

LAKE COUNTY ZONING NOTICE #6980

ANTIOCH TOWNSHIP

The Lake County Zoning Board of Appeals has scheduled a public hearing on Thursday, April 16, 2015 at 1:00 P.M. at the Antioch Township Hall, 1625 Deep Lake Road, Lake Villa, Illinois, on the application of Steven P. Gundelach, Carole and Michael Debenedetto, record owners.

The applicants wish to rezone PINs 01-12-400-011 & 01-12-400-012 from RC (Recreational Commercial) to R-1 (Residential-1).

The subject properties are located at 25451 West Private Road & 25429 West Private Road, Antioch, Illinois and contain 0.46 and 0.46 acre respectively.

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) 377-2127.

**George Bell
Chairman**

LAKE COUNTY ZONING BOARD OF APPEALS

REZONING APPLICATION

Applicant(s):
(please print)

Steven P. Gundelach

Phone: 847-946-8430

Owner(s)

4070 Williamson Road
Fort Meyers, FL 33905-

Fax: _____

E-Mail: gunde60@gmail.com

Address

Timothy Henning

Phone: 630-251-0146

Contract purchaser(s) if any

6149 South 20th Street
Milwaukee, WI 53221

Fax: _____

E-Mail: timothy.henning@gmail.com

Address

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

Robert S. Pinzur

Phone: 847-821-5290 Ext. 110

Name Pinzur, Cohen & Kerr, Ltd.

Cell: 847-987-1705

Suite 208

Fax: 847-821-5293

4180 RFD Route 83

Email: rpinzur@pckltdlaw.com

Long Grove, IL 60047

Address

Subject
Property:

Present Zoning: RC

Present Use: Residence

Proposed Use: Residence

PIN(s): 01-12-400-011

Address: 25451 West Private Road, a/k/a 25451 West T Street
Antioch, IL 60002

Legal description:
(X see deed)

TRUSTEE'S DEED
(INDIVIDUAL)

FOR THE PROTECTION OF
OWNER, THIS INSTRUMENT
SHALL BE RECORDED WITH
THE RECORDER OF DEEDS.

574539K
BANK OF WAUKEGAN

1601 North Lewis Avenue
Waukegan, Illinois 60085
Telephone (708) 244-6000

3720035

RECORDER
LAKE COUNTY, ILLINOIS

95 SEP -8 PM 3:19

David J. Kuster

The above space is for the recorder's use only

The Grantor, BANK OF WAUKEGAN, a corporation in the State of Illinois, and duly authorized to accept and execute trusts within the State of Illinois, not personally, but solely as Trustee under the provisions of a Deed or Deeds in Trust duly recorded and delivered to said Grantor in pursuance of a certain Trust Agreement dated the 30th day of January, 19 90, and known as Trust Number 3483, for and in consideration of Ten and No/100th Dollars (\$10.00), and other good and valuable considerations in hand paid, conveys and quit claims to Steven P. Gundelach

of (Address of Grantee) 25451 West T. Street
Antioch, Illinois 60002

the following described real estate situated in the County of Lake
in the State of Illinois, to wit:

That part of the fractional Southeast 1/4 of fractional Section 12, Township 46 North, Range 9, East of the Third Principal Meridian, in Lake County, Illinois described as follows: commencing at a point on the Northerly line of the public highway known as State Route 173, as now located, which is 2413.1 feet West of the East line of said fractional Southeast 1/4 of fractional Section 12, thence North, along a line herein-after described as the "First Course", a distance of 540 feet more or less, to an iron pipe on the South line of a private road 15 feet wide, running East and West and adjoining this tract on the North, said pipe marking the place of beginning of this description and the Northwest corner of the tract about to be described:

CONTINUED ON THE REVERSE SIDE

(NOTE: If additional space is required for legal, attach on a separate 8 1/2" x 11" sheet.)

together with all the appurtenances and privileges thereunto belonging or appertaining.

Permanent Index Number(s) _____

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

IN WITNESS WHEREOF, Grantor has caused its corporate seal to be hereunto affixed, and name to be signed by its Trust Officer and attested by its Vice President, this 29th day of August, 19 95.

CHICAGO TITLE INSURANCE CO.

BY: _____

ATTEST: _____

as Trust Officer and Vice President.

VICE PRESIDENT

3720035

STATE OF ILLINOIS)

) SS,

COUNTY OF LAKE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that the above named Trust Officer and Vice President of BANK OF WAUKEGAN, Grantor, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such, Trust Officer and Vice President respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said Bank, for the uses and purposes, therein set forth and the said Vice President then and there acknowledged that said Vice President as custodian of the corporate seal of said Bank caused the corporate seal of said Bank to be affixed to said instrument as said Vice President's own free and voluntary act, and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

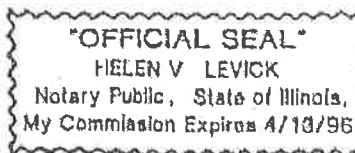
Given under my hand and notarial seal this 29th
day of August, 19 95

ADDRESS OF PROPERTY
25451 West T. Street

Antioch, Illinois

The above address is for information only
and is not part of this deed.

Helen V. Levick
Notary Public
My Commission Expires: 4/13/96



This instrument was prepared by:

(Name) Maria Bora
(Address) 1601 N. Lewis
Waukegan, IL 60085

Mail subsequent tax bills to:

(Name) Steven P. Gundelach
(Address) 25451 West T. Street
Antioch, IL 60002

~~NOTARY PUBLIC~~ ~~STATE OF ILLINOIS~~ ~~MY COMMISSION EXPIRES~~ ~~4/13/96~~
~~REAL ESTATE TRANSFER TAX ACT.~~
[Signature]
~~NOTARY PUBLIC~~ ~~STATE OF ILLINOIS~~ ~~MY COMMISSION EXPIRES~~ ~~4/13/96~~

Thence East along the South line of said private road, 79.68; thence South 249.8 feet to a point 80.84 feet East of another point situated on the "First Course" a distance of 249.72 feet South of the place of beginning; thence West 80.84 feet to the last described point; thence North 249.72 feet to the place of beginning.

LAKE COUNTY ZONING BOARD OF APPEALS

REZONING APPLICATION

Applicant(s):
(please print)

Carole Debenedetto & Michael Debenedetto
Owner(s) Phone: 847-395-4215

4402 West Highway 182
Park Falls, WI 54552

Fax: _____
E-Mail: dettos@sbcglobal.net

Address

Contract purchaser(s) if any

Phone: _____

Fax: _____

Address

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

Robert S. Pinzur Phone: 847-821-5290 Ext. 110
Name Pinzur, Cohen & Kerr, Ltd. Cell: 847-987-1705

Suite 208 Fax: 847-821-5293
4180 RFD Route 83 Email: rpinzur@pckltdlaw.com
Long Grove, IL 60047
Address

Subject
Property:

Present Zoning: RC
Present Use: Residence
Proposed Use: Residence
PIN(s): 01-12-400-012
Address: 25429 North T Street
Antioch, IL 60002

Legal description:
(X see deed)

WARRANTY DEED

MAIL TO:

NAME EDWARD C. JACOBS
ATTORNEY AT LAW
ADDRESS 425 LAKE STREET
ANTIOCH, ILLINOIS 60002
CITY & STATE

JOINT TENANCY

RECORDING STAMP

1653008

THE GRANTORS, GEORGE H. GUNDELACH and ELEANOR M. GUNDELACH, his wife,

of the Town of Antioch County of Lake State of Illinois
for and in consideration of TEN AND NO/100 (\$10.00)-----DOLLARS
and other good and valuable considerations in hand paid.

CONVEY and WARRANT to MICHAEL CHARLES DeBENEDETTO and CAROLE LOUISE DeBENEDETTO, his wife,

of the Town of Antioch County of Lake State of Illinois
the following described Real Estate situated in the County of Lake, in the State of Illinois,
to-wit: That part of the fractional Southeast quarter of fractional
Section 12, Township 46 North, Range 9, East of the Third Principal
Meridian, Lake County, Illinois, described as commencing at a point
on the Northerly line of the Public Highway known as State Route
173, as now located, which is 2413.1 feet West of the East line of
said Fractional Southeast Quarter of Fractional Section 12; thence
North, along a line hereinafter referred to as the "first course",
a distance of 540 feet, more or less, to an iron pipe on the South
line of a Private Road, 15 feet wide, running East and West and
adjoining the tract to be described on the North, said pipe marking
a point hereinafter referred to as "Point A"; thence East, along
the South line of said Private Road, a distance of 79.68 feet to
the place of beginning of this description and the Northwest corner
of the Tract about to be described; thence South 249.8 feet to a
point 80.84 feet East of another point situated on the "first course"
at a distance of 249.72 feet South of "Point A"; thence East 80.84
feet to a point on the West line of a Private Road; thence North,
along the West line of said Private Road, 249.88 feet to the South
line of the first mentioned Private Road; thence West, along the
South line of said Private Road, 79.68 feet to the place of beginning.
hereby releasing and waiving all rights under and by virtue of the Homestead Exemption
Laws of the State of Illinois TO HAVE AND TO HOLD said premises not in
tenancy in common, but in joint tenancy forever. Subject to the
general taxes for the year 1973 and subsequent years and to
public utility easements.

DATED this 10th day of January 19 74

This Instrument was prepared (Seal) *George H. Gundelach* (Seal)
by: George H. Gundelach
Kenneth M. Clark
425 Lake Street
Antioch, Illinois 60002 (Seal) *Eleanor M. Gundelach* (Seal)
Eleanor M. Gundelach

NOTE: PLEASE TYPE OR PRINT NAME BELOW ALL SIGNATURES.

STATE OF ILLINOIS }
County of Lake }

I, the undersigned, a Notary Public in and for said County, in the State
of Illinois, DO HEREBY CERTIFY that GEORGE H. GUNDELACH

and ELEANOR M. GUNDELACH, are
personally known to me to be the same persons whose name is sub-
scribed to the foregoing instrument appeared before me this day in person,
and acknowledged that they signed, sealed and delivered the said
instrument as their free and voluntary act, for the uses and pur-
poses therein set forth, including the release and waiver of the right of
homestead.

Given under my hand and notarial seal, this 16th day of

February 1974

My commission expires 2/1/74 *Kenneth M. Clark*
Notary Public

Michael Charles DeBenedetto Route 5, Box 41, Antioch, Illinois 60002
Full Name of Grantee Complete Address of Grantee 21p

This conveyance must contain the name and address of the grantee. Ch.115: 12.1
Also name and address for tax billing. Ch.115: 9.2

1653008

FILED FOR RECORD IN THE
OFFICE LAKE COUNTY, ILLINOIS

FEB 20 74 - 11 15 AM

Frank J. Nustra
FRANK J. NUSTRA, RECORDER

Filed by Recorder for use in Lake County

WARRANTY DEED

FROM

TO

LAKE COUNTY, ILL.
RECORDER'S OFFICE

FRANK J. NUSTRA

Recorder

Book No. 3 Oct. 1969

Request: I/we request the property be rezoned to the R-1 zoning district.

I/we believe this rezoning is justified because we understand the property was originally zoned R-1 in the 1980s. The property has been utilized as residential. We understand the property was rezoned RC in anticipation of increased commercial development in the area due to a boom in commercial developments which no longer exists. At the time of rezoning to RC, commercial development appeared feasible. Due to the current and anticipated future economic status, commercial development no longer appears feasible. Currently, the neighborhood is residential. The properties to the north and east of the instant property are zoned R-1. The existing structures on the property are residential homes. It is not foreseeable the property will be utilized for RC zoning in the near or distant future.

Approval: The Lake County Zoning Board of Appeals is required to make findings of Criteria:

Fact on your request. You should “make your case” by explaining specifically how your proposed request relates to each of the following criteria:

1. The proposed rezoning is consistent with the stated purpose and intent of the zoning regulations (see Sec. 1.5);

The rezoning is consistent with the original and current intent of a residential community. We understand the property was originally zoned R-1 in the 1980s. The property has been utilized as residential. We understand the property was rezoned RC in anticipation of increased commercial development in the area due to a boom in commercial developments which no longer exists. At the time of rezoning to RC, commercial development appeared feasible. Due to the current and anticipated future economic status, commercial development no longer appears feasible. Currently, the neighborhood is residential. The properties to the north and east of the instant property are zoned R-1. The existing structures on the property are residential homes. It is not foreseeable the property will be utilized for RC zoning in the near or distant future. R-1 zoning would be consistent with any future construction in the surrounding areas which is intended to be residential. In the event of a peril which destroys the current structures, the owners would be able to rebuild structures consistent with the current use of a residential community.

2. The proposed rezoning corrects an error or inconsistency or meets the challenge of some changing condition in the area;

The original zoning was R-1 in the 1980s. The property has been utilized as residential. We understand the property was rezoned RC in anticipation of increased commercial development in the area due to a boom in commercial developments which no longer exists. At the time of rezoning to RC, commercial development appeared feasible. Due to the current and anticipated future economic status, commercial development no longer appears feasible. Currently, the neighborhood is residential. The properties to the north and east of the instant property are zoned R-1. The existing structures on the property are residential homes. It is not foreseeable the property will be utilized for RC zoning in the near or distant future.

3. The proposed rezoning will allow development that is compatible with existing uses and zoning of nearby property;

There is not intended to be further development of the property, but rezoning to R-1 would be consistent with the current use of the property and the future use of the property as a residential community. There is no foreseeable commercial use for the property based upon current and foreseeable economic conditions.

4. The County and other service providers will be able to provide adequate public facilities and services to the property, while maintaining adequate levels of service to existing development;

As the property is predominantly a residential community and there is no intention of changing or altering the current use of the property as a residence, there would be no adverse impact on the County as no additional services will be required other than as currently utilized.

5. The proposed rezoning will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife and natural resources; and

As the property would remain residential, there would be absolutely no adverse impact in the area.

6. The subject property is suitable for the proposed zoning classification.

As the property was previously zoned R-1 and is currently utilized as a residential community, there would be no impact adverse to the neighborhood and, in fact, would suit the neighborhood to be consistent as a residential community. RC zoning is, in fact, anathema to the current use of the property and surrounding area.

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


Signature of owner(s)


Signature(s) of contract purchasers

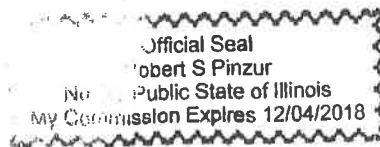
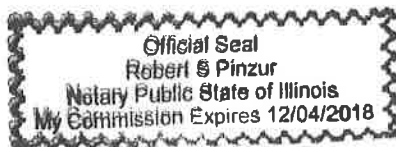
I, Robert S. Pinzur a Notary Public aforesaid, do hereby certify that Steven Gundelach and Timothy Henning personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of January 23, 2015 and appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered the same instrument for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 23rd day of January, 2015

(Seal)

My Commission expires December 4, 2018





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

Michael C DeBenedetto / Carol DeBenedetto
Signature of owner(s) CAROL DeBenedetto
MICHAEL C DeBenedetto

NA
Signature(s) of contract purchasers

I, Jan Santarius a Notary Public aforesaid, do hereby certify that
Michael DeBenedetto and Carol DeBenedetto personally known to me is
(are) the person(s) who executed the foregoing instrument bearing the date of
1/27/2015 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 27th day of January, 2015

(Seal)

My Commission expires 5/22/17



Jan Santarius

001

RC

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R-1

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RC

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