

LAKE COUNTY ZONING BOARD OF APPEALS

CONDITIONAL USE PERMIT APPLICATION

ORIGINAL

Applicant(s): Jane Lee, on behalf of:  
(please print) (1) 28978-28986 N. Waukegan Road, L.L.C.; and  
Owner(s) (2) Jane Lee Realty Group, Inc.

Phone: \_\_\_\_\_

28986 N. Waukegan Road Lake Bluff, IL 60044

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

Address

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

Contract purchaser(s) if any

Phone: \_\_\_\_\_

Address

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

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

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

Adam J. Findlay; O'Donnell Haddad LLC  
Name

Phone: (847) 367-2750

Cell: \_\_\_\_\_

14044 W. Petronella  
Suite 1  
Libertyville, IL 60048

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

Email: afindlay@odonnell-lawfirm.com

Address

Subject  
Property:

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

12-19-103-009 & 12-19-103-010 - GC; 12-19-103-008 & 12-19-103-004 - R3

-009 & -010 are existing real estate agency; 008 & -004 are vacant

Retain use on -009 & -010; -008 & -004 to be used for Parking, commercial (see § 151.270(E)(3))

12-19-103-009; 12-19-103-010; 12-19-103-008; and 12-19-103-004

28978 N. Waukegan Road; 28986 N. Waukegan Road; 12788 W. Woodland Road; and  
12813 W. Blodgett Avenue - all in Lake Bluff, IL 60044

Legal description: See attached deeds; Exhibit A.

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**Request:** I/we request a conditional use permit be approved to allow:

Applicant requests a Conditional Use Permit (CUP) for a Planned Unit Development (PUD). The PUD includes four parcels (referenced above, ending in -009, -010, -008, and -004), and an existing but unused public alley.

Parcels -009 and -010 are zoned GC. Applicant has filed a companion application to rezone parcels -008 and -004 from R-3 to GC. Applicant will retain the existing commercial use for parcels -009 and -010, and is requesting approval for the development of parcels -008 and -004 for parking to serve the existing business.

Applicant will construct the public alley between the parcels at no cost to the public. Further, Applicant has agreed to enter into a maintenance agreement for the public alley with the Shields Township Highway Commissioner. The maintenance agreement will run with the land, in perpetuity.

**Explain why this conditional use permit is justified:**

The proposed CUP for a PUD is justified because it will allow for the reasonable expansion of a flourishing real estate agency, while offering substantial benefits to the community at no cost to the public.

Applicant's property at 28986 N. Waukegan Road (-009 & -010) is currently in use as a large and active real estate agency. The existing business is growing, and in need of additional parking. The proposed rezoning parcels (-008 & -004) are vacant and separated by a public alley. Approving the rezoning and PUD will allow Applicant to combine all four PINs into productive use. Applicant will improve and maintain the existing public alley at no cost to the public, install and maintain landscaping, improve drainage for the surrounding properties, improve parking and accessibility to area businesses, and relieve congestion.

**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:

**A. the use in its proposed location will be consistent with the purpose and intent of the Zoning Ordinance ("Purpose and Intent", section 151.005)**

The proposed rezoning and PUD are consistent with the purpose and intent of the Zoning Ordinance. They will protect the tax base by allowing the expansion of a thriving business within the County, rather than forcing Applicant to seek a larger property elsewhere. Further, Applicant has agreed to improve the alley and enter into a perpetual maintenance agreement for the same, thereby providing public benefits with no impact to the tax base. Applicant will protect vegetation and the watershed by improving drainage and installing open space and landscaping.

**B. the proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of section 151.111; and**

**Section 151.112(N) of the Zoning Ordinance provides the standards for parking, commercial:**

Consumer vehicle sales (retail sales and service, sales-oriented use category), commercial parking lots and recreational vehicle sales/rental. All parked, displayed, or stored vehicles shall be set back at least five feet from the right-of-way and all property lines. Concrete wheel stops or other permanent barriers shall be installed to prevent vehicles from encroaching on required setbacks.

The PUD meets this requirement, as a five-foot setback is provided in all parking areas. Concrete wheel stops or other permanent barriers shall be installed to prevent vehicles from exiting the designated parking stalls or encroaching on required setbacks.

**Section 151.132(B) provides the standards for a Planned Unit Development**

- 1) 151.132 (B)(1) Greater choice in the type of environment and living units available to the public.

The proposed PUD enhances the existing business and several adjacent businesses along a major arterial highway (Waukegan Road). The PUD will develop two vacant properties, utilizing a substantial portion of each for open space and landscaping, thereby screening the adjacent residential area from the ongoing commercial development of the Waukegan Road corridor. A overgrown alley will be cleared, paved, and maintained, improving access to existing businesses and limiting traffic to adjacent residential areas.

- 2) 151.132 (B)(2) More open space through conservation development practices.

The parking use within the PUD is clustered in the eastern portion of the subject property. The western portion of the subject property contains open space and manicured landscaping. Open space and landscaping will remain on the subject property as proposed on the site plans. The proposed use will protect vegetation and the watershed through improved drainage.

- 3) 151.132 (B)(3) Open space resources that are connected to one another and to residential and nonresidential areas.

As stated, western portion of the subject property is clustered with open space and landscaping, providing a natural screening between the adjacent residential areas and existing commercial use. No construction will occur in those areas, and the open spaces will remain undisturbed.

- 4) 151.132 (B)(4) A creative approach to the use of land and related physical development.

The two vacant parcels have never been developed with residences. The PUD makes use of these parcels without construction of any structure. It provides an effective screening area with manicured landscaping and a new fence. The new alley serves to increase access to the existing businesses while reducing commercial traffic to the adjacent residential areas.

- 5) 151.132 (B)(5) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs.

The subject property is adequately served by utilities and will not require additional services. Applicant has agreed to provide the alley at no cost to the public. Applicant has agreed to a perpetual maintenance obligation for the alley, which obligation will run with the land. In effect, approving the rezoning and PUD applications will provide the public a certain benefit at no cost.

- 6) 151.132 (B)(6) Promotion of mixed use development.

The PUD promotes mixed use development by allowing the expansion of a thriving business, utilizing vacant parcels, and creating an effective landscaping screening between the residential and commercial corridors.

C. the proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of application or as they may be developed in the future due to implementation of the Comprehensive Plan:

1) Adjacent property.

The adjacent commercial parcels to the north and south will benefit from improved access and traffic flow. The adjacent parcels to the east will benefit from the open space, landscaping and screening. Commercial traffic in the residential areas will also be reduced.

In addition, the parcels to be rezoned are currently vacant and serve as a collection basin for drainage from adjacent landowners. The PUD will utilize the vacant lots and improve drainage for the area.

2) The character of the neighborhood.

Applicant has expended substantial resources in developing a chateau-type structure for the existing business. This structure is consistent with the residential nature of the area to the west. Approving the PUD will allow applicant to improve the vacant, overgrown property in a similar manner, and maintain the character of the neighborhood.

3) Natural resources.

The natural resources in the area will be benefitted by improved drainage and removal of invasive vegetation. The proposed landscaping will beautify the area and thrive. Limited wetland impact is proposed, and applicant will support area wetland initiatives through counter-balancing wetland credits.

4) Infrastructure.

The proposed changes will not require any additional utilities or create any additional traffic. Rather, the PUD will provide additional infrastructure at no cost to the public. Applicant has agreed to assume a perpetual maintenance obligation for the alley, which obligation will run with the land.

5) Public site.

The uses will not have an adverse impact on any public site.

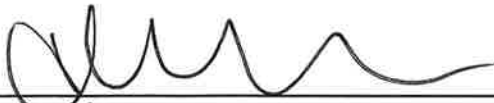
6) Any other matters affecting the public health, safety, or general welfare.

Approval of the PUD will, effectively, create both public and private benefit at no cost to the taxpayers.

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



Signature of owner(s)

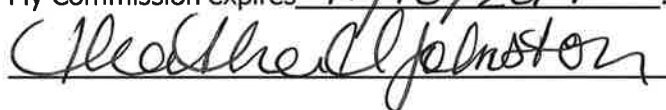


Signature(s) of contract purchasers

I, HEATHER M. JOHNSTON a Notary Public aforesaid, do hereby certify that  
JANE LEE personally known to me is  
(are) the person(s) who executed the foregoing instrument bearing the date of  
6/28/17 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 28<sup>th</sup> day of JUNE, 2017.

(Seal)

My Commission expires 11/18/2017.  





THIS INSTRUMENT WAS PREPARED BY:

110379601546 2/3  
Allison R. Marczak, Esq.  
Hardt, Stern & Kayne, P.C.  
2610 Lake Cook Road, #200  
Riverwoods, Illinois 60015

Image# 047695030002 Type: DW  
Recorded: 07/12/2011 at 04:45:00 PM  
Receipt#: 2011-00038384  
Page 1 of 2  
Fees: \$414.00  
IL Rental Housing Fund: \$10.00  
Lake County IL Recorder  
Mary Ellen Vanderventer Recorder  
File **6747943**

ABOVE SPACE IS FOR RECORDING PURPOSES ONLY

STATE & COUNTY TAX	STATE OF ILLINOIS	# 0000018028	REAL ESTATE TRANSFER TAX
	 JUL. 12. 11		0037500
	LAKE COUNTY		FP 103013

**WARRANTY DEED**

THE GRANTOR, B2B Properties Inc., an Illinois corporation, for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), in hand paid, and pursuant to authority given by the Board of Directors of B2B Properties Inc., an Illinois corporation, CONVEYS AND WARRANTS to Jane Lee & John Shang, as tenants by the entirety, the following described Real Estate situated in the County of Lake in the State of Illinois, to wit: *\*Jane Lee Realty Group Inc*

LOTS 1 AND 2 IN BLOCK 37 IN FREDERICK H. BARTLETT'S NORTH SHORE PROPERTIES, IN SECTION 13, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN SECTIONS 18 AND 19, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION, RECORDED MARCH 21, 1927 AS DOCUMENT 295961, IN LAKE COUNTY, ILLINOIS.

Subject to: General real estate taxes for second installment of 2010 and all subsequent years; covenants, conditions, restrictions and easements of record disclosed in Attorneys' Title Guaranty Fund, Inc. title commitment number 110379601546 dated April 8, 2011; building setback lines; drainage tiles, ditches, feeders and laterals; and use or occupancy laws, ordinances and restrictions and zoning laws and ordinances; and acts of Grantee.

Permanent Real Estate Index No: 12-19-103-009 & 12-19-103-010

Address of Real Estate: 28978 & 28986 N. Waukegan Rd., Lake Bluff, Illinois 60044

IN WITNESS WHEREOF, said Grantor has caused these presents to be executed by the President of B2B Properties Inc., an Illinois corporation, this 23rd day of June, 2011.

Attorneys' Title Guaranty Fund, Inc.  
1 S. Wacker Dr., STE 2400  
Chicago, IL 60606-4650  
Attn: Search Department

**Exhibit A**

B2B Properties Inc., an Illinois corporation

By: William Holway, President

STATE OF ILLINOIS

COUNTY OF LAKE

)  
) SS  
)

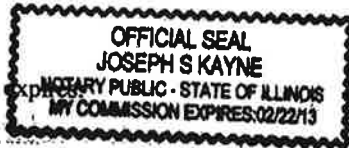
I, the undersigned, a Notary Public, in and for the county and state aforesaid, DO HEREBY CERTIFY that William Holway, personally known to me to be the President of B2B Properties Inc, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person acknowledged that as such President, he signed and delivered the said instrument, pursuant to the authority given by the Board of Directors of said corporation, as his free and voluntary act, and as the free and voluntary act and deed of said corporation for the uses and purpose therein set forth.

Given under my hand and notarial seal this 23rd day of June, 2011

SEAL

Notary Public

My commission expires



AFTER RECORDING MAIL TO &  
SEND SUBSEQUENT TAX BILLS TO:  
Janelee & John Shang  
28978-28986 N. Waukegan Rd.  
Lake Bluff, Illinois 60044



20717 W HIGH RIDGE DR.  
KILDEER, IL 60047

155T.000894F  
**WARRANTY DEED** 10/31

THE GRANTOR, COLLEEN M. COLLINS, a single person, of Lake Bluff, County of Lake, State of Illinois, for and in consideration of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations in hand paid, CONVEY AND WARRANT TO, 28978-28986 N. WAUKEGAN ROAD, L.L.C., all interest in the following described real estate situated in the County of Lake, State of Illinois, to-wit::



Image# 053867410002 Type: DW  
Recorded: 02/11/2015 at 03:53:03 PM  
Receipt#: 2015-00008119  
Page 1 of 2  
Fees: \$39.00  
IL Rental Housing Fund: \$9.00  
Lake County IL Recorder  
Mary Ellen Vanderventer Recorder  
File **7169945**

CT  
[SEE REVERSE SIDE FOR LEGAL DESCRIPTION]

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number(s): 12-19-103-008

Address of Real Estate: 12788 W. Woodland Road, Lake Bluff, Illinois

DATED this 2nd day of Feb, 2015

X Colleen M. Collins  
COLLEEN M. COLLINS

STATE OF ILLINOIS )  
COUNTY OF LAKE )

I, the undersigned, a Notary in and for said County, in the State aforesaid, DO HEREBY CERTIFY that COLLEEN M. COLLINS, is 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, 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  
day of 2/2, 2015



Carol Williamson  
Notary Public

20



**LEGAL DESCRIPTION**

of premises commonly known as 12788 W. Woodland Road, Lake Bluff, Illinois


LOT 13 IN BLOCK 37 IN FREDERICK H. BARTLETT'S NORTH SHORE PROPERTIES IN SECTION 13, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN SECTIONS 18 AND 19, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 21, 1927 AS DOCUMENT NUMBER 295961, LAKE COUNTY, ILLINOIS.

Permanent Real Estate Index Number: 12-19-103-008

SUBJECT TO: General real estate taxes not yet due and payable at the time of closing, covenants, conditions and restrictions of record, building lines and easements, if any.

**PREPARED BY:**

CAROL WILLIAMSON  
Attorney at Law  
208 N. Waukegan Road  
Suite E  
Lake Bluff, Illinois 60044

STATE & COUNTY TAX	STATE OF ILLINOIS	# 0000012247	REAL ESTATE TRANSFER TAX
	 FEB. 11. 15		00105.00
	LAKE COUNTY		FP326708

**MAIL TO:**

28978-28986 N. Waukegan Road, L.L.C.  
20717 W. High Ridge Dr.  
Kildeer, IL 60047

70,000.00

**SEND SUBSEQUENT TAX BILLS TO:**

28978-28986 N. Waukegan Road, L.L.C.  
20717 W. High Ridge Dr.  
Kildeer, IL 60047

**WARRANTY DEED**

Individual to corporation

ST 5144546  
THE GRANTOR, COLLEEN  
COLLINS, a single person, for and  
in consideration of Ten and 00/100  
(\$10.00) Dollars and other good and  
valuable considerations in hand  
paid, CONVEYS AND WARRANTS to  
28978-28986 N. Waukegan  
Road, L.L.C., all interest in the  
following described real estate  
situated in the County of Lake,  
State of Illinois, to-wit:

Image# 050635130002 Type: DW  
Recorded: 10/01/2013 at 09:21:53 AM  
Receipt#: 2013-00066374  
Page 1 of 2  
Fees: \$166.50  
IL Rental Housing Fund: \$9.00  
Lake County IL Recorder  
Mary Ellen Vanderventer Recorder  
File **7041817**

**[SEE REVERSE SIDE FOR LEGAL DESCRIPTION]**

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number(s): 12-19-103-004-0000

w.  
Address of Real Estate: 12813 Blodgett Avenue, Lake Bluff, Illinois

DATED this 18<sup>th</sup> day of September, 2013.

X Colleen Collins  
COLLEEN COLLINS

STATE OF ILLINOIS )  
COUNTY OF LAKE )

I, the undersigned, a Notary in and for said County, in the State aforesaid, DO HEREBY CERTIFY that COLLEEN COLLINS, personally known to me to be the same person whose name are subscribed to the foregoing instrument, appeared before me this day in persons, 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 18<sup>th</sup>  
day of September, 2013.

Carol Williamson  
Notary Public

10  
2

**LEGAL DESCRIPTION**

of premises commonly known as .12813 W. Blodgett Avenue, Lake Bluff, Illinois

LOT 7 IN BLOCK 37 IN FREDERICK H. BARTLETT'S NORTH SHORE PROPERTIES IN SECTION 13, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN SECTIONS 18 AND 19, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MARCH 12, 1927 AS DOCUMENT NO. 295961, IN BOOK "R" OF PLATS, PAGES 35 TO 37, IN LAKE COUNTY, ILLINOIS.

Permanent Real Estate Index Number: 12-19-103-004-0000

SUBJECT TO: General real estate taxes not yet due and payable at the time of closing, covenants, conditions and restrictions of record, building lines and easements, if any.


**PREPARED BY:**

Carol Williamson  
Attorney at Law  
208 North Waukegan Road  
Suite 2-E  
Lake Bluff, Illinois 60044

\$ 85,000-

**MAIL TO:**

Mr. Randy Evangelides  
Attorney at Law  
785 Wexford Court  
Grayslake, Illinois 60030

STATE & COUNTY TAX	STATE OF ILLINOIS	# 0000036298	REAL ESTATE TRANSFER TAX
	 OCT. - 1.13		0012750
	LAKE COUNTY		FP 103013

**SEND SUBSEQUENT TAX BILLS TO:**

28978-28986 N. Waukegan Road LLC  
20717 W. High Ridge Drive  
Kildeer, IL 60047

## **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.

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Signature

**THIS SIGNED AGREEMENT MUST ACCOMPANY YOUR APPLICATION**