = 1'-0"

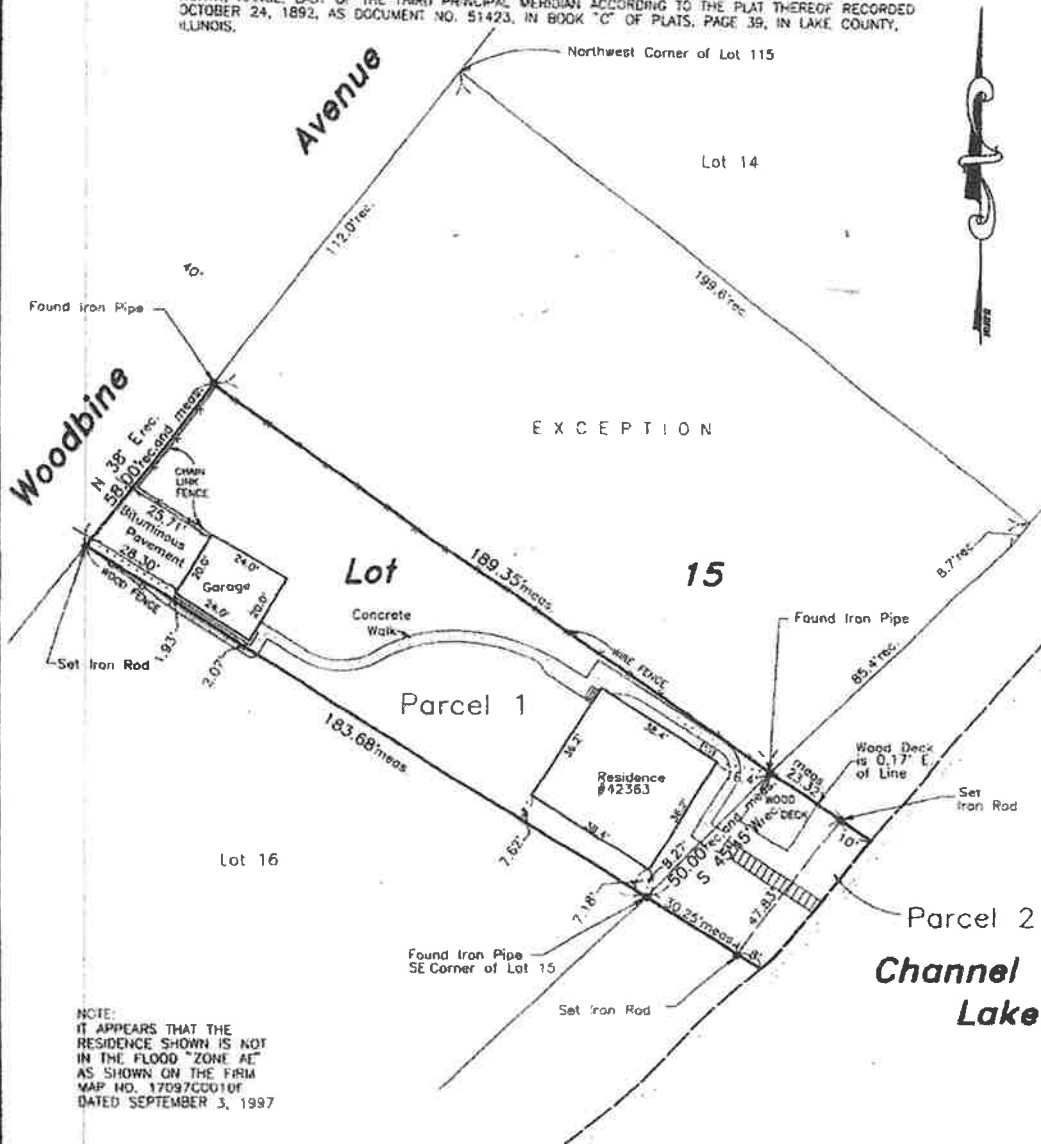


PLAT OF SURVEY

OF

PARCEL 1:
LOT 15 IN WOODBINE PARK (EXCEPT COMMENCING AT THE NORTHWEST CORNER; THENCE SOUTHERLY ALONG WOODBINE AVENUE 112 FEET; THENCE EASTERLY TO A POINT 50' NORTH OF THE SOUTHEAST CORNER; THENCE NORTHERLY 85.4 FEET TO THE NORTHEAST CORNER; THENCE WEST 199.6 FEET TO THE PLACE OF BEGINNING), BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 11, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1892, AS DOCUMENT 51423, IN BOOK "C" OF PLATS, PAGE 39, IN LAKE COUNTY, ILLINOIS.

PARCEL 2:
THAT PROPERTY ADJACENT TO LOT 15 DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER; THENCE SOUTHEAST APPROXIMATELY 32.0 FEET TO CHANNEL LAKE; THENCE NORTHERLY ALONG THE BANK OF CHANNEL LAKE 50.0 FEET; THENCE NORTHWEST APPROXIMATELY 32.0 FEET TO A POINT THAT IS 50.0 FEET NORTH OF THE SOUTHEAST CORNER BEING A PART OF SECTION 11, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1892, AS DOCUMENT NO. 51423, IN BOOK "C" OF PLATS, PAGE 39, IN LAKE COUNTY, ILLINOIS.



NOTE:
IT APPEARS THAT THE
RESIDENCE SHOWN IS NOT
IN THE FLOOD "ZONE A"
AS SHOWN ON THE FIRM
MAP NO. 17097CC010F
DATED SEPTEMBER 3, 1997

STATE OF ILLINOIS
COUNTY OF LAKE S.S.

I, Neil J. Lee, AN ILLINOIS PROFESSIONAL LAND
SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED
THE LANDS AS DESCRIBED IN THE ABOVE CAPTION, AND
THAT THE PLAT DRAWN HEREON IS A CORRECT REPRESENTATION
OF SAID SURVEY.

DATED AT GRAYSLAKE, ILLINOIS THIS 29th DAY OF
May, A.D. 2001.

Neil J. Lee
ILLINOIS PROFESSIONAL LAND SURVEYOR

REVISED 07-27-01 "NOTE" N.J.L.

NOTES:

PLAT IS VOID if the Impressed Surveyors Seal does not appear.

Only those Building Lines or Easements shown on a Recorded Subdivision
Plat or from a Recorded Deed are shown hereon: check local
ordinances before building.

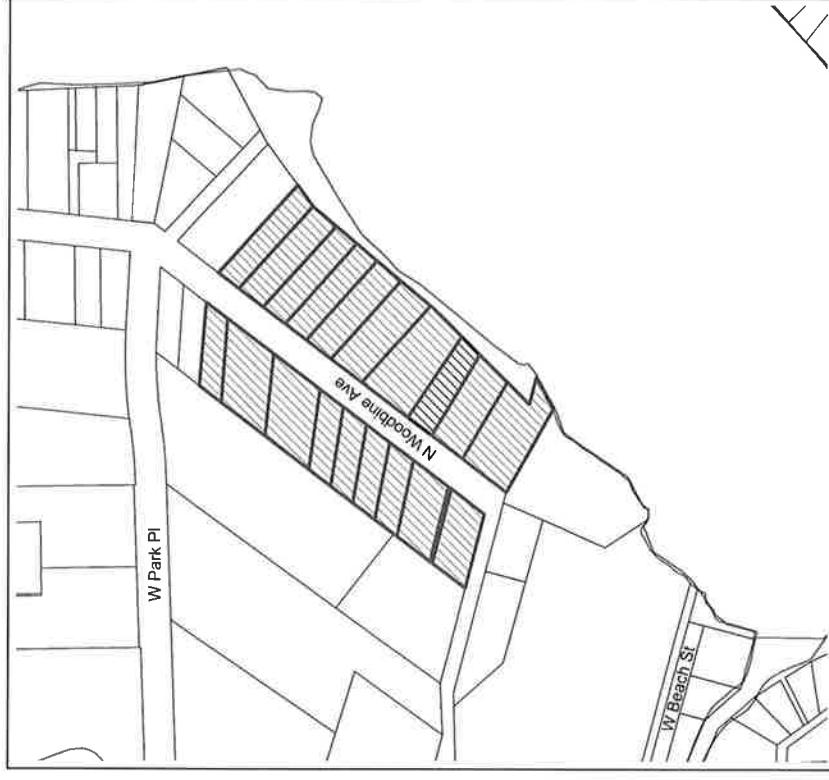
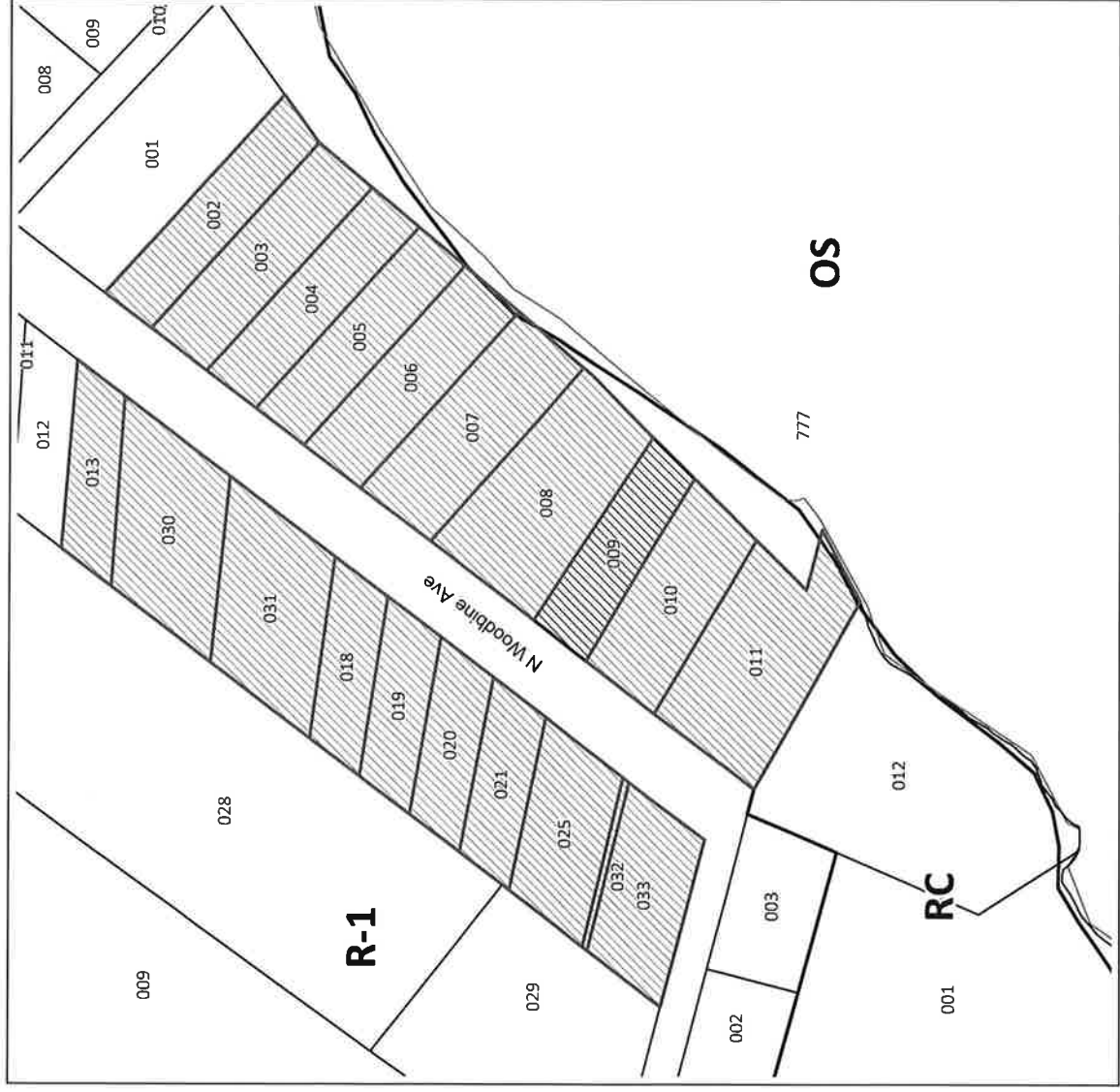
Compare your description and site markings with this plat and
AT ONCE report any discrepancies which you may find.

Scale: 1" = 30'

FILE NO. 180-71

R.E. ALLEN AND ASSOCIATES, LTD.

PROFESSIONAL LAND SURVEYORS
GRAYSLAKE 847-223-0914 ILLINOIS



Zoning Board of Appeals Case #1



Mailing Parcel



Subject Parcel



Incorporated Lake County



LAKE COUNTY ZONING BOARD OF APPEALS

HEARING NUMBER: VAR-000428-2018

CHANGE: 1.) Reduce the front setback from 30 feet to 11.25 feet
to accomodate a new garage.

2.) Reduce the rear yard setback from 5 feet to 0.5 feet
to accomodate a new deck.

ADDRESS: 42363 N. WOODBINE AVE. ANTIOCH, IL
60002

ACREAGE: 0.23

PETITIONER: Brigette A. Bell and Eric P. Bell, Trustees of
The Eric P. Bell Living Trust, U/A and The Brigette A. Bell
Living Trust, U/A

PUBLIC HEARING

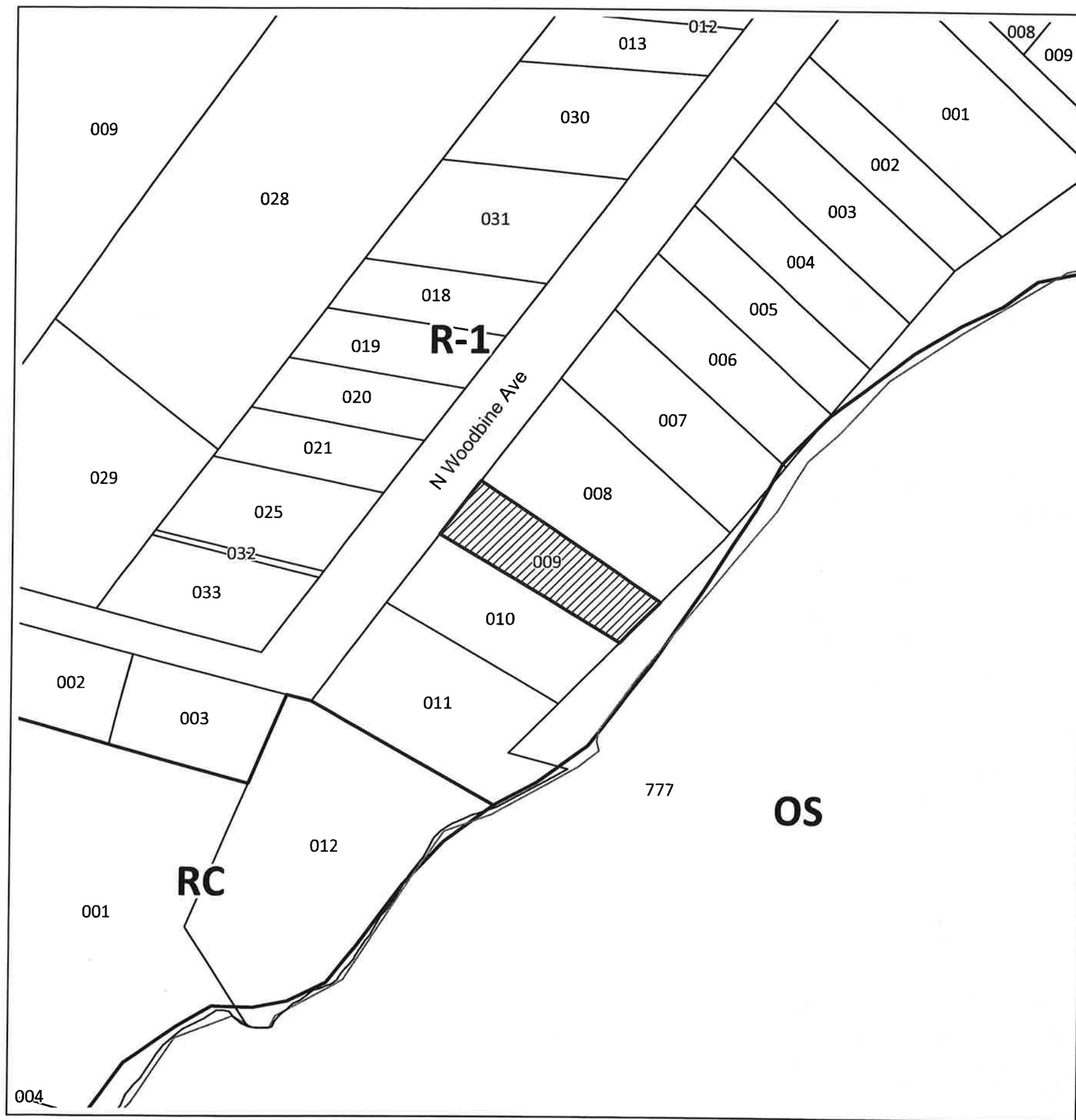
DATE:

Thursday November 29, 2018 at 9:00 AM

LOCATION:

Central Permit Facility, 500 W. Winchester Rd.,
Libertyville

For Additional information Contact: Thomas Chefalo
Telephone: 847-377-2120



Incorporated Lake County
 Subject Parcel



Zoning Board of Appeals
Case #VAR-000428-2018

0 25 50 100 150 200 Feet



Incorporated Lake County
 Subject Parcel



Zoning Board of Appeals
Case #VAR-000428-2018

0 25 50 100 150 200
 Feet