Item #3:
Ordinance Granting Side & Front Yard Variations, 3514

12/06/13

VILLAGE OF LONG GROVE

ORDINANCE NO. 2013-O-

AN ORDINANCE GRANTING FRONT AND SIDE YARD SETBACK VARIATIONS FOR 3514 WOODLAND LANE

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this _____ Day of ,_____ 2013

Published in pamphlet form by direction
and authority of the Village of Long Grove
Lake County, Illinois
this _____ day of _____, 2013

VILLAGE OF LONG GROVE

ORDINANCE NO. 2013-O-

AN ORDINANCE GRANTING FRONT AND SIDE YARD SETBACK VARIATIONS FOR 3514 WOODLAND LANE

WHEREAS, Richard J. Levy ("***Owner***") is the owner of that certain real property commonly known as 3514 Woodland Lane, Long Grove, Illinois and legally described in Exhibit A, attached hereto ("***Property***"); and

WHEREAS, the Property is located in the R-1 Single Family Residence District and is currently improved with a single family residence ("***Residence***"); and

WHEREAS, the Owners desire to construct and addition (attached garage) onto the existing single family residence on the Property ("***Improvements***") as depicted in the plans attached hereto as Exhibit B ("***Plans***"); and

WHEREAS, the Improvements are proposed to be located no closer than approximately 76 feet from the front lot line and 41 feet from the north side lot line on the Property; and

WHEREAS, Paragraph 5-3-12 of the Long Grove Zoning Code requires minimum front and side yard setbacks of 100 and 50 feet, respectively, in the R-1 District; and

WHEREAS, the Owner submitted an application requesting variations from Paragraph 5-3-12 of the Long Grove Zoning Code to permit the construction of the Improvements to encroach into the front and north side yard setbacks; and

WHEREAS, the property is non-conforming with regard to lot size and the north side yard setback for the existing principal structure on the property; and

WHEREAS, pursuant to notice duly published in the *Daily Herald*, the Zoning Board of Appeals of the Village of Long Grove did conduct a public hearing on November 5th 2013, regarding Owners' request for variations; and

WHEREAS, the Plan Commission / Zoning Board of Appeals, having fully heard and considered the testimony by all those attending the public hearing who wished to testify, made the following findings:

1. The Property is located within the R-1 Single Family Residence District under the Long Grove Zoning Code.

2. Owner proposes to construct the Improvements, which Improvements would be located within the required front and north side yard setbacks but no closer than approximately 76 feet from the front lot line and 41 feet from the north side lot line.

3. The evidence presented indicates that construction of the Improvements in compliance with the Zoning Code will create a hardship because (i) the existing conditions of the Residence and its location vis-à-vis the mature trees, topography and floodplain on the Property make the construction of conforming Improvements impracticable; (ii) the requested setback variations are consistent with the character of the neighborhood; and (iii) the proposed location for the Improvements is the most aesthetically and architecturally logical location on the Property.

4. The evidence presented indicates that the construction of the Improvements in the proposed location on the Property will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, and will not result in other detrimental effects to the area of the Property. More specifically, the evidence showed that the construction of the Improvements in the proposed location on the Property would have a lesser impact on adjoining properties that if other alternative improvements were installed consistent with the zoning setbacks.

5. The evidence presented further indicates that the hardship and practical difficulties relating to Owners' requests for variations are based on the existing conditions of the Property that are unique in light of the existing development on and environs of the Property, and is not motivated by a desire to make more money out of the Property.

6. The evidence presented indicates that the construction of the Improvements, if undertaken in conformity with the recommended conditions and the Plans, will not alter the essential character of the Property and its environs and will otherwise satisfy all of the requirements for a variation under Section 5-11-15 of the Long Grove Zoning Code.

7. The non-conformities on the property were created prior to owner taking possession of the property and the Improvements as requested by owner will not serve to increase the degree of the existing non-conformities.

8. Village Staff reviewed and confirmed, pursuant to conditions recommended by the Plan Commission / Zoning Board of Appeals, that prior additions to the Residence were reviewed by and received permits from the Village and that the Improvements will be in compliance with all bulk requirements and recommended that the Village Board of Trustees grant the requested variation, subject to certain conditions and limitations; and

WHEREAS, the President and Board of Trustees, having considered Owners' request for a variation to permit the construction of the Improvements on the Property, and the findings and recommendations of the Plan Commission / Zoning Board of Appeals, have determined that it is in the best interests of the Village and its residents to grant Owner the requested zoning relief, subject to the terms and conditions of this Ordinance as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Approval of Variation. Pursuant to Section 5-11-15 of the Long Grove Zoning Code, and subject to the limitations therein and the conditions set forth in Section Three of this Ordinance, the Board of Trustees does hereby grant variations from the regulations contained in Paragraph 5-3-12 of the Long Grove Zoning Code to permit the construction of the Improvements on the Property to encroach into the required front and north side yard setbacks for the Property, but no closer than 76 feet from the front lot line and 41 feet from the north side lot line on the Property, as more fully depicted on the Plans.

SECTION THREE: Conditions on Approval. The relief granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following

conditions, the violation of any of which shall, in the discretion of the President and Board of Trustees, render void the approvals granted by this Ordinance:

A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

B. Compliance with Laws. The Zoning Code, the Subdivision Code, the Building Code, and all other applicable ordinances and regulations of the Village shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

C. Tree Preservation. The Owners will fully comply with the tree preservation ordinance as it relates to the construction of the Improvements.

D. Plan Compliance. The Improvements must be located on the Property in substantial compliance with the Plans attached hereto as Exhibit B.

E. Fees and Costs. The Owners shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the Long Grove Zoning Code. In addition, the Owners shall reimburse the Village for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the Village shall have the right to foreclose such lien in the name of the Village as in the case of foreclosure of liens against real estate.

F. Final Plans. The Owners shall submit final plans, including a final site plan, identifying to the Village's satisfaction, lot lines, setbacks, and dimensions of the Improvements.

SECTION FOUR: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the Village Board of Trustees, be of no force or effect if Owners have not (i) executed and (ii) thereafter filed with the Village Clerk, within 30 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit C and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein. The Village Clerk is hereby directed to record this Ordinance and such agreement and consent with the Recorder of Deeds of Lake County.

PASSED this _____ day of , 2013.

AYES:

NAYS: ABSENT:

APPROVED this _____ day of _____, 2013.

_____
Village President, Angie Underwood

ATTEST:

_____
Village Clerk, Heidi Locker-Scheer

#11154238_v2

EXHIBIT A

Legal Description of Property

LOT 16 in Bennington, being a subdivision of part of Section 26 and 35, Township 43 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded April 18, 1969 as document 1418135 in Book 47 of Plats, page 53, in Lake County, Illinois.

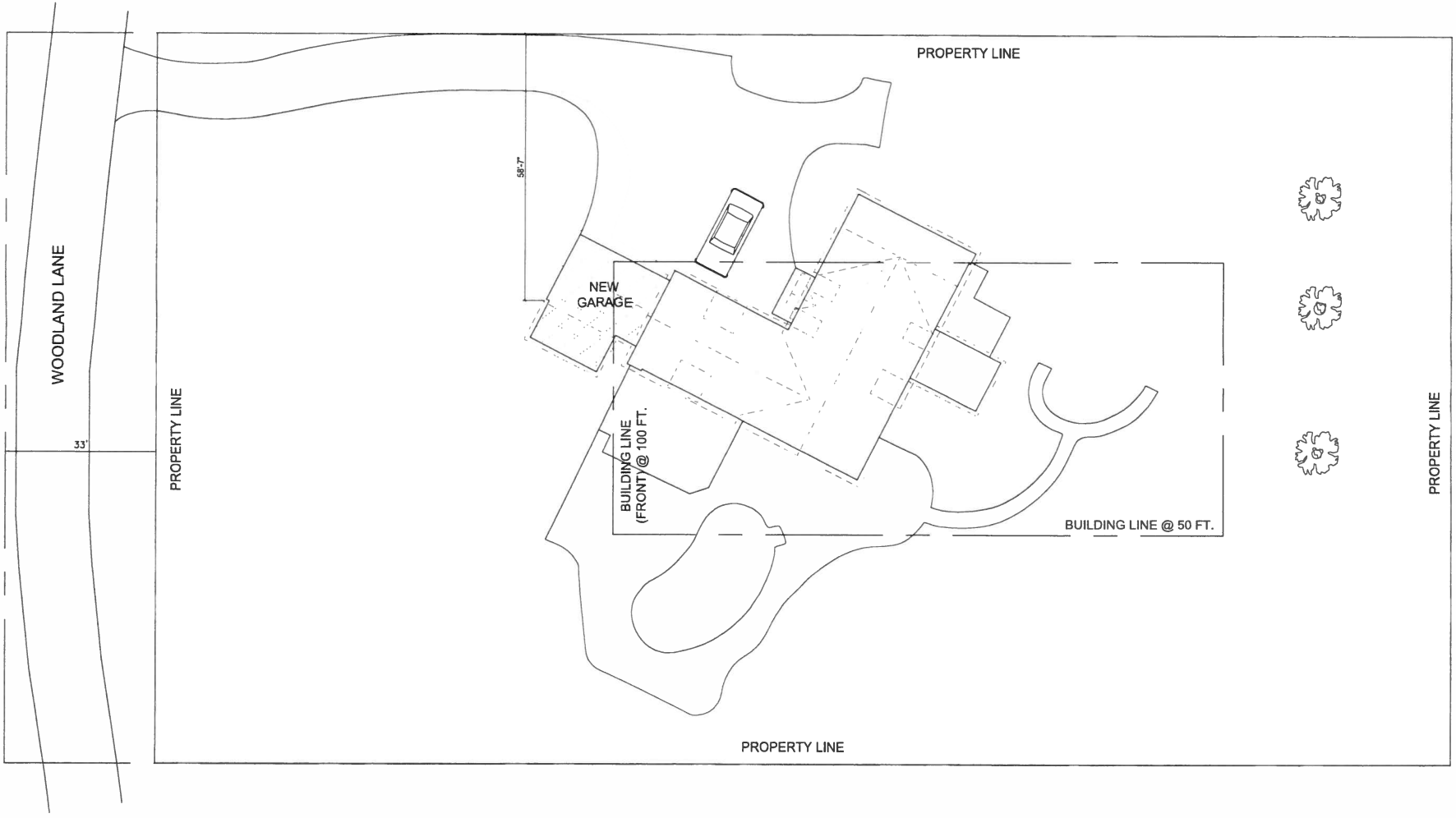
Commonly known as: 3514 Woodland Lane, Long Grove, Illinois, 60047.

PIN: 14-26-402-018

EXHIBIT B

Plans

CONSTRUCTION OF A 1,464 SQ. FT DETACHED GARAGE FOR A SINGLE-FAMILY RESIDENCE



1 SITE PLAN
SCALE: 1/16" = 1'-0"

REV.	DATE	BY	CHK	APPR	PURPOSE
1	9/3/2013				
2					
3					
4					
5					

LEVY RESIDENCE
3514 WOODLAND LANE
LONG GROVE, IL

DRAWN:

date

LICENSED ARCHITECT ANDREW Z. LIPOWSKI 001009882 STATE OF ILLINOIS

expires 11/30/2014

signature

DATE UPDATED:
9/3/2013

SYNERGIES STUDIOS INC.
DESIGN-BUILD ARCHITECTS & ENGINEERS
1200 N ASHLAND AVE.
CHICAGO, IL 60622
PH. 847.658.1478
www.synergiesstudios.com

PROJECT LOCATION:
LONG GROVE, IL

SHEET NAME:
TITLE SHEET

SHEET NUMBER:
G1.0

1 WEST ELEVATION
SCALE:1/4" = 1'-0"

2 SOUTH ELEVATION
SCALE:1/4" = 1'-0"

3 EAST ELEVATION
SCALE:1/4" = 1'-0"

LEVY RESIDENCE
3514 WOODLAND LANE
LONG GROVE, IL

REV.	DATE	BY	CHK	APPR	PURPOSE
1	9/3/2013				

SEAL:

date

LICENSED ARCHITECT
ANDREW Z. LIPOWSKI
001009882
STATE OF ILLINOIS

expires 11/30/2014

signature

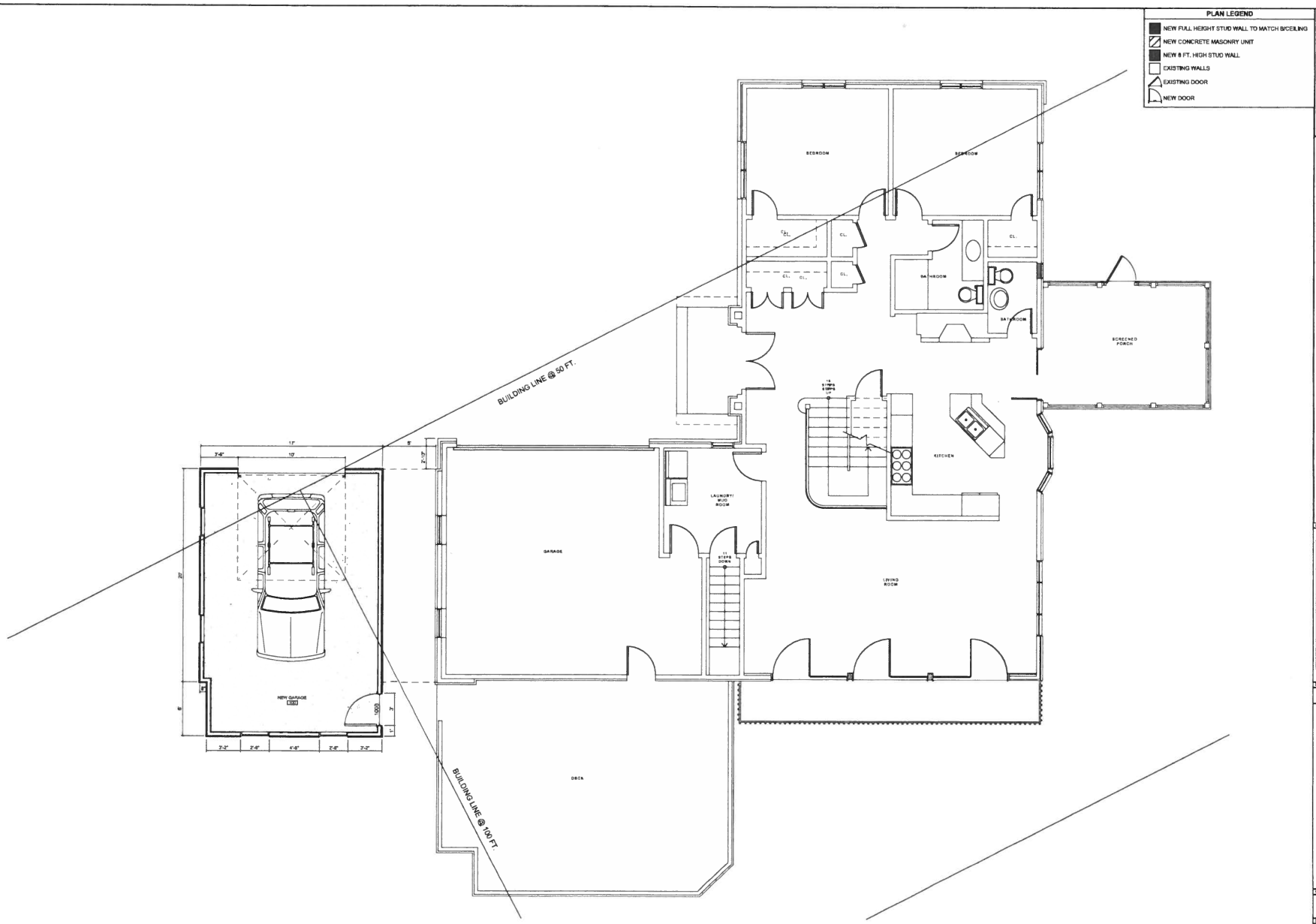
DATE UPDATED:
9/3/2013

SYNERGIES STUDIOS INC.
DESIGN-BUILD ARCHITECTS & ENGINEERS
1200 N ASHLAND AVE.
CHICAGO, IL 60622
PH. 847-858-1478
www.synergiesstudios.com

PROJECT LOCATION:
LONG GROVE, IL

SHEET NAME:
ELEVATIONS

SHEET NUMBER:
A2.0



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

PLAN LEGEND

- NEW FULL HEIGHT STUD WALL TO MATCH B/CEILING
- NEW CONCRETE MASONRY UNIT
- NEW 8 FT. HIGH STUD WALL
- EXISTING WALLS
- EXISTING DOOR
- NEW DOOR

REV.	DATE	BY	CHK	APPR	PURPOSE
1	9/3/2013				

LEVY RESIDENCE
3514 WOODLAND LANE
LONG GROVE, IL

SEAL

Date

LICENSED ARCHITECT
ANDREW Z. LIPOWSKI
001009882
STATE OF ILLINOIS

expires 11/30/2014

Signature

DATE UPDATED:
9/3/2013

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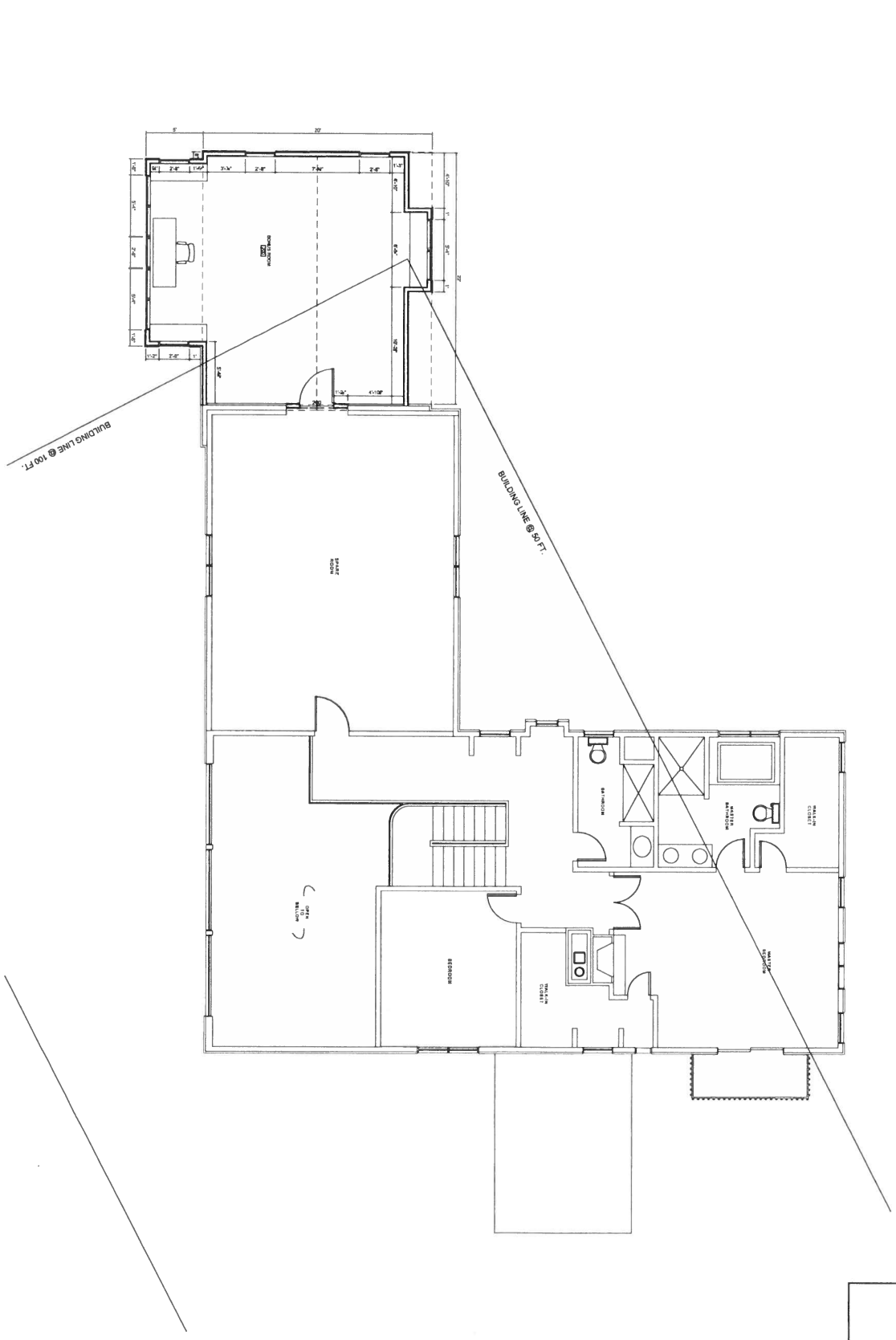
CHICAGO, IL 60622
PH. 847-858-1478
WWW.SYNERGIESSTUDIOS.COM

PROJECT LOCATION:
LONG GROVE, IL

SHEET NAME:
FLOOR PLAN

SHEET NUMBER:
A1.0



LEVY RESIDENCE
3514 WOODLAND LANE
LONG GROVE, IL

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1200 N ASHLAND AVE.
CHICAGO, IL 60622
PH. 847-858-1478
WWW.SYNERGIESSTUDIOS.COM

DATE ISSUED: 9/3/2013

LICENSED ARCHITECT
ANDREW Z. LIPOWSKI
001000082
STATE OF ILLINOIS
11/30/2014
Signature

SHEET NAME: SECOND FLOOR PLAN
SHEET NUMBER: A1.1
PROJECT LOCATION: LONG GROVE, IL

REV.	DATE	BY	CHK.	APPR.	PURPOSE
1	6/29/2013				
2	—				
3					
4					
5					
6					

EXHIBIT C

Unconditional Agreement and Consent

Pursuant to Section Four of Long Grove Ordinance No. 2013-O-____ ("***Ordinance***"), and to induce the Village of Long Grove to grant the approvals provided for in such Ordinance, the undersigneds acknowledges for themselves and their successors and assigns in title to the Property that they

1. have read and understand all of the terms and provisions of Ordinance No. 2013-O-___;

2. hereby unconditionally agree to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the Long Grove Zoning Code, and all other applicable codes, ordinances, rules, and regulations;

3. acknowledge and agree that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits for the use of the Property, and that the Village's issuance of any permit does not, and shall not, in any way, be deemed to insure the Owners against damage or injury of any kind and at any time;

4. acknowledge that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance;

5. agree to and do hereby hold harmless, defend, and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of these parties with respect to the Property and the Village's adoption of the Ordinance or granting the approvals to the Owners pursuant to the Ordinance; and

6. represent and acknowledge that the persons signing this Unconditional Agreement and Consent are duly authorized to do so on behalf of the Owners of the Property.

OWNERS:

Richard J. Levy

_____

ATTEST:

_____