Item #1A:

Report Of PCZBA Meeting June 3, 2014:

Rear Yard Variation - 1509 Sumter Drive

06/04/14

STAFF REPORT

TO:	LONG GROVE PCZBA
FROM:	JAMES M. HOGUE, VILLAGE PLANNER
DATE:	May 22, 2014
RE:	PCZBA REQUEST 14-04 - Request for Rear Yard Variation; Submitted by Tony & Michelle Peradotti

Item: PCZBA PETITION 14-04

Status: Petition submitted 5/2/14. Referral by Village Board not required. Publication in newspaper completed May 16, 2014 and is therefore timely.

History: Property is located within the Long Grove Country Club Estates Units 5&7 Re-Subdivision which was recorded in May of 1983. The property is zoned under the R-2 District Classification and consists of 1.86 acres (81,337 sq. ft.). The property contains a single family residence constructed in 1987. A permit for a deck on the property in 1990 (Permit #133-90) and a separate permit issued for an in-ground pool in 1989 (Permit #92-89).

As part of the approval of Country Club Estates (CCE) variations were granted to permit lot sizes of 40,000 square feet and reduced setbacks on front yards for properties which abut the golf course. All other R-2 district requirements apply to this property. The Village initiated further modifications creating the R-2 overlay district for CCE. The petitioners request falls outside of the overlay district modifications however.

Proposal: Consideration of a request for variation of the rear yard set-back requirement (north side) from the required 40 feet down to 8 feet within the R-2 District for the construction of a deck & retaining wall and to allow the pre-existing pool to remain for property at 1509 Sumter Drive submitted by Tony & Michelle Peradotti .

Land Use, Zoning and Locational Data:

1. Proposed Zoning: The subject property will retain the R-2 District classification (with modifications unique to CCE) .
2. Location; Lot 1 in Country Club Estates Unit 5&7; common address of 1509 Sumter.
3. Acreage; .1.86 Acres +/- (81,377 Sq. Ft.)
4. Based upon information available through Lake County GIS, the property contains floodplain/flood hazard area and wetlands. (See Maps).
5. Topography; See attached Map from Lake County GIS.

6. Surrounding Land Uses and Zoning;

Direction	*Existing Use*	*Land Use Plan Designation/Zoning*
NORTH	Open Space (Crossing Park)	Multiple Family Residential/"R-9" (Buffalo Grove).
SOUTH	Residential	Single Family Residential/ "R-2".
EAST	Residential	Single Family Residential/ "R-2 ".
WEST	Residential	Single Family Residential/ "R-2".

Zoning Data

	Existing	Proposed	Zoning Code	PUD
Lot Area	**81,377 sq. ft.**	**No Change**	**2 Acre Minimum (R-2 Standard)***	**N/A**
Floor Area (Total Floor Area)	**5,496 sq. ft.**	**No Change**	**No Standard Identified**	**N/A**
Lot Coverage (In Square Feet)	**9,807 sq. ft. (12%)**	**9,263 sq. ft. (11.4%)**	**.40 (lot coverage) 32,550 sq. ft.**	**N/A**
F.A.R.	**5,496 sq. ft. (8.8%)**	**No Change**	**5,500 sq. ft. +.098 for each sq ft. over 10,000; 8,800 sq. ft. max.**	**N/A**
Height	**N/A**	**No Change**	**35 ft.**	**N/A**

* **Property functions as a PUD (although not designated as such); the golf course was included in the overall site density.**

Yard Requirements (set-backs);

Setback Requirements

	Existing	Proposed	Zoning Ordinance	P.U.D.
Front Yard	**51.' +/- (Least dimension)***	**No Change**	**75'**	**N/A**
Side Yard (West)	**82' +/-**	**No Change**	**40'**	**N/A**
Side Yard (East)	**153' +/-****	**No Change**	**40'**	**N/A**
Rear Yard	**8'** +/-**	**8'*****	**40'**	**N/A**

* Least Dimension to existing structure; per plat of survey.

** To edge of existing retaining wall.

*** Requested Variation.

Conclusions:

As requested the petitioner is seeking a variation rear yard setback (north side) requirement for improvements to the rear yard of the home and specifically the construction of a pool deck, retaining walls and to allow the existing pool to remain as an accessory use to an existing residential structure. Such a variation may be considered as an authorized variation under the Long Grove Village Code. The proposed use of the property, as well as the zoning, remains residential. This is consistent with properties within the vicinity of the subject property as well as the Village Master Plan. Variations on lot size and front yard set-back (for lots abutting the golf course only) were granted at the time the entire Country Club Estates Development was approved. The Village created an overlay district for the Country Club Estates subdivision to allow for inconsistencies in interpretation of setbacks within the subdivision. This request does not fall within the parameters of the overlay district regulations. The property is unique in that the northern property line abuts Crossing Park which is in Buffalo Grove. As the variation is requested on the north property line this circumstance should serve to further buffer the proposed rear yard/ pool improvements from other residential uses. The substantial conservancy area on the east side of the property serves the same function was well.

Research into this development by staff indicates the golf course was considered in the overall site density. From a practical perspective this functions as a PUD although the subdivision is not designated as such. The property will meet or exceed the minimum underlying R-2 District regulations with respect to the proposed renovation with the exception of setback requirements for which the variation is requested. Pool decks (without any structures), as required by code are considered as permissible encroachments into setbacks similar to sidewalks and walkways.

Furthermore, permits were issued for the pool (Permit# 92-89; Issued 4.19.9) and previously existing wooden deck structure (Permit # 133-90, Issued 6.1.90). Presumably the deck and pool were built per plans submitted with the aforementioned permits which appear to have allowed the encroachments. Of note, petitioner is not requesting any additional further encroachment into the setback than previously existed from the permitted wooden deck. Petitioner has since removed the wooden deck due to its deteriorated condition and work to date had been done without permits. No changes are proposed to the pool structure itself, but this does encroach into the setback requirement as well and petitioner wishes to allow this structure to remain as well.

The variation as requested will allow the construction of retaining walls, pool deck and existing pool to encroach into the required setbacks on the north side of the property down to 8'. A sketch plan of the proposed improvements in relating to the existing property improvements is attached. Petitioners cite the configuration of the property as a hardship noting substantial conservancy/floodplain/floodway on the east side of the property and location of the septic system on the west as constraints in the placement of the pool & deck. As such accessory structures and uses must be in a rear yard no other suitable location exists on the property for such improvements.

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. Excepts for 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: 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;

(a) That the conditions upon which the petition for variation is based would not be applicable generally to other lots within the same zoning classification;

(b) That the purpose of the variation is not based exclusively upon a desire to make more money out of the lot;

(c) That the alleged difficulty or hardship has not been created by any person presently having an interest in the lot;

(d) 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

(e) 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 make their findings of fact accordingly.

Respectfully Submitted,

James M. Hogue, Village Planner

Hello members of the Plan Commission Zoning Board,

We are presenting to you today our application for a variance in regard to our backyard improvement project at 1509 Sumter Drive in Long Grove. In specific, we are requesting a variation to permit a yard less than the yard required by the applicable district regulations. The specific provision of the code from which a variation is sought is section 5-3-12: BULK, SPACE, AND YARD REQUIREMENTS. Pursuant to this section, our lot has a 40 foot setback ("build line") along the rear lot line, within which no accessory structure can be placed. We are seeking permission to move the build line to 8 feet to allow space to expand a pool deck and include a pre-existing pool.

The variation sought satisfies the Standards For Variations as set forth in section 5-11-15 of the Village Code in that failure to receive a variation recommendation would create both a hardship and a practical difficulty. As explained in more detail below, due to the unique characteristics of our lot, a very large wooden deck that was built by a previous owner was collapsing into our pool area and allowing part of the yard to come with it.

The proposed use of the area in question would be an extension of the existing pool deck and inclusion of the pre-existing in ground pool beyond the standard 40 foot build line set by the Village of Long Grove. This proposed use would be beneficial in two ways, in that it would create a safe and stable yard north and west of the pool and it would increase the living space around the pool and grill area.

The house was built in 1987 and has had two previous owners. It is a beautiful French country style home that fits in well with its surroundings in the Country Club Estates sub-development. The backyard at 1509 Sumter Drive is rather unique in that it contains numerous elevation changes throughout the yard that divide it into 3 distinct sections: the west side, the east side and the far east side conservancy district area. The west side of the yard is here defined as the backyard property extending west from the railroad tie wall, separating the master bedroom and the living room on the back of the house. The west side is a gently sloping grass yard that varies in height from 723.78 feet above sea level ("FASL") at the northwest corner of the yard, to 718.43 FASL at the top of the railroad tie retaining wall. The east side of the yard contains the pool and raised deck area. The pool area is 714.25 FASL, and the raised deck area, which is located directly north of the pool, is at 720.5 FASL (See Figure 1). Roughly 2 acres of land, which is all land in conservancy, and Buffalo Creek, border the property to the north and to the east (See Figure 2). These variations in elevations logically slope downhill toward the creek.

The pool (permitted in 1989) and surrounding wooden deck (permitted in 1990) were built shortly after the construction of the house in 1987. The pool is an irregular shaped cement structure that was bordered to the west and to the north by the huge raised wooden deck. This wooden deck is the source of the structural problems that prompted us to look at the backyard in its entirety and create an alternative plan for the layout.

The wooden deck was an approximately 1,600 square foot structure that attached to the back of the house and ran from the west end of the house to the east

end of the family room. This deck then extended north past the 40 foot build line by approximately 32 feet and then extended approximately 60 feet to the east, where it changed elevation once and finished in the north east corner of the yard 3 feet from the conservancy line.

Although pleasing to the eye, this deck posed several safety issues. We bought 1509 in February 2011 and the first thing we did that spring was remove that portion of the deck that was attached to the house. The deck was pitched toward the house and also improperly attached to the house at the base of two sliding glass doors. This caused the frames of the two sliding glass doors to completely blow out and flood the basement. While replacing the sliders, we learned a great deal about our deck. It was constructed very poorly and in need of a complete teardown if it was going to be replaced. The deck was built on dirt, using untreated wood, and was not anchored into the existing land using concrete anchors or proper deadman posts. The result was that the untreated wood deck floor was literally disintegrating in spots – producing a trap door effect, while the whole deck was settling to the east and detaching the joists from its wooden post anchors. That first summer, I had to remove the wood stairs that led down from the west side of the yard to the pool because they were coming apart and sinking into the ground underneath.

No drainage system had been installed, and as a result the ground underneath the deck had not effectively been retained and was eroding toward the pool area at an alarming rate. Since that first winter in the house in 2011, the railroad tie retaining wall that bordered the pool area had been failing and had

moved more than 3 linear feet toward the pool. The railroad tie wall had proven to be ineffective and it was evident that some sort of retaining wall had to be constructed to prevent further erosion of the backyard and avoid any possible complications with the pool.

In addition to these safety issues, this pre-existing deck was built in violation of the 40 foot building setback line. It was built 32 feet beyond the build line. The wooden deck had been constructed pursuant to a proper permit, as it was evident on a prior survey. If the deck were within the building line, we would seek to improve that particular area. As it stands, taking into account the elevation change that separates the pool and east side of the yard from the raised deck, I believed our best course of action was to demolish the deck and bring the land that sat under the deck to a level consistent with the level of the pool area.

The actions necessary to do this are as follows: Apply and obtain a variance to allow construction of two retaining walls that would reach 32 feet past the original building line. Excavation of the land (formerly below the deck) to the height of 713.11 FASL, making it consistent with the level of the pool deck. The construction of one wall to extend north from the house approximately 64 feet (with a break in the wall that will contain a stairwell connecting the pool area to the west side of the backyard) and a second wall extending east from this first wall approximately 52 feet to the northeast end of the property (See Figure 3).

The result of constructing these retaining walls is a safe and stable backyard. The space underneath the deck had been a makeshift hotel for numerous families of skunks, possums and raccoons and the deck had been infiltrated by wasps and bees.

The elimination of the deck and subsequent construction of retaining walls halted the erosion of the west side of the yard from encroaching on the pool deck area and also stabilized the ground behind the house. This is also the best location for a replacement of the existing deck because of the characteristics of the backyard. The east side of the pool area is bordered by approximately 1 acre of land in conservancy. The west side of the house contains the septic field. Consequently, there is no other space in the backyard. The area directly west of the pool is 5 feet higher than the elevation of the pool area and must remain at that level because of its proximity to the back of the house and the location of underground utility lines.

We believe that the foregoing facts sufficiently meet the standards for variance as set forth in section 5-11-15 of the village code. Our lot cannot yield a reasonable return if we are permitted to use it only under the conditions allowed by the regulations governing it in that a large part of the upper level of our lot certainly would have tumbled into the lower level of our lot should the retaining walls not have been built to control this erosion. Not only is our lot unique in that it is multi-leveled, our situation is unique in that there existed a properly permitted deck past the 40 foot building line that created the safety issues that we are attempting to permanently resolve. The granting of this variance request will in no way alter the essential character of the locality, as the retaining walls will be covered in a stone veneer which would in fact improve the character of our lot.

We further believe that the approval we are requesting conforms to both the Comprehensive Plan of the Village of Long Grove and the official map of the village. It is our understanding that the most important goal of the Comprehensive Plan of

the Village of Long Grove is to preserve Long Grove's semi-rural charm, while still permitting quality development. Another important priority of the plan is to maintain open space. The variance we are requesting conforms to the official comprehensive plan in that it is not threatening to the village's semi-rural charm and further does not take away from any existing open space. Furthermore, the granting of this variance in no way affects the official map of the Village.

In reality, we've already constructed the retaining walls to stabilize the backyard this past winter. I believed I was going in for a simple permit the week before we were to have our third child. It was only then that I learned the deck that was previously located on our lot was built past the 40 foot build line and that I would need to request a variance in order to construct the retaining walls. Fearing the worst, and being primarily concerned with the events surrounding the birth of Isabella Arancini and the health of my wife, I felt that the safety and stability of the backyard during this past winter season took precedence over submitting the proper paperwork in a timely manner as set forth by the Village to obtain a variance.

I do sincerely apologize for my ignorance with regard to following the correct procedure in this matter and I humbly ask for your understanding and hope that the facts set forth above provide sufficient evidence to support our request for a variance.

1509 SUMTER

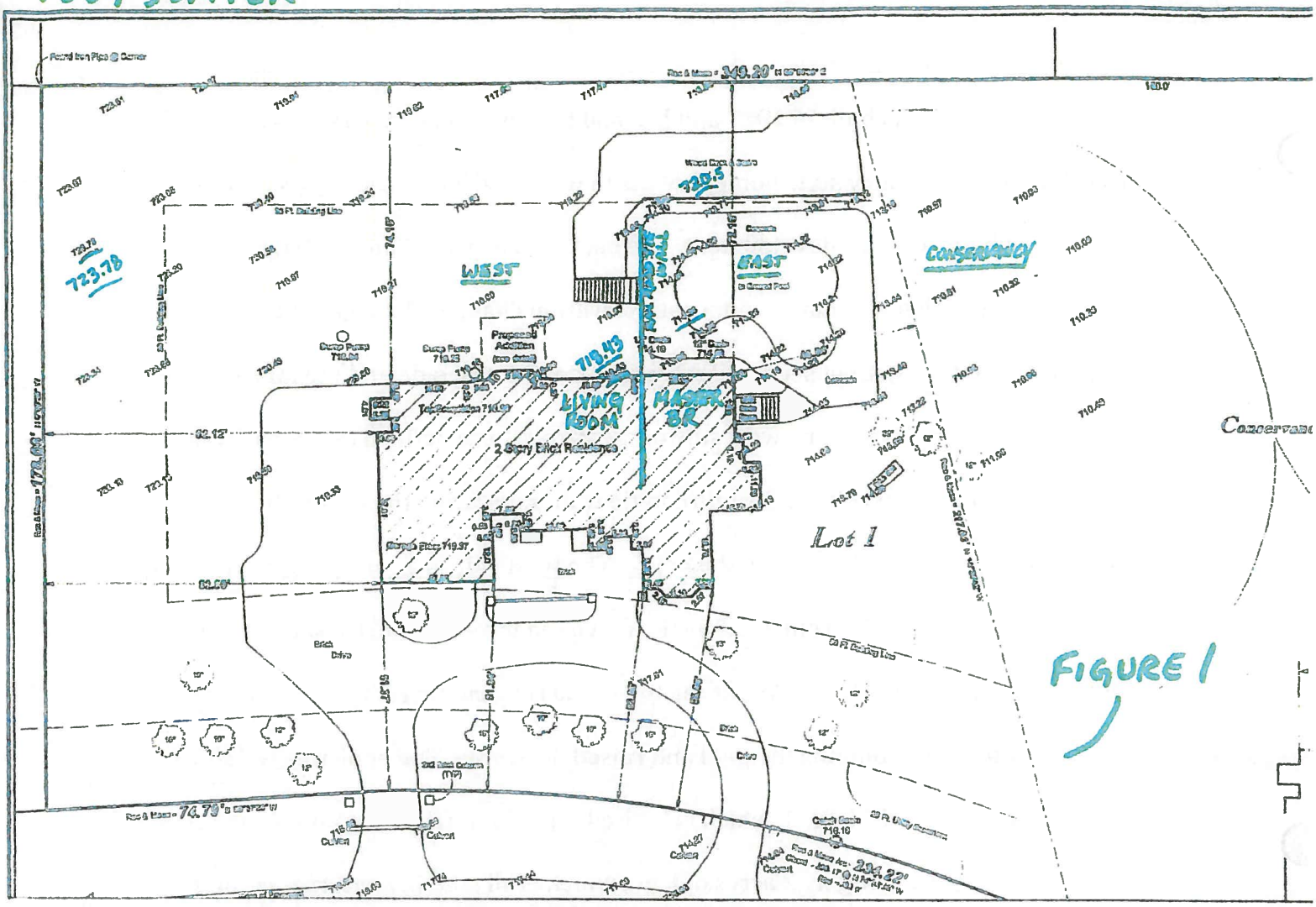


FIGURE 1

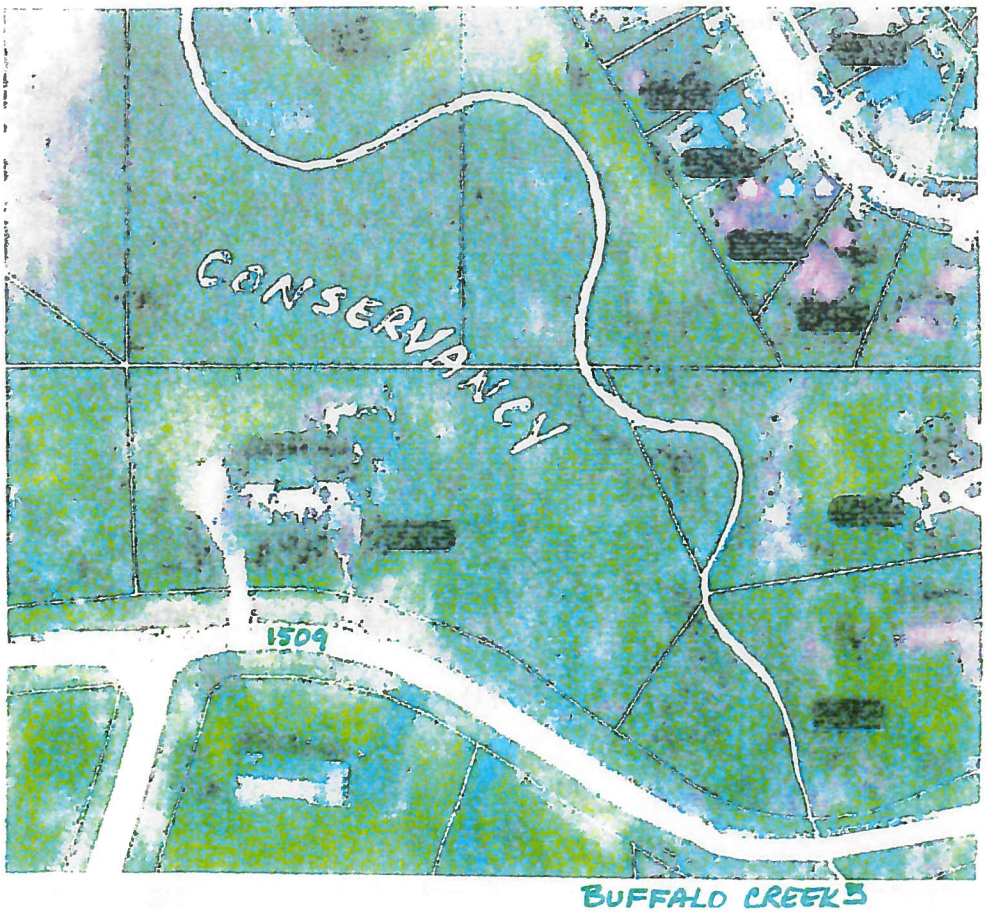
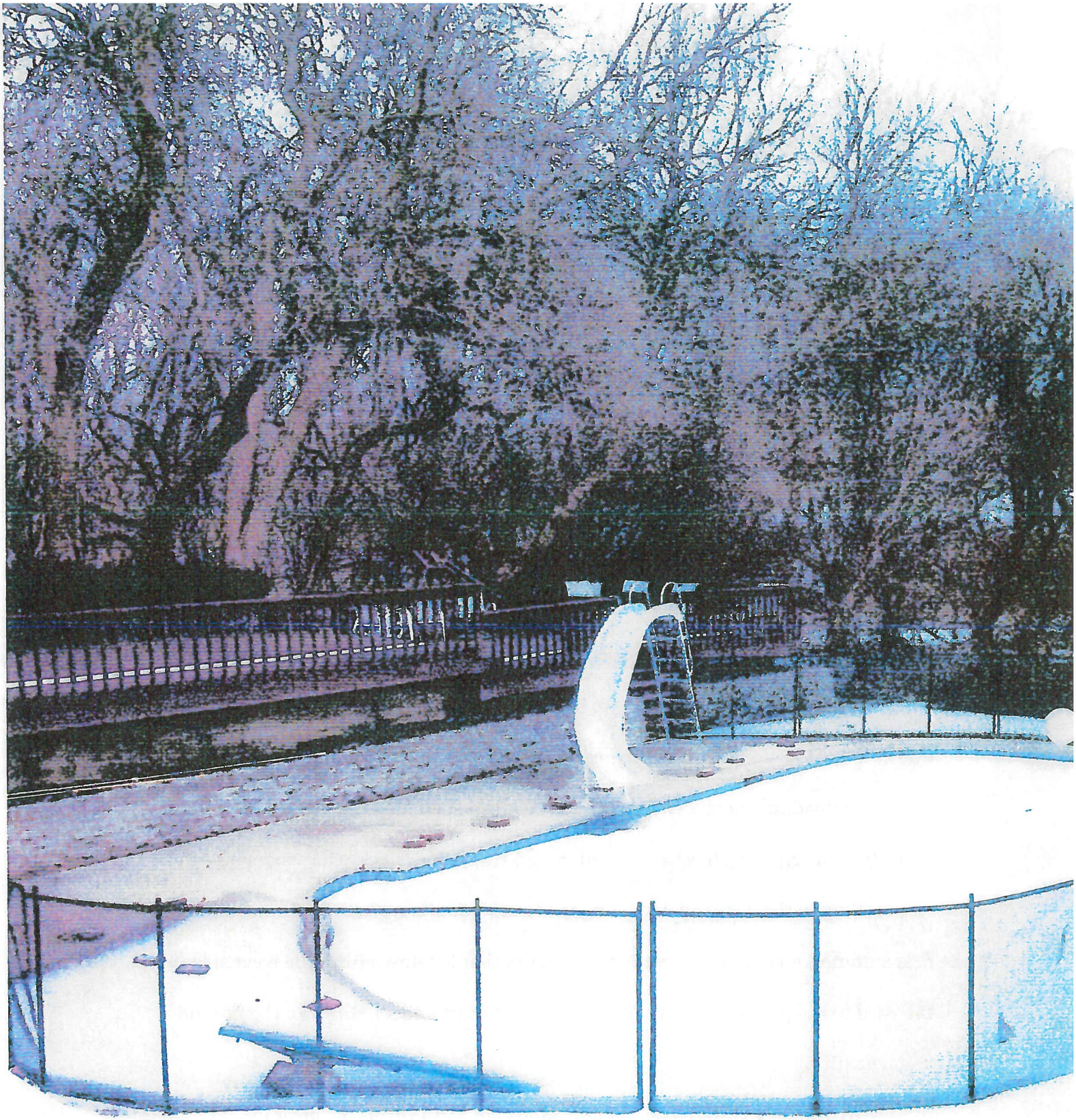
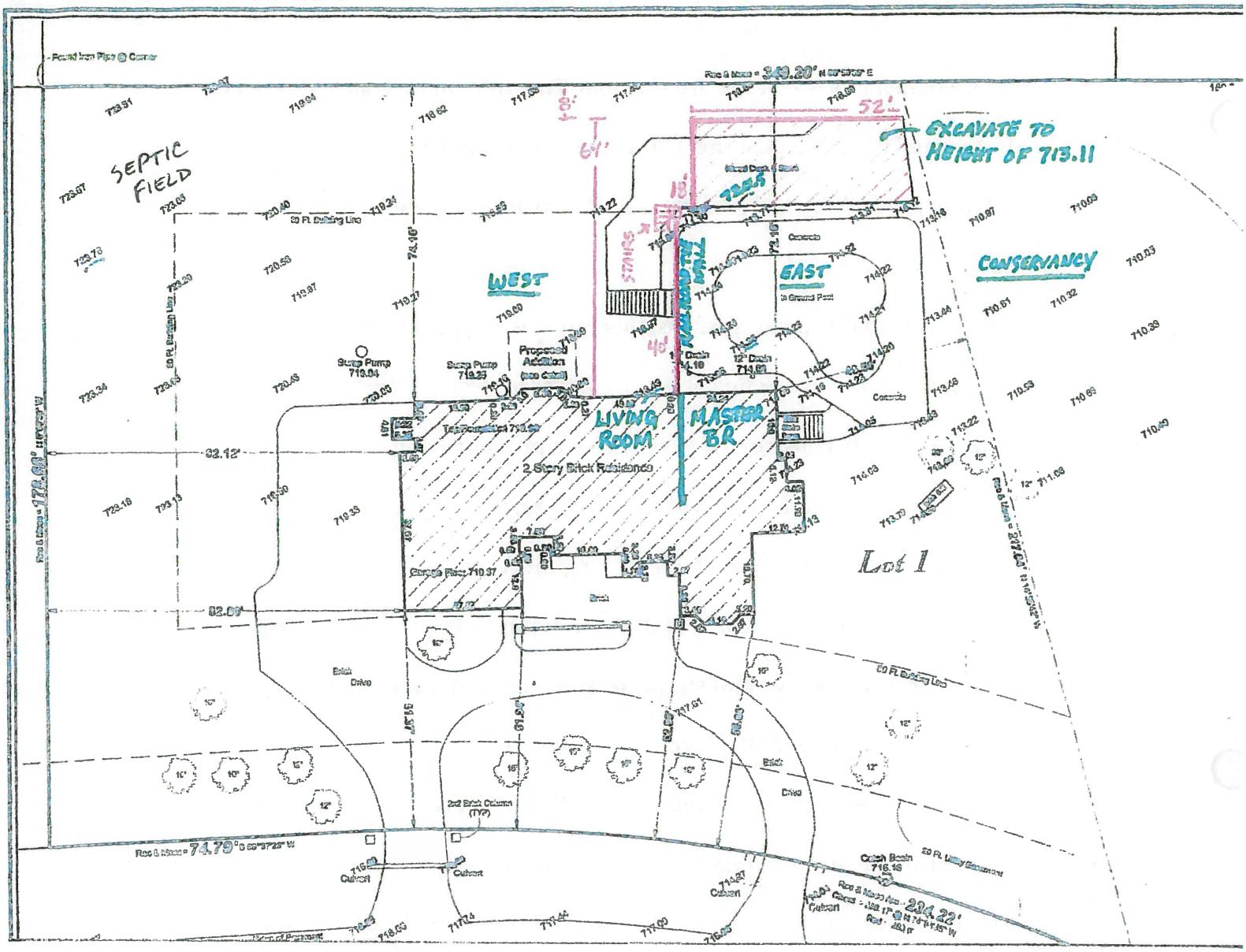


FIGURE 2

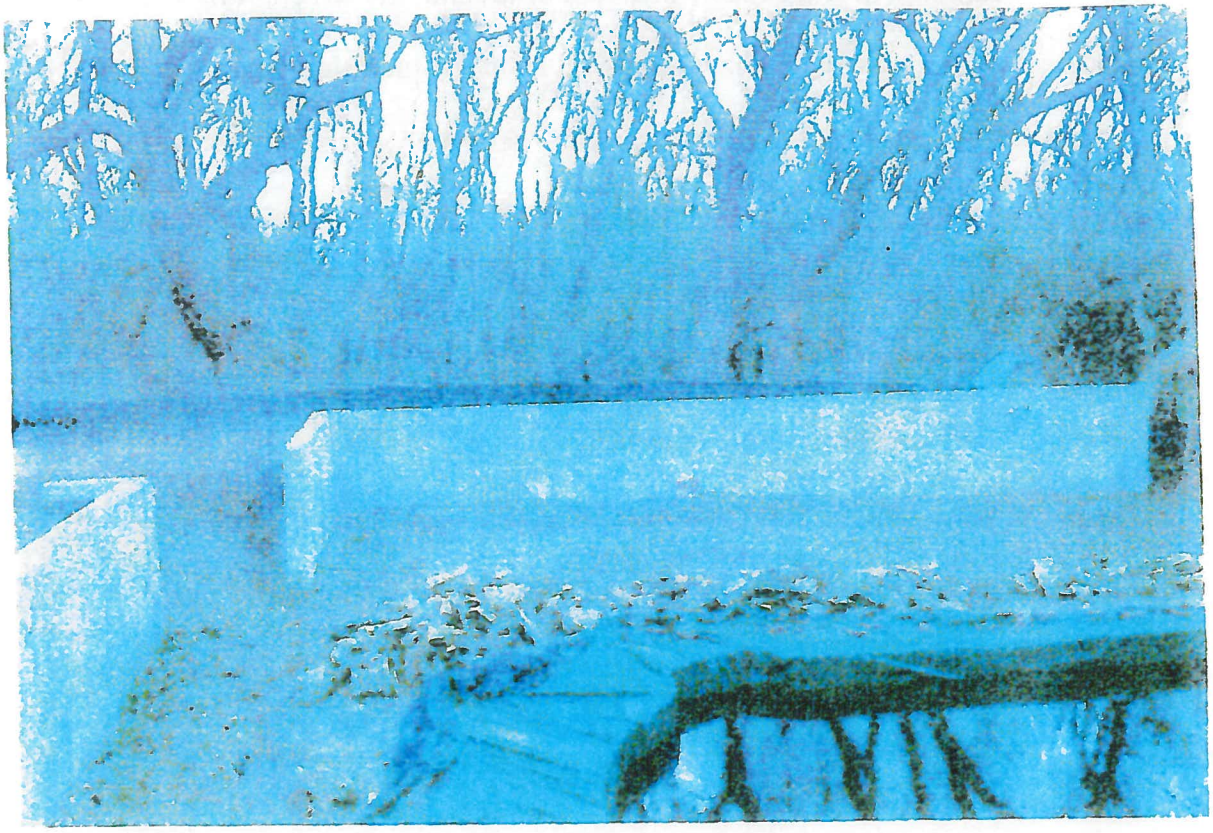


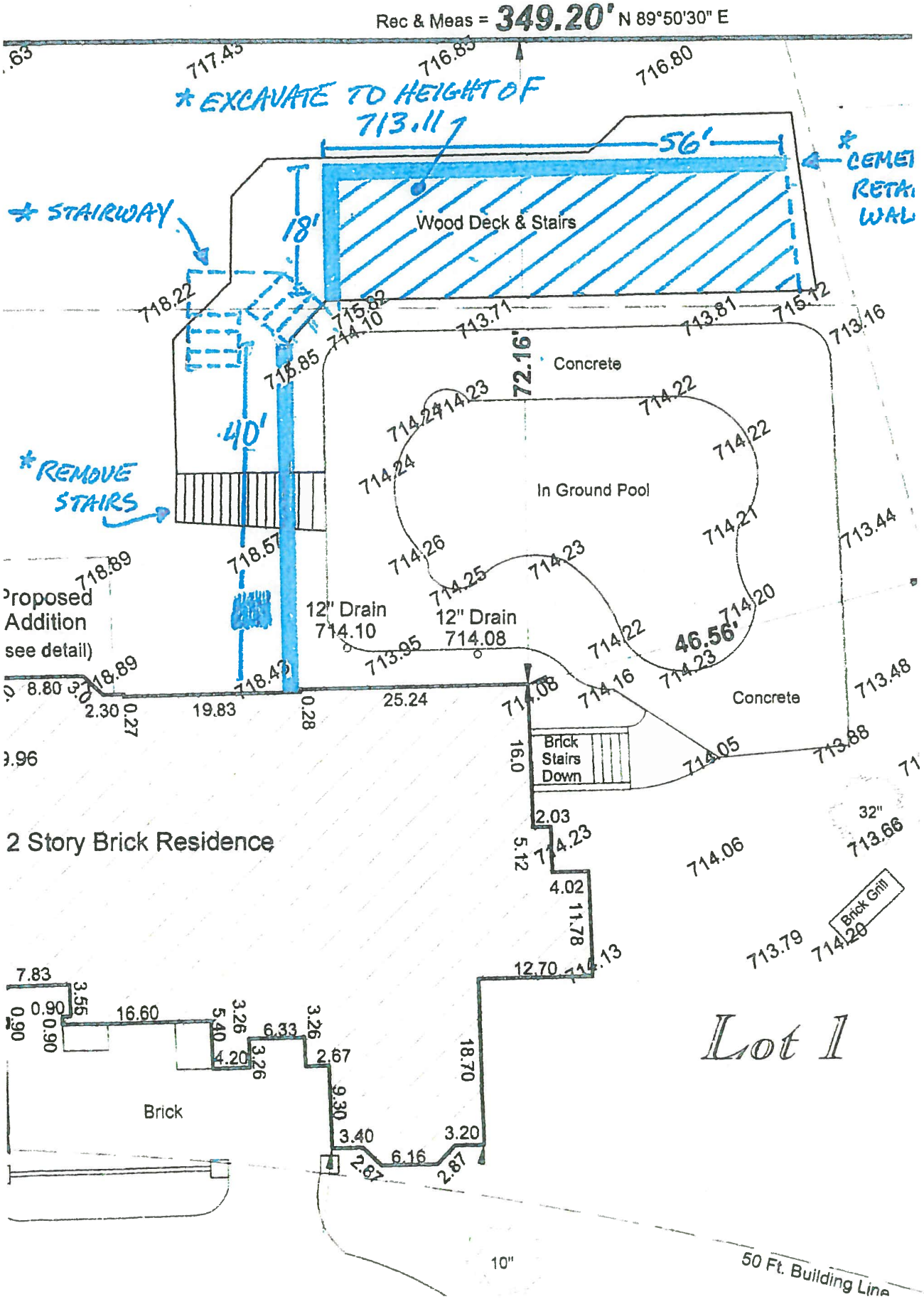
1509 SUMTER

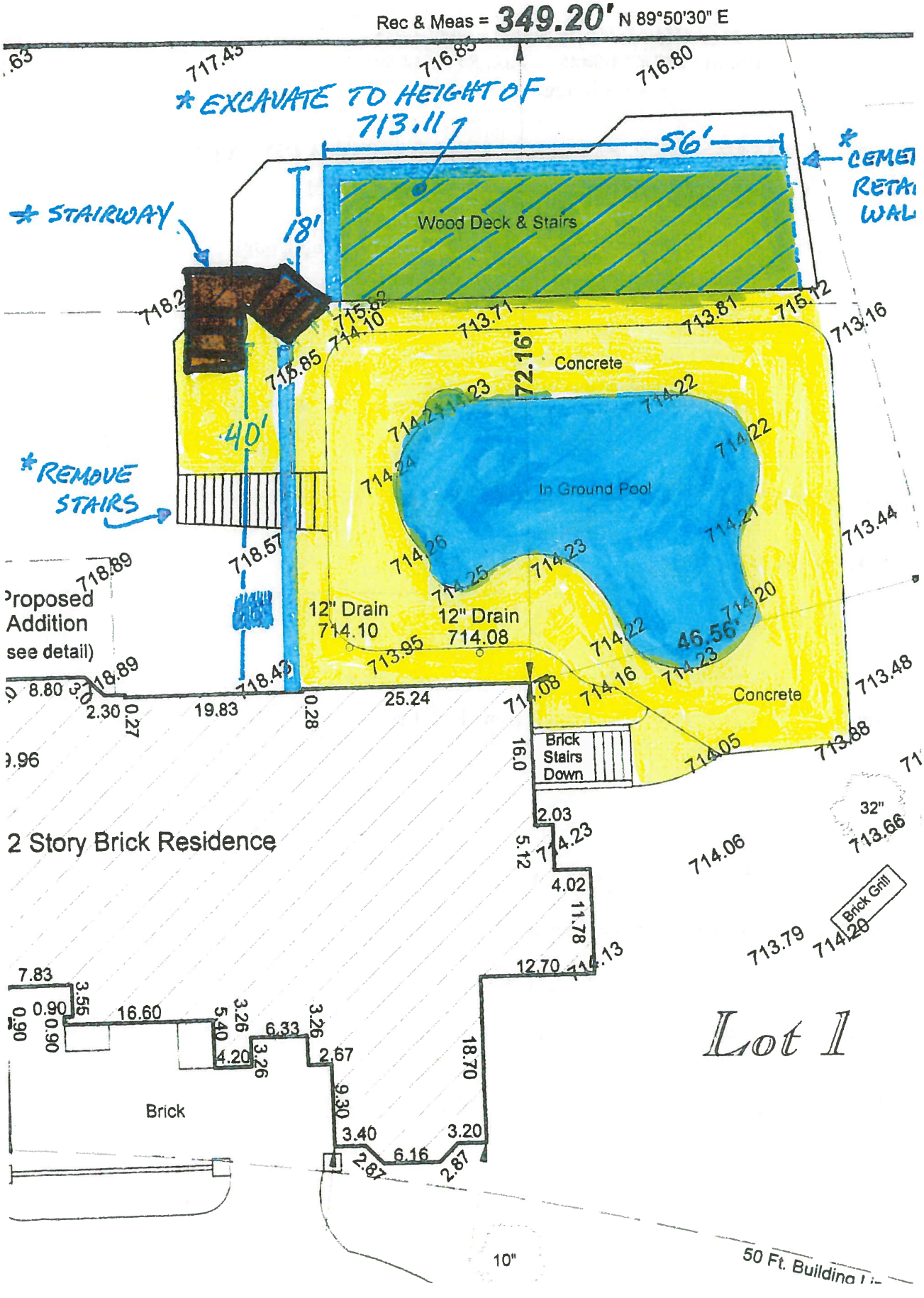
FIGURE 3



RETAINING WALLS AND EXCAVATION IN RED.




Rec & Meas = 349.20' N 89°50'30" E
* EXCAVATE TO HEIGHT OF 713.11
56'
* CEMET RETA WAL
* STAIRWAY
18'
Wood Deck & Stairs
40'
* REMOVE STAIRS
72.19'
Concrete
In Ground Pool
46.56'
Proposed Addition see detail)
12" Drain 714.10
12" Drain 714.08
Concrete
Brick Stairs Down
2 Story Brick Residence
Brick
Brick Grill
Lot 1
10"
50 Ft. Building Line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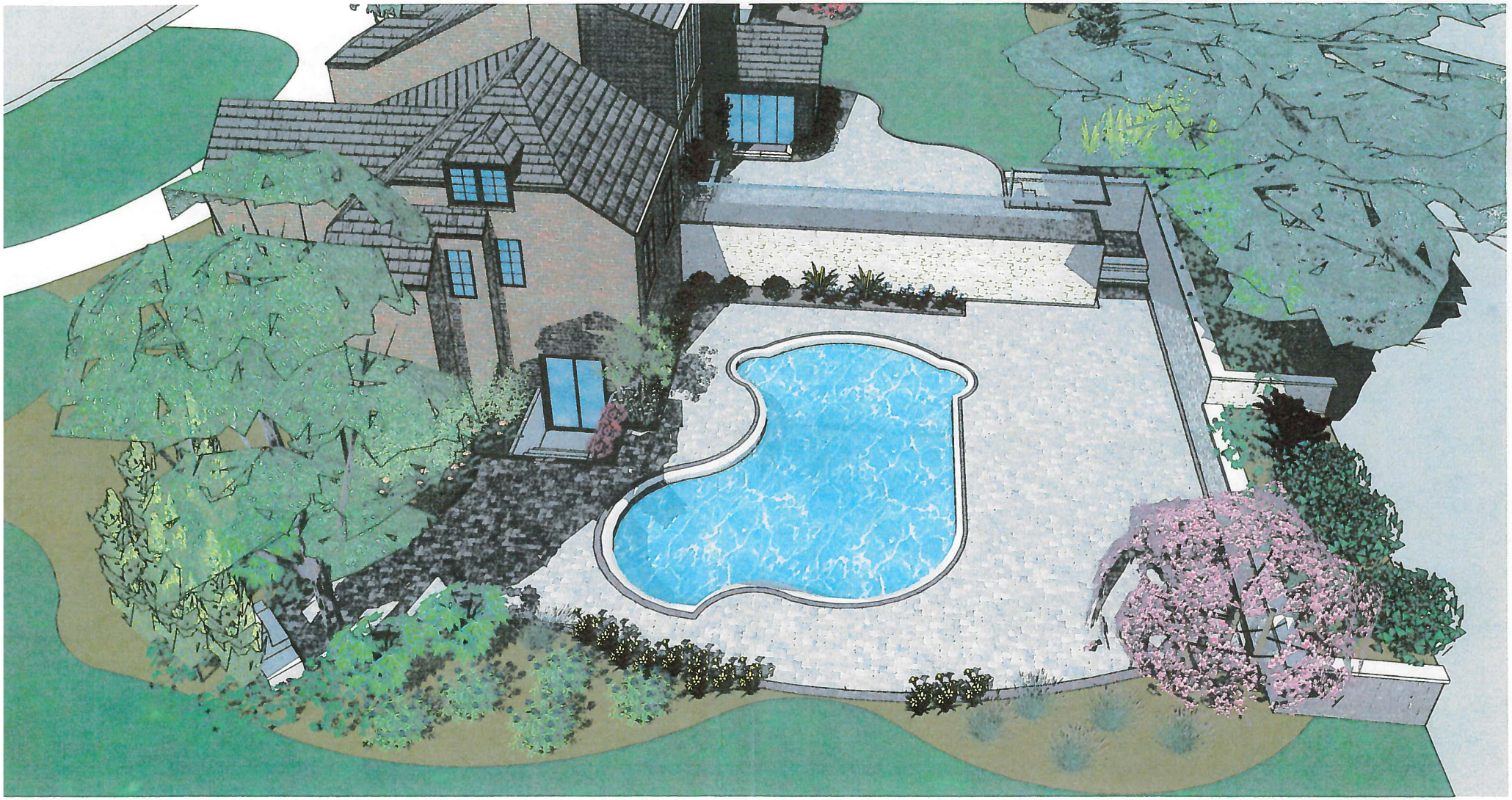


Village of Long Grove Illinois

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:** Tony & Michele Peradotti

Address: 1509 Sumter Drive, Long Grove

Telephone Number: (303) 378-4357 E-mail Address: michele.peradotti@gmail.com

Fax number: _____

Applicant's Interest in Property: Owners

1.2 **Owner (if different from Applicant).**

Name: _____

Address: _____

Telephone Number: _____ E-mail Address: _____

Fax number: _____

1.3 **Property.**

Address of Property: 1509 Sumter Drive

Legal Description: Please attach Parcel Index Number(s): 15-31-201-059

Present Zoning Classification residential (R3) Size of Property (in acres) 1.87

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: N/A

Describe the nature of the zoning relief granted: N/A

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:	residential/conservancy	same
South:	residential	same
East:	residential/conservancy	same
West:	residential	same

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).

_____ Appeal

_____ Code Interpretation

✓ Variation

_____ Special Use Permit (non-PUD)

_____ Zoning Map Amendment (rezoning)

_____ Zoning Code Text Amendment

_____ Preliminary PUD Plat

_____ 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) 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.

(b) 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 <u>Supplemental Information (per specific request)</u>:

__✓__ 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.

<u>Special Data Requests</u>. 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: Poul's Landscaping
Professional: Andrew Ptasienski
Address: 6754 Indian Creek Rd Long Grove, IL 60047
Telephone: (847) 949-6667
E-mail: _____

Name: Choice Cut Landscaping
Professional: Mike DiPietro
Address: 1000 Lee St. DesPlaines, IL 60016
Telephone: (847) 297-7967
E-mail: _____

Name: (Arborists) Robert W. Hendricksen Co.
Professional: Scott Sutherland
Address: 2131 S. Foster Av. Wheeling, IL 60090
Telephone: (847) 342-8733
E-mail: _____

Name: Michele Peradotti
Professional: Attorney
Address: 1509 Sumter Dr. Long Grove, IL 60047
Telephone: (312) 316-7573
E-mail: michele.peradotti@gmail.com

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: _____ 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.)

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: $ 350.00

_____ Planning Filing Fees. Amount: $_____

__✓__ Minimum Professional Fee/deposit Escrow. Amount $ 500.00

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.**

ANTHONY PERADOTTI
Name of Owner

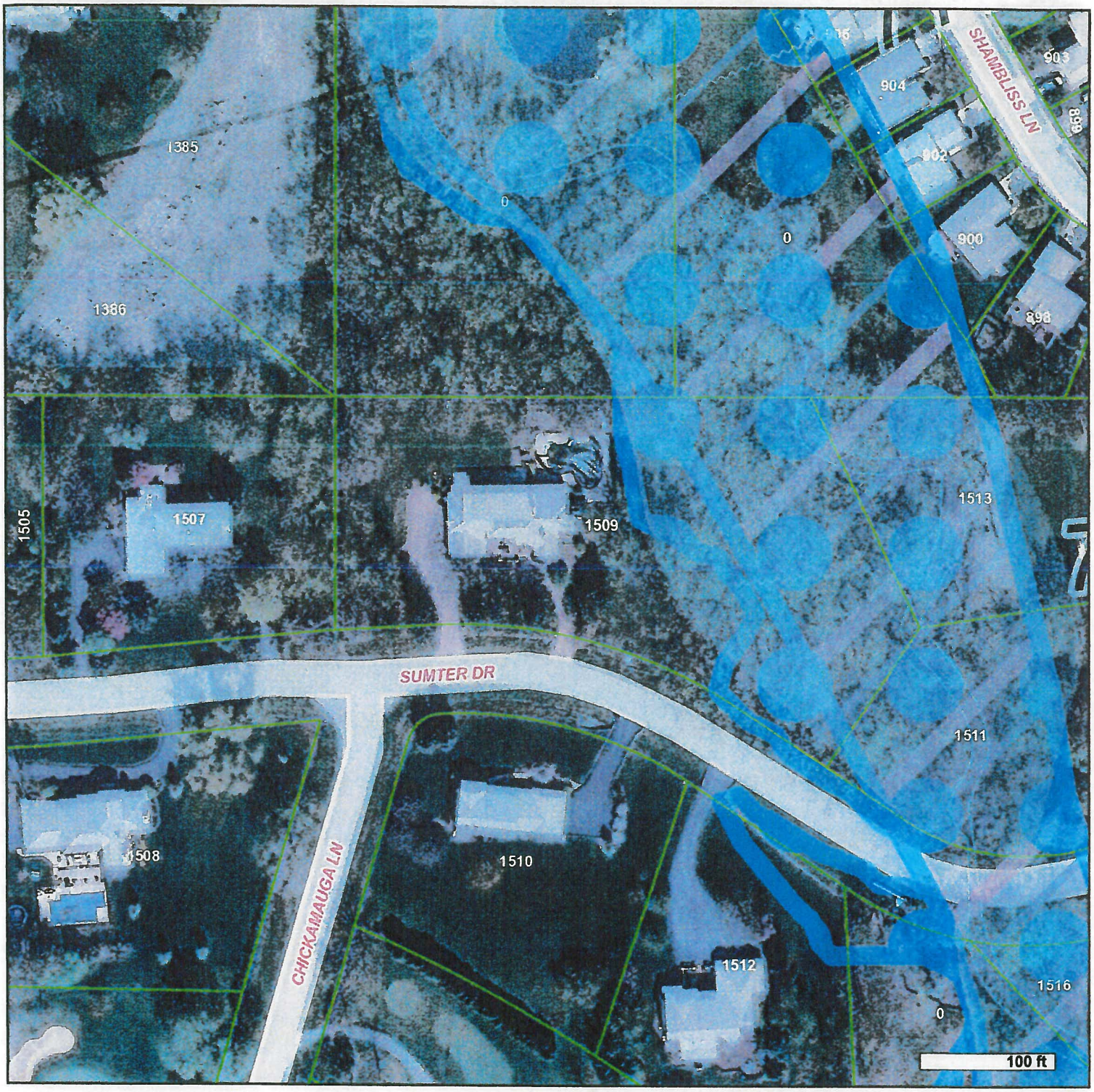
Name of Applicant

Anthony Peradotti 5/1/14
Signature of Owner Date

Signature of Applicant Date

FLOOD HAZARD MAP

Lake County, Illinois



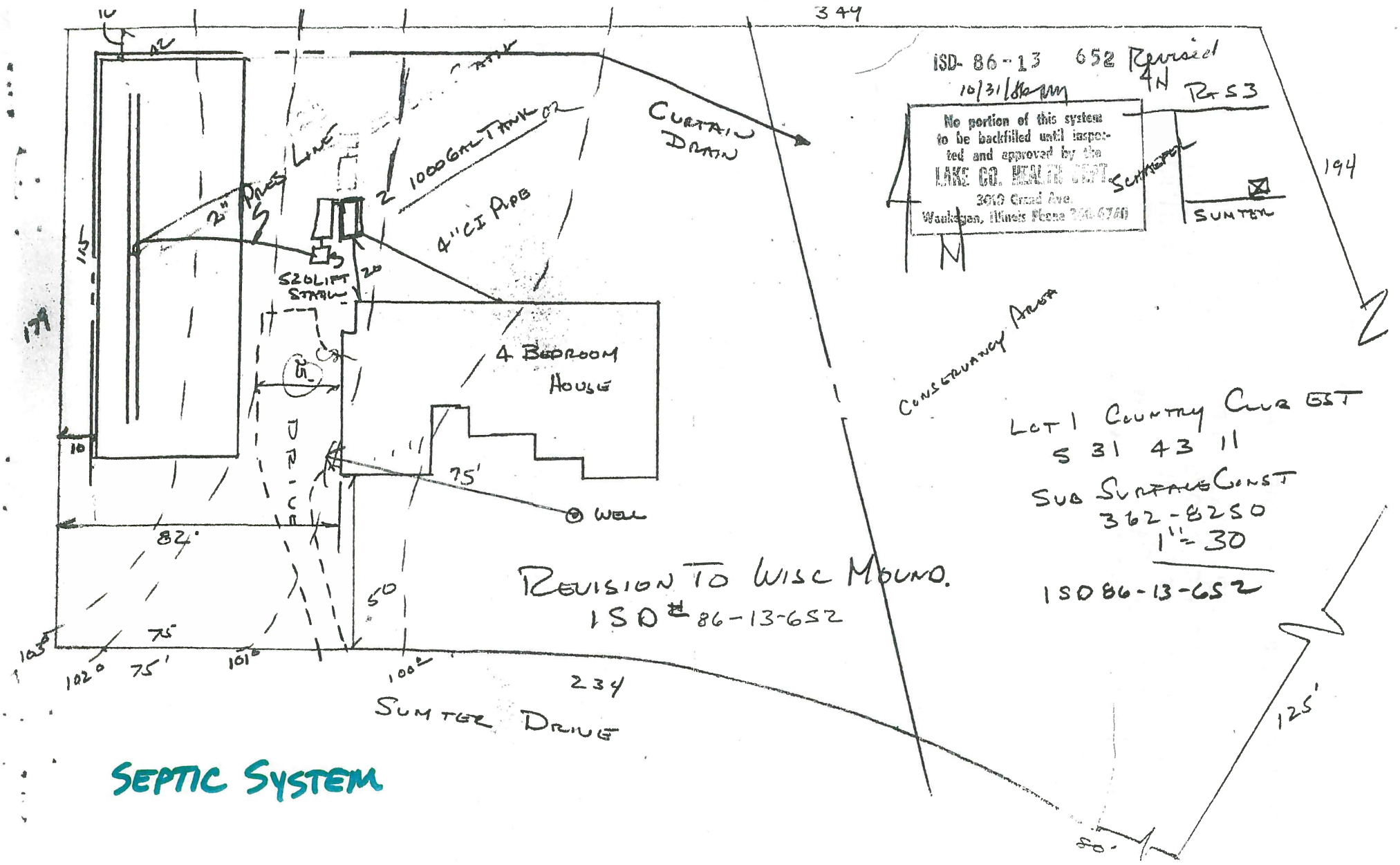
LakeCounty
Geographic Information System

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

Map Printed on 11/25/2013

- ADID Boundary
- 2011 Buildings
- General Structures
- FEMA Base Flood Elevation
- Special Flood Hazard Areas
- Floodway Areas In Zone AE
- Other Flood Areas
- Forest Preserves
- Wetlands
- Lake County Border
- Streams
- Tax Parcels
- Trails
- 2012 Aerial Photography

Disclaimer The selected soil feature layer 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.



SEPTIC SYSTEM

LEGAL DESCRIPTION FOR 1509 SUMTER DRIVE, LONG GROVE, ILLINOIS

LOT 1 IN RESUBDIVISION OF VACATED LOTS 208 THROUGH 230 INCLUSIVE, AND THAT PART OF SUMTER DRIVE, AS VACATED, IN LONG GROVE COUNTRY CLUB ESTATES UNITS 5 AND 7, IN THE NORTH HALF OF SECTION 31, TOWNSHIP 43 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED MAY 3, 1983 AS DOCUMENT NO. 2210605, IN LAKE COUNTY, ILLINOIS.

List of Current Property Owners Within 250 Feet of 1509 Sumter Drive

1. Milton Holdings LLC, 1386 Manassas Lane, Long Grove
2. Sara Jane Sturtz, Trustee, 1385 Manassas Lane, Long Grove
3. Crossing Pond Park, 0 Fremont Way, Long Grove
4. Gregory S. Marcson, 906 Shambliss Lane, Buffalo Grove
5. Bruno & Pearl Yaeger, 904 Shambliss Lane, Buffalo Grove
6. Vladimir Zaslavskly, 902 Shambliss Lane, Buffalo Grove
7. Francis & Noriko Sugano, 900 Shambliss Lane, Buffalo Grove
8. Buffalo Grove Park District, 0 Shambliss Lane, Buffalo Grove
9. James & Leslie Norman, 898 Shambliss Lane, Buffalo Grove
10. Thomas & Ivy Tuber, 896 Shambliss Lane, Buffalo Grove
11. The Grove Golf Course, 3217 Schaeffer Road, Long Grove
12. Qiang G. Chen & Qiuping Jia, 1505 Sumter Drive, Long Grove
13. Richard & Nancy Stevens, 1507 Sumter Drive, Long Grove
14. Steve & Pam Besbeas, 1508 Sumter Drive, Long Grove
15. Theodore & Beth Wanland, 1513 Sumter Drive, Long Grove
16. T. Pawlik & A. Cohn, 1511 Sumter Drive, Long Grove
17. Chuck & Wendy Nora, 1510 Sumter Drive, Long Grove
18. Dimitrios & Dimitria Fanellis, 1512 Sumter Drive, Long Grove
19. Edward J. Mendrala, 0 Sumter Drive, Long Grove
20. Charles & Lynn Grebus, 1516 Sumter Drive, Long Grove

LEGAL NOTICE
VILLAGE OF
LONG GROVE, ILLINOIS
NOTICE OF A PUBLIC HEARING FOR CONSIDERATION OF A VARIATION OF THE REAR YARD SETBACK REQUIREMENT FOR LOT 1 IN LONG GROVE COUNTRY CLUB ESTATES UNITS 5 & 7 AND ZONED UNDER THE R-2 ZONING DISTRICT CLASSIFICATION WITHIN THE VILLAGE OF LONG GROVE, ILLINOIS

PUBLIC NOTICE IS HEREBY GIVEN that on Tuesday, June 3, 2014 at 7:00 p.m., a public hearing will be held at the regular meeting of the Plan Commission & Zoning Board Appeals of the Village of Long Grove, at the Long Grove Village Hall, 3110 RFD, Long Grove, Illinois 60047, Lake County, Illinois, (unless otherwise posted) in connection with a petition for variation for a reduction of the rear yard set-back requirement from the required 40' feet down to 8' feet, within the R-2 Zoning District, for the construction of a deck & retaining wall and to allow the pre-existing pool to remain. No reclassification of the subject property is requested. The subject property is legally described as follows:

LOT 1 IN RESUBDIVISION OF VACATED LOTS 208 THROUGH 230 INCLUSIVE, AND THAT PART OF SUMTER DRIVE, AS VACATED, IN LONG GROVE COUNTRY CLUB ESTATES UNITS 5 & 7, IN THE NORTH HALF OF SECTION 31, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED MAY 3, 1983 AS DOCUMENT NO. 2210605, IN LAKE COUNTY, ILLINOIS.

Commonly known as: 1509 RFD, Long Grove, Illinois, 60047.

PIN: 15-31-201-059

Persons attending the hearing shall have the opportunity to provide written and oral comments and questions concerning the proposal. The above information, together with the plans for the property, will be available for inspection at the Long Grove Village Hall, 3110 RFD, Long Grove, Illinois during regular business hours.

The Plan Commission & Zoning Board of Appeals reserves the rights to continue the hearing to a later date and time and place should that become necessary.

James M. Hogue
Village Planner
Village of Long Grove

Published in Daily Herald May 16, 2014 (4373758)

RECEIVED
MAY 19 2014
VILLAGE OF LONG GROVE

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 May 16, 2014 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 Paula Baetzman
Authorized Agent

Control # 4373758

PADDOCK PUBLICATIONS, INC. ... SEAL ... ILLINOIS