



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 11-0072      **Version:** 2      **Name:** Zoning Board of Appeals Case No. 3807; a Request to Rezone from Estate (E) to General Commercial (GC) zone.

**Type:** resolution      **Status:** Failed

**File created:** 1/26/2011      **In control:** Planning, Building and Zoning Committee

**On agenda:**      **Final action:** 2/8/2011

**Title:** Resolution on Zoning Case No. 3807, which consists of the petition of Combined Asset Development LLC, record owners, which seeks a rezoning of a 0.69 acre parcel from the Estate (E) zone to the General Commercial (GC) zone in Wauconda Township - District 5.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 3807 Rezoning PBD Recommendation, 2. Summary of Testimony #3807, 3. Resolution of ZBA #3807 approval, 4. ZBA Case #3807 Aerial Map, 5. ZBA Case #3807 Plat Map, 6. Legal Object ZBA Case #3807

Date	Ver.	Action By	Action	Result
2/8/2011	2	Lake County Board	adopted	Fail
2/1/2011	1	Planning, Building and Zoning Committee	recommended for adoption to the regular agenda	Fail

Resolution on Zoning Case No. 3807, which consists of the petition of Combined Asset Development LLC, record owners, which seeks a rezoning of a 0.69 acre parcel from the Estate (E) zone to the General Commercial (GC) zone in Wauconda Township - District 5.

- The applicant desires to rezone the subject property from Estate (E) to General Commercial (GC) to continue operation of a red-tagged office for a tree service business located ¼ mile south of Route 176 adjacent to an on-ramp to Route 12.
- The ZBA recommended approval of the rezoning by a vote of 5-2; The Planning Building and Zoning Committee made a motion to approve the requested rezoning, which failed by a vote of 0-7, functioning as a recommendation to deny the rezoning request; Planning, Building & Development Department recommends denial.
- A petition from the adjacent neighbor has been filed with the County Clerk objecting to the rezoning request.
- Pursuant to the County Board’s rules of order and state law, a rezoning petition with a legal objection on file requires a ¾ vote of the entire County Board (18 members) to approve the requested rezoning.

WHEREAS, a public hearing has been held by the Lake County Zoning Board of Appeals pursuant to the Statutes of the State of Illinois on the petition of Combined Asset Development, LLC, record owners, which seek a rezoning from the Estate zone to the General Commercial zone for the following real estate, to-wit:

THE EAST 200 FEET OF THE WEST 700 FEET OF THE NORTH 325 FEET OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 35, TOWNSHIP 44 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS.

Part of PIN: 09-35-100-007

WHEREAS, your Department of Planning, Building and Development duly considered the aforesaid petition and recommends that it be denied; and

WHEREAS, your Zoning Board of Appeals, after reviewing the testimony presented at the public hearing on the aforesaid petition, has submitted its report thereon to the County Board and its report recommends by a vote of 5-2 that the petition be granted and

WHEREAS, your Planning, Building and Zoning Committee duly considered the petition and reports aforescribed, a motion to approve was made in the affirmative, and the motion failed on a vote of 0 to 7. Motion made by Vice-Chairman Mountsier, with a second by Member Hewitt to grant the petition. Voting "Aye" none; voting "Nay", Carlson, Gravenhorst, Hewitt, Mountsier, Pedersen, Stolman, and Thomson-Carter.

NOW, THEREFORE, BE IT RESOLVED by the Lake County Board that the request of the Petitioner for rezoning from the Estate zone to the General Commercial zone be denied; and

BE IT FURTHER RESOLVED, that the Secretary of said Zoning Board of Appeals be instructed to notify the Petitioners as to the action taken by the Board.

DATED at Waukegan, Illinois, on this 8<sup>th</sup> day of February, A.D., 2011.