

LAKE COUNTY ZONING NOTICE #8041

ELA TOWNSHIP

The Lake County Zoning Board of Appeals has scheduled a public hearing on Thursday, August 11, 2016 at 9:00 A.M. at the Lake County Central Permit Facility, 500 W. Winchester Road, Libertyville, Illinois, on the petition of Matthew and Caralee Niemiec, record owners, who seek the following variance from the requirements of the Lake County Code and any other zoning relief as required:

1. Reduce the north side yard setback from 6 feet to 2.08 feet to accommodate the construction of an addition to the existing single family home. The building wall would be no closer than 2.75 feet from the property line, and the overhang would be no closer than 2.08 feet.

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

The subject property is located at 23591 N Overhill Drive, Lake Zurich, IL 60047 and is approximately 0.19 acres.

PIN 14-15-212-017

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)

Matt and Caralee Niemi
Owner(s)

Phone: 224-374-5151

23591 N Overhill Dr
Lake Zurich, IL 60047

Fax: _____

Address

Email: _____
min2222@gmail.com

Matthew Niemi
Contract purchaser(s) if any

Phone: 224-374-5151

Fax: _____

Address

Email: _____
min2222@gmail.com

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

Adam Shaf
Name

Phone: _____
Cell: 847-774-2415

Address

Fax: _____
Email: _____

luxconstructionmanagement@gmail.com

Subject
Property:

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

R-3

Single Family Residential

Single Family Residential

14-15-212-017

23591 N Overhill Dr. Lake Zurich, IL 60047

Legal description:
(___ see deed)

Request:

The following variation(s) are requested:

1. Reduce north side yard setback from 6 feet to 2' 1" to accommodate an addition to the existing home
2. _____
3. _____

Explain why this variation(s) is necessary: _____

Without a variance we would be unable to increase the living space needed to add an additional bedroom necessary as children grow, and to add an attached garage.

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:

At 1,400 square feet, our starter home is exceptionally small compared to other homes in the area. Both the existing home and lot are smaller than the average Forest Lake property. At 60 by 133 feet, the lot is only 8,016 square feet in area. The average lot size in Forest Lake is 12,000 square feet (according to activerain.com). Additionally, the deck on the southside of the house is non-conforming, as it sits against the property line. The side yard setback would allow us to build on the northern side of the house, while bringing the south side into conformity.

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

Response:

A side setback requirement of 6 feet on either side of the home makes it impossible to construct a meaningful and essential addition to our home. The limitations imposed by the side yard setback leaves us with the option of, 1) building two one car garages on both the north and south side of the home, or 2) moving to a new home. Neither option is practical or financially feasible. Additionally, having a detached two car garage located in our backyard leaves us and our small children with a very small backyard.

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

Response:

The property now has a 103 foot long driveway leading to the detached two car garage at the rear of the property. Granting the northern side yard setback variance would allow the detached garage to be removed, nearly doubling the size of the backyard. Replacing it with an attached two car garage and addition on the north side of the property would reduce the negative impact on the adjacent neighbors. Currently, the detached garage is essentially the first thing the neighbors see as they step onto their backyard deck. Removing the detached garage would provide the next door neighbors with a more traditional backyard setting. Further, the side of the neighboring property's home facing the proposed addition has only one small laundry room window, and their attached garage. These impacted neighbors have already given their approval for the addition and said they don't even use the effected outside side of their house. The proposed addition would make both our property, and our impacted neighbors, more visually and aesthetically appealing, while increasing everyone's property values.

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

Matt Niemiec
Signature(s) of owner(s)

Caralee Niemiec

Signature(s) of contract purchasers

I, Pamela J. Cain a Notary Public aforesaid, do hereby certify that Matthew J. Niemiec and Caralee Anne Niemiec ~~according to Illinois Drivers Licenses presented to me~~ personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of June 23, 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 23rd day of June, 2016.

(Seal)

My Commission expires January 15, 2017.

PAMELA J. CAIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19874028686
MY COMMISSION EXPIRES 01/15/2017

Pamela J. Cain

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.

Matt Nanni
Signature

THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION



Chicago Title Insurance Company

**WARRANTY DEED
ILLINOIS STATUTORY
JOINT TENANTS**

5733571

FILED FOR RECORD BY:
MARY ELLEN VANHOUTEN
LAKE COUNTY, IL RECORDER
02/11/2005 10:33:02 A.M.
RECEIPT # 205179
DRAWER 07-26

6-28-244532-104

THE GRANTOR(S), Paul Vasquez and Jan Vasquez, husband and wife, of the Village of Lake Zurich, County of Lake, State of Illinois for and in consideration of TEN & 00/100 DOLLARS, and other good and valuable consideration in hand paid, CONVEY(S) and Warrant(s) to ~~Matthew~~ Niemiec and Caralee Bremer, not as tenants in common, but as joint tenants, 10870 Great Plains Court, Huntley, Illinois 60142 of the County of McHenry, all interest in the following described Real Estate situated in the County of Lake in the State of Illinois, to wit:

Matthew S. Niemiec Caralee A. Niemiec

See legal description attached hereto and made a part hereof.

SUBJECT TO: general taxes for the year 2004 and subsequent years including taxes which may accrue by reason of new or additional improvements during the year(s) 2004.

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 as tenants in common, but as joint tenants forever.

Permanent Real Estate Index Number(s): 14-15-212-017-0000

Address(es) of Real Estate: 23591 North Overhill Drive, Lake Zurich, Illinois 60047

Dated this 14 day of January, 2005.

Paul Vasquez
Paul Vasquez

Jan Vasquez
Jan Vasquez

3

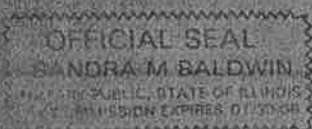
5733571

ILLINOIS COUNTY OF

DuPage

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Paul Vasquez and Jane Vasquez, husband and wife, personally known to me to be the same person(s) whose name(s) are subscribed 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 purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 14 day of January, 2005.



Sandra M. Baldwin
(Notary Public)

Prepared By: Dean G. Galanopoulos
340 W. Butterfield Road Suite 1A
Elmhurst, Illinois 60126

Mail To:

Morton J. Rubin, Esq.
3100 Dundee Road, #502
Northbrook, Illinois 60062

Name & Address of Taxpayer:

Matt Niemec and Caralee Bremer
23591 North Overhill Drive
Lake Zurich, Illinois 60047

Cancel



# 0000030716	REAL ESTATE TRANSFER TAX
	0039750
	FP326708

245.00 IL.

5733571 2

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)

ORDER NO. 1401 ECB344532 NCA

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

LOT 6 AND THE NORTH 20 FEET OF LOT 7 IN BLOCK 16 IN ARTHUR T. MCINTOSH AND COMPANY'S FOREST LAKE SUBDIVISION OF PARTS OF SECTIONS 10 AND 15, TOWNSHIP 43 NORTH RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MAY 20, 1937 AS DOCUMENT 437157, IN BOOK "A" OF PLATS, PAGES 49, 50 AND 51, IN LAKE COUNTY, ILLINOIS.

5733571 3

CRITICAL

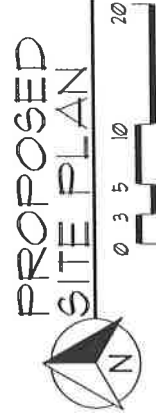
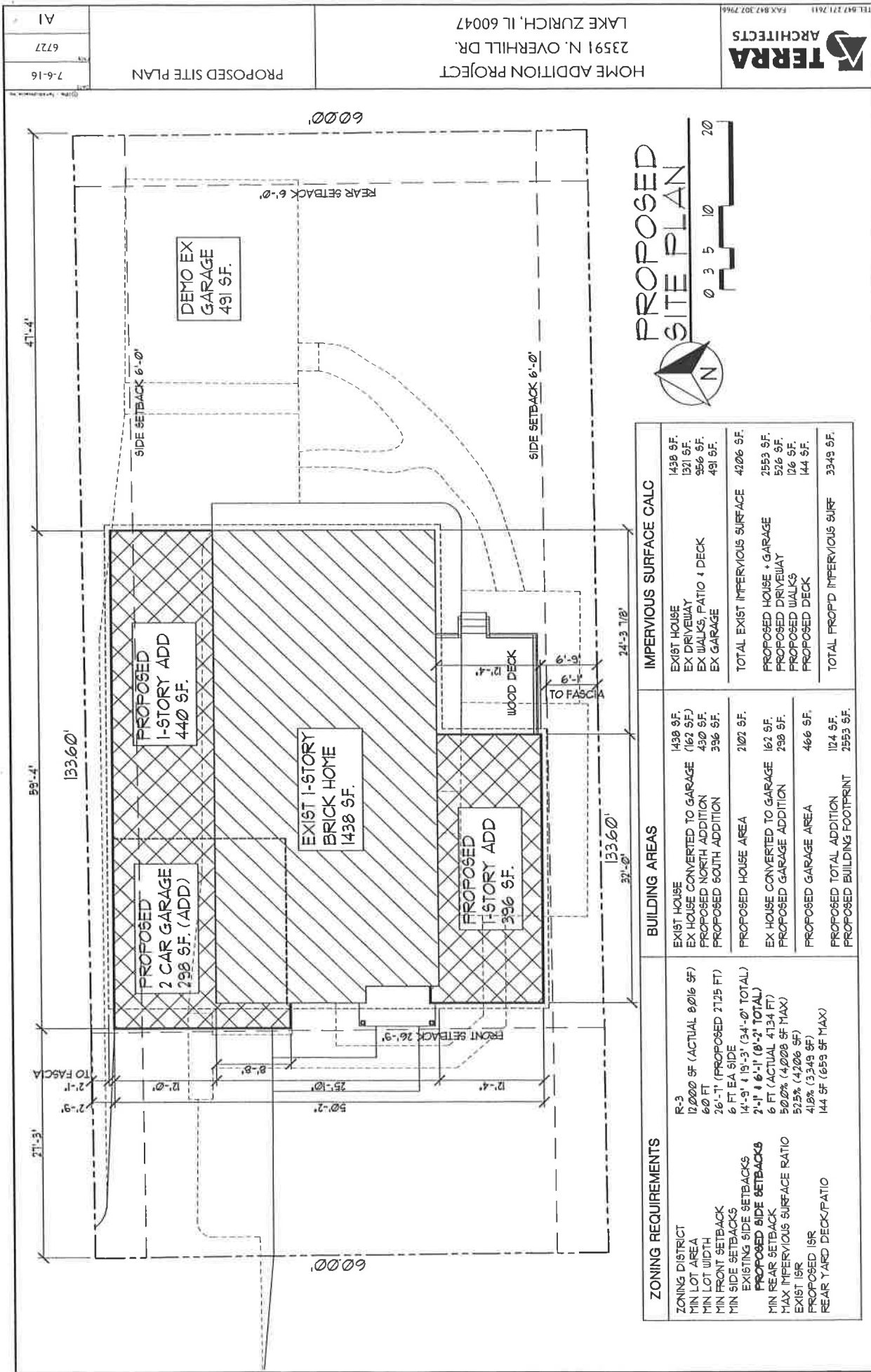
JD

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JD

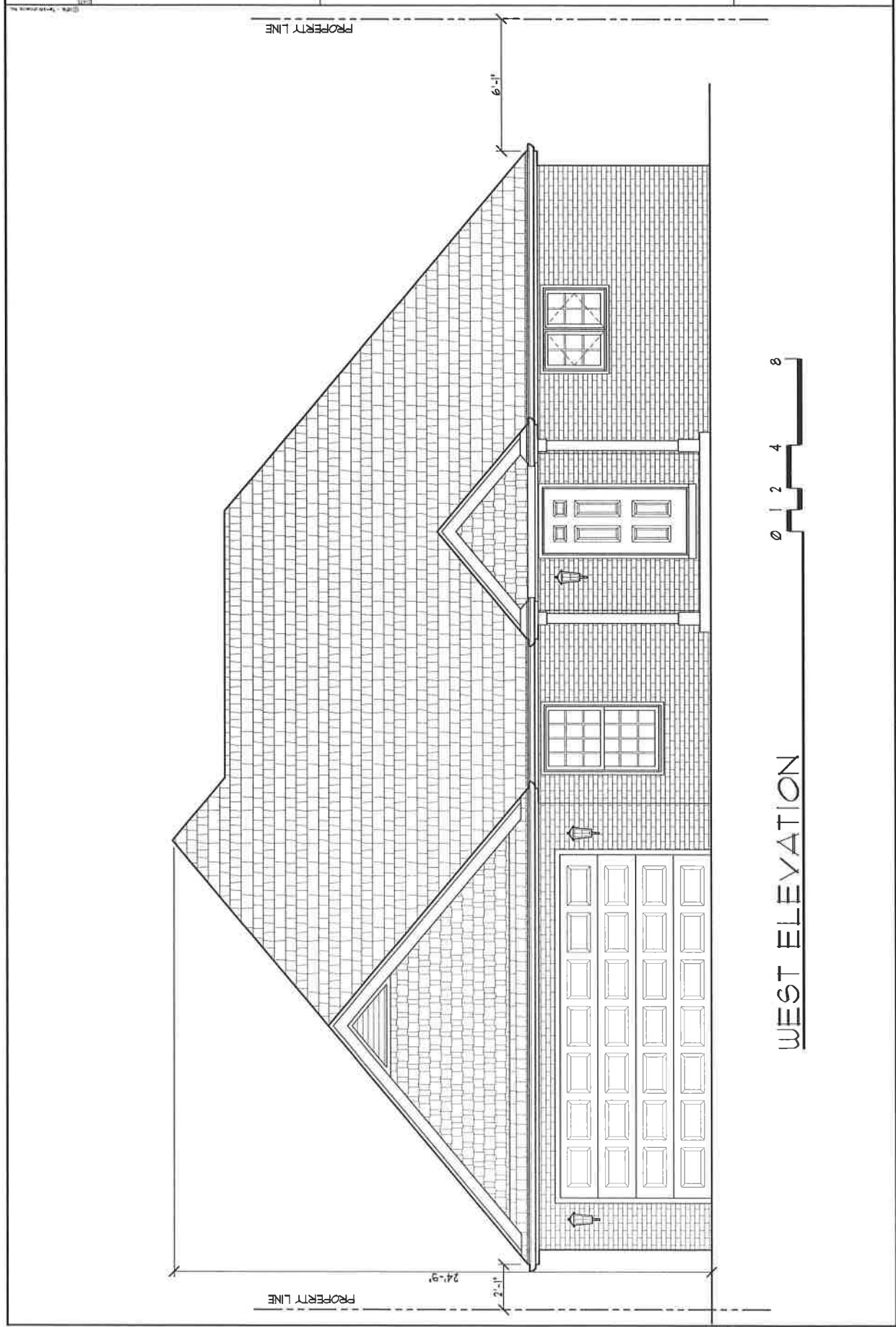
12/17/04

15:05:39



PROPOSED SITE PLAN

ZONING REQUIREMENTS	BUILDING AREAS	IMPERVIOUS SURFACE CALC
ZONING DISTRICT MIN LOT AREA MIN LOT WIDTH MIN FRONT SETBACK MIN SIDE SETBACKS EXISTING SIDE SETBACKS PROPOSED SIDE SETBACKS MIN REAR SETBACK MAX IMPERVIOUS SURFACE RATIO EXIST ISR PROPOSED ISR REAR YARD DECK/PATIO	EXIST HOUSE EX HOUSE CONVERTED TO GARAGE PROPOSED NORTH ADDITION PROPOSED SOUTH ADDITION PROPOSED HOUSE AREA EX HOUSE CONVERTED TO GARAGE PROPOSED GARAGE ADDITION PROPOSED GARAGE AREA PROPOSED TOTAL ADDITION PROPOSED BUILDING FOOTPRINT	EXIST HOUSE EX DRIVEWAY EX WALKS, PATIO & DECK EX GARAGE TOTAL EXIST IMPERVIOUS SURFACE PROPOSED HOUSE + GARAGE PROPOSED DRIVEWAY PROPOSED WALKS PROPOSED DECK TOTAL PROPD IMPERVIOUS SURF
R-3 12,000 SF (ACTUAL 8,016 SF) 60 FT 26'-1" (PROPOSED 27'25 FT) 6 FT EA SIDE 14'-3" & 13'-3" (34'-0" TOTAL) 2'-1" & 6'-1" (8'-2" TOTAL) 6 FT (ACTUAL 47'34 FT) 50.0% (4,008 SF MAX) 52.5% (4,206 SF) 41.8% (3,349 SF) 144 SF (655 SF MAX)	1438 SF (162 SF) 430 SF 396 SF 2107 SF 162 SF 298 SF 466 SF 1124 SF 2553 SF	1438 SF 1371 SF 956 SF 491 SF 4206 SF 2553 SF 526 SF 126 SF 144 SF 3349 SF



ZBA Case #8041



WILLIAM RIDGEWAY TRUST
23626 N OVERHILL DR
LAKE ZURICH IL 60047

ZBA #8041
Mailing Labels Date: 7-14-16

ALEXANDER & MARGARITA
KAMINSKY
23648 N GARDEN LN
LAKE ZURICH IL 60047

ASMA KAMAL
23636 N GARDEN LN
LAKE ZURICH IL 60047-8925

VALLABH PATEL
23624 N GARDEN LN
LAKE ZURICH IL 60047

JACK / MARGARET SCHINLER
23610 N OVERHILL DR
LAKE ZURICH IL 60047-8868

IGOR SHTOGRIN
23611 N OVERHILL DR
LAKE ZURICH IL 60047-8043

TIMOTHY S & SAMANTHA B
LASIEWICZ
23618 N GARDEN LN
LAKE ZURICH IL 60047

M BUCCI M SCHROEDER
23607 N OVERHILL DR
LAKE ZURICH IL 60047-8043

CHICAGO TITLE AND TRUST CO
TRUST NO 8002369189
10 S LASALLE ST
CHICAGO IL 60603-1108

TERESA A PRAHL
23590 N OVERHILL DR
LAKE ZURICH IL 60047-8868

MATTHEW/CARALEE NIEMIEC
23591 N OVERHILL DR
LAKE ZURICH IL 60047-8869

FHCL LLC
830 W IL ROUTE 22
LAKE ZURICH IL 60047

JACK & ROBERTA ZAEHLER
23576 N OVERHILL DR
LAKE ZURICH IL 60047-8868

JOSEPH A ZAWACKI
23577 N OVERHILL DR
LAKE ZURICH IL 60047-8869

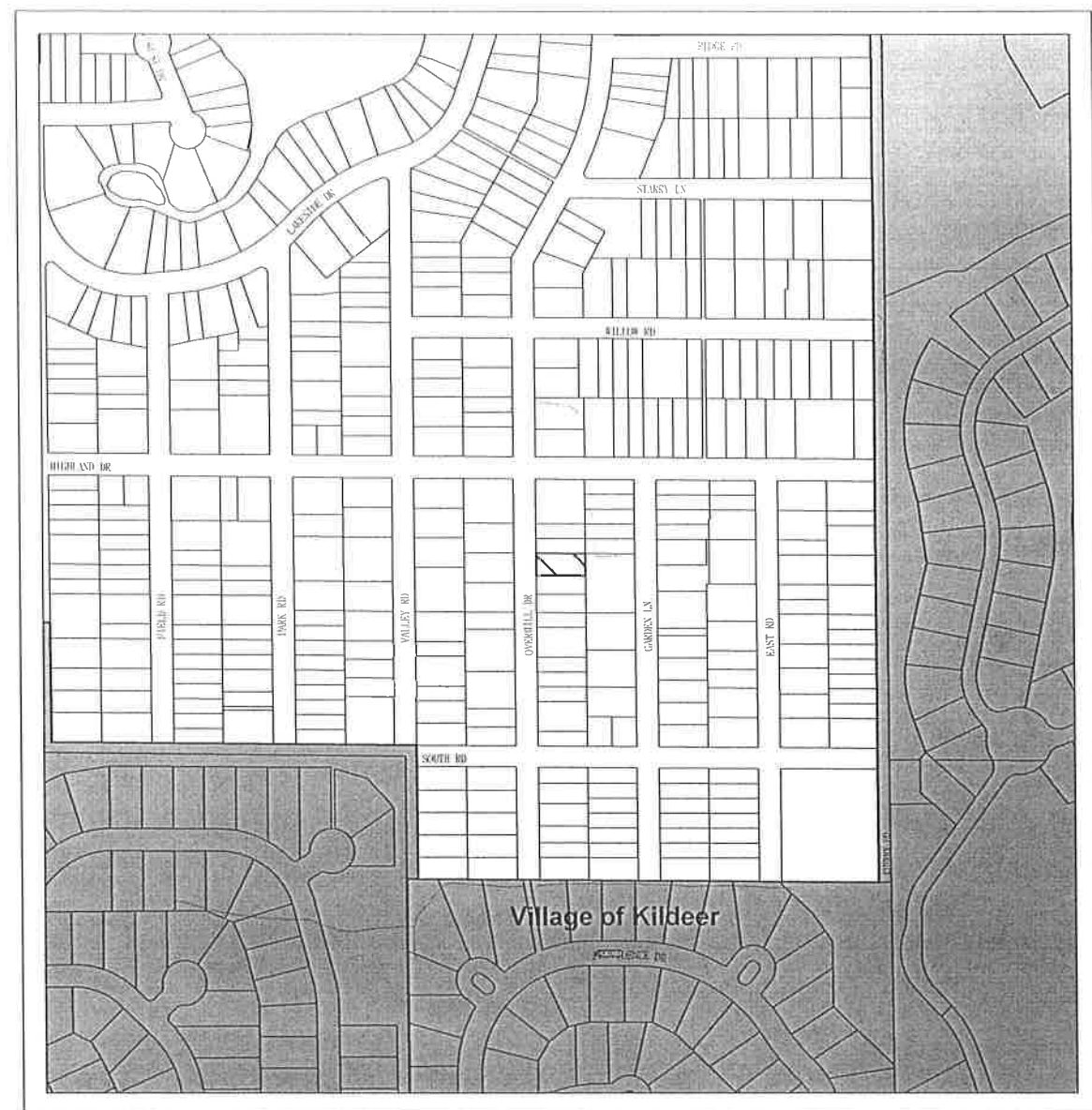
RICHARD J CHARLETON
23570 N OVERHILL DR
LAKE ZURICH IL 60047-8868

JOSEPH A & SARA E ZAWACKI
23577 N OVERHILL DR
LAKE ZURICH IL 60047-8869

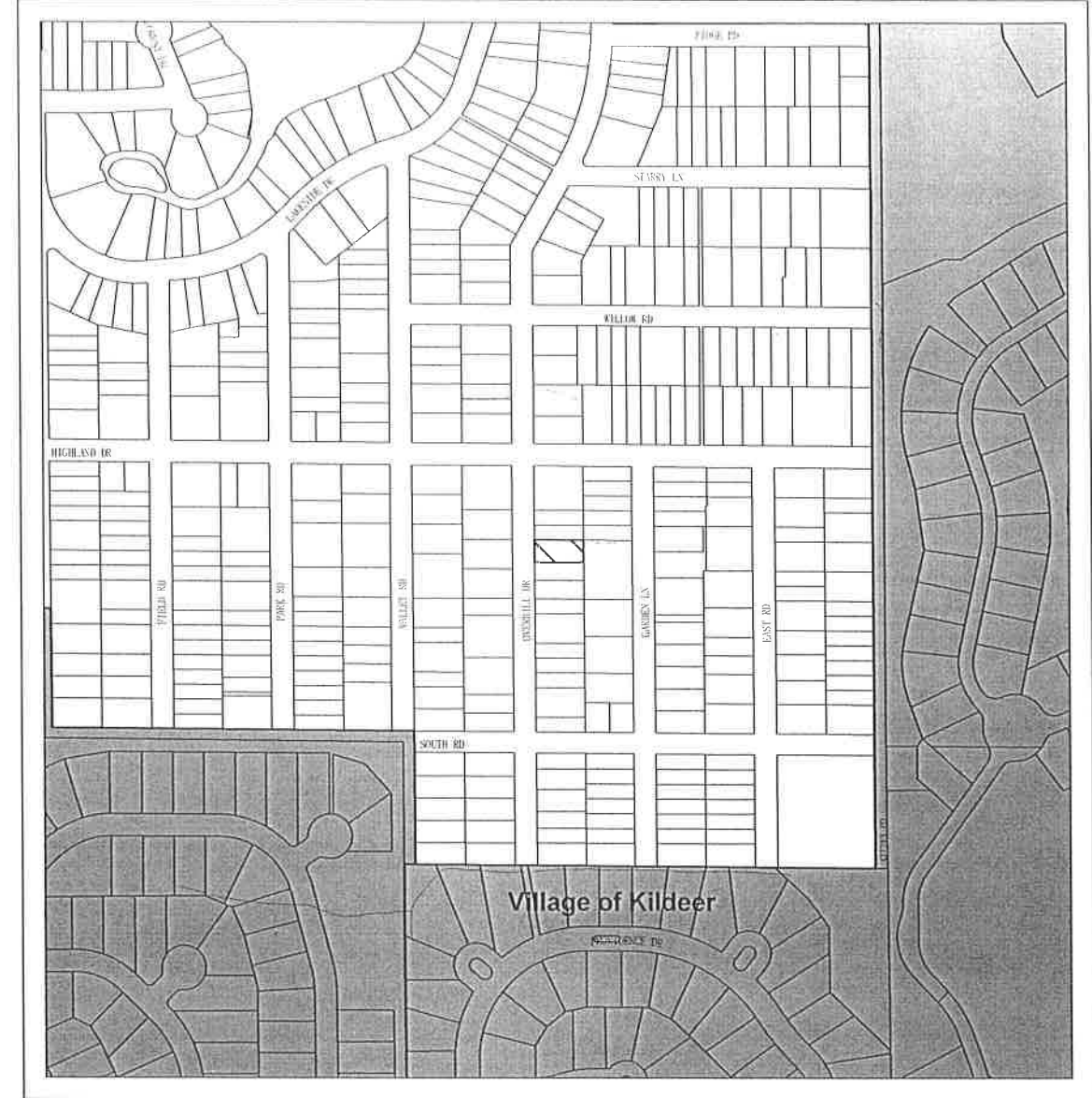
FATIMA KAPASI
23561 N OVERHILL DR
LAKE ZURICH IL 60047-8869

WAYNE E & JOAN B DUNBAR
23568 N OVERHILL DR
LAKE ZURICH IL 60047-8868

CHICAGO TITLE LAND TRUST CO
TRUSTEE NO 8002363483
1100 LAKE ST
OAK PARK IL 60301-1065



Zoning Board of Appeals Case# 8041



Zoning Board of Appeals Case# 8041

Ela Township

Incorporated Lake County

Subject Parcel

100 0 100 200 Feet