



**AGENDA PACKET**  
**VILLAGE OF LAKE ZURICH**  
**Planning and Zoning Commission Meeting**

**April 19, 2023**  
**07:00 pm**

# VILLAGE OF LAKE ZURICH

## PLANNING AND ZONING COMMISSION MEETING

**APRIL 19, 2023**  
**07:00 PM**  
**AGENDA**

**1. CALL TO ORDER AND ROLL CALL**

Chairperson Orlando Stratman, Vice-Chair William Riley, Antonio Castillo, Ildiko Schultz, Joe Giannini, Mike Muir and Sean Glowacz.

**2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Minutes of the Planning and Zoning Commission Meeting, on March 15, 2023.

Attachment: [2A.PZC 2023-3-15 unapp.pdf](#)

**3. PUBLIC MEETING - No items received.**

**4. PUBLIC HEARING**

(This agenda item includes proposals presented to the Planning & Zoning Commission requiring public testimony, discussion and recommendation to the Village Board for final action.)

**A. 405 North Rand Road -- Special Use Permit (2023-03)**

Application for a Special Use Permit for live entertainment and exterior lighting at the currently established restaurant in the B-3 Regional Shopping Business District.

The hearing was opened at the January 18, 2023 meeting but continued at the request of the Applicant.

Applicant: Mr. Kristopher Schoenberger

Owner: HWS Productions, LLC

Attachment: [4A-405NRand\\_BBQdProd\\_23-04-19.pdf](#)

**B. 154 Oak Street -- Planned Unit Development and Final Plat of Subdivision (2023-08)**

Application for a Planned Unit Development (PUD), and Final Plat approval to subdivide the existing lot into two buildable lots.

Applicant and Owner: Mr. Patryk Wielgo of SV Estates, LLC

Attachment: [4B.154 Oak St Resubdivision.pdf](#)

**5. OTHER BUSINESS**

**6. STAFF REPORTS**

This is an opportunity for staff of the Community Development Department to report on matters of interest to the Planning & Zoning Commission

**7. PUBLIC COMMENT**

This is an opportunity for residents to comment briefly on matters included on the agenda and otherwise of interest to the PZC.

**8. ADJOURNMENT**

Unapproved  
**VILLAGE OF LAKE ZURICH**  
**PLANNING & ZONING COMMISSION MINUTES**  
**March 15, 2023**

Village Hall  
70 E Main Street, Lake Zurich, IL 60047

The meeting was called to order by Chairman Stratman at 7:01 p.m.

**ROLL CALL:** *Present* – Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley, and Schultz. Chairman Stratman noted a quorum was present.

*Also present:* Community Development Director Sarosh Saher, Planner Tim Verbeke and Management Services Director Michael Duebner.

**CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Approval of the February 15, 2023 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Schultz, seconded by Commissioner Glowacz to approve the February 15, 2023 minutes of the Planning and Zoning Commission with no changes.

Upon roll call:

AYES: 6 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, and Schultz.

NAYS: 0

OBSTAIN: 1 Commissioners Riley

MOTION CARRIED

**PUBLIC HEARING:**

MOTION was made by Commissioner Schultz, seconded by Commissioner Riley to open the following public hearings at 7:05 p.m. for Application PZC 2023-03 for the property at 405 North Rand Road – Special Use Permit, and Application PZC 2023-06 for the property Sanctuary of Lake Zurich: Southeast Corner of North Rand and North Old Rand Road – Adjustment to Final Plan and Application PZC 2023-07 Wildwood Estates of Lake Zurich: Honey Lake Road – Adjustment to Final Plan.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

Those wishing to speak were sworn in by Chairman Stratman.

The following applications were considered:

A. 405 North Rand Road: Special Use Permit (2023-03):

This Public Hearing is to consider an Application for a Special Use Permit for live entertainment and exterior lighting at the currently established restaurant in the B-3 Regional Shopping Business District.

*Applicant: Mr. Kristopher Schoenberger*

*Owner: HWS Productions, LLC*

Director Saher informed the Commission that the Applicant has requested that the hearing be further continued to the April 19, 2023 meeting of the PZC to allow more time to prepare exhibits.

MOTION was made by Commissioner Castillo, seconded by Commissioner Schultz to continue the item.

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

**B. Sanctuary of Lake Zurich: Southeast Corner of North Rand and North Old Rand Road – Adjustment to Final Plan (2023-06)**

Application for an Adjustment to the Final Plan of the Sanctuary of Lake Zurich to enlarge the approved pier size of the three approved boat piers containing a total of 30 boat slips at the Subject Property. The piers were approved as part PUD Ordinance No. 2021-07-421.

*Applicant and Owner: LZ Development Group, LLC*

The item was presented by Romeo Kapudia representing LZ Development Group, LLC, and Rod Schuh representing Captain Rod's. This group described the scope of the project and the potential pier improvements to the property along with the variations from Village code that would be necessary. All the Commissioners asked questions of the applicants and were answered to the satisfaction of the commission. Several members of the public stated their support for the project: Lee Plate representing Sandy Point, and John Thode representing LPOA. Two members of the public had questions regarding the project and stated their objection: Jody Kein, and Mark Slip.

MOTION was made by Commissioner Schultz, seconded by Commissioner Muir to close the public hearing.

Upon roll call:

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Castillo, seconded by Commissioner Riley, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff; and to receive the testimony presented by the Applicants, by members of the public, by the PZC Members, and by Village Staff at tonight's Public Hearing; and make these standards and testimony a part of the official record for the Application and Findings of the PZC; and to recommend that the Village Board approve the Application PZC 2023-06 – an Application for an Adjustment to the Final Plan of the Sanctuary of Lake Zurich to enlarge the approved pier size of the three approved boat piers containing a total of 30 boat slips at the Subject Property.”

Upon roll call:

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

**C. Wildwood Estates of Lake Zurich: Honey Lake Road – Adjustment to Final Plan (2023-07)**

Application for an Adjustment to the Final Plan of Wildwood Estates of Lake Zurich to allow for decks and other enclosed structures to encroach into the rear yard setback of all lots at the Subject Property. The Final Plan was approved by Ordinance 2020-09-384.

*Applicant and Owner: Wildwood of Lake Zurich, LLC*

The item was presented by Ram Prashantha representing Wildwood of Lake Zurich, LLC. The Applicant and Director Saher described the scope of the project and the potential rear yard improvements to the property along with the variations from Village code that would be necessary. All the Commissioners asked questions of the applicants and were answered

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to the satisfaction of the commission. There was one member of the public, Angela Stefaniu, who questioned the project and wanted assurance that the project would be held to design standards.

MOTION was made by Commissioner Riley, seconded by Commissioner Glowacz to close the public hearing.

Upon roll call:

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Schultz, seconded by Commissioner Glowacz, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff; and to receive the testimony presented by the Applicants, by members of the public, by the PZC Members, and by Village Staff at tonight's Public Hearing; and make these standards and testimony a part of the official record for the Application and Findings of the PZC; and to recommend that the Village Board approve the Application PZC 2023-07 – an Application for an Adjustment to the Final Plan of Wildwood Estates of Lake Zurich to allow for decks and other enclosed structures to encroach into the rear yard setback of all lots at the Subject Property.”

Upon roll call:

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

**OTHER BUSINESS** – None.

**STAFF REPORT:**

Staff indicated there will be only 1 item on the next PZC meeting agenda.

**PUBLIC COMMENT:**

No additional public comment was provided.

**ADJOURNMENT:**

Upon roll call:

AYES: 7 Chairman Stratman, Commissioners Castillo, Glowacz, Giannini, Muir, Riley and Schultz.

NAYS: 0

MOTION CARRIED

The meeting was adjourned at 8:31 p.m.

*Submitted by: Tim Verbeke, Planner*

Approved by:



*At the Heart of Community*

**COMMUNITY SERVICES DEPARTMENT**  
Building and Zoning Division

505 Telsler Road  
Lake Zurich, Illinois 60047

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LakeZurich.org

**APPLICATION PZC 2023-03**  
**PZC Hearing Opened: January 18, 2023**  
**PZC Continued Consideration: April 19, 2023**

**AGENDA ITEM 4.A**

**STAFF REPORT**

To: Chairperson Stratman and Members of the Planning & Zoning Commission  
From: Sarosh Saher, Community Development Director  
CC: Mary Meyer, Building Services Supervisor  
Tim Verbeke, Planner  
Date: April 19, 2023  
Re: PZC 2023-03 – 405 North Rand Road – BBQ’d Productions Bar and Grill  
Special Use Permit  
Continued Consideration

**SUBJECT**

Mr. Kristopher Schoenberger, representing HWS Productions LLC, (the “Applicant” and “Owner”) requests a Special Use permit for live entertainment and exterior lighting at the property located at 405 North Rand Road within the B-3 Regional Shopping Business district.

**GENERAL INFORMATION**

Requested Action: Special Use Permit  
Current Zoning: B-3 Regional Shopping Business District  
Current Use: Restaurant (Eating Place 5812)  
Property Location: 405 North Rand Road  
Applicant and Owner: Kristopher Schoenberger representing HWS Productions LLC  
Staff Coordinator: Tim Verbeke, Planner

**Staff Report  
APPLICATION PZC 2023-03**

**Community Development Department  
PZC Hearing Date: April 19, 2023**

### **LIST OF EXHIBITS**

- A. Legal Description
- B. Public Hearing Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

### **BACKGROUND**

Mr. Kristopher Schoenberger, representing HWS Productions LLC, (the “Applicant” and “Owner”), requests a Special Use Permit at the property at 377 North Rand Road known as BBQ’d Productions Bar and Grill, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant has operated the restaurant since 2017.

The Applicant filed an application with the Village of Lake Zurich received on December 15, 2022 (the “Application”) seeking:

- Special Use Permit approval for live entertainment accessory to permitted eating places, and exterior lighting within the B-3 Regional Shopping Business District

The Application for the Special Use Permit for live entertainment and exterior lighting at the property was presented by Ms. Moriah Schoenberger, wife of the Applicant, Mr. Kristopher Schoenberger. At the hearing, an adjacent resident testified in objection to the application and brought a number of issues that concerned her to the attention of the PZC and staff. These included issues related to the lighting, fence, landscape material removal, music on the rear deck and the odors emanating from the barbeque smoker on the premises. The PZC therefore continued the continued the hearing in February and March to allow the Applicant time to address these concerns.

Staff has met with the Applicants on more than one occasion and has brought to their attention the various issues that need to be addressed. The Applicant has indicated that they have addressed the most significant of these issues, which is that of the lighting and landscaping and intends to provide additional justification on the issue of the smoker.

The Subject Property is located within the Village’s B-3 Regional Shopping Business District. The property is located just north of the intersection of North Rand Road and Old Rand Road.

The Applicant is also the owner of the property to the south at 377 North Rand Road and intends to remodel the property for a new restaurant known as “Station 52 Trucking Company Bar and Grill.”

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*Proposal*

BBQ's Productions Bar and Grill has been in operation since 2017. The Applicant has been offering live music entertainment since its inception. Additionally, the exterior of the building has been illuminated with accent lighting since that time as well. These uses are only allowed through approval of a Special Use Permit. The Applicant has therefore submitted his request for the necessary Special Use Permit to bring the property and its operations into compliance.

No changes to the location, design and operation of the restaurant land use, building or its site design features are proposed at this time.

Parking will be maintained in conformance with the requirements of the parking code. The requirement for parking is 1 space for each 3 persons of design capacity, for a total maximum load of 180 occupants. The number of spaces required by code is 60. The Applicant has 80 spaces on the property.

The Applicant currently owns the Subject Property and the property to the south at 377 North Rand Road which is proposed to be operated as a bar and grill. By virtue of unified control of both properties, the Applicant proposed to provide a vehicular connection between the two properties. The connection will allow for sharing of parking spaces and also provide traffic from the Subject Property with the ability to access Ravinia Terrace through the property to the south at 377 North Rand Road. Vehicular traffic will then have the benefit of access to northbound Rand Road.

Pursuant to public notice published on December 24, 2022, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for January 18, 2023, to consider the Application. The Village also posted a public hearing sign on the Subject Property (Exhibit B).

*Analysis*

It should be noted that the primary uses at the property, namely the restaurant (Eating places (5812)), the bar area (Drinking places (5813) accessory to permitted eating places) are permitted to be established on the property by right.

Approval of the following special use and features are being requested, which are either classified as special uses, or require conditions that will accompany this special use permit:

1. *Live Entertainment:* The Applicant proposes to occasionally offer live music within the restaurant 2-3 times a year. The entertainment is low key and performed within the interior of the restaurant.
2. *Exterior Accent Lighting:* Since its opening in 2017 the Applicant had installed blue/white accent lighting on the exterior and interior of the building as part of the company colors to signify the meaning behind who and what the company is. According to the Applicant, "...the lighting is in representation for our support of Law Enforcement, for the Men and Woman on the force and for those who have passed in the line of duty. As a former member

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of the Law Enforcement Community (CSO Round Lake Beach Police 2008-2009) this was and is important to us. We install our accent lighting at all our locations, and did so here when we opened in 2017. We have received many compliments from the Community at how pretty our building looks, and how many appreciate the reasons for why we support the law enforcement community.” The lighting is designed to face downwards toward the building/ground to illuminate these areas.

While this type of lighting is allowed, its unique and specific design and application will be formalized by the Special Use Permit. The Village has not received any complaints regarding the accent lighting from adjacent property owners.

Hours of operation of the restaurant facility are Monday – Thursday 11:00 a.m. – 9:00 p.m., Friday and Saturday 11:00 a.m. to 11:00 p.m. and Sunday 11:00 a.m. to 9:00 p.m.

Staff offers the following additional information:

- A. Courtesy Review.** Due to the low impact of this project, its location along the Rand Road commercial corridor where such uses are traditional and customary, and that it has been in operation since 2017, courtesy review was not recommended.
- B. Zoning History.** The restaurant building at the Subject Property was constructed in 1999. Prior to that, the property was operated as a miniature golf course known as Cozzi’s Miniature Golf and Games established in the 1970s. In 1999, the facility was granted a Special Use Permit through Ordinance 99-12-1010 for the expansion of the golf course. In 2008, the golf course closed and the property was re-subdivided into its current smaller land area, while conveying the northerly portion to the property owner to the north. JJ Twig’s Pizza and Pub operated a restaurant on the premises between 2009 and 2015. The current restaurant, BBQ’d Productions has operated on the premises since 2017.  
  
The property has been zoned within a commercial zoning classification since its development. It is currently zoned within the B-3 Regional Shopping Business district.
- C. Surrounding Land Use and Zoning.** The subject property is located on Route 12, which is a major commercial arterial. The land immediately to the north is zoned within the B-3 Regional Shopping district and is currently vacant. The property to the west is a village-owned open space at the end of the cul-de-sac of Betty Drive and zoned within the OS Open Space district. The properties to the south and east are zoned within the B-1 Local Community Business District and contain the adjacent restaurant “Station 52” owned by the Applicant to the south and the recently completed Lifetime Fitness facility to the east.
- D. Trend of Development.** The subject property is located along the thriving Route 12 / Rand Road commercial corridor that traverses the northern side of the Village. The accessibility and high visibility from a major north-south arterial such as Route 12 makes the Subject Property a desirable location for its current use.

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- E. Zoning District.** Three (3) zoning districts are provided for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Lake Zurich and the surrounding suburban area.

The B-3 Regional Shopping District is intended to provide locations for major retail centers. The regulations are designed to encourage a broad range of attractive retail and compatible service uses in those centers.

### GENERAL FINDINGS

As it relates to the proposed Special Use Permit, Chapter 19 of the Zoning Code entitled “Special Use Permits” provides for special uses that have some special impact or uniqueness that requires a careful review of their location, design, configuration, and special impact to determine, against fixed standards, the desirability of permitting their establishment on any given site. They are uses that may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect. The standards for special uses examine the location, design and operational characteristics of a use. Staff offers the following findings on specific sections of the Code.

#### Standards for Special Use Permits

- A. General Standards. No special use permit shall be recommended or granted pursuant to this Chapter unless the applicant shall establish that:

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official Comprehensive Plan.

**Staff Response: Standard met. The business will continue to remain in substantial conformance with the purpose and intent of the B-3 Regional Shopping Business District, and the land use designation of the adopted Comprehensive Plan.**

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

**Staff Response: Standard met. The business is consistent with commercial-oriented development along the Route 12 corridor.**

**Live Entertainment: Standard met: The proposed live entertainment will be operated entirely within the enclosed building.**

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**The illumination levels for the parking lot and site lighting shall not exceed 0.5 foot-candles along the periphery of the property.**

**As measured by staff, the illumination at the rear lot line was below the minimum required 0.5 foot-candles**

**The maximum illumination on any portion of the property shall not exceed 10 foot-candles.**

**The lighting that was utilized on the building consisted of lighting within the eaves - consisting of 2 rows of accent lighting – one white colored and one blue colored. Additionally, there were the original can-lights that were also utilized. The combination of the 3 light sources created the high illumination levels.**

**As measured by staff in January, the illumination immediately around the building was around 20 foot-candles. However, the Applicant took measures to reduce the illumination levels with the removal of the can lights.**

**A lighting plan has been submitted that shows current reduced lighting immediately around the building. The illumination immediately around the building averages around 4.5 to 8.8 foot-candles. This is less than the maximum required illumination by code and will meet the standard.**

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

**Staff Response: Standard Met. The property is surrounded by commercial uses on three sides and residential uses and open space on the west side. The restaurant has been operating on this site since 2017 and has not created any adverse impact by virtue of its land use, parking, exterior lighting or activity.**

**The Applicant has planted of 9 larger shade trees – Autumn Blaze Maples along the rear of the property along the existing 6-foot high fence. Additional landscape material is proposed at the northwest corner of the parking lot to add screening that will reduce the impact on the adjacent residences.**

**The complaint of the smoker has not been verified by staff. The smoker unit is located at the rear of the building with a smoke stack that emits wood burning and other food related smoke. Staff has recommended that the smoke stack be raised to a greater height so that the smoke is allowed to dissipate away from the rear of the property.**

**If security for the smoker at the rear is a concern, necessitating the night lights to keep it safe staff recommends screening the smoker unit with a fence and a**

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**locked gate for security which would remove the need for the bright lights at the rear.**

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

**Staff Response: The property is currently served with adequate public utilities and services provided by the village.**

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

**Staff Response: Standard met. The Applicant currently owns the Subject Property and the property to the south at 377 North Rand Road which is proposed to be operated as a bar and grill. By virtue of unified control of both properties, the Applicant proposes to provide a vehicular connection between the two properties. The connection will allow for sharing of parking spaces and also provide traffic from the Subject Property with the ability to access Ravinia Terrace through the property to the south at 377 North Rand Road. Vehicular traffic will then have the benefit of access to northbound Rand Road.**

**The connection will allow for disbursement of traffic onto southbound and northbound Rand Road further relieving congestion.**

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

**Staff Response: Not applicable. The property on which the land use is proposed has been previously developed. There are therefore no features of natural, scenic, or historic importance that will be affected.**

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

**Staff Response: Standard met. There are no additional standards imposed on the land use by the code. Staff will ensure that all standards of the code or those additional conditions recommended by the PZC and Village Board be met.**

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8. Positive Effect. The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

**Staff Response: Standard met. The restaurant will continue the utilization of the property in a manner that it has always been used. Proximity to the other restaurants owned by the Applicant will create a unique pair of themed restaurants at this corner.**

- B. Special Standards for Specified Special Uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

**Staff Response: Standard met. Staff has not identified any additional special standards required for the proposed Special Use Permit.**

- C. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. Benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

**Staff Response: Standard met. Enhancing the building with a thriving business will benefit the Village of Lake Zurich and its residents.**

2. Alternative Locations. Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

**Staff Response: The Applicant is currently the owner of the property and has operated the restaurant at this location since 2017. The Applicant is not looking to relocate the restaurant to another location.**

3. Mitigation of Adverse Impacts. Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

**Staff Response:  
Live Entertainment: Standard met. The live entertainment will be conducted within the enclosed building.**

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**Exterior Lighting: The Applicant proposes to remove the can lights under the eaves thereby greatly reducing the illumination levels around the building. The blue and white lights will remain to keep with the theme of the restaurant.**

**A lighting plan has been submitted that shows proposed reduced lighting immediately around the building. The illumination immediately around the building averages around 4.5 to 8.8 foot-candles. This is less than the maximum required illumination by code and will meet the standard.**

## RECOMMENDATION

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits

Based on the review of staff, the standards for approval will be met and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2023-03, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application and Cover Letter and description dated December 14, 2022, prepared by Kristopher Schoenberger representing HWS Productions, LLC.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Proof of ownership by HWS Productions, LLC and its manager Kristopher Schoenberger dated October 13, 2016.
  - d. Plat and Topographical Survey prepared by Teratek Inc, dated October 23, 2017.
  - e. Site Plans for 405 and 377 North Rand Road prepared by Kang Architect dated March 29, 2022 and last updated on January 10, 2023.
  - f. Pictorial renditions of the building views, received on December 15, 2022, prepared by Kristopher Schoenberger depicting the exterior building lighting locations.
  - g. Illumination Plan prepared by Vertical Lighting Controls dated April 14, 2023.
  - h. Site Landscape Plan prepared by AM Woodland dated February 2, 2022.
2. The live entertainment shall be conducted within the interior of the restaurant building. At no time shall live entertainment be conducted in areas outside of the building such as parking lots, driveways and patios.
3. The accent lighting shall be restricted to the blue and white color lights installed under the eaves of the building. The lighting shall be designed to direct light in a downward direction

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to illuminate the immediately adjacent wall and ground and shall not negatively impact surrounding residential property. The illumination shall be steady and not depict any flashing, movement or other attention getting configuration.

4. The gate within the fence that runs along the rear of the fence shall either be kept locked at all times or removed, to eliminate the inappropriate use of the Village Park (Betty Park) behind the Subject Property and remove the incentive for customers to park on Betty Drive. While entering the premises through this gate.
5. The smoke stack be raised to the highest point that is practically possible to prevent smoke from impacting surrounding property to the west. If security for the smoker at the rear is a concern, the smoker unit may be screened with a fence and a locked gate for security which would remove the need for the bright lights at the rear.
6. The special use constituting the establishment known as “BBQ’d Productions Bar and Grill” shall be located within and associated with the building on the property addressed at 405 North Rand Road and shall be allowed to continue under successive ownership, so long as the general location, design and operation of the approved land uses are in substantial conformance with the approvals granted by this ordinance. Such Special Use for live entertainment only shall expire if this restaurant use ceases operating at the property for a period of more than 365 days.
7. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,

Tim Verbeke, Planner

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**LAKE ZURICH PLANNING & ZONING COMMISSION  
FINAL FINDINGS & RECOMMENDATIONS**

**405 NORTH RAND RD – BBQ'D PRODUCTIONS  
January 18, 2023**

The Planning & Zoning Commission recommends approval of Application PZC 2023-03, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **January 18, 2023** for this Application and subject to any changes or approval conditions as listed:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff and applicable governmental agencies:
  - a. Zoning Application and Cover Letter and description dated December 14, 2022, prepared by Kristopher Schoenberger representing HWS Productions, LLC.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Proof of ownership by HWS Productions, LLC and its manager Kristopher Schoenberger dated October 13, 2016.
  - d. Plat and Topographical Survey prepared by Teratek Inc, dated October 23, 2017.
  - e. Site Plans for 405 and 377 North Rand Road prepared by Kang Architect dated March 29, 2022 and last updated on January 10, 2023.
  - f. Pictorial renditions of the building views, received on December 15, 2022, prepared by Kristopher Schoenberger depicting the exterior building lighting locations.
  - g. Illumination Plan prepared by Vertical Lighting Controls dated April 14, 2023.
  - h. Site Landscape Plan prepared by AM Woodland dated February 2, 2022.
2. The live entertainment shall be conducted within the interior of the restaurant building. At no time shall live entertainment be conducted in areas outside of the building such as parking lots, driveways and patios.
3. The accent lighting shall be restricted to the blue and white color lights installed under the eaves of the building. The lighting shall be designed to direct light in a downward direction to illuminate the immediately adjacent wall and ground and shall not negatively impact surrounding residential property. The illumination shall be steady and not depict any flashing, movement or other attention getting configuration.
4. The gate within the fence that runs along the rear of the fence shall either be kept locked at all times or removed, to eliminate the inappropriate use of the Village Park (Betty Park) behind the Subject Property and remove the incentive for customers to park on Betty Drive. While entering the premises through this gate.
5. The smoke stack be raised to the highest point that is practically possible to prevent smoke from impacting surrounding property to the west. If security for the smoker at the rear is a concern, the smoker unit may be screened with a fence and a locked gate for security which would remove the need for the bright lights at the rear.

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6. The special use constituting the establishment known as “BBQ’d Productions Bar and Grill” shall be located within and associated with the building on the property addressed at 405 North Rand Road and shall be allowed to continue under successive ownership, so long as the general location, design and operation of the approved land uses are in substantial conformance with the approvals granted by this ordinance. Such Special Use for live entertainment only shall expire if this restaurant use ceases operating at the property for a period of more than 365 days.
7. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.
  - Without any further additions, changes, modifications and/or approval conditions.
  - With the following additions, changes, modifications and/or approval conditions:

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Planning & Zoning Commission Chairman

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**EXHIBIT A**  
**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

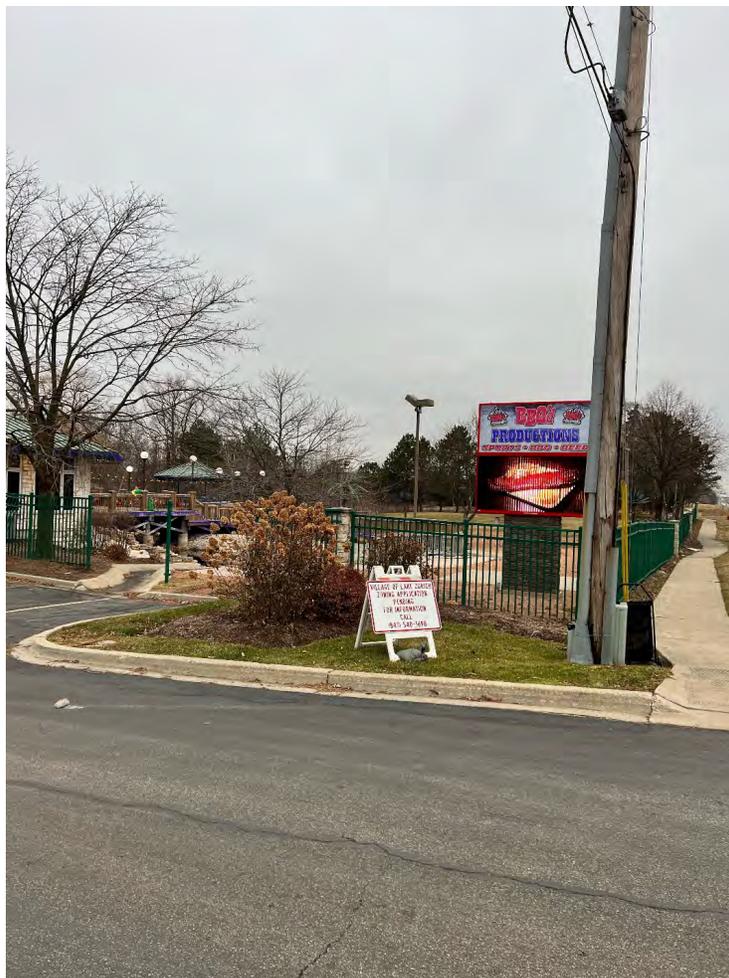
LOT 1 IN KLEIN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECIION 18, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 2, 2008 AS DOCUMENT 6393319 IN LAKE COUNTY, ILLINOIS.

Parcels Involved: 14-18-306-009

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**EXHIBIT B**  
PUBLIC HEARING SIGN AT SUBJECT PROPERTY



**Analysis of Ms. Planell's written testimony**

Submitted to PZC on January 18, 2023

(Note: all dimensions referred to within this document are obtained from Lake County maps online, Lake County's GIS system.)

The following clarifies or confirms statements made by Ms. Planell in her testimony submitted to the PZC on January 18, 2023.

*I would have come forward earlier but in a state of concern about doing so, since three separate individuals advised that my home may be burned down in the middle of the night for lodging complaints on this property, as was overheard.*

Staff can neither confirm nor deny that these statements were made.

***Distance of home from Subject Property.***

*Ms. Planell claims that her home is approximately 25 feet from the property line of 405 N. Rand Road* Ms. Planell resides at 936 Betty Drive. The residential property at 950 Betty Drive is located in between her property and the Subject Property. The shortest distance between Ms. Planell's property and the Subject Property is approx. 70 feet.

The length of the rear lot line of the Subject Property is 208.13 feet. Of this length, 165 feet back up to the open space of Betty Park and the right-of-way of Betty Drive. The remaining 25.3 feet backs up to the property at 950 Betty Drive.

Additionally, staff has also measured the nearest distance between the buildings on both properties. The distance between the home at 936 Betty Drive and Restaurant building at 405 N Rand Road = 190 feet.

***Discussion on Permits.***

The following permits were obtained by the Subject Property owner, since 2017 when the restaurant was established.

- Commercial Interior Buildout #17020030 – 2017-02-24
  - o interior work – new bar (framing work), painting, wallpaper, new cash registers, cleaning, hanging shelves, replacing ceiling tiles, new flooring. New plumbing (floor sink, floor drain and cleanout) and electrical work. New smoker under same hood in kitchen.
  - o Lake County health department review and approval
  - o Occupancy and Business License
- Temporary Use/Special Event Permit #17090066 – 2017-09-11
  - o Fund raising event – “Event for Alyssa Matney”
  - o Raffle Permit
- Parking lot #18050072 – 2018-09-17
- Fence Permit #PB18-0418 – 2019-01-03
- Permanent Sign #PB21-0495 2021-05-21

*Note:* Ms. Planell offered that the Subject Property owner had only obtained permits for the parking lot, fence and permanent sign. The information she received was based on a FOIA submitted on January 10, 2023 requesting information since 9-29-2017, which therefore did not include the two permits issued prior to that date. All permits issued on or after that date were provided. Ms. Planell was therefore

unaware that the Subject Property owner had applied for the commercial buildout permit during the initial establishment of the restaurant in February 2017.

*Live music.*

Ms. Planell stated that the Subject Property owner advertised that he was adding live music to his outdoor venue last summer.

Staff was made aware of that and reached out to the property owner to obtain the necessary Special Use Permit, which he applied for as part of this application. The proposal is to have live music within the interior of the restaurant only.

The rear outdoor patio offers amplified music through a sound amplification devices, staff has advised the Subject Property owner of the hours allowed for sound amplification systems. The requirements are as follows:

No sound amplification device such as amplifiers and speakers are allowed during the following hours:

- a. Between 10:00pm and 9:00am on Thursday, Friday, and Saturday; and
- b. Between 9:00pm and 9:00am on Sunday, Monday, Tuesday, and Wednesday.

The Applicant has been advised and has agreed that no live entertainment will be permitted outdoors on the patio or any other portion of the property. All the live entertainment that is proposed will need to be conducted inside the building as originally stated in the application.

*Gate within rear fence.*

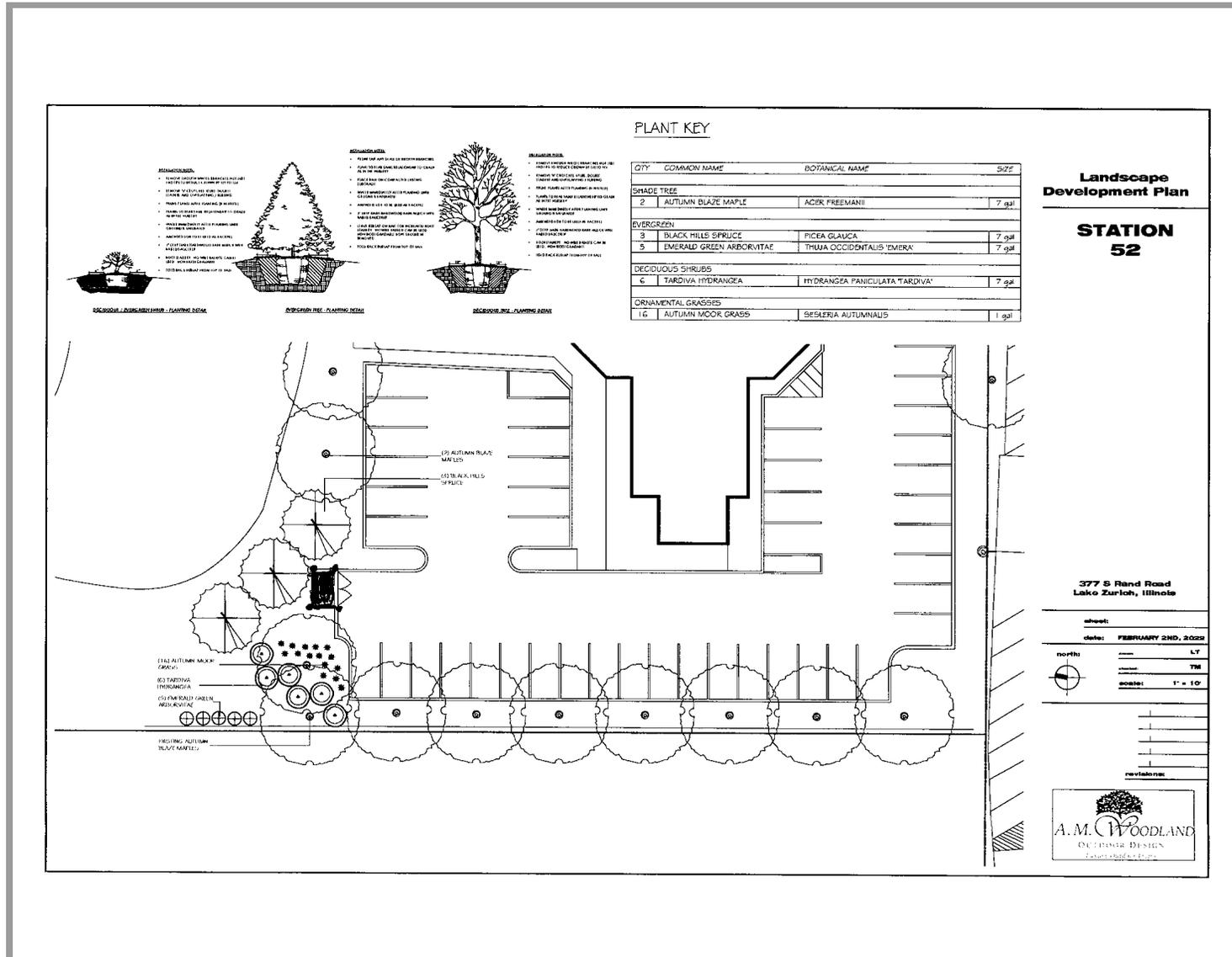
The rear fence did not include a gate in the permit from 2018. There is no provision in the code that prevents a gate from being installed as long as it is maintained in a good state of repair. Additionally, village staff is not aware that the Subject Property's customers are parking on Betty Drive. However, the Applicant has been advised that if access to the rear of the property is not necessary, staff recommends that the gate either be removed or locked. This will also remove the perception that the Village Park (Betty Park) behind the Subject Property is being inappropriately used, or that customers are parking on Betty Drive and entering the premises through this gate.

*The outdoor smoker unit.* The smoker unit is located at the rear of the building with a smoke stack that emits wood burning and other food smoking materials. Staff has recommended that the smoke stack may be raised to a greater height so that the smoke is allowed to dissipate away from the rear of the property. Also, staff is not aware whether the smoker received Lake County Health Department approval when it was installed.

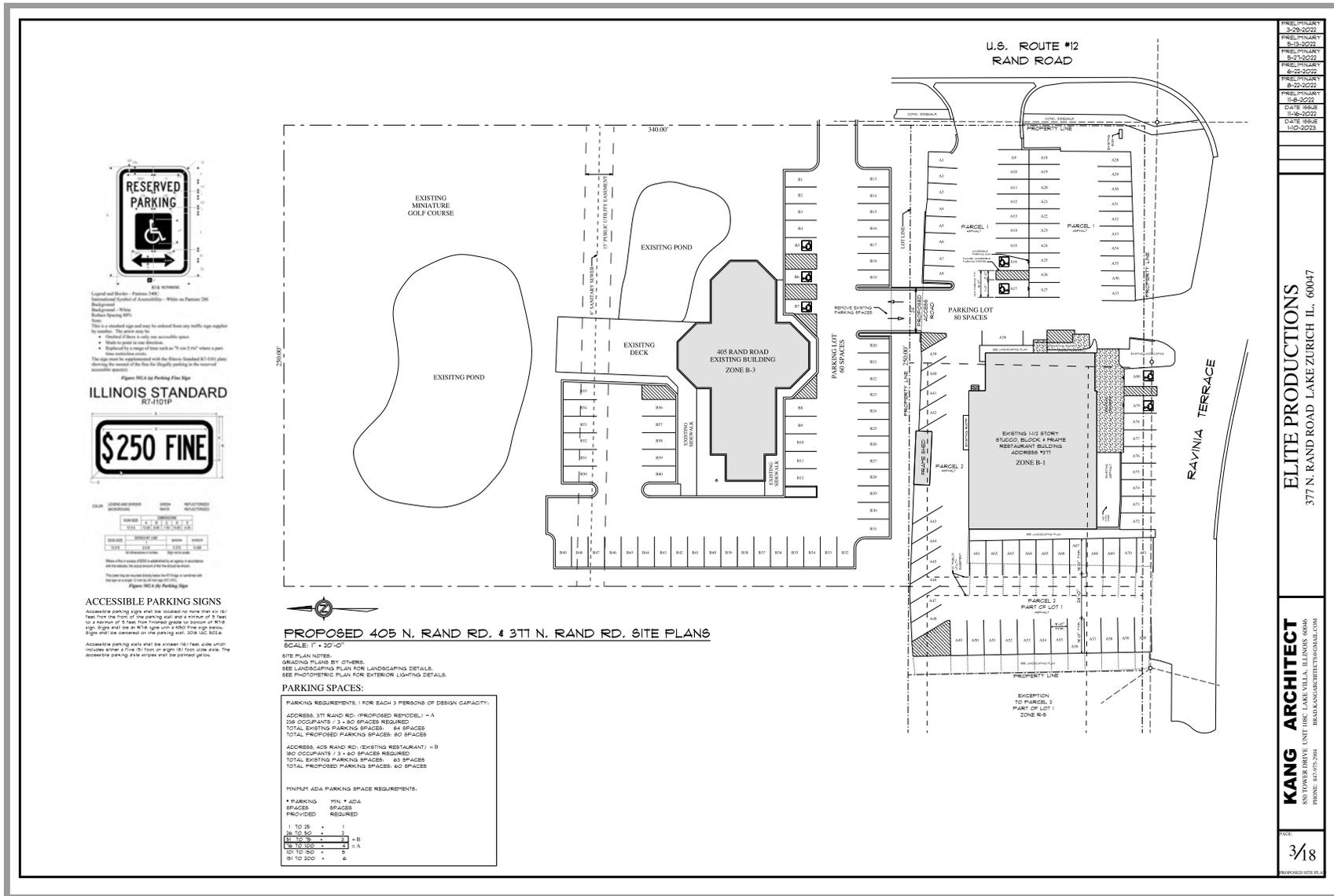
If security for the smoker at the rear is a concern, necessitating the night lights to keep it safe staff recommends screening the smoker unit with a fence and a locked gate for security which would remove the need for the bright lights at the rear.

*Code references.*

Ms. Planell's comments make a number of references to the Lake County Municipal Code regarding landscape requirements, noise requirements, and lighting requirements. While the purpose and intent of these regulations may be similar, Lake Zurich follows regulations in the Lake Zurich Municipal Code for these requirements. The details are different.







PRELIMINARY 2-28-2022  
 PRELIMINARY 3-10-2022  
 PRELIMINARY 3-10-2022  
 PRELIMINARY 4-18-2022  
 PRELIMINARY 5-22-2022  
 PRELIMINARY 6-8-2022  
 PRELIMINARY 6-8-2022  
 PRELIMINARY 6-8-2022  
 PRELIMINARY 6-8-2022  
 PRELIMINARY 6-8-2022  
 PRELIMINARY 6-8-2022

**ELITE PRODUCTIONS**  
 377 N. RAND ROAD LAKE ZURICH IL, 60047

**KANG ARCHITECT**  
 850 TOWER DRIVE UNIT 108C LAKE VILLA, ILLINOIS 60046  
 PHONE: 630.795.2504  
 INFO: KANGARCHITECT@GMAIL.COM

3/18  
 PREPARED SITE PLAN



*At the Heart of Community*

COMMUNITY DEVELOPMENT DEPARTMENT

505 Telser Road  
Lake Zurich, Illinois 60047

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

**APPLICATION PZC 2023-08**  
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**AGENDA ITEM 4.B**

**STAFF REPORT**

To: Chairperson Stratman and Members of the Planning & Zoning Commission  
From: Sarosh Saher, Community Development Director  
CC: Tim Verbeke, Planner  
Mary Meyer, Building Services Supervisor  
Date: April 19, 2023  
Re: PZC 2023-08 – PUD and Final Plat of Subdivision  
154 Oak Street

**SUBJECT**

Mr. Patryk Wielgo of SV Estates, LLC, (the “Applicant”) requests a Planned Unit Development (PUD), and Final Plat approval for the creation of a new 2-lot subdivision at the property commonly known as 154 Oak Street and legally described in Exhibit A attached hereto (the “Subject Property”).

**GENERAL INFORMATION**

Requested Action: Planned Unit Development, Final Plat of Subdivision  
Current Zoning: R-5 Single Family Residential  
Current Use One (1) Single-Family Residence on one lot  
Proposed Use: Two (2) new Single-Family Residences on two lots  
Property Location: 154 Oak Street (final new addresses to be determined)  
Applicant & Owner: Mr. Patryk Wielgo of SV Estates, LLC  
Staff Coordinator: Tim Verbeke, Planner

**Staff Report**  
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### **LIST OF EXHIBITS**

- A. Legal Description
- B. Public Meeting Sign
- C. Site Photos
- D. Aerial Map
- E. Zoning Map
- F. Parcel Map
- G. Development Application and Attachments
- H. Development Review Comments

### **BACKGROUND**

Mr. Wielgo, (the “Applicant” and “Owner”), the Applicant, is proposing the SV Estates, LLC Subdivision, consisting of two zoning lots. The property is located along Oak Street, just north of the Main Street Area of Lake Zurich at the northwest corner of Oak Street and Lions Drive, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant filed an application with the Village of Lake Zurich received on March 22, 2023, (the “Application”) seeking approval of the following:

- Final Plat of Subdivision for SV Estates Subdivision
- Special Use Permit for a Planned Unit Development (PUD) to allow for the construction of two residential single-family homes.
- Modification to the zoning code requirements as follows:
  - Modification to minimum lot width.
  - Modification to minimum total lot area.

The Subject Property is currently comprised of one parcel on one zoning lot with a land area of approximately 0.47 acres. The property is zoned within the Village’s R-5 Single Family Residential Zoning District and was improved with a home, detached garage, gravel driveway, and utility shed prior to being demolished.

The Applicant intends to subdivide the lot to provide for two future single-family residential homes. The proposed subdivision will contain two lots similar in size to the neighboring lot configuration, with both lots having frontage and access along Oak Street to make them lawful buildable lots.

#### *Proposed Lot 1.*

The proposed Lot 1 will contain 8,679 square feet of land area, 63 feet of lot width (street frontage) and will be configured to provide for a single-family residence with 10-foot side yard setbacks on each side for any required public utility and/or drainage easements. After deducting the side yard setbacks, the buildable width of the lot will be 43 feet.

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*Proposed Lot 2*

Proposed Lot 2 is a corner lot and will contain 11,607 square feet of land area, 75 feet of lot width will also be configured to provide for a single-family residence with a 10-foot interior side yard setback along with west side to allow for any public utility and/or drainage easement. The front yard and corner side yard setbacks will conform to the code requirements of 30 feet. After deducting the interior side yard and corner side yard setbacks, the buildable width of the lot will be 35 feet.

Pursuant to public notice published on April 1, 2023, in the Daily Herald, a Public Meeting has been scheduled with the Lake Zurich Planning & Zoning Commission for April 19, 2023, to consider the Application. On March 31, 2023, the Village posted a public meeting sign on the Subject Property (Exhibit B).

Staff offers the following additional information:

- A. **Courtesy Review.** Due to the low impact of this project, courtesy review was not recommended.
- B. **Zoning History.** The property is located within the older parts of the community at the edge of the Main Street area. The lot on the subject property was platted as a double-width residential lot within Marina Park Subdivision. The property was zoned within the A-Residential District in the Original Zoning Map of Lake Zurich approved in 1944. Subsequent amendments to the zoning code classified the property within an R-3 single-family district and later within the R-5 single-family residential district following a comprehensive amendment to the zoning code in 1994. The property has since remained within the R-5 district. Records show that the earliest structures on the property were constructed around 1915.
- C. **Surrounding Land Use and Zoning.** The subject property is located at the northwest corner Oak Street and Lions Drive, at the northern edge of the historic center of Lake Zurich. Oak Street serves as a transition between the single-family residential areas along the east side of the lake and the commercial areas within the central business areas of the village. The areas to the north, west and south are zoned within the R-5 single-family residential district and improved with single-family residences. The property to the east is zoned within the IB institutional building zoning district and contains the St. Peter United Church of Christ property.

Access to the subject property is from Oak Street, which is a local road serving the residential properties to the north and northeast.

- D. **Trend of Development.** The subject property is located on the edge of the historic central business area of Lake Zurich. The area is part of a mature residential area to the northwest and provides a transition from the higher intensity commercial land uses to the southeast.

Lots within this area were generally smaller in land area with smaller street frontages than what the R-5 single-family residential district requires. In particular the lots immediately

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to the south of the subject property have 50-foot frontages along Oak Street, the lots to the west have 70-foot frontages and the lots to the rear of the subject property are between 70 and 73 feet wide.

- E. Zoning District.** The zoning code provides for four (4) zoning districts for single-family residential development. The single-family districts provide for a limited range of single-family detached housing densities consistent with the village's established single-family residential neighborhoods. The R-5 district allows for somewhat higher density residential use and smaller lot sizes.

Taken as a whole, the residential district regulations are intended to preserve established neighborhoods and encourage new residential development, but only in a manner consistent with the overall character of the village. (Ord., 10-2004)

#### **GENERAL FINDINGS**

Staff of the Village's Development Review Team (DRT) has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

#### **10-4-1: PLAN COMMISSION GUIDELINES (FOR SUBDIVISIONS).**

Staff has reviewed the plan and found that the development proposal will continue to remain in substantial conformance with the standards for Subdivision Approval as outlined below.

- A. The Plan Commission, in the examination of the subdivision plans for approval, and in the application of this Title, shall take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to width and location of streets, suitable sanitary utilities, storm water drainage, lot sizes and arrangements, as well as local requirements such as parks and playgrounds, schools and recreation sites and other public uses.

**Staff Response: Standard met. The proposal is for a subdivision of two lots consisting of 2 new single-family homes. No changes to streets or public amenities are proposed. The property is currently served adequately with essential public facilities and services such as streets, utilities, drainage and other municipal services. Such services will need to be provided to the two resultant lots.**

**Staff Response: Standard Somewhat met. One of the two proposed resultant lots, proposed Lot 2, meets the minimum bulk requirements of the underlying R-5 single-family residential district as they relate to lot area and lot width.**

**Proposed Lot 1 does not meet the following bulk requirements of the R-5 district and has requested modifications to these zoning standards through the PUD.**

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1. **Lot width: Required width – 75 feet. Proposed lot width – 63 feet.**
2. **Lot area: Required lot area – 10,000 square feet. Proposed lot area: 8,679 square feet.**

**The Applicant intends to construct new homes on these lots in conformance with all setback and minimum landscape surface area requirements for single-family residential development. The Applicant has made the request for the reduced lot width and lot area on Lot 1 to prioritize maintaining the required 30-foot front yard and corner side yard setback off Oak Street and Lions Drive on Lot 2.**

**The Applicant is intentional in his minimal request for departures so as not to minimize impact on the neighboring residents. By designing the lots in this manner, the Applicant has thereby eliminated the need for variations, modifications or other zoning relief to the zoning or land development codes for Lot 2.**

- B. **Conformity with Comprehensive Plan:** The Plan Commission shall especially require that all subdivisions conform to the provisions and conditions of the Comprehensive Plan. Plat approval may be withheld if a subdivision does not conform to the provisions of the Comprehensive Plan.

**Staff Response: Standard met. The proposed subdivision and resultant development will continue to remain in substantial conformance with the purpose and intent of the R-5 Single Family Residential Zoning District, and the residential designation of the adopted Comprehensive Plan.**

- C. **Conformity with Conservancy Districts:** No building shall be constructed on any site in the Village which lies in the Conservancy Districts. The conservancy area is based on soil types and flood-prone areas.

**Staff Response: Not Applicable. The provisions for conservancy districts (classified by soil types and flood prone areas) was repealed by Ordinance 91-04-444 on April 15, 1991. It should be noted that the requirements for natural resource protection areas were modified in 2016 to rely on the requirements of the Lake County Watershed Development Ordinance.**

**Staff is additionally recommending that all necessary public utility and drainage easements be provided on the plat prior to approval. Additionally, the rear and side (corner lot line) wooded area will be cleaned and enhanced.**

- D. **Area Plan Required:** Where a tract of land proposed for subdivision is part of a larger, logical subdivision unit in relation to the Village as a whole, the Plan Commission may, before recommending approval, cause to be prepared a plan for the entire area or neighborhood, such plan to be used by the Plan Commission as an aid in judging the proposed plat

**Staff Response: Standard met. The proposed subdivision plat is located wholly within land owned and controlled by one property owner.**

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- E. Storm Water Detention Required: The Plan Commission shall not recommend for approval by the Village Board any plat of subdivision which does not make adequate provision for storm or floodwater runoff channels, basins and detentions.

**Staff Response: Not Applicable. The Lake County Watershed Development Ordinance (WDO) does not require on-site detention within the subdivision as the proposed development will create less than one (1) acre of new impervious surface. However, the project is considered a minor development per the WDO and will disturb greater than 5,000 square feet. Therefore, a Watershed Development Permit Application and accompanying documentation including a stormwater narrative will need to be provided.**

- F. Preservation of Natural Features: In all subdivisions, due regard shall be given to the preservation of natural features such as large trees, watercourses, historical sites or structures, and similar features. (Ord. 89-08-335, 8-21-89)

**Staff Response: Standard met. There are presently no natural features such as watercourses, historical sites or structures, and similar features on the buildable portions of the proposed resultant lots.**

**The Applicant is in contact with the Village Arborist to assess the condition of the remaining trees on the property. Removal of trees will be subject to the requirements of the tree preservation ordinance.**

The Application requires approval through a Planned Unit Development (PUD), which is classified as a Special Use Permit. As such the Application is reviewed against the standards for Special Use Permits and PUDs.

Staff of the Community Development Department's development review team has evaluated the development against the various standards and provisions of the Lake Zurich Municipal Code and offers findings on specific sections of the Code.

**Standards for Special Use Permits**

- A. General Standards. No special use permit shall be recommended or granted pursuant to this Chapter unless the applicant shall establish that:
1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official Comprehensive Plan.

**Staff Response: Standard met. The proposed subdivision and resultant development will continue to remain in substantial conformance with the purpose and intent of the R-5 Single Family Residential Zoning District, and the residential designation of the adopted Comprehensive Plan.**

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2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

**Staff Response: Standard met. The proposed development is consistent with other residential lots within the Robertson/Marina Park Subdivision. The proposed two-lot subdivision will not increase the vehicular traffic on Oak Street or Lions Drive. Due to the proposed homes abiding by all setbacks, the proposed residences will not have any substantial or undue adverse effect upon any adjacent properties.**

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

**Staff Response: Standard met. The land uses and their operation are proposed to be conducted entirely on the Subject Property. The new residences are proposed to be located towards the front of the property and will face Oak Street.**

**The proposed structures will not encroach onto any front, interior or corner side yard, rear yard setbacks, or existing easements. The location, design, construction and operation of the proposed homes will be completed wholly on the subject lot within the buildable area of the lot.**

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

**Staff Response: Standard met. The proposal is a subdivision of two lots to provide for 2 new single-family homes. No changes to streets or public amenities are proposed. The property is currently served adequately with essential public facilities and services such as streets, utilities, drainage and other municipal services. The resultant lots will need to be provided with such services.**

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through the surrounding streets.

**Staff Response: The Applicant anticipates these two residences resulting in an additional 2-4 vehicles a day on both Lions Drive and Oak Street, which is well under both roadways design capacity. The traffic will be consistent with normal residential traffic.**

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**Parking is in conformance with the requirements of the zoning code with two garage spaces and guest parking available on the driveway.**

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

**Staff Response: Standard Met. The reconfiguration of the property will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance other than what was previously impacted by the original development.**

7. Compliance with Standards. The proposed use and development comply with all additional standards imposed on it by the particular provision of this Code authorizing such use.

**Staff Response: Standard met. The proposed resubdivision will comply with all other additional standards imposed through the building codes for residential buildings.**

8. Positive Effect. The proposed special use creating a positive effect for the zoning district, its purpose, and adjacent properties shall be placed before the benefits of the petitioner.

**Staff Response: Standard met. The proposed development will continue to uphold the established character of the residential neighborhood, and will allow for two additional residences in the community.**

- B. Special Standards for Specified Special Uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

**Staff Response: Standard met. There are no uses proposed that warrant special standards for their establishment. Staff will ensure that compliance is established before any additional permits are issued.**

- C. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Board of Trustees shall consider:

1. Benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

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**Staff Response: Standard met. The proposed residential single-family homes will provide an attractive and convenient location for residing within the community.**

2. Alternative Locations. Whether the purposes of the zoning code can be met by the location of the proposed use and development in some other area or zoning district that may be more appropriate than the proposed site.

**Staff Response: Not Applicable. The property is currently owned by the Applicant. He does not intend to abandon this site and build in another location. The subject property continues to offer the ability of the owner to construct a use that is appropriate for the property and the area of the community in which it is presently located.**

3. Mitigation of Adverse Impacts. Whether all steps possible have been taken to minimize any substantial or undue adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

**Staff Response: Standard met. The two single family residential homes will be developed to prevent any undue adverse effect on themselves or on surrounding property in relation to its location, design and operation.**

- **The new homes will be located 30 feet off the front lot line, thereby minimizing their impact on the street and adjacent properties.**
- **The new homes will be designed in a style and materials similar to the existing homes in Lake Zurich.**

#### **9-22-5: STANDARDS FOR PLANNED UNIT DEVELOPMENTS (PUDs).**

Planned unit developments are included in the zoning code as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses and in recognition of the fact that traditional bulk, space, and yard regulations that may be useful in protecting the character of substantially developed and stable areas may impose rigidities on the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

- A. Special Use Permit Standards: No special use permit for a planned unit development shall be recommended or granted pursuant to this chapter unless the applicant shall establish that the proposed development will meet each of the standards made applicable to special use permits pursuant to chapter 19 of this title.

**Staff Response: Standard met. Please refer to the “Standards for Special Use Permits” contained within this report.**

- B. Additional Standards for All Planned Unit Developments: No special use permit for a planned unit development shall be recommended or granted unless the applicant shall

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establish that the proposed development will meet each of the following additional standards:

1. Unified Ownership Required: The entire property proposed for planned unit development treatment shall be in single ownership or under such unified control as to ensure that the entire property will be developed as a unified whole. All owners of the property shall be included as joint applicants on all applications and all approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners and all tracts.

**Staff Response: Standard met. The entirety of the PUD is under common ownership of Mr. Patryk Wielgo of SV Estates, LLC.**

2. Minimum Area: The applicant shall have the burden of establishing that the subject property is of sufficient size and shape to be planned and developed as a unified whole capable of meeting the objectives for which planned unit developments may be established pursuant to this section.

**Staff Response: Standard not met. One of the proposed lots will require relief from the minimum total lot area and minimum lot width.**

- **Per the Bulk, Space, and Yard Requirements (Section 9-3-11) for the R-5 single-family residential district, the minimum lot area is 10,000 square feet. The applicant is requesting a decrease in the minimum lot area to 8,679 square feet in Lot 1. Minimum Lot Area is defined as the minimum total area of a parcel of land legally described as distinct portion or piece of land of record. For purpose of calculating Minimum Lot Area, water areas and land areas with natural resource restrictions including floodplains, wetlands, and lowland conservancy soils are not included as part of the calculation.**
  - **Per the Bulk, Space, and Yard Requirements (9-3-11) the minimum lot width in the R-5 single-family residential district is 75 feet. The applicant is requesting a decrease in the minimum lot width to 63 feet for Lot 1. This lot width modification request is to accommodate two single family lots on this parcel. Lot Width is defined as the shortest distance between side lot lines measured by a line passing through the point of the required front yard line equidistant from the points where the front yard line intersects the side yard lines (measured along the front yard line); provided, however, that the length of the front lot line shall not be less than eighty percent (80%) of the required minimum lot width.**
3. Covenants and Restrictions to Be Enforceable by Village: All covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the planned unit development shall provide that they may not be modified,

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removed, or released without the express consent of the board of trustees and that they may be enforced by the village as well as by future landowners within the proposed development.

**Staff Response: Standard met. The Village will ensure that all easements are properly recorded, abided by the owners and enforced by the Village.**

4. Public Open Space and Contributions: Whenever the official comprehensive plan, zoning map, or official map indicates that development of a planned unit development will create a need for land for public purposes of the village within the proposed planned unit development, the board of trustees may require that such area be designated and to the extent such need is specifically and uniquely attributable to the proposed development, dedicated to the village for such use. In addition, the board of trustees may require evidence that all requirements of village ordinances pertaining to the dedication of land or the contribution of cash in connection with subdivisions or developments of land have been met as respects the proposed planned unit development.

**Staff Response: Not Applicable. The nature and scope of the development does not create a need for land for public purposes of the village within the proposed planned unit development. The purpose and intent of such contributions are provided primarily for larger residential developments consisting of multiple properties with common areas to provide for or compensate for public amenities for the benefit of new residents that will move into the community to occupy such developments.**

**The village has therefore determined that the development is not required to provide any public open space at this time. However, the additional lot will be subject to the various fees and contributions required by the municipal code.**

5. Common Open Space:
- a. Amount, Location, And Use: The failure of a planned unit development to provide common open space shall be considered to be an indication that it has not satisfied the objectives for which such developments may be approved pursuant to this zoning code. When common open space is provided in a planned unit development, the amount and location of such open space shall be consistent with its intended function as set forth in the application and planned unit development plans. No such open space shall be used for the construction of any structure or improvement except such structures and improvements as may be approved in the final plan as appropriate to the intended leisure and recreational uses for which such open space is intended.
  - b. Preservation: Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided to prevent the subsequent use of common open space for any use, structure, improvement,

**Staff Report**  
APPLICATION PZC 2023-08

**Community Development Department**  
PZC Meeting Date: April 19, 2023

or development other than that shown on the approved final plan. The restrictions must be permanent and not for a given period of years and must run with the land. Such covenants and dedications may provide that they may be released, but only with the express written consent of the board of trustees.

- c. **Ownership And Maintenance:** The final plan shall include such provisions for the ownership and maintenance of such open space and improvements as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in accordance with predetermined standards and to ensure that remedial measures will be available to the village if such open space or improvements are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the planned unit development or the village.
- d. **Property Owners' Association:** When the requirements of subsection B5c of this section are to be satisfied by the ownership or maintenance of such open space or improvements by a property owners' association, such association shall meet each of the following standards:
  - i. The bylaws and rules of the association and all declarations, covenants, and restrictions to be recorded must be approved as part of the final plan prior to becoming effective. Each such document shall provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this subsection B5d(1); and
  - ii. The association must be established and all covenants and restrictions must be recorded prior to the sale of any property within the area of the planned unit development designated to have the exclusive use of the proposed open space or improvements; and
  - iii. The association must be responsible for casualty and liability insurance, taxes, and the maintenance of the open space and improvements to be deeded to it; and
  - iv. Membership in the association must be mandatory for each property owner and any successive owner having a right to the use or enjoyment of such open space or improvements; and
  - v. Every property owner having a right to the use or enjoyment of such open space or improvements must pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with state statutes; and
  - vi. The association must have the right to adjust the assessment to meet changed needs. The membership vote required to authorize such adjustment shall not be fixed at more than two-thirds (2/3) of the members voting on the issue; and

**Staff Report**  
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- vii. The village must be given the right to enforce the covenants; and
- viii. The village must be given the right, after ten (10) days' written notice to the association, to perform any maintenance or repair work that the association has neglected to perform, to assess the membership for such work and to have a lien against the property of any member failing to pay such assessment. For this purpose alone, the village shall have all the rights and powers of the association and its governing body under the agreements and declarations creating the association.

**Staff Response: Not Applicable. Based on the nature and scope of the development, and size of the subject property, the village has determined that the development is not required to provide any public open space at this time.**

- 6. Landscaping and Perimeter Treatment: Any area of a planned unit development not used for structures or circulation elements shall be landscaped or otherwise improved. The perimeter of the planned unit development shall be treated so as to ensure compatibility with surrounding uses by means such as provision of compatible uses and structures, setbacks, screening, or natural or manmade buffers.

**Staff Response: Standard Met. All portions of the development are proposed to be either improved with paved areas or landscaped.**

- 7. Private Streets: Private streets are prohibited unless expressly approved by the board of trustees. If so approved, they shall meet all construction standards applicable to public streets. No such streets shall be approved except upon the condition that they shall be owned and maintained by a property owners' association meeting the requirements set forth in subsection B5d of this section.

**Staff Response: Not Applicable. The development is being proposed on a single site and therefore no private streets are proposed.**

- 8. Sidewalks: A sidewalk meeting the standards of the Lake Zurich subdivision ordinance shall be provided along at least one side of every street in or abutting a planned unit development; provided, however, that such sidewalk may be constructed in a street right of way or as a specific element of the design of the planned unit development.

**Staff Response: Standard met. A sidewalk currently does not exist along the Lions Drive boundary and the Oak Street boundary. This trend exists throughout a majority of the Marina Park Subdivision.**

**A compensating amenity fee will therefore be collected and placed into an escrow account that will fund the construction and upkeep of other amenities within the Village.**

- 9. Utilities: All utility lines shall be installed underground.

**Staff Report**  
APPLICATION PZC 2023-08

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**Staff Response: Standard Met. All existing and proposed utilities including water and sanitary mains, electric, gas and communications (cable) attributable to the development are proposed to be underground. Currently, cable and electric are run overhead across the street. The locations of the public utilities are to be determined.**

- C. Additional Standards for Specific Planned Unit Developments: When the district regulations authorizing any planned unit development use in a particular district impose standards to be met by such planned unit development in such district, a special use permit for such development shall not be recommended or granted unless the applicant shall establish compliance with such standards. (Ord., 10-2004)

**Staff Response: Standard Met. There are no additional standards imposed through the establishment of SV Estates Subdivision that is proposed within such district other than what are currently being requested for approval.**

#### **IDENTIFICATION AND ANALYSIS OF ZONING RELIEF FOR THE PLANNED UNIT DEVELOPMENT (PUD)**

On analysis of the proposed development against the various standards contained within the municipal code, staff has identified the following modifications to the zoning code.

1. **Section 9-3-11.B.2. Minimum Lot Area and Dimensions: Minimum lot area per unit (square feet).** The minimum lot area per unit within the R-5 Single Family Residential District is 10,000 square feet. Lot 1 is proposed with a lot area of 8,679 square feet, requiring a modification to the code. However, Lot 2 is proposed to conform to this standard with a lot area of 11,607 square feet.
2. **Section 9-3-11.B.3. Minimum Lot Area and Dimensions: Minimum lot width (feet).** The minimum lot width within the R-5 Single Family Residential District is 75 feet. Lot 1 is proposed with a lot width of 63 feet, requiring a modification to the code. However, Lot 2 is proposed to conform to this standard with a lot width of 75 feet.

The reduced lot area and lot width are consistent with lots within this area.

**Staff Report**  
APPLICATION PZC 2023-08

**Community Development Department**  
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### **RECOMMENDATION**

The recommendation of the Planning and Zoning Commission should be based on the standards included in the following Sections of the Lake Zurich Municipal Code:

- Section 9-19-3: Standards for Special Use Permits
- Section 9-22-5: Standards for Planned Unit Developments (PUD)
- Section 10-4-1: Plan Commission Guidelines for Subdivision Approval

Based on the review of staff, the standards for approval will be met and therefore staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

Staff of the Community Development Department therefore recommends the approval of Application PZC 2023-08, subject to the following conditions:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
  - a. Zoning Application and Cover Letter dated March 16, 2023, submitted by Mr. Patryk Wielgo.
  - b. Exhibit A: Legal Description of the Subject Property
  - c. Final Plat of Subdivision for SV Estates LLC Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
  - d. Subdivision Engineering Plans, for SV Estates Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
  - e. Plat of Survey for SV Estates Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
  - f. Proposed Engineering Plan for both Single-family Residences at 154 Oak Street prepared by Pro-Plan Architects, prepared on March 16, 2023.
  - g. Landscape Plan for SV Estates Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
2. Tree removal shall be reviewed and approved following review of the village arborist. A final landscaping design and plant count shall be reviewed by village staff prior to issuance of site engineering and building permits.
3. Under the Village of Lake Zurich Land Development Code, the Applicant is required to install all required public utilities and shall provide surety to guarantee the proper installation of these improvements and to ensure that water and sanitary sewer service is delivered to each lot in the new two-lot single-family residential subdivision.
4. The Applicant shall be responsible for payment of all Impact Fees under the Land Development Code of the Village of Lake Zurich and as a condition of the approval of the

**Staff Report**  
**APPLICATION PZC 2023-08**

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**PZC Meeting Date: April 19, 2023**

PUD and Final Plat. The school impact fees, park impact fees, and library impact fees are paid pro-rata and due at the time a building permit is issued for the applicable building.

5. The Applicant shall pay a fee in lieu of installing a sidewalk along the street frontages of both properties to be collected and placed into an escrow account that will fund the construction and upkeep of sidewalks within the Village. Such fee shall be based upon the per square-foot cost of a 5-foot wide sidewalk as determined by the Village at the time of issuance of the building permit, and collected at such time.
6. Each lot in the new two-lot single-family residential subdivision will be provided with 10-foot side yard setbacks, a 30-foot rear yard setback, and a 30-foot front yard and corner side yard setback in accordance with the bulk requirements of the R-5 single-family residential district.
7. Removal of the existing structures on the Subject Property prior to issuance of any building permit.
8. The Redevelopment shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich, including general and continuing compliance with Title 10 of the Village Code, the Land Development Code, and all of the engineering and land improvement requirements, standards and specifications set forth in Chapter 6 of said Land Development Code, unless otherwise approved or provided for in the final engineering plans or development agreement for the Subject Property.

Respectfully Submitted,

Tim Verbeke, Planner

**Staff Report**  
APPLICATION PZC 2023-08

**Community Development Department**  
PZC Meeting Date: April 19, 2023

**LAKE ZURICH PLANNING & ZONING COMMISSION  
FINAL FINDINGS & RECOMMENDATIONS**

**FOR 154 OAK STREET – PUD and SUBDIVISION  
April 19, 2023**

The Planning & Zoning Commission recommends approval of Application PZC 2023-08, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **April 19, 2023** for this Application and subject to any changes or approval conditions as listed below:

1. Substantial conformance with the following documentation submitted as part of the application subject to revisions required by Village Staff, Village Engineer, Village Landscape Consultants and applicable governmental agencies:
  - h. Zoning Application and Cover Letter dated March 16, 2023, submitted by Mr. Patryk Wielgo.
  - i. Exhibit A: Legal Description of the Subject Property
  - j. Final Plat of Subdivision for SV Estates LLC Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
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  - l. Plat of Survey for SV Estates Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
  - m. Proposed Engineering Plan for both Single-family Residences at 154 Oak Street prepared by Pro-Plan Architects, prepared on March 16, 2023.
  - n. Landscape Plan for SV Estates Subdivision, Lots 1 and 2, prepared by Pro-Plan Architects, prepared on March 16, 2023.
2. Tree removal shall be reviewed and approved following review of the village arborist. A final landscaping design and plant count shall be reviewed by village staff prior to issuance of site engineering and building permits.
3. Under the Village of Lake Zurich Land Development Code, the Applicant is required to install all required public utilities and shall provide surety to guarantee the proper installation of these improvements and to ensure that water and sanitary sewer service is delivered to each lot in the new two-lot single-family residential subdivision.
4. The Applicant shall be responsible for payment of all Impact Fees under the Land Development Code of the Village of Lake Zurich and as a condition of the approval of the PUD and Final Plat. The school impact fees, park impact fees, and library impact fees are paid pro-rata and due at the time a building permit is issued for the applicable building.
5. The Applicant shall pay a fee in lieu of installing a sidewalk along the street frontages of both properties to be collected and placed into an escrow account that will fund the construction and upkeep of sidewalks within the Village. Such fee shall be based upon the

**Staff Report**  
**APPLICATION PZC 2023-08**

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per square-foot cost of a 5-foot wide sidewalk as determined by the Village at the time of issuance of the building permit, and collected at such time.

6. Each lot in the new two-lot single-family residential subdivision will be provided with 10-foot side yard setbacks, a 30-foot rear yard setback, and a 30-foot front yard and corner side yard setback in accordance with the bulk requirements of the R-5 single-family residential district.
  7. Removal of the existing structures on the Subject Property prior to issuance of any building permit.
  8. The Redevelopment shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich, including general and continuing compliance with Title 10 of the Village Code, the Land Development Code, and all of the engineering and land improvement requirements, standards and specifications set forth in Chapter 6 of said Land Development Code, unless otherwise approved or provided for in the final engineering plans or development agreement for the Subject Property.
- Without any further additions, changes, modifications and/or approval conditions.
  - With the following additions, changes, modifications and/or approval conditions:

---

Planning & Zoning Commission Chairman

**Staff Report**  
APPLICATION PZC 2023-08

**Community Development Department**  
PZC Meeting Date: April 19, 2023

**EXHIBIT A**  
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THAT PART OF THE SOUTH HALF OF SECTION 17, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF OAK STREET WITH THE WEST LINE OF THE RIGHT OF WAY OF THE PALATINE, LAKE ZURICH AND WAUCONDA RAILROAD COMPANY CONVEYED BY DEED FROM JOHN ROBERTSON AND JULIA ROBERTSON, HIS WIFE, DATED APRIL 24, 1911 AND RECORDED APRIL 27, 1911, AS DOCUMENT 135231; AND RUNNING THENCE WEST ALONG THE NORTH LINE OF OAK STREET, 138.0 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID RIGHT OF WAY OF THE PALATINE, LAKE ZURICH AND WAUCONDA RAILROAD COMPANY, 130 FEET; THENCE NORTH EASTERLY IN A STRAIGHT LINE 142.13 FEET TO A POINT IN THE WEST LINE OF SAID RIGHT OF WAY OF THE PALATINE, LAKE ZURICH AND WAUCONDA RAILROAD, 164 FEET NORTH OF ITS INTERSECTION WITH THE NORTH LINE OF OAK STREET; THENCE SOUTH ALONG THE WEST LINE OF SAID RIGHT OF WAY 164 FEET TO THE PLACE OF BEGINNING.

PARCELS INVOLVED: 14-17-400-012

**Staff Report**  
**APPLICATION PZC 2023-08**

**Community Development Department**  
**PZC Meeting Date: April 19, 2023**

**EXHIBIT B**  
**PUBLIC MEETING SIGN PRESENT AT SUBJECT PROPERTY**



# 154 Oak Subdivision





Lake County, Illinois



Map Printed on 4/7/2023



□ Tax Parcel Lines

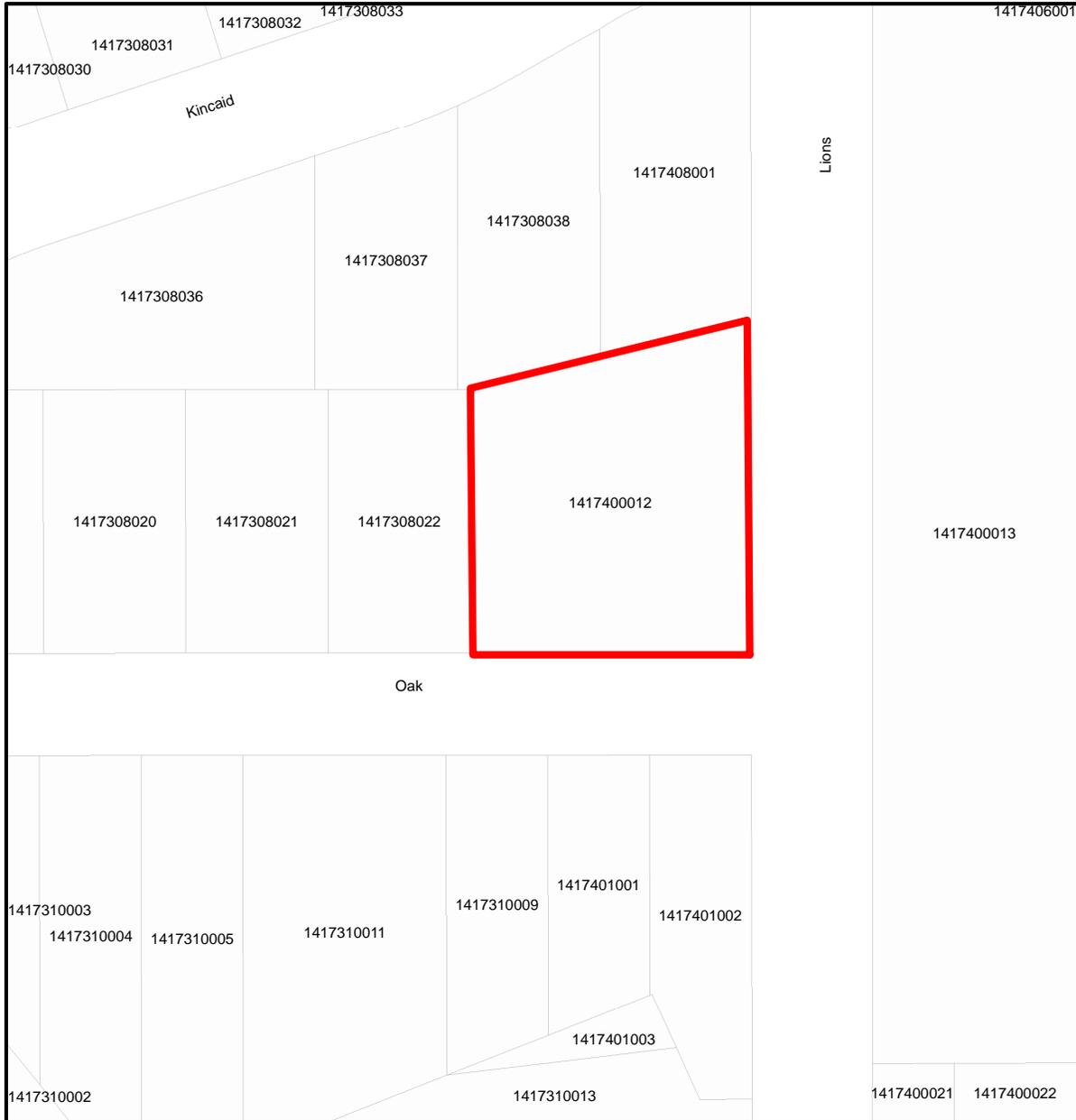
Tax Parcel Information

**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.



# Subdivision Creation

## 154 Oak Street



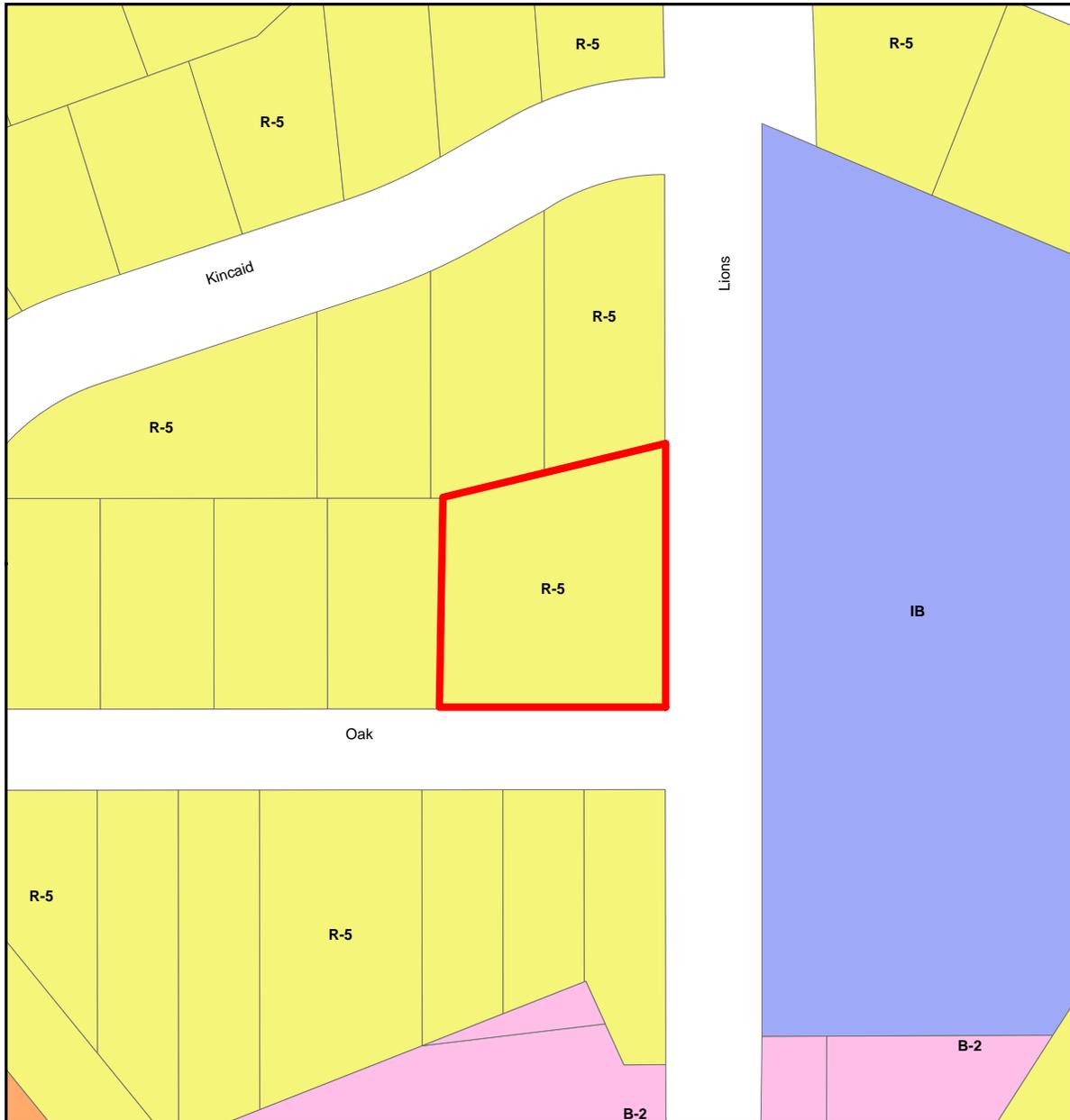
COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telser Road, Lake Zurich, Illinois 60047

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



# Subdivision Creation

## 154 Oak Street



COMMUNITY SERVICES DEPARTMENT  
Building and Zoning Division  
505 Telsler Road, Lake Zurich, Illinois 60047

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



### ZONING APPLICATION

Community Development Department  
505 Telsler Rd.  
Lake Zurich, IL 60047  
Phone: (847) 540-1696  
Fax: (847) 540-1769

(Please Type or Print)

- 1. Address of Subject Property: 154 OAK STREET, LAKE ZURICH, IL 60047
- 2. Please attach complete legal description
- 3. Property Identification number(s): 14-17-400-012
- 4. Owner of record is: SV ESTATES, LLC Phone: (773) 319-6306  
E-Mail: info@svcooaling.com Address: 30 CARLISLE RD.  
HAWTHORN WOODS, IL 60047
- 5. Applicant is (if different from owner): SAME Phone: \_\_\_\_\_  
E-Mail \_\_\_\_\_ Address: \_\_\_\_\_
- 6. Applicant's interest in the property (owner, agent, realtor, etc.): OWNER
- 7. All existing uses and improvements on the property are: building two (2)  
residential, standard homes.
- 8. The proposed uses on the property are: Two residential homes
- 9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and how of record and the date of expiration of said restrictions:  
Project to be completed according current building codes.
- 10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:  
N/A
- 11. For applications requiring a public hearing, please attach a list which contains the PIN, owner, and owner's mailing address of all properties located within 250 feet (excluding all Public Right-of-Ways) of the Subject Property.

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.

PATRYK WIELGO  
(Name of applicant)

Patryk Wielgo  
(Signature of applicant)

Subscribed and sworn to before me this 20<sup>th</sup> day of March, 2023.

A. Jankal  
(Notary Public)



My Commission Expires 01/20/2027

(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
(Notary Public)

My Commission Expires \_\_\_\_\_

Please indicate what zoning relief your application requires. For assistance, please contact Staff.

- Zoning Code **Map** Amendment to change zoning of Subject Property from \_\_\_\_ to \_\_\_\_
- Zoning Code **Text** Amendment to amend the following section(s) of the Zoning Code \_\_\_\_\_

(See Section 18-103 of the Lake Zurich Zoning Code for specific standards. 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.)

- 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.)

- Variation for \_\_\_\_\_

(See Section 17-104 of the Lake Zurich Zoning Code for specific standards. Please indicate what your specific hardships are in the cover letter.)

- 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.)

- Preliminary Plat of Subdivision

- Final Plat of Subdivision or Amendment to Plat of Subdivision  
(See Sections 10-5-2 and 10-5-9 of the Land Development Code for specific standards.)

- Site Plan Approval/Major Adjustment/Amendment  
(See Section 20-103 of the Lake Zurich Zoning Code for specific standards.)

- Exterior Appearance Approval or Amendment  
(See Section 21-103 of the Lake Zurich Zoning Code for specific standards.)

**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

**COMPREHENSIVE PLAN APPLICATION**

- Comprehensive Plan **Map** Amendment for \_\_\_\_\_  
\_\_\_\_\_
- Comprehensive Plan **Text** Amendment for \_\_\_\_\_  
\_\_\_\_\_

**SV ESTATES, LLC**

30 CARLISLE ROAD  
HAWTHORN WOODS, IL 60047  
773 319-6306/224 255-7663

DATE: 03/16/2023

Property Address:  
154 Oak Street  
Lake Zurich, IL 60047

To Whom It May Concern,

The estimated cost of development for the proposed project of two (2) residential homes will be approximately \$350,000 each.

The proposed project includes two (2) – residential homes with two story structure. This project replaces a single residential home (hoarder home) and will bring a positive impact on the neighborhood.

Sincerely,

Patryk Wielgo  
773 319 6306  
SV Estates, LLC

**SV ESTATES, LLC**

30 CARLISLE ROAD  
HAWTHORN WOODS, IL 60047  
773 319-6306/224 255-7663

DATE: 03/16/2023

TO: Orlando Stratman  
Chairperson of the Planning and Zoning Commission

FROM: SV Estates, LLC

RE: Approval request for Preliminary Plat and Final Plat Approval for 154 Oak Street, Lake Zurich, IL 60047

I would like to request an approval for the Preliminary Plat and Final Plat Approval and the modification approval of Lot 1 width from 75 to 63 feet.

SV Estates, LLC is in the process of obtaining the approval to build two (2) single residential homes at 154 Oak Street, Lake Zurich, IL 60047.

This project includes a contemporary style architecture with two (2) story frame structures of two (2) separate homes on concrete slab without the basement. Each house will have four (4) bedrooms, 3.5 bathrooms and two (2) car garage with driveway.

Each house will have an open porch (entrance) in the front of the house and a brick patio in the back.

The approximately living space for each house will be 3,000sq.ft. where the first floor will have approximately 1,425 sq. ft and the second floor will have approximately 1,630.00 sq. ft.

The current size of the lot will provide enough space and privacy for the proposed homes that will bring comfort to the future residents/families with children.

SV Estates, LLC does not plan to sell the proposed homes and will use them as a rental income.

Sincerely,

Patryk Wielgo  
773 319 6306  
SV Estates, LLC

Mail to:  
SV ESTATES, LLC  
30 Carlisle Rd.,  
Hawthorn Woods, IL 60047

**EXECUTOR'S DEED**

The Grantor(s), Thomas B. Hood and P. Joseph Balmes as Public Administrators for the Estate of Diane Rose Armi, which was so duly appointed in the probate proceeding in the County of Lake and State of Illinois as Case No. 2022 PR 30 in consideration of \$120,000.00 and other good and valuable consideration in hand paid hereby:

Convey and warrant to SV Estates LLC, an Illinois limited liability company the following described real estate situated in the County of Lake and State of Illinois, to-wit:

**SEE ATTACHED LEGAL DESCRIPTION**

hereby releasing and waiving all rights under and virtue of the homestead exemption laws of the State of Illinois.

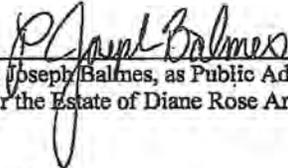
Subject to covenants, conditions and restrictions of record and general real estate taxes for the year 2022 and subsequent years.

Permanent Index No. 14-17-400-012  
Common address: 154 Oak Street, Lake Zurich, Illinois 60047

Dated this 28 day of Sept., 2022.



Thomas B. Hood as Public Administrator  
for the Estate of Diane Rose Armi



P. Joseph Balmes, as Public Administrator  
for the Estate of Diane Rose Armi

Name of Grantee	Address
SV ESTATES, LLC	30 Carlisle Rd., Hawthorn Woods, IL 60047
Name of Taxpayer	Address
SV ESTATES, LLC	30 Carlisle Rd., Hawthorn Woods, IL 60047

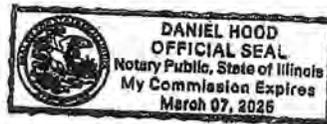
Name of Person Preparing Deed and Address  
Daniel J. Hood 501 N. Riverside Drive, Suite 204, Gurnee, Illinois 60031

State of Illinois  
County of Lake

I, the undersigned, a notary public do hereby certify that Thomas B. Hood and P. Joseph Balmes are personally known to me to be the same person(s) whose name(s) is subscribed to the foregoing instrument, appeared before me this day in person and the acknowledged that he signed this instrument under his own free and voluntary act, for the purposes set forth.

Given under my hand and seal this 28 day of Sept., 2022.

  
\_\_\_\_\_  
Notary Public



15827-22-70959-IL

Property Address: 154 Oak Street, Lake Zurich, IL 60047  
Parcel ID: 14-17-400-012

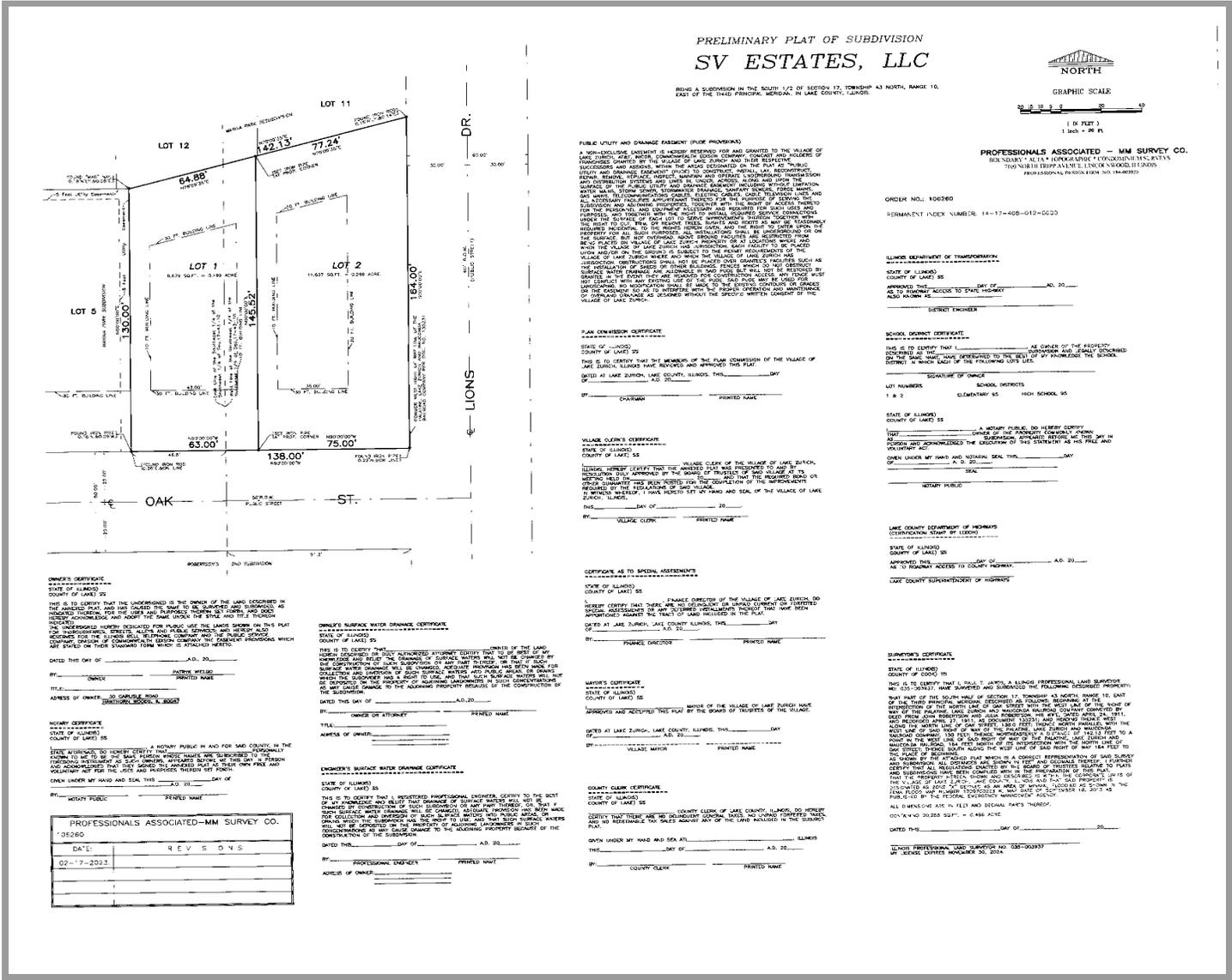
THAT PART OF THE SOUTH HALF OF SECTION 17, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF OAK STREET WITH THE WEST LINE OF THE RIGHT OF WAY OF THE PALATINE, LAKE ZURICH AND WAUCONDA RAILROAD COMPANY CONVEYED BY DEED FROM JOHN ROBERTSON AND JULIA ROBERTSON, HIS WIFE, DATED APRIL 24, 1911 AND RECORDED APRIL 27, 1911, AS DOCUMENT 135231; AND RUNNING THENCE WEST ALONG THE NORTH LINE OF OAK STREET, 138.0 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID RIGHT OF WAY OF THE PALATINE, LAKE ZURICH AND WAUCONDA RAILROAD COMPANY, 130 FEET; THENCE NORTH EASTERLY IN A STRAIGHT LINE 142.13 FEET TO A POINT IN THE WEST LINE OF SAID RIGHT OF WAY OF THE PALATINE, LAKE ZURICH AND WAUCONDA RAILROAD, 164 FEET NORTH OF ITS INTERSECTION WITH THE NORTH LINE OF OAK STREET; THENCE SOUTH ALONG THE WEST LINE OF SAID RIGHT OF WAY 164 FEET TO THE PLACE OF BEGINNING.

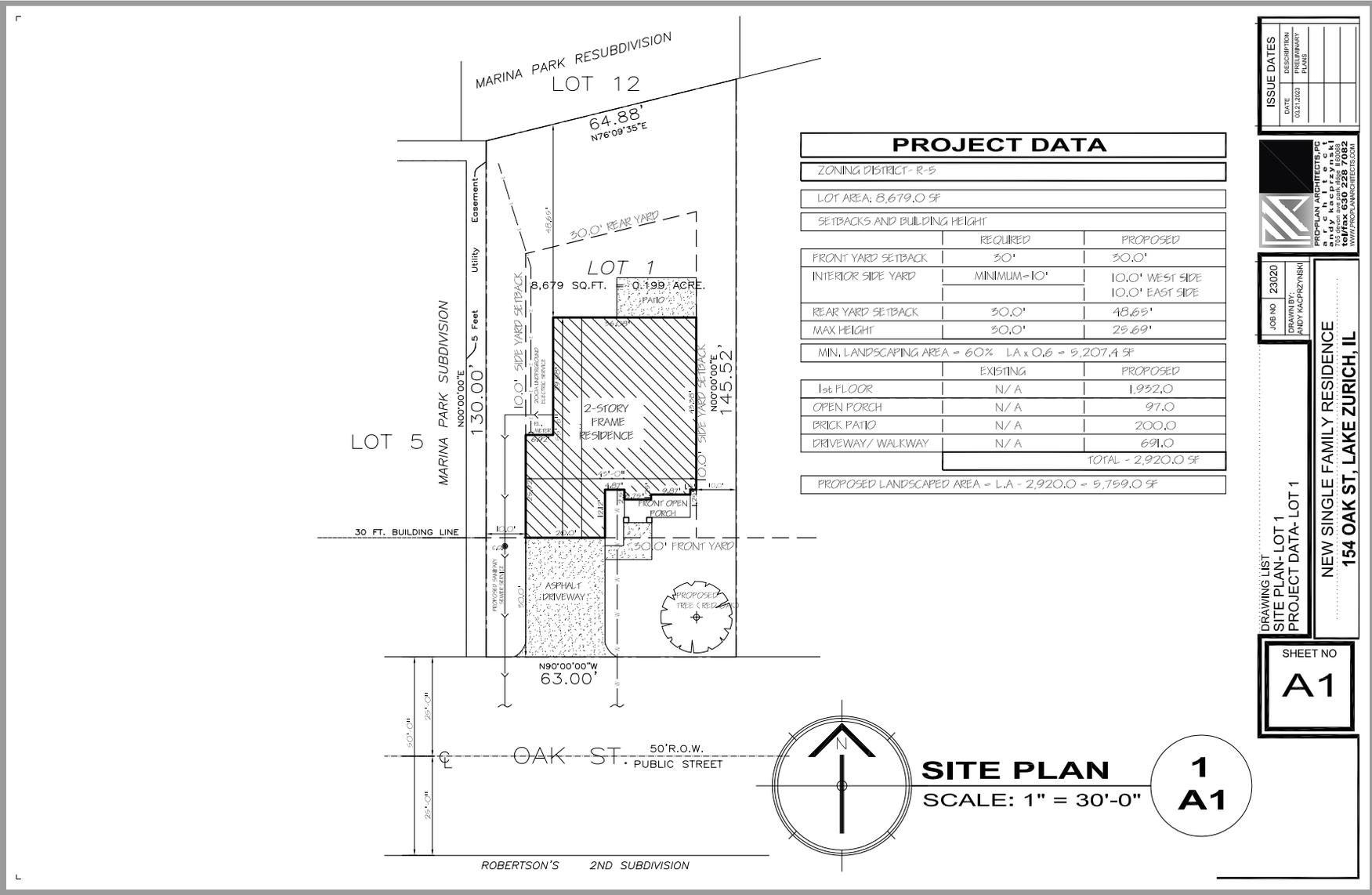
Legal Description with Address

15827-22-70959-IL









ISSUE DATES	
DATE	DESCRIPTION
10/21/2020	PRELIMINARY PLANS



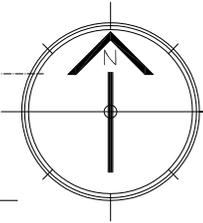
JOB NO. 23020  
DRAWN BY: ANDY KACZMINSKI

DRAWING LIST  
SITE PLAN- LOT 1  
PROJECT DATA- LOT 1  
NEW SINGLE FAMILY RESIDENCE  
154 OAK ST, LAKE ZURICH, IL

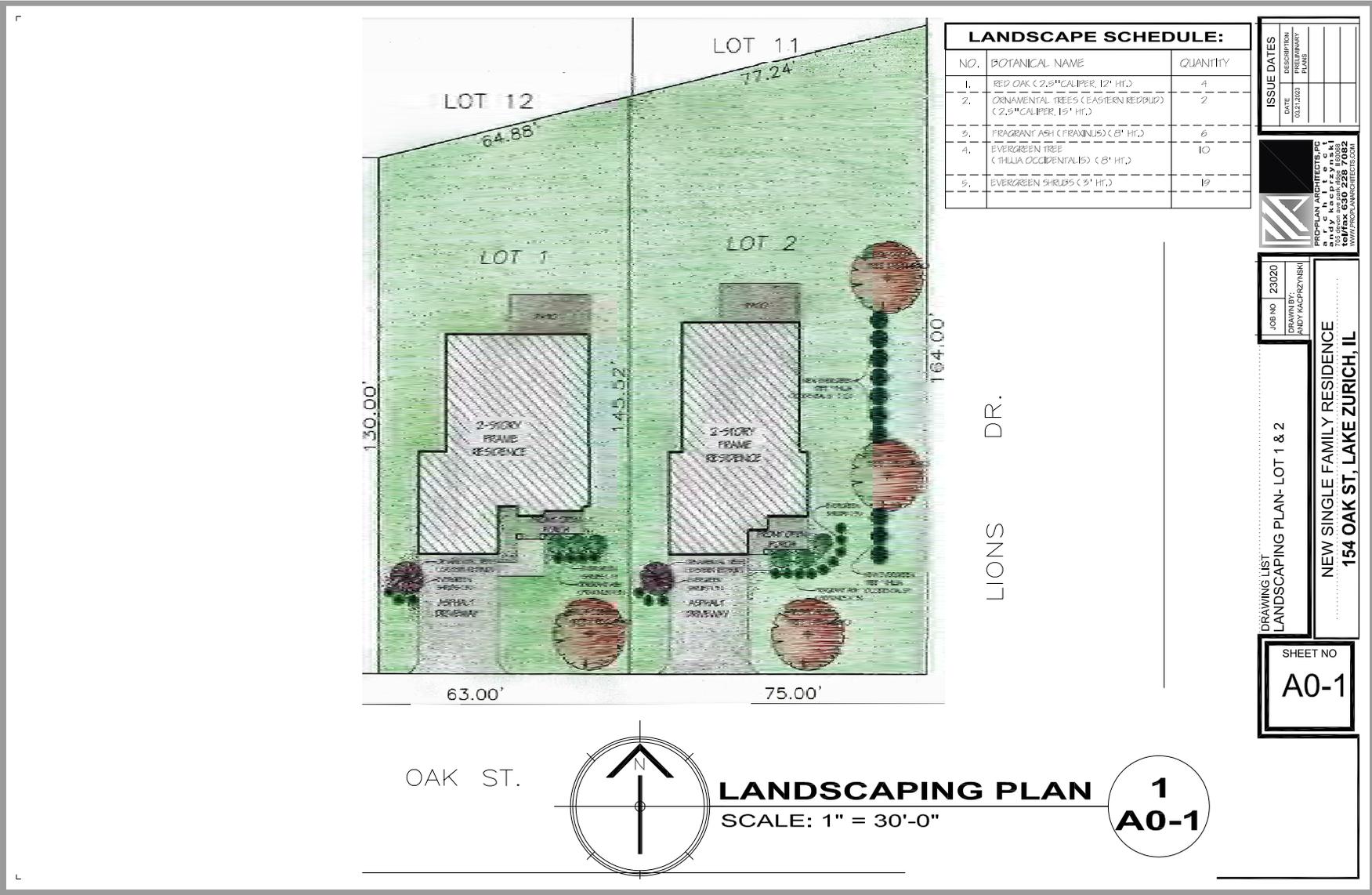
SHEET NO  
**A1**

**1**  
**A1**

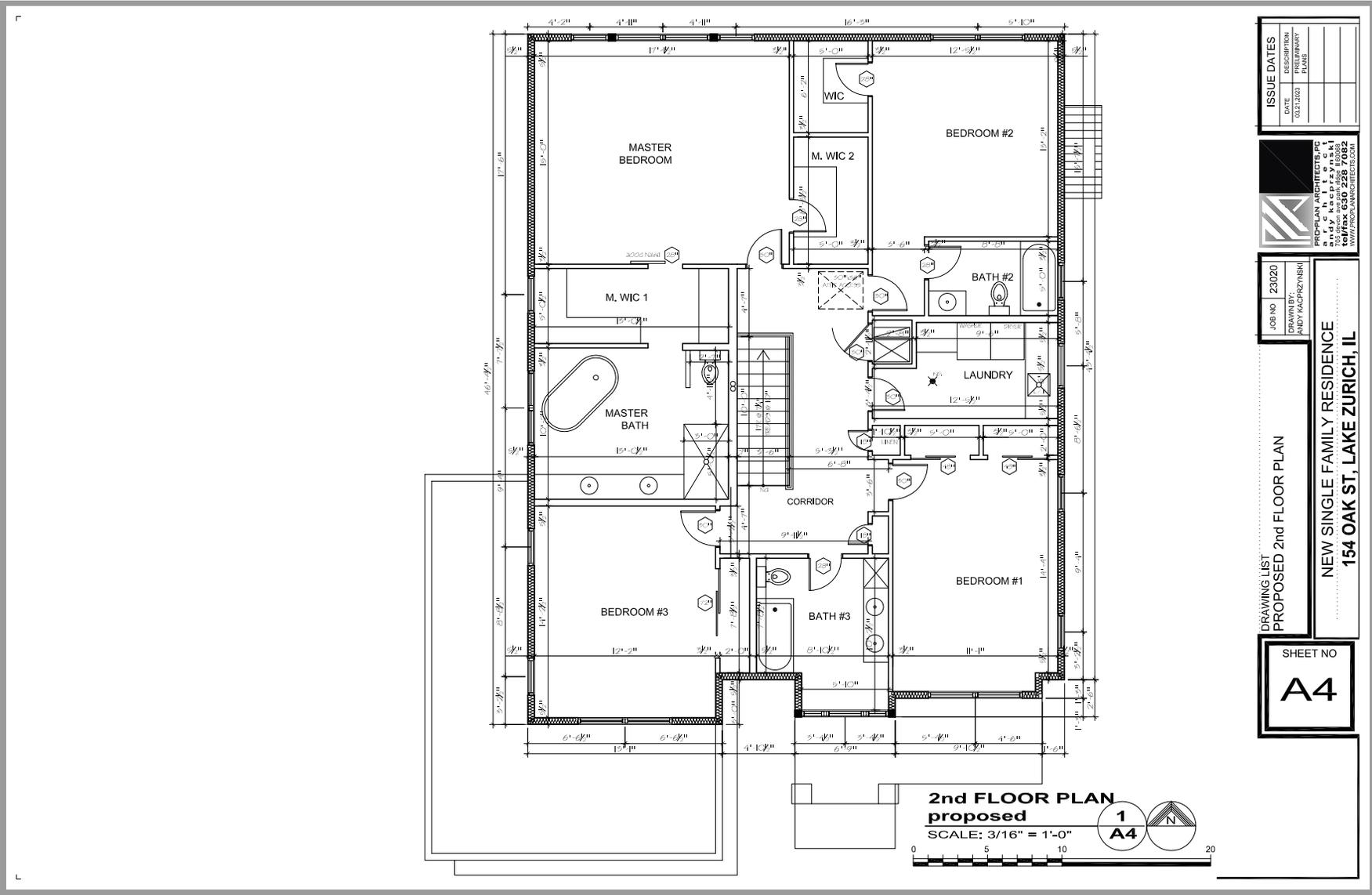
**SITE PLAN**  
SCALE: 1" = 30'-0"













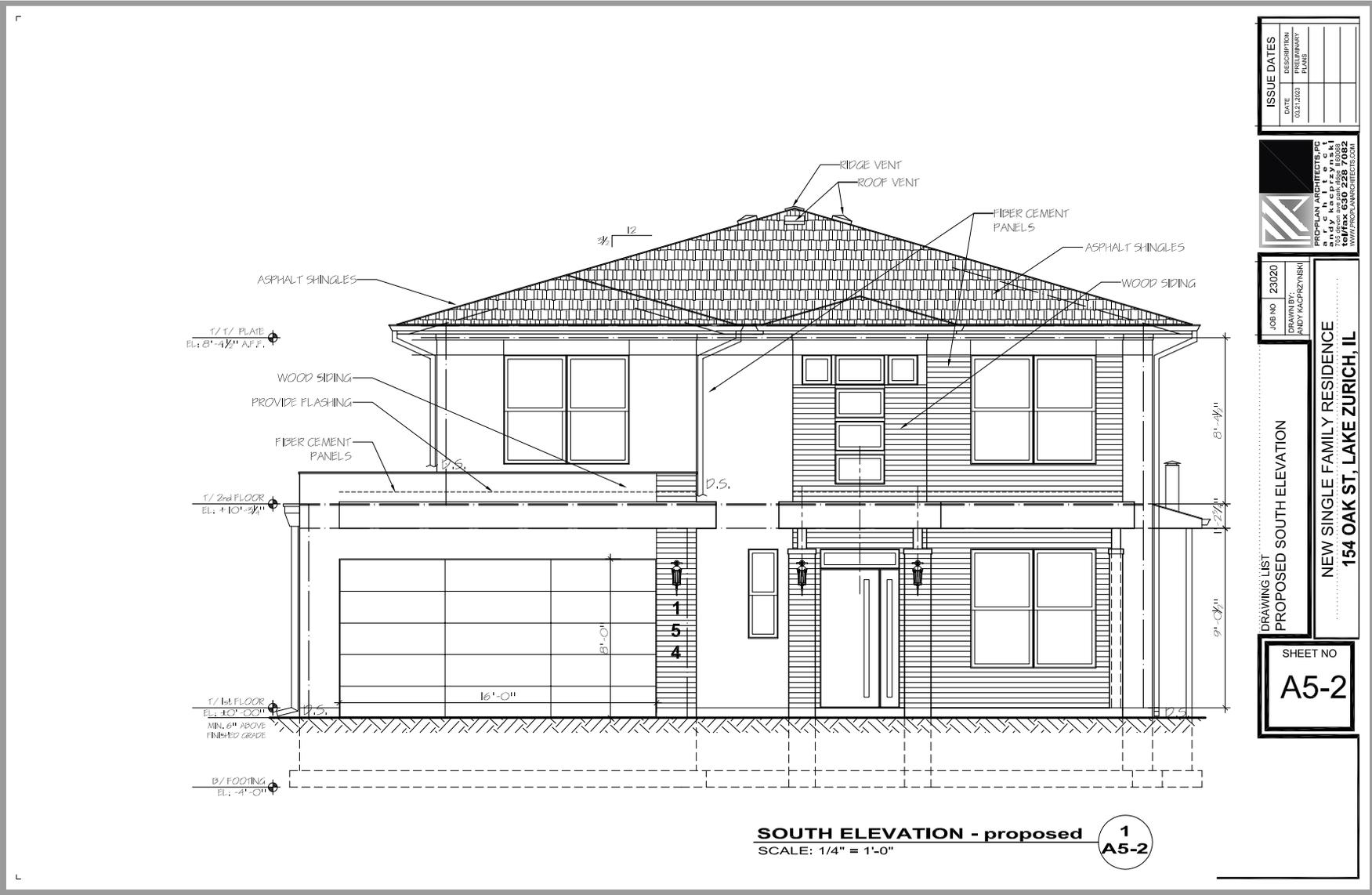
ISSUE DATES	
DATE	DESCRIPTION
10/21/2020	PRELIMINARY PLANS


**PRO PLAN ARCHITECTS, P.C.**  
 200 N. KENYON ST.  
 LAKE ZURICH, IL 60047  
 TEL/FAX 630 228 7082  
 WWW.PROPLANARCHITECTS.COM

JOB NO. 23020  
 DRAWN BY: ANDY KACZMINSKI

DRAWING LIST  
 PROPOSED SOUTH ELEVATION  
 NEW SINGLE FAMILY RESIDENCE  
 154 OAK ST, LAKE ZURICH, IL

SHEET NO  
**A5**



ISSUE DATES	
DATE	DESCRIPTION
10/2/2020	PRELIMINARY PLANS

PRO-PLAN ARCHITECTS, P.C.  
 200 N. KATE ST., SUITE 101  
 LAKE ZURICH, IL 60054  
 TEL/FAX: 630 228 7082  
 WWW.PROPLANARCHITECTS.COM

JOB NO. 23020  
 DRAWN BY: ANDY KACZMINSKI

DRAWING LIST  
 PROPOSED SOUTH ELEVATION  
 NEW SINGLE FAMILY RESIDENCE  
 154 OAK ST, LAKE ZURICH, IL

SHEET NO  
**A5-2**

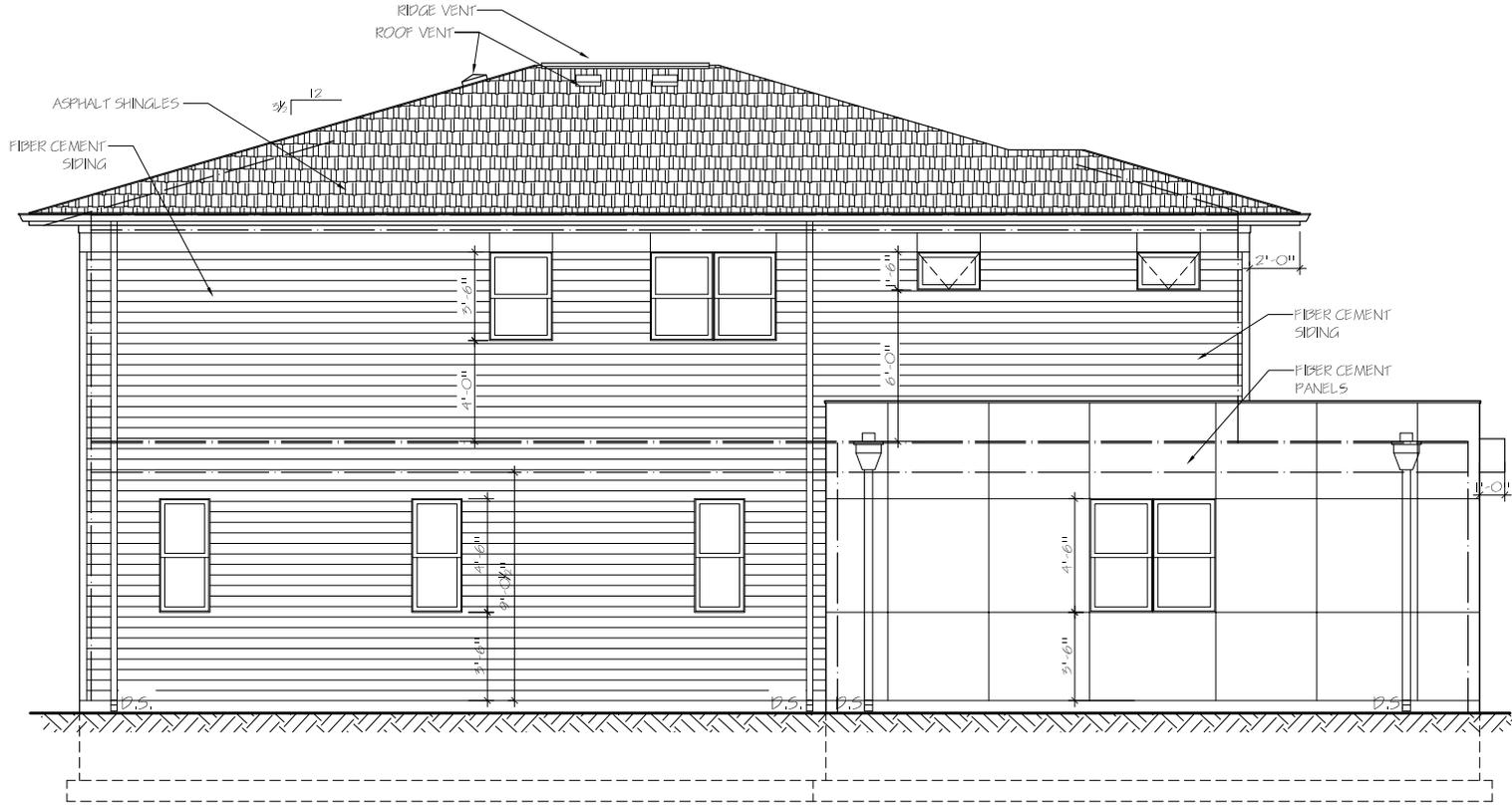
ISSUE DATES	
DATE	DESCRIPTION
TUE 2/20/20	PRELIMINARY PLANS


**PRO-PLAN ARCHITECTS, P.C.**  
 200 N. KANE ST., SUITE 100  
 LAKE ZURICH, IL 60047  
 TEL/FAX 630 228 7082  
 WWW.PROPLANARCHITECTS.COM

JOB NO. 23020  
 DRAWN BY: ANDRZACZKOWSKI

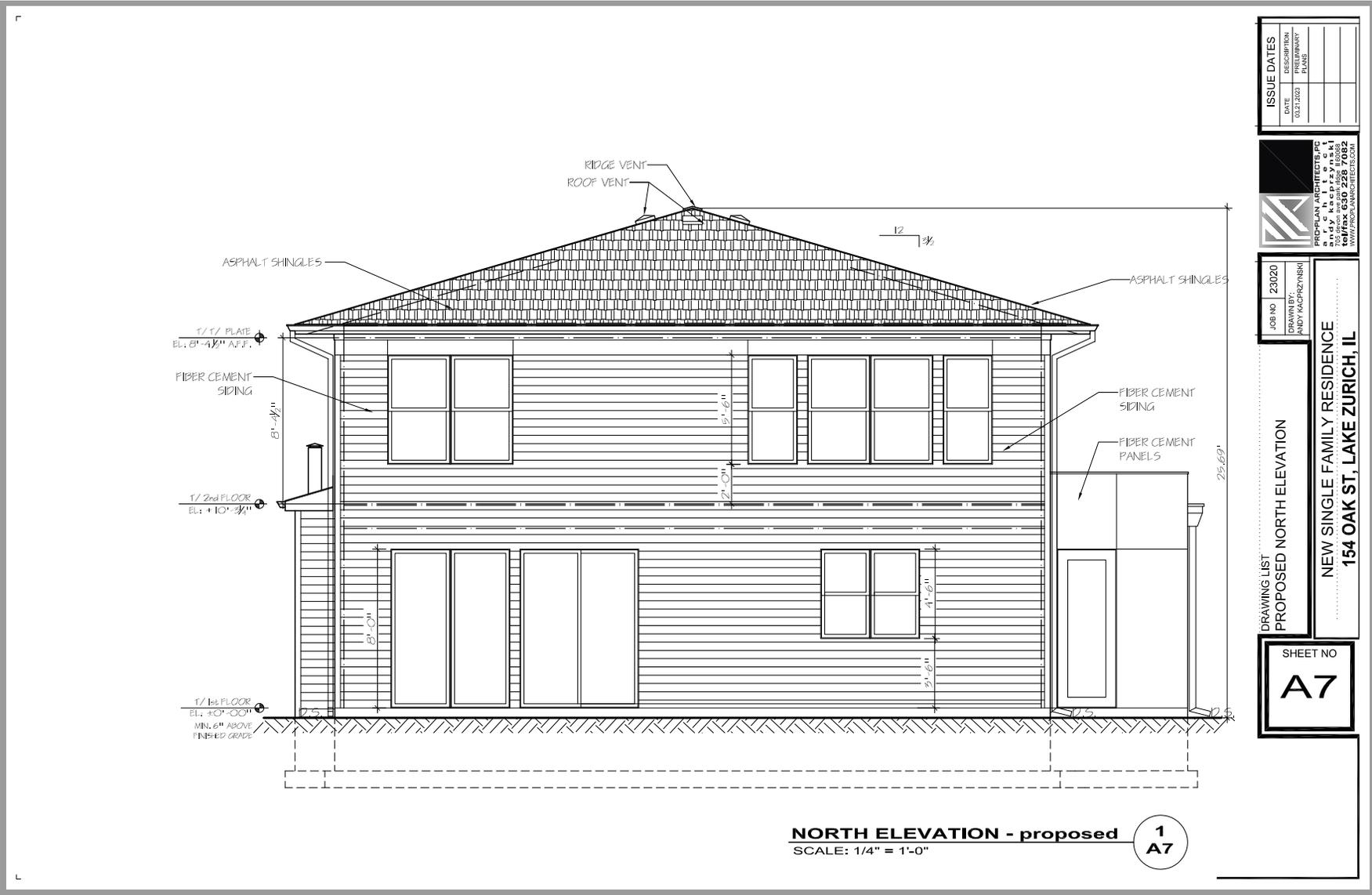
DRAWING LIST  
 PROPOSED WEST ELEVATION  
 NEW SINGLE FAMILY RESIDENCE  
 154 OAK ST, LAKE ZURICH, IL

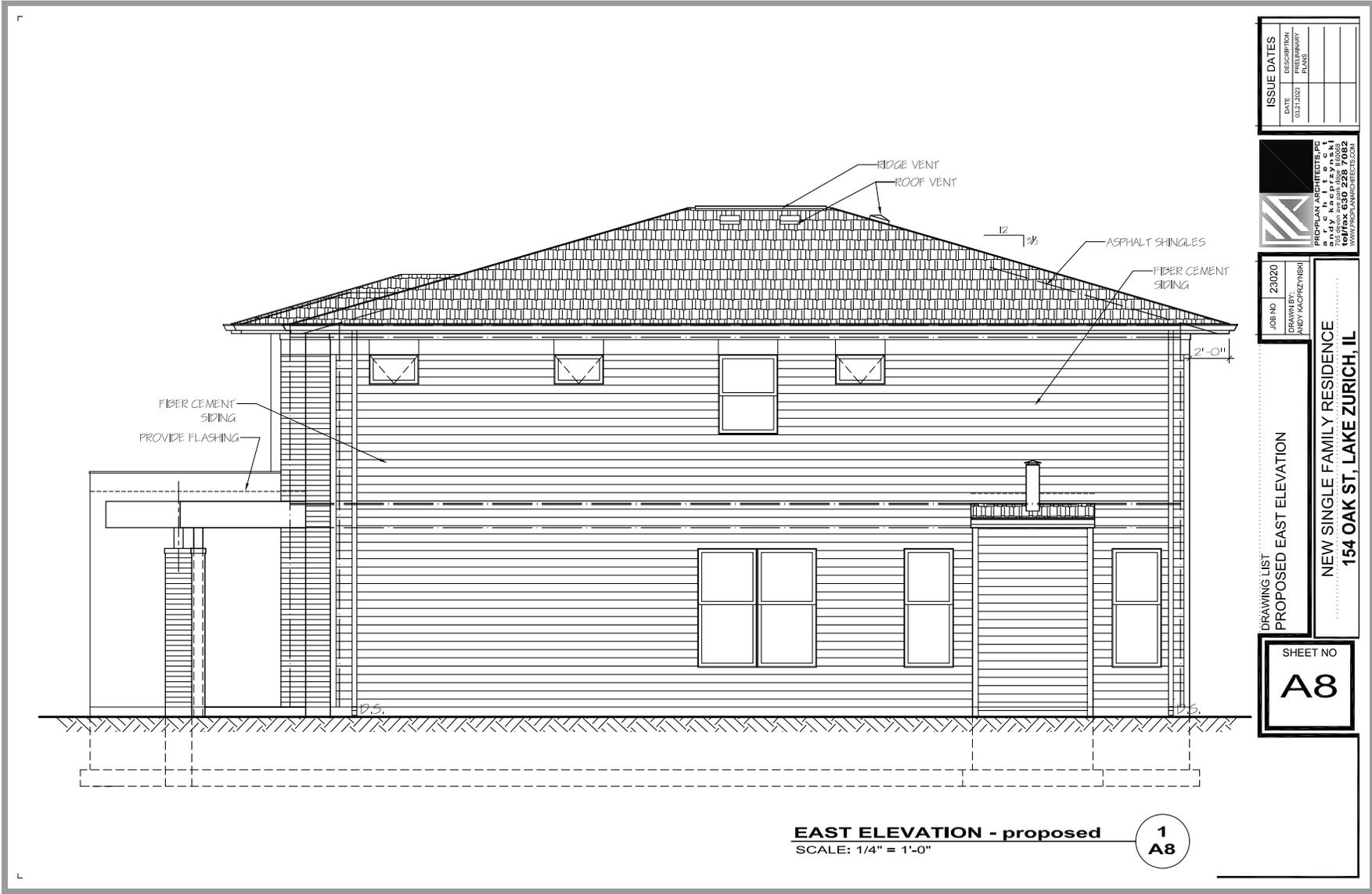
SHEET NO  
**A6**



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

**1**  
**A6**





ISSUE DATES	
DATE	DESCRIPTION
10/2/2020	PRELIMINARY PLANS


**PRO-PLAN ARCHITECTS, P.C.**  
 1000 N. KENYON ST.  
 SUITE 100  
 LAKE ZURICH, IL 60059  
 TEL/FAX: 630.228.7082  
 WWW.PROPLANARCHITECTS.COM

JOB NO. 23020  
 DRAWN BY: ANDY KACZMINSKI

DRAWING LIST  
 PROPOSED EAST ELEVATION  
 NEW SINGLE FAMILY RESIDENCE  
 154 OAK ST, LAKE ZURICH, IL

SHEET NO  
**A8**