

**LAKE COUNTY ZONING NOTICE #4781 and #4782
GRANT TOWNSHIP**

The Lake County Zoning Board of Appeals has scheduled a public hearing on Wednesday, March 14, 2012, at 1:00 P.M. at the Fox Lake District Library, 255 E. Grand Avenue, Fox Lake, Illinois, on the application of Sara Bialachowski and Lisa Williams, record owners. The applicants request a Conditional Use Permit to allow a day care in the Residential-1 zone and the following variation from the requirements of the Lake County Unified Development Ordinance and any other zoning relief as required:

1. To allow a nonresidential use (day care) in the Residential-1 zoning district on a lot of less than 80,000 square feet.

The subject property is located at 35274 N. U.S. Highway 12, Ingleside, Illinois and contains approximately 1.09 acres. The Property Index Number is 05-15-304-037.

This application is available for public examination at the office of the Lake County Zoning Board of Appeals, 500 W. Winchester Rd, Libertyville, Illinois, (847) 377-2187.

**George Bell
Chairman**

LAKE COUNTY ZONING BOARD OF APPEALS

CONDITIONAL USE PERMIT APPLICATION

Applicant(s): SARA BIALACHOWSKI Phone: 847 973 9148
(please print) Owner(s) LISA WILLIAMS
35274 N. Hwy 12 Fax: _____
Ingleside, IL 60041 Email: serendipity^{ccc}@att.net
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:

Grant Buschick Phone: _____
Name Cell: 847-875-6933
36518 N. James Dr. Fax: _____
Lake Villa, IL 60046 Email: gbuschick@yahoo.com
Address _____

Subject Present Zoning: R1
Property: Present Use: residential / home day care
Proposed Use: Child Day Care Facility
PIN(s): 05-15-304-037
Address: 35274 N. Hwy 12
Ingleside, IL 60041

Legal description:
(see deed)

Request:

I/we request a conditional use permit be approved to allow:

expansion of home child care
business to small commercial
child care center.

Explain why this conditional use permit is justified:

see attached

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:

- A. the use in its proposed location will be consistent with the stated purpose and intent of the Zoning Ordinance (see Sec. 1.5)

see attached

- B. the proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Sec. 6.2.; and

see attached

- C. the proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of application or as they may be developed in the future due to implementation of the Comprehensive Plan:

1. adjacent property,
see attached for all the following

2. the character of the neighborhood,

3. natural resources,

4. infrastructure,

5. public site, or

6. any other matters affecting the public health, safety, or general welfare.

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

Sara Bialachowski *Lisa Williams*
Signature of owner(s)

Signature(s) of contract purchasers

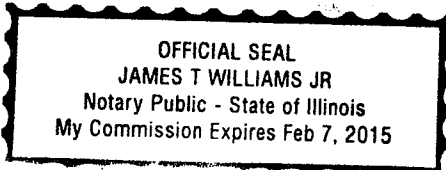
I, *JAMES T. WILLIAMS JR* a Notary Public aforesaid, do hereby certify that *SARA BIALACHOWSKI AND LISA WILLIAMS*

personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of *02/09/2012* 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 *9TH* day of *FEBRUARY*, 20*12*

(Seal)

My Commission expires *02/07/2015*.

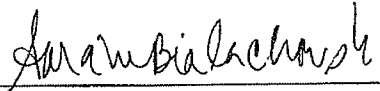


James T. Williams Jr.

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

THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION

Conditional Use Permit Application Approval Criteria:

Explain why this conditional use permit is justified:

A conditional use permit is justified for the following reasons:

1. the property is located on a frontage road
2. there are other businesses along the frontage road
3. the impact on neighbors will be minimal because the property is heavily wooded, and the CUP will allow for a child care business with no evening or weekend operation hours.
4. the neighbors have signed a transition agreement

A. the use in its proposed location will be consistent with the stated purpose and intent of the Zoning Ordinance.

Childcare is considered an acceptable use in R-1 zoning on the Use Table Sec. 6.2 of the LCUDO (Lake County Unified Development Ordinance) with a CUP (Conditional Use Permit). The proposed use will be reviewed and the purpose and intent of the Zoning Ordinance will be enforced in the Site Plan Review process.

B. the proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Sec. 6.2; and

The proposed use does comply with all applicable standards of this Ordinance. The proposed use will be reviewed and the standards & ordinances will be enforced in the Site Plan Review process.

C. The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of application or as they may be developed in the future due to implementation of the Comprehensive Plan:

1. adjacent property,

There will be minimal impact to adjacent property for the following reasons:

- a. The property is densely wooded along all 4 sides, please see "bird's eye view" pictures of property and adjacent properties located at the end of this application.
- b. The East adjacent property is a highway with no impact, the South adjacent property is separated by approximately ½ acre of woodland, the West of the property is separated with woodland, as well as the North.

- c. The only changes to be made to the exterior of the home are, the addition of an emergency exiting platform and ramp, addition of an emergency exit door, and elimination of two overhead garage doors. The exiting platforms and ramp will be constructed wood to match standard residential construction. The remaining exterior of the home will remain intact.
- d. The adjacent neighbors have given consent on the proposed use and Transition agreements have been obtained.

2. the character of the neighborhood,

The character of the neighborhood will not be impacted. The goal of this business is to remain a home based business, keeping the "feel" of a homey atmosphere for the children in care. There are multiple businesses two lots North of the property that have a more intense impact on the character of the neighborhood. The businesses on that parcel include a bar/restaurant, pizza delivery business, and small engine repair facility. The childcare center will have much less of an impact if any at all.

3. natural resources,

There is minimal impact on natural resources. Only one tree is being removed from the property due to the addition of the parking lot. The lot is heavily wooded and the rest of the trees will remain intact. There are no flood plains, wetlands or bodies of water on the site. The proposed impervious surface areas are within the standards of the Zoning Ordinance.

4. infrastructure,

The infrastructure of the property will remain the same with the exception of the connection to Fox Lake city water.

5. public sites,

There is no impact to public sites.

6. any other matters affecting the public health, safety, or general welfare.

Any other matters have been mitigated by Lake County in the Site Plan Review.

LAKE COUNTY ZONING BOARD OF APPEALS

VARIATION APPLICATION

Applicant(s): Sara Bralachowski
(please print) Owner(s) Lisa Williams

Phone: 847-973-9148

35274 N. Hwy 12
Ingleside, IL 60041
Address

Fax:

Email: Serendipity
coc@att.net

Contract purchaser(s) if any

Phone:

Fax:

Address

Email:

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

Grant Buschick
Name

Phone:
Cell: 847-875-6933

36518 N. James Dr.
Lake Villa, IL 60046
Address

Fax:
Email: gbuschick@
yahoo.com

Subject Property:

Present Zoning:
Present Use:
Proposed Use:
PIN(s):
Address:

R1
residential home/home day care
Child Care Facility
05-15-304-037
35274 N. Hwy 12
Ingleside, IL 60041

Legal description:
(see deed)

Request:

The following variation(s) are requested:

1. lot size
- 2.
- 3.

Explain why this variation(s) is necessary: without the variance, the home child care business cannot expand to accommodate additional families

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

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

Sara Bialachowski William
Signature(s) of owner(s)

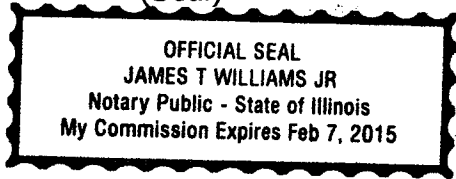
Signature(s) of contract purchasers

I, JAMES T. WILLIAMS JR. a Notary Public aforesaid, do hereby certify that SARA BIALACHOWSKI AND USA WILLIAMS

personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of 02/09/2012 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 9TH day of FEBRUARY, 2012

(Seal)



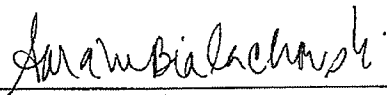
My Commission expires 02/07/2015.

James T. Williams Jr.

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

THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION

The Following variation(s) are requested.

- Non residential development allowed in a residential district R1 (table 7.1-3) the minimum lot area is set to be 80,000 square feet.
- Existing lot size is 46698 which is less than required. Requesting variation from this requirement to operate a Day Care business on property which is an allowed use with a Conditional Use Permit. (Table 6.2 UDO)

Zoning Variation Application Approval Criteria:

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

RESPONSE: There are no exceptional conditions peculiar to the property itself. The childcare business will not be an institutional size childcare facility, it will be a childcare center with under 40 enrollees. This is the goal to keep a "home like" feel for children in care.

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

RESPONSE: Without the property variance, the home-based childcare business cannot expand. Additional care for children in the community cannot be accommodated, and employment will not be provided for qualified applicants. This growing small business would not succeed.

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

RESPONSE: All other regulations, ordinances, and standards are being met. Transition agreements with all adjacent neighbors have been recorded. The purpose and intent of the Zoning Ordinance will be enforced in the Site Plan Review process.

After recording return to:
Nancy A. Summers
117 W. Slade, Suite 6
Palatine, Illinois 60067

Mail tax bill to:
SERENDIPITY CHILD CARE CENTER
1818 SPRING DALE DRIVE
SPRING GROVE, IL 60081



Image# 046873770003 Type: DGC
Recorded: 11/05/2010 at 01:04:26 PM
Receipt#: 2010-00059595
Total Amt: \$39.00 Page 1 of 3
IL Rental Housing Fund: \$10.00
Lake County IL Recorder
Mary Ellen Vanderverter Recorder
File **6666180**

Quit Claim Deed

The Grantors, **LISA WILLIAMS, SARA BIALACHOWSKI, RICHARD POPE, DIANE POPE AND RICK POPE** of the County of Lake and State of Illinois, for and in consideration of Ten Dollars, and other good and valuable consideration in hand paid, conveys and quit claims unto **LISA WILLIAMS AND SARA BIALACHOWSKI as Tenants in Common**, the following described real estate in the County of LAKE and State of Illinois, to wit:

Above Space for Recorder's Use Only

SEE ATTACHED LEGAL

Permanent Real Estate Index Number: 05-15-304-037

Address of Real Estate: 35274 N. Route 12, Ingleside, Illinois 60041

hereby releasing and waiving all rights under and by the virtue of the Homestead Exemption Laws of the State of Illinois. **TO HAVE AND TO HOLD** said premises forever.

Dated this 9th day of August, 2010.

SARA BIALACHOWSKI

DIANE POPE

LISA WILLIAMS

RICHARD POPE

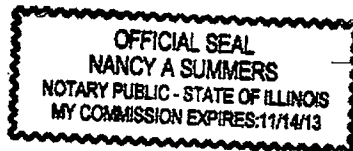
RICK POPE

State of Illinois)
) SS
County of Cook)

THIS IS NON-HOMESTEAD PROPERTY AS TO ALL GRANTORS

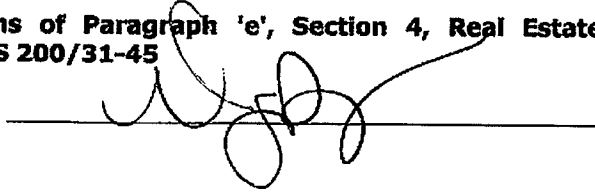
I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that LISA WILLIAMS, SARA BIALACHOWSKI, RICHARD POPE, DIANE POPE AND RICK POPE personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/they signed, sealed and delivered the said instrument as their/his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 9th day of August 2010.



Notary Public

**Exempt under provisions of Paragraph 'e', Section 4, Real Estate
Transfer Tax Act. 35 ILCS 200/31-45**

A handwritten signature in black ink is written over a solid horizontal line. The signature is cursive and appears to be the name of the preparer, Nancy A. Summers.

THIS INSTRUMENT PREPARED BY: **NANCY A. SUMMERS, 117 W. SLADE ST., SUITE 6, PALATINE, ILLINOIS 60067**

LEGAL DESCRIPTION

LOT F IN COUNTY CLERK'S DIVISION OF PART OF THE SOUTH WEST QUARTER OF SECTION 15, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JANUARY 12, 1944, AS DOCUMENT 538536, IN BOOK 28 OF PLATS, PAGES 98 AND 99 (EXCEPTING THEREFROM THAT PART DESCRIBED AS BEGINNING AT THE NORTH EAST CORNER OF SAID LOT F; THENCE SOUTH 81 DEGREES 33 MINUTES WEST ALONG THE NORTHERLY LINE THEREOF, 528.5 FEET TO THE NORTHWEST CORNER OF SAID LOT F THENCE SOUTH 15 DEGREES 38 MINUTES EAST ALONG THE WESTERLY LINE OF SAID LOT F, 527.26 FEET TO THE NORTHERLY LINE OF LOT P IN SAID COUNTY CLERK'S DIVISION; THENCE NORTH 76 DEGREES EAST ALONG THE SAID NORTHERLY LINE OF LOT P, 121.6 FEET; THENCE NORTH 34.1 FEET; THENCE NORTH 75 DEGREES 48 MINUTES EAST 420.9 FEET TO THE EASTERLY LINE OF SAID LOT F AND THENCE NORTHERLY ALONG THE SAID EASTERLY LINE OF LOT F, 452.1 FEET TO THE PLACE OF BEGINNING AND ALSO EXCEPTING THEREFROM THAT PART DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF LOT O IN SAID COUNTY CLERK'S DIVISION; THENCE NORTH 76 DEGREES EAST ALONG THE NORTHERLY LINE OF LOT P IN SAID COUNTY CLERK'S DIVISION, 121.6 FEET; THENCE NORTH 34.1 FEET; THENCE NORTH 75 DEGREES 48 MINUTES EAST, 154.5 FEET TO THE NORTHWEST CORNER AND PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 75 DEGREES 48 MINUTES EAST, 266.4 FEET TO THE EASTERLY LINE OF SAID LOT F; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT F 50 FEET; THENCE SOUTH 32 DEGREES WEST 60 FEET; THENCE SOUTH 77 DEGREES 30 MINUTES WEST, 234.5 FEET AND THENCE NORTH 10 DEGREES 14 MINUTES WEST 85 FEET TO THE PLACE OF BEGINNING AND ALSO EXCEPTING THEREFROM: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT F; THENCE SOUTHEASTERLY ALONG THE EAST LINE OF SAID LOT F FOR A DISTANCE OF 452.1 FEET TO A POINT, THENCE SOUTH 75 DEGREES 48 MINUTES WEST FOR A DISTANCE OF 266.4 FEET TO THE NORTHWEST CORNER OF THE TRACT OF LAND DEEDED TO GEORGE NORSWORTHY AND HELEN T. NORSWORTHY, BY DOCUMENT 742235 FOR A POINT OF BEGINNING; THENCE CONTINUING ON THE LAST DESCRIBED COURSE FOR DISTANCE OF 9.6 FEET TO A POINT; THENCE SOUTH EASTERLY TO A POINT IN THE SOUTHERLY LINE OF LOT F, THE LAST MENTIONED POINT BEING 360.0 FEET WESTERLY OF THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 15; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT F TO THE SOUTH EAST CORNER OF SAID LOT F; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT F TO A POINT THAT IS 502.1 FEET SOUTH EASTERLY FROM THE NORTH EAST CORNER OF SAID LOT F; THENCE SOUTH 32 DEGREES 00 MINUTES WEST FOR A DISTANCE OF 60.0 FEET TO A POINT; THENCE SOUTH 77 DEGREES 30 MINUTES WEST FOR A DISTANCE OF 234.5 FEET TO A POINT; THENCE NORTH 10 DEGREES 14 MINUTES WEST FOR A DISTANCE OF 850 FEET TO THE POINT OF BEGINNING), IN LAKE COUNTY, ILLINOIS.

PERMANENT INDEX NO: 05-15-304-037

PROPERTY ADDRESS: 35274 NORTH ROUTE 12, INGLESIDE, ILLINOIS 60041