

Karl Smutney
127 W Maple Ave.
Libertyville, IL 60048
847 404 0323

Mr. Patrick Tierney, AICP
Project Manager
Lake County Central Permit Facility
500 West Winchester, Libertyville, IL

Re. Project No. 3623- Bachman Avenue Extension-Request for Variance.

Mr. Tierney,

I submit to you the narrative for the request for variance. Also attached is the survey of the site plus a plan and section for the proposed road extension. I believe you said the next meeting was on September 7. If I have submitted in time, I'd like this request to be considered at that meeting. Thanks for your help and direction in this regard.

Narrative

Upon request to install a driveway to my existing home and garage, I met with Staff and was directed to Mr. Patrick Tierney. Mr. Tierney suggested an Early Assistance Meeting. The results of the meeting were that a request for variance be sought. Following is a narrative of this request.

The property was purchased on August 16 2010. The site is comprised of Lots 1, 2 and 4, Bachman's Subdivision, Ingleside, Illinois. Refer to attached survey/site plan. There is a home on Lot 1, but no driveway or means of approach. Lot 4 has frontage on improved Randich Road and Bachman Avenue and is a through lot. Lots 1 and 2 have frontage on an unimproved Bachman Right Of Way. This ROW is 20 feet in width and 93.33 feet in length. **Access to Lots 1 and 2 is being sought by means of extending the existing Bachman Avenue into this ROW.** Currently, there is no direct access to the existing home on Lot 1. To approach the home, you must drive across the lawn of Lot 4.

During the Early Assistance Meeting, discussion revealed the ROW to be of non-current standard (too narrow). Three options were discussed to develop a road (driveway).

1. *Widen the Bachman ROW to current standard.* This would require acquisition of land from the adjacent property, zoned R2. Acquisition of this land would increase the donor lot non-conformity. This is not permitted.
2. *Abandon ROW and develop driveway as an outlot.* This action would cause both Lots 1 and 2 to be landlocked. The action was not permitted.

3. *Request variance to develop road within existing ROW.* This was the chosen course of action.

The existing pavement of Bachman Avenue is 12 feet in width. Approval is being sought to extend Bachman with a pavement per the UDO Section 10.10.13.3 paragraph c. Private Street (serving 3 or fewer lots). The structure would have 10 inches of CA-6 base material covered with 2.5 inches of bituminous asphalt surface. The pavement would be 12 feet in width along the entire length of the ROW. The pavement would be maintained privately.

To proceed, three variances from the UDO would be required due to the nature of the request, as follows. UDO text Sections are noted:

1. Section 10.10.18.3.a., Reduction of the Right-Of-Way from the 40 foot standard to the existing ROW width of 20 feet,
2. Section 10.10.18.3.b., Reduction of the required pavement width of 22 feet to the requested width of 12 feet ,
3. Section 10.10.3, Approval to build the road in the 100-year flood plain. Flood elevation for this parcel is 741.6. The grade at the proposed street location is approximately 738.

Criteria for the approval is listed in the UDO 10.8.3 Major Modification. 10.8.3.3 requires the following 6 items be addressed.

- a. *The development is not detrimental to public safety, health and welfare.* Development of this private road would not be detrimental to public safety, health and welfare.
- b. *The condition was not self created.* As stated earlier, the property was in this condition upon purchase.
- c. *The variance is the least deviation from the Ordinance.* The meeting with Staff eliminated the 2 other possible solutions to the access problem. This is the least deviation from the Ordinance.
- d. *Without the variance, the applicant would be deprived of the ability to develop the property.* The existing ROW is the only access to Lots 1 and 2. Without the variance, no access to either lot is available.
- e. *This variance shall not vary any other provision of the Ordinance.* Approval is sought to extend Bachman Avenue into an existing ROW only.
- f. *The variance serves no public or private interest.* The road extension will provide access to 3 existing platted lots of record in an undeveloped ROW only.

Currently, there are no plans for any development of Lot 2 or Lot 4. Discussion of stubbing in the sewer to Lot 2 as part of this development was discussed. The new road will be placed within the ROW to allow the sewer to be installed without disruption of


pavement at a future time if development is sought. The pavement will be placed on the western portion of the ROW.

A site plan showing the road extension location and road cross section are attached.

Please consider this request for variance and allow me to move forward with engineering for the development of a private road installation for access to my property.

Thank you for your time and consideration!

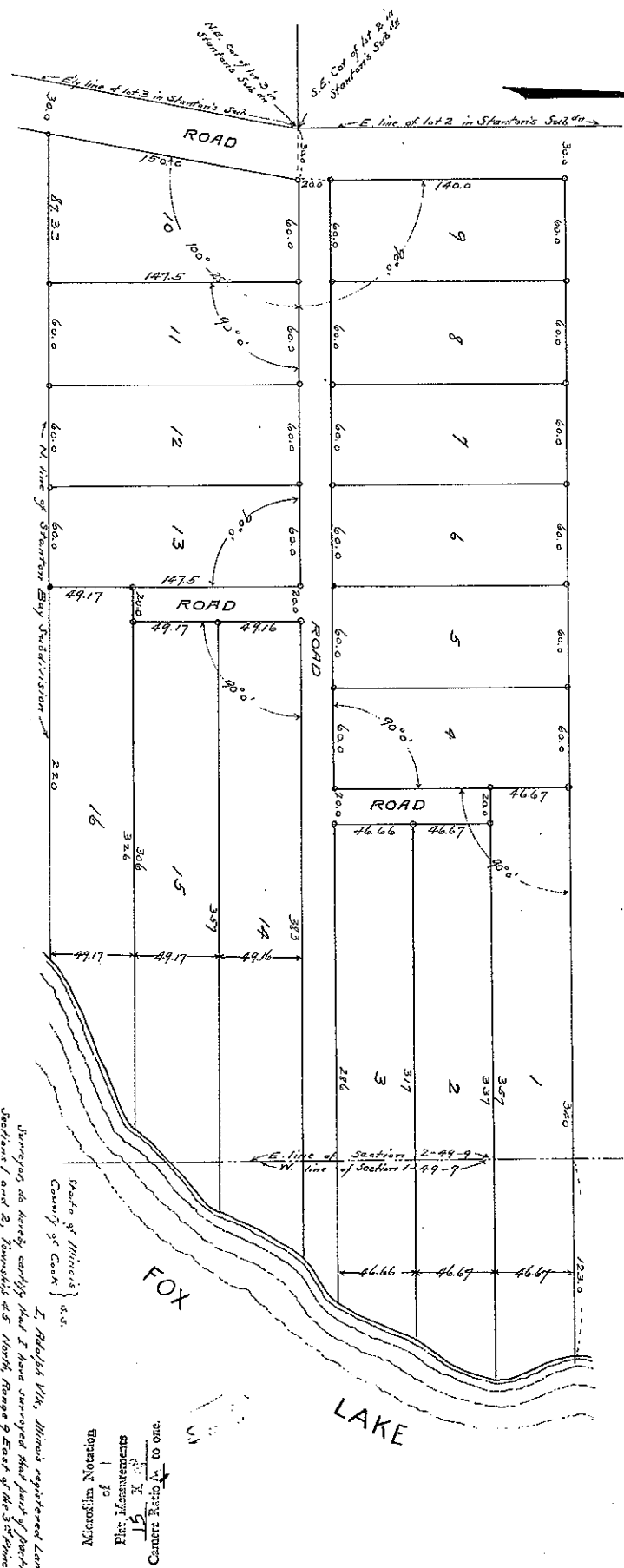
Cordially,


Karl Smutney

Dec 20 1922
10:30 AM

BACHMAN'S SUBDIVISION

PART OF FRACTIONAL SECTIONS 1 AND 2, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE 3RD PRINCIPAL MERIDIAN.
NOTE: FROM PILES DRIVEN AT LOT CORNERS ARE INDICATED THUS →



State of Illinois }
County of Cook }
I, Mary Bachman do hereby certify that I am the owner of the property described in the Surveyor's Certificate and that I have caused the same to be surveyed and subdivided as shown hereon
Chicago, Ill, January 30 1922.
Mary Bachman owner

State of Illinois }
County of Cook }
I, S. R. Peltier, a Notary Public in and for said County in the State aforesaid, do hereby certify that Mary Bachman personally known to me is the same person who subscribed to the foregoing instrument as owner, appeared before me this day in person, and acknowledged that she executed the said instrument as her free and voluntary act and deed for the uses and purposes therein set forth.
Given under my hand and Notarial Seal this 30th day of January, A.D. 1922.
S. R. Peltier
Notary Public.

Surveyor do hereby certify that I have surveyed that part of fractional Sections 1 and 2, Township 45 North, Range 9 East of the 3rd Principal Meridian described as follows: Commencing at a point 30.48 feet east from the South-East corner of lot 2 in Thomas Stanton's Subdivision of part of Section 2, Township 45 North, Range 9 East of the 3rd Principal Meridian; thence North parallel with the East line of said lot 2 a distance of 160 feet; thence East parallel with the North line of said lot 2 a distance of 307 feet; thence South-Westerly along the westerly edge of lot 2 to a point on a line projected easterly parallel with the North line of said lot 2 from a point 150 feet South-Westerly of the place of beginning; thence West on a line parallel with the North line of said lot 2, a distance of 350 feet to a point 150 feet South-Westerly of the place of beginning; thence North-East on a line parallel with the East line of lot 2 a distance of 307 feet to the place of beginning, as per deed recorded Oct. 28th 1909 D.C. 45,782,332 and deed recorded March 4th 1909 Dec. No. 121219 and that I have subdivided the same into lots and tracts which are correctly represented upon the plat hereon shown, all dimensions being given in feet and decimal parts thereof and corrected to the Standard at the Temp. of 62° Fahrenheit.
Chicago, Ill., January 20th, 1922.

Charles H. Wick
Illinois Reg. Land Surveyor

