

LAKE COUNTY ZONING NOTICE #VAR-000430-2018

ANTIOCH TOWNSHIP

The Lake County Zoning Board of Appeals has scheduled a public hearing on Thursday, November 29, 2018 at 9:00 A.M. at the Lake County Central Permit Facility, 500 W. Winchester Road, Libertyville, Illinois, on the petition of David and Karen Tatak, record owners, who seek the following variances from the requirements of the Lake County Code and any other zoning relief as required:

1. Reduce the east rear yard setback from 18 feet to 11.50 feet to accommodate the expansion of an existing single family home.
2. Reduce the minimum south side yard setback from 4 feet to 0 feet to alleviate the nonconforming status of the existing detached garage.
3. Reduce the minimum west front yard setback from 23 feet to 6.44 feet to alleviate the nonconforming status of the existing detached screen room.
4. Reduce the east rear yard setback from 18 feet to 0.26 feet to alleviate the nonconforming status of the existing detached shed.

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

The subject property is located at 40271 N. West Shore Dr., Antioch, IL 60002 and is approximately 0.41 acres.

PIN 02-20-402-064

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.: Hannah Mulroy, Project Manager (847) 377-2187.

George Bell
Chairman

LAKE COUNTY ZONING BOARD OF APPEALS

VARIATION APPLICATION

Applicant(s): David K. Tatak Phone: 773-580-4977 (M)
(please print) Karen M. Tatak 773-775-7414 (H)

Address: 7766 W Thorndale
Chicago, Illinois 60631
Email: dtatak@att.net

N/A Phone: _____
Contract purchaser(s) if any

Fax: _____
Email: _____

Address _____

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

David K. Tatak (self) Phone: _____
Name Cell: 773-580-4977

Fax: _____
Email: _____
Address _____

Subject Present Zoning: R1
Property: Present Use: Improved with a single-
family home, garage, beach house and shed
Proposed Use: One-story addition to 1st floor of house
PIN(s): 02-20-402-064
Address: 40271 North West Shore Drive
Antioch, IL 60002
Legal description: (X) (see deed)

Request: The following variation(s) are requested:

1. To reduce the east rear setback from 18 feet to 11.50 feet for the expansion of a single-family dwelling.
2. To reduce the south side-yard setback of a detached garage from 4 feet to 0.0 feet to alleviate the nonconforming status.
3. To reduce the west front setback of a detached three-season beach house from 23 feet to 6.47 feet to alleviate the nonconforming status.
4. To reduce the east rear setback of a shed from 18 feet to 0.26 to alleviate the nonconforming status.

Explain why this variation(s) is necessary: The variations are necessary to allow for the expansion of the existing home, as well as to remedy the nonconforming status of the existing detached garage, three-season beach house and shed.

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: The petitioners' two lots (consolidated to one PIN) are irregular size where neither the front and rear nor the two side lot dimensions are equal. The existing three-bedroom structure was built in 1973 to replace a lake cottage built in the 1930s. The property is located in the Del Monte Gardens subdivision, a lake access community that was sub-divided in 1921 for vacation cottages before Lake County Zoning Ordinances were enacted. The petitioner's property is exceptional with FEMA mapped floodplain on a portion of the lot greatly restricting the building area. The existing house is located in the south half of the lot furthest from the lake and floodplain. The current rear (east) setback of the main structure is irregular with the closest corner at 14.88' with an overhang of 16 inches. The proposed structure will meet the current setback requirements to the north, south and west.

The petitioner asks for these variations to add livable first floor space to the existing first floor of the house. This would expand and modernize the existing three-bedroom house to create a one-story great room from the current unused office. The existing garage on the south side of the lot was constructed at the same time as the house and does not meet current zoning requirements. The existing three-season beach house on the west side of the lot was constructed in the early 1940s before Lake County Zoning Ordinances were enacted and does not meet current zoning requirements. The existing shed on the east side of the lot was constructed in the early 1940s before Lake County Zoning Ordinances were enacted and does not meet current zoning requirements.

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

Response: The rear yard setback regulation prohibits any horizontal expansion of the existing structure without a variance. The existing structure has living space on two floors. Petitioner proposes to bring the existing structure up to modern standards with the addition of new first floor space to create a first-floor great room. The proposal is to create a modern floorplan by adding 140.28 square feet of additional livable space to convert an unused office into a great room. The existing house cannot be modernized without the variance approval.

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

Response: The variance is consistent with the general purpose and intent of the zoning regulations by allowing the petitioners to construct a house addition that would not be injurious or detrimental to the neighborhood because: (a) It would cause minimal site disturbance; (b) It will enhance the overall neighborhood surroundings; (c) The proposed variance will not impair the adequate supply of light and air to adjacent properties nor will it increase the danger of fire or flooding nor reduce egress; (d) The new structure will enhance the esthetic appeal and value of the house.

Site plan and draft elevation drawings of the proposed addition are attached and show that the proposed structure is well within the maximum height requirement as specified in the LCUDO. The existing structure already has two stories, so the one-story addition is of minimal impact.

The variance for the garage is consistent with the general purpose and intent of the zoning regulations by allowing the petitioners to construct a replacement garage, if needed, that would not be injurious or detrimental to the neighborhood because: (a) It would cause minimal site disturbance by maintaining the same existing footprint; (b) It will enhance the overall neighborhood surroundings; (c) The proposed garage variance will not impair the adequate supply of light and air to adjacent properties nor will it increase the danger of fire or flooding nor reduce egress; (d) The garage structure will continue to enhance the esthetic appeal and value of the property.

The variance for the three-season beach house is consistent with the general purpose and intent of the zoning regulations by allowing the petitioners to construct a replacement structure, if needed, that would not be injurious or detrimental to the neighborhood because: (a) It would cause minimal site disturbance by maintaining the same existing footprint; (b) It will enhance the overall neighborhood surroundings; (c) The proposed beach house variance will not impair the adequate supply of light and air to adjacent properties nor will it increase the danger of fire or flooding nor reduce egress; (d) The beach house structure will continue to enhance the esthetic appeal and value of the property.

The variance for the shed is consistent with the general purpose and intent of the zoning regulations by allowing the petitioners to construct a replacement shed, if needed, that would not be injurious or detrimental to the neighborhood because: (a) It would cause minimal site disturbance by maintaining the same existing footprint; (b) It will enhance the overall neighborhood surroundings; (c) The proposed garage variance will not impair the adequate supply of light and air to adjacent properties nor will it increase the danger of fire or flooding nor reduce egress; (d) The garage structure will continue to enhance the esthetic appeal and value of the property.

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

Karen M. Talar Donald K. Talar
Signature(s) of owner(s)

NA
Signature(s) of contract purchasers

I, Cynthia G. Godbold a Notary Public aforesaid, do hereby
certify that Karen M. TATAK + DAVID K. TATAK

personally known to me is (are) the person(s) who executed the foregoing
instrument bearing the date of 10-26-85 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 26th day of October,
2018.

(Seal)

My Commission expires 10-23-19.

Cynthia G. Godbold



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

WARRANTY DEED
Statutory (Illinois)**MAIL TO:**

Dainius R. Dumbrys
B&D Boodell & Domanskis, LLC
1 N. Franklin Street
Suite 1200
Chicago, Illinois 60606

NAME & ADDRESS OF TAXPAYER:

David and Karen Tatak, as trustees
7766 W. Thorndale
Chicago, Illinois 60631



Image# 057659860002 Type: DW
Recorded: 09/18/2018 at 03:19:39 PM
Receipt#: 2018-00049706
Page 1 of 2
Fees: \$517.50
IL Rental Housing Fund: \$9.00
Lake County IL Recorder
Mary Ellen Vanderventer Recorder

File **7513683**

RECORDER'S STAMP

THE GRANTORS, ROBERT J. O'GRADY and JANET M. O'GRADY, husband and wife, of the town of Antioch, State of Illinois for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration in hand paid, **CONVEY AND WARRANT** to 50% to **DAVID K. TATAK, AS TRUSTEE OF THE DAVID K. TATAK TRUST, DATED JULY 1, 2007** and 50% to **KAREN M. TATAK, AS TRUSTEE OF THE KAREN M. TATAK TRUST, DATED JULY 1, 2007**, **GRANTEES**, all interest in the following described Real Estate situated in the County of Lake, in the State of Illinois, to-wit:

LOTS 3 AND 4 IN BLOCK 3 (EXCEPT THE SOUTH 8 FEET) IN DEL MONTE GARDENS, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTH EAST QUARTER OF SECTION 20, TOWNSHIP 46 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 22, 1921, AS DOCUMENT 200421, IN BOOK "K" OF PLATS, PAGES 56 AND 57, IN LAKE COUNTY, ILLINOIS.

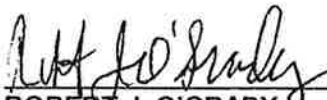
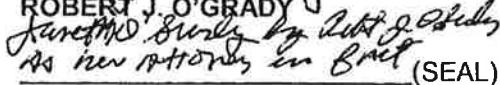
Subject to: General real estate taxes for the year 2017 and all years subsequent thereto: other restrictions, conditions, covenants and easements of record.

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

Permanent Index Number(s): 02-20-402-064

Property Address: 40271 N. West Shore Drive, Antioch, Illinois 60002

DATED this 12th day of September, 2018.

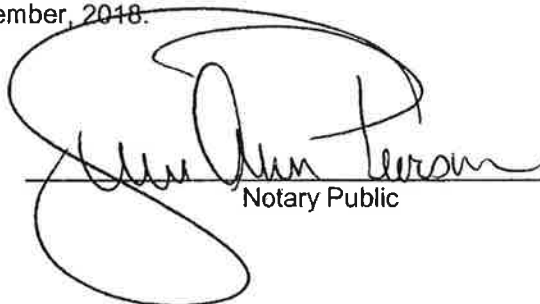
 (SEAL)
ROBERT J. O'GRADY

JANET M. O'GRADY by
ROBERT J. O'GRADY as her
Attorney-in-fact

2
10

STATE OF ILLINOIS)
) ss.
COUNTY OF LAKE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT **ROBERT J. O'GRADY, individually and JANET M. O'GRADY by ROBERT J. O'GRADY as her Attorney-in-fact**, 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 he/she signed, sealed and delivered the said instrument as his/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 seal, this 12th day of September, 2018.



Notary Public



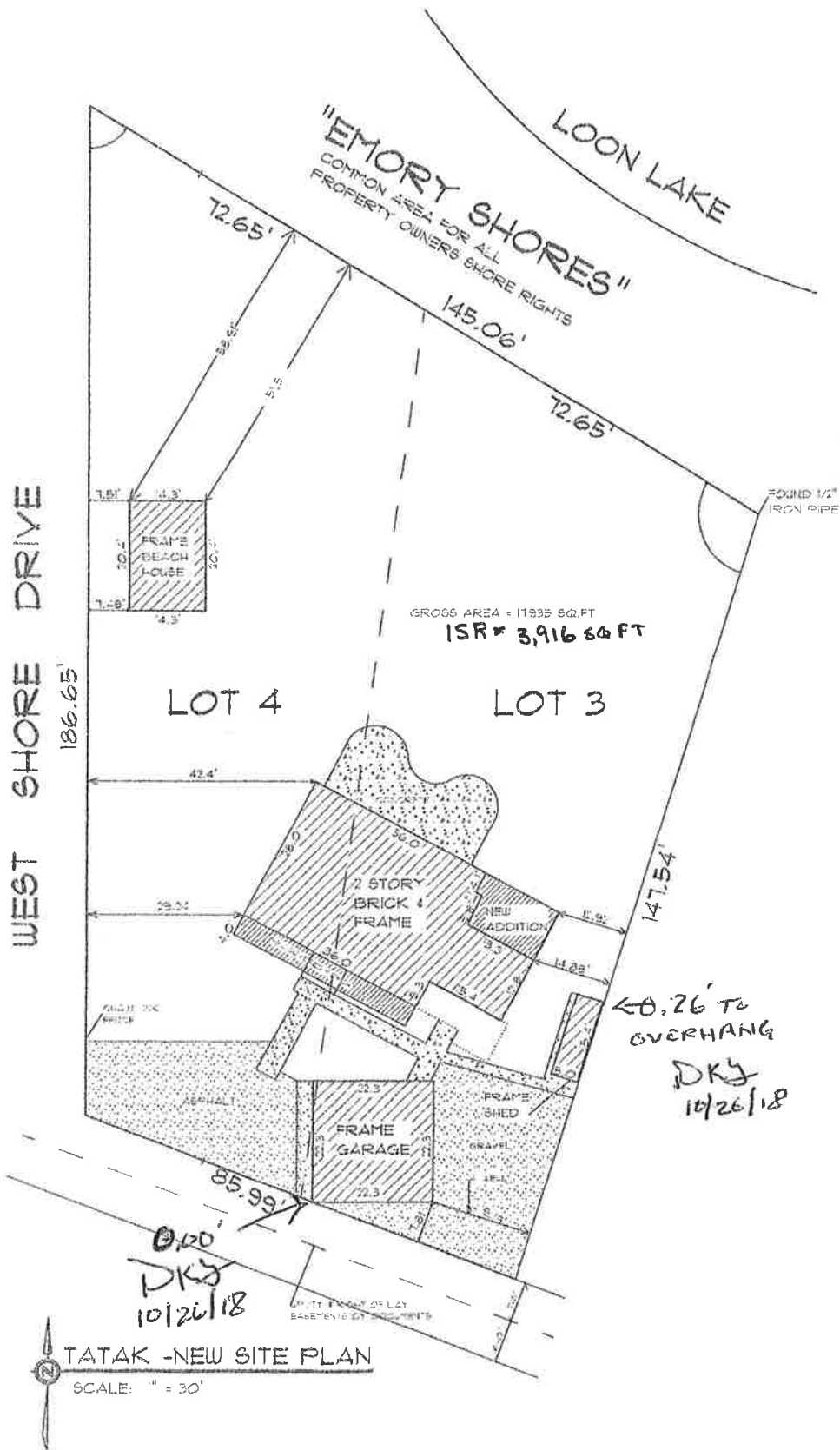
\$305,000.00

REAL ESTATE TRANSFER TAX	
County:	\$152.50
Illinois:	\$305.00
Total:	\$457.50
Stamp No:	1-742-309-536
Declaration ID:	20180904982523
Instrument No:	7513683
Date:	18-Sep-2018

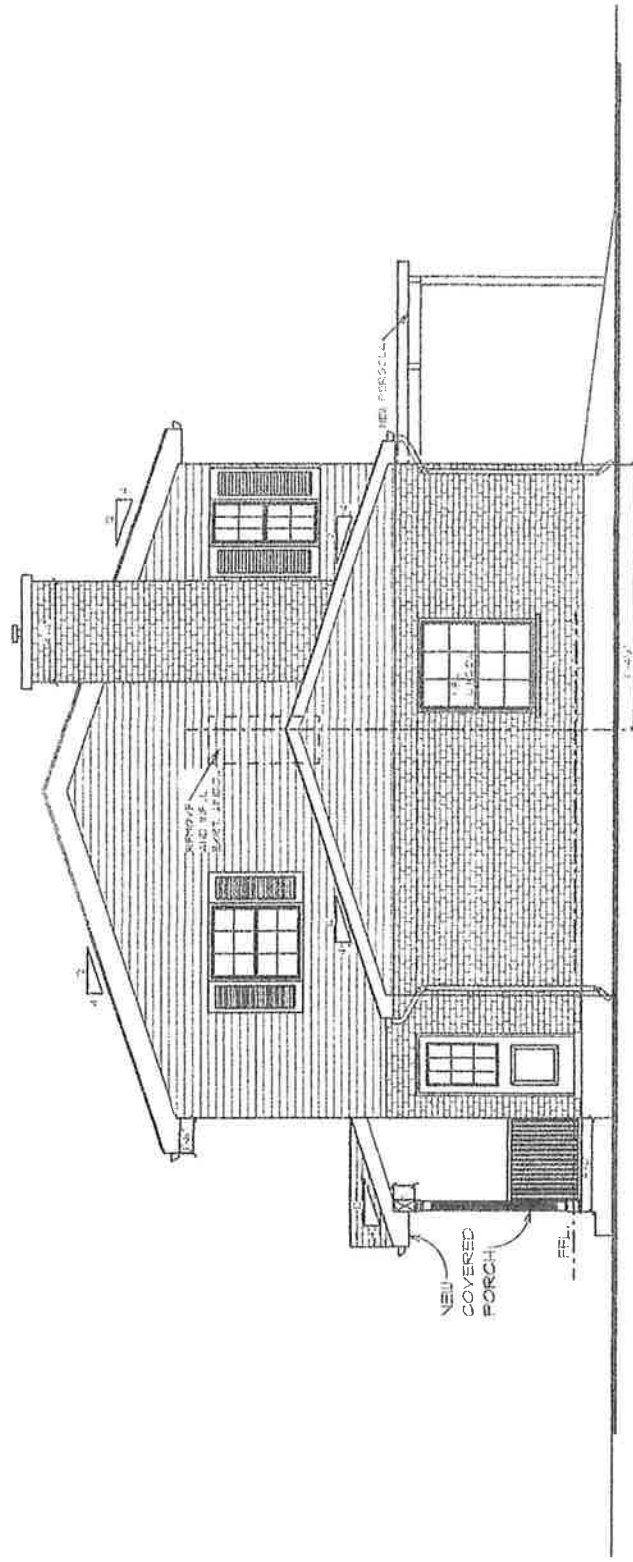
NAME AND ADDRESS OF PREPARER:

Julie Ann Jelinek
919 Toft Avenue
Antioch, IL 60002

** This conveyance must contain the name and address of the Grantee for tax billing purposes: (Chap. 55 ILCS 5/3-5020) and name and address of the person preparing the instrument: (Chap. 55 ILCS 5/3-5022).







TATAK -EAST ELEVATION

SCALE: 1/8" = 1'

10-16-18