

## **LAKE COUNTY ZONING NOTICE #7843**

### **GRANT TOWNSHIP**

The Lake County Zoning Board of Appeals has scheduled a public hearing on Thursday, July 14, 2016 at 9:00 A.M. at the Lake County Central Permit Facility, 500 W. Winchester Road, Libertyville, Illinois, on the petition of Susan Fatta, record owner, who seeks the following variances from the requirements of the Lake County Code and any other zoning relief as required:

1. Reduce the north side yard setback from 10.4 feet to 5.5 feet to accommodate a single family home. The building wall would be no closer than 6.5 feet from the property line, and the overhang would be no closer than 5.5 feet.
2. Reduce rear yard setback from 10.4 feet to 3 feet to accommodate the construction of a rear deck attached to the proposed single family home.
3. Reduce street yard setback from 25.8 to 19.3 feet to accommodate an existing detached garage.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions.

The subject property is located at 35268 N. Lake Shore Rd, Ingleside, IL 60041 and is approximately 0.27 acres.

PIN(s) 05-16-302-008 & 05-16-302-009

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

**VARIATION APPLICATION**

Applicant(s):  
(please print)

Mike & Sue Fatta  
Owner(s)

Phone: 262-613-0286

35268 N Lake Shore Road  
Ingleside, IL 60041  
Address

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

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:

Joe Kukla  
Name

Phone: 815-482-6557  
Cell: \_\_\_\_\_

5818 Broadway St, Richmond, IL 60071

Fax: \_\_\_\_\_

Email: rockcorner@charter.net

Subject  
Property:

Present Zoning:

Residential-1 (R-1)

Present Use:

Single Family Residence

Proposed Use:

Single Family Residence

PIN(s):

05-16-302-008 & 05-16-302-009

Address:

35268 N Lake Shore Road  
Ingleside, IL 60041

Legal description:  
( X see deed)

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Request: The following variation(s) are requested:

1. Reduce north side yard setback from 10.4 to 5.5 feet for house
2. Reduce rear yard setback from 10.4 to 3 feet for deck
3. Reduce street yard setback from 25.8 feet to 19.3 feet for existing detached garage

Explain why this variation(s) is necessary: The location of wells on neighboring properties has restricted the space available leaving a small footprint in which to construct a new septic system and single family dwelling.

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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 two nonconforming parcels have been consolidated into one nonconforming parcel in the R-1 zoning district. The close proximity of the neighboring wells has limited the area in which the new septic system and single family home can be constructed. In addition, Health department requirements for septic setbacks to structures and property lines have further limited the footprint of the home to its proposed location.
2. Practical difficulties or particular hardship in carrying out the strict letter of the regulation.  
Response: It is infeasible to meet the 10.4 setback to the northern property line due to limitations created by the placement of the septic field in relation to neighboring wells, as well as the required setback between the septic field and proposed home. Also, because it was necessary to narrow the footprint of the home to accommodate the septic field, the structure became longer and is unable to meet both the street front and rear setbacks. The strict application of the regulations would prevent the construction of a home which meets the needs of the property owners.
3. Harmony with the general purpose and intent of the zoning regulations.  
Response:

The proposed single family home is replacing an existing single family home, built in 1942. Currently the home sits 8.28 feet from the northern property line. The side yard reduction to 5.5 feet should not have a negative impact on the neighboring property. Also, the rear yard setback variance to accommodate the deck should not negatively impact any neighbors as it is abuts a commonly held open space, rather than a residential property. we hereby attest that all information given above is true and complete to the best of my/our knowledge.

Susan B Fatta  
Signature(s) of owner(s)

\_\_\_\_\_  
Signature(s) of contract purchasers

I, ANN-ADRIAN a Notary Public aforesaid, do hereby  
certify that SUSAN B. FATTA

personally known to me is (are) the person(s) who executed the foregoing  
instrument bearing the date of 4-14-2016 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 14<sup>th</sup> day of APRIL,  
2016.

(Seal)

My Commission expires 8-20-2017.



Ann M. Adrian

## **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.

*Luison J Fatta*  
Signature

**THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION**

# Trustee's Deed

THIS INDENTURE, made this 27th day of May, 2009 between U.S. Bank, N.A., 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 Bank in pursuance of a certain Trust Agreement dated the 12th day of November, 1984, AND known as Trust Number 4135, party of the first part, and Susan B. Fatta, party of the second part. Address of Grantee(s): W2219 Oak Ridge Ave, East Troy, WI 53120

Image# 044810880002 Type: DTR  
Recorded: 08/02/2009 at 02:48:13 PM  
Receipt#: 2009-00028076  
Total Amt: \$39.00 Page 1 of 2  
IL Rental Housing Fund: \$10.00  
Lake County IL Recorder  
Mary Ellen Vanderventer Recorder  
File **6479871**

(MAIL TO AND  
(Send tax bills to:)

WITNESSETH, That said party of the first part, in consideration of the sum of Ten and no/100 (~~\$10.00~~) Dollars, and other good and valuable considerations in hand paid, does hereby convey and quit-claim unto said parties of the second part, the following described real estate situated in Lake County, Illinois, to wit:

LOT "H" IN CROCKETT'S ESTATE, BEING A SUBDIVISION OF LOT 4 OF SCHOOL TRUSTEE'S SUBDIVISION OF FRACTIONAL SECTION 16, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MAY 14, 1935, AS DOCUMENT 412522, IN BOOK "X" OF PLATS, PAGE 13, IN LAKE COUNTY, ILLINOIS.

Permanent Index Number: 05-16-302-008

Commonly known as: 35268 N. Lake Shore Rd., Ingleside, IL 60041

together with the tenements and appurtenances thereunto belonging.

TO HAVE AND TO HOLD THE same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.

This deed is executed by the party of the first part, as Trustee, pursuant to and in the exercise of the power and authority granted to and vested in it by the terms of said Deed or Deeds in Trust and the provisions of said Trust Agreement above mentioned, and of every other power and authority thereunto enabling. This deed is made subject to the liens of all trust deeds and mortgages upon said real estate, if any, recorded or registered in said county given to secure the payment of money and remaining unreleased at the date of the delivery hereof.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by one of its officers and attested by another of its officers, the day and year first above written.



U.S. Bank N.A. f/k/a Avenue Bank & Trust  
Company of Oak Park, as Trustee aforesaid,  
and not personally

Attest: Maureen Kruszynski  
Maureen Kruszynski, Assistant Vice President

By: June Stout  
June Stout, Vice President

(2)

STATE OF ILLINOIS) ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public, in and for the said County and State aforesaid, DO HEREBY CERTIFY that June Stout, Vice President, of U.S. Bank, N.A., a National Banking Association and Maureen Kruszyński, Assistant Vice President of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such officers of said Bank 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, as Trustee for the uses and purposes, therein set forth.

Given under my hand and Notarial Seal this 27th day of May, 2009.

Elizabeth Niemas  
Notary Seal



(Exempt under provision of Paragraph E  
Section 4, Real Estate Transfer Act.)

Susan J Fatta 5.29.09

<b>AFTER RECORDING MAIL DOCUMENT TO:</b>	<b>SEND SUBSEQUENT TAX BILLS TO:</b>	<b>INSTRUMENT PREPARED BY:</b>
		<p style="text-align: center;"> <b>June Stout, Vice Pres.</b>  <b>U. S. Bank, N.A.</b>  <b>104 N. Oak Park Avenue</b>  <b>Oak Park, IL 60301</b> </p>

# Trustee's Deed

THIS INDENTURE, made this 27th day of May, 2009 between U.S. Bank, N.A., 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 Bank in pursuance of a certain Trust Agreement dated the 12th day of November, 1984, AND known as Trust Number 4136, party of the first part, and Susan B. Fatta, party of the second part. Address of Grantee(s): W2219 Oak Ridge Ave, East Troy, WI 53120

Image# 044810620002 Type: DTR  
Recorded: 06/02/2009 at 02:46:13 PM  
Receipt#: 2009-00026076  
Total Amt: \$39.00 Page 1 of 2  
IL Rental Housing Fund: \$10.00  
Lake County IL Recorder  
Mary Ellen Vanderventer Recorder  
File **6479870**

*MAIL TO AND  
(Send tax bills to)*

WITNESSETH, That said party of the first part, in consideration of the sum of Ten and no/100 (\$10.00) Dollars, and other good and valuable considerations in hand paid, does hereby convey and quit-claim unto said parties of the second part, the following described real estate situated in Lake County, Illinois, to wit:

LOT "J" IN CROCKETT'S ESTATE, BEING A SUBDIVISION OF LOT 4 OF SCHOOL TRUSTEE'S SUBDIVISION OF FRACTIONAL SECTION 16, TOWNSHIP 45 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MAY 14, 1935, AS DOCUMENT 412522, IN BOOK "X" OF PLATS, PAGE 13, IN LAKE COUNTY, ILLINOIS.

Permanent Index Number: 05-16-302-009

Commonly known as: 35268 N. Lake Shore Rd., Ingleside, IL 60041

together with the tenements and appurtenances thereunto belonging.

TO HAVE AND TO HOLD THE same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.

This deed is executed by the party of the first part, as Trustee, pursuant to and in the exercise of the power and authority granted to and vested in it by the terms of said Deed or Deeds in Trust and the provisions of said Trust Agreement above mentioned, and of every other power and authority thereunto enabling. This deed is made subject to the liens of all trust deeds and mortgages upon said real estate, if any, recorded or registered in said county given to secure the payment of money and remaining unreleased at the date of the delivery hereof.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by one of its officers and attested by another of its officers, the day and year first above written.



U.S. Bank N.A. f/k/a Avenue Bank & Trust  
Company of Oak Park, as Trustee aforesaid,  
and not personally

Attest: Maureen Kruszynski  
Maureen Kruszynski, Assistant Vice President

By: June Stout  
June Stout, Vice President

(2) *vr*



STATE OF ILLINOIS)  
 ) SS  
COUNTY OF COOK )

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Given under my hand and Notarial Seal this 27th day of May, 2009.



(Exempt under provision of Paragraph E  
Section 4, Real Estate Transfer Act.)  
*Susan S Fatta 5.29.09*

AFTER RECORDING MAIL DOCUMENT TO:	SEND SUBSEQUENT TAX BILLS TO:	INSTRUMENT PREPARED BY:
		June Stout, Vice Pres. U. S. Bank, N.A. 104 N. Oak Park Avenue Oak Park, IL 60301

# 7826



Image# 054982950004 Type: DEC  
Recorded: 04/15/2016 at 04:09:42 PM  
Receipt#: 2016-00021793  
Page 1 of 4  
Fees: \$39.00  
IL Rental Housing Fund: \$9.00  
Lake County IL Recorder  
Mary Ellen Vanderventer Recorder

File **7284515**

## Declaration of Covenant

Whereas the petitioners Susan B Fatta

are the sole owners of the following parcels of real estate identified by the following legal descriptions:

See Attached

\_\_\_\_\_, otherwise referenced by the following Permanent Index Number(s):

05-16-302-008, -009; and

Whereas it is the intent of the Lake County Department of Planning, Building and Development to preclude independent development of either parcel; and

Whereas it is the desire of the petitioners that said parcels be consolidated through this covenant in order to satisfy applicable requirements pertaining to the construction of additional improvements on said lands; and

Whereas the Zoning Administrator, pursuant to the authority delegated by the Planning, Building and Development Director, has reviewed and approves this declaration of covenant in accordance with Section 12.4.4.2 of the Lake County Unified Development Ordinance ("UDO");

RECEIVED

APR 11 2016

LAKE COUNTY  
BUILDING DIVISION

(Handwritten signature/initials)

Now Therefore, the petitioners Susan B Fatta  
sole owners of the real estate described above, in consideration for the issuance of  
permit(s) to erect the following structure(s)

Constructing New Single Family Residence

hereby agree that the aforementioned parcels shall henceforth, in perpetuity, remain in  
common ownership, unless the unified parcel is subdivided in conformance with the  
requirements of the UDO, including, if applicable, by the recordation of a plat of  
subdivision following the subdivision processes of the UDO, and hereby acknowledge  
that this covenant shall be binding on the petitioners' successors and assigns.

Dated 4-7, 2016.

Owner Signature: Susan B Fatta

Date: 4.7.16

Subscribed and Sworn to before me  
This 7 day of April, 2016



Ann M. Adrian

(Notary Public)

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

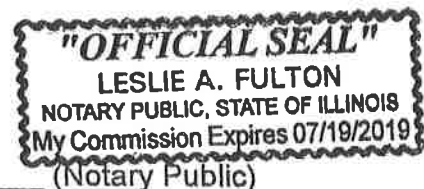
Subscribed and Sworn to before me  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

(Notary Public)

Zoning Administrator Signature: Hannah May per Britany Albrecht-Sloan

Date: 4/14/16

Subscribed and Sworn to before me  
This 14 day of April, 2016



Leslie A. Fulton

(Notary Public)

Mail To:

Hannah May  
520 W. Winchester Rd & same  
Libertyville IL 60075

Prepared By: \_\_\_\_\_

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SCALE: 1/4" = 1'-0"



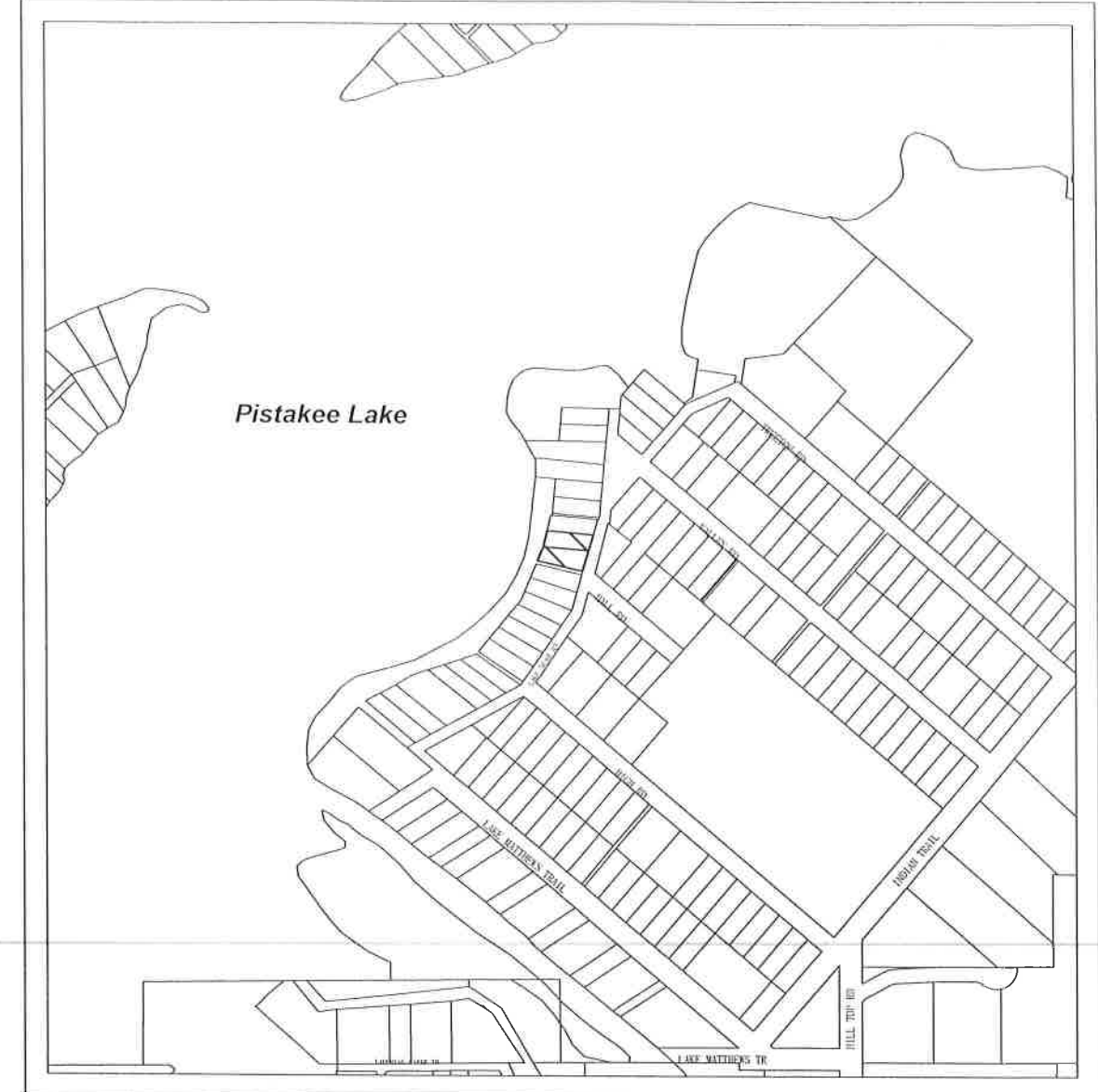
1 RIGHT ELEVATION (STREET)



USED AS THE

# ON-SITE WASTE DISPOSAL SYSTEM





# Zoning Board of Appeals Case# 7843

Grant Township

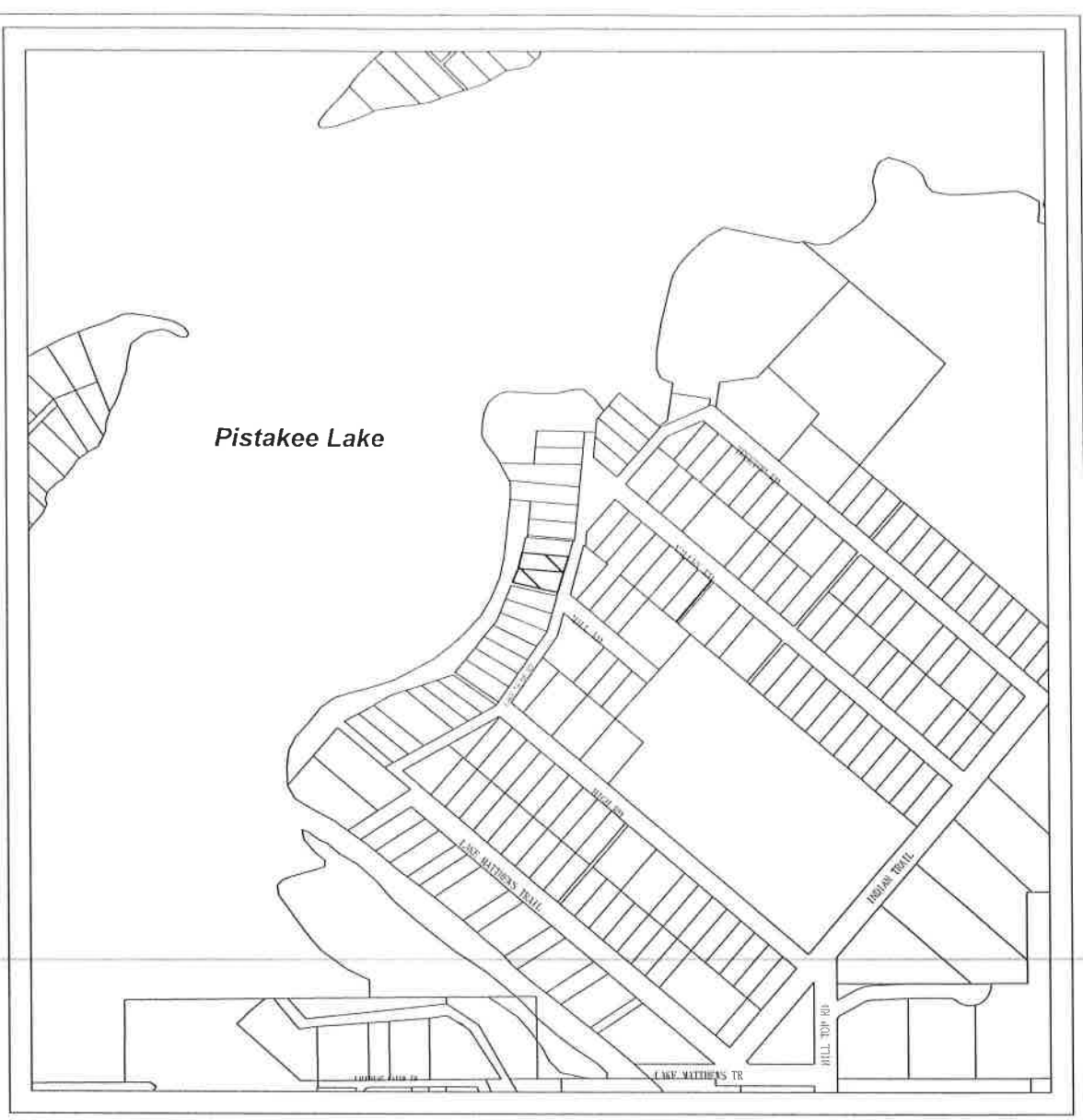


Incorporated Lake County



Subject Parcel





Zoning Board of Appeals  
Case# 7843

