

**LAKE COUNTY ZONING NOTICE #VAR-000760-2022**

**GRANT TOWNSHIP**

The Lake County Zoning Board of Appeals has scheduled a public hearing on June 9, 2022 at 9:00 A.M., at the Lake County Public Works Training Facility, 648 W. Winchester Road, Libertyville, Illinois, on the petition of Robert Charles Atwater and Jenna F. Atwater, record owners, who seek the following variation from the requirements of the Lake County Code and any other zoning relief as required:

1. Reduce the water's edge setback from 30 feet to 0 feet to construct an accessory structure.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions. The subject property is located at 25823 and 25819 W. Oak Lane, Ingleside, Illinois and is approximately 0.64 acres. PIN 05-13-302-028; 05-13-300-001.

This application is available for public examination electronically at <https://www.lakecountyil.gov/calendar.aspx?EID=10358> 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):  
(please print)

ROBERT & JENNA ATWATER  
Owner(s)

Subject  
Property:

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

RESIDENTIAL

RESIDENTIAL

RESIDENTIAL

0513300001, 0513302028

25809 & 25823 OAK LAKE  
INGLESIDE IN 10004

Legal description:  
(see deed)

ATTACHED

Request:

The following variation(s) are requested:

1. Reduction of Water's Edge setback  
from 30' to 0'

2.

3.

4.

Explain why this variation(s) is necessary:

THE BRATMANSE Floor Plan IS TOO SMALL TO  
HOUSE Misc Water accessories & BRATING ACCESSORIES  
THERE ARE NO Windows or Controlled temperature  
Control

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.

Response:

THE BOAT HOUSE IS EXISTING. THE SITE WAS WALKED WITH COUNTY & THE SPECIFIC QUESTION WAS ASKED TO EXPAND THE BOATHOUSE. THE COUNTY MEMBER SAID WE COULD LIKELY DO THIS WE SPOKE OF STORAGE. WE KNOW AGAIN HOW TIME & MONEY INVESTED TO IMPROVE A STRUCTURE THAT HAS ELECTRIC RIPPED SCREENS & IS DETERIORATING

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

Response:

THE PRACTICAL DIFFICULTIES WE ARE NOW FACING IS MORE MONEY & TIME THAT HAS BEEN SPENT TRYING TO IMPROVE OUR PROPERTY & LONG LAKE. THE CODES ARE MINIMAL REGARDING BOAT HOUSES. THIS IS ANOTHER PROLONGED PROJECT

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

Response:

THE BOAT HOUSE IS UNIQUE. IT WILL MATCH THE OVERALL HOUSE DESIGN. THE 50+ YEAR STRUCTURE IS GRANDFATHERED IN AND WE WANT TO FIX & EXPAND FOR YEARS TO COME.

## ADDENDUM TO VARIATION APPLICATION

See attached from engineer

In regards to 1. Of the additional criteria, the boat house has been there since pre records indicate. The structure is located far enough according to the side setbacks. This is a private project on private property and will not create additional threats to public safety or extraordinary public expense, nor create nuisances, cause fraud or victimization of the public.

In regards to conflict with existing local laws or ordinances, this is why we are asking for a variance approval..

1. A finding that the granting of a variance would not result in increased flood heights, additional threats to public safety or extraordinary public expense, nor create nuisances, cause fraud or victimization of the public, nor conflict with existing local laws or ordinances and that all buildings will be protected by methods that minimize flood damage during the base flood event.

The proposed boathouse improvements would not result in increased flood heights by providing compensatory storage.

the boathouse would not result in threats to public safety, create nuisances, cause fraud or victimize the public, and conflict with existing local laws or ordinances.

2. A finding that the development activity cannot be located outside the floodplain; and  
the boathouse needs to be constructed along the shoreline, and as a result, inside of the floodplain.

3. A finding that the development activity is not in a regulatory floodway.  
I spoke with a Certified Floodplain Manager in our office and he confirmed that the boathouse would not be located within a regulatory floodway per the FEMA Flood Maps. It will just be located within the floodplain.

## COURT REPORTER AGREEMENT

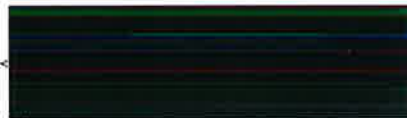
### CHECK ONE OF THE FOLLOWING:



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.

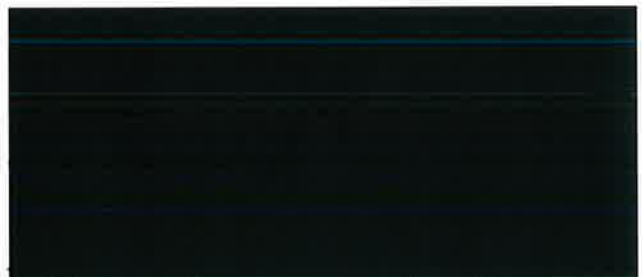


Signature

Please send the bill to:

*Robert Atwater*

Print Name



Email

**THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION**

786  
CTISNOW115694 WH

## TRUSTEE'S DEED

**THIS INDENTURE**, made this 15 day of June 2015, between **Laurence B. Nybo and Sharon N. Lynch as Successor Trustees under the provisions of a Trust Agreement dated March 28, 2005, and known as the Marie B. Nybo Trust Agreement**, of the City of Ingleside, the County of Lake and State of Illinois, party of the first part, and **Robert Charles Atwater and Jenna F. Atwater, husband and wife**, of the City of Long Lake, the County of Lake and State of Illinois, party of the second part, not as tenants in common or joint tenants ~~but as tenants by the entirety.~~ with rights of survivorship.

**WITNESSETH**, that said party of the first part, in consideration of the sum of Ten and no/hundredths (\$10.00) dollars, and other good and valuable considerations in hand paid, does hereby grant, sell and convey unto said party of the second part, the following described real estate, situated in Lake County, Illinois, to wit:

See Legal Description Attached

Address of Real Estate: 25819 West Oak Lane, Ingleside,  
Illinois 60041

Permanent Index Real Estate Number: 05-13-300-001, 05-13-302-028, 05-13-116-012,  
05-13-116-013, 05-13-116-014

Subject to the General 2015 real estate taxes not due and payable as of the date hereof and covenants, conditions, easements, and restrictions of record provided they do not interfere with the current use and enjoyment of the Real Estate.

**TO HAVE AND TO HOLD**, the above granted premises unto the said parties of the second part forever.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustees by the terms of said deed or deeds in trust delivered to said trustees in pursuance of the trust agreement above mentioned, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.



DATED this 15 day of June 2015

[REDACTED]  
Laurence B. Nybo, as Successor Trustee  
under the provisions of the Marie B. Nybo  
Trust Agreement dated March 28, 2005

[REDACTED]  
Sharon N. Lynch, as Successor Trustee  
under the provisions of the Marie B. Nybo  
Trust Agreement dated March 28, 2005

### ACKNOWLEDGEMENT

STATE OF ILLINOIS    }  
                                      } SS  
COUNTY OF DUPAGE    }

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Laurence B. Nybo and Sharon N. Lynch, 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, sealed and delivered the said instrument as her free and voluntary act as such executor, for the uses and purposes therein set forth.

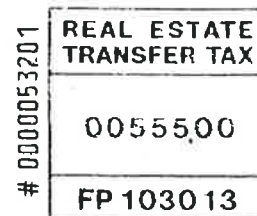
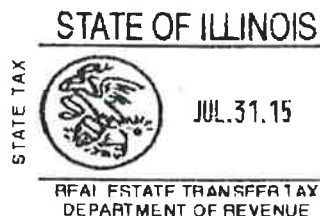
Given under my hand and official seal this 15<sup>th</sup> day of June, 2015.

[REDACTED]  
NOTARY PUBLIC

This instrument was prepared by:  
Faye Hizon Nybo

MAIL TO:  
Faye Hizon Nybo

SEND SUBSEQUENT TAX BILLS TO:  
Jenna F. Atwater and Robert C. Atwater







**Plat Act Affidavit**

18 N County St - 6<sup>th</sup> Floor  
Waukegan, IL 60085-4358  
Phone: (847) 377-2575  
FAX: (847) 984-5860

STATE OF ILLINOIS }  
COUNTY OF LAKE } SS

I, (name) Lawrence Nybo, being duly sworn on oath, state that I reside at [REDACTED] and that the attached deed is not in violation of the Plat Act, Ch. 765 ILCS 205/1.1(b), as the provisions of this Act do not apply and no plat is required due to the following allowed exception (Circle the number applicable to the attached deed):

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 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 a 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 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 5 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, 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).

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. (This affidavit is not applicable to Facsimile Assignment of Beneficial Interest.)

SUBSCRIBED and SWORN to before me this 15 day  
of June

(seal)

## LEGAL DESCRIPTION

Order No.: 15NW7115694WH

For APN/Parcel ID(s): 05-13-300-001, 05-13-302-028, 05-13-116-012, 05-13-116-013 and  
05-13-116-014

---

PARCEL 1:

THE WEST 50 FEET OF THE EAST 366 FEET LYING NORTH OF LONG LAKE OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

ALSO, THE SOUTH 112 FEET OF THE WEST 50 FEET OF THE EAST 366 FEET OF THE SOUTH 2 CHAINS OF THE EAST  $\frac{1}{2}$  OF THE WEST  $\frac{1}{2}$  OF THE NORTH WEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

PARCEL 2:

LOT 1 IN BLOCK 1 IN WILSON'S SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 13 AND 14, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 1908 AS DOCUMENT 120117, IN BOOK "M" OF PLATS, PAGE 21, IN LAKE COUNTY, ILLINOIS.

PARCEL 3:

LOT 91 IN MITCHELL HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  (EXCEPT THE SOUTH 2 CHAINS THEREOF) AND THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1923 AS DOCUMENT 224106, IN BOOK "L" OF PLATS, PAGE 76, IN LAKE COUNTY, ILLINOIS.

PARCEL 4:

LOT 90 IN MITCHELL HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTH WEST  $\frac{1}{4}$  (EXCEPT THE SOUTH 2 CHAINS THEREOF) AND THE SOUTH WEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTH WEST  $\frac{1}{4}$  OF SECTION 13. TOWNSHIP 45 NORTH, RANGE 9. EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1923 AS DOCUMENT 224106, IN BOOK; "L" OF PLATS, PAGE 76, IN LAKE COUNTY, ILLINOIS.

PARCEL 5:

LOT 92 IN MITCHELL HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTH WEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  (EXCEPT THE SOUTH 2 CHAINS THEREOF) AND THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTH WEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9. EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1923 AS DOCUMENT 224106, IN BOOK "L" OF PLATS, PAGE 76, IN LAKE COUNTY, ILLINOIS.

## LEGAL DESCRIPTION

Order No.: 15NW7115694WH

For APN/Parcel ID(s): 05-13-300-001, 05-13-302-028, 05-13-116-012, 05-13-116-013 and  
05-13-116-014

---

### PARCEL 1:

THE WEST 50 FEET OF THE EAST 366 FEET LYING NORTH OF LONG LAKE OF THE NORTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

ALSO, THE SOUTH 112 FEET OF THE WEST 50 FEET OF THE EAST 366 FEET OF THE SOUTH 2 CHAINS OF THE EAST  $\frac{1}{2}$  OF THE WEST  $\frac{1}{2}$  OF THE NORTH WEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

### PARCEL 2:

LOT 1 IN BLOCK 1 IN WILSON'S SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTIONS 13 AND 14, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 1908 AS DOCUMENT 120117, IN BOOK "M" OF PLATS, PAGE 21, IN LAKE COUNTY, ILLINOIS.

### PARCEL 3:

LOT 91 IN MITCHELL HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  (EXCEPT THE SOUTH 2 CHAINS THEREOF) AND THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1923 AS DOCUMENT 224106, IN BOOK "L" OF PLATS, PAGE 76, IN LAKE COUNTY, ILLINOIS.

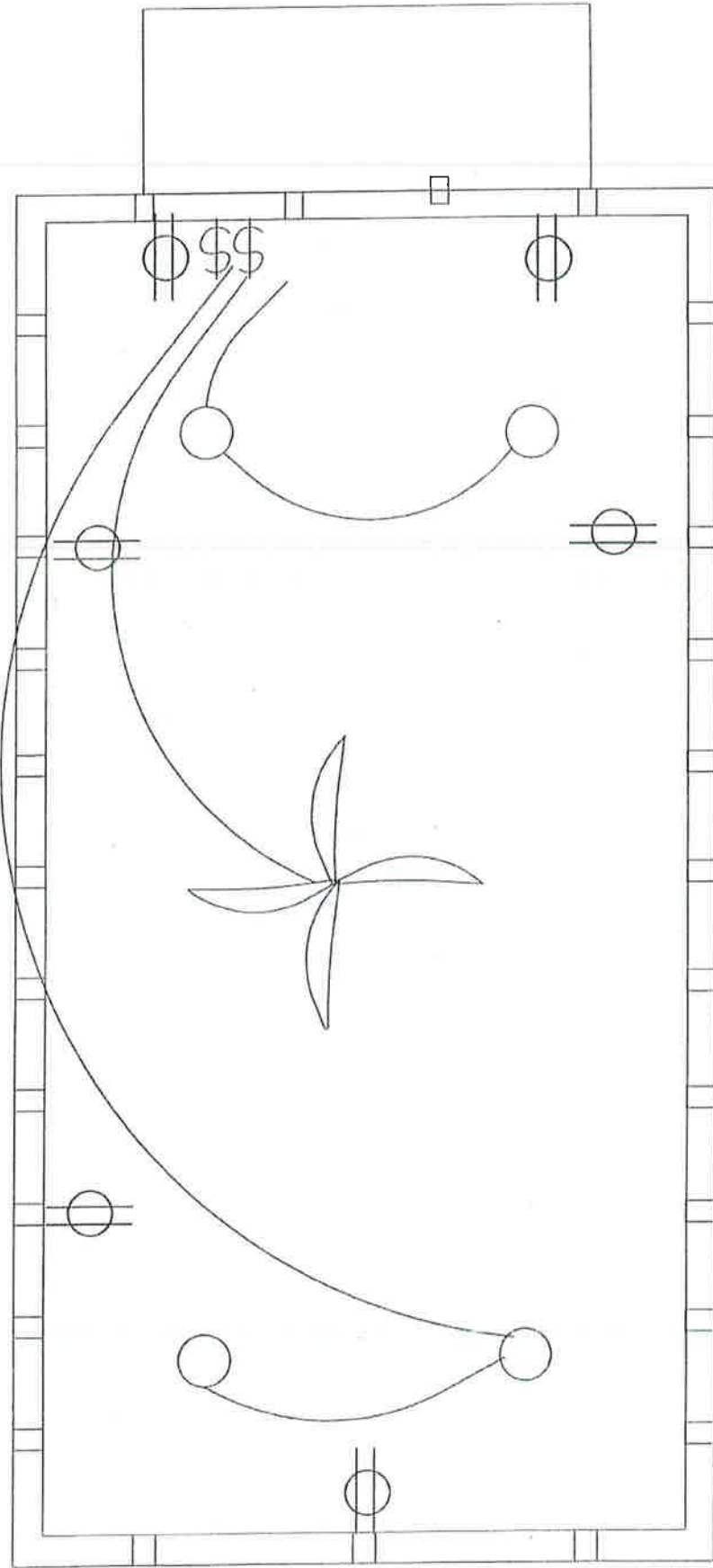
### PARCEL 4:

LOT 90 IN MITCHELL HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTH WEST  $\frac{1}{4}$  (EXCEPT THE SOUTH 2 CHAINS THEREOF) AND THE SOUTH WEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTH WEST  $\frac{1}{4}$  OF SECTION 13. TOWNSHIP 45 NORTH, RANGE 9. EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1923 AS DOCUMENT 224106, IN BOOK; "L" OF PLATS, PAGE 76, IN LAKE COUNTY, ILLINOIS.

### PARCEL 5:

LOT 92 IN MITCHELL HIGHLANDS, A SUBDIVISION OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTH WEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  (EXCEPT THE SOUTH 2 CHAINS THEREOF) AND THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTH WEST  $\frac{1}{4}$  OF SECTION 13, TOWNSHIP 45 NORTH, RANGE 9. EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 17, 1923 AS DOCUMENT 224106, IN BOOK "L" OF PLATS, PAGE 76, IN LAKE COUNTY, ILLINOIS.

# ELECTRICAL PLAN



DUPLEX OUTLET



RECESSED LIGHT



SWITCH

FROM GARAGE

Pol pipe

CEILING FAN

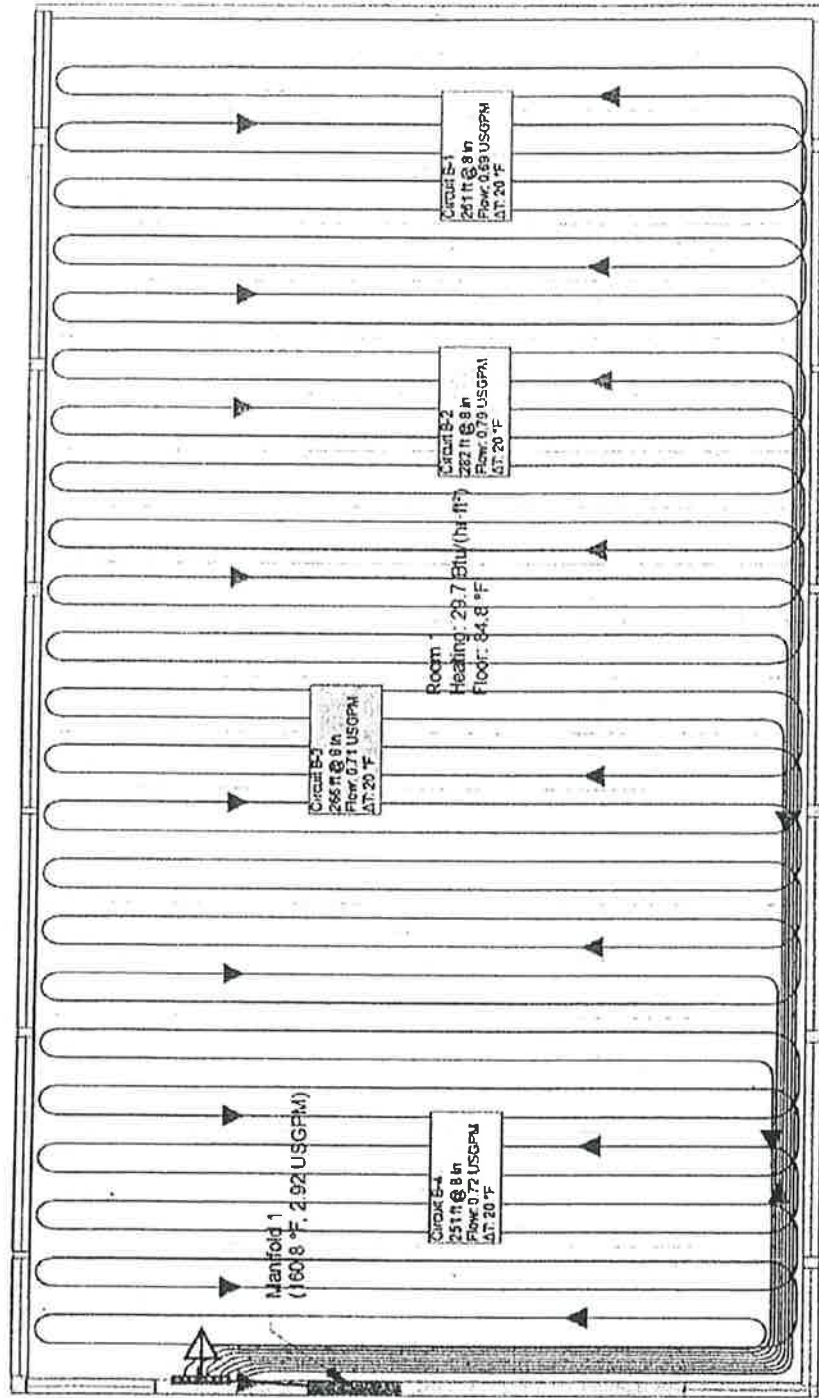
SCALE 1" = 4'-0"

# Boat House Heat Loss Plan

Revision: 01/20/2010 - Options: 01/20/2010

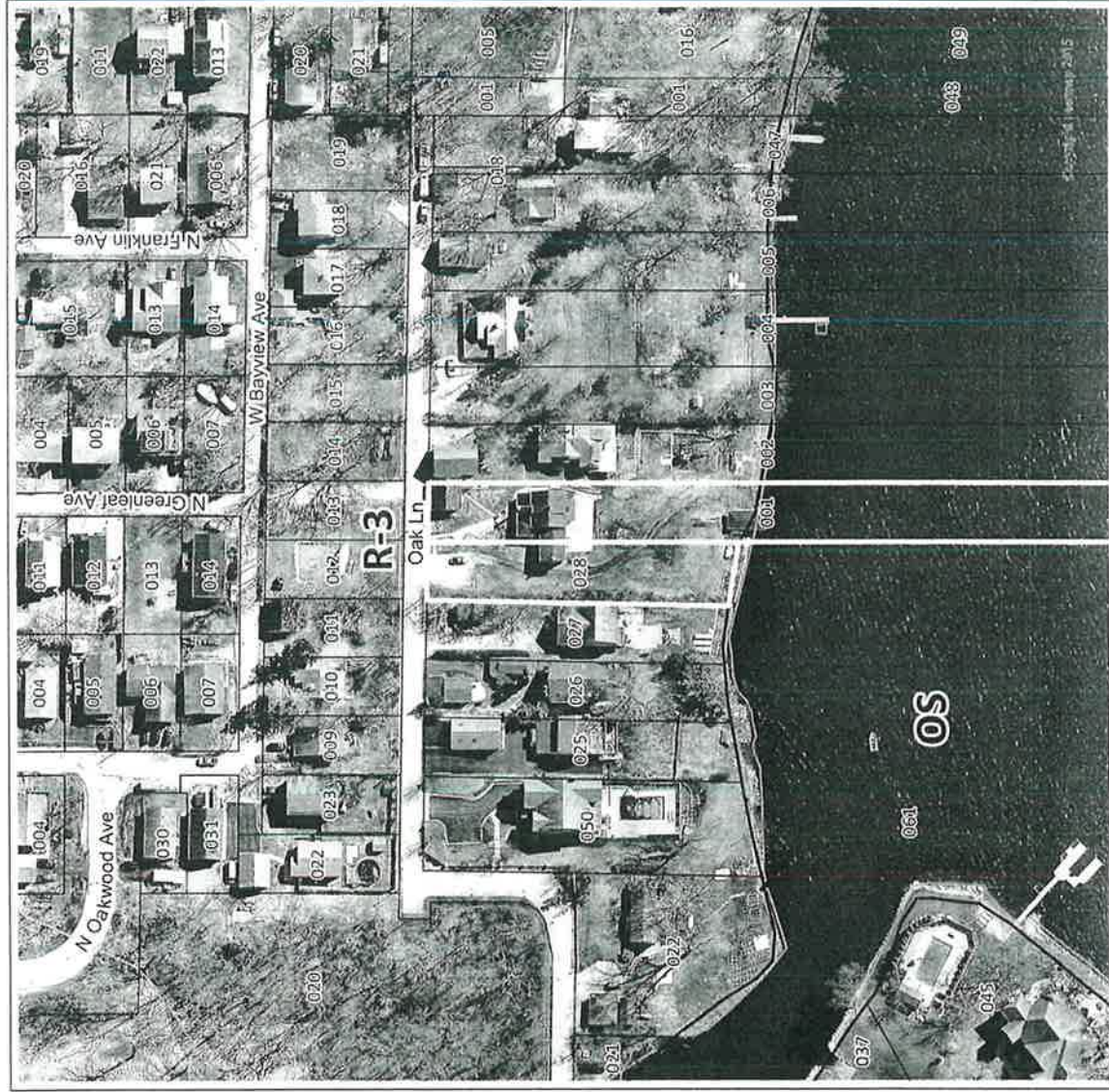
Revision: 01/20/2010 - Options: 01/20/2010

Plan View 3D View Analysis Make Views Help Back Home



Ground Floor/Main Floor





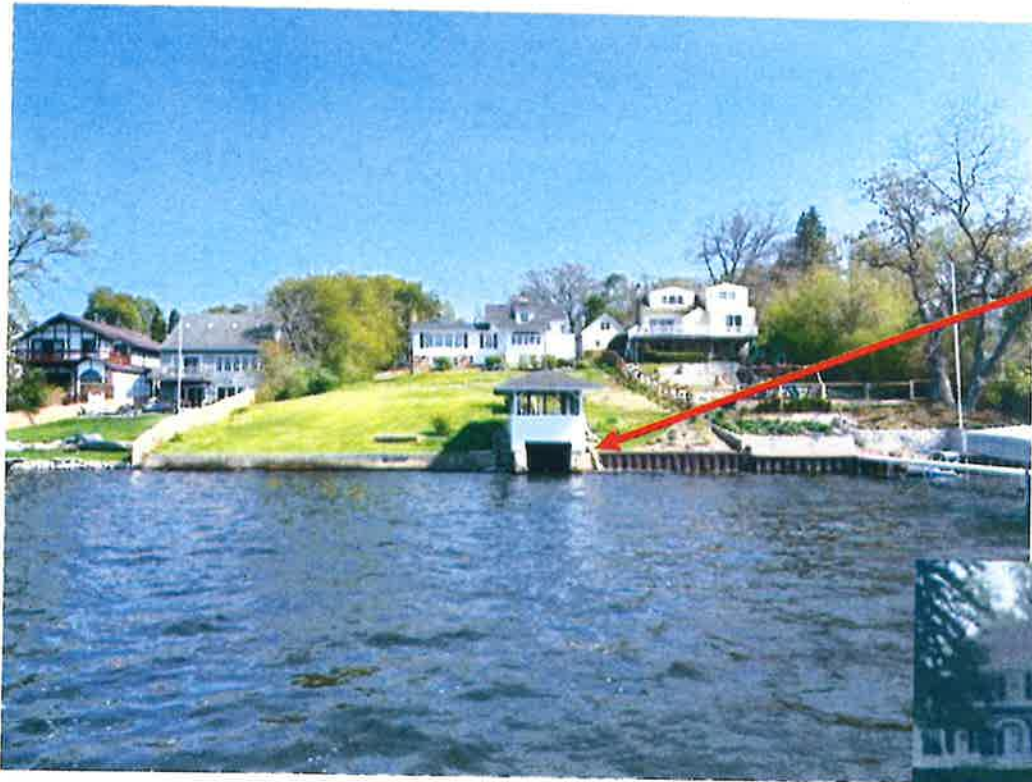
# Zoning Board of Appeals Case #VAR-000760-2022











SUBJECT BOATHOUSE 25819 Oak Lane

BOAT HOUSE 35022 AUGUSTANA







BOATHOUSE 35030 AUGUSTANA

BOAT HOUSE 35101 N MILWAUKEE







STRUCTURE 35123 N MILWUAKEE

STRUCTURE 24627 W LAKE







STRUCTURE 35326 W SUMMIT

STRUCTURE 35322 W LAKE







STRUCTURE 35346 SUMMIT

STRUCTURE 35390 SUMMIT







STRUCTURE 35410 W FOREST

STRUCTURE 35470 CEDAR LANE





BAOTHOUSE 25751 OAK LANE

STRUCTURE 25749 MARION

