

LAKE COUNTY ZONING NOTICE VAR-000952-2024

Antioch Township

The Lake County Zoning Board of Appeals has scheduled a public hearing at 9:00 AM on Thursday June 13, 2024, at the Central Permit Facility, 500 W. Winchester Rd., Libertyville, IL on the petition of Robert L. Larsen and Karla Ann Larsen, record owners, who seek the following variations from the requirements of the Lake County Code and any other zoning relief as required:

1. Increase the maximum height for a retaining wall from 6 feet to 14 feet.
2. Reduce the setback from the ordinary high-water mark for a retaining wall from 30 feet to 10 feet.
3. Reduce the side yard setback for a retaining wall from 4 feet to 2.4 feet.
4. Reduce the setback from the ordinary high-water mark for a patio from 30 feet to 10 feet.
5. Reduce the side yard setback for a patio from 6 feet to 2.4 feet.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions. The subject property is located at 26044 W SPRING GROVE RD ANTIOCH, IL 60002 and is approximately 0.45 acres.

PIN:0111406036

This application is available for public examination online at <https://www.lakecountyil.gov/calendar.aspx?EID=11694> or at the office of the Lake County Zoning Board of Appeals, 500 W. Winchester Rd, Libertyville, Illinois, Attn: Thomas Chevalo, Project Manager 847-377-2120

Gregory Koeppen
Chair

LAKE COUNTY ZONING BOARD OF APPEALS

VARIATION APPLICATION

Owner(s):

Bob Larsen Karla Larsen

Applicant(s):
(if other than owner)

Subject
Property:

Present Zoning:

R2

Present Use:

Single family home

Proposed Use:

Single family home

PIN(s):

01-11-406-036

Address:

26044 W. Spring Grove Rd.
Antioch FL 60002

Legal description:

(see deed)

The following variation(s) are requested:

1. Retaining wall height from 6 feet to 14 feet.
2. Retaining wall ordinary high water mark from 30 feet to 10 feet.
3. Retaining wall side yard setback from 4 feet to 2.4 feet.
4. Patio ordinary high water mark from 20 feet to 10 feet.
5. Patio side yard setback from 6 feet to 2.4 feet.

Explain why this variation(s) is necessary:

The property is in a neighborhood of estate-sized homes on small waterfront lots with steep slopes to the waterfront. In maintaining consistency with the zoning regulations and the character of the neighborhood, the retaining walls were installed to prevent further deterioration of the slope to the lakefront, and to protect the foundation of the existing residence.

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 three criteria below. (Please refer to pages 8-9 of this packet for more information on how to address these criteria).

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

As can be seen from the drone video, the survey, and the static pictures, the subject property has a minimal setback from the waterfront and the setback is sharply pitched (almost a 1/1 pitch), such that there is inadequate setback to tier a row of six foot walls. Through natural erosion occurring in the area, the home's foundation is being put at risk of collapse. The property already shows erosion and deterioration of prior retaining walls.

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

The subject property does not allow compliance with the regulations as the retaining walls, if built to code, would afford no protection against the erosion on the subject property. The static pictures show the failure of the prior wall system on the property. The drone footage shows the effect of the erosion on the neighborhood as homes both to the west and to the east are showing marked slippage of soil, and collapse of mature trees. This will inevitably lead to infiltration into the water.

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

The project as built is in harmony with the purpose and intent of the zoning regulations. The waterway is a pristine body of water and the homes built thereon are estate-sized. The nearby properties with adequate setback from the water, have a system of tiered retaining walls. However, the homes without a proper setback have a much steeper pitch to the property from water's edge to foundation, and require a more drastic approach. The subject property's retaining wall is aesthetically pleasing, and consistent with the higher quality retaining walls in the neighborhood. The neighbors who have attempted a lesser approach have marked signs of erosion, and loss of mature trees, including trees landing in the lake. The impact of the project is that the land is more stable, and more attractive, and will only enhance values in the area.

COURT REPORTER AGREEMENT

CHECK ONE OF THE FOLLOWING:



I authorize the County to act on my behalf to retain a Certified Shorthand Reporter to transcribe the public hearing and provide a transcript to the Zoning Board of Appeals. I further agree to pay the Reporter reasonable fees for his/her services. If I do not pay the Reporter and the County is invoiced and pays the Reporter, I agree to reimburse the County. If the County sues to obtain reimbursement, I agree to pay the County its reasonable attorney's fees in bringing suit and obtaining a judgment.



I will furnish a Certified Shorthand Reporter to transcribe the public hearing and provide a transcript to the Zoning Board of Appeals. I realize that the failure to do so may result in the continuation of the public hearing in which case I agree to reimburse the County for all additional expenses caused by such continuation.



Signature

Billing Contact Information:

**Todd M. Manke
2819 Raycraft Road
Woodstock, IL 60098**



THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION

REAL ESTATE TRANSFER TAX



County: \$339.50
 Illinois: \$679.00
 Total: \$1,018.50
 Stamp No: 0-193-277-920
 Declaration ID: 20201004927582
 Instrument No: 7729067
 Date: 17-Dec-2020



Image# 060153740004 Type: DW
 Recorded: 12/17/2020 at 01:05:56 PM
 Receipt#: 2020-00092854
 Page 1 of 4
 Fees: \$1,078.50
 IL Rental Housing Fund: \$9.00
 Lake County IL Recorder
 Mary Ellen Vanderverter Recorder
 File **7729067**

4/ 206710530175SK 1/2

WARRANTY DEED

The Grantor, **MICHAEL O'DONNELL, AS TRUSTEE UNDER THE PROVISIONS OF THE 26044 W. SPRING GROVE ROAD QUALIFIED PERSONAL RESIDENCE TRUST**, of Antioch, IL, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, **CONVEYS and WARRANTS to ROBERT L. LARSEN AND KARLA ANN LARSEN**, husband and wife, not as joint tenants of tenants in common but as tenants by the entirety, of East Moline, Illinois, the following real estate situated in the County of Lake and State of Illinois, to wit:

THE WEST 92.5 FEET OF LOT 2 IN (LEES) A SUBDIVISION OF PART OF SECTIONS 11 AND 12, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1900 AS DOCUMENT 77857 IN BOOK "E" OF PLATS, PAGE 27, IN LAKE COUNTY, ILLINOIS

ALSO

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 11, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN THE SUBDIVISION OF PART OF SECTIONS 11 AND 12, TOWNSHIP 46 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1900 AS DOCUMENT NUMBER 77857 IN BOOK "E" OF PLATS, PAGE 27, IN LAKE COUNTY, ILLINOIS; THENCE NORTH ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 2, TO THE WATER'S EDGE OF CHANNEL LAKE; THENCE EASTERLY ALONG SAID WATER'S EDGE TO THE NORTHERLY EXTENSION OF THE WEST 92.5 FEET OF SAID LOT 2; THENCE SOUTH ALONG SAID NORTHERLY EXTENSION, TO THE NORTH LINE OF SAID LOT 2; THENCE WESTERLY ALONG SAID NORTH LINE TO THE POINT OF BEGINNING;

ALSO

THAT PART OF LOT "D" IN SMITH SECOND SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1914 AS DOCUMENT NUMBER 152537 IN BOOK "I" OF PLAT PAGE 91, IN LAKE

✓3
4

COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT "D"; THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, 73.69 FEET, ALONG THE NORTH LINE OF SAID LOT "D"; THENCE SOUTH 59 DEGREES 10 MINUTES 57 SECONDS WEST, 85.72 FEET TO THE WEST LINE OF SAID LOT "D"; THENCE NORTH 00 DEGREES 05 MINUTES 44 SECONDS WEST, 43.90 FEET TO THE POINT OF BEGINNING, ALL IN LAKE COUNTY, ILLINOIS

Property Address: 26044 WEST SPRING GROVE ROAD, ANTIOCH, IL 60002
Property Identification Number: 01-11-406-036-0000

Subject to: general real estate taxes not yet due and payable at the time of Closing, covenants, conditions and restrictions of record, building line and public and utility easements, if any, so long as they do not interfere with the current use and enjoyment of the Real Estate.

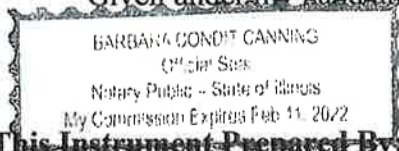
IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents this 15th of October, 2020.

[Redacted Signature]

MICHAEL O'DONNELL, AS TRUSTEE UNDER THE PROVISIONS OF THE 26044 W. SPRING GROVE ROAD QUALIFIED PERSONAL RESIDENCE TRUST
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the said County and State aforesaid, does hereby certify that MICHAEL O'DONNELL, AS TRUSTEE UNDER THE PROVISIONS OF THE 26044 W. SPRING GROVE ROAD QUALIFIED PERSONAL RESIDENCE TRUST, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered said instrument as her own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and NOTARIAL SEAL this 15th of October, 2020.



[Redacted Signature]

This Instrument Prepared By:

Barbara Condit Canning
Canning & Canning LLC
1000 Skokie Blvd., Suite 355
Wilmette, IL 60091

Send Subsequent Tax Bills To:

ROBERT L. LARSEN
4450 67th St. Ct.
EAST ARLING IL 61244

Return Recorded Deed To:

TERESA CO LYONS
959 MAIN ST. #1
ANTIOCH IL 60002

DOCUMENT PRESENTED
FOR RECORDING IN
DAMAGED CONDITION

PLAT ACT AFFIDAVIT

STATE OF IL
COUNTY OF Lake

Document No.: _____

Michael O'Donnell, as Trustee under the provisions of the 26044 W. Spring Grove Road Qualified Personal Residence Trust, being duly sworn on oath, states that AL resides at 26044 W. Spring Grove Rd., Antioch, IL 60002, and that the attached deed is not in violation of the Plat Act, Ch. 765 ILCS 205/1.1(b), as the provision of this Act do not apply and no plat is required due to the following exception:

1. The division or subdivision of the land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access;
2. The divisions of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
9. The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by a registered surveyor; provided, however, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.
10. The conveyance of land does not involve any land division and is described in the same manner as title was taken by grantor(s).

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that this affidavit is made for the purpose of inducing the Recorder of Lake County, Illinois to accept the attached deed for recording.

PLAT ACT AFFIDAVIT
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Michael O'Donnell, as Trustee under the provisions of the 26044 W. Spring Grove Road Qualified Personal Residence Trust

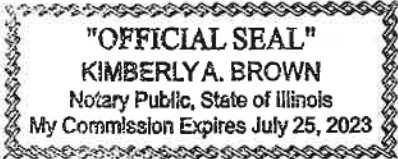
BY: 

STATE OF IL

COUNTY OF Lake

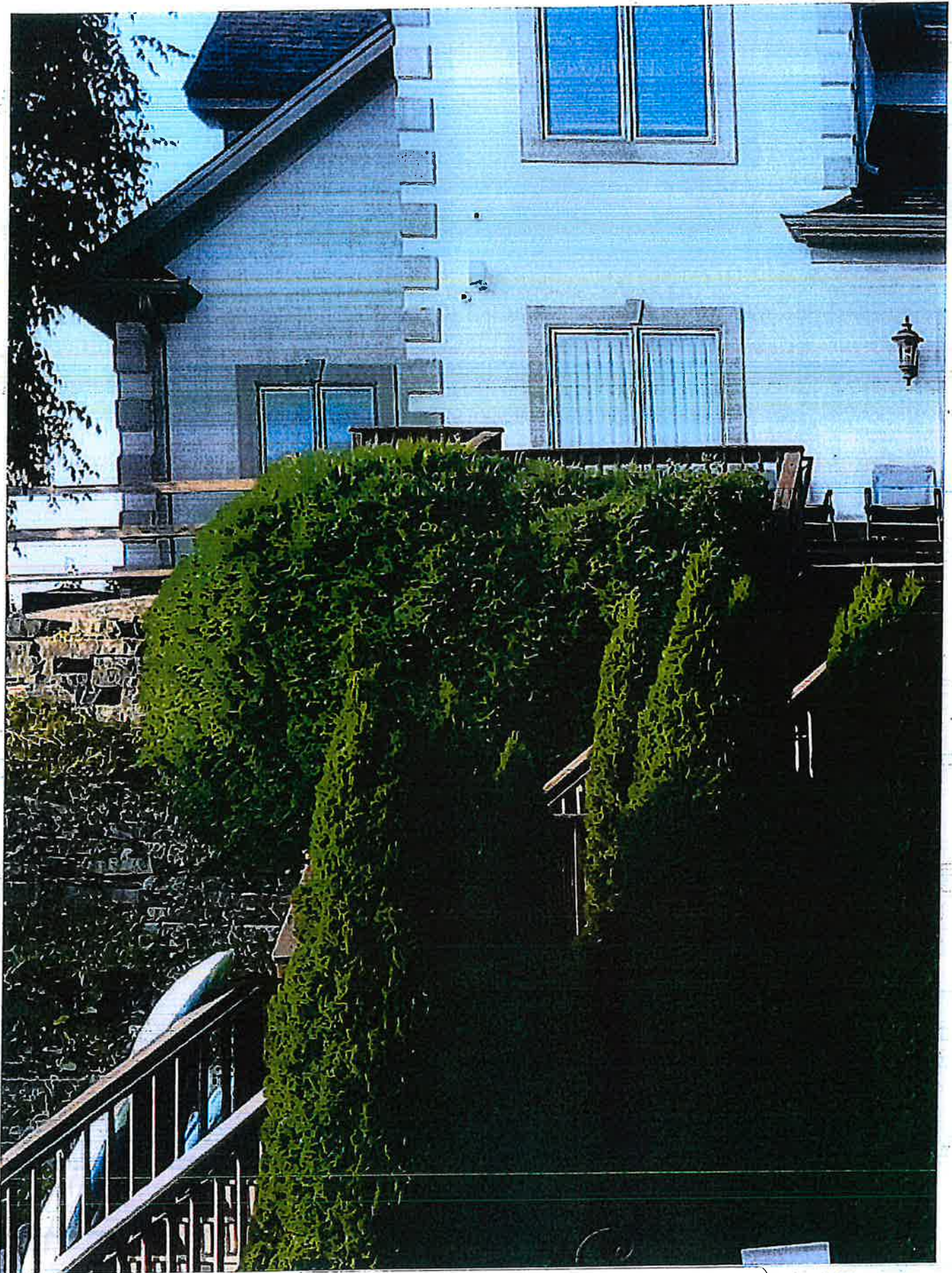
Subscribed and sworn to before me this 15 of Oct., 2020

Notary 





**Subject property
showing deterioration
of prior retaining wall**

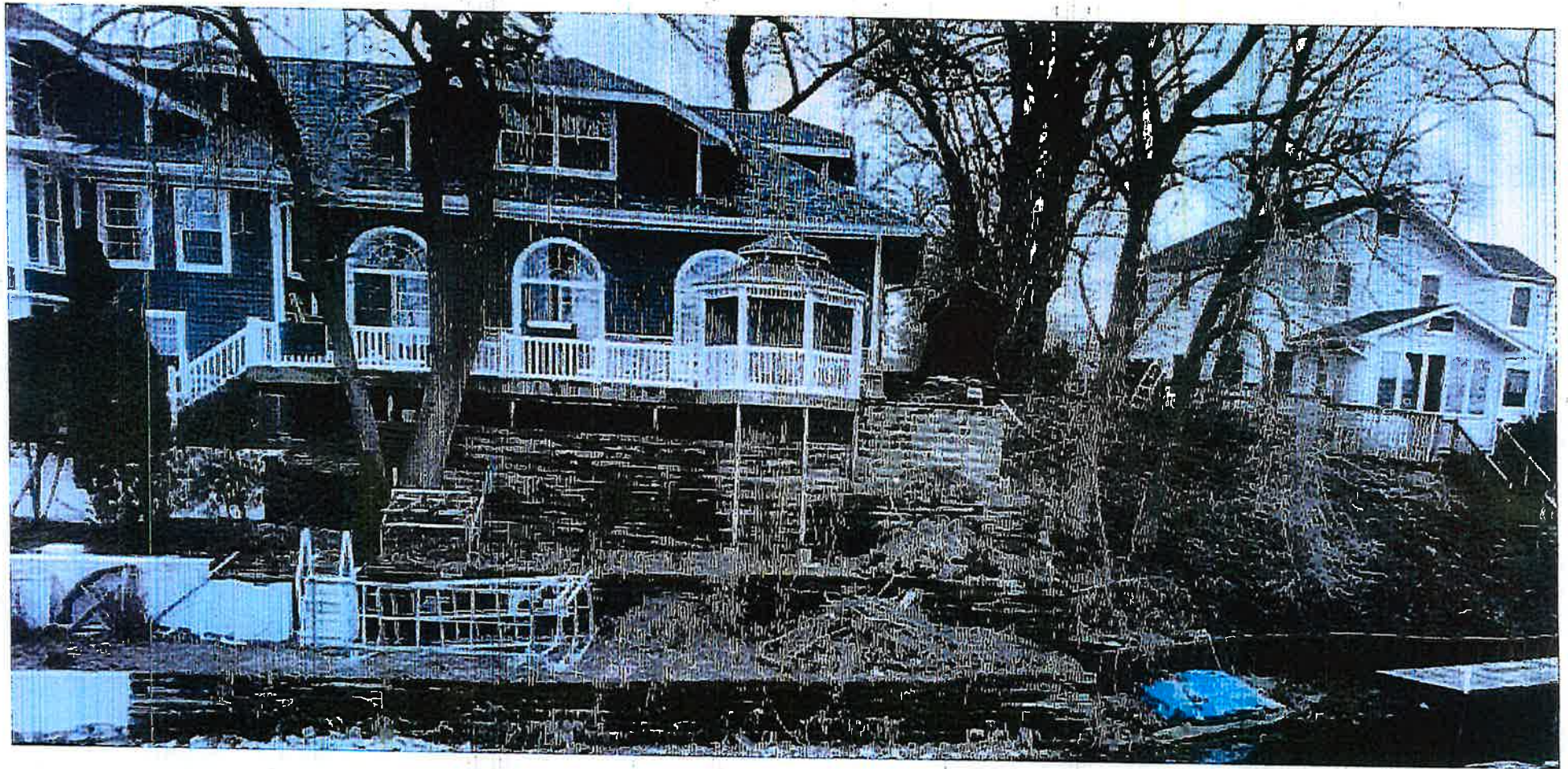


**Subject property showing
pitch of slope**

2/5/2024



**Subject property and neighbor
to west showing proximity to
water**



Neighboring properties to west showing decline of wall and erosion



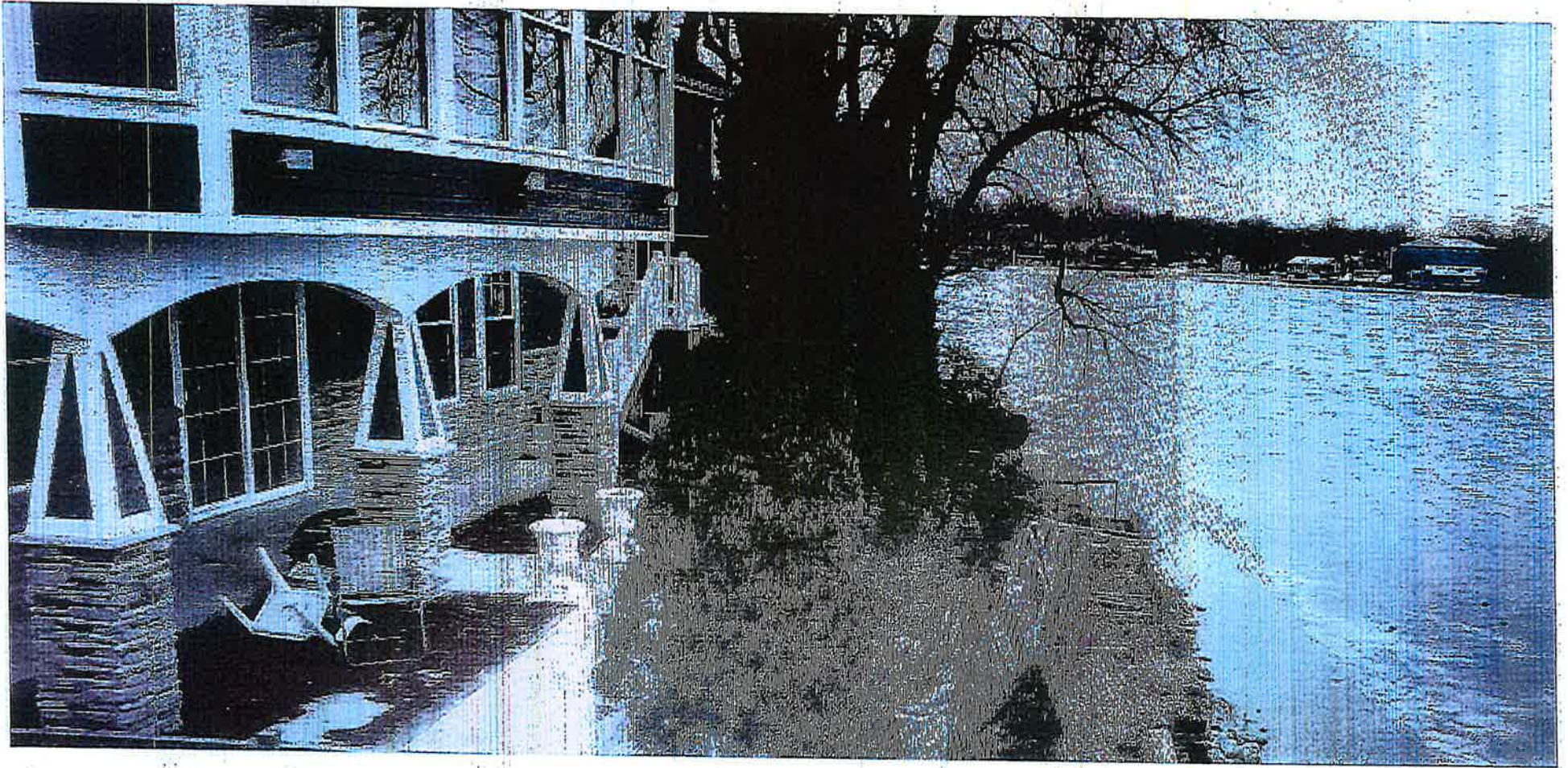
**East neighboring property and
subject property showing equal
size retention walls**



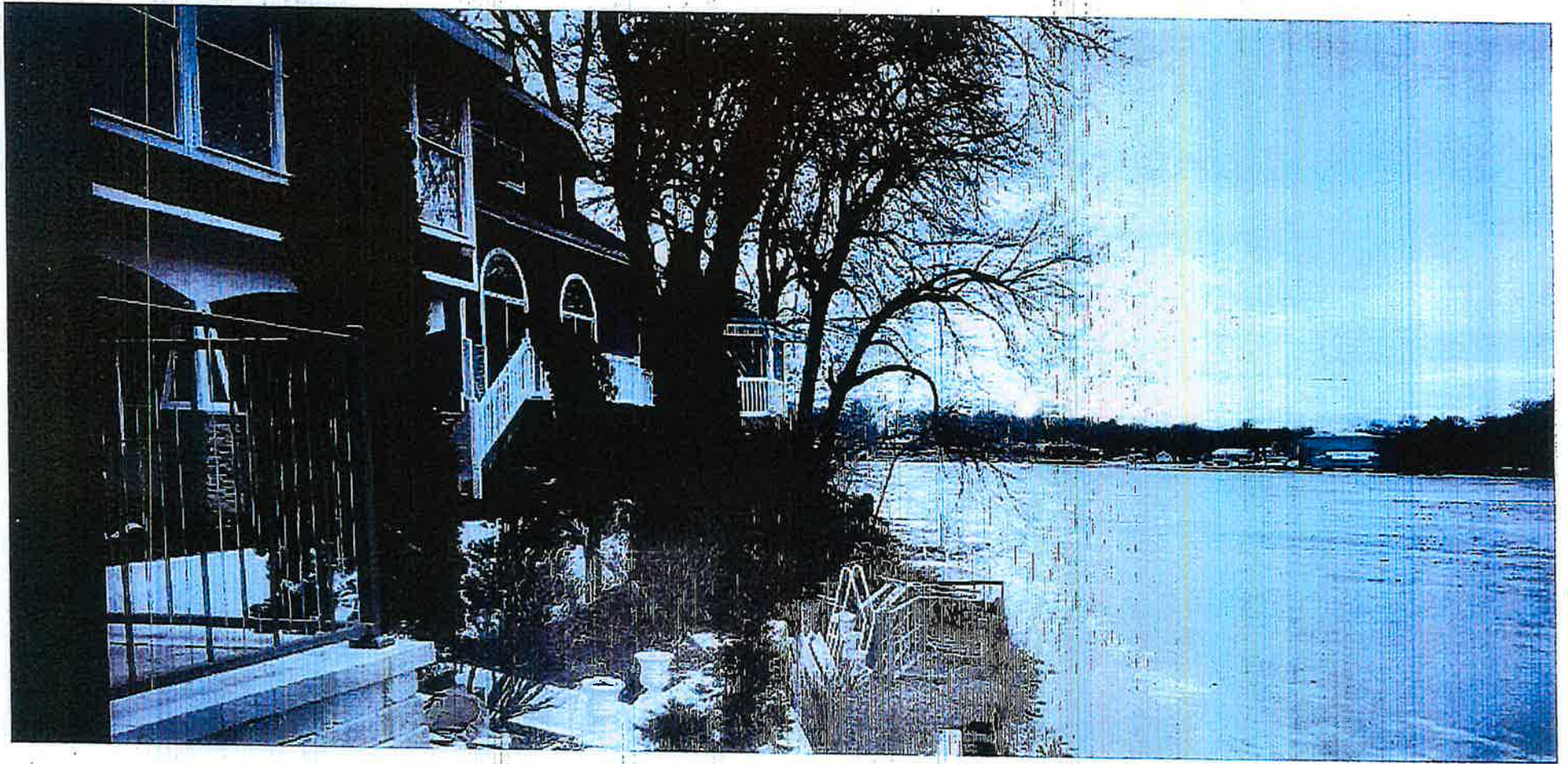
Property to east showing no side setback and showing erosion and deterioration on east side of subject property



**Subject property showing owner's
matching of walls to neighbor's
property on the west**



Side view of neighbor's property showing steep drop to waterline



**Additional view to west
showing lack of room to put
stacked retaining walls**



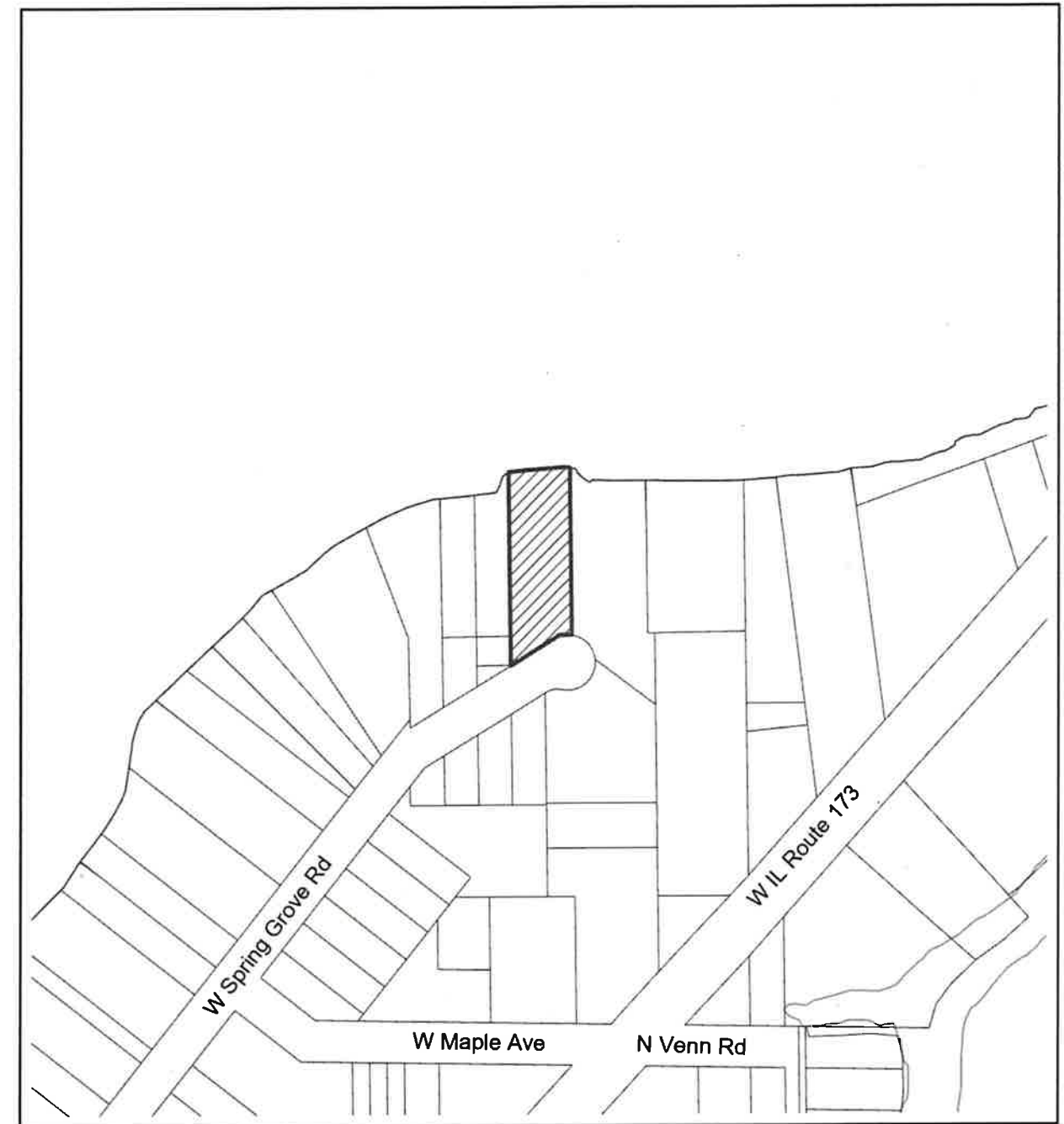
**View of property a few
houses west showing
erosion problems**



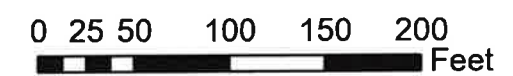
**View of property two homes
east of subject property showing
erosion and loss of mature trees**

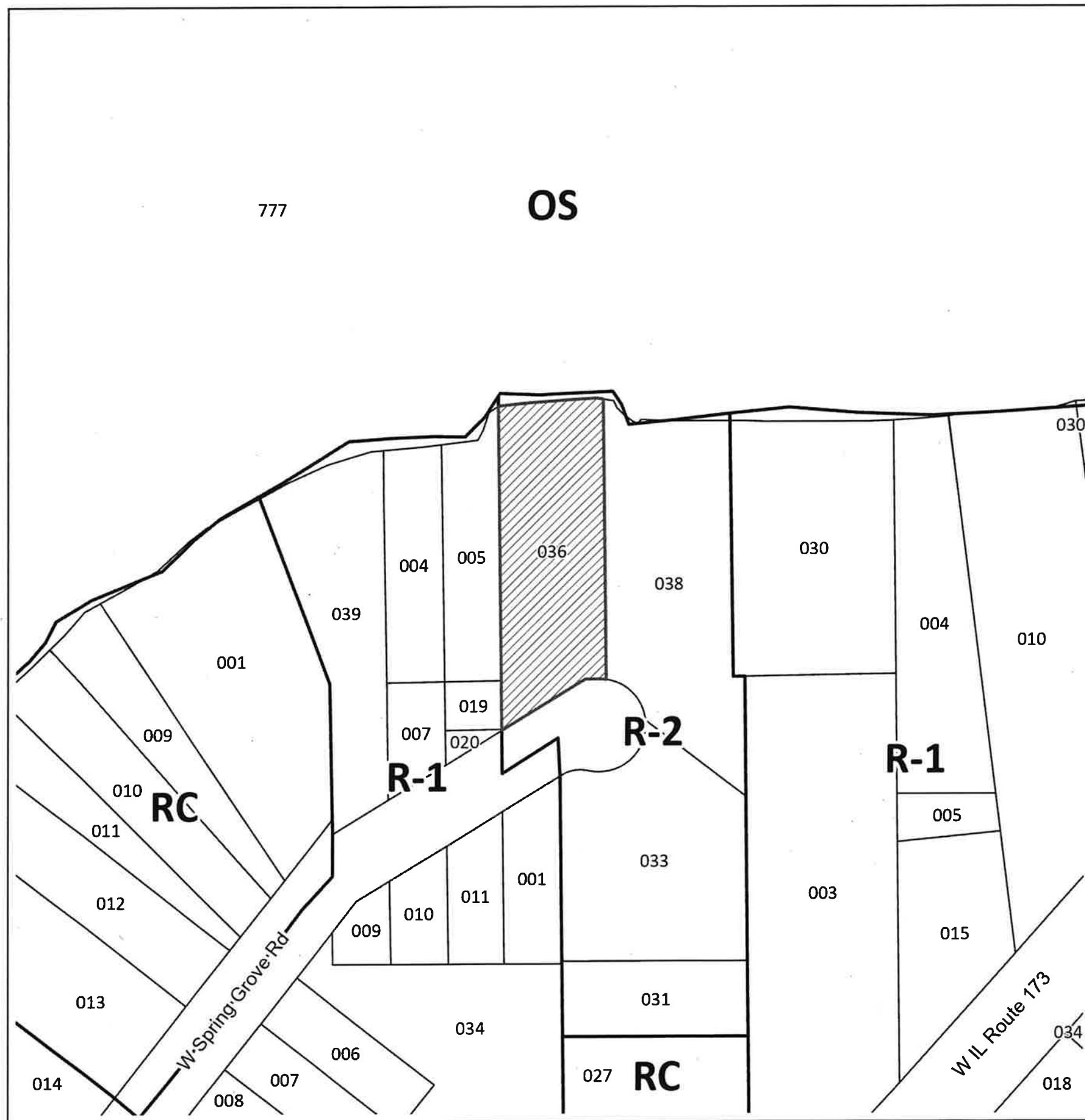


 Incorporated Lake County  Subject Parcel

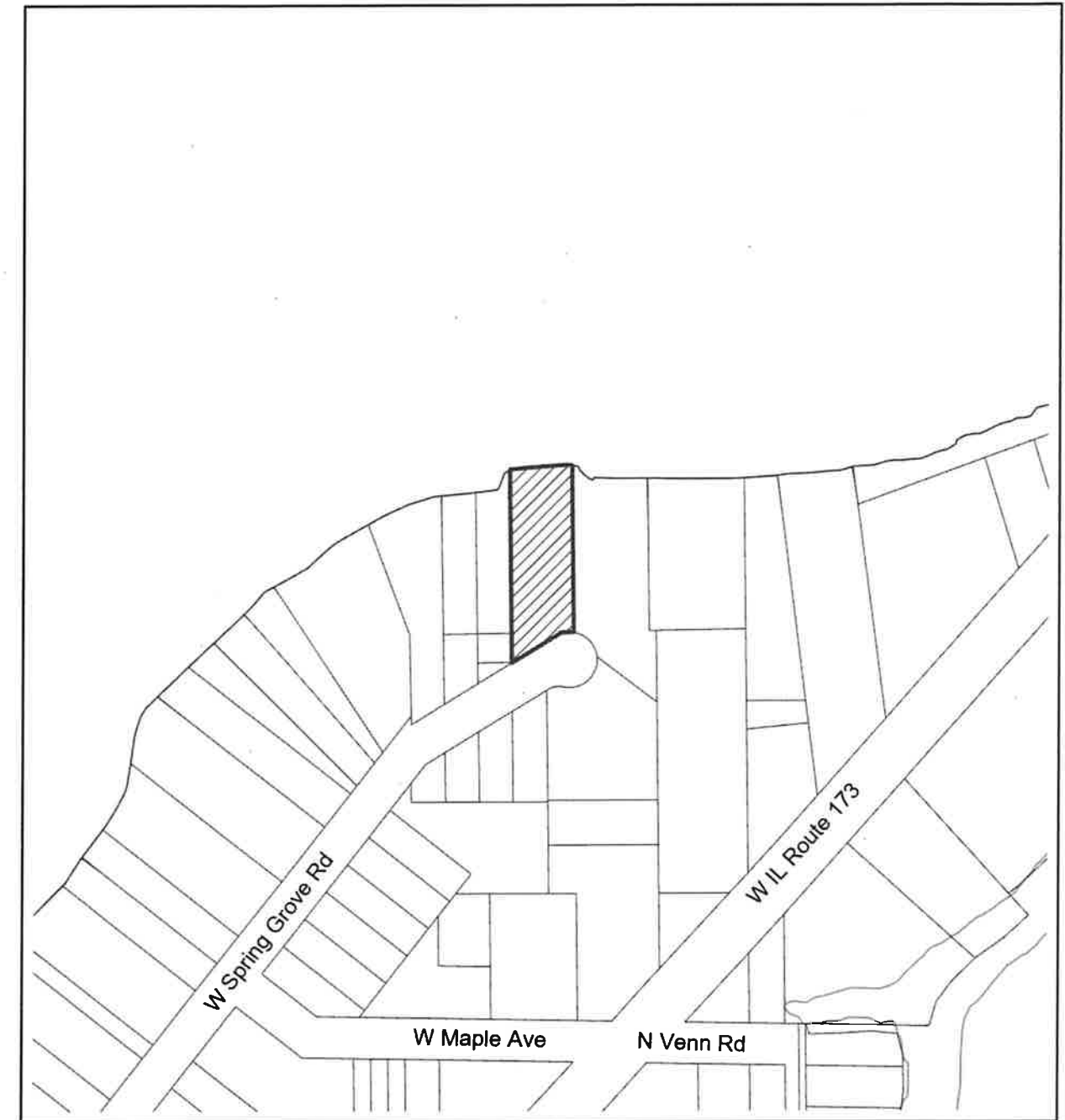


Zoning Board of Appeals
Case #VAR-000952-2024

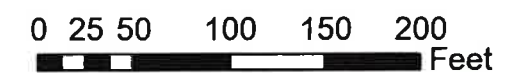


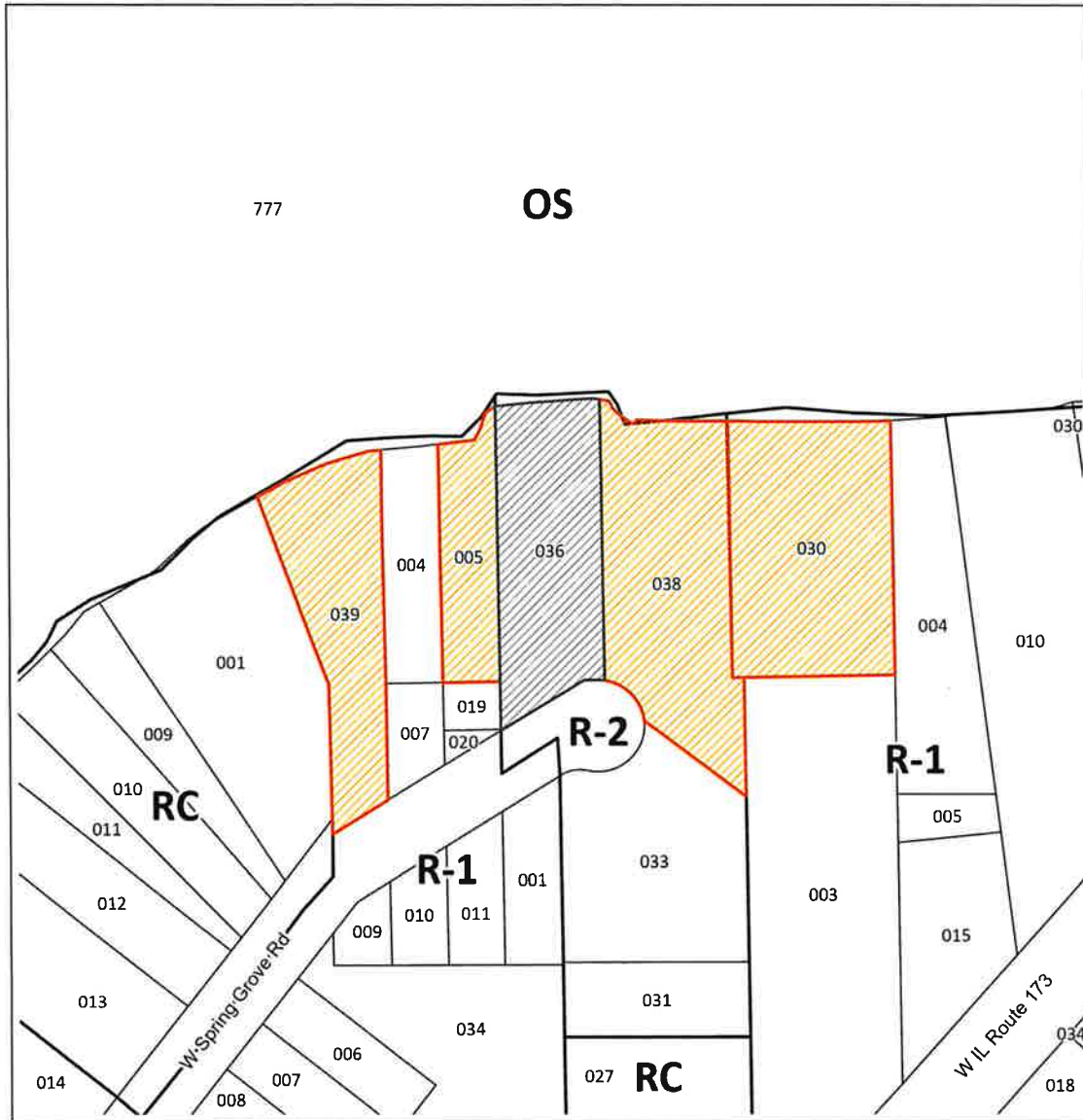


Incorporated Lake County
 Subject Parcel



Zoning Board of Appeals
Case #VAR-000952-2024





Zoning Board of Appeals
Case #VAR-000952-2024



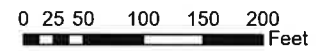
Incorporated Lake County



Subject Parcel



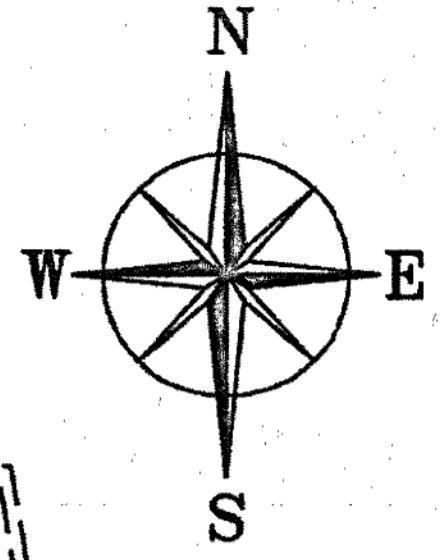
Mailing Parcel



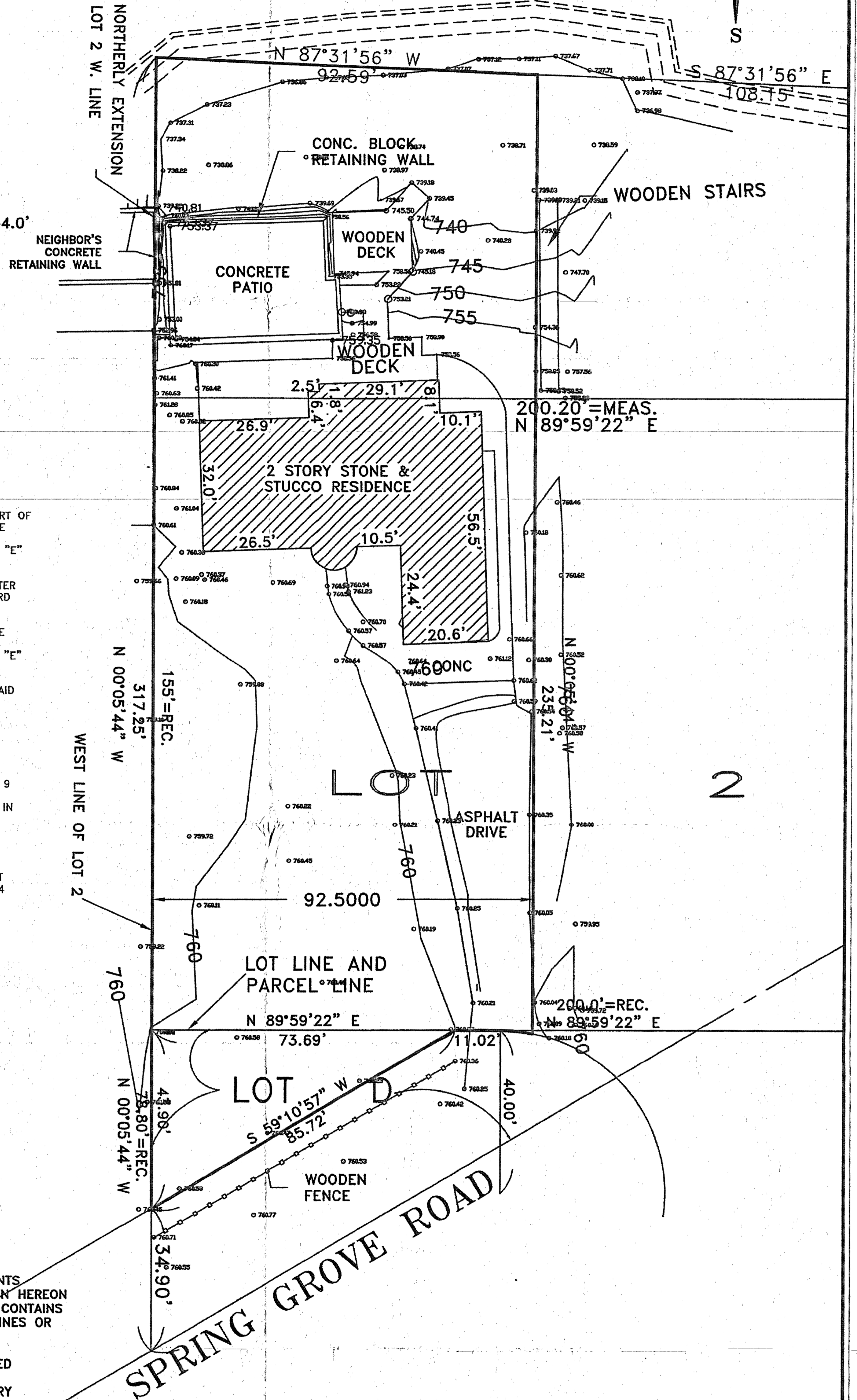
ZAHN & ASSOCIATES
LAND SURVEYORS

7514 BEVERLY WAY
 SPRING GROVE, IL 60081
 (815)675-2774
 D.F.P.R. #184003386

PLAT OF TOPOGRAPHY



- *BASE OF RETAINING WALL ELEVATION 740.0'
- *CONC. PATIO ON TOP OF WALL ELEVATION 754.0'
- *HIGHEST LEVEL OF RETAINING WALL & DECK ARE 760.3'



THE WEST 92.5 FEET OF LOT 2, IN (LEE'S) A SUBDIVISION OF PART OF SECTIONS 11 AND 12, TOWNSHIP 46 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1900 AS DOCUMENT NUMBER 77857 IN BOOK "E" OF PLATS, PAGE 27, IN LAKE COUNTY, ILLINOIS, AND ALSO THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN THE SUBDIVISION OF PART OF SECTIONS 11 AND 12, TOWNSHIP 46 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 18, 1900 AS DOCUMENT NUMBER 77857 IN BOOK "E" OF PLATS, PAGE 27, IN LAKE COUNTY, ILLINOIS; THENCE NORTH ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 2, TO THE WATER'S EDGE OF CHANNEL LAKE; THENCE EASTERLY ALONG SAID WATER'S EDGE TO THE NORTHERLY EXTENSION OF THE WEST 92.5 FEET OF SAID LOT 2; THENCE SOUTH ALONG SAID NORTHERLY EXTENSION, TO THE NORTH LINE OF SAID LOT 2; THENCE WESTERLY ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

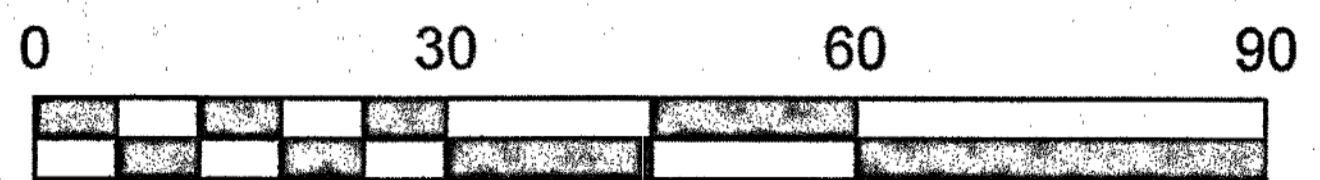
ALSO THAT PART OF LOT "D" IN SMITH'S SECOND SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 46 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1914 AS DOCUMENT NUMBER 152537 IN BOOK "I" OF PLATS PAGE 91, IN LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT "D"; THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, 73.69 FEET, ALONG THE NORTH LINE OF SAID LOT "D"; THENCE SOUTH 59 DEGREES 10 MINUTES 57 SECONDS WEST, 85.72 FEET TO THE WEST LINE OF SAID LOT "D"; THENCE NORTH 00 DEGREES 05 MINUTES 44 SECONDS WEST, 43.90 FEET TO THE POINT OF BEGINNING, ALL IN LAKE COUNTY, ILLINOIS.

LEGEND

- R=RECORD
- D=DEED
- M=MEASURED
- FIP=FOUND IRON PIPE
- FIR=FOUND IRON ROD
- SQ. FT.=SQUARE FEET
- P.O.C.=POINT OF COMMENCEMENT
- P.O.B.=POINT OF BEGINNING
- BSL=BUILDING SETBACK LINE
- SRL=SEPTIC RESTRICTION LINE
- CL=CENTERLINE
- R/W=RIGHT OF WAY
- =IRON PIPE FOUND
- =IRON BAR FOUND
- ⊙=IRON PIN SET

SURVEY NOTES:

- ONLY THOSE BUILDING LINE RESTRICTIONS OR EASEMENTS SHOWN ON A RECORDED SUBDIVISION PLAT ARE SHOWN HEREON UNLESS THE DESCRIPTION ORDERED TO BE SURVEYED CONTAINS A PROPER DESCRIPTION OF THE REQUIRED BUILDING LINES OR EASEMENTS.
- *NO DISTANCE SHOULD BE ASSUMED BY SCALING.
- *NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE NOTED.
- *COMPARE DESCRIPTION, MEASUREMENTS AND BOUNDARY CORNERS BEFORE BUILDING AND IMMEDIATELY REPORT ANY APPARENT DISCREPANCY TO THE SURVEYOR.
- *THIS SURVEY AND PLAT OF SURVEY ARE VOID WITHOUT EMBOSSED SEAL AND SIGNATURE.
- *LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A LEICA TCP1203 ROBOTIC TOTAL STATION AND/OR LEICA RTK GPS.
- *BENCHMARK USED FOR ELEVATIONS IS USGS LAK173 1B



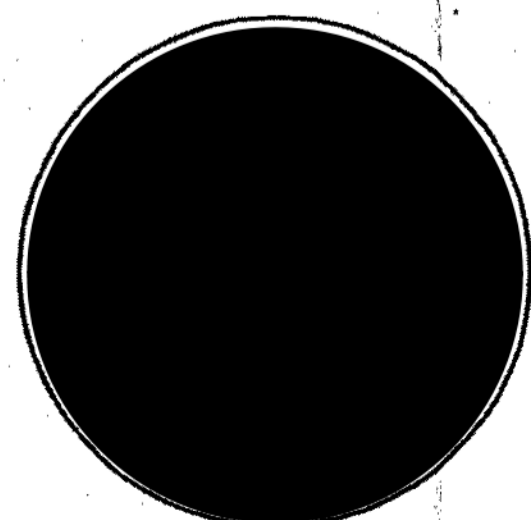
CLIENT: **ROBERT LARSON**

DRAWN BY: **KCC** CHECKED BY: **FWZ**

SCALE: **1" = 30'**

JOB NUMBER **2023-116T**

PIN: **01-11-406-036**



EXPIRES 11-30-2024

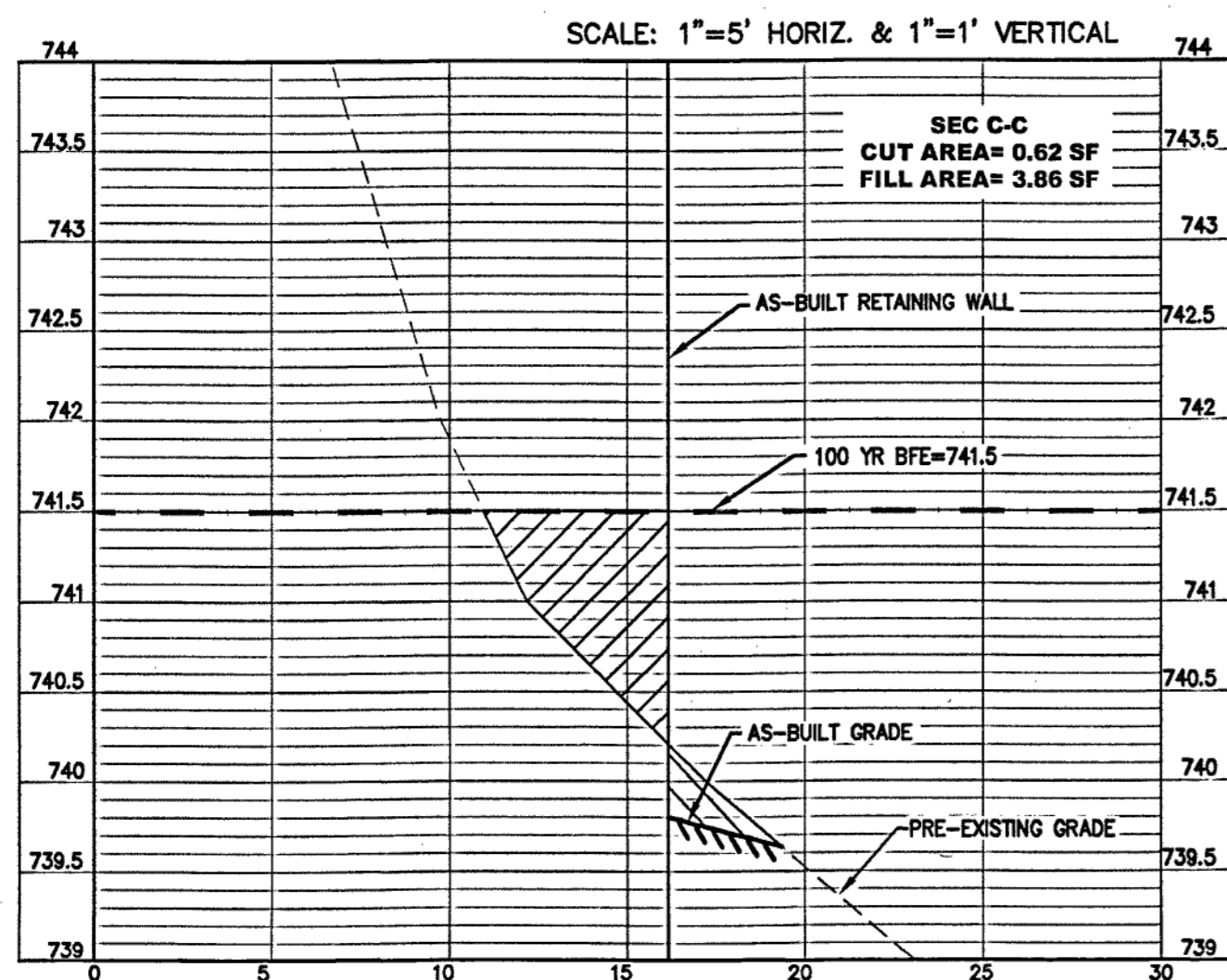
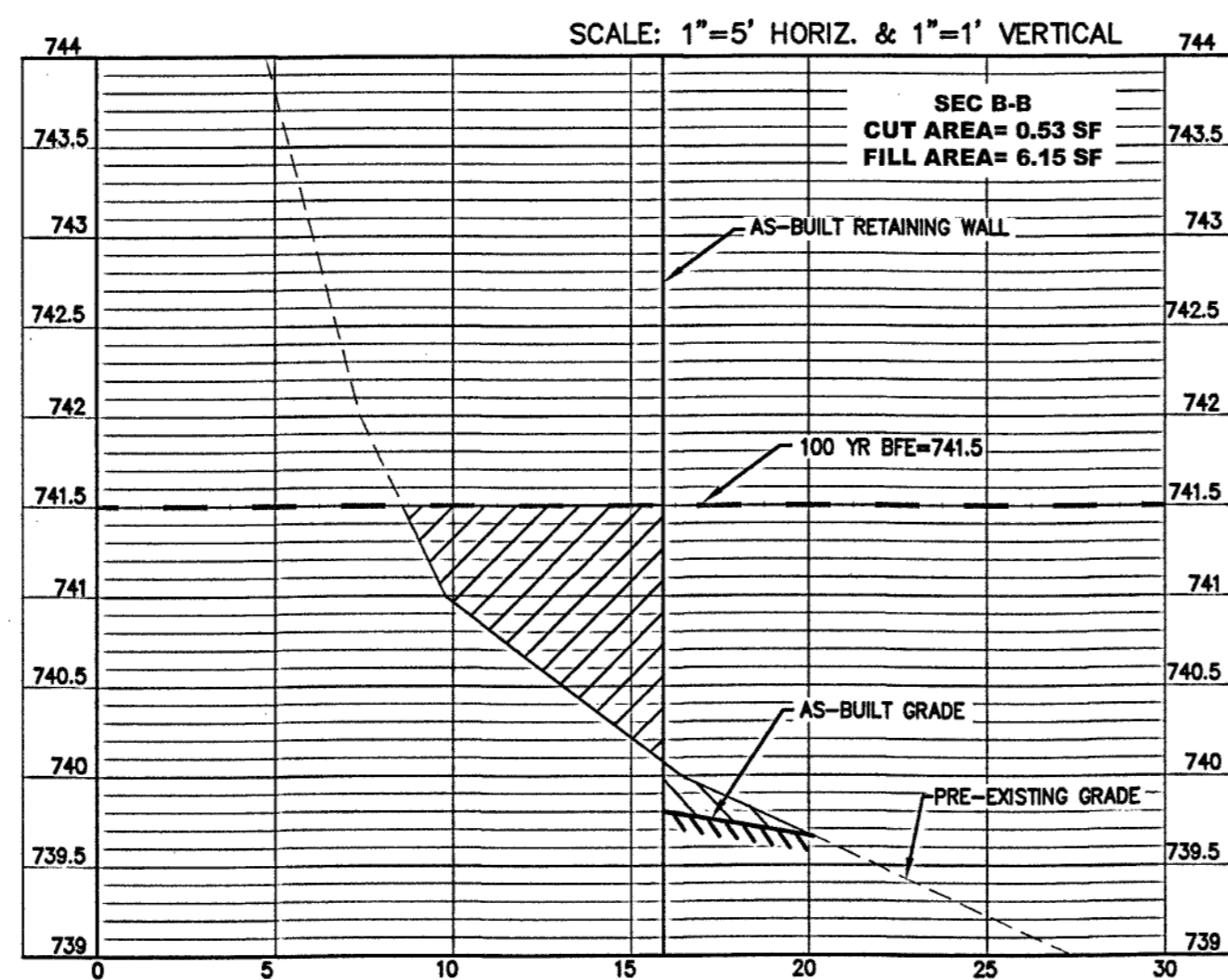
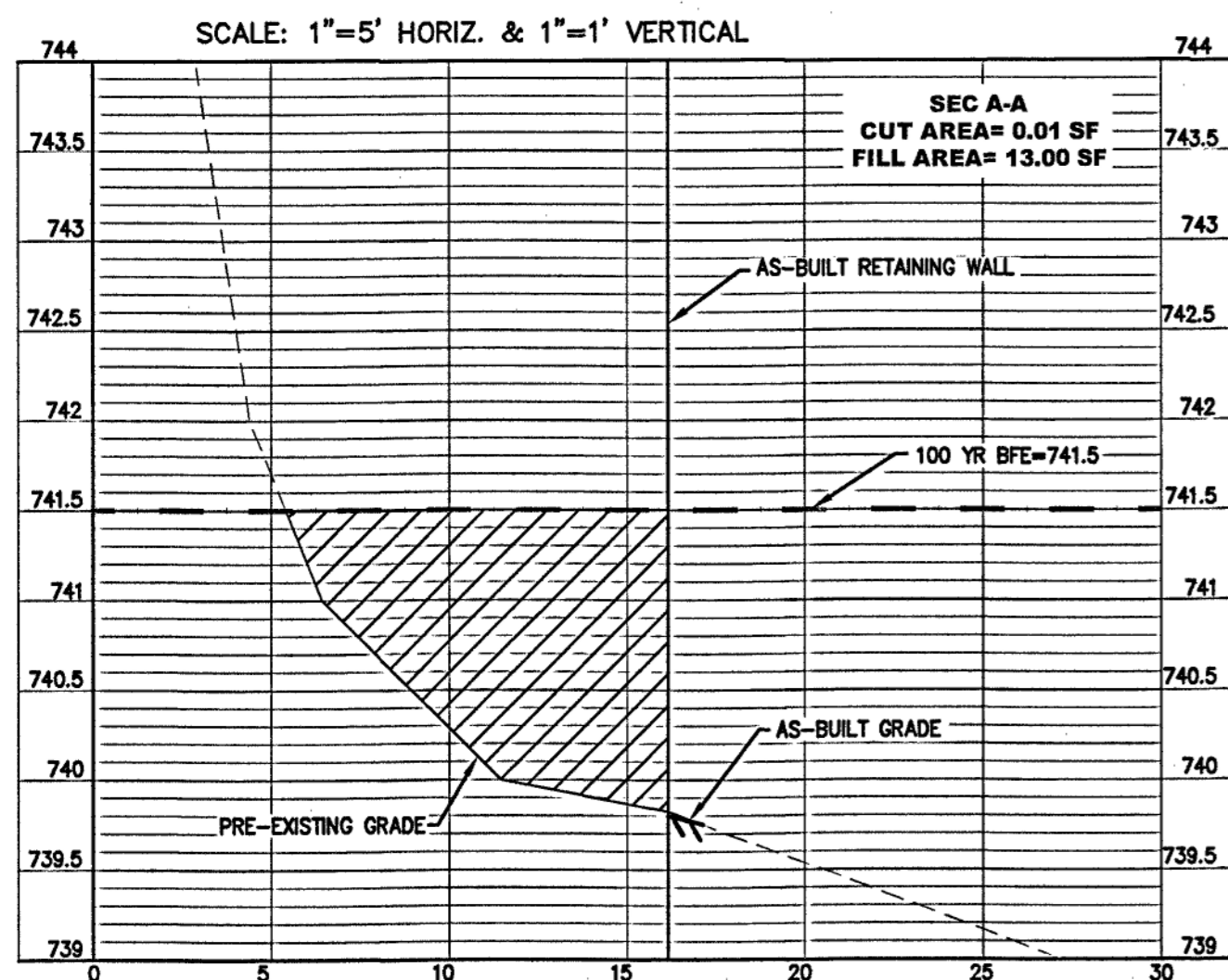
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF McHENRY) S.S.

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY IN ACCORDANCE WITH THE OFFICIAL RECORDS, AND THAT THE PLAT DRAWN HEREON IS A CORRECT REPRESENTATION OF SAID SURVEY. SIGNED AND SEALED AT SPRING GROVE, McHENRY COUNTY, ILLINOIS THIS 22ND DAY OF NOVEMBER, 2023.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2623



**FILL VOLUME
COMPILATION OF STATIONS IN FLOOD ZONE**

SECTION	LENGTH (FT)	FILL AREA (SF)	FILL VOL. (CF)
A-A	0	13.00	0.0
B-B	19.5	6.15	186.7
C-C	19.5	3.86	97.6
TOTAL			284.3

**CUT VOLUME
COMPILATION OF STATIONS IN FLOOD ZONE**

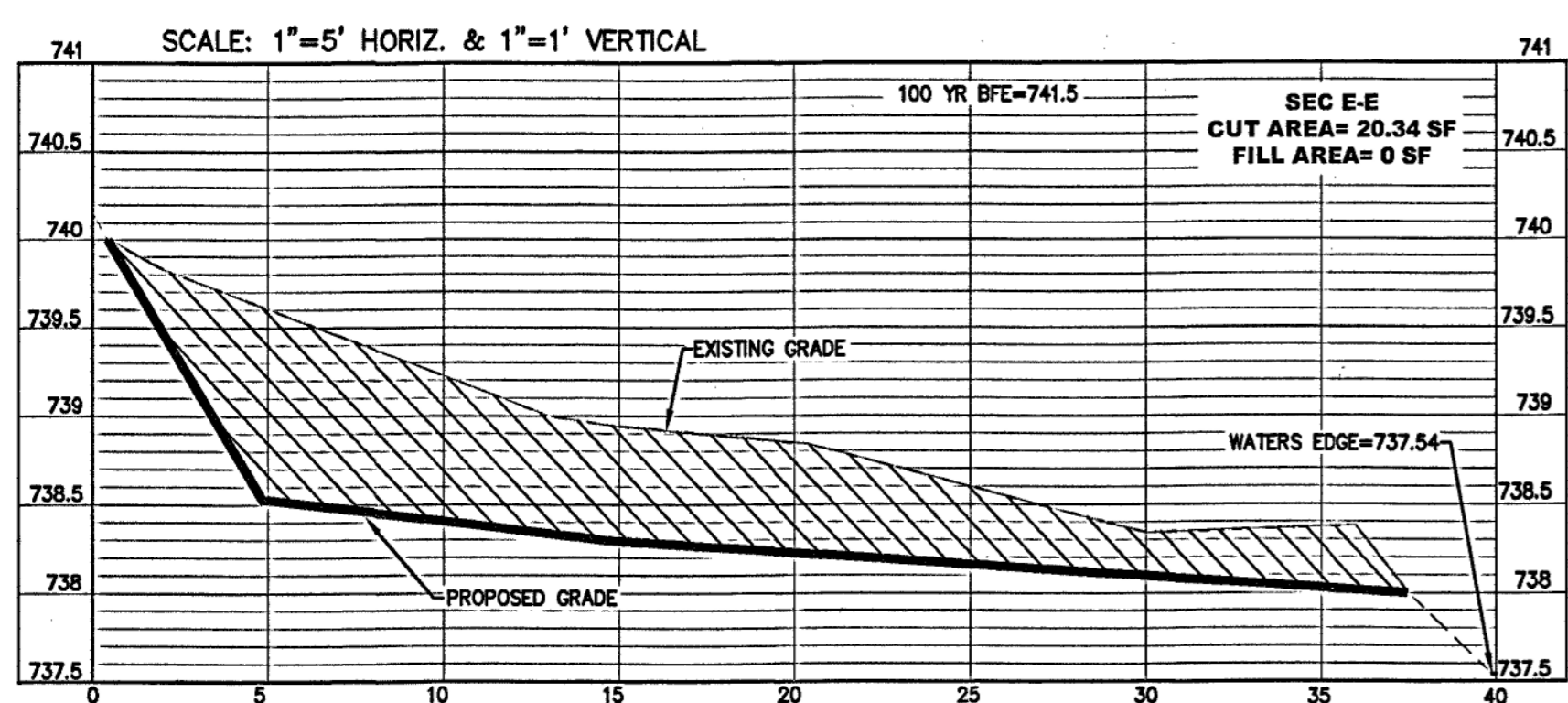
SECTION	LENGTH (FT)	CUT AREA (SF)	CUT VOL. (CF)
A-A	0	0.01	0
B-B	19.5	0.77	7.6
C-C	19.5	0.53	12.7
TOTAL			20.3

CROSS SECTION LEGEND

---	PRE-EXISTING CONTOURS (COUNTY TOPO)
---	BASE FLOOD ELEVATION
---	AS-BUILT CONTOURS
///	CUT AREA
\\	FILL AREA

RETAINING WALL CROSS SECTIONS

TOTAL FILL IN FLOODPLAIN: 284.3 CUBIC FEET
TOTAL PROPOSED CUT IN FLOODPLAIN: 454.6 CUBIC FEET



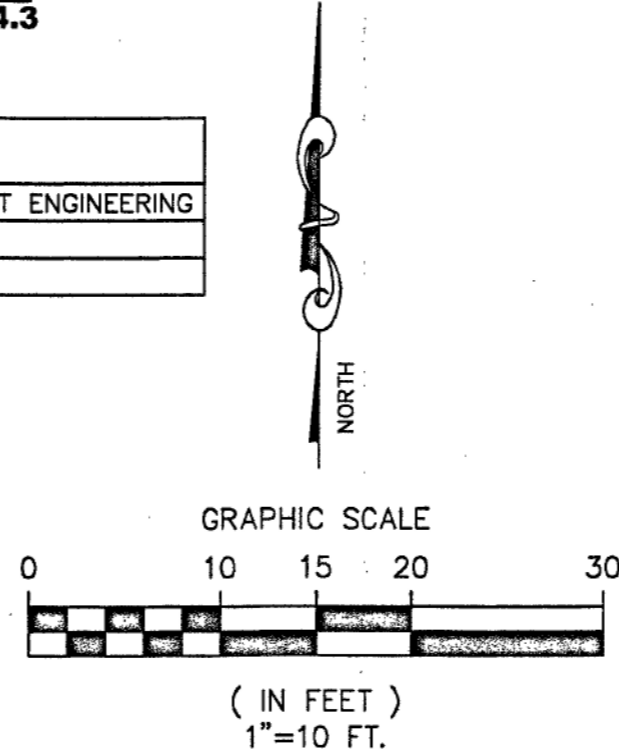
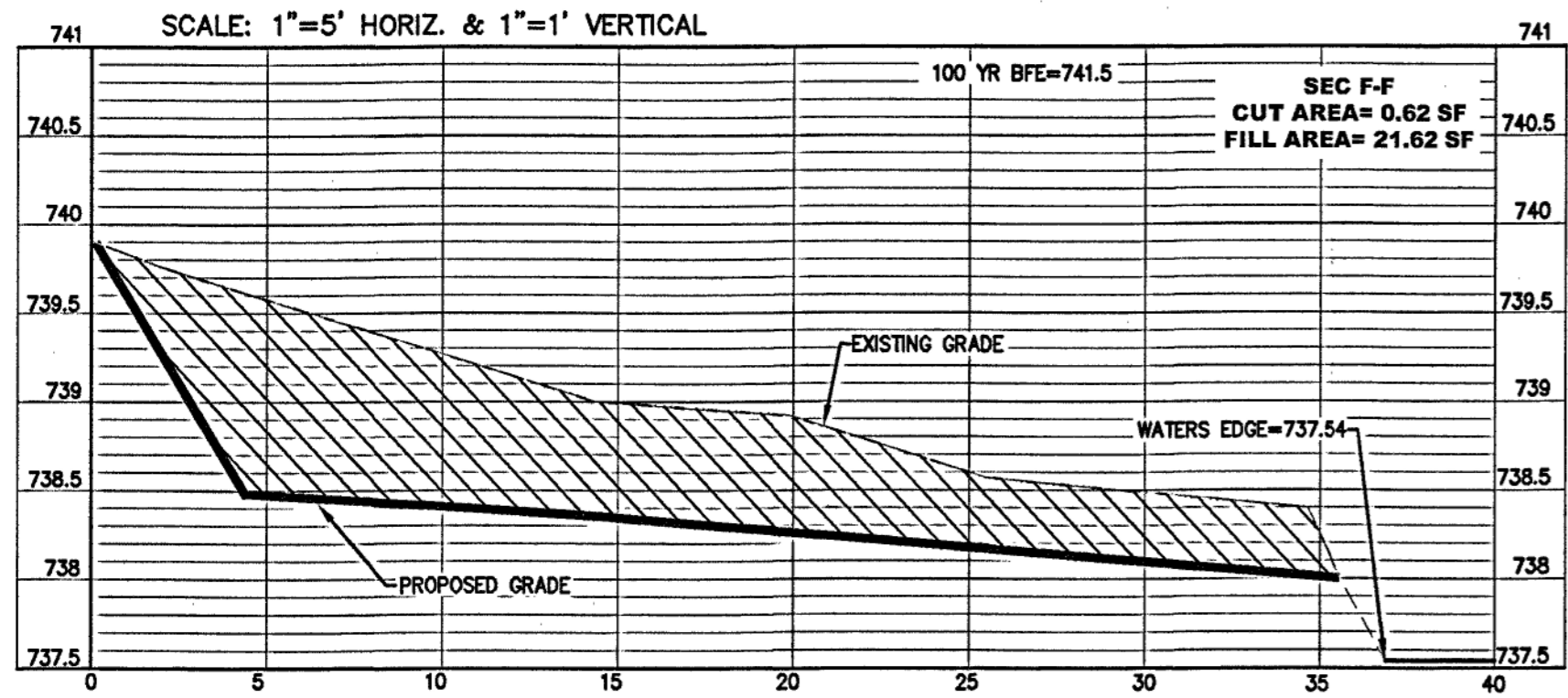
PROPOSED CUT AREA CROSS SECTIONS

**CUT VOLUME
COMPILATION OF STATIONS IN FLOOD ZONE**

SECTION	LENGTH (FT)	CUT AREA (SF)	CUT VOL. (CF)
D-D	0	0	0
E-E	4.0	20.34	40.7
F-F	16.7	21.62	350.4
G-G	4.0	0	43.2
TOTAL			434.3

CROSS SECTION LEGEND

---	EXISTING CONTOURS SHOT BY SCHMITT ENGINEERING
---	PROPOSED CONTOURS
///	CUT AREA

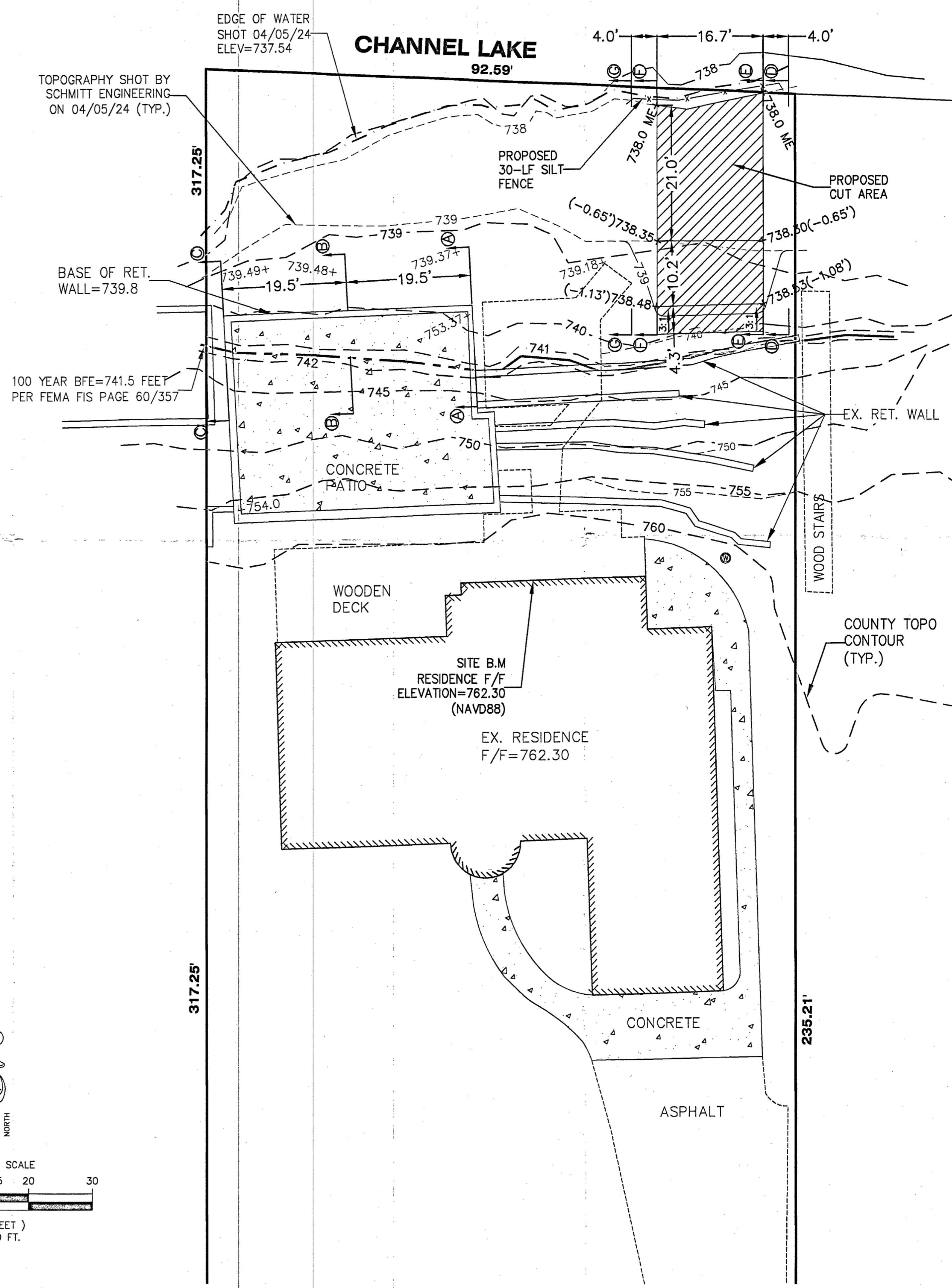


IMPERVIOUS AND DISTURBANCE AREAS DATA:

TOTAL LOT SIZE: 0.54 ACRES
SOIL DISTURBANCE: 1,000 SQ.FT.

LEGEND

+885.52	EXISTING GRADE
+885.8	PROPOSED GRADE
⊕	WELL



T:\PLANS\2024\2024-20044 W. Spring Grove Rd. AutoCAD SITE PLAN-2/1/2024 3:04 PM

PLANS PREPARED FOR:
BOB LARSON
26044 W. SPRING GROVE RD.

REVISIONS	DESCRIPTION	DATE
Permit N	HEAR	
Permit N	PLAN	

SITE PLAN

26044 W. SPRING GROVE RD.

SCHMITT ENGINEERING

Drawn: TJ
Checked: AM
Date: 04/16
Scale: 1"=10'
Job No: 2403