



AGENDA PACKET
VILLAGE OF LAKE ZURICH
Planning and Zoning Commission Meeting

April 16, 2025
07:00 pm

VILLAGE OF LAKE ZURICH

PLANNING AND ZONING COMMISSION MEETING

APRIL 16, 2025

07:00 PM

AGENDA

1. CALL TO ORDER AND ROLL CALL

Chairperson Orlando Stratman, Vice-Chair Antonio Castillo, Joe Giannini, Sean Glowacz, Vladimir Kovacevic, Scott Morrison, Mike Muir and Ildiko Schultz.

2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

A. Minutes of the Planning and Zoning Commission Meeting, on March 19, 2025.

Motion to approve the minutes.

Attachment: [02-PZC March 19 unapproved minutes.pdf](#)

3. PUBLIC MEETING

(This agenda item includes items that do not require public testimony)

4. PUBLIC HEARING

A. 287 Sunrise Lane -- Variation (2025-03)

(This agenda item includes proposals presented to the Planning & Zoning Commission requiring public testimony.)

Continued Items.

The following item was continued from the March 19, 2025.

Application for a variation of the side yard setback to allow for the construction of steps and retaining walls along the side of the house on the property within the R-5 single-family residential district.

Applicant and Owner: Jerette J. Sita

Attachment: [04.A-287SunriseLaneVariation-Packet.pdf](#)

B. 202 Mark Lane -- Variation (2025-05)

New Items

Application for a variation to install an in-ground swimming pool within the side yard of the property within the R-4 single-family residential district.

Applicant and Owner: Jan Jozwiak, JMLJ Construction

Attachment: [04.B-202MarkLaneVariation-Packet.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 Commission. Public Comment is limited to 30 minutes total and up to 5 minutes per speaker.

8. ADJOURNMENT

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

VILLAGE OF LAKE ZURICH
Planning & Zoning Commission
70 East Main Street



Wednesday, March 19, 2025, 7:00 p.m.

- 1. CALL TO ORDER** at 7.00pm by Chairperson Orlando Stratman
ROLL CALL: Chairperson Orlando Stratman, Commissioners Antonio Castillo, Joe Giannini, Vladimir Kovacevic, Scott Morrison, and Mike Muir. Commissioners Sean Glowacz and Ildiko Schultz were absent. Also present: Community Development Director Sarosh Saher.
- 2. CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**
 - A.** Minutes of the Planning and Zoning Commission Meeting on January 15, 2025.
Motion to approve the minutes was made by Commissioner Morrison, seconded by Commissioner Muir.
AYES: 4 Commissioners Morrison, Muir, Kovacevic, Chairperson Stratman.
NAYS: 0
ABSTAIN: 2 Commissioner Castillo, Giannini.
ABSENT: 2 Commissioners Glowacz, Schultz.
MOTION CARRIED.
- 3. PUBLIC MEETING**
 - A. 670 South Old Rand Road – OSK Residential Development – Final Plan (2025-04):**
Application for Final Plan approval of a mixed residential subdivision consisting of 18 single-family homes and 18 townhomes on approximately 9 acres.
Applicant: Lawrence M. Freedman, Agent for OSK Capital Partners, LLC
Owner: OSK Capital Partners, LLC
The development concept plan received approval by the Village Board on September 3, 2024 through Ordinance No. 2024-09-585.
Dir. Saher confirmed that proper notice was provided of this item and then he introduced Mr. Lawrence M. Freedman, the attorney for OSK Capital Partners, LLC. Mr. Freedman stated that OSK Capital Partners, LLC is now the owner of the property. Dir. Saher explained that the proposed changes to the Final Plan are minimal. Specifically, the homes facing Old Rand Road have been shifted forward by six (6) feet toward the street. Despite this adjustment, the plan remains in substantial conformance with the previously approved concept plan.
Commissioner Castillo inquired about installing an electronic speed reader sign along Old Rand Road.

On Application PZC 2025-04: A Motion was made by Commissioner Castillo, seconded by Commissioner Morrison, to receive into the public record the staff review of compliance of this Application for Final Plan with the zoning standards as presented by staff; and to and make these standards a part of the official record for the Application; and to recommend

approval of the Final Plan for the OSK mixed residential development at 670 South Old Rand Road.

AYES: 6 Commissioners Castillo, Morrison, Giannini, Kovacevic, Muir, Chairperson Stratman.

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Commissioners Glowacz, Schultz.

MOTION CARRIED.

4. PUBLIC HEARING

A. 287 Sunrise Lane – Variation (2025-03):

Motion was made by Commissioner Morrison, seconded by Commissioner Castillo to open the public hearing for the following application:

Application PZC 2025-03 for a variation at 287 Sunrise Lane.

AYES: 6 Commissioners Castillo, Morrison, Giannini, Kovacevic, Muir, Chairperson Stratman.

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Commissioners Glowacz, Schultz.

MOTION CARRIED.

Public Hearing started at 7.18pm

Application for a variation of the side yard setback to allow for the construction of steps along the side of the house on the property within the R-5 single-family residential district.

Applicant and Owner: Ms. Jerrette J. Sita

The Applicant has requested continuation of the application to the April 16, 2025 meeting.

Motion was made by Commissioner Morrison, seconded by Commissioner Muir to continue the public hearing for Application PZC 2025-03 to the April meeting.

AYES: 6 Commissioners Castillo, Morrison, Giannini, Kovacevic, Muir, Chairperson Stratman.

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Commissioners Glowacz, Schultz.

MOTION CARRIED.

5. OTHER BUSINESS

There was none.

6. STAFF REPORTS

Dir. Saher reported that a pool variation in the Sunset Subdivision will be considered at the April PZC meeting.

7. PUBLIC COMMENT

There were none.

8. ADJOURNMENT

Motion to adjourn the meeting made by Commissioner Castillo, seconded by Commissioner Morrison.

Village of Lake Zurich Planning and Zoning Commission Regular Meeting, Wednesday, March 19th, 2025.

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AYES: 6 Commissioners Castillo, Morrison, Giannini, Kovacevic, Muir, Chairperson Stratman.

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Commissioners Glowacz, Schultz.

MOTION CARRIED.

Meeting adjourned at 7.32 pm

Respectfully submitted:

Colleen McCauley, Village Planner

Approved by:

Chairperson Orlando Stratman.

Date



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 2025-03

AGENDA ITEM 4.A

PZC Hearing Opening Date: March 19, 2025
PZC Continued Consideration: April 16, 2025

STAFF REPORT

To: Chairperson Stratman and Members of the Planning & Zoning Commission

From: Sarosh Saher, Community Development Director

CC: Colleen McCauley, Village Planner
David Modrzejewski, Building Services Supervisor

Date: April 16, 2025

Re: PZC 2025-03 – Zoning Variation for Outside Stairway at 287 Sunrise Lane
Continued Consideration

SUBJECT

Ms. Jerrette J. Sita (the “Applicant” and “Owner”) requests a Variation from Zoning Code Section 9-3-11-6, “Specified Structures and Uses in Required Yards” pursuant to section 9-3-11-C-1 and section 9-3-11-C-2, “Residential Minimum Yards: Front and Side Yard,” to allow an outside stairway to remain as constructed, encroaching into the required 25-foot front yard and extending into the 7-foot interior side yard at the property commonly known as 287 Sunrise Lane, legally described in Exhibit A attached hereto (the “Subject Property”).

The property is also located within the LP Lake Protection District and subject to the side yard setback restrictions of the LP district.

GENERAL INFORMATION

Requested Action: Variation of Front and Side Yard Setbacks for Outside Stairway

Current Zoning: R-5 Single-Family Residential District
LP Lake Protection District

Current Use: Single Family Home

Property Location: 287 Sunrise Lane

Staff Report
APPLICATION PZC 2025-03

Community Development Department
PZC Meeting Date: April 16, 2025

Applicant and Owner: Ms. Jerrette J. Sita

Staff Coordinator: Colleen McCauley, Village Planner

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

Ms. Jerrette J. Sita (the “Applicant” and “Owner”) is the recent owner of the property located at 287 Sunrise Lane, and legally described in Exhibit A attached hereto (the “Subject Property”). The Applicant filed an application with the Village of Lake Zurich received on February 13, 2025 (the “Application”) seeking:

- A Variation from Code Section 9-3-11-6, “Specified Structures and Uses in Required Yards” pursuant to Section 9-3-11-C-1 and Section 9-3-11-C-2, Residential Minimum Yards: Front and Side Yard; to allow for the construction of an outside stairway within the front and side yard setback.

The Subject Property is located within the R-5 single-family residential district and the LP lake protection district. The total lot area is 39,204 square feet comprising approximately 9,000 square feet of dry land, with the remainder consisting of lake-bottom property. The house on the property was completed during the last and early part of this year. While the lot’s irregular shape posed design challenges, the architect effectively designed the newly constructed two-story home to fit entirely within the buildable envelope complying with all setbacks.

However, upon completion of the home and inspection of the site, Village staff determined that certain changes on the site had been implemented without prior approval through the permitting process rendering the site non-compliant with setback requirements and the minimum landscape surface area requirements allowed on the lot. The additional work completed is as follows, along with the status of its disposition:

1. *Outside Stairway* construction along the northeast lot line and within the side yard setback.
 - The Applicant has requested a variation to allow these stairs to remain as constructed.

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2. *Driveway expansion and reconfiguration of the retaining wall* along the southeast interior lot line, and within the side yard setback. The additional impervious surface of the driveway causes the impervious surfaces on the lot to reduce the minimum landscape surface area below the 60% limit that is allowed on the property, rendering it non-compliant with such code requirement.
 - The Applicant has agreed to remove portions of the driveway within the side yard setback and other areas to bring the property into conformance with the requirements for minimum landscape surface area.
 - The Applicant is requesting consideration to allow the retaining wall as reconfigured to remain while mitigating its impact on the adjacent property by screening it with a fence and year-round evergreen landscape material.

The home is set to complete construction this year, with Temporary Occupancy having recently been granted to the property owner to occupy the home. A final certificate of occupancy may only be granted upon approval of the requested variations, or upon correction of the issues should the variation not be granted,

The neighborhood is predominantly made up of homes built in the 1950s. A house once stood on the Subject Property, constructed around the same era, but it was demolished in the early 2000s. The lot remained vacant until the current homeowner purchased it and applied for building permits in 2022.

Outside Stairway.

Requirements:

Outside stairways may project from an exterior wall but may extend no more than 3 feet into any required yard. In properties within the LP Lake Protection District, stairways are not permitted in any side yards. This regulation is designed to prevent potential obstructions to drainage and water flow into the lake, as structures in the side yard could contribute to flooding or erosion concerns.

Proposal:

The Applicant has installed 4-foot-wide steps encroaching 10 feet into the front yard and encroaching approximately 5.4 feet into the side yard, with approximately 1.6 feet (20 inches) remaining between the edge of the steps and the interior side lot line on the northeast side of the property. These steps were not included in the approved building plans and, as constructed, do not comply with the zoning code.

Additionally, the outside stairway has been constructed in close proximity to, and directly over the path of the Village's stormwater sewer. If the Variation is approved and the stairs are to remain, the Village's Public Works Department will require a televising inspection of the sewer to verify that no damage occurred during construction of the stairway. The stormwater sewer is constructed to address flooding or erosion concerns at the property. The Applicant has obtained the consent of the adjacent property owner for the outside staircase to remain.

Driveway expansion and reconfiguration of the retaining wall.

Requirements:

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- a. Driveways are allowed to encroach into a side yard setback, but not within 3 feet of any side lot line.
- b. Retaining walls are regulated by the provisions of fences and walls requiring that such fences or walls located within a side yard setback by no higher than 5 feet (60 inches).

Proposal:

The Applicant expanded the driveway into the side yard setback and reconfigured the proposed retaining wall to encroach 5.7 feet into the side yard setback, with approximately 1.3 feet (16 inches) remaining between the edge of the retaining wall and the interior side lot line on the southwest side of the property. Such construction was not included in the approved building plans and do not comply with the zoning code.

- The Applicant has since agreed to remove the encroaching portion of the driveway and bring it into compliance. Such removal of the driveway is also one of the means to conform to the minimum landscape surface requirements of the code.
- The reconfigured retaining wall is constructed to a height of 3.3 feet (40 inches) and meets the height requirement for fences and walls. The Applicant has therefore requested approval of the reconfigured retaining wall to remain as constructed.

As further mitigation to reduce the impact of the retaining wall, the Applicant has agreed to install a solid fence to screen the retaining wall along with other compliant mechanical units along the side of the building from view of the adjacent property.

Pursuant to public notice published on March 1, 2025, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for March 19, 2025, to consider the Application. On February 28, 2025, the Village posted a public hearing 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 Subject Property is zoned within the R-5 single-family residential district. It is also located on the shores of Lake Zurich and falls within the LP lake protection district. The construction of the new single-family home on the property was completed in January 2025, with the remaining site work expected to be finished this year. The residents were granted Temporary Occupancy in April 2025.
- C. Surrounding Land Use and Zoning.** The Subject Property is located within the R-5 single family residential district, consistent with the zoning of all surrounding properties. The neighboring properties are primarily improved with residences constructed in the late 1950s, with a few properties to the south having undergone more recent redevelopment. Both the subject property and the surrounding homes are situated within the LP Lake Protection District.

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D. Trend of Development. The residence at 287 Sunrise Lane began construction in 2022 and is currently in the final stages of completion. This two-story home is located at the end of Sunrise Lane, offering direct frontage along the lake. The property is positioned in a residential area comprising mostly of 1- to 1.5 story residences, with scenic lake views. To the west of the Subject Property, North Rand Road, a major arterial roadway, serves as a key transportation corridor and is improved with a variety of commercial developments, including retail establishments, restaurants, and service-oriented businesses.

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.

F. Lake Protection District. The LP lake protection district is designated as an overlay district on the Village's zoning map, applied in conjunction with the underlying zoning district. Properties within the LP district must adhere to both the regulations of the LP overlay district and those of the base zoning district in which they are situated. The lake is a defining natural feature of the Village, contributing significantly to its overall character and aesthetic appeal. Its unique environmental qualities and scenic beauty warrant special protection to maintain its integrity and preserve its positive impact on the community. The LP district was established to safeguard these distinctive characteristics, ensuring that development and use of lakefront properties are conducted in a manner that protects the lake and preserves the quality of its impact on the Village.

G. Outside Stairways, Retaining Walls and Driveways:

- a. *Outside Stairways:* The zoning code permits accessory structures in residential yards, subject to specific regulations. Outside stairways are allowed to project from an exterior wall; however, such projections are limited to no more than 3 feet into a required yard. Additionally, stairways are prohibited from being constructed within any required side yard on properties within the LP district.
- b. *Driveways* are allowed to encroach into a side yard setback, but not within 3 feet of any side lot line.
- c. *Retaining walls* are regulated by the provisions of fences and walls requiring that such fences or walls located within a side yard setback by no higher than 5 feet (60 inches).

GENERAL FINDINGS

Staff Report
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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 the following specific sections of the Code.

9-17-4: STANDARDS FOR VARIATIONS.

- A. General Standard: No variation shall be granted pursuant to this chapter unless the applicant shall establish that carrying out the strict letter of the provisions of this zoning code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this section.

Staff Response: Standard met. The applicant has demonstrated that there is a practical difficulty in constructing a compliant passage to the rear yard under the current zoning code provisions. Due to the property's location within the LP lake protection district, the proposed outside stairway is not permitted within the required side yard, which limits design alternatives for rear yard access. Due to the steep grade and since the property has a walkout basement, constructing a functional service walk would be challenging.

- B. Unique Physical Condition: The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use or structure, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

Staff Response: Standard met. The subject property exhibits exceptional topographical features, with a steep grade change sloping from the front yard down to the rear yard. The newly constructed home includes a walkout basement. This significant elevation difference creates a practical difficulty for safe and functional access to the rear yard, necessitating the construction of an exterior stairway. Additionally, the combination of the property's steep topography and the design constraints due to the principal structure constitutes a unique physical condition.

The residence was designed to maximize the buildable area on the lot, leaving limited space for accessory structures to be constructed in full compliance with the zoning code.

Because the stairway was constructed after permit approval, the only location it could be constructed was within the front and side yard setbacks, requiring a variation to encroach into such required setbacks. The stairway is positioned 1.6 feet from the northeast side yard lot line, where accessory structures are otherwise prohibited in the LP lake protection district.

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- C. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this zoning code, for which no compensation was paid.

Staff Response: Standard not met. While the unique physical condition of the property in terms of its topography existed prior to construction of the house, the Applicant did not take that into consideration during its design. The house was designed, reviewed and permitted to maximize its buildable area on the site without consideration for a stairway or other structures along its sides.

The need for the variation request is therefore the result of actions taken by the property owner after review was completed and permit approval was granted, and which review could have notified the owner to potentially prevent the outside stairway from being constructed in a location not permitted by the zoning code. As such, the hardship is considered self-created, as the property owner undertook the construction without securing the necessary approvals or verifying compliance with the zoning code prior to installation.

- D. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Staff Response: Standard met. Applying the zoning code would prevent the owner from maintaining the exterior stairway, which extends 10 feet into the front yard setback and encroaches into the northeast side yard. Denying the stairway would deprive the property owner of the ability to provide safe, illuminated access to the rear yard—an amenity typically available to other property owners in similar situations with walkout basements. The stairway enhances both the functionality and safety of the property, making it a reasonable improvement aligned with the substantial rights granted to other property owners in the Village.

- E. Not Merely Special Privilege: The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

Staff Response: Standard met. The hardship does not stem from the owner's inability to enjoy any special privilege in using the property. Granting the variation will enable the current owner to connect their front and rear yards in a safe and stable manner.

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Access to the rear yard, even for properties with a walkout basement, is a traditional and customary feature for the enjoyment and use of a residential property.

- F. Code and Plan Purposes: The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this zoning code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.

Staff Response: Standard met. Granting the variation would not change the residential use of the Subject Property. The location and design of the home, along with the outside stairway, will continue to remain in harmony with the residential purpose of the zoning code and comprehensive plan. The addition of the stairway will not negatively impact stormwater drainage on the property, as the Village's Public Works Department will conduct a televising inspection to ensure that no damages occurred during construction and that drainage is properly maintained. This ensures the variation aligns with the intended purpose of the zoning code while maintaining the property's functional and aesthetic character.

- G. Essential Character of the Area: The variation would not result in a use or development on the subject property that:

1. Detrimental to Enjoyment: Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

Staff Response: Standard met. If the Applicant is granted the requested variation, it will not create a negative effect on public welfare, enjoyment, development, or value of property.

2. Light and Air: Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

Staff Response: Standard met. Granting of the variation would have no effect on the supply of light and air to the subject property or those properties in the vicinity. The house is constructed in compliance with this standard and the Applicants only wish to leave the stairway as constructed at ground level, which is entirely within their property boundaries.

3. Congestion: Would substantially increase congestion in the public streets due to traffic or parking; or

Staff Response: Not Applicable. Granting of the variation would not affect any congestion due to traffic or parking as the land use or density of the property is not being altered.

4. Flood or Fire: Would unduly increase the danger of flood or fire; or

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Staff Response: Standard partially met. The exterior stairway will be inspected by the Village's Public Works Department to confirm that the stormwater sewer is functioning properly and that drainage will be adequately maintained. This ensures that the variation will not unduly increase the risk of flooding.

The stairway will not increase the risk of fire on the property.

5. Tax Public Facilities: Would unduly tax public utilities and facilities in the area; or

Staff Response: Standard met. Granting of the variation would not cause the property to unduly tax public utilities or facilities in the area since its function would not change.

6. Endangerment: Would endanger the public health or safety.

Staff Response: Standard met. The proposed variation will not endanger public health or safety. The exterior stairway will reduce the side yard setback to 1.6 feet towards the neighboring property at 285 Sunrise Lane, whose owner has provided a letter of support, indicating no concerns. Additionally, the stairway has been constructed in compliance with all safety standards to ensure it does not pose any risk to the public.

- H. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Staff Response: Standard partially met. The exterior stairway is necessary to provide the property with the desired utility and functional connection between the front and rear yards. While a service walk could have been constructed in the side yard, it would need to be positioned at least 3 feet from the side lot line.

The other option would be to access the rear yard by means of a landscaped path matching the slope of the side yard. However, due to the steep grade change, stairs are a much more functional and safer option for the subject property. Additionally, the side yard's limited width, resulting from the maximized building footprint and slant of the side lot line, would further constrain any alternative solution.

Alternatively, during the design phase of the new single-family home, the exterior stairway could have been considered, allowing for a smaller building footprint that would accommodate code-compliant steps outside of the setback area.

The owners of the property to the east have not objected to the stairway as constructed and have provided their signed support.

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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 9-17-4: Standards for Variations

Section 9-17-5 entitled “Variation less than requested” provides the PZC with the option of granting a variation less than or different from that requested when the record supports the applicant's right to some relief but not to the relief requested.

Based on the review of the standards for approval, staff is unable to recommend approval of the variation since standard C has not been met. However, should the Planning and Zoning Commission recommend approval of the variation, the following conditions shall be included in the official record of the Application.

1. Substantial conformance with the following documentation submitted as part of the application and subject to revisions required by Village Staff, Village Engineer, and any applicable governmental agencies:
 - a. Zoning Application dated February 13, 2025, prepared by the Applicant Jerrette J. Sita, homeowner of 287 Sunrise Lane; and Cover Letter.
 - b. Exhibit A: Legal Description of the Subject Property.
 - c. Plat of Survey provided by Jerrette J. Sita.
 - d. Letters of Consent from neighbor submitted February 13, 2025.
2. As further mitigation for the outside stairway, the applicant shall agree not to further reduce the setback of the stairway within the front or side yards. There shall be no increase to the depth or width of the structure beyond what is constructed at this time. The Applicant shall also install a solid fence to screen the retaining wall along with other compliant mechanical units along the southwest side of the building from view of the adjacent property. Such fence shall comply with the height requirements for the yards within which it is located – no greater than 3 feet in height within the front yard and no greater than 5 feet in height within the interior side and rear yards.
3. The Applicant shall schedule an inspection for the Village's Public Works Department to conduct a televising inspection to ensure that no damages occurred during construction and that drainage is properly maintained. Any determination of damage shall require the Applicant to properly repair or replace the stormwater sewer to the satisfaction of the Village's Public Works Department.
4. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully submitted,

Colleen McCauley, Village Planner

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APPLICATION PZC 2025-03

Community Development Department
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**LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS**

**287 SUNRISE LANE
APRIL 16, 2025**

The Planning & Zoning Commission recommends approval of Application **PZC 2025-03**, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **April 16, 2025** 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 and subject to revisions required by Village Staff, Village Engineer, and any applicable governmental agencies:
 - e. Zoning Application dated February 13, 2025, prepared by the Applicant Jerrette J. Sita, homeowner of 287 Sunrise Lane; and Cover Letter.
 - f. Exhibit A: Legal Description of the Subject Property.
 - g. Plat of Survey provided by Jerrette J. Sita.
 - h. Letters of Consent from neighbor submitted February 13, 2025.
2. As further mitigation for the outside stairway, the applicant shall agree not to further reduce the setback of the stairway within the front or side yards. There shall be no increase to the depth or width of the structure beyond what is constructed at this time. The Applicant shall also install a solid fence to screen the retaining wall along with other compliant mechanical units along the southwest side of the building from view of the adjacent property. Such fence shall comply with the height requirements for the yards within which it is located – no greater than 3 feet in height within the front yard and no greater than 5 feet in height within the interior side and rear yards.
3. The Applicant shall schedule an inspection for the Village's Public Works Department to conduct a televising inspection to ensure that no damages occurred during construction and that drainage is properly maintained. Any determination of damage shall require the Applicant to properly repair or replace the stormwater sewer to the satisfaction of the Village's Public Works Department.
4. 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:

Planning & Zoning Commission Chairman

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EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THAT PART OF SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF LOT 6, IN BLOCK 20 IN FRANK W. KINGLEY'S ZURICH HEIGHTS GOLF CLUB, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 315560 AND PARTIALLY VACATED BY THE PLAT THEREOF RECORDED AS DOCUMENT 366535; THENCE SOUTH ALONG THE EAST LINE OF PARK LANE IN SAID SUBDIVISION EXTENDED A DISTANCE OF 390 FEET TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY 105 FEET TO A POINT THAT LIES 450 FEET SOUTH OF THE SOUTH LINE OF LOT 6 IN BLOCK 20 AND 205 FEET WEST OF THE EAST LINE OF BLOCK 19 IN SAID SUBDIVISION AS ORIGINALLY PLATTED; THENCE EAST 205 FEET TO THE SAID EAST LINE OF BLOCK 19; THENCE SOUTH ALONG THE SAID LINE OF BLOCK 19 A DISTANCE OF 142.81 FEET TO THE SOUTH LINE OF THE WEST HALF OF THE SOUTHEAST 1/4 OF SECTION 18; THENCE WEST ALONG THE SAID LINE OF QUARTER SECTION A DISTANCE OF 220.66 FEET TO A CONCRETE MONUMENT THAT LIES 141.2 FEET EAST OF THE EASTERLY RIGHT OF WAY LINE OF RAND ROAD (U.S. ROUTE NO. 12) AS NOW DEDICATED; THENCE NORTHWESTERLY ON A LINE AN ANGLE OF 122 DEGREES 48 MINUTES FROM EAST TO NORTH TO NORTHWEST WITH THE LAST DESCRIBED LINE A DISTANCE OF 182.25 FEET; THENCE NORTHWESTERLY ON A LINE FORMING AN ANGLE OF 159 DEGREES 43 MINUTES FROM SOUTHEAST TO EAST TO NORTH NORTHWEST WITH THE LAST DESCRIBED LINE A DISTANCE OF 46.8 FEET TO POINT THAT LIES 72.3 FEET EASTERLY OF AFORESAID EASTERLY RIGHT-OF-WAY LINE OF ROAD; THENCE EASTERLY ON A LINE FORMING AN ANGLE OF 83 DEGREES 15 MINUTES FROM SOUTHEAST TO EAST WITH THE LAST DESCRIBED LINE A DISTANCE OF 40.0 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

Common Street Address: 287 Sunrise Lane
 Property Index Number (PIN): 14-18-400-025

Staff Report
APPLICATION PZC 2025-03

Community Development Department
PZC Meeting Date: April 16, 2025

EXHIBIT B

PUBLIC HEARING SIGNS PRESENT AT SUBJECT PROPERTY



Staff Report
APPLICATION PZC 2025-03

Community Development Department
PZC Meeting Date: April 16, 2025

EXHIBIT C

IMAGES OF THE SUBJECT PROPERTY

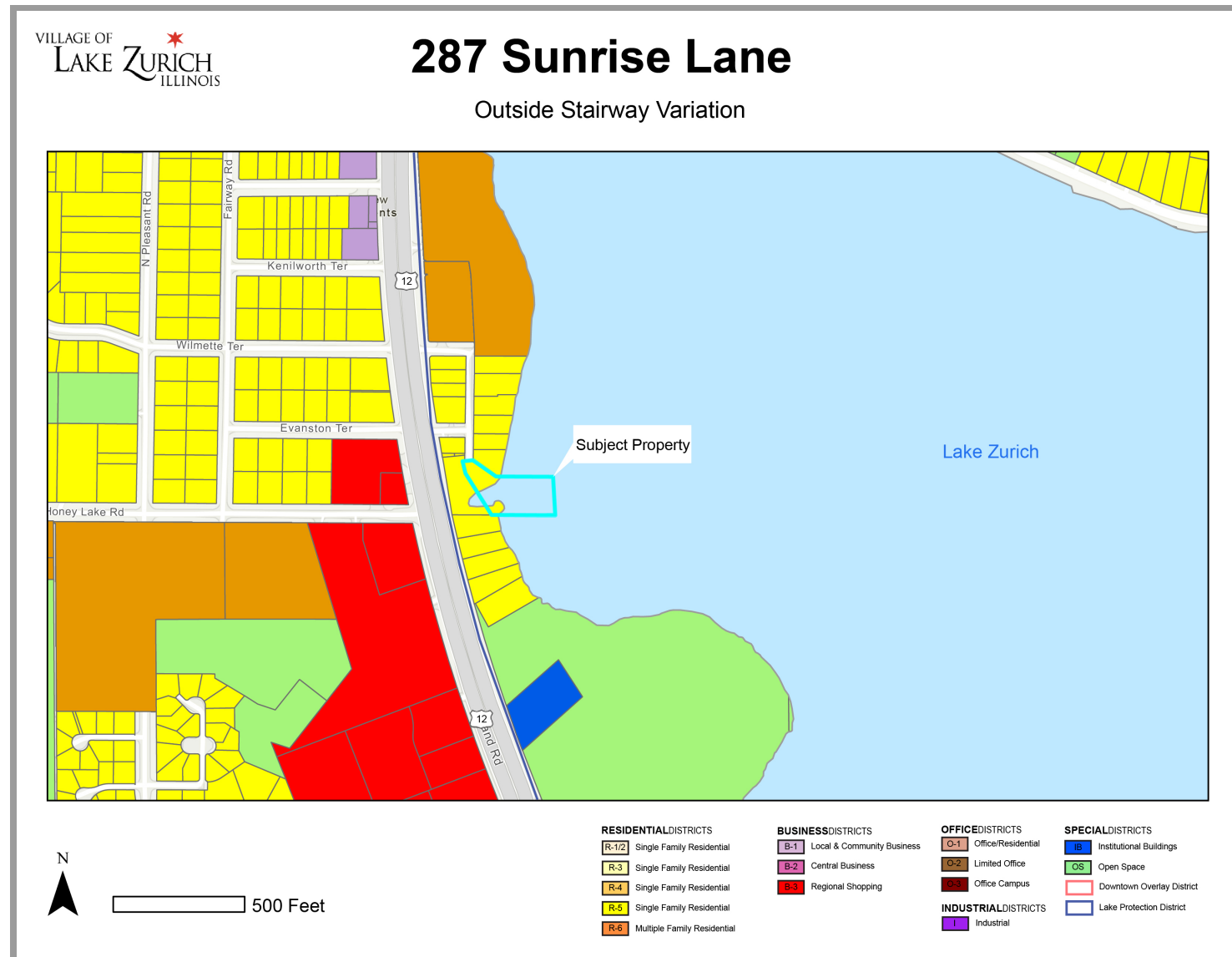




287 Sunrise Lane

Outside Stairway Variation

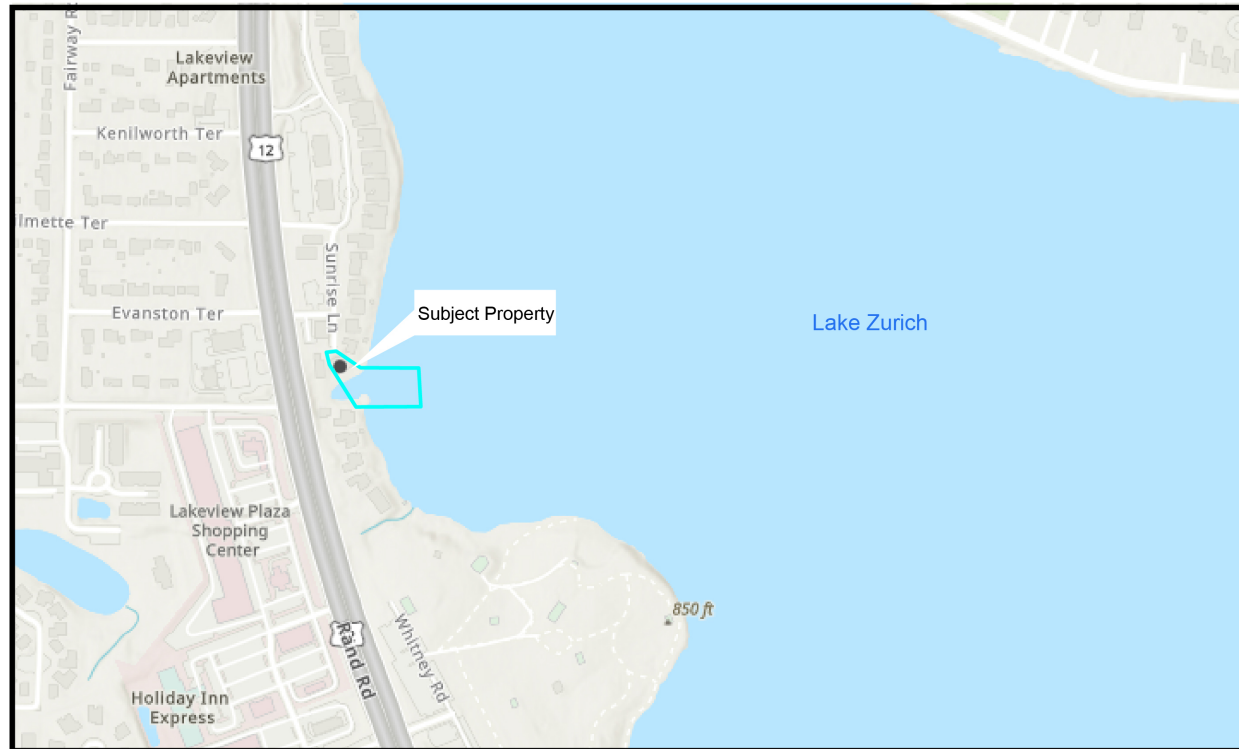






287 Sunrise Lane

Outside Stairway Variation



**ZONING APPLICATION**

Community Development Department

505 Telser Rd.

Lake Zurich, IL 60047

Phone: (847) 540-1696

Fax: (847) 540-1769

(Please Type or Print)

1. Address of Subject Property: 287 Sunrise Lane
2. Please attach complete legal description
3. Property Identification number(s): 14-18-400-025
4. Owner of record is Jerette J. Sita Inheritance Trust Phone: 847-951-4868
E-Mail ncstman@aol.com Address: _____
5. Applicant is (if different from owner): Jerette J. Sita Phone: 847-951-4868
E-Mail ncstman@aol.com Address: _____
6. Applicant's interest in the property (owner, agent, realtor, etc.): owner
7. All existing uses and improvements on the property are: primary residence
8. The proposed uses on the property are: primary residence
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:

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.

JERETTE J. SITA
(Name of applicant)

[Signature]
(Signature of applicant)

Subscribed and sworn to before me this 13th day of February, 2024.

[Signature]
(Notary Public)

My Commission Expires _____



(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2024.

(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 exterior landscape steps

(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 _____

2/13/2025

Planning & Zoning Commission of Lake Zurich

Attn: Mr. Orlando Stratman, Chairperson

Dear Mr. Stratman,

I, Jerrette J. Sita, am the trustee of the Jerrette J. Sita Inheritance Trust which is the owner of record on the subject property, 287 Sunrise Lane, Lake Zurich.

On the subject property, our developer Mr. Ronald (Butch) Holtz, owner of J&S Design Builders, has been building the home to serve as the primary residence for myself and my husband, Lewis H. Sita.

After approval of the initial building and engineering plans, and during the construction phase of the project, we met with our landscape contractor. Please note that Lake Zurich does not require a landscape plan as part of the permit process, so we proceeded to work directly with the contractor without checking with the village. He recommended landscape stones for these steps to provide safe passage to the rear of the property, as there is a significant elevation change from the street level down to the lakefront. These landscape stones are 4 feet wide and are individually installed creating a safe pathway to the rear of the lot. This safety aspect is important to us as we have several children and grandchildren that live in the area and often visit us, to enjoy our property and of course, the lake and its benefits. I truly believe it would be an endangerment to not have them available, so we proceeded with installation, knowing full well that we were always going to submit an as-built for final review.

The landscape stones are completely within the property line but they do extend into our east side yard setback. These landscape steps do not create any issue for the community at large or our neighbors. In support of that, we are including in this package an approval letter from Mr. Mark Albert, the neighbor directly adjacent to our property on the east side. He is aware of this and has no concerns. We are attaching some sketches and photos to clarify further our request.

As a side note, I also want to highlight to the Commission that we have made major investments as part of the construction on 287 Sunrise Lane. We have installed new seawalls on both the north and south portions of the property, at great cost and effort. These have improved the shoreline of Lake Zurich tremendously. The home construction itself has contributed significantly to beautifying Sunrise Lane, for the benefit of the village of Lake Zurich and the local community. Anyone can drive through Sunrise Lane and see what these improvements mean to the area. These comments are provided just for context as the commission may not be totally aware of the aesthetic improvement that this project has meant to the area.

Thank you very much to the Planning and Zoning Commission and the Board of Trustees for the Village of Lake Zurich for your consideration in this matter.

Sincerely,



Jerrette J. Sita

287 Sunrise Lane Description

Parcel 14-18-400-025

Background

287 Sunrise Lane was previously part of Parcel 3 and associated with 285 Sunrise Lane. It was acquired as a separate parcel on July 14th, 2022. Several months later, an address was issued for this property and it became finally known as 287 Sunrise Lane.

Owner of Record

The owner is the Jerrette J Sita Inheritance Trust

Legal Description

The legal description listed on the plat of survey says the following:

That part of the southeast quarter of section 18 township 43 north, range 10 east of the third principal meridian, described as follows: commencing at the southwest corner of lot 6, in block 20 of Frank W. Kingley's Zurich Heights Golf Club being a subdivision of part of the south half of section 18. Township 43 north, range 10 east of the third principal meridian, according to the plat thereof recorded as document #315560 and partially vacated by the plat thereof recorded as document # 366635: thence south along the east line of Park Lane, in said subdivision extended, a distance of 390 feet to the point of beginning; thence southeasterly, 105 feet to a point that lies 450 feet south of the south line of lot 6, in block 20 and 205 feet west of the east line of block 19 in said subdivision, as originally platted; thence east 205 feet to said east line of block 19; thence south along said line of block 19 a distance of 142.81 feet to the south line of the west half of the southeast quarter of section 18; thence west along the said line of quarter section, a distance of 220.66 feet to a concrete monument that lies 141.2 feet east of the easterly right of way line of Rand Road (U.S. Route #12) as now dedicated, thence northwesterly on a line an angle of 122 degrees, 48 minutes from east to north to northwest, with the last described line. A distance of 182.25 feet; thence northwesterly on a line forming an angle of 159 degrees, 43 minutes south east to east to north northwest with the last described line, a distance of 46.6 feet to a point that lies 72.3 feet easterly of aforesaid easterly right-of-way line of road, thence easterly on a line forming an angle of 83 degrees, 15 minutes from southeast to east with the last described line. A distance of 40.0 feet to the point of beginning. Parcel containing 1.0 acres more or less, in the village of Lake Zurich, Lake County, Illinois.

TRUSTEE'S DEED
(Individual)

This Indenture made this 13TH day of JULY 2022, between Parkway Bank and Trust Company, an Illinois Banking Corporation, as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said corporation in pursuance of a trust agreement dated JUNE 16, 2000, and known as Trust Number 12623, as party of the first part, and JERRETTE J. SITA INHERITANCE TRUST AGREEMENT DATED 05/07/2019, WHOSE ADDRESS IS: P.O. Box 3, Lake Zurich, IL 60047, party of the second part.

WITNESSETH, that said party of the first part, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, does hereby grant convey and quit claim unto the said party of the second part all interest in the following described real estate situated in LAKE County, Illinois, to wit:

FIRST AMERICAN TITLE
FILE # AF1026695

SEE LEGAL DESCRIPTION RIDER ATTACHED HERETO AND MADE A PART HEREOF

COMMONLY KNOWN AS: 285 SUNRISE LANE, LAKE ZURICH, ILLINOIS 60047

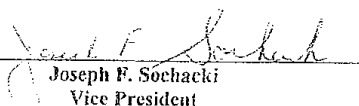
PERMANENT INDEX NUMBER(S): 14-18-400-025

Together with the tenements and appurtenances thereunto belonging.

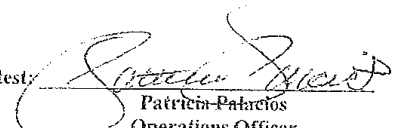
This deed is executed pursuant to the power granted by the terms of the deed(s) in trust and the trust agreement and is subject to liens, notices, and encumbrances of record and additional conditions, if any on the reverse side.

Parkway Bank and Trust Company, as Trustee under Trust Number 12623.

By


Joseph F. Sochacki
Vice President
and Trust Officer

Attest:


Patricia Patricios
Operations Officer

**First American Title Insurance Company
ALTA Owner's Policy
Schedule A**

File No. AF1026695

Amount of Insurance

\$375,000.00

Date of Policy

July 14, 2022
or the date of recording of the
Vesting Deed, whichever is later

Name of Insured:

Jerrette J. Sita Inheritance Trust Agreement

1. **The estate or interest in the land described herein and which is covered by this policy is:**

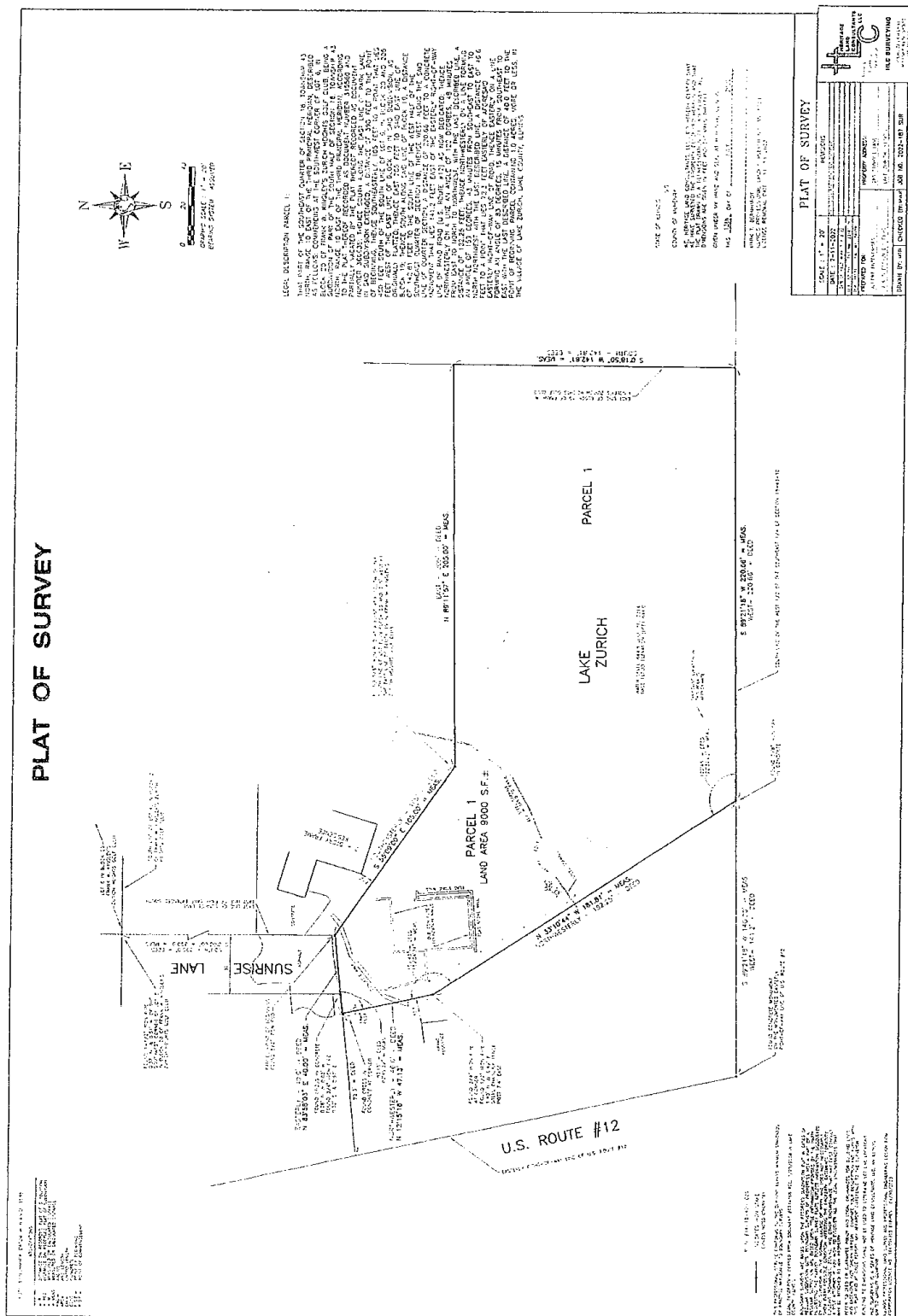
Fee Simple

2. **Title to the estate or interest in the land is vested in:**

Jerrette J. Sita Inheritance Trust Agreement dated 05/07/2019

3. **The land referred to in this policy is described as follows:**

THAT PART OF SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF LOT 6, IN BLOCK 20 IN FRANK W. KINGLEY'S ZURICH HEIGHTS GOLF CLUB, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 315560 AND PARTIALLY VACATED BY THE PLAT THEREOF RECORDED AS DOCUMENT 366535; THENCE SOUTH ALONG THE EAST LINE OF PARK LANE IN SAID SUBDIVISION EXTENDED A DISTANCE OF 390 FEET TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY 105 FEET TO A POINT THAT LIES 450 FEET SOUTH OF THE SOUTH LINE OF LOT 6 IN BLOCK 20 AND 205 FEET WEST OF THE EAST LINE OF BLOCK 19 IN SAID SUBDIVISION AS ORIGINALLY PLATTED; THENCE EAST 205 FEET TO THE SAID EAST LINE OF BLOCK 19; THENCE SOUTH ALONG THE SAID LINE OF BLOCK 19 A DISTANCE OF 142.81 FEET TO THE SOUTH LINE OF THE WEST HALF OF THE SOUTHEAST 1/4 OF SECTION 18; THENCE WEST ALONG THE SAID LINE OF QUARTER SECTION A DISTANCE OF 220.66 FEET TO A CONCRETE MONUMENT THAT LIES 141.2 FEET EAST OF THE EASTERLY RIGHT OF WAY LINE OF RAND ROAD (U.S. ROUTE NO. 12) AS NOW DEDICATED; THENCE NORTHWESTERLY ON A LINE AN ANGLE OF 122 DEGREES 48 MINUTES FROM EAST TO NORTH TO NORTHWEST WITH THE LAST DESCRIBED LINE A DISTANCE OF 182.25 FEET; THENCE NORTHWESTERLY ON A LINE FORMING AN ANGLE OF 159 DEGREES 43 MINUTES FROM SOUTHEAST TO EAST TO NORTH NORTHWEST WITH THE LAST DESCRIBED LINE A DISTANCE OF 46.8 FEET TO POINT THAT LIES 72.3 FEET EASTERLY OF AFORESAID EASTERLY RIGHT-OF-WAY LINE OF ROAD; THENCE EASTERLY ON A LINE FORMING AN ANGLE OF 83 DEGREES 15 MINUTES FROM SOUTHEAST TO EAST WITH THE LAST DESCRIBED LINE A DISTANCE OF 40.0 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.



2/13/2025

Planning & Zoning Commission for Lake Zurich

Village Board of Trustees for Lake Zurich

I, Mark Albert, am the owner of record of 285 Sunrise Lane, Lake Zurich.

I have been requested to indicate my approval of the variance required for the landscape stone steps that have been constructed by the owners of 287 Sunrise Lane. These steps are wholly within the property of 287 Sunrise Lane, although they located within the side yard setback of their property. I understand from the owners that the steps were installed to provide a safe passage to the rear of their lot.

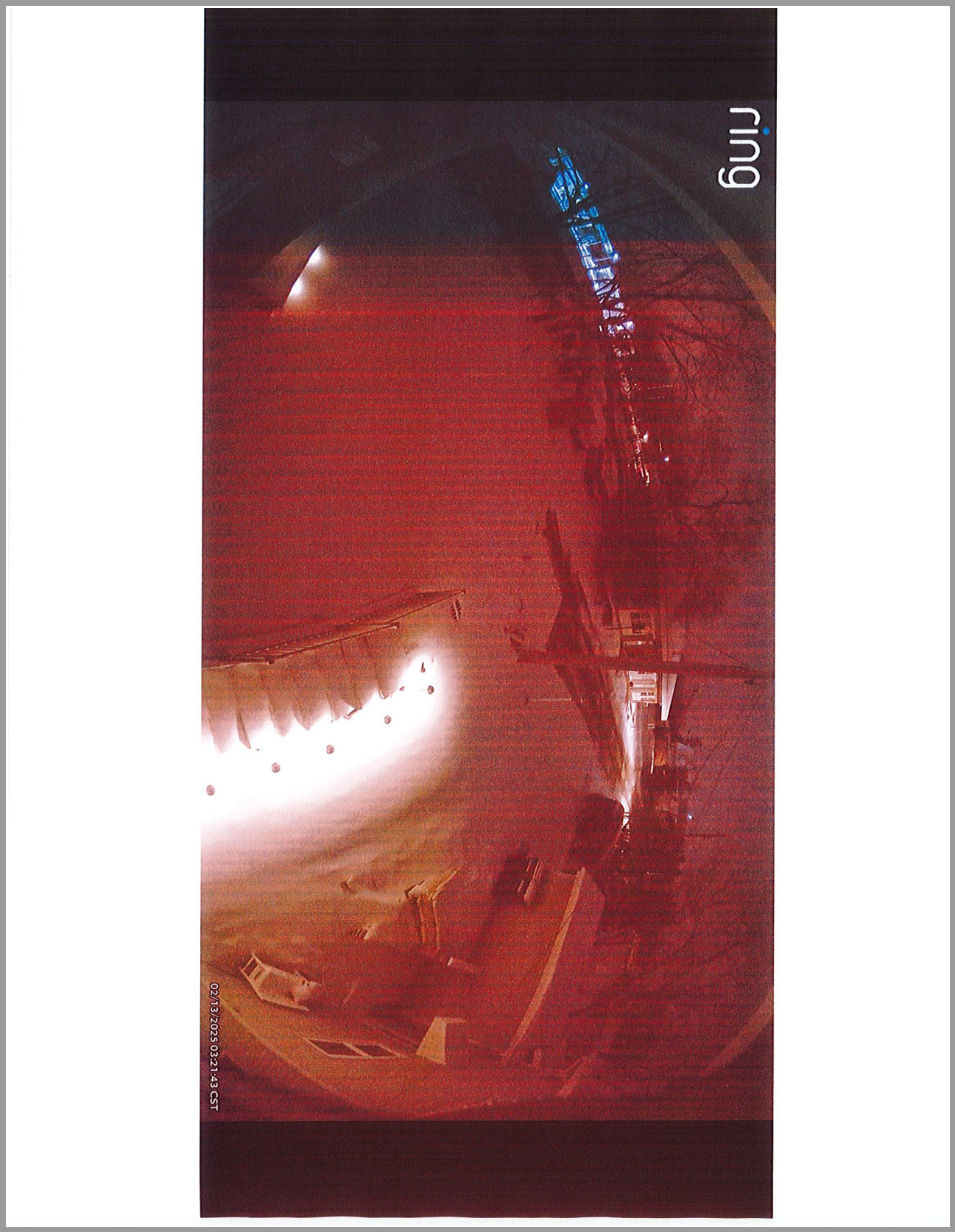
I have no concerns with these steps, and I approve of the variance requested by the Owners of 287 Sunrise Lane.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Albert', with a stylized flourish extending to the right.

Mark Albert













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 2025-05
PZC Hearing Date: April 16, 2025

AGENDA ITEM 4.B

STAFF REPORT

To: Chairperson Stratman and Members of the Planning & Zoning Commission

From: Sarosh Saher, Community Development Director

CC: Colleen McCauley, Village Planner
David Modrzejewski, Building Services Supervisor

Date: April 16, 2025

Re: PZC 2025-05 Zoning Variation for Pool at 202 Mark Lane

SUBJECT

Mr. Jan Jozwiak (the “Applicant” and “Owner”) requests a Variation from Zoning Code Section 9-3-11.E.6.m, entitled “Specified Structures and Uses in Required Yards; ...swimming pools,” to allow for the construction of an in-ground swimming pool in the interior side yard at the property commonly known as 202 Mark Lane, legally described in Exhibit A attached hereto (the “Subject Property”).

GENERAL INFORMATION

Requested Action: Variation

Current Zoning: R-4 Single Family Residential District

Current Use: Single Family Home

Property Location: 202 Mark Lane

Applicant and Owner: Mr. Jan Jozwiak of J.M.L.J. Construction Co. Inc.

Staff Coordinator: Colleen McCauley, Village Planner

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

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. Jan Jozwiak (the “Applicant”), is the builder and owner of the property located at 202 Mark Lane, 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 18, 2025 (the “Application”) seeking:

- Variation from Code Section 9-3-11.E.6.m, “Specified Structures and Uses in Required Yards; ...swimming pools” to allow for a Swimming Pool to be constructed within the Interior Side Yard.

The Subject Property is located within the Village’s R-4 Single-family Residential District that provides for single-family homes. Pursuant to the zoning regulations for residential districts, swimming pools are not permitted within front, corner side, or interior side yards. Additionally, any swimming pool must be located entirely within the rear yard and maintain a minimum setback of 23 feet from the rear lot line. In this case, the petitioner is requesting a variation to allow the construction of an in-ground swimming pool entirely within the interior side yard. The proposed pool will be located 40 feet from the rear lot line and approximately 29 feet from the interior side lot line. The proposed location will exceed the minimum rear setback requirement but require a variation to be located within the interior side yard.

The proposed in-ground pool measures 15 feet in width and 30 feet in length and will be surrounded by a brick patio on all sides, resulting in a total combined footprint of the pool and patio of 1,280 square feet. Due to the shallow depth of the rear yard and the existing wood deck on the property, constructing a code-compliant pool in the rear yard is not feasible. The existing wood deck is located 27.5 feet from the rear lot line, leaving insufficient space to accommodate the proposed pool and patio while maintaining the required 23-foot rear setback. Although the deepest point of the rear yard measures 51.25 feet, placing the pool and patio in this area would leave only 19.25 feet between the pool and the rear lot line—still necessitating a variation—and would position the pool uncomfortably close to the home, potentially creating drainage concerns.

As an alternative, the applicant proposes to construct the pool entirely within the interior side yard, which is unusually wide due to the property's location along a cul-de-sac. This configuration provides ample space for the proposed pool dimensions while avoiding the constraints and complications associated with rear yard placement.

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

The property owners will obtain all necessary clearances from utility companies prior to the installation of the in-ground pool in the interior side yard. There are no Village utility easement restrictions or grading concerns that would prohibit construction in this area. At its closest points to pertinent lot lines, the proposed pool and patio will be located as follows:

- From the Interior Side lot line: Approximately 29 feet from the interior side lot line; outside of the 5-foot utility and drainage easement and 10-foot interior side yard setback;
- From the Rear Lot line: 28 feet from the rear lot line, outside of the 20-foot utility and drainage easement at the rear of the property and outside of the 23-foot rear yard setback.

As such, the proposed location meets all applicable easement and grading requirements.

In compliance with building code requirements for safety, a 5-foot-high metal fence will be installed around the portion of the yard containing the pool and patio. To supplement the fence and provide visual screening from the street, evergreen trees will be planted. These will offer year-round screening coverage from the street. Furthermore, existing landscaping, including trees and shrubs, located in the southwest portion of the lot provides some screening from the neighboring property at 1194 Sycamore Drive.

Pursuant to public notice published on March 29, 2025, in the Daily Herald, a public hearing has been scheduled with the Lake Zurich Planning & Zoning Commission for April 16, 2025, to consider the Application. On March 27, 2025, the Village posted a public hearing 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 on Lot 11 within the Lake Zurich Sunset Subdivision, which was annexed into the Village of Lake Zurich in 2006. Construction of the subdivision began in 2008, and the Subject Property received its final occupancy in March of this year. The subdivision is nearly complete, with the majority of the lots now developed with single-family homes.
- C. Surrounding Land Use and Zoning.** The subject property is zoned within the R-4 single family residential district. Properties to the east, north and south are also zoned R-4 and are developed with residences within the Sunset Subdivision, which were constructed between 2008 and 2025. The lot to the north is similarly zoned but is undeveloped at this time. To the west, outside the Sunset Subdivision, properties are located in unincorporated Lake County and are developed with single family homes.
- D. Trend of Development.** The residence at 202 Mark Lane completed construction and received final occupancy in March of 2025. It is a two-story home and is similar to other homes in the subdivision that were constructed between 2008 and 2025.

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

- E. Zoning District.** The zoning code provides for four (4) districts for single-family residential development, each accommodating varying densities of housing. The R-1/2 and R-3 districts permit lower-density residential use with larger lot sizes, while the R-4 district allows for slightly higher-density residential use on smaller lots. The R-5 district permits the highest density of single-family homes and the smallest 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.

- F. General provisions for the granting of variations.** The purpose of the variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of the zoning code that create practical difficulties or particular hardships for which no other remedy is available.

Section 9-17-3 entitled “Authorized Variations” provides a list of the zoning code provisions that may be varied by authority of the Village Board. The requested variation is an authorized variation.

GENERAL FINDINGS

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 the following specific sections of the Code.

9-17-4: STANDARDS FOR VARIATIONS.

- A. General Standard: No variation shall be granted pursuant to this chapter unless the applicant shall establish that carrying out the strict letter of the provisions of this zoning code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this section.

Staff Response: Standard met. The applicant has demonstrated a practical difficulty in constructing an in-ground pool in compliance with the zoning code. Due to the configuration of the lot and the shallow depth of the rear yard, there is no feasible location on the property where a pool of the desired dimensions could be constructed without encroaching into the required 23-foot rear yard setback. Placing the pool adjacent to the home would not only violate this setback but could also create drainage issues due to its proximity to the structure. In contrast, the property’s unusually wide interior side yard, resulting from its location on a cul-de-sac, provides the only practical location for the in-ground pool and accompanying brick patio.

- B. Unique Physical Condition: The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use or structure, whether conforming or nonconforming; irregular or

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

Staff Response: Standard met. The subject property presents a unique physical condition by virtue of its irregular shape and size that distinguishes it from other lots subject to the same zoning provision. Specifically, the existing wood deck is located 27.54 feet from the rear lot line, significantly limiting the available space in the rear yard for a compliant in-ground pool. Given the required 23-foot rear yard setback, the proposed pool and accompanying brick patio cannot fit within the rear yard at the desired dimensions without encroaching into the setback.

Additionally, the lot benefits from an unusually deep interior side yard due to its location along a cul-de-sac. This configuration creates a spacious area for the proposed pool. With the inclusion of proper screening, this allows an aesthetically appropriate location for in-ground pool.

- C. **Not Self-Created:** The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this zoning code, for which no compensation was paid.

Staff Response: Standard partially met. While the subject property's unique lot configuration results from the Applicant's design of the subdivision lot along the cul-de-sac, it was not specifically intended to create a hardship. The lot meets the required minimum rear yard setback of 30 feet in the R-4 single family residential district. However, the presence of the existing wood deck, constructed as part of the home's original design, further restricts the usable area in the rear yard for a compliant pool installation.

Although the physical conditions affecting pool placement are partially attributable to the owner's design choices, they also arise from the natural constraints of fitting a home, deck, and outdoor amenities on a cul-de-sac lot with irregular dimensions. As such, the difficulty is not solely self-created but is a combination of design and inherent lot characteristics.

- D. **Denied Substantial Rights:** The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Staff Response: Standard met. The owner is requesting a 15 foot by 30 foot in-ground pool. Strict application of the zoning code would prevent the installation of the pool due to dimensional limitations unique to this lot, effectively denying the owner a

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

substantial right that is commonly enjoyed by other residents. The proposed location in the interior side yard represents the only practical option to accommodate the pool without compromising its intended function or size.

- E. Not Merely Special Privilege: The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

Staff Response: Standard met. The hardship does not involve the inability of the owner to enjoy any special privilege in using the property. Granting the variation will allow the current owners to enjoy a swimming pool that is traditional and customary to the enjoyment and use of a residential property.

- F. Code and Plan Purposes: The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this zoning code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.

Staff Response: Standard met. The requested variation will not alter the residential use of the subject property and remains consistent with the intent of the zoning code and the Village's Comprehensive Plan. The proposed in-ground pool, brick patio, and associated improvements are compatible with the surrounding residential character and will not negatively impact the overall development pattern of the neighborhood. Furthermore, the property has been designed to accommodate overland stormwater drainage through designated easements along the rear and side lot lines. The proposed location of the pool and patio lies outside of these easement areas, ensuring continued compliance with the property's drainage plan.

- G. Essential Character of the Area: The variation would not result in a use or development on the subject property that:

1. Detrimental to Enjoyment: Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

Staff Response: Standard met. Granting of the variation will not create a negative effect on public welfare, enjoyment, development, or value of property if the Applicant is granted the requested variation.

2. Light and Air: Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

Staff Response: Standard met. The granting of the variation will not impair the supply of light or air to the subject property or neighboring properties.

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The proposed in-ground pool, surrounding brick patio, and required safety fence will all comply with applicable building codes. Additionally, landscaping will be installed to screen the pool without affecting light or air circulation. The pool and associated improvements are low in profile and designed in accordance with modern construction standards, ensuring minimal impact on adjacent properties.

3. Congestion: Would substantially increase congestion in the public streets due to traffic or parking; or

Staff Response: Standard met. Granting of the variation would not increase any congestion due to traffic or parking as the land use of the property is not being changed.

4. Flood or Fire: Would unduly increase the danger of flood or fire; or

Staff Response: Standard met. The proposed in-ground pool will conform to current building codes.

5. Tax Public Facilities: Would unduly tax public utilities and facilities in the area

Staff Response: Standard met. Granting of the variation would not cause the property to tax public utilities or facilities in the area other than what is currently caused by the use and function of the existing residence and the traditional customary water usage of a pool, charges and fees for which are being borne by the property owner.

6. Endangerment: Would endanger the public health or safety.

Staff Response: Standard met. The proposed variation will not endanger public health, safety, or welfare. The 15-foot by 30-foot in-ground pool will be surrounded by a metal 5-foot-tall self-latching fence, as required by the building code, to ensure safety and restrict unauthorized access. Additionally, at the time of permitting, it will be verified that the rear door of the home is equipped with an alarm to alert the homeowner when the backyard is accessed, providing an added layer of protection. All safety measures will be reviewed and enforced through the building permit process in accordance with applicable codes.

- H. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Staff Response: Standard partially met. The applicant has stated that the requested variation is the only practical way to construct an in-ground pool at the desired dimensions while maintaining the intended level of functionality, utility, and enjoyment. While a smaller pool could potentially be positioned in the northwest portion of the lot, it would still be constrained by the required 23-foot rear yard

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setback and 15-foot interior side yard requirement. These limitations would significantly reduce the usable area, potentially eliminate the proposed brick patio, and diminish the overall utility of the space.

Although a smaller, code-compliant option may exist, it would not reasonably accommodate the applicant's intended use of the property, and therefore may not offer a sufficient or practical alternative to the requested variation.

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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 9-17-4: Standards for Variations

Section 9-17-5 entitled "Variation less than requested" provides the PZC with the option of granting a variation less than or different from that requested when the record supports the applicant's right to some relief but not to the relief requested.

Based on the review of the standards for approval which have been met with the exception of Standards C and H, staff recommends that the Planning and Zoning Commission make these standards a part of the official record of the Application.

1. Substantial conformance with the following documentation submitted as part of the application and subject to revisions required by Village Staff, Village Engineer, and any applicable governmental agencies:
 - a. Zoning Application and Cover Letter prepared by the Applicant Jan Jozwiak, builder and owner of 202 Mark Lane, dated March 12, 2025.
 - b. Exhibit A: Legal Description of the Subject Property.
 - c. Plat of Survey provided by Jan Jozwiak.
 - d. Letters of Consent from neighbors dated March 12 and March 18, 2025.
2. The Applicant shall ensure that the proposed fence is installed to completely enclose the proposed swimming pool per the requirements of the building code. Additionally, the landscaping, as depicted in the submitted plan, is installed and maintained to provide effective visual screening from the adjacent property to the south. These elements must be installed concurrently with the swimming pool permit and kept in good condition to maintain their intended function.
3. As mitigation for the variance, the Applicant shall agree not to install any other structure within the interior side yard located between the swimming pool/brick patio and the southerly interior side lot line.
4. The development shall be in compliance with all other applicable codes and ordinances of the Village of Lake Zurich.

Respectfully Submitted,
 Colleen McCauley, Village Planner

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LAKE ZURICH PLANNING & ZONING COMMISSION
FINAL FINDINGS & RECOMMENDATIONS

202 MARK LANE
April 16, 2025

The Planning & Zoning Commission recommends approval of Application **PZC 2025-05**, and the Planning & Zoning Commission adopts the findings as contained within the Staff Report dated **April 16, 2025** 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 and subject to revisions required by Village Staff, Village Engineer, and any applicable governmental agencies:
 - a. Zoning Application and Cover Letter prepared by the Applicant Jan Jozwiak, builder and owner of 202 Mark Lane, dated March 12, 2025.
 - b. Exhibit A: Legal Description of the Subject Property.
 - c. Plat of Survey provided by Jan Jozwiak.
 - d. Letters of Consent from neighbors dated March 12 and March 18, 2025.
 2. The Applicant shall ensure that the proposed fence is installed to completely enclose the proposed swimming pool per the requirements of the building code. Additionally, the landscaping, as depicted in the submitted plan, is installed and maintained to provide effective visual screening from the adjacent property to the south. These elements must be installed concurrently with the swimming pool permit and kept in good condition to maintain their intended function.
 3. As mitigation for the variance, the Applicant shall agree not to install any other structure within the interior side yard located between the swimming pool/brick patio and the southerly interior side lot line.
 4. 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:

Planning & Zoning Commission Chairman

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 11 OF LAKE ZURICH SUNSET SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT SAID LOT 11; THENCE SOUTH 67 DEGREES 10 MINUTES 44 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 51 DEGREES 39 MINUTES 39 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A DISTANCE OF 105.15 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE NORTH 00 DEGREES 19 MINUTES 47 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 24.50 FEET; THENCE NORTH 71 DEGREES 28 MINUTES 49 SECONDS EAST 42.19 FEET; THENCE NORTH 57 DEGREES 19 MINUTES 52 SECONDS EAST 50.62 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 2006 AS DOCUMENT NO. 6086284 IN LAKE COUNTY, ILLINOIS.

Common Street Address: 202 Mark Lane
Property Index Number (PIN): 14-08-402-036

Staff Report
APPLICATION PZC 2025-05

Community Development Department
PZC Hearing Date: April 16, 2025

EXHIBIT B

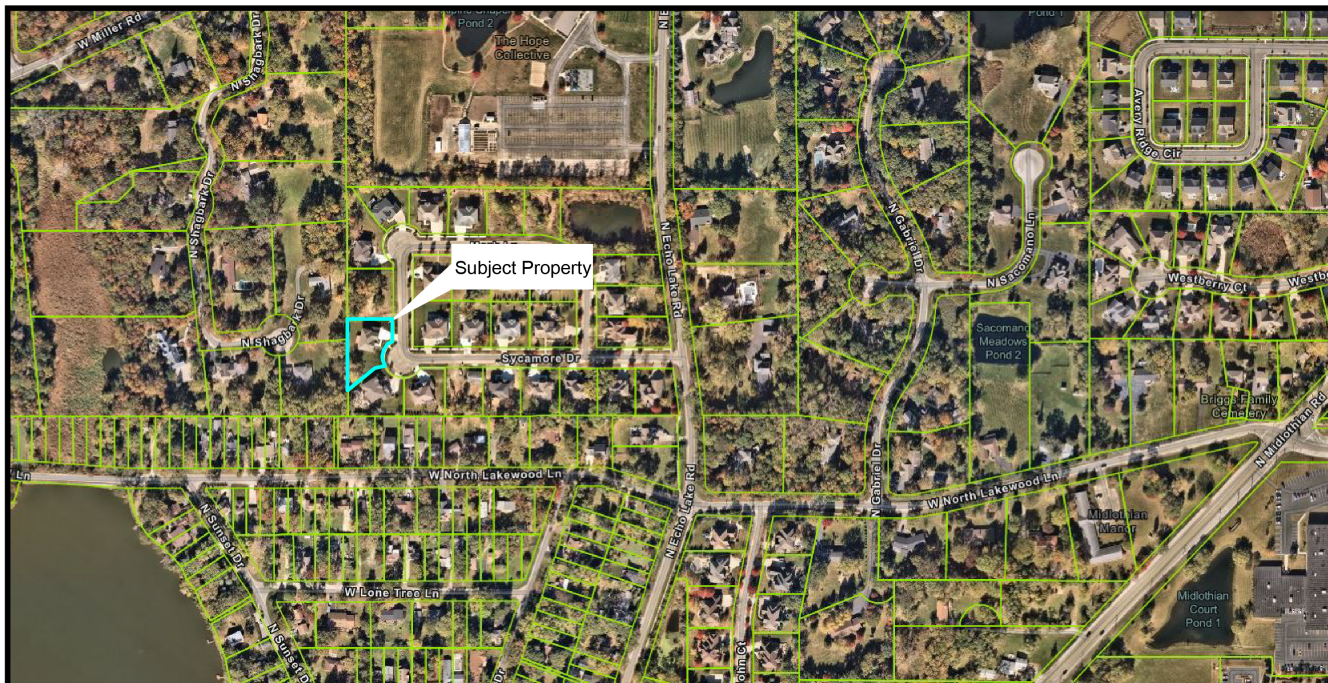
PUBLIC HEARING SIGN PRESENT AT SUBJECT PROPERTY

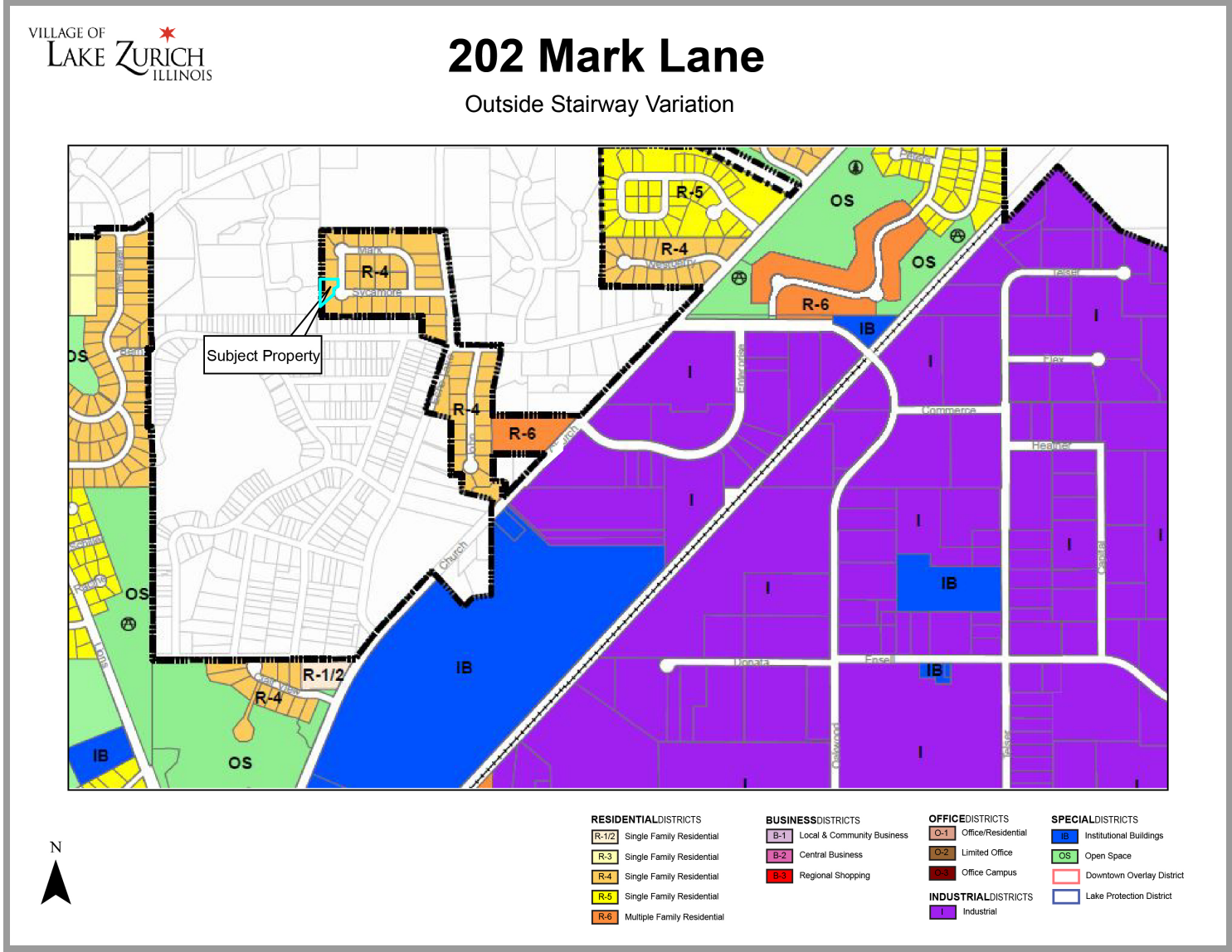


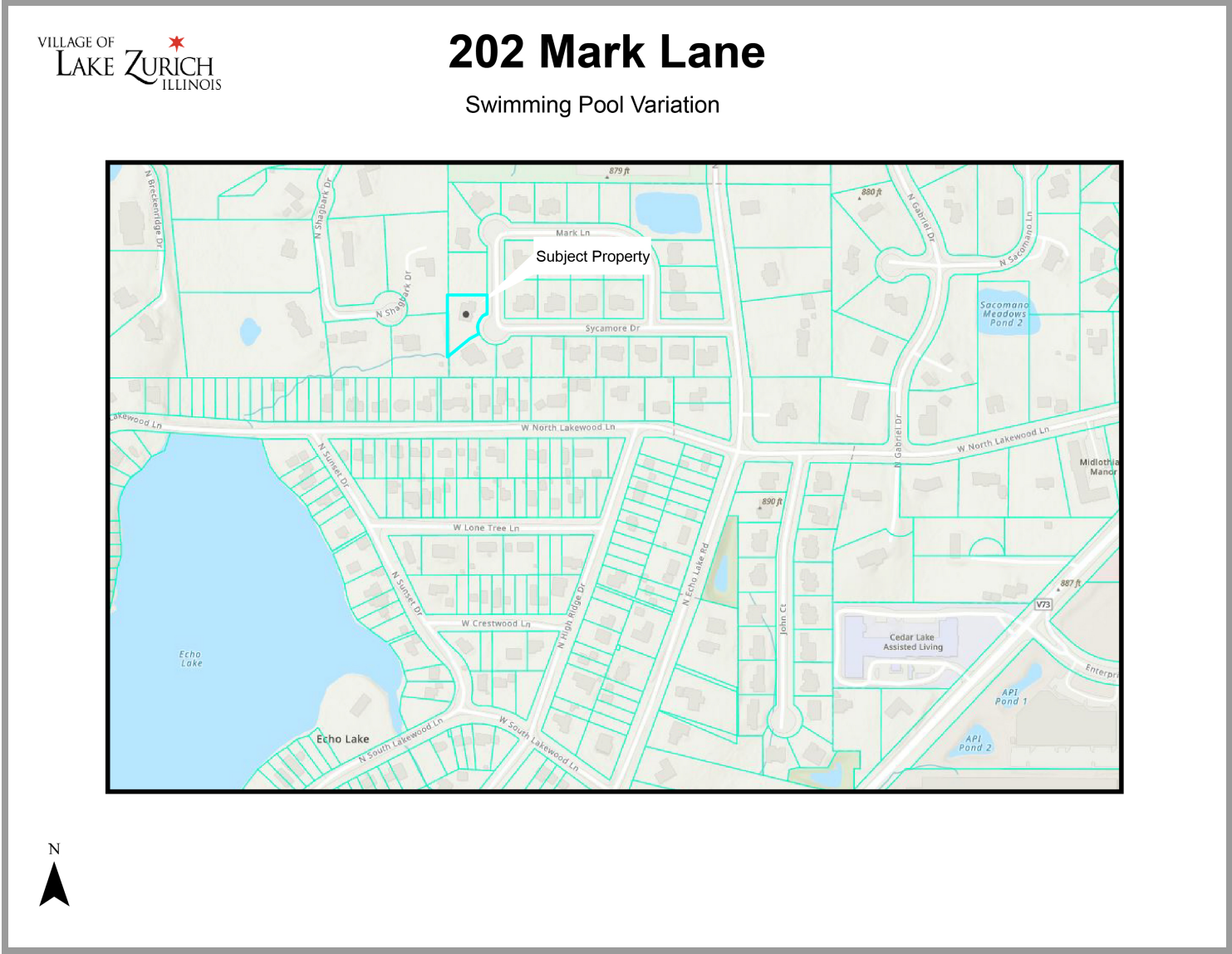


202 Mark Lane

Swimming Pool Variation









Date Submitted: 03/12/2025

ZONING APPLICATION

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

(Please Type or Print)

1. Address of Subject Property: 202 Mark Lane, Lake Zurich, IL 60047
2. Please attach complete legal description
3. Property Identification number(s): 14-08-402-036
4. Owner of record is: J.M.L.J. Construction Co. Inc. Phone: (847) 710-0367
E-Mail jmljconstruction@gmail.com Address: 30 Brierwoods Lane, Lake Zurich, IL 60047
5. Applicant is (if different from owner): N/A Phone: N/A
E-Mail N/A Address: N/A
6. Applicant's interest in the property (owner, agent, realtor, etc.): Jan Jozwiak, builder & owner.
7. All existing uses and improvements on the property are: Residential single family home.
New construction, under contract.
8. The proposed uses on the property are: I am seeking a variance for my buyer client to build a 15'x30' pool at the rear left-side of the home. This is a half-acre lot located on a cul-de-sac so it is uniquely shaped.
9. List any covenants, conditions, or restrictions concerning the use, type of improvements, setbacks, area, or height requirements placed on the Subject Property and now of record and the date of expiration of said restrictions:
The current pool rules and restrictions state that a pool "cannot be placed within any required front yard, corner yard, or side yard". I am seeking a variance to allow the pool to be installed at the rear left-side of the home.
10. Describe any contract or agreement of any nature relevant to the sale or disposal of the Subject Property:
This property is under contract in the MLS and I am seeking a variance on behalf of my buyer client.
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.

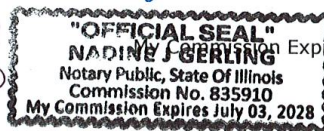
THE APPLICANT'S SIGNATURE BELOW INDICATES THE INFORMATION CONTAINED IN THIS APPLICATION AND ON ANY ACCOMPANYING DOCUMENTS IS TRUE AND CORRECT.
THE APPLICANT ALSO ACKNOWLEDGES IF THE CONSULTANT EXPENSES EXCEED THE INITIAL ESCROW DEPOSIT, THE APPLICANT WILL REIMBURSE THE ACCOUNT IMMEDIATELY.

JAN JOZWIAK
(Name of applicant)

Jan Jozwiak
(Signature of applicant)

Subscribed and sworn to before me this _____ day of _____, 2024.

Nadine J. Gerling
(Notary Public)



7/3/28

(Name of Owner, if different)

(Signature of Owner, if different)

Subscribed and sworn to before me this _____ day of _____, 2024.

(Notary Public)

My Commission Expires _____

To:
Mr. Orlando Stratman
Chairperson of the Planning & Zoning Commission
Lake Zurich, IL 60047

Regarding:
Pool Variance
202 Mark Lane
Lake Zurich, IL 60047

Dear Mr. Stratman and Commissioners,

I am seeking a pool variance for my property at 202 Mark Lane, Lake Zurich IL on behalf of my buyer client who I am under contract with for this new construction home.

The current pool rules and restrictions state that a pool "cannot be placed within any required front yard, corner yard, or side yard". I am seeking a variance to allow a pool to be installed at the rear left-side of the home. The home is located on a cul-de-sac that makes for a unique situation of outdoor area space for the home. This lot is one of the largest in the Lake Zurich Sunset subdivision. It is just shy of a half-acre. I believe that with the installation of the required fence and professional landscaping, this project will have great visual appeal for the neighborhood. Please reference the rendering and plat of survey provided.

Respectfully,



Jan Jozwiak
J.M.L.J. Construction Co. Inc.
202 Mark Lane
Lake Zurich, IL 60047



Letter of Consent from Adjoining Neighbors

I, Shaun Gravitt, am the legal owner of property located at 1194 Sycamore Dr which is an adjoining property to the petitioner's address: 202 Mark Lane, Lake Zurich, IL 60047.

I am aware that a variation to install a pool is being applied for at the subject property and I have reviewed the plans as presented to me by Jan Jozwiak of J.M.L.J. Construction Co. Inc. for the proposed project plan.

I have no objection to granting my consent for their requested variation in order to install a pool.

Shaun Gravitt
1194 Sycamore Dr.

Neighbor Name & Address

 3/18/25

Neighbor Signature & Date

Letter of Consent from Adjoining Neighbors

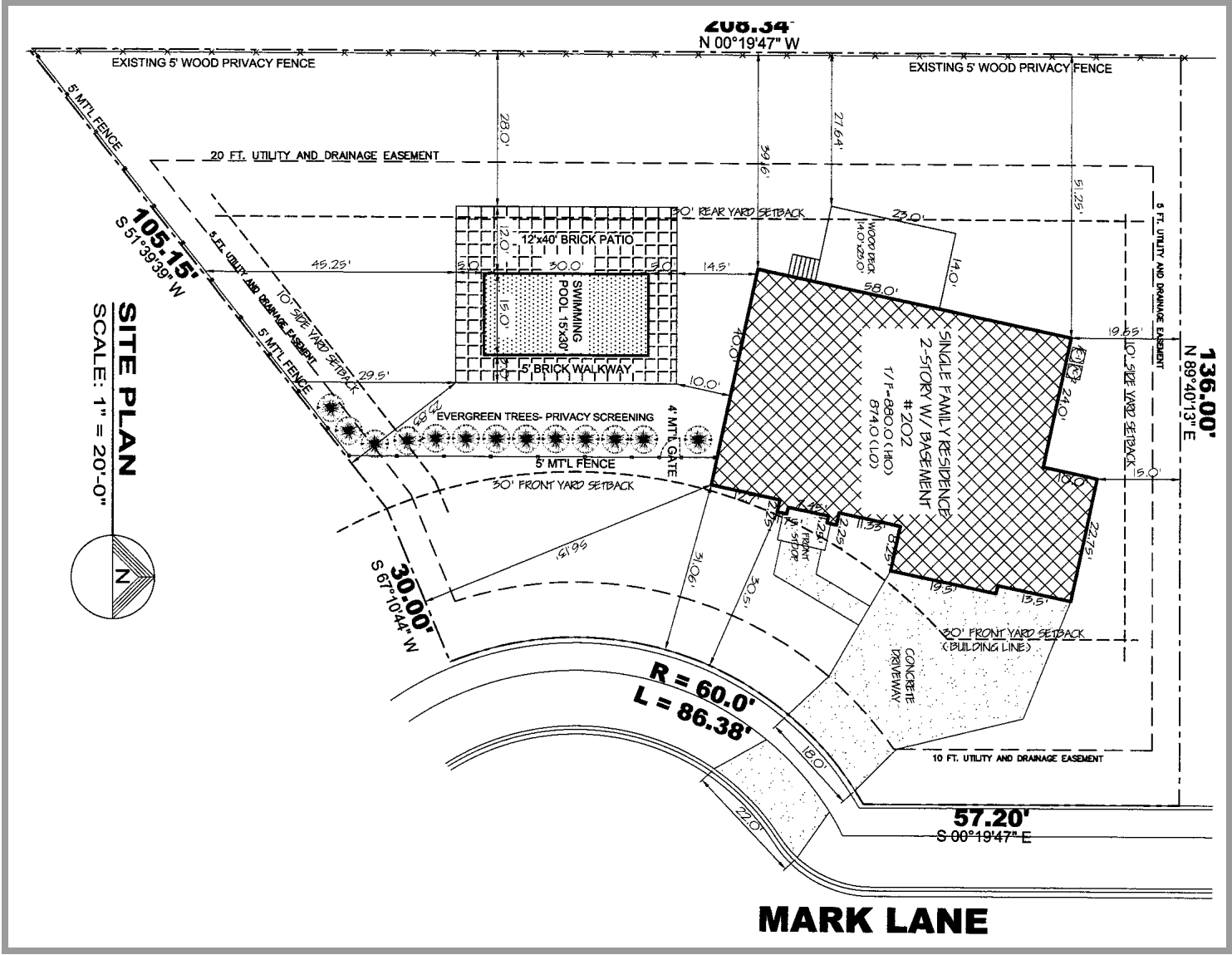
I, J.M.L.J. CONSTRUCTION Co. Inc. JAN JOZWIAK am the legal owner of property located at 210 MARK LANE LAKE ZURICH, IL 60047 which is an adjoining property to the petitioner's address: 202 Mark Lane, Lake Zurich, IL 60047.

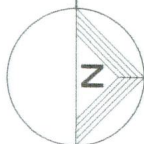
I am aware that a variation to install a pool is being applied for at the subject property and I have reviewed the plans as presented to me by Jan Jozwiak of J.M.L.J. Construction Co. Inc. for the proposed project plan.

I have no objection to granting my consent for their requested variation in order to install a pool.

J.M.L.J. CONSTRUCTION Co. Inc.
JAN JOZWIAK
PRESIDENT
Neighbor Name & Address
210 MARK LANE LAKE ZURICH, IL.

Jan Jozwiak 03/12/2025
Neighbor Signature & Date





<https://mail.google.com/mail/u/0/#search/andy%40proplanarchitects.com?projector=1>

111



LEGAL DESCRIPTION
202 MARK LANE, LAKE ZURICH, IL, 60047

LOT 11 OF LAKE ZURICH SUNSET SUBDIVISION, BEING A SUBDIVISION OF PART OF
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 8, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 2006 AS
DOCUMENT NO. 6086284 IN LAKE COUNTY, ILLINOIS.

COMMON ADDRESS: 202 MARK LANE, LAKE ZURICH ILLINOIS

PARCEL SWAP

THAT PART OF LOT 11 OF LAKE ZURICH SUNSET SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 67 DEGREES 10 MINUTES 44 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 51 DEGREES 39 MINUTES 39 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A DISTANCE OF 105.15 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE NORTH 00 DEGREES 19 MINUTES 47 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 24.50 FEET; THENCE NORTH 71 DEGREES 28 MINUTES 49 SECONDS EAST 42.19 FEET; THENCE NORTH 57 DEGREES 19 MINUTES 52 SECONDS EAST 50.62 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 2006 AS DOCUMENT NO. 6086284 IN LAKE COUNTY, ILLINOIS.

1194 SYCAMORE DRIVE:

ALL OF LOT 10 AND THAT PART OF LOT 11 OF LAKE ZURICH SUNSET SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT SAID LOT 11; THENCE SOUTH 67 DEGREES 10 MINUTES 44 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 51 DEGREES 39 MINUTES 39 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A DISTANCE OF 105.15 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE NORTH 00 DEGREES 19 MINUTES 47 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 24.50 FEET; THENCE NORTH 71 DEGREES 28 MINUTES 49 SECONDS EAST 42.19 FEET; THENCE NORTH 57 DEGREES 19 MINUTES 52 SECONDS EAST 50.62 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 2006 AS DOCUMENT NO. 6086284 IN LAKE COUNTY, ILLINOIS.

202 MARK LANE:

LOT 11 OF LAKE ZURICH SUNSET SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT SAID LOT 11; THENCE SOUTH 67 DEGREES 10 MINUTES 44 SECONDS WEST ALONG A SOUTHERLY LINE OF SAID LOT 11 A

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