

James Hogue
Village Planner
Village of Long Grove
3110 Old McHenry Road Long Grove, IL 60047
847-634-9440
jhogue@longgroveil.gov

June 7, 2020

Dear Jim and Members of the Board,

I am writing to request a permit to build a garage adjacent to our cabin at 3378 old McHenry Rd. My husband, who can only be moved in a wheelchair, has constant care - 3 caregivers, our son, grandson and myself. The attached 1.5 car garage is used primarily for entry and exit via wheelchair ramps which prevent us from storing any full-size vehicle in this space. We critically need additional indoor space where my husband can safely enter and exit vehicles in any weather. Therefore, this garage space needs to be located close to our house where it can be easily accessed.

Five generations of our family have now lived on this property. My paternal Grandparents lived here for 20+years and when my parents reached our age - 80s, they moved from our main house (3376 – now owned and for sale by my brother) down to the cabin (3378) and subsequently were permitted to install a small additional cabin for live-in help because the main cabin has only one bedroom. Now because of my husband's incapacity we need much more help than my grandparents or parents did. With all of this additional support, we also have more vehicle traffic and need garage space. These vehicles include a couple of antique vehicles which have been used in many Long Grove events over the years. These cars are currently stored by my brother, but he is seeking to sell his house so the need to garage and maintain these vehicles will become our responsibility

We have looked at other potential sites on the property but feel we cannot add this garage in those locations for two reasons:

First and foremost, they are not easily accessible for anyone with mobility challenges without significant investment in new asphalt or significant changes to the full layout of the property.

Second, we are committed to maintaining all of our conservation land. After 70 years of friendship with the Reeds and Turners, we have been inspired by their work to keep some property on McHenry Rd. similar to what it was when we moved here in the early 1940's. With this intent, all of our land, other than the cabin site, is now designated as conservation land - a natural prairie. We burn it annually, remove buckthorn trees, thistles, and honey suckle, plant wildflowers, and our friends and neighbors are free to enjoy it.

We understand that this proposed site on is within a designated 40-foot utility easement and have reached out to all utilities to confirm that our build site will not encroach on any of their lines. We have included letters from Comed and Nicor confirming that there is no encroachment on their lines and have had AT&T and Comcast come and flag their lines their lines to confirm that there is also no intersection with our build site and their lines. Images of this flagging are also included with this letter.

We would be installing a steel structure which would be erected on a slab on grade. We have selected designs which will closely match the look of the adjacent house and service cabin and will obscure the

side facing the access road to our neighbors' driveway with evergreen trees. This structure will be installed quickly with little disruption to our lives nor to those of our neighbors.

Now that Rt. 22 is being filled with housing developments, we all feel such gratitude that the old Buck farm has been made into a beautiful site (Herren Creek Park) where all of us walk, run, cross country ski and enjoy nature. We have hoped to keep some of that open country feeling with our development of a 15-acre prairie across our residential parcel and on the adjacent parcels that we maintain as conservation land.

The planned site of the garage would not be visible from this prairie nor from any of our neighbors' homes. It would exactly match in height, and color (dark brown) the other buildings on the same residential site.

We hope to have the garage installed before this coming Fall so that it will make our life in Long Grove so much easier next winter.

Per tgeh regulations, we will be reaching out via certified mail to the only neighbor within 250' of our property

Christine Jossund
3382 Old McHenry Rd.
Long Grove, IL 60047

In addition, as a courtesy, we will also reach out to our other neighbors who share a common access driveway:

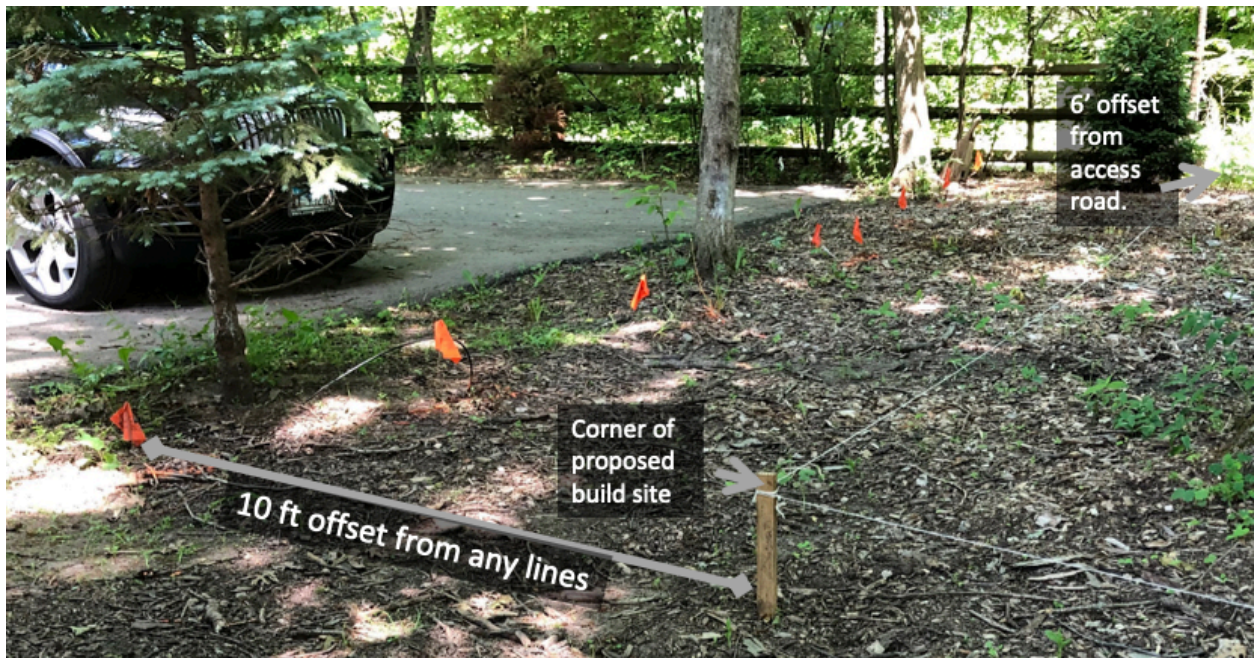
Charles Wachs (3378)
Yergeny Tarasov (3385)
Piotr Klich (3384)

If additional communications are necessary, please let us know and we will be happy to do so.

Thank you so much for your consideration!

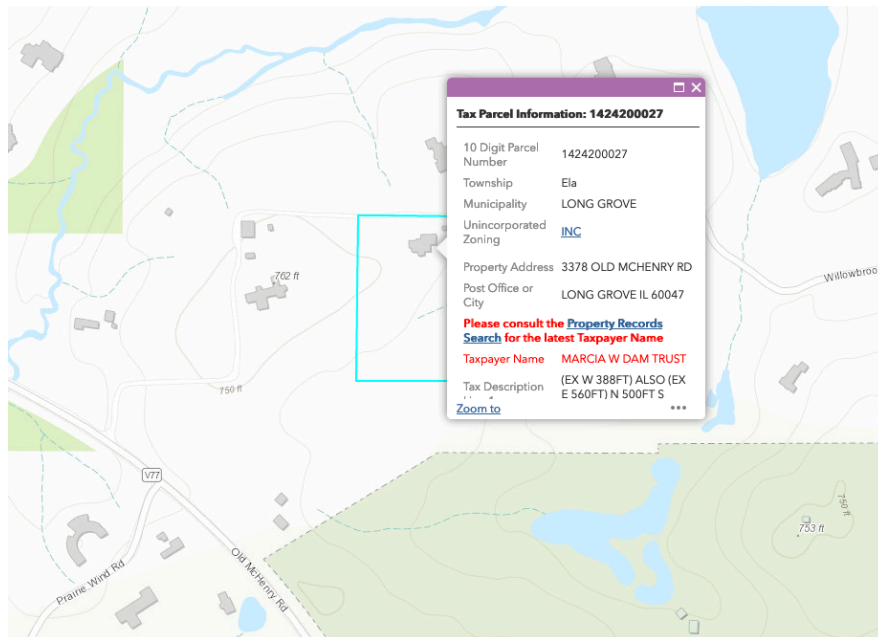
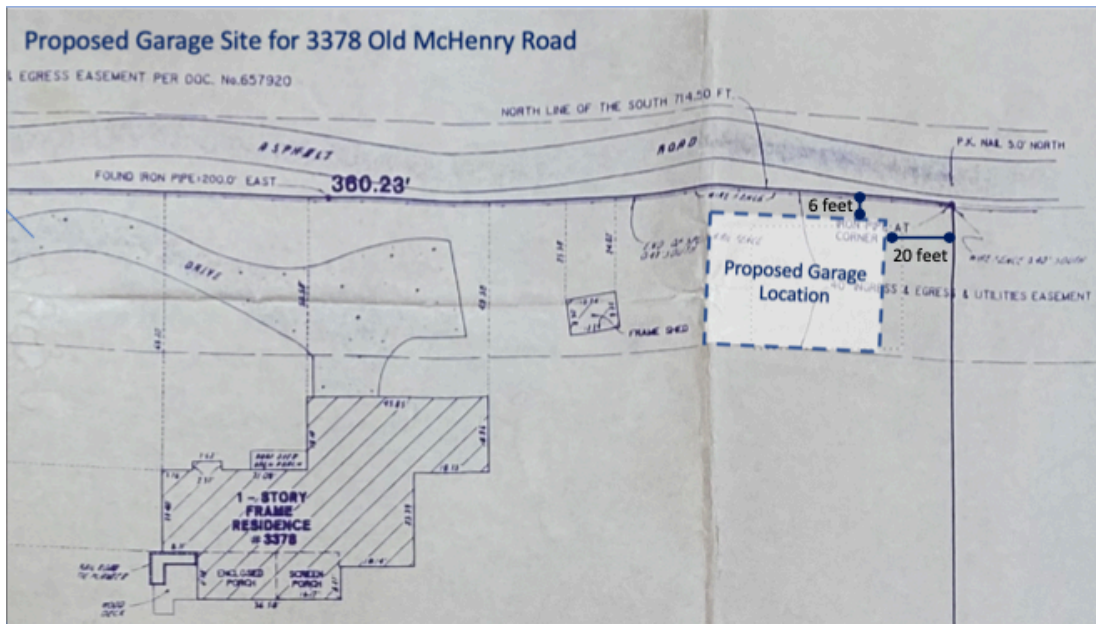
Sincerely,

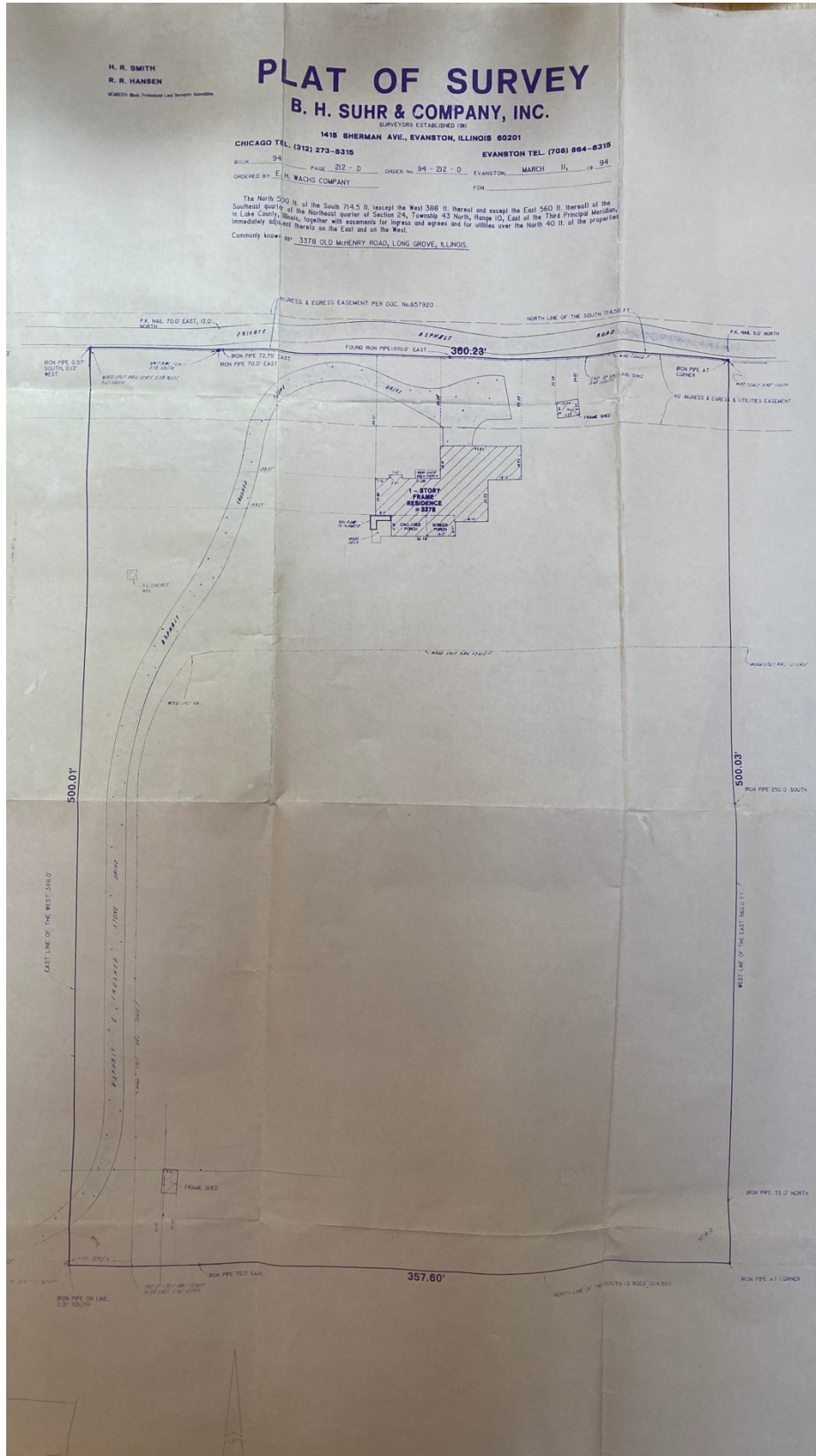
Marcia Wachs Dam



Property Legal Description:

THE NORTH 500 FT. OF THE SOUTH 714.5 FT. (EXCEPT THE WEST 388 FT. THEREOF AND EXCEPT THE EAST 560 FT. THEREOF) OF SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESSES AND FOR UTILITIES OVER THE NORTH 40 FT. OF THE PROPERTIES IMMEDIATELY ADJACENT THERETO ON THE EAST AND ON THE WEST.









Kone Chansey
Land Management Agent

1844 Ferry Road
Naperville, IL 60563
630-388-2095 tel

x2kchans@southernco.com

May 20, 2020

Eliot Dam
3378 Old McHenry Road
Long Grove, IL 60047

Subject: Garage
Nicor Atlas Page Reference: NW27242D

To Whom It May Concern:

This letter is sent in response to your recent inquiry regarding building a garage in your property that may be encroaching on utility easement lying in the following described property:

THE NORTH 500 FT. OF THE SOUTH 714.5 FT. (EXCEPT THE WEST 388 FT. THEREOF AND EXCEPT THE EAST 560 FT. THEREOF) OF SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESSES AND FOR UTILITIES OVER THE NORTH 40 FT. OF THE PROPERTIES IMMEDIATELY ADJACENT THERETO ON THE EAST AND ON THE WEST.

Based on the information you provided, including a copy of the property's survey, Nicor Gas has no objection to you building a garage on the northeast corner of your property.

This is not a release or waiver of any rights Nicor Gas may have in or to the utility easement. Further, any future expense Nicor Gas may incur in exercising its rights in the utility easement shall be borne by the property owner.

Notify JULIE at 1-800-892-0123 at least 48 hours prior to commencing construction activities. Nicor Gas may have gas service pipes providing gas service to the described property. The gas service pipes are neither covered by recorded easement nor are their locations mapped.

Very truly yours,
Kone Chansey
Kone Chansey
Land Management Agent
Land Services Department



Commonwealth Edison Company
Real Estate & Facilities
3 Lincoln Center
Oakbrook Terrace, IL 60181

May 27, 2020

Eliot Dam
3378 Old McHenry Road
Long Grove, IL

Re: PROPOSED GARAGE ENCROACHMENT

Dear Eliot:

Pursuant to your request for an encroachment letter, this is to inform you that ComEd Company has no objection to the proposed 50' x 36' garage that will be placed 6' south of the north property line and 20' west of the east property line and will encroach 34' into a 40' ingress and egress and utilities easement, and can be seen on the attached Plat of Survey of the property described as follows:

THE NORTH 500 FT. OF THE SOUTH 714.5 FT. (EXCEPT THE WEST 388 FT. THEREOF AND EXCEPT THE EAST 560 FT. THEREOF) OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS AND FOR UTILITIES OVER THE NORTH 40 FT. OF THE PROPERTIES IMMEDIATELY ADJACENT THERETO ON THE EAST AND ON THE WEST.

Please be advised that ComEd has no objection to the subject encroachment, so long as the encroachment is not increased or enlarged. Additionally, you have the obligation to ensure that the encroaching structure does not impede ComEd's ability to safely access its facilities and does not interfere with ComEd's use, operation and maintenance of its facilities.

The permission herein acknowledged is subject to the Additional Terms and Conditions contained in the attachment to this letter, which terms and conditions shall be binding upon you, and your successors and assigns.

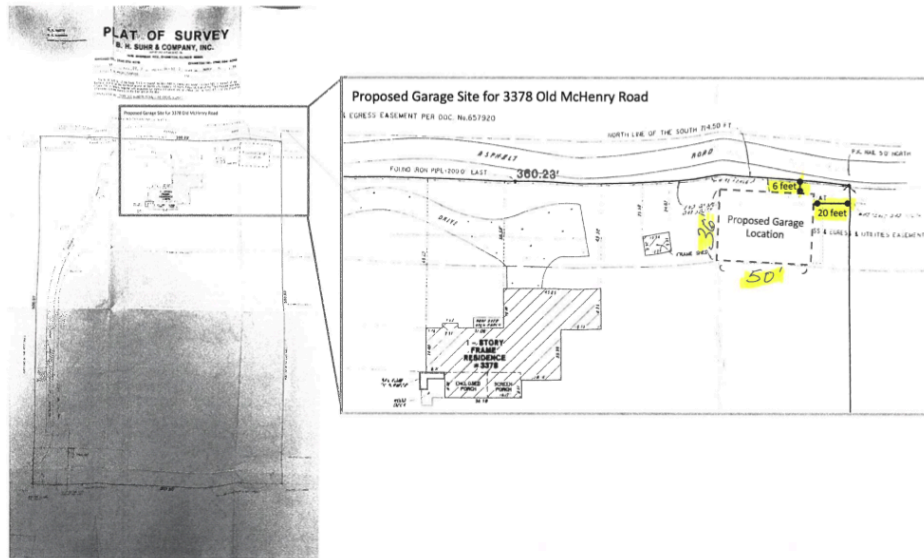
Sincerely,

Russell Dillon

Russell Dillon
Real Estate Specialist
630-437-2463

ADDITIONAL TERMS AND CONDITIONS

1. The permission herein acknowledged is based upon information and assurances you have provided and facts and circumstances as they currently exist or are currently known to ComEd. ComEd reserves the right at any time hereafter to revoke the permission acknowledged herein and to require the immediate removal of the encroaching structure from the easement premises, at your sole cost and expense, in the event (a) that the information and assurances you have provided prove incorrect or unreliable in any respect, (b) there is change in any relevant facts and circumstances, including without limitation any change in ComEd's business needs or operations that may require the installation of additional overhead or underground facilities on the subject easement premises, or (c) ComEd is made aware of additional facts and circumstances of which it has no actual current knowledge. In the event the permission contained herein is so revoked, you shall promptly remove all encroaching structures at your sole cost and expense, provided ComEd reserves the right (but shall have no obligation) to remove the encroaching structure from the easement premises and dispose of the same without liability for any loss or damage to property incurred by you or any third parties as a result thereof. You shall be responsible for reimbursing ComEd for all costs such removal.
2. The permission herein acknowledged is subject to the condition that you shall be liable for all damage to property, including damage to ComEd's facilities, and any injury or death to persons resulting from or in any way related to the construction or continuing presence of the encroaching structure on the easement premises. By constructing or maintaining such encroaching structure, you agree to indemnify, defend and hold harmless ComEd from and against any and all claims, liabilities, losses, proceedings, damages, costs and expenses (including attorney's fees and costs) arising from or in any manner related to the construction or continuing presence of the encroaching structure on the easement premises. Such cost may include any relocation costs incurred by ComEd (including the cost of acquiring additional easements) should ComEd elect to relocate the facilities located on the easement premises due to the subject encroachment.
3. The permission herein acknowledged shall in no way modify, limit, terminate, release, abrogate, nullify or waive any of the rights and interests of ComEd, its successors and assigns, in and to the easement premises.
4. You shall have no right to construct additional structures or improvements upon the easement premises. Prior to any digging upon the easement premises, you shall be responsible for locating all electrical facilities by contacting J.U.L.I.E. at 1-800-892-0123.
5. The permission hereby acknowledged is subject to your obtaining all required approvals from applicable governmental authorities (or third parties having any interest in the easement premises) with respect to the encroaching structure.
6. The obligations set forth hereinabove and in the attached letter shall be binding upon you, your heirs, legal representatives, successors and assigns.
7. This letter should be retained with your valuable papers and copies should be furnished to the title company and your successors and/or assigns for future reference.
8. This letter may be recorded at any time by ComEd in its sole discretion.





3110 Old McHenry Road 60047-9635
Phone: 847-634-9440 Fax: 847-634-9408
www.longgroveil.gov

PLAN COMMISSION ZONING BOARD OF APPEALS GENERAL ZONING APPLICATION

1.0 General Information (See Subsection 5-11-8(E) of the Long Grove Zoning Code).

1.1 Applicant Name: MARCIA WACHS DAM
Address: 3378 Old McHENRY RD Long GROVE, IL 60047
Telephone Number: (773) 251-1397 E-mail Address: MARCIA.DAME@GMAIL.COM
Fax number: N/A
Applicant's Interest in Property: OWNER / OCCUPANT

1.2 Owner (if different from Applicant).

Name: _____
Address: _____
Telephone Number: _____ E-mail Address: _____
Fax number: _____

1.3 Property.

Address of Property: 3378 Old McHENRY RD
Legal Description: Please attach Parcel Index Number(s): 1424200027
Present Zoning Classification RES-RESIDENTIAL Size of Property (in acres) 4.1063
Has any zoning reclassification, variation, or special use permit/PUD been granted for the Property?
Yes: _____ No:

If yes, please identify the ordinance or other document granting such zoning relief: _____

Describe the nature of the zoning relief granted: _____

Present use of Property:

Residential Commercial _____ Office _____ Open Space _____ Vacant _____

Other (explain) _____

Present zoning and land use of surrounding properties within 250' of Property:

	Zoning Classification	Land Use
North:	<u>PES - RESIDENTIAL</u>	<u>40 - RESIDENTIAL IMPROVEMENTS</u>
South:	<u>PES - RESIDENTIAL</u>	<u>30 - RESIDENTIAL VACANT LAND / LOTS</u>
East:	<u>PES - RESIDENTIAL</u>	<u>30 - RESIDENTIAL VACANT LAND / LOTS</u>
West:	<u>PES - RESIDENTIAL</u>	<u>40 - RESIDENTIAL IMPROVEMENTS</u>

1.4 Trustees Disclosure.

Is title to the Property in a land trust? Yes _____ No

If yes, full disclosure of all trustees, beneficiaries and their legal and equitable interests is required. Attach a copy of all documents showing ownership of the Property and the Applicant's and/ or Owner's control of or interest in the Property.

1.5 Requested Action (Check as many as are applicable).

- | | |
|--|---|
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Code Interpretation |
| <input checked="" type="checkbox"/> Variation | <input type="checkbox"/> Special Use Permit (non-PUD) |
| <input type="checkbox"/> Zoning Map Amendment (rezoning) | <input type="checkbox"/> Zoning Code Text Amendment |
| <input type="checkbox"/> Preliminary PUD Plat | <input type="checkbox"/> Final PUD Plat |

1.6 Supplemental Information (General):**

Every Application filed shall, in addition to the data and information required above, provide the following general information when applicable to the use or development for which approval is being sought:

- (a) A description or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.

- (b) A table showing the following, as applicable:
- the total lot area of the lot, in acres and in square feet; and
 - the total existing and proposed lot area, expressed in acres, in square feet and as a percent of the total development area, devoted to: residential uses, business uses; office uses; college uses; institutional uses; open space; rights-of-way; streets; and off-street parking and loading areas; and
 - the existing and proposed number of dwelling units; and gross and net floor area devoted to residential uses, business uses, office uses, college uses, and institutional uses.
- (c) A table listing all bulk, space, and yard requirements; all parking requirements; and all loading requirements applicable to any proposed development or construction and showing the compliance of such proposed development or construction with each such requirement. When any lack of compliance is shown, the reason therefore shall be stated and an explanation of the village's authority, if any, to approve the Application despite such lack of compliance shall be set forth.
- (d) The certificate of a registered architect or civil engineer licensed by the State of Illinois, or of an owner-designer, that any proposed use, construction, or development complies with all provisions of this code and other village ordinances or complies with such provisions except in the manner and to the extent specifically set forth in said certificate.
- (e) A landscape development plan, including the location, size and species of plant materials.

1.7 Supplemental Information (per specific request):

- Appeals, Code Interpretations, and Variations: See 5-11-8(E)3, 4, & 5 of the Zoning Code and Form "A" ATTACHED
- Special Use Permit (non-PUD): See 5-11-8(E)7 of the Zoning Code and Form "B"
- Zoning Map Amendment (rezoning): See 5-11-8(E) 8 of the Zoning Code and Form "C"
- Zoning Code Text Amendment: See Form "D"
- Preliminary PUD Plat: See 5-11-18(D)(2) of the Zoning Code and Form "E"
- Final PUD Plat: See 5-11-18(D)(3) of the Zoning Code and Form "F"

** The scope and detail of information shall be appropriate to the subject matter of the Application, with special emphasis on those matters likely to be affected or impacted by the approval being sought in the Application. Information required in the application shall be considered the minimum information required for filing an application. Additional information including but not limited to graphic depictions, environmental impacts, plans for sewer and water service and storm water management, photometric plans, traffic studies and effects on property values, among others, should also be considered and may be helpful in detailing the Application.

Special Data Requests. In addition to the data and information required pursuant to this Application, every Applicant/Owner shall submit such other additional data, information, or documentation as the building superintendent or any board or commission before which the Application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular Application.

1.8 Consultants.

Please provide the name, address, and telephone number of each professional or consultant advising Applicant with respect to this Application, including architects, contractors, engineers or attorneys:

NONE

Name: _____ Name: _____

Professional: _____ Professional: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

E-mail: _____ E-mail: _____

Name: _____ Name: _____

Professional: _____ Professional: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

E-mail: _____ E-mail: _____

1.9 Village Officials or Employees.

Does any official or employee of the Village have an interest, either directly or indirectly, in the Property? Yes: _____ No:

If yes, please identify the name of such official or employee and the nature and extent of that interest. (Use a separate sheet of paper if necessary.)

1.10 Successive Applications (5-11-9).

Second Applications Without New Grounds Barred. Whenever any Application filed pursuant to this code has been finally denied on its merits, a second Application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the officer, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact significantly affected the prior denial.

New Grounds to Be Stated. Any such second Application shall include a detailed statement of the grounds justifying consideration of such Application.

Summary Denial With or Without Hearing. Any such second Application may be denied by the building superintendent summarily, and without hearing, on a finding that no grounds appear that warrant a new hearing. In any case where such Application is set for hearing, the owner shall be required to establish grounds warranting reconsideration of the merits of its Application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the Application may be summarily dismissed for such failure.

Exception. Whether or not new grounds are stated, any such second Application filed more than two years after the final denial of a prior Application shall be heard on the merits as though no prior Application had been filed. The Applicant or Owner shall, however, be required to place in the record all evidence available concerning changes of conditions or new facts that have developed since the denial of the first Application. In the absence of such evidence, it shall be presumed that no new facts exist to support the new petition that did not exist at the time of the denial of the first Application.

2.0 Required Submittals (See Specific Supplemental Information Form for filing Fees).

- Fully completed Application with applicable supplementary information
- Non-refundable Filing Fee. Amount: \$ 200⁰⁰
- Planning Filing Fees. Amount: \$ 150⁰⁰
- Minimum Professional Fee/deposit Escrow. Amount \$ 500⁰⁰

3.0 Certifications. The Applicant and Owner certify that this Application is filed with the permission and consent of the Owner of the Property and that the person signing this Application is fully authorized to do so.

3.1 The Applicant certifies that all information contained in this Application is true and correct to the best of Applicant's knowledge.

- 3.2 The Applicant acknowledges that the Village may seek additional information relating to this Application and agrees to provide the Village with such information in a timely manner. Failure to provide such information may be grounds for denying an Application.
- 3.3 The Applicant and Owner agree to reimburse the Village for any and all costs relating to the processing of this Application, including any consultants' fees. By signing this Application, Applicant and Owner agree to be jointly and severally liable for such costs, and Owner further agrees to the filing and foreclosure of a lien against the Property for all such costs plus all expenses relating to collection, if such costs are not paid within 30 days after mailing of a demand for payment.
- 3.4 The Applicant agrees that the Village and its representatives have the right, and are hereby granted permission and a license, to enter upon the Property, and into any structures located there on, for purposes of conducting any inspections that may be necessary in connection with this Application.
- 3.5 The Owner, Applicant, and/or designated representative is required to be present during the meeting.

Marcia Wachs Dam
Name of Owner

Marcia Wachs Dam
Name of Applicant

Marcia Wachs Dam 6/7/20
Signature of Owner Date

Marcia Wachs Dam 6/7/20
Signature of Applicant Date

Request for Variance for Garage Construction at 3378 Old McHenry Rd.

Form "A"

As outlined in the accompanying letter, the following is the requested variance for Garage construction at 3378 Old McHenry Road.

- A. Proposed erection of a steel 50 x 36 garage in a cement slab on grade at the north east corner of the above property (parcel ID:1424200027)
- B. Variance from the 40' easement regulation is sought. This is also a utility easement and as such we have confirmed with Julie and all utilities that there is no impact to any utility infrastructure in the vicinity of the proposed garage site.
- C. As outlined in an attached letter, the requested site is necessary due to the mobility constraints of the inhabitants of the property and the full-time caregivers which are required to support Mr. Dam who suffers from paralysis of his lower limbs and very limited use of his right arm.
- D. The variation requested would reduce the easement to 6' adjacent to the erected garage. This area would be protected and shielded visibly by tree cover.
- E. Specific to the variations section of the Village Zoning Regulation section 5-11-5, this package of information including plat and utility information is submitted to the zoning board of appeals on June 8th in advance of the July 7th Board of appeals meeting. Every effort has been made to outline the need for the proposed variation and the unique circumstance which create hardship in the use of other sites for the proposed garage. This is outlined in an attached letter which also details how the proposed garage would not alter the nature of the surrounding lot(s) and enable the continued preservation of wild prairie which is a predominant feature of this and adjacent lots.
- F. A plat of survey and applicable Lake County GIS information have been included in the document containing the above narrative.
- G. In mpaddition, a statement of the lack of conformity in the approval being requested has been outlined in the attached narrative document.

PARID: 1424200027
NBHD: 1524080
MARCIA W DAM TRUSTEE
Tax Year: 2019 (Taxes Payable in 2020).

ASSESSOR #: 049
ROLL: RP
3378 OLD MCHENRY RD
Select **Tax Year** on the right:

Parcel

Assessment Year:	2019
Pay Year:	2020
Property Location:	3378 OLD MCHENRY RD
Building/Unit #:	
City/State/Zip:	LONG GROVE IL 60047
Mailing Address:	5609 S KENWOOD AVE
	CHICAGO IL 60637-1760
Split/Combine Occurred:	No
Living Units:	
Neighborhood:	1524080 - LG-LONG GROVE ETC.
Class:	RES - Residential
Property Use Code:	40 - Residential Improvements
Acres:	3.75
Square Feet:	163,350
GIS Acres:	4.1063
Subdivision #:	
Subdivision Name:	
Lot:	
Block:	
Legal 1:	(EX W 388FT) ALSO (EX E 560FT) N 500FT S 714.5FT SE1/4 NE1/4
Legal 2:	24-43-10 AC 3.75
Legal 3:	
Tax Code Area:	15028 - ELA TWP 028
Mortgage Company:	-
ACH:	No

Alternate Address

Address Type	Address
P – Postal	3378 RFD , LONG GROVE, IL 60047-9722

Parcel Status

Tax Year:	2019
Active/Deactive:	Active