

Zoning Board of Appeals (ZBA)
Minutes of the Public Hearing conducted on November 18, 2025

Petitioner: Justen Realty, Inc., record owner.

Lake County Staff in Attendance:

Thomas Chefalo, Principal Planner
Krista Braun, Deputy Director/Zoning Administrator, Planning, Building and Development (PBD)
Eric Waggoner, Director, PBD
Melanie Comer, ZBA Secretary/Planner, PBD
Joel Krause, Principal Civil Engineer, PBD
Ieva Donev, Building Official, PBD

1. Call to Order:

Rezoning No. #001126-2025 – Petition to rezone approximately 0.34 acres, PINs 0511204002 and 0511204056, from the Limited Commercial (LC) zoning district to Residential-3 (R3) zoning district.

2. Roll Call:

Zoning Board of Appeals representatives:

Member Ronald Traub, West Deerfield Township
Member Thaddeus Henderson, Lake Villa Township
Member Margaret Roche, Warren Township
Vice Chair Maria Peterson, Cuba Township
Member Dalila Mondragon, Zion Township
Chair Gregory Koeppen, Avon Township

3. Public Comment (none)

4. Approval of the Minutes (none)

5. Added to Agenda Items (none)

6. Deferred Matters (none)

7. Other Business: Petition to rezone approximately 0.34 acres, PINs 0511204002 and 0511204056, from the Limited Commercial (LC) zoning district to Residential-3 (R3) zoning district.

Staff Report

Mr. Chefalo stated that the ZBA recommendation is advisory, and that the Board's recommendation will be forwarded to the Lake County Planning, Building, Zoning and Environmental Committee (PBZ&E). The PBZ&E Committee will also provide a recommendation on the request which is then sent to the full County Board. The County Board has final authority to act on the rezoning request. The applicant is Justen Realty, Inc., record owner. The property addresses are 36909 and 36895 N Stanton Pt. Rd. Ingleside, Illinois, and contain approximately 0.34 acres. The legal notice for the case was published in the Daily Herald on October 31, 2025. A notice was sent to area neighbors, in accordance with the Lake County Code. Correspondence about the case has been received from the Lake County Department of Planning, Building and Development, staff of the Lake County Division of Building and Engineering, and the Lake County Health Department (staff report), and the McHenry-Lake County Soil and Water Conservation District (Natural Resources Information Report).

ZBA Questions to Staff

Member Traub asked whether the ZBA had the authority to restrict the ability for the owner to rent or sell the building. Mr. Chefalo noted there is nothing within the code that would restrict their ability to either sell the properties or rent them long-term. Ms. Braun additionally reminded the Board that short-term rentals are not allowed within residential zoning districts.

Petitioner's Testimony

Mr. James Babowice, the attorney, presented on behalf of the applicant. Mr. Babowice testified to the following:

- The purpose of the rezoning is to allow for a single-family residence(s). The owner is prepared to begin building the single-family residences once the rezoning is approved.
- David Hernandez, architect for the applicant, presented conceptual renderings of proposed homes to be constructed on the lots.
- The proposed use is more fitting with the surrounding properties and in line with the Lake County Future Land Use Map.

ZBA Questions to the Petitioner

Member Henderson asked Mr. Hernandez how many bedrooms there would be in this house. Mr. Hernandez noted it would most likely be a three-bedroom house.

Vice Chair Peterson inquired as to if there are any zoning regulations regarding the maximum number of bedrooms. Mr. Chefalo said there are no restrictions on bedrooms but there are restrictions on the number of unrelated residents within the home.

Public Questions

Fred Foy, the neighbor who owns the property directly south of subject properties, expressed concern that the development of the property would exacerbate flooding on his lot. Mr. Hernandez noted that they were requested to present a topographical survey and that they intend to prevent flooding on other properties. Mrs. Braun noted that regular building and site permits would be required for any proposed project on the lots.

Jill Lindsay, neighbor, asked whether one of the lots was public property since most neighbors use the lot to park their personal vehicles there. Mrs. Braun answered that it is private property and that the owner can control whether vehicles are parked there. Jim Smak, Grant Township Highway Commissioner, noted that there is a lot next to the bar that residents can use to park their personal vehicles.

Fred Foy asked for details on the proposed homes' finalized dimensions. Ms. Braun noted that if the rezoning request was approved by the County Board, the owner would be able to apply for building and site permits. Formal construction documents and site plans for the projects would be required at that time, reflecting those details.

Public Statements

No comments

Lake County PBD Statements

No comments.

Closing Statement

No comments.

Close of Testimony/Action

A motion to close testimony was made by Member Roche and seconded by Vice Chair Peterson. The motion passed unanimously.

Chair Koeppen stated that a motion is in order on ZBA Case #RZON-0011126-2025. Vice Chair Peterson moved to recommend approval of the petition, seconded by Member Roche: Voting "Aye" on this motion, Members Traub, Roche, Henderson, Mondragon, Vice Chair Peterson, and Chair Koeppen. Voting "Nay" on this motion, none.

The motion to recommend approval of the petition passed by a vote of 6-0 based on the following findings:

The proposed rezoning meets all the standards as written in the staff recommendation.

8. Adjournment

Chair Koeppen adjourned the meeting at 2:10 p.m.