

LAKE COUNTY ZONING BOARD OF APPEALS

ORIGINAL

REZONING APPLICATION

Applicant(s):  
(please print)

Jane Lee, on behalf of 28978-28986 N. Waukegan Road, L.L.C.

Phone: (847) 295-0800

Owner(s)

28986 N. Waukegan Road  
Lake Bluff, IL 60044

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

Address

Contract purchaser(s) if any

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

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

Address

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

Phone: (847) 367-2750

Name

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

14044 W. Petronella  
Suite 1  
Libertyville, IL 60048

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

Email: afindlay@odonnell-lawfirm.com

Address

Subject  
Property:

Present Zoning: R-3

Present Use: Vacant

Proposed Use: Parking, commercial (see § 151.270(E)(3))

PIN(s): 12-19-103-008; 12-19-103-004

Address: 12788 W. Woodland Road, Lake Bluff (-008);  
12813 W. Blodgett Avenue, Lake Bluff (-004)

Legal description: See attached deeds; Exhibit A.

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Request: I/we request the property be rezoned to the General Commercial zoning district. I/We believe this rezoning is justified because:

The proposed rezoning 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 owns an adjacent property at 28986 N. Waukegan Road (PINs 12-19-103-009 & 12-19-103-010), which 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 (PINs 12-19-103-008 & 12-19-103-004) are vacant and separated by a public alley. Approving the rezoning application will allow Applicant to combine all four PINs into a coordinated Planned Unit Development (PUD). 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 The Lake County Zoning Board of Appeals is required to make findings of Criteria: 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 proposed rezoning is consistent with the stated purpose and intent of the zoning regulations (Lake County Code 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.

2. The proposed rezoning corrects an error or inconsistency or meets the challenge of some changing condition in the area;

The two parcels for which rezoning is sought have never been developed for a residential use and sit vacant. A change to the existing zoning from R-3 to GC will allow the parcels to be incorporated into an existing and thriving business which will ensure they remain utilized and productive to the County.

The PUD will meet the challenge of the changing neighborhood conditions. Specifically, expanded commercial uses are trending within the Waukegan Road corridor. Residential uses abut commercial uses, thereby causing inconsistency in the neighborhood. The PUD will establish an open space buffer memorialized in a recorded plat. Further, an alley will be installed allowing commercial traffic to avoid entering the adjacent residential area.

3. The proposed rezoning will allow development that is compatible with existing uses and zoning of nearby property;

The Waukegan Road corridor in this area has experienced rapid commercial growth, including a large new development approximately .5 miles north of the site at Atkinson and Waukegan Road. Additionally, new restaurants to the south of the subject property along with a new Target and outlots are in close proximity. Waukegan Road has become a major commercial area. Applicant operates a very active real estate agency employing 55 people including 20 agents. Applicant has on average over 200 listings and customers are in need of additional parking. 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. Initially, the business created parking and traffic congestion. The proposed rezoning will alleviate this problem by restricting parking to a designated lot and providing an alley to limit traffic flow into the residential area.

4. The County and other service providers will be able to provide adequate public facilities and services to the property, while maintaining adequate levels of service to existing development;

Adequate public facilities and services are existing, and the rezoning will not require any additional services. Rather, by approving the rezoning application, and the companion application for a PUD, applicant will improve the alley, area drainage, and access to subject property with no impact to the tax base.

5. The proposed rezoning will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife and natural resources; and

The proposed rezoning and PUD will include substantial landscaping and open space, a new fence, and a new alley. Collectively, the improvements will prevent visual and audio impact, and drainage problems. Low quality, invasive trees will be removed and new, manicured plantings will be installed. Applicant's final plan will beautify and improve the area. No lighting is proposed or anticipated, and use of the new parking lot is expected to conclude at close of business.

6. The subject property is suitable for the proposed zoning classification.

The two parcels for which rezoning is sought have never been developed with residential homes. Both parcels are close to Waukegan Road, and adjacent to commercial uses. Applicant's PUD will utilize a substantial portion of both parcels for open space and landscaping, thereby screening the residential area from the ongoing commercial development of the Waukegan Road corridor.

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

[Signature]  
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 MAY 8<sup>TH</sup> 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 8<sup>th</sup> day of may 2017

2017. (Seal)

My Commission expires 11/18/2017.

Heather M. Johnston



155T, 000894F  
**WARRANTY DEED** 10/01

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# 053667410002 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**



[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



**Exhibit A**

**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	# 0000012241	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# 050835130002 Type: DW  
Recorded: 10/01/2013 at 09:21:53 AM  
Receipt#: 2013-00066374  
Page 1 of 2  
Fees: \$186.50  
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

Address of Real Estate: <sup>w,</sup> 12813 <sup>^</sup>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

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