

Re: Public Comment for the Village Board Meeting scheduled on August 8, 2023

Denial of Variation for 3305 Old McHenry Rd. Long Grove: To: dmccarthy@longgroveil.gov

From Jerry and Lidia Kugler (neighbor on southern border) 3128 Cuba Road, Long Grove,

As the only neighbor that is affected by this variance application, we strongly oppose this request for a variance that seriously affects the beauty and value of our home. Lidia is in Poland visiting her mother, so she is not available for this meeting, so we prepared the following summary of our position.

1. When the Roses bought their home about 10 years ago Rose had a snowplow and mower. They knew the restrictions to the property when they bought their home. When we bought our land over 20 years ago, of the 7 properties in our section, only 2 homes existed. The home to our north, where the Rose's now live and one of the 3 properties to our west. We were the first lot to build a new home in that area. Since we did not know how the vacant land would look like when homes would be built, we designed and built our home considering the two existing homes. Considering this we designed our home so the main focus of our views from in our home and from the outside faced north to the existing home (Rose's). We built our property in Long Grove because we enjoyed the open land and were aware of the restrictions Long Grove had for keeping open space between neighbors. This is the area we enjoy and use for entertainment. We spend all our outside activities and entertainment facing the property line with the Roses and we have spent the most money for landscaping on that side. The balcony to our bedroom, our main room with large windows and our deck and sunroom face that property line. We bought this land and spent a lot of money to enjoy our property, so we do not want to give up that open space.
2. From the first day Rose approached me in the fall of 2022 and told me of his desire to build this garage, he said he would never do this if we did not agree. He showed me where he wanted to put it (the exact spot where he still wants to place it) and I told him that we really wouldn't want it there and that I wish he wouldn't put me in this position. I asked if he could find some alternative and he said that he wanted to save money, and that would be the least expensive option for him. He said he would not do anything without letting me know. He never told us he filed an Application for a variance and we only found out about his application 2 hours before the first meeting with the Village when Lidia happened to pick up the certified mail from the post office informing us of the meeting. They never mentioned this to us despite his assurance he would never do this without our agreement. Either he wanted to do this without us appearing to object or he waited so that we could not show photos of the area during the time of year the trees don't have leaves so he can argue we can't even see his garage so it should not matter to us. For 7 months of the year his proposed 4 car commercial looking garage would be very visible to us. Even when there is full bloom his garage would be visible to

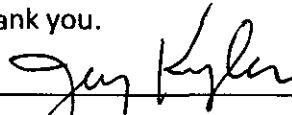
us and would block sunlight from our trees. The sunlight flows through the trees and a garage would be clearly visible through these trees.


3. The main barrier to our view of Rose's property for the 5 months the trees are not in full bloom is a single row of Arborvitae trees that I personally planted over 12 years ago. I have spoken to two tree companies, McMGinty Brothers and Monster Tree Service and researched these trees and although they are strong they are subject to root rot, if there is too much water. I know this personally because it took me 3 separate years of planting and replanting these trees because they died in that area because it was too wet. Now I have a uniform row of large mature trees and I do not want to risk them dying. If just one tree dies, his garage would be openly exposed to our property. Even now in full bloom, we can still see his property. Rose said if a tree dies he will plant another; he will put even more trees in that area. This does not solve the problem. These trees are about 25 feet high, and you cannot plant a tree that tall so we would lose the beauty of those uniform trees. Putting in more trees would also not help because those trees need open space to grow. If he is allowed any variance on our property line it will affect the drainage in that area which would cause a pooling of water which will cause root rot to our Arborvitae. Even if only one tree dies it will cause irreparable damage and leave us looking at his large 4 car garage that belongs on commercial not residential property. Does he want to run a business there?
4. At the second meeting with Rose, for the first time, said his hardship was that his father in law was handicapped but that has nothing to do with his garage so he no longer mentioned that as a hardship at our last meeting. At the last meeting he came up with the new argument that his hardship was that other people in Long Grove had more garage space and that affects the value of his home. He knew that when he bought his home and paid a lot less money because of that. They created their own situation, and they are asking us to lessen the value of our home to do this. Clearly, he has a lot of open space and areas where they can put their garage without asking for a variance. I met with Rose several times and spent several hours trying to find some compromise and even found several areas near his driveway, not along our property line where it would not interfere with utility lines but he said he did not want to put them there. Our neighbor to our east, also borders the south property line of Rose's property and they have no objection to Rose building close to their property line because that part of their property is not used for their enjoyment and is covered with a dense layer of trees and shrubs, so it doesn't matter to them. The Roses can build their garage along their property line. Karol Karluk, Rose's neighbor to the west does also objects to them getting a variance if its within 50 feet of his property.
5. A variance should only be granted based on some hardship and necessity and if there are other options a variance should be denied. Not having a 4 car garage in addition to a 2 car garage for your truck to plow your snow is not a hardship. And even if it was, they bought their land knowing the restrictions. He has plenty of space to build his garage

without asking for a variance. where it does affect us and can potentially cause irreparable harm to our property.

6. We were asked to try and reach a compromise and in good faith we met several times for several hours and although there is no requirement a neighbor compromise we did come up with suggestions but from the first time we met he has not changed where he wanted to place his garage. When we first met it was going to be 15 to 20 feet from our property. When he filed his application, he asked for 5 feet so he can act like he compromised. In addition to Rose not compromising, he has to my face misrepresented where he wanted to put his garage. He always told me he would not put it in the space between his existing garage and our property but would place it where we would agree. He even told me he just needs to get the variance and then he could put it anywhere on the property line, where we would agree. Thankfully, we came to the meetings to find out the actual place he wanted his garage and that was in the spot we objected to from the first day we spoke about this.
7. At the end of the second meeting last month, Rose was asked if he wanted a continuance to present anymore evidence, and Rose said no, just vote. Rose was represented by his attorney and neither objected to having only 3 member's vote. Their only objection is that the vote went against them. When Rose appealed this decision, once again he didn't mention it to us and appeared unilaterally. Lidia and I tried to see if anything was on the agenda but we did not find out about this Village Board meeting until after the meeting. He was given another chance and the vote against his application was denied by 4 votes with no votes in his favor.

Thank you.

  
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Jerry Kugler

  
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Lidia Kugler

date 8/4/2023