



**STAFF REPORT**

**TO:** LONG GROVE PCZBA  
**FROM:** JAMES M. HOGUE, VILLAGE PLANNER  
**DATE:** 1.26.16  
**RE:** PCZBA REQUEST 16-03- Request for Variation for property at 3111 Old McHenry Road; Submitted by Ms. Marsha Forsythe, Property Owner.

**Status:** Petition submitted 1/5/16. Referral by Village Board not required. Publication in newspaper completed 1/16/16 and is therefore timely.

**History:** Property is located on the south side of Old McHenry Road directly across from the Kildeer-Countryside School. The property is zoned under the R-1 District Classification and consists of 10.00 +/- acres (442,000 sq. ft.). The property contains a single family residence constructed in 2005. The property is an un-subdivided metes & bounds parcel.

**Proposal:** Consideration of a request for variation of the maximum size of a single family dwelling from 12,905 square feet to 16,905 sq. ft. (not to exceed 17,000 sq. ft.) within the R-1 District for the construction of an addition to an existing single family dwelling.

**Land Use, Zoning and Locational Data:**

1. Proposed Zoning: The subject property will retain the R-1 District classification. The text amendment as proposed in proposed in PCZBA Petition 16-02 must be approved for the request to be considered.
2. Surrounding Land Uses and Zoning;

<i>Direction</i>	<i>Existing Use</i>	<i>Land Use Plan Designation/Zoning</i>
<b>NORTH</b>	Vacant/Institutional (Kildeer-Countryside School)	Single Family Residential/"R-1".
<b>SOUTH</b>	Residential/Institutional (Long Grove Community Church)	Single Family Residential/"R-1".
<b>EAST</b>	Vacant	Single Family Residential/"R-1"
<b>WEST</b>	Residential	Single Family Residential/"R-1".

3. Location; common address of 3111 RFD.
4. Acreage; 10.00 Acres +/- (442,000 Sq. Ft.)
5. Based upon information available through Lake County GIS, the property contains floodplain/flood hazard area & wetlands on the south side of the property outside of the existing house and the area where the addition/ variation is proposed. (See Maps).
6. Topography; See attached map.

### Zoning Data

	Existing	Proposed	Zoning Code	PUD
Lot Area	442,000 sq. ft. (10 Acres +/- )	442,000 sq. ft. (10 Acres +/- )	2 Acre Minimum (R-2 Standard)	N/A
Floor Area (Total Floor Area)	12, 905 sq. ft.	16, 905 sq. ft.	11,000 sq. ft. +.022 for each sq ft. over 43,560; sq. ft.**	N/A
Lot Coverage (In Square Feet)	27,025 sq. ft. (6.1 %)	35,175 sq. ft. (7.9 %)	.40 (lot coverage) 176,800 sq. ft. max.	N/A
Height	35'	19'***	35 Ft.	N/A

\* 84,369 sq. ft. is net lot area; total lot area is 92,930 sq. ft.

\*\* Maximum Floor area is currently 13,000 sq. ft. on this parcel additional setback of 50 feet is required for every 1000 sq. ft. or fraction thereof over 10,000 sq. ft. of floor area.

\*\*\* Height of Proposed Addition; no change to Existing Structure.

### Yard Requirements (Set-Backs):

	Existing	Proposed	Zoning Ordinance	P.U.D.
Front Yard* (North)	438 +/- (Least dimension)	No Change	100'	N/A
Side Yard (West)	64.04' +/- (Least dimension)	No Change	50'	N/A
Side Yard (East)	228' +/-	No Change	40'	N/A
Rear Yard (South)	+/-	No Change	40'	N/A

- Additional setback of 50 feet is required for every 1000 sq. ft. or fraction thereof over 10,000 sq. ft. of floor area.

### Analysis & Conclusions:

As requested the petitioner is seeking a variation of the maximum floor area for a single family dwelling of 13,000 square feet. Presently this is a "non-authorized" variation. For this application to proceed forward

approval of the companion petition (PCZBA #16-02) seeking authorization for such a variation must occur. If this does not occur consideration of this application may not proceed further as this would not be considered an authorized variation per the village code.

Construction of an attached garage addition totaling 4,000 sq. ft. is proposed to the existing residential structure which contains 12,905 sq. ft. of floor area. The attached garage space counts as additional floor area. With the addition as proposed the square footage of the residence is calculated at 16,905 sq. ft. and would exceed the maximum allowable floor area by 3,905 square feet. Attic areas, with a ceiling height of less than 7.5 feet (as proposed in the garage space), does not count toward floor area.

The addition as proposed is contiguous to the existing principal structure thereby keeping the footprint of the structure compact and minimizing the impact to the features of the property, namely the preservation of trees and existing yard areas. The property in question contains wetlands, floodplain and floodway along the south property line which are not impacted by this request. (See attached application and proposed site plan).

An additional setback of 50' is required for every 1000' feet of floor area over 10,000 sq ft. In this instance an additional 325 feet of setback is required in addition to the 100' established in the R-1 District or 425 feet of total front yard setback. This requirement is met with a least dimension of 438 feet to the Old McHenry Road right-of-way.

The relief requested by the petitioner appears to be the minimum amount of relief required to accommodate the proposed addition should the text amendment be approved.

The current bulk regulations were designed to address scale and reduce the visual impact of the "bulkiness" of large residential structures particularly on small lots. (Current regulations attached). This is done to preserve the unique "community character" of Long Grove and appears to have worked well in addressing the "small lot-large structure" scenario. No maximum (or "cap") is associated with minimum lot sizes of up to three acres and the "cap" for smaller lots was actually removed in the 2007 update to the Village Zoning Regulations.

Assuming this formula works to address the "bulk" issues associated with larger residential dwellings (including the increased front yard setback) if the cap were removed for lots of greater than three acres a total floor area of 17,489 sq. ft. of floor area could be realized on this parcel. Petitioner proposes a maximum floor area of 16,905 sq. ft. (not to exceed 17,000 sq. ft.) which would be keeping within the "scale" established by the current zoning regulation if the cap of 13,000 sq. ft. were not in place.

Additionally, as the property is zoned R-1 and contains 10 acres +/- the property could, potentially be divided into as many a three lots each containing a single free standing single family dwelling. This assumes all zoning requirements including applicable setbacks could be met and the property could be adequately serviced.

### **Variation Standards**

The variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this code that create practical difficulties or particular hardships on a particular property owner. Often these relate to the unique surroundings, configuration, or topography of a piece of property and are distinguished from a mere "inconvenience" should the regulations strictly implemented.

Standards for Variations are found in Section 5-11-15 of the Zoning Code for the Village of Long Grove. Excerpts of these regulation follow;

5-11-15            **VARIATIONS**

(A) **Authority.** The board of trustees shall have the authority, by Ordinance duly adopted, to grant variations from the provisions of this code, but only in compliance with the procedures set forth in subsection (D) of this section and in those specific instances enumerated in subsection (E) of this section and then only in accordance with each of the standards enumerated in subsection (F) of this section.

(E) **Authorized Variations.**

1. **Permitted Variations.** The board of trustees may vary the provisions of this code only as provided in this paragraph (E) 1. The authority of the board of trustees to vary the provisions of this code is subject to the prohibitions set forth in paragraph (E) 2 of this section and proof by the owner of each of the standards set forth in subsection F of this section.

Under no circumstances shall the list of permitted variations in this paragraph (E) 1 be construed as an entitlement, right, or claim for any owner.

The board of trustees may vary the provisions of this code in the following cases and in no others:

- (a) **To permit a yard less than the yard required by the applicable regulations.**
- (b) To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than ninety percent (90%) of the required lot area.
- (c) To permit variations from the sign regulations contained in section 5-9-5 of this code for businesses in the B1 and B2 districts.

2. **Prohibited Variations.** Notwithstanding any other provision of this section, no variation shall be granted that:

- (a) Is intended as a temporary measure only; or
- (b) Is greater than the minimum variation necessary to relieve the particular hardship or practical difficulty demonstrated by the owner.

(F) **Standards for Variations.**

1. **General Standards.** No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection (F):

- (a) That the lot in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
- (b) That the plight of the owner is due to unique circumstances; or
- (c) That the variation, if granted, will not alter the essential character of the locality.

2. **Supplemental Standards.** For the purpose of supplementing the above standards, the Board of appeals shall also, in making this determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the owner have been established by the evidence:

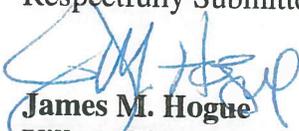
- (a) That the particular physical surroundings, shape or topographical conditions of the specific lot involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

- (b) That the conditions upon which the petition for variation is based would not be applicable generally to other lots within the same zoning classification;
  - (c) That the purpose of the variation is not based exclusively upon a desire to make more money out of the lot;
  - (d) That the alleged difficulty or hardship has not been created by any person presently having an interest in the lot;
  - (e) That the granting of the variation will not be detrimental to the public welfare or injurious to other lots or improvements in the neighborhood in which the lot is located; or
  - (f) That the proposed variation will not impair an adequate supply of light and air to adjacent lots or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.
3. **Specific Standards.** When the regulations authorizing a particular variation impose special standards to be met for such variation, a variation shall not be recommended or granted unless the owner shall establish compliance with such special standards.
- (G) **Variation Less Than Requested.** A variation less than or different from that requested may be granted when the record supports the owner's right to some relief but not to the relief requested.
- (H) **Conditions on Variations.** The zoning board of appeals may recommend and the board of trustees may impose such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other lots and improvements in the vicinity of the subject lot or upon public facilities and services. Such conditions shall be expressly set forth in the Ordinance granting the variation. Violation of any such condition or limitation shall be a violation of this code and shall constitute grounds for revocation of the variation.
- (I) **Effect of Grant of Variation.** The grant of a variation shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approval that may be required by the codes and ordinances of the village including, but not limited to, a certificate of zoning compliance, a building permit, a certificate of occupancy, and subdivision approval.
- (J) **Limitations on Variations.** Subject to an extension of time granted by the building superintendent pursuant to section 5-11-1 of this code, no variation from the provisions of this code shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a certificate of occupancy is issued and a use is commenced within that period.

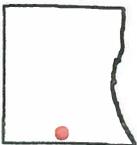
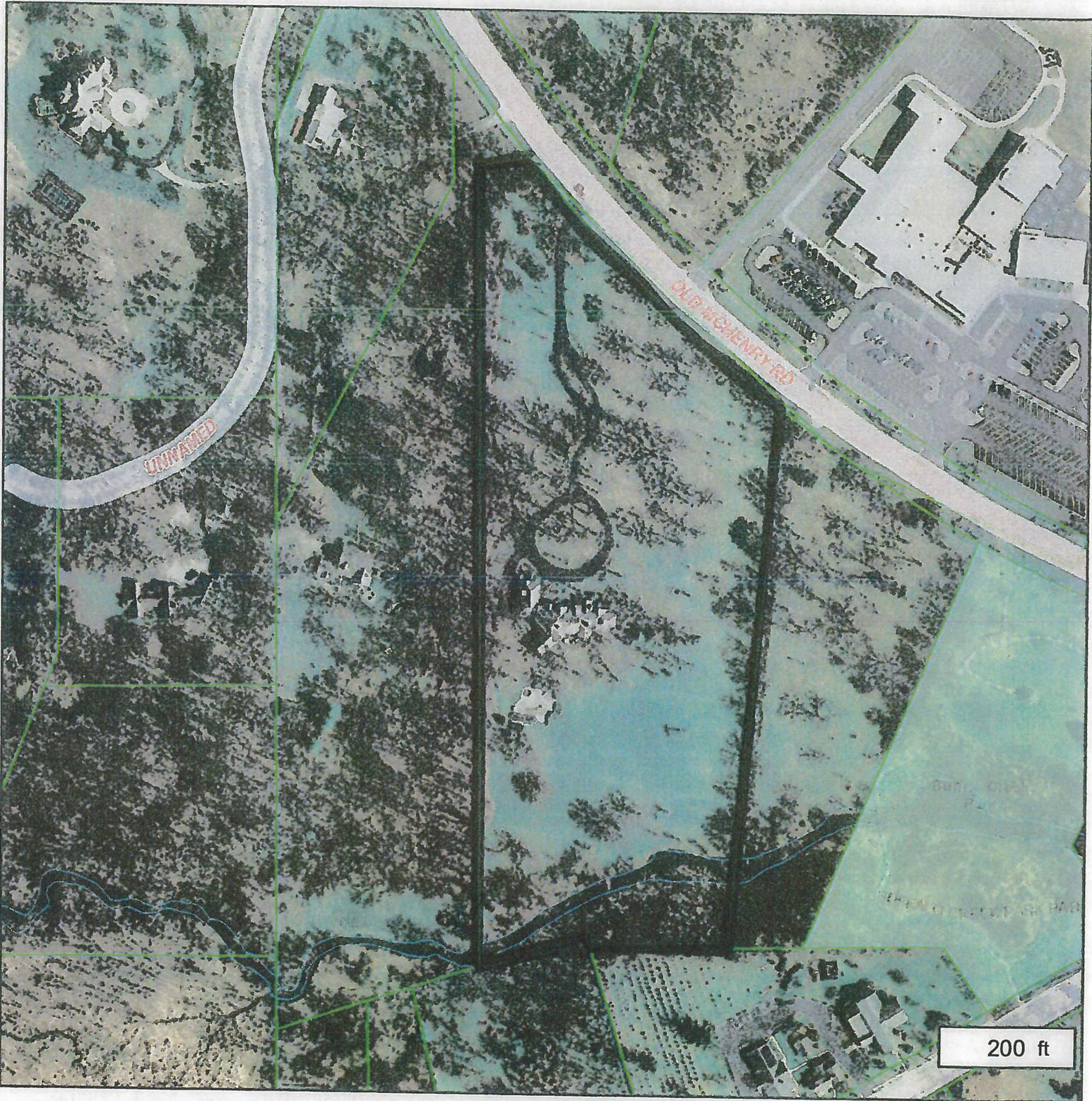
A variation shall be deemed to authorize only the particular construction or development for which it was issued and shall automatically expire and cease to be of any force or effect if such construction or development shall be removed and not replaced within six months following such removal.

The ZBA should review this petition in accordance with the criteria identified above, and in particular the "Standards for Variation", and make their findings of fact accordingly. Any standards (or other conditions) which are recommended in connection with the companion petition #16-02 should also be considered with this petition as applicable.

Respectfully Submitted,

  
**James M. Hogue**  
**Village Planner**

# Lake County, Illinois



 **LakeCounty**  
Geographic Information System

Lake County  
Department of Information Technology  
18 N County St  
Waukegan IL 60085  
(847) 377-2373

Map Printed on 1/26/2016



*SUBJECT PROPERTY*

— Tax Parcels

■ Trails

## Disclaimer:

The selected feature may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

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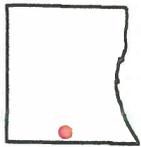
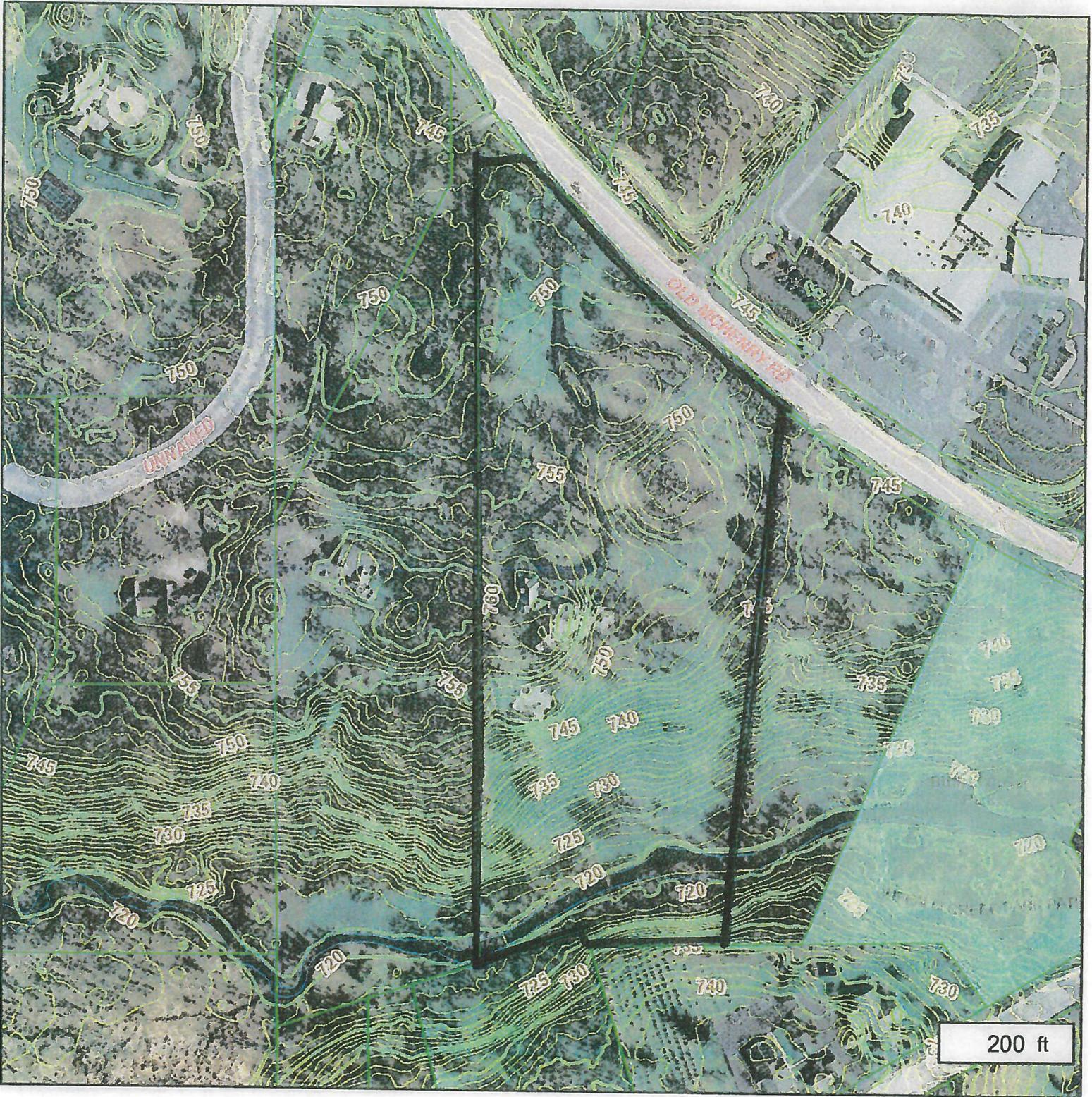


- |   |  |
|---|--|
|  Tax Parcels               |  Floodway Areas in Zone AE  |
|  ADID 100 Boundary         |  Special Flood Hazard Areas |
|  Trails                    |  ADID                       |
|  FEMA Base Flood Elevation |  |

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-  Tax Parcels
-  Trails
-  Minor Contour
-  Major Contour

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PSENKA ARCHITECTS Inc.  
40 Landover Parkway (Suite 4)  
Hawthorn Woods, IL  
(847) 756 4700

## Variation Synopsis

The Village of Long Grove

12-21-15

Regarding:  
3111 Old McHenry Road  
"Attached Garage"

A request for a variation to permit a residence of greater than 13,000 sq. ft. on property containing ten (10) acres +/- and zoned within the R-1 Residential District

1. That the particular physical surroundings, shape or topographical conditions other specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

- Not enough land to expand existing garage , house is to close to property line building setback
- Location based on flat lower exiting topography.
- Location based on limiting the number of trees requiring removal.
- Location required for direct attachment to existing home from nanny's quarters.

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;

- This property is larger than most other parcels in this zoning classification.
- The location of the existing residence is specific to this lot.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

- The proposed garage is for the personal use of the owner, and is not being developed for sale.

4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;

- The present condition is inherent to how the original house was developed.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

- The proposed improvement will not impact neighboring properties and or impact how they could be developed in the future.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The board of appeals may also recommend such conditions and restrictions as may be necessary to comply with the standards set forth in the Village Code to reduce or minimize the injurious effect of such variation upon other property in the neighborhood.

-The requested alteration is specific to the residence in question and will not impair adjacent properties supply of light and air and does not present a safety issue for public safety.

-The addition is being located on the low side of the property to minimize the size impact on the overall property configuration.

---

Sincerely,

Paul A. Psenka

CUSTOM RESIDENTIAL  
GARAGE ADDITION  
3111 OLD McHENRY ROAD  
LONG GROVE, ILLINOIS 60047

**BUILDING INFORMATION**

ZONING = R1

LOT AREA = 442,191 S.F.

MAXIMUM BUILDING HEIGHT = 35'-0"

EXISTING BUILDING HEIGHT = 35'-0"

PROPOSED BUILDING HEIGHT = 35'-0" (UNCHANGED)

MAXIMUM IMPERVIOUS ALLOWABLE 40% = 176,800 S.F.

EXISTING IMPERVIOUS = 27,025 S.F.

NEW ADDITION IMPERVIOUS = 8,150 S.F.

TOTAL PROPOSED IMPERVIOUS = 35,175 S.F. (UNDER BY 141,625 S.F.)

MAXIMUM BUILDING LOT COVERAGE 40% = 176,800 S.F.

EXISTING BUILDING LOT COVERAGE = 7,315 S.F.

NEW ADDITION BUILDING LOT COVERAGE = 4,000 S.F.

TOTAL PROPOSED BUILDING LOT COVERAGE = 11,315 S.F. (UNDER BY 165,485 S.F.)

MAXIMUM FLOOR AREA RATIO =  $11,000 + ((442,191 - 130,680) \times 0.022)$  = 17,853 S.F. ( or max. 13,000)

EXISTING FLOOR AREA = 12,905 S.F.

NEW ATTACHED GARAGE AREA = 4,000 S.F. FIRST FLOOR + 1,400 S.F. 7'-0" ATTIC AREA = 5,400 S.F.

TOTAL PROPOSED AREA = ~~16,482~~ S.F. (OVER BY ~~3,482~~ S.F.) -- NOT TO EXCEED 17,000 S.F.

16,905

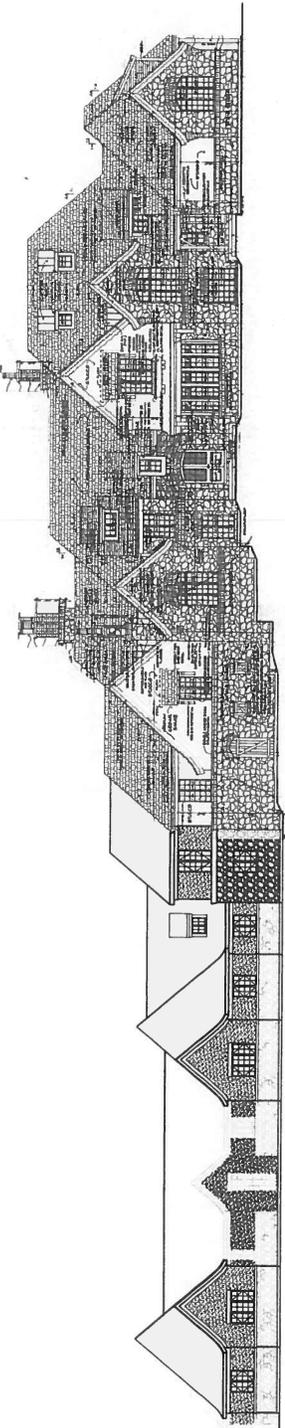
3,905

DATE	DESCRIPTION

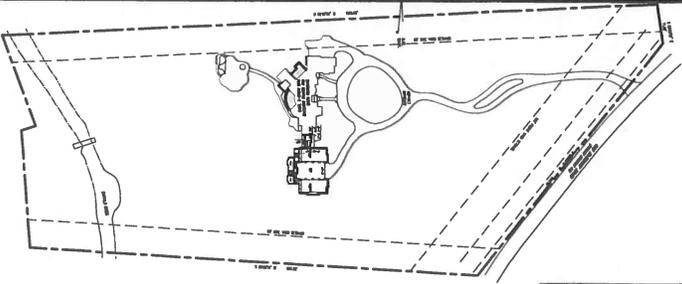
PENNA ARCHITECTS INC.  
 1000 MARKET STREET, SUITE 200  
 PHILADELPHIA, PA 19102  
 TEL: 215-562-1234  
 FAX: 215-562-1235  
 WWW: PENNAARCHITECTS.COM

PROJECT NO. \_\_\_\_\_  
 SHEET NO. \_\_\_\_\_  
 DATE \_\_\_\_\_  
 DRAWN BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_  
 TITLE \_\_\_\_\_

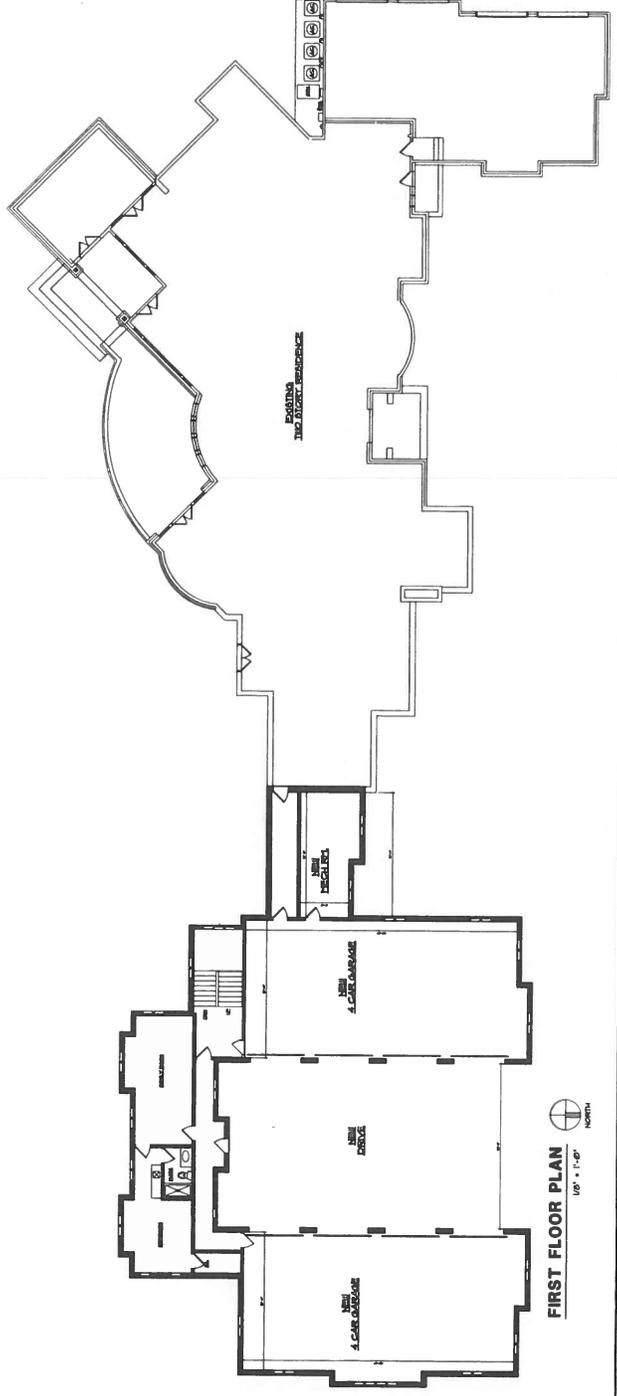
SHEET NO. **P3**  
 PART 1 OF 1



**FRONT ELEVATION**



**SITE PLAN**  
 NORTH



**FIRST FLOOR PLAN**  
 1/8" = 1'-0"  
 NORTH



RECEIVED

JAN 05 2016

VILLAGE OF LONG GROVE

3110 Old McHenry Road 60047-9635
Phone: 847-634-9440 Fax: 847-634-9408
www.longgrove.net

PLAN COMMISSION ZONING BOARD OF APPEALS
GENERAL ZONING APPLICATION

1.0 General Information (See Subsection 5-11-8(E) of the Long Grove Zoning Code).

1.1 Applicant Name: Marsha L. Forsythe
Address: 3111 Old McHenry Road, Long Grove 60047
Telephone Number: 847-287-8998 Cell E-mail Address: mForsythe@Juback-power.com
Fax number: 847-541-8305
Applicant's Interest in Property: Owner / Resident

1.2 Owner (if different from Applicant).

Name: N/A
Address:
Telephone Number: E-mail Address:
Fax number:

1.3 Property.

Address of Property: 3111 Old McHenry Road

Legal Description: Please attach Parcel Index Number(s): 1530100005

Present Zoning Classification R-1 Size of Property (in acres) 9.9 or 10 per RE tax man

Has any zoning reclassification, variation, or special use permit/PUD been granted for the Property?
Yes: No: X

If yes, please identify the ordinance or other document granting such zoning relief:

Describe the nature of the zoning relief granted: Text Amendment / Variance

Present use of Property:

Residential  Commercial \_\_\_\_\_ Office \_\_\_\_\_ Open Space \_\_\_\_\_ Vacant \_\_\_\_\_

Other (explain) \_\_\_\_\_

Present zoning and land use of surrounding properties within 250' of Property:

	Zoning Classification	Land Use
North:	<u>R1</u>	<u>School Parking Lot / Residential</u>
South:	<u>R1</u>	<u>Church / Residential</u>
East:	<u>R1</u>	<u>Empty Lot / Forest Preserve</u>
West:	<u>R1</u>	<u>Residential</u>

**1.4 Trustees Disclosure.**

Is title to the Property in a land trust? Yes \_\_\_\_\_ No

If yes, full disclosure of all trustees, beneficiaries and their legal and equitable interests is required. Attach a copy of all documents showing ownership of the Property and the Applicant's and/ or Owner's control of or interest in the Property.

**1.5 Requested Action (Check as many as are applicable).**

<input type="checkbox"/> Appeal	<input type="checkbox"/> Code Interpretation
<input checked="" type="checkbox"/> Variation	<input type="checkbox"/> Special Use Permit (non-PUD)
<input type="checkbox"/> Zoning Map Amendment (rezoning)	<input checked="" type="checkbox"/> Zoning Code Text Amendment
<input type="checkbox"/> Preliminary PUD Plat	<input type="checkbox"/> Final PUD Plat

**1.6 Supplemental Information (General):\*\***

Every Application filed shall, in addition to the data and information required above, provide the following general information when applicable to the use or development for which approval is being sought:

- A description or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.
- A table showing the following, as applicable:

- the total lot area of the lot, in acres and in square feet; and
  - the total existing and proposed lot area, expressed in acres, in square feet and as a percent of the total development area, devoted to: residential uses, business uses; office uses; college uses; institutional uses; open space; rights-of-way; streets; and off-street parking and loading areas; and
  - the existing and proposed number of dwelling units; and gross and net floor area devoted to residential uses, business uses, office uses, college uses, and institutional uses.
- (c) A table listing all bulk, space, and yard requirements; all parking requirements; and all loading requirements applicable to any proposed development or construction and showing the compliance of such proposed development or construction with each such requirement. When any lack of compliance is shown, the reason therefore shall be stated and an explanation of the village's authority, if any, to approve the Application despite such lack of compliance shall be set forth.
- (d) The certificate of a registered architect or civil engineer licensed by the State of Illinois, or of an owner-designer, that any proposed use, construction, or development complies with all provisions of this code and other village ordinances or complies with such provisions except in the manner and to the extent specifically set forth in said certificate.
- (e) A landscape development plan, including the location, size and species of plant materials.

**1.7 Supplemental Information (per specific request):**

- Appeals, Code Interpretations, and Variations: See 5-11-8(E)3, 4, & 5 of the Zoning Code and Form "A"
- Special Use Permit (non-PUD): See 5-11-8(E)7 of the Zoning Code and Form "B"
- Zoning Map Amendment (rezoning): See 5-11-8(E) 8 of the Zoning Code and Form "C"
- Zoning Code Text Amendment: See Form "D"
- Preliminary PUD Plat: See 5-11-18(D)(2) of the Zoning Code and Form "E"
- Final PUD Plat: See 5-11-18(D)(3) of the Zoning Code and Form "F"

\*\* The scope and detail of information shall be appropriate to the subject matter of the Application, with special emphasis on those matters likely to be affected or impacted by the approval being sought in the Application. Information required in the application shall be considered the minimum information required for filing an application. Additional information including but not limited to graphic depictions, environmental impacts, plans for sewer and water service and storm water management, photometric plans, traffic studies and effects on property values, among others, should also be considered and may be helpful in detailing the Application.

Special Data Requests. In addition to the data and information required pursuant to this Application, every Applicant/Owner shall submit such other additional data, information, or documentation as the

building superintendent or any board or commission before which the Application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular Application.

**1.8 Consultants.**

Please provide the name, address, and telephone number of each professional or consultant advising Applicant with respect to this Application, including architects, contractors, engineers or attorneys:

Name: Psenka Architects Name: \_\_\_\_\_  
Professional: Architect Professional: \_\_\_\_\_  
Address: 148 W. State Street Address: \_\_\_\_\_  
Barrington, IL 60010  
Telephone: 947-756-4700 Telephone: \_\_\_\_\_  
E-mail: ppsenka@comcast.net E-mail: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Professional: \_\_\_\_\_ Professional: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

**1.9 Village Officials or Employees.**

Does any official or employee of the Village have an interest, either directly or indirectly, in the Property? Yes: X No: \_\_\_\_\_

If yes, please identify the name of such official or employee and the nature and extent of that interest. (Use a separate sheet of paper if necessary.)

Commissioner for the Long Grove Fire Protection District.

**1.10 Successive Applications (5-11-9).**

Second Applications Without New Grounds Barred. Whenever any Application filed pursuant to this code has been finally denied on its merits, a second Application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the officer, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact significantly affected the prior denial.

New Grounds to Be Stated. Any such second Application shall include a detailed statement of the grounds justifying consideration of such Application.

Summary Denial With or Without Hearing. Any such second Application may be denied by the building superintendent summarily, and without hearing, on a finding that no grounds appear that warrant a new hearing. In any case where such Application is set for hearing, the owner shall be required to establish grounds warranting reconsideration of the merits of its Application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the Application may be summarily dismissed for such failure.

Exception. Whether or not new grounds are stated, any such second Application filed more than two years after the final denial of a prior Application shall be heard on the merits as though no prior Application had been filed. The Applicant or Owner shall, however, be required to place in the record all evidence available concerning changes of conditions or new facts that have developed since the denial of the first Application. In the absence of such evidence, it shall be presumed that no new facts exist to support the new petition that did not exist at the time of the denial of the first Application.

**2.0 Required Submittals (See Specific Supplemental Information Form for filing Fees).**

- Fully completed Application with applicable supplementary information
- Non-refundable Filing Fee. Amount: \$ 100.<sup>00</sup>
- Planning Filing Fees. Amount: \$ 1000.<sup>00</sup>
- Minimum Professional Fee/deposit Escrow. Amount \$ 5000.<sup>00</sup>

**3.0 Certifications.** The Applicant and Owner certify that this Application is filed with the permission and consent of the Owner of the Property and that the person signing this Application is fully authorized to do so.

**3.1** The Applicant certifies that all information contained in this Application is true and correct to the best of Applicant's knowledge.

**3.2** The Applicant acknowledges that the Village may seek additional information relating to this Application and agrees to provide the Village with such information in a timely manner. Failure to provide such information may be grounds for denying an Application.

- 3.3 The Applicant and Owner agree to reimburse the Village for any and all costs relating to the processing of this Application, including any consultants' fees. By signing this Application, Applicant and Owner agree to be jointly and severally liable for such costs, and Owner further agrees to the filing and foreclosure of a lien against the Property for all such costs plus all expenses relating to collection, if such costs are not paid within 30 days after mailing of a demand for payment.
- 3.4 The Applicant agrees that the Village and its representatives have the right, and are hereby granted permission and a license, to enter upon the Property, and into any structures located there on, for purposes of conducting any inspections that may be necessary in connection with this Application.
- 3.5 The Owner, Applicant, and/or designated representative is required to be present during the meeting.

Marsha L. Forsythe  
Name of Owner

 1-5-16  
Signature of Owner Date

Marsha L. Forsythe  
Name of Applicant

 1-5-16  
Signature of Applicant Date

**LEGAL NOTICE**  
**VILLAGE OF LONG GROVE, ILLINOIS**  
**NOTICE OF A PUBLIC HEARING FOR**  
**CONSIDERATION OF AMENDMENTS TO THE**  
**VILLAGE CODE FOR THE VILLAGE OF LONG GROVE,**  
**TITLE 5, ZONING REGULATIONS WITHIN THE**  
**VILLAGE OF LONG GROVE, ILLINOIS AND A**  
**REQUEST FOR A VARIATION TO ALLOW A**  
**RESIDENTIAL DWELLING OF GREATER THAN**  
**13,000 SQ. FT. ON PROPERTY WITH A MINIMUM LOT**  
**SIZE OF 8 ACRES OR MORE AND ZONED R-1 SINGLE**  
**FAMILY RESIDENTIAL AT 3111 OLD MCHENRY ROAD**  
**WITHIN THE VILLAGE OF LONG GROVE.**  
 PUBLIC NOTICE IS HEREBY GIVEN that on Tuesday, February 2, 2016 at 7:00 p.m., public hearings will be held at the regular meeting of the Plan Commission & Zoning Board Appeals of the Village of Long Grove, Lake County, Illinois, at the Long Grove Village Hall, 3110 R.F.D., Long Grove, Illinois 60047, (unless otherwise posted) in connection with proposals for 1) amendment to the Village Code for the Village of Long Grove, Title 5, Zoning Regulations, including Section 5-11-5 (E) "Authorized Variations" and Section 5-3-12 "Bulk, Space and Yard Requirements" including footnote C and other regulations within the Village of Long Grove, Illinois to allow residences of greater than 13,000 square feet on property with a minimum lot size of 8 acres or greater; and 2) a request for a variation to permit a residence of greater than 13,000 sq. ft. on property containing ten (10) acres +/- and zoned within the R-1 Residential District and located at 3111 Old McHenry Road within the Village of Long Grove, Illinois. Reclassification of the subject property is not requested. The subject property, being considered for variation as noted above, is legally described as follows:

**LEGAL DESCRIPTION**

That part of the Northwest Quarter of Section 30, Township 43 North, Range 11, East of the Third Principal Meridian described as follows: Beginning at a point which is North 72 degrees 40 minutes East 315.36 feet from a point on the West line of the Northwest Quarter, 2,070.9 feet South of the Northwest Corner of said Northwest Quarter; thence North 00 Degrees 8 minutes East, 1,181.2 feet; thence North 84 degrees 11 minutes East, 71.82 feet to the centerline of the road; thence south 48 degrees 43 minutes east on the centerline of said road, 534.67 feet; thence South 6 degrees 21 minutes West, 807.82 feet; thence South 88 degrees 24 minutes West, 211.63 feet; thence north 16 degrees 20 minutes West, 26.4 feet; thence South 72 degrees 40 minutes West 174.38 feet to the place of beginning, in Lake County, Illinois.

Commonly known as: 3111 Old McHenry Road  
 PIN: #15-30-100-005

Persons attending the hearing shall have the opportunity to provide written and oral comments and questions concerning the proposed amendments. The Plan Commission & Zoning Board of Appeals reserve the rights to continue the hearing to a later date and time should that become necessary.  
 James M. Hogue, Village Planner Village of Long Grove  
 Published in Daily Herald January 16, 2016 (4430116)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published January 16, 2016 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

**PADDOCK PUBLICATIONS, INC.**  
**DAILY HERALD NEWSPAPERS**

BY Daula Baltz  
 Authorized Agent

Control # 4430116