

LAKE COUNTY ZONING NOTICE #8262

LAKE VILLA TOWNSHIP

The Lake County Zoning Board of Appeals has scheduled a public hearing on Thursday, October 27, 2016 at 9:00 A.M. at the Lake County Administration Building, 10th Floor Assembly Room, 18 N. County Street, Waukegan, Illinois, on the petition of Patrick and Rebecca Sweet, record owners, who seek the following variations from the requirements of the Lake County Code and any other zoning relief as required:

1. To reduce the required street yard setback to North Way, including the roof overhang, for a detached garage from 30 feet to 7.13 feet. The exterior wall will be no closer than 7.63 feet.
2. To reduce the separation distance between structures from 4 feet to 1.5 feet.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions. The subject property is located at 23518 W. North Avenue, Lake Villa, Illinois and is approximately 0.41 acres.

PIN: 02-32-103-008

This application is available for public examination 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.

George Bell
Chairman

LAKE COUNTY ZONING BOARD OF APPEALS

VARIATION APPLICATION

Applicant(s):
(please print)

PATRICK SWEET/REBECCA ZORA
Owner(s)

Phone: 708/417-5619

23518 W. NORTH AVENUE
LAKE VILLA, IL 60046

Fax: _____

Address

Email: _____

N/A
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:

ANDREW VENAMORE, MACH 1
Name

Phone: _____
Cell: 224/619-4539

602 ACADEMY DRIVE
NORTHBROOK, IL 60062

Fax: 224/326-2483
Email: andrew@venamore.net

Address

Subject
Property:

Present Zoning: R-1
Present Use: S.F.R.
Proposed Use: S.F.R. + DETACHED GARAGE
PIN(s): 02-32-103-008
Address: 23518 W. NORTH AVENUE
LAKE VILLA

Legal description:
(__ see deed)

Request:

The following variation(s) are requested:

1. FRONT YARD SETBACK : 30' Required, 7.13' Proposed
2. BUILDING SEPARATION : 4' Required, 1.50' Proposed
3. _____

Explain why this variation(s) is necessary: In order to locate the new 20' x 24' garage, (there is no other possible location on the lot) the structure needs to be placed within an existing front yard - the lot has 3 front yards.

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:

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

**EXPLANATION OF VARIATION
UNINCORPORATED LAKE COUNTY
23518 W. NORTH AVENUE, LAKE VILLA – Patrick Sweet**

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. The Exceptional conditions peculiar to the applicant’s property.
Response:**

This property has the unfortunate zoning challenge of having 3 (three!!) street frontages: West North Avenue to the south, Cedar Lake Way to the east and North Way to the north; though North Way has the appearance of almost being an alley since it is servicing this only home and the two adjacent lots to the west, before it dead-ends. As such, with 3 required front yards of 30 feet each, the conditions associated with trying to locate a simple 2-car garage (i.e. a 20'x24' structure) in a complying location on the lot is made very challenging. Added to the yard dilemma, is the fact that the lot’s septic field is located south of the existing home which further limits the possibility for a complying location for this detached garage. The requested relief from the North Way property line is to reduce that front yard setback from 30.00 feet to 7.13 feet.

An additional request for relief is due to the proximity to the home. While the ordinance requires 4.00-foot of separation (overhang-to-overhang) between the accessory and principle structures, another unique aspect to this property is the very unusual basement configuration (see photos of the existing conditions on Page 2 of this report). The previous owner, in an attempt to correct a basement flooding problem, was convinced to install another “basement” outside the existing livable space. This created a feature (that is a void space) that extends anywhere from 3” to 12” above grade – without there being any ‘living space’ benefit to the owner. As such, this has created an additional variation since the ordinance does not distinguish this feature any differently from a standard part of the house. The garage has been sited closer to this element (while still being 5.00 feet from the ‘true’ part of the home) in order to provide adequate separation from the trees that existing along the North Way property line so that these can be afforded the most optimal chance for success after the project’s completion.

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

The property at 23518 W. North Avenue currently does not have any garage structure to store the owner’s vehicles. This proposal for a minimally-sized structure will allow the owner to locate his vehicles undercover and out of sight

from the street, improving the overall appearance of the street. Due to the above-identified zoning (and septic field) restrictions on the lot, there is little possibility of locating a structure that is compliant, and still practical for the owners constant use. The entrance to the home is on the north side of the current building and so locating the garage adjacent to that side of the residence is the most practical solution. Thought was given to pushing the proposed structure to the east side of the house; locating it over the existing asphalt driveway. However it was felt that the close proximity of that proposal to the North Avenue/Cedar Lake Way intersection could possibly lead to some dangerous vehicle interactions when the owner's vehicle are backing out into the street. The front yard i.e. that which is adjacent to North Avenue, also has the home's electrical service line running across the property. This line is rather low, which further makes locating the garage on the south side of the home challenging.

These practical difficulties make the strict application of the zoning ordinance's requirements more than a hardship for the owner in their attempt to locate a very standard size garage on their property. Without relief from the ordinance, this practical and necessary solution for the homeowner will not be possible.

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

Response:

The proposed project will be in alignment with the purpose and intent of the ordinance by protecting the health, safety, and general welfare of the residents of the locality. The garage will meet the required sideyard setback to the west, along with the separation requirement for the home and the I.S.R., and will not substantially increase the danger for fire, and will maintain an adequate supply of light and air to the neighboring properties.

PHOTOS REPRESENTING THE 'ROOF' OVER THE
EXTENDED BASEMENT AT THE RESIDENCE.



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

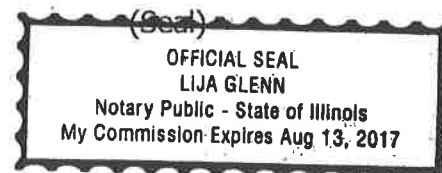
Rebecca Sweet Patrick Sweet
Signature(s) of owner(s)

Signature(s) of contract purchasers

I, LIJA GLENN a Notary Public aforesaid, do hereby certify that Rebecca Sweet & Patrick Sweet

personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of Sept. 19, 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 29th day of Sept, 2016.



My Commission expires Aug. 13, 2017.
Lija Glenn

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

3910502

Filed for Record in:
LAKE COUNTY, IL
MARY ELLEN VANDERVENTER - RECORDER
On Dec 13 1996
At 9:40am
Receipt #: 38984
Doc/Type: WD
Deputy - Cashier #4

WARRANTY DEED

JOINT TENANCY

MAIL TO:

Mr. Michael Gantar
382 Lake Street
Antioch, IL 60002

THE GRANTORS, WALTER A. LICHOSIK and HELEN LICHOSIK, his wife, of the Township of Lake Villa, 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 PATRICK M. SWEET and REBECCA ZORA, of the Township of Antioch, County of Lake, State of Illinois, not in Tenancy in Common, but in JOINT TENANCY, all interest in the following described Real Estate situated in the County of Lake, in the State of Illinois, to-wit:

Lot 88 in Fowler's Cedar Lake Subdivision of part of the East half of the North West quarter of Section 32, Township 46 North, Range 10, East of the Third Principal Meridian, according to the plat thereof, recorded May 4, 1921, as Document 201652, in Book "K" of Plats, pages 60 and 61, in Lake County, Illinois.

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.

Permanent Index Number: 02-32-103-008

BLACKHAWK TITLE SERVICES
h-96-1110

SUBJECT TO: 1996 and subsequent taxes, covenants, conditions, restrictions, and easements of record.

DATED this 14TH day of November, 1996.

Walter A. Lichosik
WALTER A. LICHOSIK

Helen Lichosik
HELEN LICHOSIK

RECORDING
FEE-REC'D

2

3910502

Grantee Patrick M. Sweet & Rebecca Zora 42970 Janette, Antioch, IL 60002
Grantees 23518 W. North Ave., Lake Villa, IL 60046
Name of Taxpayer Address Zip
James Lumber 197 Lake Street, Antioch, IL 60002
Name of Preparer Address Zip

STATE OF ILLINOIS)
COUNTY OF L A K E) SS

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that WALTER A. LICHOSIK and HELEN LICHOSIK, his wife, personally known to me to be the same persons whose names 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 notarial seal this 14TH day of November, 1996.

OFFICIAL SEAL
E. James Lumber
Notary Public, State of Illinois
My Commission Expires 11/30/98

Notary Seal

State of Illinois
DEPARTMENT OF REVENUE
STATEMENT OF EXEMPTION UNDER REAL ESTATE TRANSFER TAX ACT

I hereby declare that the attached deed represents a transaction exempt under provisions of Paragraph __, Section 4, of the Real Estate Transfer Tax Act.

Dated this ____ day of ____, 199__.

Signature of Buyer/Seller/Rep.

COUNTY OF LAKE
REAL ESTATE TRANSFER TAX
\$ 69.00
PAID

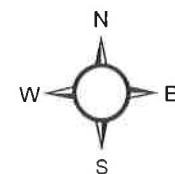
LAKE
CO. NO. 049
1 4 2 0 1 8
PA. 10891
DEC 13 1996
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
DEPT. OF REVENUE
120.00



ZBA #8262 Adjacent Property Owner Map/List

Courtesy Copy Only.

Property boundaries indicated are provided as a courtesy for general locational purposes. Wetland limits shown are approximate and should not be used to determine setbacks for structures or as a basis for purchasing property. An on-site wetland delineation is required to determine existing wetland boundaries.



THOMAS J & KAREN L MADSEN
23619 W PETITE LAKE RD
LAKE VILLA IL 60046-7298

ZBA 8262
Mail Out Date: 10-7-16

RICHARD L & SARA VANDERLIP
23555 W PETITE LAKE RD
LAKE VILLA IL 60046-7297

EDWARD & ELZBIETA TRZCINSKI
23546 W NORTH AVE
LAKE VILLA IL 60046-8606

THOMAS & SARAH ANNE STUEBNER
23581 W PETITE LAKE RD
LAKE VILLA IL 60046-7297

KRYSTYNA E GOCKEL
23572 W NORTH AVE
LAKE VILLA IL 60046-6410

THOMAS & KRYSTYNA GOCKEL
23592 W NORTH AVE
LAKE VILLA IL 60046

TADY & HELEN KARCZEWSKI
23532 W NORTH AVE
LAKE VILLA IL 60046-8606

PATRICK & REBECCA SWEET
23518 W NORTH AVE
LAKE VILLA IL 60046-8606

KEVIN G & JULIE CLEMENS
23600 W NORTH AVE
LAKE VILLA IL 60046-7145

THOMAS & PATRICIA WEATHERS
23529 W PETITE LAKE RD
LAKE VILLA IL 60046-7297

JAMES R GIUSTINO
23545 W NORTH AVE
LAKE VILLA IL 60046-7285

ELEANORE J WASTAK
23521 W NORTH AVE
LAKE VILLA IL 60046-7285

GARY W & BONNIE J WHITE
23493 W PETITE LAKE RD
LAKE VILLA IL 60046-7296

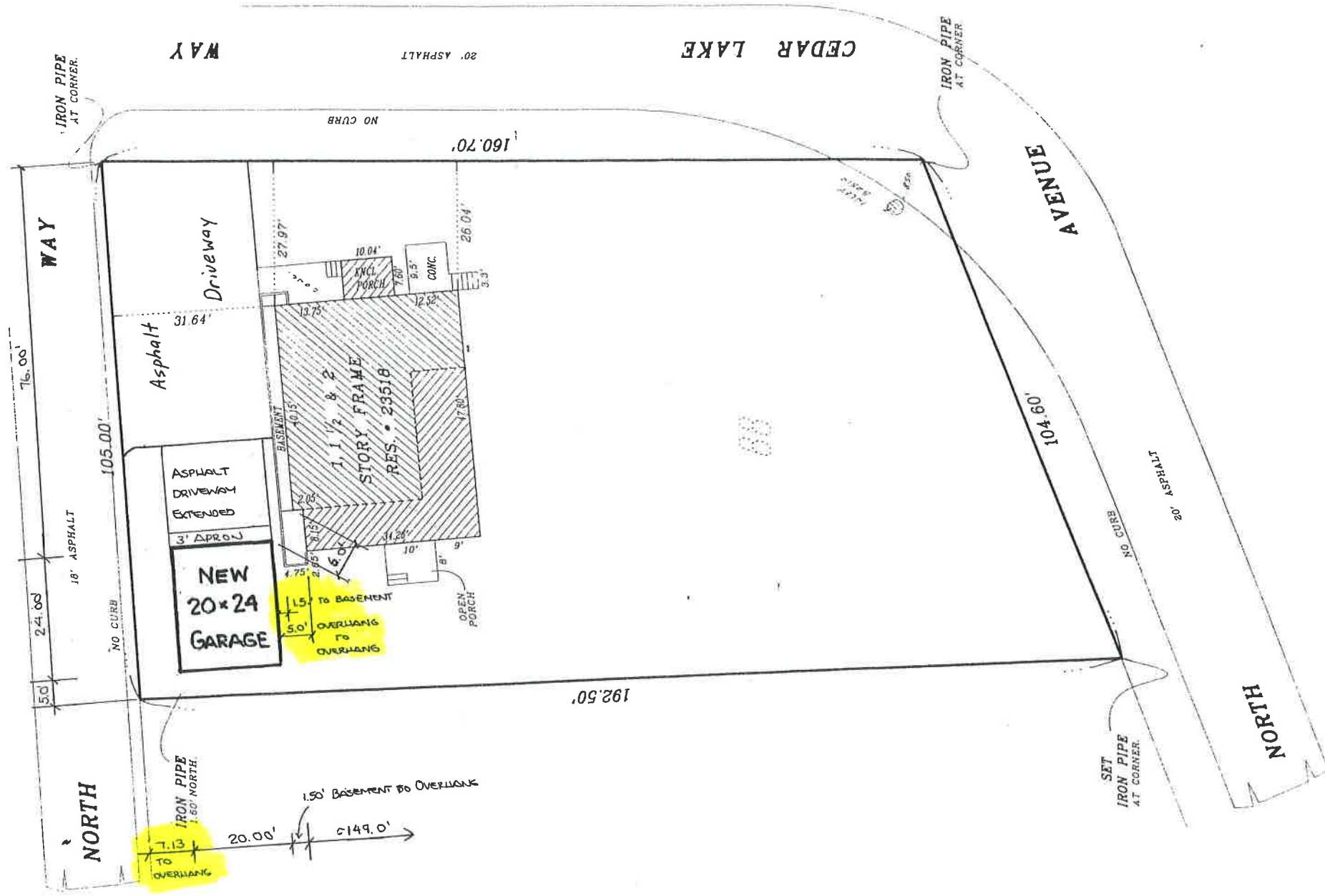
JACK R PETERSON
23507 W NORTH AVE
LAKE VILLA IL 60046-7285

JANICE ANDERSON
25151 87TH ST
SALEM WI 53168-8960

MR CHRISTOPHER NOTIS
38935 N CEDAR LAKE WAY
LAKE VILLA IL 60046-7240

LAWRENCE G & JONI K SELL
23471 W PETITE LAKE RD
LAKE VILLA IL 60046-7296

LOUIS E & LENA FAULKNER
PO BOX 263
LAKE VILLA IL 60046

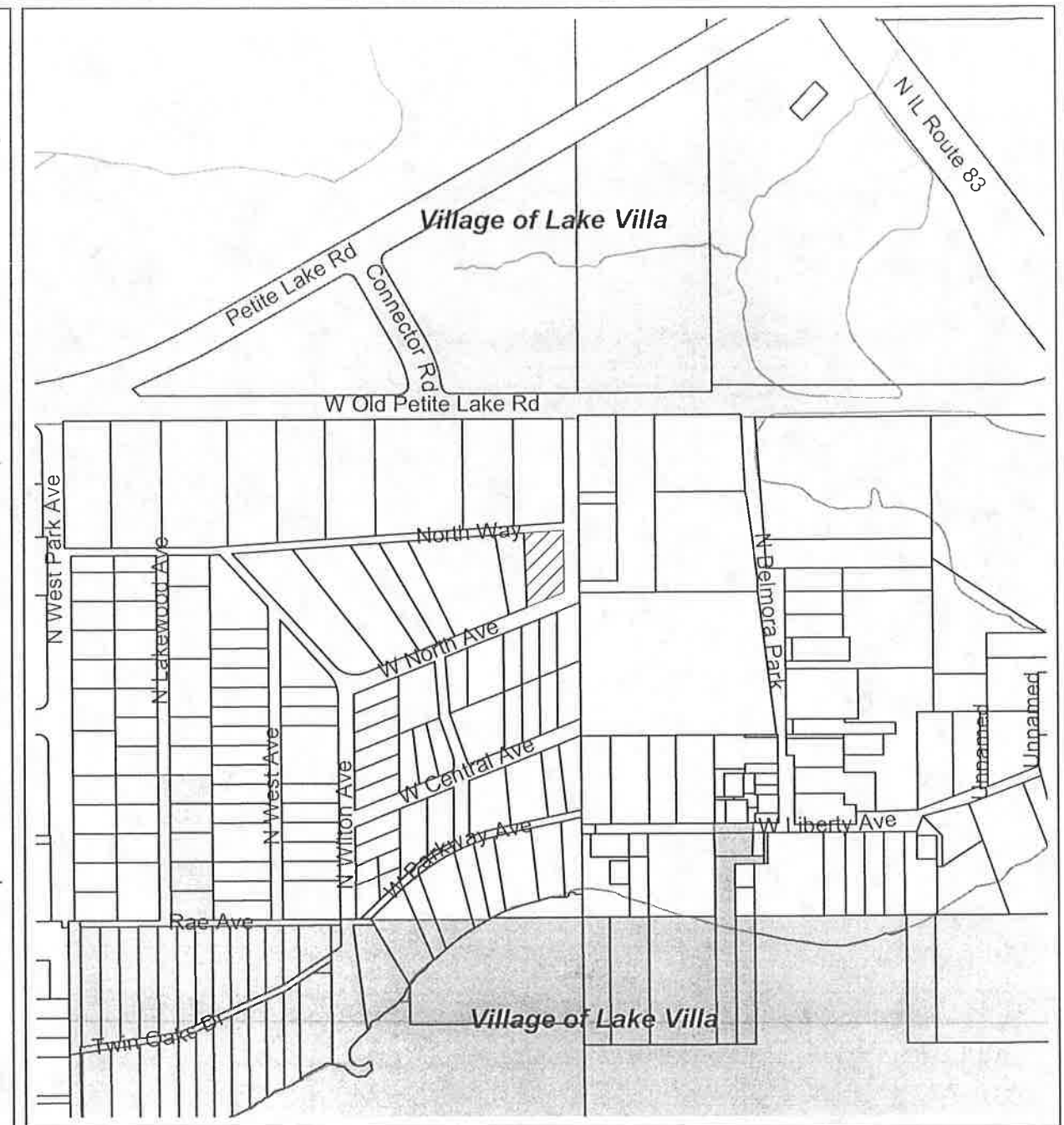


Scale, 1" = 20 ft.
TOP OF PLAT IS NORTH

LIBERTYVILLE, 1 Jan. 22 1922
STATE OF ILLINOIS, }
COUNTY OF LAKE }

LIBERTYVILLE, 1 Jan. 22 1922
STATE OF ILLINOIS, }
COUNTY OF LAKE }

This is to certify that we have surveyed the above described property and prepared the plat hereon drawn. The description shown hereon is provided by others. Refer to d



Zoning Board of Appeals
Case #8262

Lake Villa Township

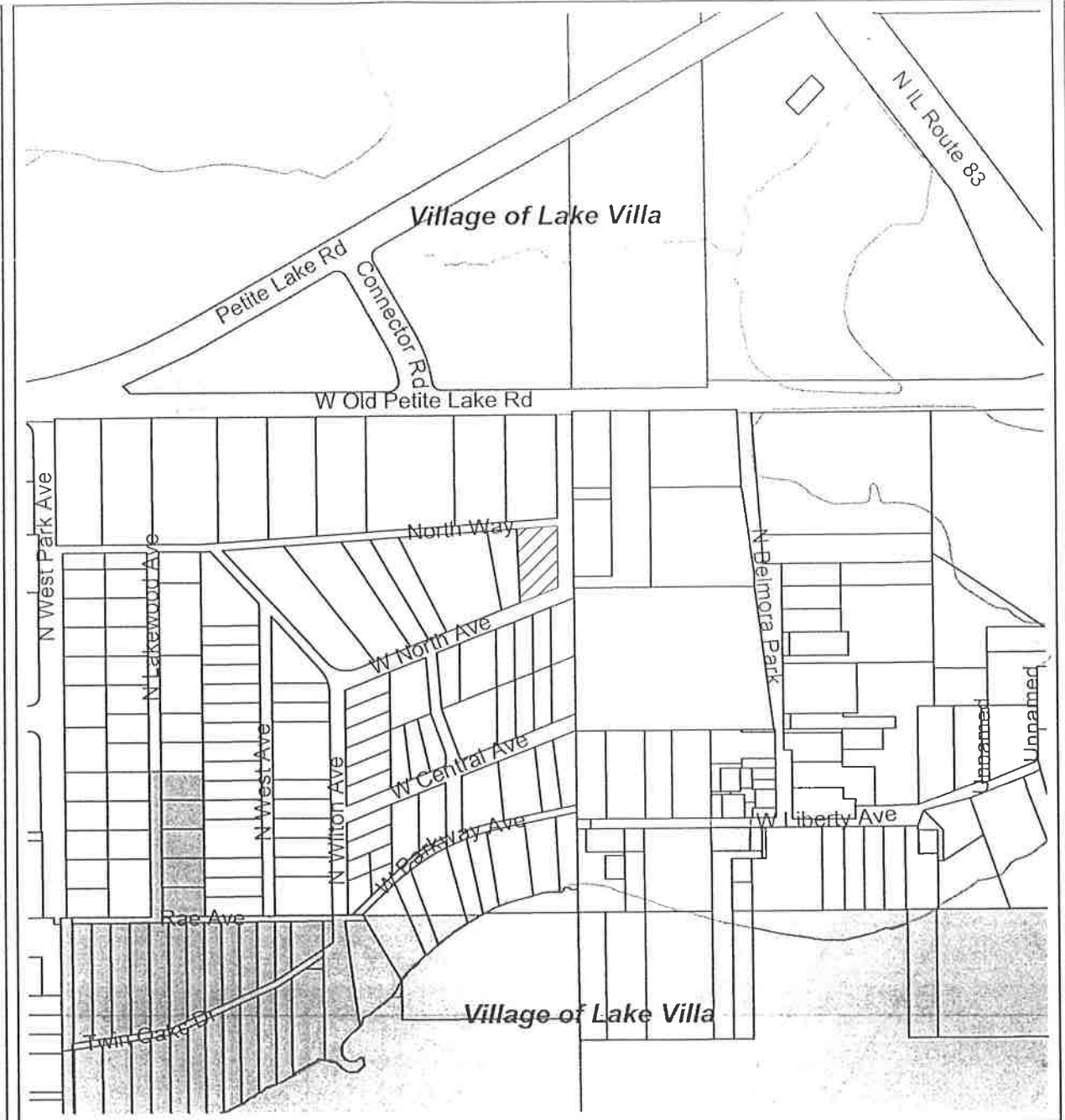


Incorporated Lake County



Subject Parcel

0 25 50 100 150 200
Feet



Zoning Board of Appeals Case #8262

Lake Villa Township



Incorporated Lake County



Subject Parcel

0 25 50 100 150 200 Feet