

**LAKE COUNTY ZONING NOTICE #000243-2017**

**WAUCONDA TOWNSHIP**

The Lake County Zoning Board of Appeals has scheduled a public hearing on Thursday, July 13, 2017 at 9:00 A.M. at the Lake County Central Permit Facility, 500 W. Winchester Road, Libertyville, Illinois on the petition of George and Ina Blogg, 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 side street yard setback from 15 feet to 11.17 feet for a single-family dwelling.

Please note that quantitative values may be subject to minor alterations due to surveyed conditions. The subject property is located at 28003 N. Hickory Lane, Wauconda, Illinois and is approximately 0.10 acres.

PIN 09-24-309-091

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): GEORGE + INA BLOGG Phone: 847-271-9385  
(please print) Owner(s)

501 LISA ROAD Fax: \_\_\_\_\_  
WEST DUNDEE, IL 60118 Email: GPBLOGG@GMAIL.COM

Address \_\_\_\_\_

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:

\_\_\_\_\_ Phone: \_\_\_\_\_  
Name Cell: \_\_\_\_\_

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

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

Address \_\_\_\_\_

Subject Present Zoning: R-1  
Property: Present Use: VACANT  
Proposed Use: SINGLE FAMILY DWELLING  
PIN(s): 09-24-309-091  
Address: 28003 HICKORY LANE  
WAUCONDA, IL 60084

Legal description:  
( \_\_ see deed)

Request:

The following variation(s) are requested:

- 1. SOUTH STREET-YARD SETBACK FROM 15' TO 11'2"
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Explain why this variation(s) is necessary: SMALL LOT  
WITH 2 STREET-YARD SETBACKS

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:

SEE ATTACHED

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

SEE ATTACHED

1. Exceptional conditions peculiar to applicant's property.

We own a small nonconforming lot (4449 square feet), which is restrained by 2 street setbacks, (15 feet to the south and 18 feet to the west.) We have been working with an architect for over a year to develop a 2100 square foot house where we can spend the remaining years of our life. We obtained our building permits on April 14, 2017. The following week we hired a licensed surveyor to stake out the lot for excavation. The surveyor discovered a retaining wall encroachment of 3.9 feet and a sidewalk encroachment of 2.8 feet by our neighbors to the north. Since our setback to the north is 5 feet and it is necessary to dig 4 feet beyond where the foundation will be, that meant we could not begin construction until the encroachments were removed. We told our neighbors if they removed their sidewalk and retaining wall until the construction was finished, then they could put it back. They would not agree to this. They filed a dispute over the accuracy of our survey with the Planning, Building and Development Department.. After their dispute was rejected, they hired an attorney to dispute the case.

At that point, we also hired an attorney. He suggested we obtain a second survey, which we did and it confirmed the results of our first survey. Since the neighbors were still not willing to remove their encroachments, our attorney recommended we file an injunction for a temporary restraining order requiring them to remove their encroachment. The case was heard on June 9th and was denied by the judge. He did not feel there was an urgency to resolve this case. He suggested that we continue with a lawsuit to have the encroachments removed. Our attorney told us this could take 1 to 2 years and that his fee would be between \$15,000.00 and \$20,000.00.

The building materials for this house were ordered in February to avoid price increases. Our builder was counting on the income from the construction of this house to begin in April. My wife and I have plans to go out of town on December 27 and will not return until mid-April. We would like to be in the area during the construction process. We do feel there are good reasons to start construction as soon as possible. By moving the house to the south by 4 feet this would allow us to begin building.

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

We began the building process on April 16, 2015 when we requested an Early Assistance Letter. We were granted an Administrative Variation on January 19, 2017 to increase ISR from .50 to .54 and the final building permit was issued on April 14, 2017. Due to the space we have available, we felt it was necessary to use the full setback limits to create a modern single family home. If we were forced to reduce the width of the home by 4 feet, we would need to create a new architectural plan. This would cost between \$2,000.00 and \$3,000.00. We have already spent

\$10,800.00 on architectural fees. It would also require our builder to spend many hours of work to determine the new price of the house.

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

The south street-yard setback meets the intent of the ordinance. Hickory Lane is a dead end street with very little traffic. Placement of the house within 11ft 2in of the street-yard setback will not compromise safety or have an adverse effect upon adjacent properties. We met on our property site with the Wauconda Township Highway Commissioner and he did not see a safety issue by moving the house closer to the road. We met with the Village of Wauconda Superintendent of Public Works and after looking at our architectural plan and our new site plan he did not see any interference with the sewer or water lines.

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

George Blogg Ina Blogg  
Signature(s) of owner(s)

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

I, KAREN NAUMIEC a Notary Public aforesaid, do hereby  
certify that GEORGE BLOGG AND INA BLOGG

personally known to me is (are) the person(s) who executed the foregoing  
instrument bearing the date of JUNE 12, 2017 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 12<sup>th</sup> day of JUNE,  
2017.

(Seal) My Commission expires 3/28/19.

Karen S. Naumiec  
"OFFICIAL SEAL"  
KAREN S. NAUMIEC  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 3/28/2019

# **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**

**EXECUTOR'S DEED**

5982165



FILED FOR RECORD BY:  
MARY ELLEN VANDERVENTER  
LAKE COUNTY, IL RECORDER  
04/24/2006 - 09:50:10 A.M.  
RECEIPT #: 281874  
RHSF \$10.00  
DRAWER #: 28

**THIS DEED**, made this 16<sup>th</sup> day  
of January, 2006, between  
INA BLOGG of the Village  
of Dundee, County of Kane and  
State of Illinois, as Independent Executor  
of the **ESTATE OF ERNST K.**

**VEITH, DECEASED, hereinafter**

referred to as Grantor, and **INA BLOGG and GEORGE BLOGG**, of the Village of Dundee, State of Illinois,  
referred to as Grantee.

**WHEREAS**, Grantor was duly appointed Independent Executor of the Estate of **ERNST K. VEITH**, Deceased,  
by the Circuit Court of Lake County, Illinois on the 7th day of March, 2005 in Cause No. 05P 184, and has duly  
qualified as such Executor, and said Letters of Office are now in full force and effect.

**NOW, THEREFORE**, this **DEED** witnesseth, that Grantor, in exercise of the Power of Sale granted to said  
Executor in and by the Will of **ERNST K. VEITH**, Decedent, and in consideration of the sum of **THIRTY**  
**THOUSAND AND NO/100 DOLLARS (\$30,000.00)** to her in hand paid by Grantee, the receipt whereof is  
hereby acknowledged, does **GRANT, SELL and CONVEY**, to **INA BLOGG and GEORGE BLOGG**, all of the  
following-described real estate situated in the County of Lake and State of Illinois, and known and described as  
follows, namely:

(See attached legal description.)

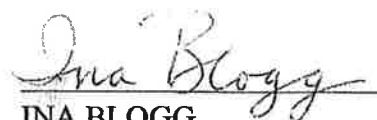
Permanent Index Number (PIN): 09-24-309-091

Address of Real Estate: 28003 North Hickory Lane, Wauconda, Illinois 60084

**TOGETHER WITH ALL** right, title, and interest whatsoever, at law or in equity of said  
Deceased, in and to the premises.

**TO HAVE and TO HOLD** same unto said Grantee, not in tenancy in common, and not as tenants by the  
entirety, but in joint tenancy.

**IN WITNESS WHEREOF**, Grantor, as Independent Executor aforesaid, has hereunto set her hand and seal  
the day and year first above written.

  
\_\_\_\_\_  
INA BLOGG  
Independent Executor of the Estate of  
ERNST K. VEITH, Deceased



State of Illinois, County of Lake ss. I, the undersigned; a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that

INA BLOGG

Independent Executor of the Estate of ERNST K. VEITH, Deceased,  
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 trustee, for the uses and purposes therein set forth.

Given under my hand and official seal, this 16th day of January, 2006

Nancy Spiegel  
Notary Public



This instrument prepared by Walter Schummer, 137 W. Park Avenue, Libertyville, IL 60048

MAIL TO:

Walter Schummer, Esq.  
Attorney at Law  
137 W. Park Avenue  
Libertyville, IL 60048

SEND SUBSEQUENT TAX BILLS TO:

Ina Blogg and George Blogg  
501 Lisa Road  
Dundee, IL 60018

STATE OF ILLINOIS DEPARTMENT OF REVENUE STATEMENT OF  
EXEMPTION UNDER REAL ESTATE TRANSFER TAX ACT.

I hereby declare that this Deed represents a transaction exempt under  
Provisions of Paragraph E, Section 4, of the Real Estate Transfer Act.

Dated this 16 day of Jan, 2006

[Signature]  
Signature of Buyer-Seller or their Representative.

**Legal description - 28003 N. Hickory Lane, Wauconda, Illinois**

Lot 11 in Spencer's Highlands, a Community Subdivision, being the South 690 feet of the West 420 feet of the South EastQuarter of the South West Quarter of Section 24, together with that part of the North East Quarter of the North West Quarter of Section 25, lying North West of Bangs Lake, all in Township 44 North, Range 9, East of the Third Principal Meridian, according to the Plat thereof, recorded August 31, 1920, as Document 195601, in Book "K" of Plats, page 44, in Lake County, Illinois.



## ZBA #000243 - 2017 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.

0 80 160 320 480  
Feet

