

LAKE COUNTY ZONING NOTICE #000614-2020

LAKE VILLA TOWNSHIP

The Lake County Zoning Board of Appeals has scheduled a public hearing on January 14, 2021 at 9:00 A.M., to be conducted by video/audio conference, on the petition of the Diane G. Eller Trust (Diane G. Eller and James A. Eller, trustees), record owner, who seeks the following variations from the requirements of the Lake County Code and any other zoning relief as required:

1. An accessory structure greater than 576 square feet on a non-contiguous parcel.
2. Reduce the north side street yard setback from 30 feet to 22.25 feet.
3. Reduce the south side street yard setback from 30 feet to 21 feet.
4. Increase the height of an accessory structure from 20 feet to 21.16 feet.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions. The subject property is located at 25933 W. Wilson Road, Antioch, Illinois, and is approximately 0.25 acres.

PIN 01-36-104-007

Pursuant to Section 7(e) of the Illinois Open Meetings Act, the December 15th, 2020 Gubernatorial Disaster Proclamation, this hearing will be held by audio and video conference without a physical quorum present at the Lake County Zoning Board of Appeals office. This hearing may be continued and without further notice on the motion of the Zoning Board of Appeals. All interested persons participating in the Public Hearing will be given an opportunity to be heard. Individuals wishing to participate in the live hearing via video or audio conference should contact the Planning, Building & Development Department at 847-377-2127 by 4:00 P.M., January 13, 2021 to receive information and instructions on how to join the hearing via the ZOOM website or by phone.

Interested persons may submit public comments in advance of the hearing. Include your full name and the subject title: LAKE COUNTY ZBA #000614-2020 with your written statement. Written statements may be emailed to PBDZoning@lakecountyiil.gov or dropped off at the Central Permit Facility, 500 W. Winchester Road, Libertyville, Illinois. Comments received by 8:00 A.M., January 14, 2021 will be read during consideration of that item. Comments received during the hearing will be held until the end of the hearing. Public comments are limited to three minutes each.

This application is available for public examination electronically at <https://www.lakecountyiil.gov/Calendar.aspx?EID=9526> or at the office of the Lake County Zoning Board of Appeals, 500 W. Winchester Rd, Libertyville, Illinois, attn.: Brad Denz, Project Manager (847) 377-2127.

Gregory Koeppen
Chair

LAKE COUNTY ZONING BOARD OF APPEALS

VARIATION APPLICATION

Applicant(s): Diane G Eller Trust
(please print) Owner(s)

Subject Present Zoning: Residential 1
Property: Present Use: Vacant
Proposed Use: Detached Garage greater than 576 sq ft
PIN(s): 01-36-104-007
Address: 25933 W Wilson Rd Antioch IL 60002

Legal description:
(X see deed)

Request: The following variation(s) are requested: They are attached individually on the following 5 pages.

1. Accessory structure greater than 576 sq. ft. on a non-contiguous parcel
2. Street yard setback reductions from 30-feet to 22.25 feet to Wilson Road
3. Street yard setback reductions from 30-feet to 21-feet to Lakeview Avenue;
4. increase of structure height from 20 feet to 21.16 feet

1. Accessory structure greater than 576 sq. ft. on a non-contiguous parcel

Explain why this variation(s) is necessary:

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: The existing lot (PIN # 01-36-104-007) that we are requesting variations to be able to construct a garage has a non-typical triangle shape that due to set back laws creates a problem to building a traditional structure. Our existing home (PIN # 01-36-102-020) directly across the road) has no place to build a garage. The only open space on the property that could fit a garage is in a flood plain next to the water.

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

Response: We are planning on permanently living at 25934 Wilson after successfully construction of the garage. Our current Mundelein home is over 3400 sq ft and has a 3 car garage. 25934 Wilson has minimal closet & storage space and we will be challenged with a 576 sq ft garage to move most of our possessions to Antioch. There are several other homes in our subdivision with detached garages that far bigger than what we are proposing (at least two of them are located on lots owned across the street from the associated residence). Our community is a boating neighborhood. I currently store my boat on the vacant lot out in the open. The covered carport would allow a more aesthetic view to the neighbors than a boat sitting out in an open lot.

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

Response: Our goal is to build a garage with the same materials and color to match our existing home. The neighborhood is a collection of older seasonal homes and newly remodeled homes like ours.

2. Street yard setback reductions from 30-feet to 22.25 feet to Wilson Road

Explain why this variation(s) is necessary:

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

Response: The existing lot (PIN # 01-36-104-007) that we are requesting variations to be able to construct a garage has a non-typical triangle shape that due to set back laws creates a problem to building a traditional structure. Almost every home in our subdivision does not conform with the 30 foot setback provision. We realize that when this subdivision was created there were different setback regulations; but since the subdivision was created, I (and former owners) have been required to pay RE taxes on these lots. Conforming to current setback requirements would result in a very small triangle structure to legally be built on this lot. We have two restrictive set backs on both of the streets that border the property.

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

Response: Our existing home (PIN # 01-36-102-020) directly across the road) has no place to build a garage. The only open space on the property that could fit a garage is in a flood plain next to the water.

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

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3. Street yard setback reductions from 30-feet to 21-feet to Lakeview Avenue

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

Response: Our goal is to build a garage with the same materials and color to match our existing home. The neighborhood is a collection of older seasonal homes and newly remodeled homes like ours. The higher roof line would also look more like our home across Wilson Road.

APPLICANT INFORMATION

Applicant(s): Diane Eller
(Please Print) Owner(s)

Phone: [REDACTED]

Diane G Eller Trust
[REDACTED]

Email: [REDACTED]

Address

Phone: _____

Contract purchaser(s) if any

Email: _____

Address

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

James Eller
Name

Phone: [REDACTED]

[REDACTED]

Email: [REDACTED]

Address

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

[REDACTED]

Signature(s) of owner(s)

Signature(s) of contract purchasers

I, Ethan Schemers a Notary Public aforesaid, do hereby certify that Diane G Eller personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of 12-16-2020 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 16 day of Dec, 2020

(Seal) My Commission expires 01-17-2023
[REDACTED] [REDACTED]

COURT REPORTER AGREEMENT

CHECK ONE OF THE FOLLOWING:

EE

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.

[Redacted Signature]

Signature
James Eller

THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION

DEED IN TRUST

The GRANTORS, JAMES A. ELLER and DIANE G. ELLER, his wife, of the County of Lake, State of Illinois, for and in consideration of TEN and no/100 Dollars (\$10.00), and other good and valuable consideration in hand paid, CONVEY and WARRANT unto DIANE G. ELLER, not individually but as Trustee of the DIANE G. ELLER REVOCABLE TRUST AGREEMENT dated February 12, 2010, and any amendments thereto, or her successors in interest, the following described real estate situated in the County of Lake, in the State of Illinois, to wit:



Image# 045888760002 Type: DIT
Recorded: 02/26/2010 at 10:39:40 AM
Receipt#: 2010-00008943
Total Amt: \$39.00 Page 1 of 2
IL Rental Housing Fund: \$10.00
Lake County IL Recorder
Mary Ellen Vanderverter Recorder

File **6578201**

LOT 52 IN THE RESUBDIVISION OF PART OF NORTH FOX LAKE HEIGHTS, A SUBDIVISION OF PART OF THE EAST FRACTIONAL HALF OF THE NORTH EAST FRACTIONAL QUARTER OF SECTION 35 AND PART OF THE WEST FRACTIONAL HALF OF THE NORTH WEST FRACTIONAL QUARTER OF SECTION 36, ALL IN TOWNSHIP 46 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION, RECORDED NOVEMBER 24, 1928 AS DOCUMENT 328314. IN BOOK "T" OF PLATS, PAGE 39, IN LAKE COUNTY, ILLINOIS.

P.I.N.: 01-36-104-007

PROPERTY ADDRESS: 25933 W. WILSON, ANTIOCH, IL 60002

TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

Full power and authority are hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof: to dedicate parks, streets, highways or alleys; to vacate any subdivision or part thereof, and to resubdivide said property as often as desired; to contract to sell; to grant options to purchase; to sell on any terms; to convey either with or without consideration; to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustee; to donate, to dedicate, to mortgage, pledge or otherwise encumber said property, or any part thereof; to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter; to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals; to partition or to exchange said property, or any part thereof, for other real or personal property; to grant easements or charges of any kind; to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof; and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this Indenture and by said trust agreement was in full force and effect; (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder; (c) that said trustee was duly authorized and

(Page 1 of 2 Pages)

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12

empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust," or "upon condition," or "with limitations," or words of similar import, in accordance with the statute in such case made and provided.

And the said grantors hereby expressly waive and release any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

[Redacted] fore said have hereunto set their hands and seals this 12th day of February,
[Redacted] (SEAL) [Redacted] (SEAL)
DI [Redacted]

[Redacted] STATE OF ILLINOIS, COUNTY OF COOK, ss.
[Redacted] the undersigned, a Notary Public in and for said County, in the State aforesaid, DO
[Redacted] HEREBY CERTIFY that JAMES A. ELLER and DIANE G. ELLER, his wife, personally
[Redacted] known to me to be the same persons whose names are subscribed to the foregoing instrument,
IMPRESS appeared before me this day in person, and acknowledged that they signed, sealed and
SEAL delivered the said instrument as their free and voluntary act, for the uses and purposes therein
HERE set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 12th day of FEBRUARY, 2010.
[Redacted]
Notary Public

This instrument was prepared by: Brian S. Denenberg, [Redacted]

Mail to:
Brian S. Denenberg
[Redacted]

Send subsequent tax bills to:
Mrs. Diane G. Eller, Trustee
[Redacted]

This transaction is exempt pursuant to Section 4, Paragraph E of the Real Estate Transfer Tax Act.
[Redacted] 2/12/2010
Date

LEGEND

- IP = IRON PIPE
- ⊙ = SITE BENCHMARK
- ⊙ = TREE WITH SIZE

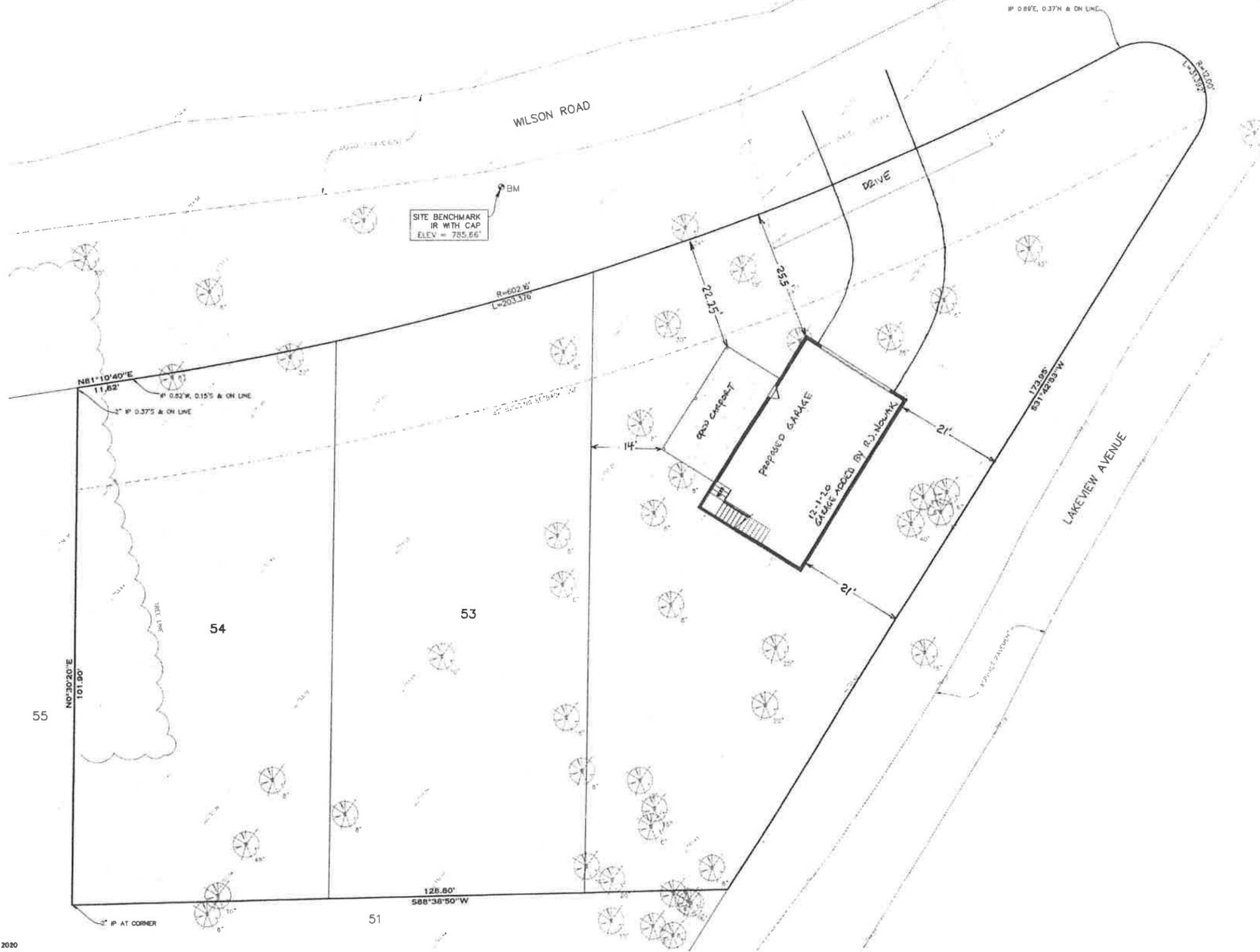


TFW SURVEYING & MAPPING
 LAND SURVEYING • TOPOGRAPHIC MAPPING • CONSTRUCTION LAYOUT
 EAST BELVIDERE ROAD • SUITE 413 • GRAYSLAKE, ILLINOIS • 60030
 PHONE: 847-848-8600 FAX: 847-848-8699
 INFO@TFWSURVEY.COM WWW.TFWSURVEY.COM

PLAT OF SURVEY
OF

LOTS 52, 53, AND 54 IN RE-SUBDIVISION OF PART OF NORTH FOX LAKE HEIGHTS, A SUBDIVISION OF PART OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF SECTION 36 AND PART OF THE WEST FRACTIONAL 1/2 OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 36, ALL IN TOWNSHIP 46 NORTH, RANGE 6, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 24, 1928, AS DOCUMENT 328314, IN LAKE COUNTY, ILLINOIS

NOTE:
 NO LEGAL DESCRIPTION OR TITLE COMMITMENT PROVIDED BY CLIENT.



BENCHMARK

BENCHMARK STATION PID - AJ2911, LOCATED 3.7 MI WEST OF ANTOIOCH, 3.4 MI NORTH OF FOX LAKE, 1.4 MI SOUTH OF WISCONSIN/ILLINOIS BORDER. STATION IS LOCATED 330 FT EAST OF AGGREGATE DRIVE (WELLS LANE) FOR ADDRESS 27166, 27244, 27240, 27270, 135 FT WEST AJ2911 OF PEDERSEN LANE, 142 FT NORTHWEST OF POWERPOLE (PP), 94.5 FT AJ2911 NORTHEAST OF PP, 45 FT EAST OF UTILITY BOX, AND 1 FT SOUTH OF ORANGE FIBERGLASS WITNESS POST.
 ELEVATION = 752.05 (NAVD 88)

NOTE:
 TFW SURVEYING & MAPPING, INC. HAS BEEN COMMISSIONED TO PERFORM A BOUNDARY SURVEY OF ONLY THAT REAL ESTATE AS LEGALLY DESCRIBED ABOVE. ALL DATA AS SHOWN HEREON, BUT LYING BEYOND THE BOUNDARY LIMITS AS LEGALLY DESCRIBED ABOVE, INCLUDING (BUT NOT LIMITED TO) LOT LINES, EASEMENTS AND SETBACK LINES IS UNOFFICIAL AND INCOMPLETE AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY. THIS SURVEY DOES NOT INTEND TO VERIFY OR SUBSTANTIATE EASEMENTS OR BUILDING LINES (OR THE VACATION OF SAME) ON ADJOINING PROPERTIES (UNLESS OTHERWISE SPECIFICALLY REFERENCED IN A TITLE COMMITMENT AS BEING BENEFICIAL TO OR AN ENCUMBRANCE ON THE PROPERTY AS LEGALLY DESCRIBED ABOVE). REFER TO A PLAT OF SURVEY BY OTHERS AND / OR SEE PUBLIC RECORD DOCUMENTS FOR COMPLETE DETAILS PERTINENT TO ALL ADJOINING PROPERTIES.

THE INTENT OF THIS SURVEY IS TO SHOW AT OR ABOVE GRADE IMPROVEMENTS ONLY. IT IS POSSIBLE THAT BELOW GRADE IMPROVEMENTS EXIST THAT THIS SURVEYOR IS NOT AWARE OF. IN SOME INSTANCES, THIRD PARTY UTILITY LOCATING SERVICES HAVE PLACED WITNESS MARKERS AT GRADE TO INDICATE SOME BELOW GRADE IMPROVEMENTS OR UTILITIES. IF MARKED IN FIELD, SAID WITNESS MARKS HAVE BEEN LOCATED AND ARE SHOWN HEREON. ADDITIONAL BELOW GRADE IMPROVEMENTS OR UTILITIES MAY ALSO EXIST THAT WERE NOT MARKED BY THIRD PARTY UTILITY LOCATING SERVICES FOR THE BENEFIT OF THIS SURVEY.

STATE OF ILLINOIS)
)
 COUNTY OF LAKE) 55

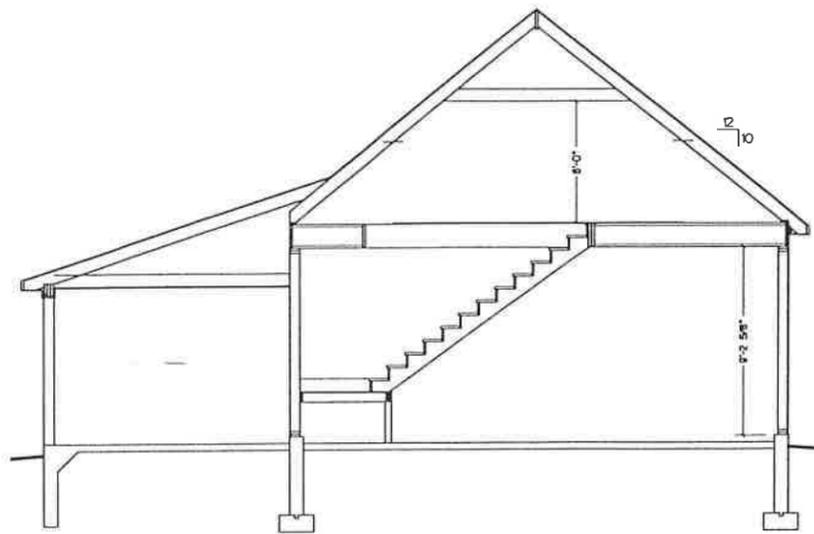
I, JAMES P. MEYER, ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY AS DESCRIBED ABOVE AND THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

CERTIFIED AS GRAYSLAKE, ILLINOIS THIS 23RD DAY OF OCTOBER, 2020.
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3295
 LICENSE EXPIRES NOVEMBER 30, 2020

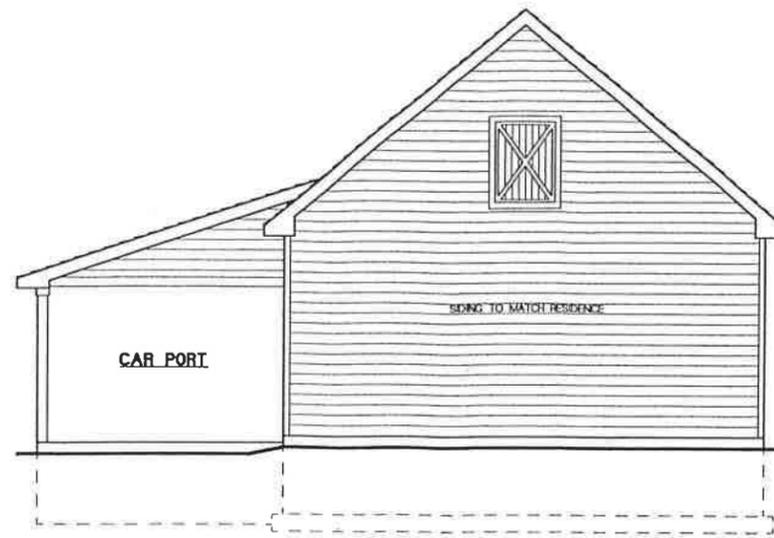


DATE: OCTOBER 23, 2020
 ORDER NO: 800715
 PROJ. NO: 2997
 FOR: PAUL OURADA
 PROJ. NAME: PART OF RE-SUBDIVISION OF PART OF NORTH FOX LAKE HEIGHTS SUBDIVISION
 Copyright © 2020 Surveying & Mapping, Inc. All rights reserved.
 Professional Design Firm Registration #184-002793.

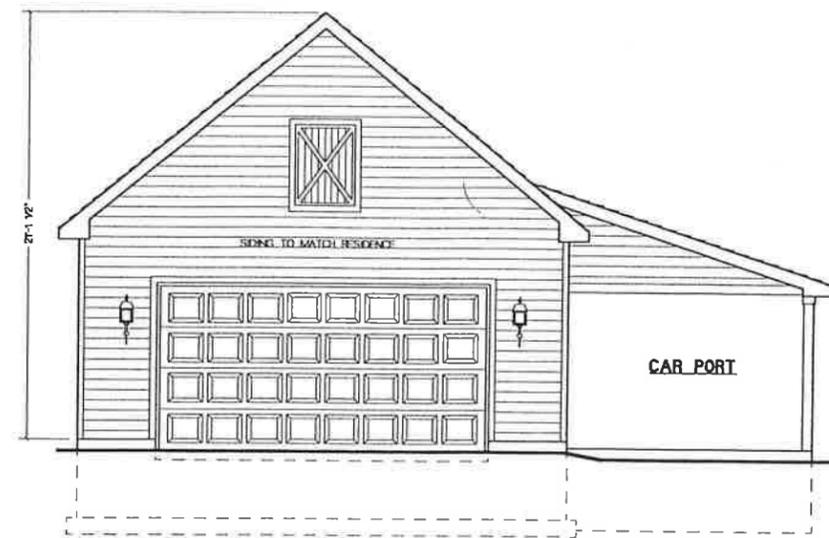
TOTAL AREA OF TRACT SURVEYED =
 21,579 SQUARE FEET OR 0.4953 ACRES



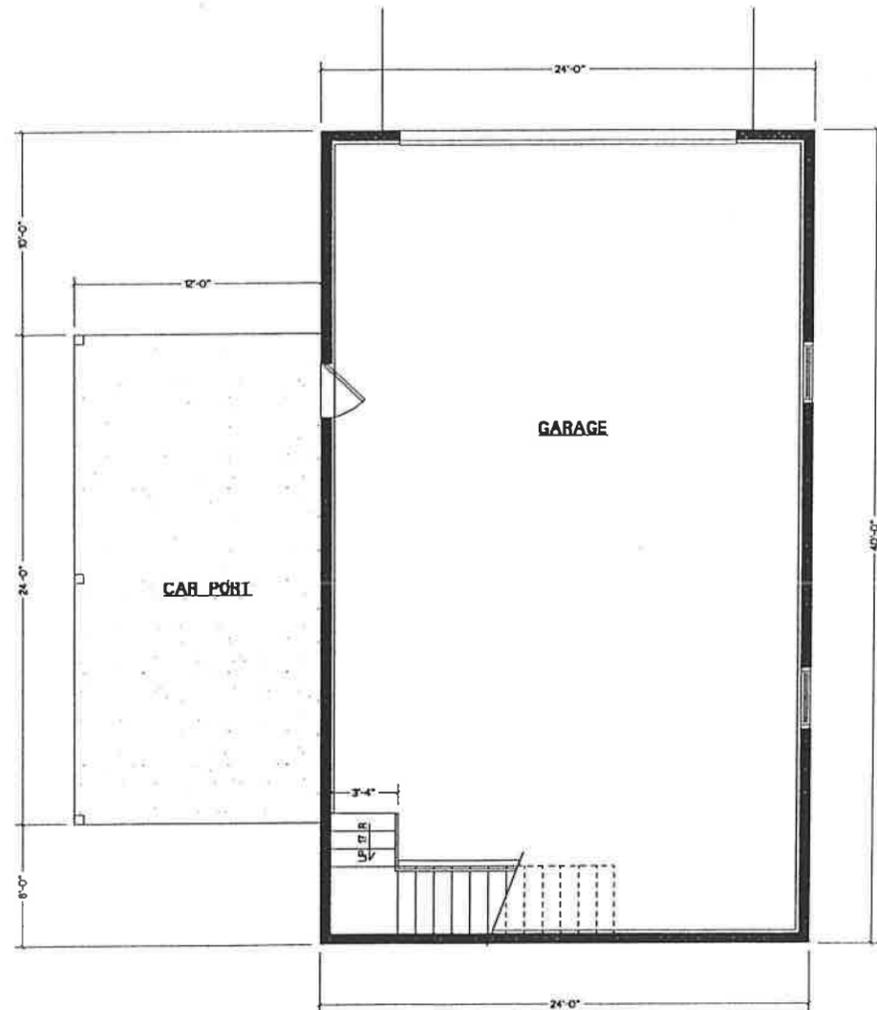
SECTION



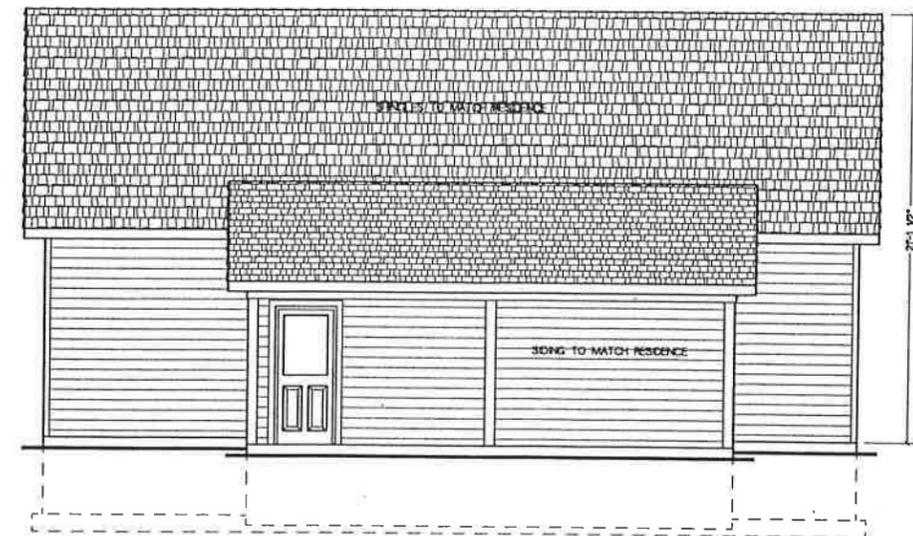
SOUTH ELEVATION



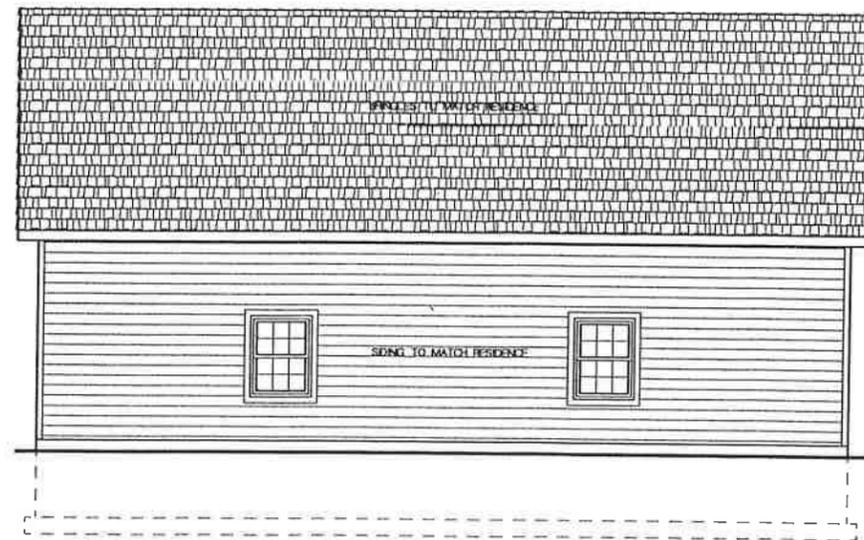
NORTH ELEVATION



FLOOR PLAN



WEST ELEVATION



EAST ELEVATION

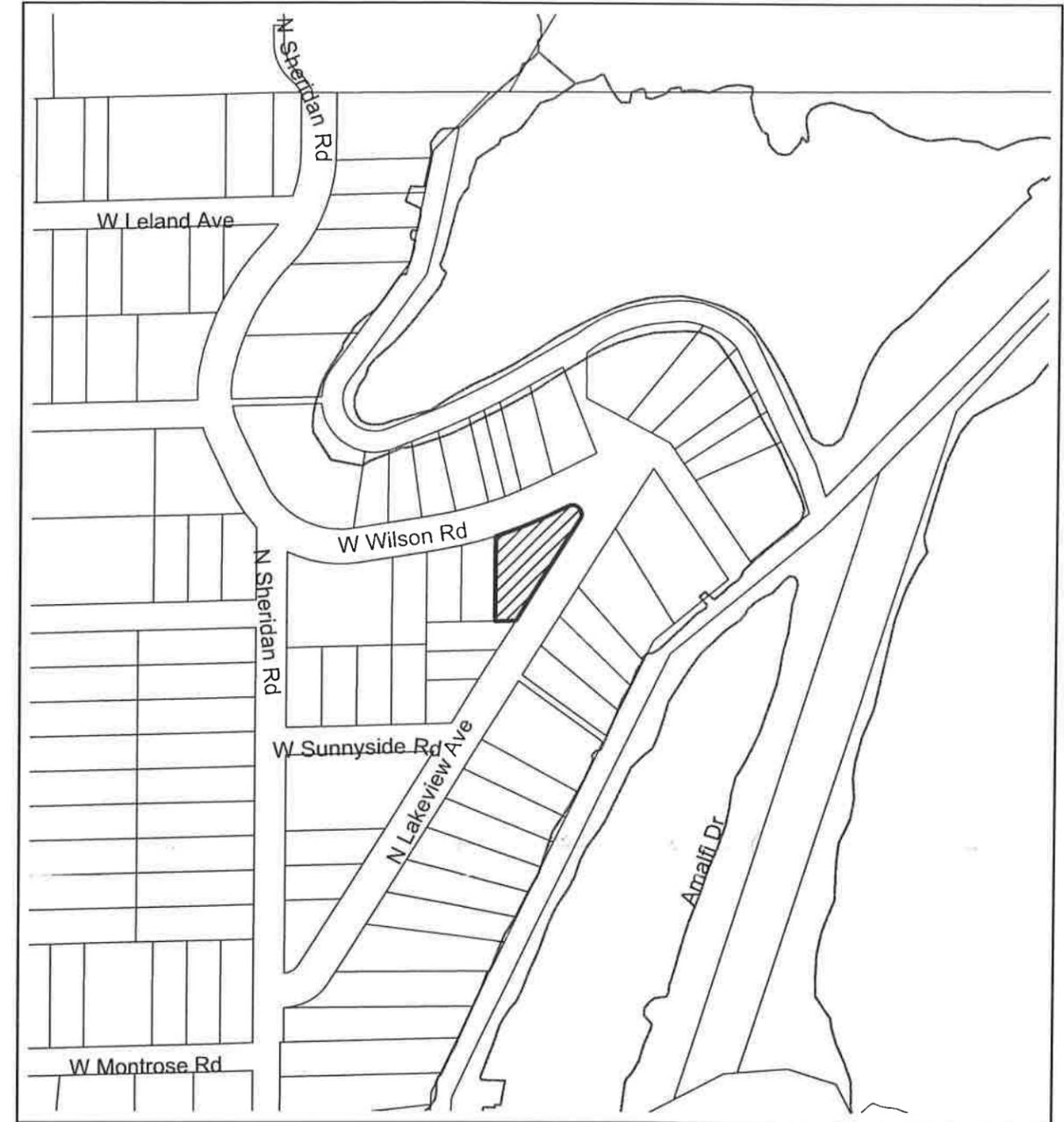
Raymond J. Nowak

REMOTE GARAGE
 Eller Residence
 25933 Wilson Av
 Antioch, Illinois

REVISIONS		
NO.	DESCRIPTION	DATE

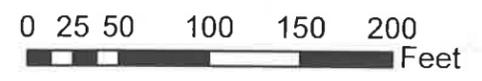
SHEET TITLE
 ELEVATIONS
 PLANS
 DATE 11-24-20
 SCALE NOTED
 DRAWN BY RJN/DAK

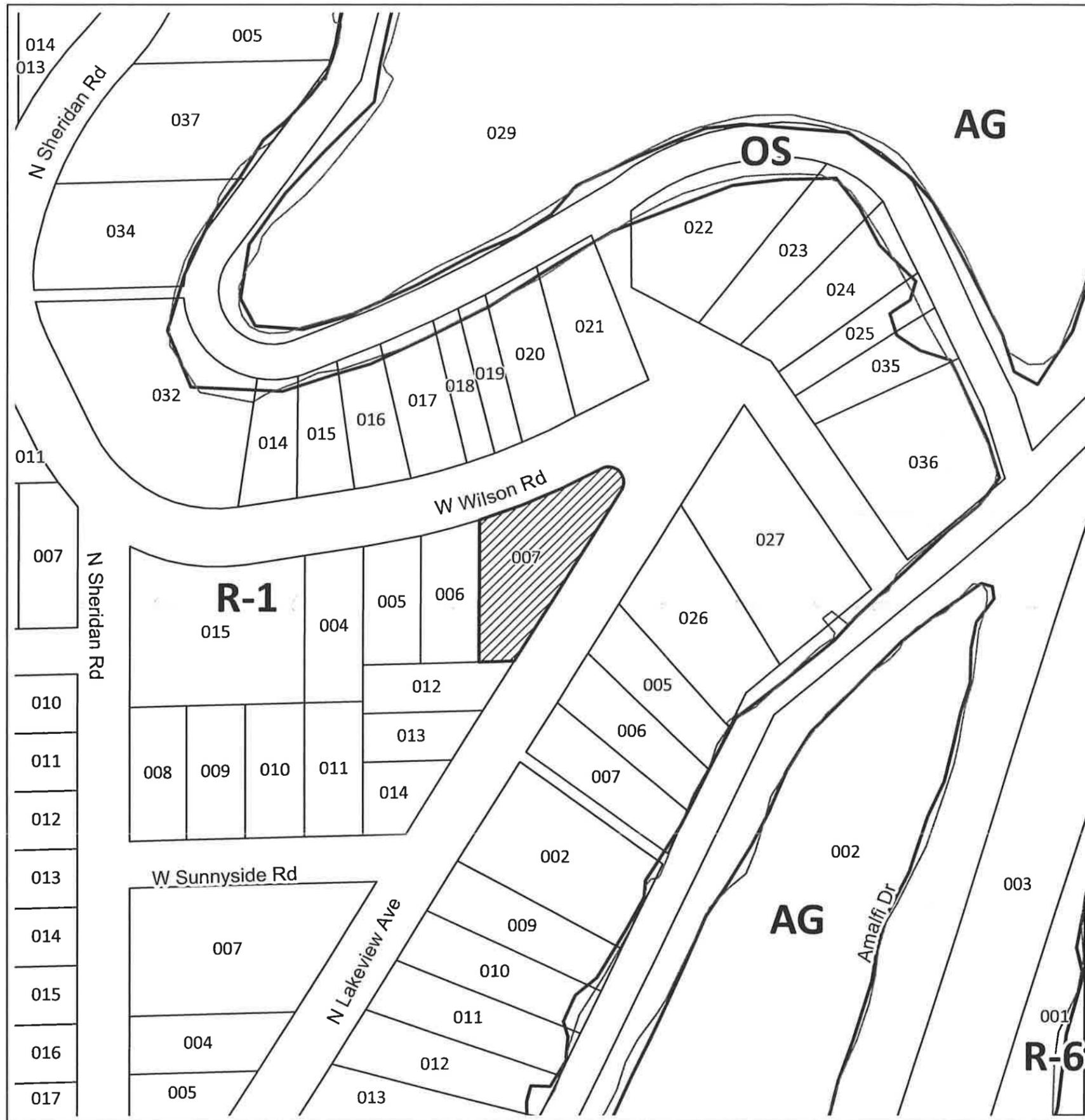
SHEET
 A-1



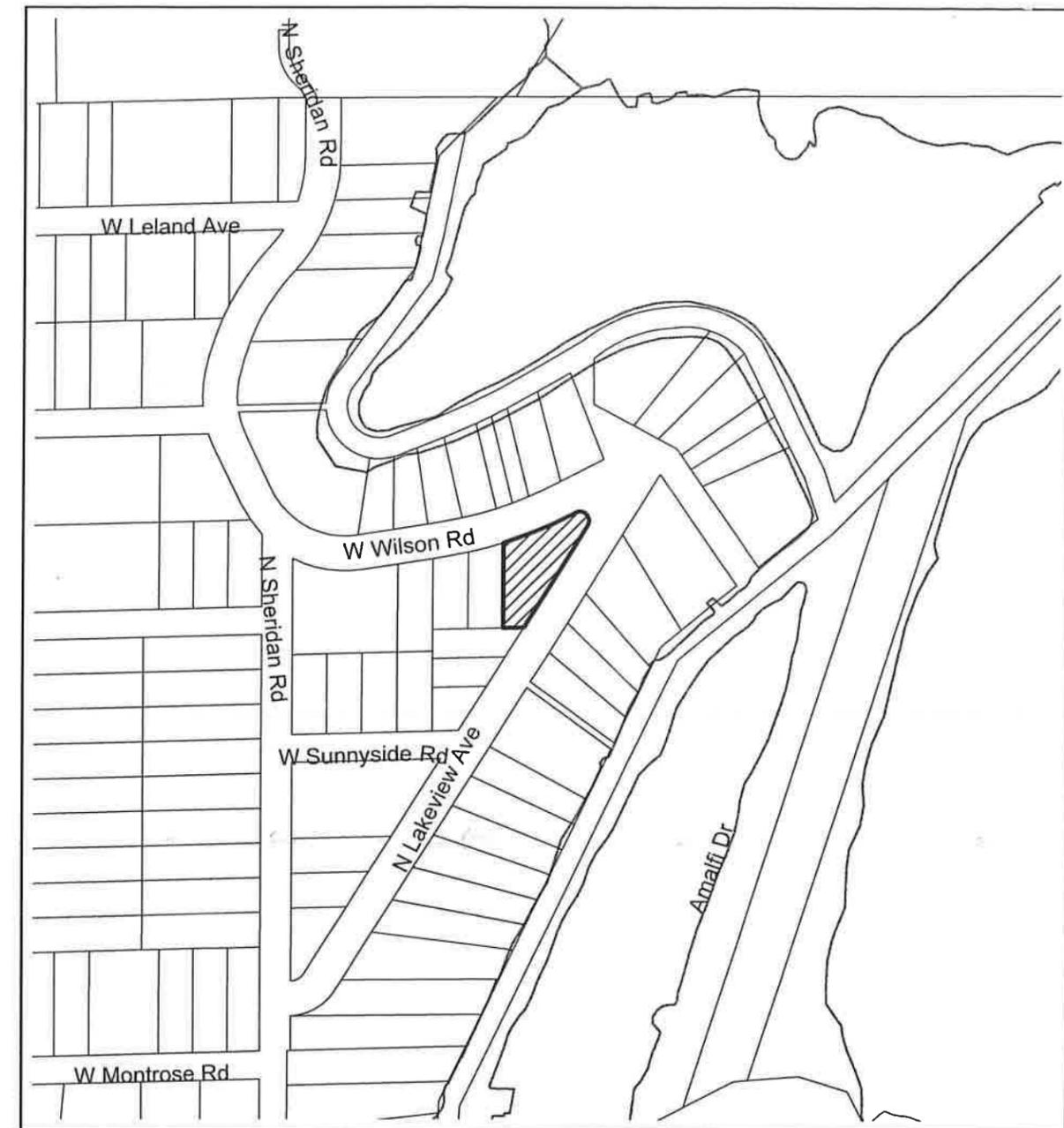
Zoning Board of Appeals
Case #VAR-000614-2020

 Incorporated Lake County  Subject Parcel



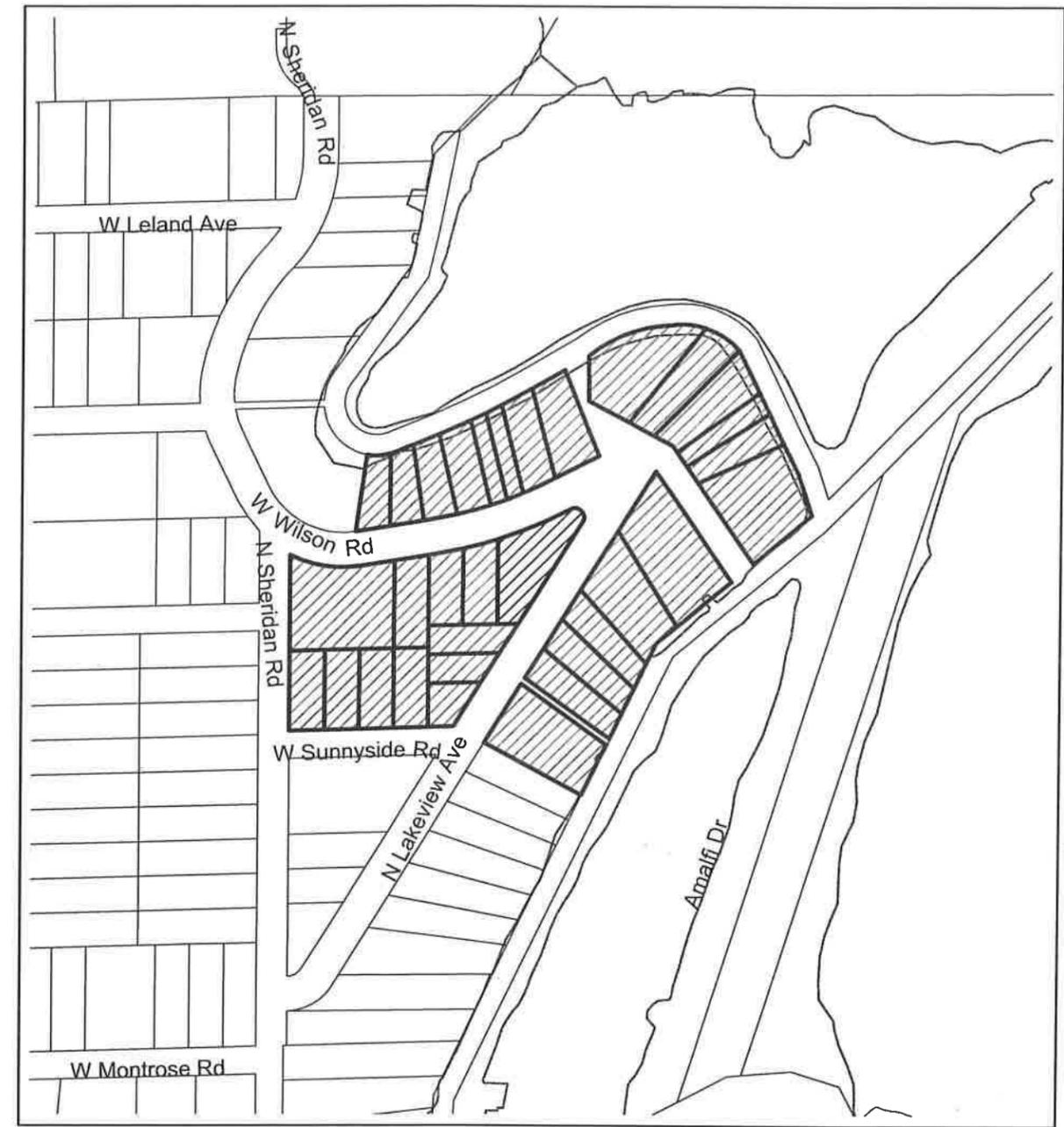
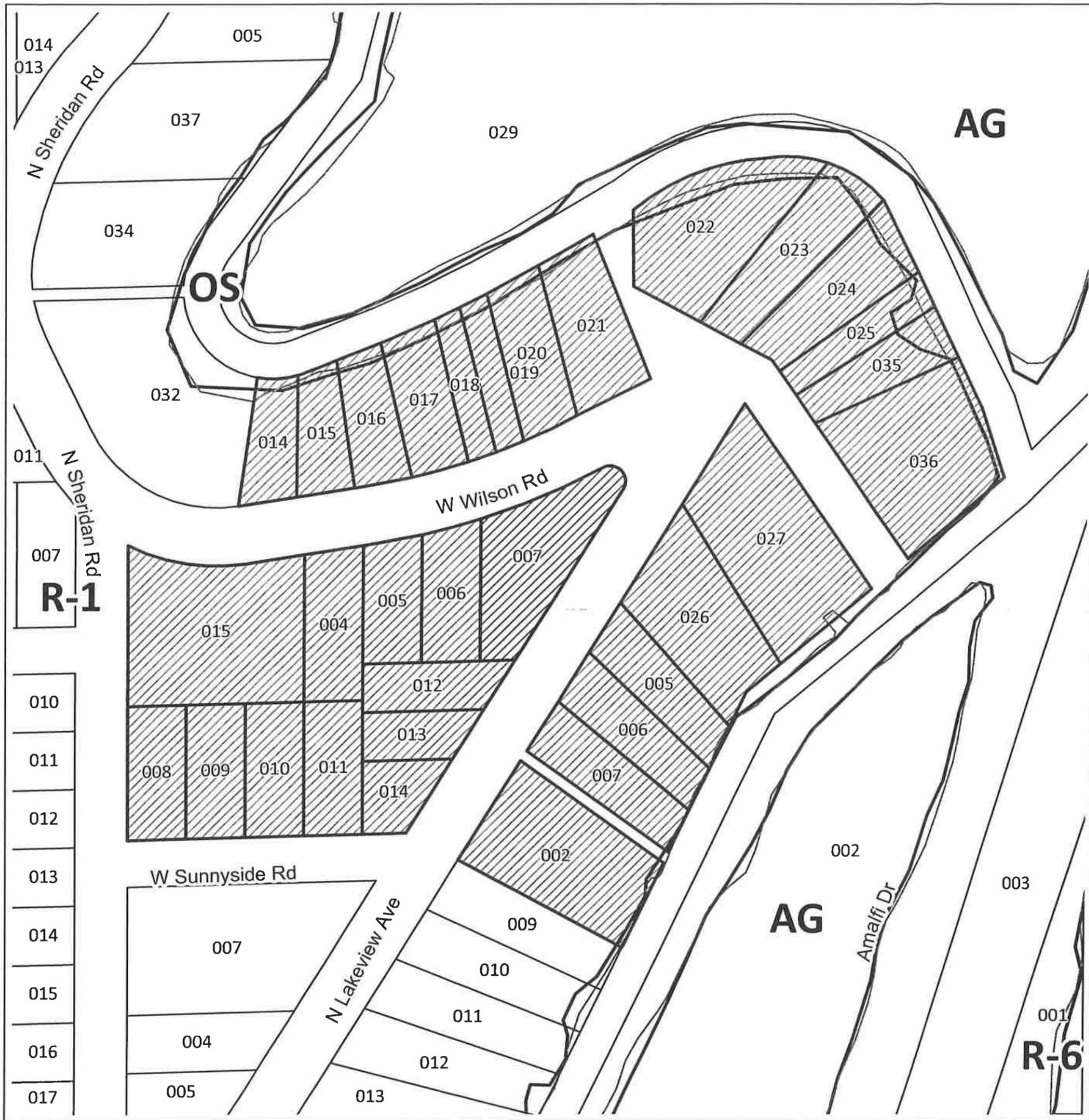


Incorporated Lake County
 Subject Parcel



Zoning Board of Appeals
Case #VAR-000614-2020





Zoning Board of Appeals
Case #VAR-000614-2020

Incorporated Lake County
 Subject Parcel
 Mailing Parcel

