

**LAKE ZURICH ZONING BOARD OF APPEALS
REGULAR MEETING
70 East Main Street**

Thursday, February 19, 2015, 7:30 p.m.

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL:** Chairperson Vincent McCormack, Brian Burch,
John Hagan, Gerald Kmiecik, Henry Paulus, David Rubin, Marc Spacone
- 3. CONSIDERATION OF MINUTES**
 - A. August 21, 2014
 - B. October 16, 2014
 - C. November 20, 2014
- 4. PUBLIC HEARINGS**
 - A. Whitney Shores Subdivision Pier – Lake Zurich Drive
 1. Variation from Zoning Code Subsection 9-7C-3A4 to increase the total deck area of the pier from 200 square feet to 1,544 square feet;
 2. Variation from Zoning Code Subsection 9-7C-3A8 to increase the pier into the waterway from allowable 50 feet to 166 feet;
 3. Variation from Zoning Code Subsection 9-7C-3A9 to reduce the side yard of the pier from 10 feet to 0 feet (east side)
- 5. NEW BUSINESS/ANNOUNCEMENTS**
 - A. Next Meeting of the Zoning Board of Appeals: March 19, 2015
- 6. ADJOURNMENT**

The Village of Lake Zurich is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA coordinator at 847/438-5141 (TDB #438-2349) promptly to allow the Village to make reasonable accommodations.

Unapproved
**VILLAGE OF LAKE ZURICH
ZONING BOARD
OF APPEALS MEETING
AUGUST 21, 2014**

The meeting was called to order by Chairman McCormack at 7:30 p.m.

ROLL CALL: *Present* - Chairman McCormack, Commissioners Burch, Hagan, Kmiecik, Paulus, Spacone, and Rubin (7:32). *Also present* – Zoning Inspector Meyer.

APPROVAL OF MINUTES:

APPROVAL OF THE MARCH 20, 2014 ZONING BOARD OF APPEALS MINUTES:

MOTION was made by Commissioner Kmiecik, seconded by Commissioner Hagen, to approve the March 20, 2014 Zoning Board of Appeals minutes as submitted. Voice vote, AYES have it. MOTION CARRIED. (Commissioners Paulus, Spacone, and Rubin abstained.)

PUBLIC HEARING:

**Oakwood Commons – 620 E. Route 22, Variation from Zoning Code Subsection 10-101F
reducing the required number of parking spaces**

The public hearing was opened at 7:32 p.m. Commissioner McCormack swore in those wishing to testify.

Tom Niemira, real estate consultant, was representing the property owner, the DiMucci Companies. He provided an overview of the proposed gaming parlor that would also serve food and alcoholic beverages. He summarized his response dated August 20, 2014 to Building and Zoning Manager Peterson's memorandum. A survey from Doland Engineering showing 10 additional parking spaces behind and to the north of the building that will be permanently striped for use by the businesses was provided. He agreed there was some merit in the suggestion by the Fire Department that parking be restricted in the front access aisle closest to Route 22. He did not agree that peak customer attendance would take place during dining hours since the primary purpose to visit the store is for gaming and not for the purpose of eating and drinking so there would not be a parking conflict with the other restaurants. He will review the rear dumpster enclosures to be sure they have working gates. Mr. Niemira was unable to provide a menu but said Stella's will provide hot food because 7-11 has a provision that prohibits other tenants from selling cold sandwiches.

Discussion followed. The site plan was reviewed and there were differing interpretations on the number of parking spaces that would be provided due to reconfiguration and striping. Zoning Inspector Meyer calculated a total of 79 spaces. Commissioner Burch suggested the four trash enclosures be combined into two, which would open up more space for parking. Commissioner Paulus recommended the retention pond in the front be removed and retention be provided underground, which would open up a great deal of space. Mr. Niemira said he would have his civil engineer review that option and would look into the feasibility of combining the trash enclosures. Mr. Niemira said according to the Village's calculations, the site is already may be deficient in parking even without Stella's. He said Rosati's has had 20 staff members during their

peak times. Zoning Inspector Meyer said Stella's is required to have 7.66 spaces and the shopping center was "maxed-out" with parking unless another tenant leaves or reduces their staff.

The public hearing was closed at 7:59 p.m.

Commissioner Hagan said managing tenants and overseeing parking was the responsibility of the owner/landlord. He questioned Mr. Niemira's representation of Stella's as a gaming facility with food and alcohol incidental to the gaming. Several members concurred that there was severe congestion during peak times resulting in unsafe conditions. They all concurred with Commissioner Hagan's observations.

MOTION made by Commissioner Hagan, seconded by Commissioner Rubin, to recommend the Board of Trustees grant a variation from Zoning Code Subsection 10-101F to authorize a reduction in the total number of parking spaces required.

AYES: 0

NAYS: 7 Chairman McCormack, Commissioners Burch, Hagan, Kmiecik, Paulus, Spacone, and Rubin.

ABSENT: 0

MOTION DENIED

ADJOURNMENT:

MOTION was made by Commissioner Kmiecik, seconded by Commissioner Hagan, to adjourn the meeting. Voice vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 8:03 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved: _____

Vincent McCormack, Chairman Zoning Board of Appeals

UNAPPROVED
VILLAGE OF LAKE ZURICH
ZONING BOARD OF APPEALS
OCTOBER 16, 2014

The meeting was called to order by Chairman McCormack at 7:30 p.m.

ROLL CALL: *Present – Chairman McCormack.*

Also present – Commissioner Kmiecik, Zoning Inspector Mary Meyer

PUBLIC HEARING:

1240 Stratford Court – Lubera Residence, Variation from Zoning Code Subparagraph 3-111E6(h) to reduce the required rear yard for a patio

The public hearing was opened at 7:31 p.m. and continued.

The meeting adjourned at 7:33 p.m.

Submitted by: Mary Meyer, Zoning Inspector/Plan Reviewer

APPROVED: _____

UNAPPROVED
VILLAGE OF LAKE ZURICH
ZONING BOARD OF APPEALS
NOVEMBER 20, 2014

The meeting was called to order by Chairman McCormack at 7:30 p.m.

ROLL CALL: *Present – Chairman McCormack.*
Also present – Zoning Inspector Mary Meyer

PUBLIC HEARING:

1240 Stratford Court – Lubera Residence, Variation from Zoning Code Subparagraph 3-111E6(h) to reduce the required rear yard for a patio

The public hearing was opened at 7:31 p.m. and continued.

The meeting adjourned at 7:33 p.m.

Submitted by: Mary Meyer, Zoning Inspector/Plan Reviewer

APPROVED: _____



COMMUNITY SERVICES DEPARTMENT
Building and Zoning Division


505 Telser Road
Lake Zurich, Illinois 60047

(847) 540-1696
Fax (847) 726-2182
LakeZurich.org

At the Heart of Community

MEMORANDUM

TO: Chairman McCormack
Zoning Board of Appeals Members

FROM: Daniel A. Peterson 
Building & Zoning Manager

DATE: February 12, 2015

RE: Lake Zurich Drive – Whitney Shores Homeowner's Association Pier Expansion

Whitney Shores Homeowner's Association had begun construction of pier decking replacement, and pier expansion. Some of the pier expansion is in violation of Lake Protection standards in the Zoning Code, and there is currently no authorized variation to these standards. Therefore, the Whitney Shores Homeowner's Association has applied separately for a Text Amendment to allow relief by variation to the Lake Protection standards, and for a Variation to allow the expanded square footage, length, and a reduction in side yard setbacks.

Manhard Engineering, the Village's engineering consultant, has requested additional information including a detailed drawing, approval from Illinois Department of Natural Resources (DNR) and approval from Army Corps of Engineers.

Correspondence is attached for reference from residence, Deborah Dettlaff, and LPOA President Mike Schroeder, stating their opinions of the request.

Subject to an approved Text Amendment, relief is sought for pier expansion from the following regulations of the Lake Protection district:

- 1) Zoning Code Subsection 9-7C-3A4 to increase the total deck area of the pier from 200 square feet to 1,544 square feet;
- 2) Zoning Code Subsection 9-7C-3A8 to increase the pier into the waterway from allowable 50 feet to 166 feet;
- 3) Zoning Code Subsection 9-7C-3A9 to reduce the side yard of the pier from 10 feet to 0 feet (east side)

I submit this application and all pertinent documentation to the Zoning Board of Appeals for review and recommendation.

Enclosures

1/21/15	Application with attachments
2/11/15	Zoning review
2/9/15	Engineering review
2/3/15	Fire Department review
2/4/15	Police Department review
1/23/15	Letter from Mike Schroeder of LPOA
2/10/15	e-mail from Deborah Dettlaff

ZONING REVIEW

Project: Whitney Shores Homeowner's Association Pier Expansion
Text Amendment to allow variations to Lake Protection requirements,
Variation to allow added square footage and length, and reduction of side yard
Location: Common area between 16 and 26 Lake Zurich Drive
Reviewed by: Mary Meyer
Date: February 11, 2015
Documents Rev'd: Application dated 1/21/15, e-mail with pier details dated 1/26/15, plat of survey indicating pier location, Zoning Code, Land Development Code

Whitney Shores Homeowner's Association had contracted for and construction begun for pier decking replacement, and pier expansion. The expansion is proposed to allow all non-lakefront owners in the Whitney Shores Subdivision have pier access. The expansion was stopped and pier details discussed with the homeowner's association representative, Todd Minden. Some of the pier expansion is in violation of Lake Protection standards in the Zoning Code, and there is currently no authorized variation to these standards. Therefore, the Whitney Shores Homeowner's Association has applied for a Text Amendment to allow relief by variation to the Lake Protection standards, and for a Variation to allow the expanded square footage, length, and a reduction in side yard setbacks. Review is as follows:

- 1) **Zoning:** R-5 Single Family
- 2) **Improvement:** Association pier expansion
- 3) **Authorized Variations:** Chapter 17 of Zoning Code lists the specific variations that may be sought. The text amendment sought would add to this chapter the allowance for relief from Lake Protection regulations.
- 4) **Lake Protection District:** The restrictions of Zoning Code Chapter 7 Lake Protection District are attached for reference
- 5) **Pier Area:** Allowed: Not to exceed 200 square feet.
Existing: unknown
Proposed: 1,544 square feet
- 6) **Pier Length:** Allowed: No pier shall project into any waterway more than 50 feet.
Existing: +/- 110 feet
Proposed: 166 feet
- 7) **Pier Setback:** Required: No pier shall be located within 10 feet of any property line
Existing: unknown
Proposed: 0 foot side yard setback (to east)
- 8) **Permit:** Pending final Board decision on request, permit will be processed for construction to continue, or pier encroachments to be completely removed.

Conclusion

- Consideration for Text Amendment to allow relief by Variation of Lake Protection regulations, shall be based on standards outlined in Zoning Code Chapter 18.
- Consideration for Variation from Lake Protection requirements subject to granting of Text Amendment. Variation for pier expansion for Whitney Shore Homeowner's Association including square footage, length, and yard reduction shall be based on standards outlined in Zoning Code Chapter 17.

Mary Meyer

From: TODD MINDEN <toddminden@msn.com>
Sent: Monday, January 26, 2015 10:29 AM
To: Mary Meyer
Cc: John Michel
Subject: RE: Whitney Shores

Hi Mary...

1. Total Square Footage proposed: 1,544
2. Length: 122' from land (formerly 95'), longest point from shore is 166' (formerly ~110')
3. We are not looking for a setback variance on the land, only out in the water. We are remaining entirely on Whitney Shores property and requesting zero setback in the water for the end point of the 122' section of pier which is adjacent to Mike Schroeder's property (note this has been discussed with the Schroeder's and he has approved this).

Do you need me to bring in more copies of the LPOA letter?

Also, can I come pickup the address list and letter for the mailing this morning?

Thank you,
Todd

CHAPTER 7

SPECIAL DISTRICTS AND OVERLAY DISTRICTS

ARTICLE C. LAKE PROTECTION DISTRICT

SECTION:

- 9-7C-1: Purposes
- 9-7C-2: Overlay District
- 9-7C-3: Additional Permitted Uses
- 9-7C-4: Special Development Regulations

9-7C-1: **PURPOSES:** The village of Lake Zurich enjoys the privilege of having within its borders the lake of Lake Zurich. The lake has unique qualities and characteristics and a strong impact on the overall character of the village. The lake's distinctive characteristics deserve special protection, and the appropriate development and use of lakefront property requires special rules and regulations. The LP lake protection district is established to protect and preserve the special qualities and characteristics of the lake and thereby preserve the quality of its impact on the village. (Ord., 10-2004)

9-7C-2: **OVERLAY DISTRICT:** The LP lake protection district appears on the zoning map as an "overlay district", imposed on top of other districts created by this zoning code and referred to in this article as "base districts". Development of properties in the LP lake protection district must comply both with the regulations of the LP lake protection district and with the regulations of the base district in which they are located. When there is any conflict between the regulations of the LP lake protection district and the regulations of the base district, the regulations of the LP lake protection district shall control. (Ord., 10-2004)

9-7C-3: **ADDITIONAL PERMITTED USES:** In addition to any use authorized by the regulations of the base district, the following

uses may be permitted in the LP lake protection district, subject to the limitations placed thereon by this section.

A. Piers, subject to the following limitations:

1. No more than one pier shall be permitted per each seventy five feet (75') of lake frontage on any zoning lot.
2. The deck of any pier shall not extend more than four feet (4') above the mean high water level of the lake (currently known to be elevation 844 USGS datum).
3. No structure or part of a pier may extend above the level of the deck except that protective, decorative, or ornamental appurtenances such as handrailings, benches, and the like may extend to a height of forty two inches (42") above the deck.
4. The total deck area of a pier shall not exceed two hundred (200) square feet.
5. No pier shall be more than four feet (4') wide at any point, except as required for accessibility under applicable state or federal law.
6. Every pier shall be constructed entirely of noncorrosive or decay resistant materials such as coated steel, aluminum, cedar, redwood, or Wolmanized® or similarly treated wood.
7. No pier shall project into the middle twelve feet (12') of any waterway.
8. No pier shall project into any waterway more than fifty feet (50') from the mean high water elevation at the bank of such waterway.
9. No pier shall be located within ten feet (10') of any property line as extended into the waterway.

B. Rafts And Other Floating Devices: Subject to the following limitations:

1. The deck of any such raft or device shall not extend more than four feet (4') above water level.
2. The total deck area of all such rafts or devices may not exceed two hundred (200) square feet per zoning lot.

3. No single horizontal dimension of any such raft or device may exceed twelve feet (12'). (Ord. 2008-12-603, 12-15-2008; amd. Ord. 2012-08-852, 8-20-2012)

9-7C-4: SPECIAL DEVELOPMENT REGULATIONS:

- A. **Fill Compensation:** Whenever any development requires placement of fill, or of a building, structure, or recreational device or vehicle, at or below the mean high water level of the lake (currently known to be elevation 844 USGS datum), then the volume of space occupied by such fill, building, structure, device, or vehicle shall be compensated for and balanced by an equal volume of excavation taken from below said mean high water level.
- B. **Erosion Protection:** All construction shall be designed to prevent the seepage or erosion of any fill or other material into the water of the lake.
- C. **Exterior Appearance Review:** No construction or development requiring a building permit and affecting the exterior appearance of any structure shall be permitted on property zoned in the LP lake protection district and in the following base districts except after approval of the building permit pursuant to chapter 21 of this title. Exterior appearance review shall be required for the following base districts within the LP lake protection district: R-6, B-1, B-2, B-3, O-1, O-2, O-3, I, OS, and IB. (Ord., 10-2004)



COMMUNITY SERVICES DEPARTMENT
Public Works Division

505 Telser Road
Lake Zurich, Illinois 60047

(847) 540-1696
LakeZurich.org

At the Heart of Community

February 9, 2015

Sam Hubbard, Village Planner
Village of Lake Zurich
505 Telser Road
Lake Zurich, Illinois 60047

PRELIMINARY ENGINEERING REVIEW

DEVELOPMENT: Whitney Shores Pier Expansion
Whitney Shores Subdivision

ITEMS RECEIVED:

- 1) Plat of Survey providing existing and proposed conditions, undated.
- 2) Annexation and Zoning Application prepared by the Vice President of Whitney Shores Subdivision, dated January 21, 2015.

On behalf of the Village of Lake Zurich, Manhard Consulting, Ltd. has completed a preliminary review of the above referenced material for conformance with the Village ordinances and general accepted engineering practices. We reserve the right to generate additional comments on future submittals. The comments below are preliminary in nature. A detailed review will be provided with the final plan set. By copy of this letter we request that the Applicant address all comments in a response letter and submit the appropriate revisions for further review.

Preliminary Engineering Plan Set

- 1) Provide a detailed drawing of the proposed pier.
- 2) Provide correspondence and signoff from the Illinois Department of Natural Resources (IDNR).
- 3) If the pier is to be anchored, provide correspondence and signoff from the Army Corps of Engineers.

If you should have any questions, please do not hesitate to contact me.

Yours truly,
MANHARD CONSULTING, LTD.

Peter Stoehr, P.E.
Village Engineer

LZLZ8/Documents/1504/Preliminary Review

cc: Betty Harrison, EQC Supervisor
Carol Lustig, Permit Coordinator
Dan Peterson, Building & Zoning Manager



FIRE DEPARTMENT

Fire Prevention Bureau

1075 Old McHenry Road
Lake Zurich, Illinois 60047

(847) 540-5073

FAX: (847) 550-1779

LakeZurich.org

At the Heart of Community

February 3, 2015

Mr. Sam Hubbard
Village Planner
Village of Lake Zurich
505 Telser Road
Lake Zurich, IL 60047

RE: PR15-018 – WHITNEY SHORES ANNEXATION – NEW PIER

Sam:

After reviewing the proposed pier submittal, I have the following comment:

1. If there is any type of security gate installed, then we would request that a Knox Key Box be installed for emergency access.

If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Kleinheinz".

Robert Kleinheinz
Lake Zurich
Fire Prevention Bureau

Village of Lake Zurich

Steven D. Husak
Chief of Police



Serving with Pride

Interdepartmental Memorandum
Commander David M. Bradstreet

Police Department

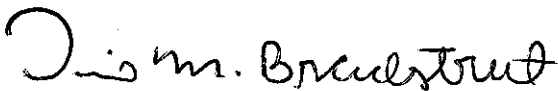
Support Services Division

February 4, 2015

To: Mary Meyer
Subject: Whitney Shores

I have reviewed the application along with Vince McCormack from the Marine Unit. The approval of the variance would not create any problems related to safety or enforcement for the Police Department. If you have any questions do not hesitate to contact me.

Respectfully



David M. Bradstreet
Support Services Commander

Lake Zurich Property Owners Association

January 23, 2015

Todd Minden and Holly Tobin

Whitney Shores Association

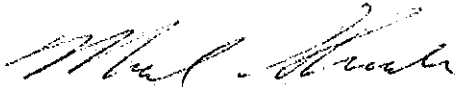
Dear Holly and Todd,

The LPOA - Lake Zurich Property Owners Association officers and board members meet in 2013 and reviewed your proposal to install a new pier on your land at Whitney Shores. This request was supported at that time with the understanding that Whitney Shores Association and members would continue to follow the 16 boat maximum for non lake front homes as stated in the LPOA bi laws.

The LPOA - Lake Zurich Property Owners Association officers and board members meet again on Thursday, January 22, 2015 and again approved the new pier with the understanding that Whitney Shores Association and members would continue to follow the 16 boat maximum for non lake front homes as stated in the LPOA bi laws.

Please let me know if you have any questions.

Thanks for your continued support and cooperation with the LPOA and other home owners, associations and clubs.

A handwritten signature in black ink, appearing to read "Mike Schroeder", is written over a horizontal line.

Mike Schroeder

LPOA President

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Deborah Dettlaff <dettmom3@att.net>

Sent: Tuesday, February 10, 2015 4:20 PM

To: Lee; 'Michael Schroeder'; 'Franklin Crane'; shawjm919@sbcglobal.net; 'chad karecki'; 'Dave Mauer'; 'Dick Schick'; 'Frederick Branding'; 'Holly Tobin'; 'Janice Gannon'; 'Jim Iverhouse'; 'John Schweda'; 'Les Murin'; 'Olindo Alo'; 'Randy Crain'; 'Ryan Heybeck'; 'Susan Wideman'; 'Suzanne Branding'; 'Tom Griffith'; 'Turas'; 'Philip Gargano'; 'Jackie Tryba'; 'Colin Minden'; 'Steve Ursin'; 'Sally Kutsor'; 'gary ahrens'; 'Doug Morton'

Reply To: Deborah Dettlaff

Subject: Re: Zoning Issue

I would recommend that the zoning stays "as is", and piers not be allowed to extend over property lines extending into the water. Ideally they should be held 10 feet inside the property lines and boats on those piers should also stay within the property lines. Deb Dettlaff

On Tuesday, February 10, 2015 2:19 PM, Lee <leeplate@att.net> wrote:

Hi,

There is a zoning issue going on with the Village that may affect all of us. You'll recall that Whitney Shores asked about replacing their pier/dock system and we unanimously agreed with their project as it stayed within the total boat allotments for their association. A variance for zero set-back from the property line is part of that request.

We are supporting Whitney's new docks but have concerns about the set-back variance. While a separate legal agreement between neighbors regarding set-backs for piers/docks may be fine, there is some concern if that would be the new standard, allowed for anyone around the lake. Building a pier that joins, even overlaps on to a neighbor's property has the potential of limiting that neighbor's lake-bottom use in the future. For example, if a dock stops at the property line, boats may extend over the other property, but on top of the water. Since all boats have rights to the water above the property, those with smaller shorelines may struggle with updating their own piers/docks.

The Village has some challenges with enforcement as they feel there are already several situations where people are less than the standard 10ft. or even over onto others property with their docks. Mike is trying to get a meeting with the Village to see if we can't step back and have a consolidated effort to help revise the zoning code. This particular issue will be at the plan commission meeting on the 18th and the zoning board meeting on the 19th. I'll be attending both and all are welcomed.

Thanks,
Lee.



ANNEXATION AND ZONING APPLICATION

Community Services Department
Building & Zoning Division
505 Telser Rd.
Lake Zurich, IL 60047
Phone: (847) 540-1698
Fax: (847) 540-1769

(Please Type or Print)

1. Address of Subject Property: LAKE Zurich Drive
2. Legal description: Lot Beach Block _____ Subdivision Whitney Shores

Please attach complete legal description and email a copy to planning staff at sam.hubbard@lakezurich.org (for PC) and to mary.meyer@lakezurich.org (for ZBA).

Property dimensions are: Beach-50x80x82x99 ft. by _____ ft. = LAKE 3.4 acres square feet

If more than two acres, then give area in acres: _____

3. Property Identification number(s): 14-19-201-013
4. Owner of record is: Whitney Shores Phone: 847-975-8592
Fax: _____ E-Mail todd.minden@msu.com
Address: mailing 14 LAKE Zurich DR, LAKE Zurich, IL 60047
4. Applicant is (if different from owner): _____ Phone: _____
Fax: _____ E-Mail _____
Address: _____
6. Applicant's interest in the property: Vice President of Whitney Shores
(owner, agent, contractor, Realtor, etc.)

7. THE FOLLOWING ACTION IS REQUESTED:

Please provide a detailed explanation in a separate cover letter, explaining each zoning standard as it relates to the following applications. For Lake Zurich Zoning Code visit lakezurich.org and navigate to the link for the Municipal Code.

A. VILLAGE BOARD APPLICATION TO ANNEX CERTAIN TERRITORY

All land annexed to the Village is classified automatically after such annexation in the R-1\2 Single Family Residential District. The owner must file an application for a Zoning Map amendment if he or she desires a different zoning classification for the Subject Property.

- ☐ Petition to Annex certain Territory (Please complete attached petition)
- ☐ Application to Annex certain Territory

B. PLAN COMMISSION APPLICATIONS

☒ Zoning Code **Map** Amendment for _____

Zoning Code **Text** Amendment for allowing variance application and Review of Sec 9-7C-3.1

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. In general, The Plan Commission will evaluate the consistency of the proposed amendment with the purposes of the Zoning Code and the community need for the proposed amendment, uses, and development. If a specific parcel is the subject of this amendment, then provide the additional information listed in Section 18-103C.)

☐ Special Use Permit/Amendment for _____

(See Section 19-103 of the Lake Zurich Zoning Code for specific standards. The Plan Commission also will consider whether the proposed special use is deemed necessary for the public convenience at the particular location and whether alternative locations have been evaluated.)

☐ Site Plan Approval/Major Adjustment/Amendment

(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

☐ Exterior Appearance/Amendment

(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

☐ Planned Unit Development/Major Adjustment/Amendment

(Planned Unit Developments are a distinct category of special use and are intended to create a more desirable environment than through strict application of the zoning and subdivision regulations. See Section 22-105 of the Lake Zurich Zoning Code for specific standards. Please list all the 'modifications' requested in the cover letter. Planned Unit Developments also require the provision of compensating amenities to the Village.)

☐ Preliminary and Final Plat of Subdivision/Amendment

(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

☐ Modification to the Land Development Code (includes retaining walls more than 2 feet in height)

(See Section 10-6-18 of the Land Development Code for specific standards.)

C. ZONING BOARD OF APPEALS APPLICATION

☒ Variation for allowing review and application for Variance TO Sec 9-7C-3 and Article C Pertaining TO The Lake Protection District.

(Illinois State Law requires that in order for a Variation to be granted a land-related hardship must be proven by a positive Finding of Fact for certain criteria. See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter. Self-inflicted hardships are not eligible for a variance.)

D. COMPREHENSIVE PLAN APPLICATION

☐ Comprehensive Plan **Map** Amendment for _____

☐ Comprehensive Plan **Text** Amendment for _____

Please complete the following for all applications.

8. All existing uses and improvements on the property are: Docking of boats for Property owners within Whitway shores HOA.

9. The proposed uses on the property are: Same

10. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:

See Sec 9-7C-3.A of Village Code. 1 Pier per 75' of Frontage, 4' deck height, No structure above deck except Rails: Anchors, 200 sq ft, 4' width, Materials, NOT w/in 1/2 of center, 50' Length, 10' Set-back

11. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:

N/A

12. Protected Soils: Identify all soils on the Subject Property that are subject to natural resource protection standards. (See Sections 8-302 and 8-303 of the Zoning Code.)

No fill Permitted, otherwise N/A.

13. List the owners of record of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property. If property is held in a Trust, give the Trust Number and Bank name and address.

These parties should be notified by the Applicant prior to the public hearing. (Refer to detailed instructions on Page 7.) Staff will provide the required notice to the Applicant. The required sign(s) will be erected by the Village of Lake Zurich.

Property Identification Number (PIN)	Owner's Name	Mailing Address
<u>See attached</u>		

(If more space is needed, please attach a separate sheet of paper.)

THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.

THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

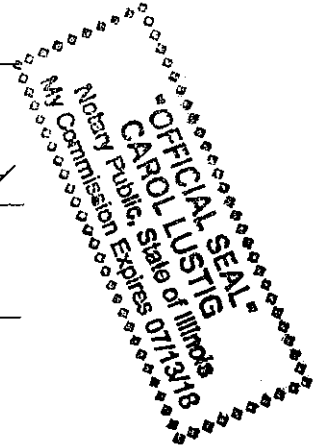
Todd Misch
(Name of applicant)

Todd Misch
(Signature of applicant)

Subscribed and sworn to before me this 21 day of Jan, 2015.

Carol Hussey
(Notary Public)

My Commission Expires 7-13-18



(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2015.

(Notary Public)

My Commission Expires _____

*****Official Use Only*****

Zoning Case Number: _____ Date of Public Hearing: _____

Application Fees: _____ Annexation Fees: _____

Escrow Deposit for consultant fees: _____

Is a Courtesy Review by the Village Board required? ☐ Yes ☐ No

Traffic study required? ☐ Yes ☐ No

Any impact fees/contributions required? ☐ Yes ☐ No

Compensation amenities required? ☐ Yes ☐ No

Application accepted by: _____ Date: _____

