

**VILLAGE OF LAKE BLUFF
VILLAGE BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING**

Monday, April 14, 2025
6:30 P.M.
Village Hall Board Room
40 East Center Avenue

Members of the public may view and participate in the meeting:

- In person at the Village Hall Board Room, 40 E. Center Ave.
- Online at www.lakebluff.org/VirtualMeeting
- Dial-in to **(312) 626-6799**. Enter meeting ID **849 3250 5127**.
Press # when prompted for a Participant ID.

The meeting will be also live-streamed at lakebluff.org/Channel19 and on public access television.

A G E N D A

I. Call To Order

II. Roll Call

III. Non-Agenda Items and Visitors (Public Comment)

The Committee-of-the-Whole allocates fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Committee-of-the-Whole on any matter not listed on the agenda. Each person addressing the Committee-of-the-Whole is asked to limit their comments to a maximum of three (3) minutes.

IV. General Business

The Committee-of-the-Whole will entertain requests from anyone present to modify the order of business to be conducted.

- i. Consideration of the Minutes from the January 13, 2025 Committee of the Whole Meeting.
- ii. Discussion Regarding Restrictive Covenants for 300 MacLaren Lane

V. Adjournment

*R. Drew Irvin
Village Administrator*

The Village of Lake Bluff 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 in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact R. Drew Irvin at 234-0774 or TDD number 234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.

**VILLAGE OF LAKE BLUFF
COMMITTEE-OF-THE-WHOLE
REGULAR MEETING
JANUARY 13, 2025**

DRAFT MEETING MINUTES

The Village of Lake Bluff Board of Trustees met as a Committee-of-the-Whole (COW) on Monday, January 13, 2025. In the absence of Village Clerk Raffi Elchemmas, Deputy Village Clerk R. Drew Irvin called the meeting to order at 6:07 p.m. then called the roll. The following were present:

Village President: Regis Charlot

Trustees: Mary Cole
Shana Fried
Katharine Hatch
Susan Rider (arrived at 6:47 p.m.)

Absent: Taryn Fisher, Village Trustee
Stephen Rappin, Village Trustee
Raffi Elchemmas, Village Clerk

Also Present: R. Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
Clara Gable, Assistant to the Village Administrator (AVA)

Non-Agenda Items and Visitors

President Charlot said the COW allocates 15 minutes for those individuals who would like the opportunity to address the COW on any matter not listed on the agenda. There were no requests to address the COW.

COW Request to Modify the Order of Business.

There were no requests to modify the order of business.

Consideration of the Minutes from the September 23, 2024 Committee of the Whole Meeting

Trustee Cole moved to approve the September 23, 2024 COW minutes as submitted. Trustee Hatch seconded the motion. The motion passed on a unanimous voice vote.

Discussion Regarding Animal Control Regulations

Following an introduction from President Charlot, Kelley Gandurski of Elrod Friedman, LLP came to the podium and commented on her experience with animal control issues while serving as the Executive Director of Chicago Animal Care and Control. She commented on why the

Village should consider a Comprehensive Amendment to Chapter 9, Articles A, B, C of Title 5 then gave a presentation consisting of antiquated provisions of the animal control code and gaps in enforcement, calls for service and proposed amendments regarding comprehensive definition, rabies, animal restraint, dangerous animals and options if an animal is declared dangerous, aside from euthanasia, redemption of impounded animals, fees for redeeming, other nuisances such as defecation restriction, excessive animal noise, pigeons/non-domesticated animals, protections for animals and penalties. Ms. Gandurski continued by sharing information regarding procedure for declaration which could include an appeal process and standards of care for facilities housing animals. Lastly, she said the proposed amendments would provide a better tool for law enforcement to safeguard animals and the community.

In response to a comment from Trustee Cole, Ms. Gandurski replied that dogs will not be euthanized until the appeal process has been completed; however, pursuant to Village Code, if a dog is declared dangerous, it will be impounded during the appeal process. Also, she mentioned that the severity of the incident determines where the dog will be housed during the interim appeal process.

In response to a question from Trustee Hatch, Ms. Gandurski replied that certain codes have been amended similarly for other municipalities. She commented on the appeal process and said the Village does not have an administrative hearing officer as such the proceeding could be run by a committee or Staff. A discussion followed and it was the consensus of the COW for the Village Administrator to oversee the appeals process.

President Charlot expressed his preference to consider an amendment to Section 5-9A-3B, regarding backyard animals (chickens and bees). Village Administrator Irvin said use restrictions are governed pursuant to the zoning code. In response to a question from President Charlot, Ms. Gandurski said currently the Village does not have restrictions on pigeons then she read the proposed code amendment, Section 5-9B-24(B - C) – Restrictions on Pigeons.

Following a brief discussion, it was the consensus of the COW to consider the proposed amendments at the next Board meeting.

Discussion Regarding Leaf Blower Regulations

Following an introduction from President Charlot, Village Administrator Irvin said the Board previously approved a seasonal ban on the use of gas-powered leaf blowers and at the time of adoption, the Board indicated that the seasonal ban should be evaluated within two years. At its November 11, 2024 meeting the Board referred this matter to the Sustainability and Community Enhancement Ad Hoc Committee (SEC) to explore potential policy changes and the SEC recommend the Board 1) extend the ban on the use of gas-powered leaf blowers from seasonal to year-round; 2) explore enhanced enforcement options; and 3) extend the current School District exemption for another year. Although the SEC did not specifically make a recommendation regarding licensing landscape contractors, the Regional Leaf Blower Working

Group's 2022 Report (Report) provided recommendations for enforcement.

Village Administrator Irvin said Staff researched other communities in the Working Group and found that of those with bans, the majority had seasonal bans with the exception of Lincolnwood which currently has the same ban as Lake Bluff. Also, Evanston banned all use of propane or gasoline-powered leaf blowers and Staff did speak with the Sustainability and Resilience Coordinator regarding the pushback received as a result of their ban. Village Administrator Irvin continued by stating Staff also reached out to the School District 65 and Park District about the temporary exemptions for public parks, school playgrounds and athletic fields; School District 65 requested a further exemption while the Park District stated they have already complied with the ban. Lastly, Village Administrator Irvin mentioned that Staff contacted the American Green Zone Alliance and Illinois Landscape Contractors Association and both organizations agreed with the Report recommendation not to implement a 12-month ban for communities along the North Shore.

President Charlot commented on the emails received regarding the efficiency of electric powered leaf blowers and agreed that we are not there from a technology standpoint. He commented on the residential emails received and said the Board may consider expanding the temporary ban, permanent ban or stay with the current ban. A discussion followed.

Trustee Hatch said she understands the environmental impact associated with the ban, but she does not think technology is there yet, and when it is she will be comfortable moving forward. Trustees Cole and Fried agreed.

In response to questions from the COW, AVA Gable said School District 65 has a two-year exemption. The Park District does not have a sunset or expiration provision, desires an exemption for the golf course, and have voluntarily complied with the seasonal gas-powered leaf blower ban provisions for its other facilities. AVA Gable shared information regarding the ban timeframe options of other communities in the Working Group. A discussion followed and it was the consensus of the COW to pursue gas powered leaf blower window bans.

President Charlot lead a discussion on whether landscapers should be registered in Lake Bluff and enforcement. It was the consensus of the COW to refer the matter to the SEC for further discussion regarding window bans and enforcement.

President Charlot opened the floor for public comments.

Resident Sue Raymoure came to the podium and expressed her frustration regarding gas powered leaf blowers and the Board's decision not to register landscapers and said the Village should consider some type of enforcement.

Resident Pam Russell came to the podium and said she thinks we are being very short sighted

not to extend the ban. She mentioned she would love a permanent ban; however, if the decision is for window bans, she would prefer shorter timeframes and that landscapers be required to register with the Village.

Resident Christine Klawitter came to the podium and said there is overwhelming evidence regarding the detrimental health risks to residents and the environment and she is disappointed in the Board decision not to approve a permanent ban. She said if, a permanent ban is not implemented, the Village should consider limiting usage hours, restrict the number of gas leaf blowers operating on one property, educate the public, and research other ecologically friendly procedures because something needs to be done to preserve the environment.

Adjournment

As there were no further comments from the COW or the public, a motion to adjourn was made by Trustee Cole and seconded by Trustee Hatch. The meeting adjourned at 7:12 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

MEMORANDUM



Date: April 9, 2025

To: President Charlot and Members of the Committee-of-the-Whole

From: Village Administrator Drew Irvin
Assistant to the Village Administrator Clara Gable

Subject: 300 MacLaren Lane Restrictive Covenants

On January 24, 2025, John McLinden of BMAC Services LLC, on behalf of the property owners Douglas and Diane Palandech, applied for a minor variation to allow a proposed addition to encroach approximately 3.45 feet (11.5%) into the 30-foot front setback to the south.

While reviewing this request, staff discovered certain restrictive covenants that were put on the western ("Back") lot of 300 MacLaren Lane when this portion of the property was acquired from the Village in 1990. From staff's research it appears that the original restrictive covenants would not have allowed an addition to extend onto the Back lot. However, in 1994 the previous owners of 300 MacLaren Lane appealed this to the Zoning Board of Appeals (ZBA) in order to construct an addition. Ultimately, the Village Board approved new restrictive covenants for 300 MacLaren Lane that allowed the addition (permitted in 1994) to extend onto the Back lot subject to the following:

1. The total area of impervious surfaces on the Back Lot shall not exceed 12 percent of the total area of the Back Lot;
2. The total coverage area of all buildings and accessory structures on the Back Lot shall not exceed 12 percent of the total area of the Back Lot;
3. The rear yard of the Back Lot shall have a depth of not less than 47 percent of the depth of the Back Lot; and
4. No free-standing building of any kind or free-standing structure of any kind shall be erected on the Back Lot.

*The 1994 resolution also allowed other properties in the area to request the same restrictive covenants with 120 days; it does not appear that any other properties did so.

The currently proposed addition exceeds the 12% impervious surface/structure coverage allowed on the Back lot by approximately 4%.

At its February 19, 2025 hearing, the PCZBA approved the request for the minor variation contingent upon an amendment to the restrictive covenants and opined on the restrictive covenant matter, encouraging the applicant to ask the Village Board for relief from the restrictive covenants.

Property owner Douglas Palandech submitted a letter on March 10, 2025 requesting that the first restrictive covenant stating that “the total area of impervious surfaces on the Back Lot shall not exceed 12 percent of the total area of the Back Lot” be amended to allow up to 16 percent. In the proposed resolutions, staff added that the second restrictive covenant stating that “the total coverage area of all buildings and accessory structures on the Back Lot shall not exceed 12 percent of the total area of the Back Lot” also be changed to 16 percent in order to accomplish their plans.

The Village Board can decide whether to modify the restrictive covenants via the attached resolution.

As always, please feel to contact Village Administrator Drew Irvin with any questions at 847-283-6883 or dirvin@lakebluff.org.

Attachments:

1. Proposed Resolution for consideration.
2. Letter from Douglas Palandech dated March 10, 2025.
3. Excerpt from the February 19, 2025 PCZBA Packet (contains Resolution 94-29 approving Restrictive Covenants).

**This Document Was Prepared By
And After Recording Return To:**

Benjamin L. Schuster
Elrod Friedman LLP
350 North Clark Street
Second Floor
Chicago, IL 60654

For Recorder's Use Only

RESOLUTION NO. 2025-__

**A RESOLUTION APPROVING A FIRST AMENDMENT TO THE DECLARATION OF
RESTRICTIVE COVENANTS FOR THE PROPERTY LOCATED AT 300 MACLAREN LANE**

RESOLUTION NO. 2025-__

**A RESOLUTION APPROVING A FIRST AMENDMENT TO THE DECLARATION OF
RESTRICTIVE COVENANTS FOR THE PROPERTY LOCATED AT 300 MACLAREN LANE**

WHEREAS, On August 22, 1994 the Village entered into a Declaration of Restrictive Covenants ("**Restrictive Covenant**") with Delmar J. Stauffer and Mary B. Stauffer ("**Previous Owners**") for the property located at 300 MacLaren Lane, Lake Bluff, Illinois 60044 ("**Property**"); and

WHEREAS, the Restrictive Covenant contains development standards for the back lot portion of the Property ("**Back Lot**") restricting the area of impervious surface coverage and building coverage, as well as establishing a minimum rear yard setback; and

WHEREAS, the covenants contained in the Restrictive Covenant run with the Property and bind all parties who have acquired any right, title or interest in the Property, or any part thereof or improvements thereon, and their heirs, successors and assigns; and

WHEREAS, Doug Palandech and Diane Palandech ("**Owners**") acquired the Property from the Previous Owners and desire to construct an addition on the Back Lot which requires an amendment to the Restrictive Covenant; and

WHEREAS, Section 2 of the Restrictive Covenant provides (i) the total impervious surface area on the Back Lot shall not exceed 12 percent of the total area of the Back Lot and (ii) the total coverage area of all buildings and accessory structures on the Back Lot shall not exceed 12 percent of the total area of the Back Lot; and

WHEREAS, the Owners desire to amend the Restrictive Covenant to increase both the total impervious surface coverage and the total coverage area of all buildings and accessory structures on the Back Lot from 12 percent to 16 percent ("**First Amendment**") attached as **Exhibit A**; and

WHEREAS, Section 5 of the Restrictive Covenant provides that an amendment must be done by written instrument executed by the current owners of the Property and approved by a written resolution of the President and Board of Trustees of the Village.

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village to approve and enter into the First Amendment with Owners in accordance with this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS**, as follows:

Section 1. Recitals.

The foregoing recitals are incorporated in this Resolution as the findings of the President and Board of Trustees.

Section 2. Approval of the First Amendment.

The Village President and Board of Trustees hereby approve the First Amendment by and between the Village and Owners in substantially the form attached as Exhibit A and in a final form approved by the Village Attorney.

Section 3. Authorization and Execution of the First Amendment.

The Village President and the Village Clerk are authorized and directed to execute and seal, on behalf of the Village, the First Amendment, in substantially the form attached as ***Exhibit A.***

Section 4. Effective Date.

This Resolution shall be in full force and effect from and after this Resolution's passage and approval in the manner required by law.

PASSED this 15th day of April, 2025, by vote of the Board of Trustees of the Village of Lake Bluff, Illinois, as follows:

AYES:

NAYS:

ABSENT:

APPROVED this 15th day of April, 2025.

Village President

ATTEST:

Village Clerk

EXHIBIT A
FIRST AMENDMENT

FIRST AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS FOR THE PROPERTY LOCATED AT 300 MACLAREN LANE

THIS IS A FIRST AMENDMENT ("**First Amendment**"), dated as of _____, 2025, to that Declaration of Restrictive Covenants for the property located at 300 MacLaren Lane, Lake Bluff, Illinois recorded document number 3584259 ("**Restrictive Covenant**"), between the **VILLAGE OF LAKE BLUFF**, an Illinois home rule municipal corporation ("**Village**"), and **DOUG PALANDECH AND DIANE PALANDECH** ("**Owners**").

In consideration of the mutual covenants set forth in this First Amendment, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

SECTION 1. BACKGROUND.

A. On August 22, 1994 the Village entered into the Restrictive Covenant with Delmar J. Stauffer and Mary B. Stauffer, the previous owners of 300 MacLaren Lane, Lake Bluff, Illinois 60044 ("**Property**").

B. The Restrictive Covenant contains development standards for the back lot portion of the Property ("**Back Lot**") restricting the area of impervious surface coverage and building coverage, as well as establishing a minimum rear yard setback.

C. The covenants contained in the Restrictive Covenant run with the Property and bind all parties who have acquired any right, title or interest in the Property, or any part thereof or improvements thereon, and their heirs, successors and assigns.

D. The Owners acquired the Property from the previous owners and desire to construct an addition on the Back Lot, which requires an amendment to the Restrictive Covenant.

E. Section 2 of the Restrictive Covenant provides (i) the total impervious surface area on the Back Lot shall not exceed 12 percent of the total area of the Back Lot and (ii) the total coverage area of all buildings and accessory structures on the Back Lot shall not exceed 12 percent of the total area of the Back Lot.

F. The Owners desire to amend the Restrictive Covenant to increase both the total impervious surface coverage and the total coverage area of all buildings and accessory structures on the Back Lot from 12 percent to 16 percent.

G. Section 5 of the Restrictive Covenant provides that an amendment must be done by written instrument executed by the current owners of the Property and approved by a written resolution of the President and Board of Trustees of the Village.

H. The Village and Owners desire to amend the Restrictive Covenant to increase the total impervious surface coverage and the total coverage area of all buildings and accessory structures on the Back Lot to 16 percent.

SECTION 2. DEFINITIONS.

All capitalized words and phrases used throughout this First Amendment have the meanings set forth in the various provisions of this First Amendment. If a word or phrase is not

specifically defined in this First Amendment, it has the same meaning as in the Restrictive Covenant.

SECTION 3. AMENDMENT TO THE RESTRICTIVE COVENANT.

A. Section 2 of the Restrictive Covenant is hereby amended as follows (**additions are bold, double-underlined**; ~~deletions are struck through~~):

“2. Notwithstanding any provision of the Village’s zoning regulations that may provide or allow otherwise:

A. The total area of impervious surfaces on the Back Lot shall not exceed ~~42~~ **16** percent of the total area of the Back Lot.

B. The total coverage area of all buildings and accessory structures on the Back Lot shall not exceed ~~42~~ **16** percent of the total area of the Back Lot.

* * *

SECTION 4. EFFECT.

All terms, conditions and provisions of the Restrictive Covenant that are not specifically amended, modified, or supplemented by this First Amendment remain unchanged and in full force and effect as if fully set forth herein. In the event of a conflict between the text of the Restrictive Covenant and the text of this First Amendment, the First Amendment controls.

SECTION 5. RECORDING.

Owners shall permit a copy of this First Amendment to be recorded against the Property in the office of the Lake County Recorder of Deeds and shall reimburse the Village for all recording costs. This First Amendment and the privileges, obligations, and provisions contained herein shall inure solely to the benefit of, and be binding upon, the Owners and their heirs, personal representatives, successors and assigns

SECTION 6. COUNTERPART EXECUTION.

To facilitate execution of this First Amendment, this First Amendment may be executed in multiple counterparts, each of which, when assembled to include an original signature for each party contemplated to sign this First Amendment, will constitute a complete and fully executed original. All such fully executed original counterparts will collectively constitute a single agreement. Each counterpart may be delivered by pdf transmission.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Restrictive Covenant as of the day and year first above written.

VILLAGE OF LAKE BLUFF, an Illinois
municipal corporation

ATTEST:

By: _____
Village Clerk

By: _____
Village President

ATTEST:

By: _____
Its: _____

OWNER

By: _____
Doug Palandech

ATTEST:

By: _____
Its: _____

OWNER

By: _____
Diane Palandech

Douglas and Diane Palandech
300 MacLaren Lane
Lake Bluff, IL 60044

March 10, 2025

Lake Bluff Village Board
40 E. Center Avenue
Lake Bluff, IL 60044

Re: 300 MacLaren Lane
Lake Bluff, IL

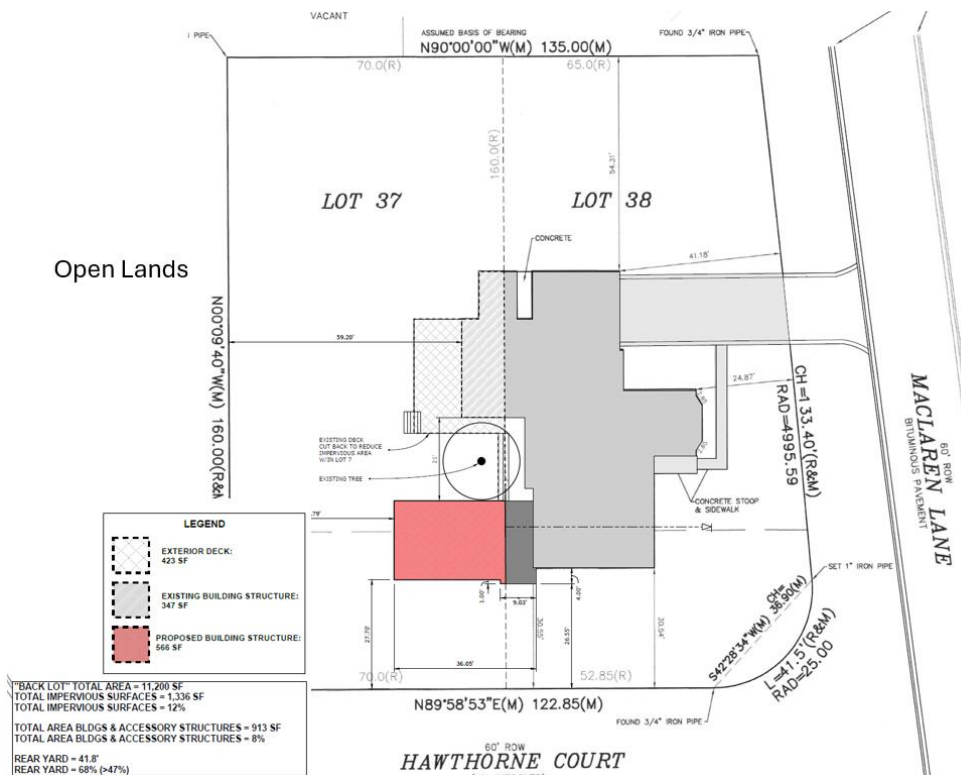
Dear Village Board Members:

My name is Doug Palandech. My wife, Diane, and I are the current owners of the captioned property. We are planning to construct a 2-story addition on the rear of our home. While we favorably went through the variance process for minor front yard setback relief, we learned there was a restrictive covenant in place for rear lot #37, adjacent the open lands. The covenant provides the total impervious surface shall not exceed 12% of the total area of the back lot. We adjusted the plans accordingly by reducing the size of the rear deck.

We respectfully request that the restrictive covenant be amended to allow for a maximum of 16% impervious surface which would allow us to add approximately 450 sf of deck. Below is a summary chart of the current coverage proposed and requested.

<u>Description</u>	<u>Back Lot SF</u>	<u>Impervious</u>	<u>% Lot Coverage</u>
As shown on plans	11,200 SF	1,336 SF	12%
Requested	11,200 SF	1,792 SF	16%

For reference, following is the site plan, as submitted, for the building permit:



For additional reference, see images of existing conditions and the proposed extended deck:





We do not believe that adding the requested 450 SF of decking will have any negative impacts on site drainage, because the area below the deck is actually pervious as evidenced by the health of the existing tree planted below the deck. The deck will not be visible by any of our neighbors or from MacLaren Lane.

Just for reference, the reason for this addition is mainly to create a "Learning Center" on the 2nd floor of the addition for our 17 grandchildren, many of whom reside in Lake Bluff.

Please let us know if the request can be granted or if you need any additional information to assist in rendering your decision.

Regards,

Doug Palandech

Cc Diane Palandech
John McLinden

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Peters and Members of the Joint Plan Commission & Zoning Board of Appeals

FROM: Clara Gable, Assistant to the Village Administrator

DATE: February 14, 2025

SUBJECT: Agenda Item #5 – Public Hearing: Front Setback Variation (300 MacClaren Lane)

Applicant Information:	John McLinden of BMAC Services LLC, on behalf of the property owners Douglas and Diane Palandech	
Purpose:	In order to construct an addition, the Petitioner seeks a variation from Section 10-5-3 (“YARDS”) of the Zoning Regulations.	
Public Notice:	<i>Lake County News-Sun</i> Property Owner Letter	February 3, 2025 January 31, 2025
Applicable Regulations:	Section 10-5-3	Yards

Summary

On January 24, 2025, John McLinden of BMAC Services LLC, on behalf of the property owners Douglas and Diane Palandech, submitted an application for a variation from Section 10-5-3 (“YARDS”) of the Zoning Regulations in order to construct an addition which would encroach into the required 30-foot front setback.

300 MacLaren Lane is a corner lot in the R-1 district, with MacLaren Lane to the east and unimproved Hawthorne Court right-of-way to the south. For corner lots, the Zoning Regulations state that the front lot line is the shorter boundary along a street or a public right-of-way (measured at the setback line), making the southern lot line the front lot line. As proposed, the requested addition would encroach into the required 30-foot front setback by approximately **3.45 feet (11.5%)**. This minor variation may be approved by the PCZBA as the request is under 25%.

Upon receiving this request, staff found a trail of old documents discussing restrictive covenants that were put on the western (“Back”) lot of 300 MacLaren Lane when this portion of the property was acquired from the Village in 1990. From staff’s research it appears that the original restrictive covenants would not have allowed an addition to extend onto the Back lot. However, the previous owners of 300 MacLaren Lane appealed this to the Zoning Board of Appeals (ZBA) in 1994 in order to construct an addition. Ultimately, the Village Board approved new restrictive covenants for 300 MacLaren Lane that would allow an addition to extend onto the Back lot subject to the following:

1. The total area of impervious surfaces on the Back Lot shall not exceed 12 percent of the total area of the Back Lot;

2. The total coverage area of all buildings and accessory structures on the Back Lot shall not exceed 12 percent of the total area of the Back Lot;
3. The rear yard of the Back Lot shall have a depth of not less than 47 percent of the depth of the Back Lot; and
4. No free-standing building of any kind or free-standing structure of any kind shall be erected on the Back Lot.

The initial addition was permitted in 1994. The applicant's currently proposed addition appears to meet these restrictive covenants as well as all other zoning regulation requirements.

At this time, the Village has not received any comments from neighboring property owners.

Village Code - Variations

The Applicant has provided statements addressing the standards for variation and the standards for PMDs in the attached applications. The standards for variations are below and the standards for PMDs are attached. The PCZBA should consider if the Applicant's statements and submitted materials satisfy the standards for variation prescribed by the Zoning Regulations.

10-2-4 VARIATIONS

B. Standards For Variations: Notwithstanding any other provision of this section, no variation shall be granted pursuant to this section unless the applicant shall have established that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the following standards:

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

2. 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 sale 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 granting of an authorized variation.

3. Code Purposes: The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this code and the provision from which a variation is sought were enacted.

4. Public Health And Safety: The variation would not: a) impair an adequate supply of light and air to adjacent property; b) increase the congestion in public streets unreasonably, or increase parking requirements on public streets unreasonably; c) increase the hazard of fire; d) endanger the public safety; e) diminish or impair the value of property within the area surrounding the subject property; or f) in any other respect impair the public health, safety, comfort, morals, and welfare.

The PCZBA may also impose protective conditions and limitations tied to the relief.

10-2-4 VARIATIONS

C. Conditions On Variations: The PCZBA or the village board, whichever body has the final authority to grant the variation pursuant to subsection A of this section, may impose, and the PCZBA, if it is a recommending body pursuant to subsection A2 of this section, may recommend the imposition of such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this title upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Such conditions shall be expressly set forth in the resolution or ordinance granting the variation. Violation of any such condition or limitation shall be a violation of this code and shall constitute grounds for revocation of the variation.

Action on Request

The PCZBA is the approving body in this matter. After commencing the public hearing on the requested zoning relief, the PCZBA should take one of the following actions.

Action	Example Motion
Continuation (need more information)	"I move to continue this hearing to the next regular meeting of the PCZBA."
Approval	"I move to <u>approve</u> the requested relief in the form of the attached approval order."
Approval with Conditions	"I move to <u>approve</u> the requested relief, conditional upon: [...]"
Denial	"I move to <u>deny</u> the requested relief."

Attachments

1. Draft approval Resolution.
2. A copy of the Petitioners' application with supporting documentation.
3. Excerpt from the July 27, 1994 ZBA meeting minutes.
4. Resolution 94-29 approving new restrictive covenants for 300 MacClaren Lane.

[illegible]

BEFORE THE JOINT PLAN COMMISSION
AND ZONING BOARD OF APPEALS
VILLAGE OF LAKE BLUFF
LAKE COUNTY, ILLINOIS

IN THE MATTER OF THE APPEAL OF
Douglas and Diane Palandech
FOR VARIATION

APPEAL NO. PZE2025-001

APPROVAL ORDER AND RESOLUTION

This order and resolution (“**Order**”) concerns the application of Douglas and Diane Palandech (collectively, “**Owners**”), the Owners of the property commonly known as 300 MacLaren Lane, Lake Bluff, Illinois (“**Property**”) and legally described on Exhibit A attached to this Order, for the variation described herein as the benefitting Property. The Joint Plan Commission and Zoning Board of Appeals of the Village of Lake Bluff (“**PCZBA**”), being duly advised in the premises, MAKES THE FOLLOWING FINDINGS OF FACTS:

1. John McLinden of BMAC Services LLC, on behalf of the Owners, submitted an application for a variation.
2. The Property is improved with a single-family residential structure.
3. The Property is located within the R-1 Zoning District of the Village, as established by Title 10 of the Lake Bluff Municipal Code (***“Zoning Regulations”***).

CASE PZE2025-001 – 300 MacLaren Lane
APPROVAL ORDER

4. The Owners sought a variation from Section 10-5-3 (“*Yards*”) of the Zoning Regulations (“*Variation*”), in order to construct an addition which will encroach into the required 30-foot front setback by approximately 3.45 feet (11.5%) (“*Improvements*”).
5. Notice of the hearing was duly published in the *Lake County News-Sun*, a newspaper of general circulation, and served upon the adjacent and adjoining property owners, in accordance with Section 10-2-4 of the Zoning Regulations and applicable law.
6. The PCZBA has jurisdiction pursuant to Sections 10-2-2 and 10-2-4 of the Zoning Regulations and Section 2-5-2 of the Lake Bluff Municipal Code (“*Village Code*”) to hear and determine the Owners’ request for the Variation.
7. The Owners entered into the record sufficient evidence of ownership of the Property.
8. After the conclusion of the public hearing, the PCZBA found that the requested Variation satisfies all of the standards set forth in Section 10-2-4(B) of the Zoning Regulations.
9. After the conclusion of the public hearing, the PCZBA granted the application for the Variation, by a concurring vote of not less than four members of the PCZBA as set forth in Section 10-2-4(A)(1) of the Zoning Regulations.

IT IS, THEREFORE, ORDERED AND RESOLVED AS FOLLOWS:

- A. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section B of this Order, the Owners’ request for the Variation for the Property shall be, and is hereby, approved for the reasons set forth in this Order. The Owners will be allowed a variation from Section 10-5-3 (“*Yards*”) of the Zoning Regulations, in order to construct an addition which will encroach into the required 30-foot front setback by approximately 3.45 feet (11.5%).
- B. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Zoning Regulations, or any other rights the Owners may have, the Variation granted in Section A of this Order shall be, and is hereby, expressly subject to and contingent upon the construction, use, and maintenance of the Property in compliance with each and all of the following conditions:
 - i. The construction, development, use, operation, and maintenance of the Property shall comply with the Zoning Regulations and all other applicable local, state, and federal law, as the same have been or may be amended from time to time, except to the extent specifically provided otherwise in this Order.
 - ii. Except for minor changes and site work approved by the Building Commissioner or the Village Engineer (for matters within their respective permitting authorities) in accordance with all applicable Village standards, the construction, development, use, operation, and maintenance of the Property shall substantially comply with the Plans attached as Exhibit B, dated February 10, 2025.
- C. The Owners shall permit a copy of this Order to be recorded against the Property in the office of the Lake County Recorder of Deeds and shall reimburse the Village for all recording costs. This Order and the privileges, obligations, and provisions contained herein shall inure solely to the benefit of, and be binding upon, the Owners and their heirs, personal representatives, successors and assigns.

CASE PZE2025-001 – 300 MacLaren Lane
APPROVAL ORDER

D. As set forth in Section 10-2-4(F) of the Zoning Regulations, this Order shall be valid for a period not to exceed 12 months from the date hereof, unless, within such period and in accordance with this Order, the Owners commence erection or alteration of a building or structure, pursuant to a valid building permit for construction on the Property. In the event that the Owners obtain a building permit in furtherance of the Variation granted pursuant to this Order, the Owners shall prosecute all work authorized by the building permit to completion without unnecessary delay.

E. Upon the failure or refusal of the Owners to comply with any or all of the conditions, restrictions, or provisions of this Order, in addition to all other remedies available to the Village, the Variation granted pursuant to this Order shall, at the sole discretion of the PCZBA, by order duly adopted, be revoked and become null and void; provided, however, that the PCZBA may not so revoke the Variation unless it shall first provide the Owners with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the PCZBA. In the event of revocation, the development and use of the Property shall be governed solely by the applicable regulations of the Zoning Regulations.

F. The Variation granted pursuant to this Order shall apply and be limited only to the proposed work. No future alterations or modifications may be made that exceed the applicable restrictions set forth in the Zoning Regulations without first obtaining Village approval in accordance with the applicable provisions of the Zoning Regulations. All other structures and portions of structures on, and portions of, the Property shall comply with the applicable restrictions set forth in the Zoning Regulations and the Village Code.

G. This Ordinance will be effective only upon the occurrence of the filing by the Owners with the Village Clerk, for recording in the Office of the Lake County Recorder of Deeds, of an unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in this Order. The unconditional agreement and consent must be executed and filed with the Village Clerk within 60 days after the adoption of the Order. The unconditional agreement and consent must be substantially in the form attached hereto and incorporated herein as Exhibit C.

Order approved on **February 19, 2025.**

JOINT PLAN COMMISSION
AND ZONING BOARD OF APPEALS

VILLAGE OF LAKE BLUFF

LAKE COUNTY, ILLINOIS

By: _____

Gary Peters, Chairman

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

LOTS 37 AND 38 IN BLOCK 27, IN "THE TERRACE", BEING H. O. STONE AND COMPANY'S SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 28, 1925, AS DOCUMENT NO. 265877, IN BOOK "O" OF PLATS, PAGES 62, 63 AND 64, IN LAKE COUNTY, ILLINOIS.

Said property is commonly known as 300 MacLaren Lane in Lake Bluff, Illinois PINs: 12-20-304-019 and 12-20-304-021

**CASE PZE2025-001 – 300 MacLaren Lane
APPROVAL ORDER**

EXHIBIT B

PLANS AND APPLICATION

EXHIBIT C
OWNERS' UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Lake Bluff, Illinois (“*Village*”):

WHEREAS, Douglas and Diane Palandech (“*Owners*”) are the owners of the property located at 300 MacLaren Lane in the Village, which is within the Village's R-1 Residence District and is legally described on the attached **Exhibit A** (“*Subject Property*”); and

WHEREAS, the Owners have requested a variation from Section 10-5-3 (“*Yards*”) of the Zoning Regulations, in order to construct an addition which will encroach into the required 30-foot front setback by approximately 3.45 feet (11.5%) (“*Improvements*”); and

WHEREAS, an Approval Order adopted by the Joint Plan Commission and Zoning Board of Appeals of the Village of Lake Bluff on February 19, 2025 pursuant to Section 10-2-4(A)(1) of the Village’s Zoning Regulations (“*Approval Order*”) grants the Variation for the Subject Property, subject to certain modifications, conditions, restrictions, and provisions; and

WHEREAS, the Approval Order requires that the Owners file with the Village Clerk, within 60 days following the adoption of the Approval Order, its unconditional agreement and consent to accept and abide by each of the terms, conditions and limitations set forth in said Approval Order;

NOW, THEREFORE, the Owners do hereby agree and covenant as follows:

1. The Owners hereby unconditionally agree to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of the Approval Order.
2. The Owners acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Approval Order, have considered the possibility of the revocation provided for in the Approval Order, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Owners acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village’s issuance of any permits for the Improvements or for the use of the Subject Property, including, without limitation, the Variation granted in the Approval Order, and that the Village’s issuance of any such permits does not, and will not, in any way, be deemed to insure the Owners against damage or injury of any kind and at any time.
4. The Owners agree to and do hereby hold harmless, indemnify and defend the Village, the Village’s corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all injuries, damages, claims, liabilities, demands, causes of action, losses, suits, expenses, liabilities, and judgments of any and all nature and kind whatsoever, including without limitation costs, expenses, and attorneys’ fees, arising out of, occasioned by, connected with, or in any way attributable to, the operation and use of the Subject Property, the Improvements, or the Village’s adoption of the Approval Order.

CASE PZE2025-001 – 300 MacLaren Lane
APPROVAL ORDER

Dated: _____, 2025.

ATTEST:

DOUGLAS PALANDECH

By:_____

By:_____

ATTEST:

DIANE PALANDECH

By:_____

By:_____

Village of Lake Bluff, Illinois
Zoning Relief Application
Instructions for Variation (Page 1 of 2)

General Information

The Village, similar to many communities, has a system of zoning and land use regulations that reasonably restrict how land owners may use and improve their property. However, no set of regulations can anticipate each and every situation that may arise. The **variation process** allows a property owner to seek relief from the strict letter of these regulations when obeying them would create “a particular hardship or a practical difficulty.” These conditions are based on the circumstances of the property or structure, and *not* those of the owner.

The Village’s Plan Commission and Zoning Board of Appeals (“PCZBA”) is a body of seven residents that reviews variations (among other requests). Your application for a variation will be considered at a public hearing before the PCZBA, and the PCZBA will evaluate your application based on the standards for variation relief. The burden of proof is on the Applicant to demonstrate that they meet the standards.

The variation process differs for minor and major variations. A variation request is subject to fewer steps when it only requests one or more variations that differ less than 25% from the allowable standard (as if the structure were built new). When only minor variations are requested, the PCZBA has the authority to directly approve, approve with conditions, or deny the relief requested. In all other cases, the PCZBA makes a recommendation to the Village Board for final action.

Process and Public Notice

- **>25 days before meeting:** Applicant submits application.
- **30-15 days before meeting:** Village publishes notice in the *Lake County News-Sun*. Village mails notice to all owners within 300 feet of subject lot.
- **Friday before meeting:** Meeting packet available online and at Village Hall, including application materials and staff memorandum.
- **Day of meeting:** PCZBA meets at 7 p.m. in the Village Hall Board Room (40 E. Center Ave.) Applications are generally considered in the order they were first received. Staff will provide an overview of the request, and the Applicant will give a brief presentation. Members of the public will be invited to comment, and then the PCZBA will discuss the application’s merits under the standards. **IMPORTANT: You must participate in this meeting. Mark your calendar as soon as you apply.** If you or your representative do not appear, your application may be continued or denied.

Only Minor Variations: The PCZBA may approve, approve with conditions, or deny the relief sought.

All Other Variations: The PCZBA may recommend that the Village Board approve, approve with conditions, or deny the relief sought.

Continuation: The PCZBA may also choose to continue the hearing at the PCZBA’s next meeting date if they require more information from the Applicant or a third party.

Village of Lake Bluff, Illinois
Zoning Relief Application
Instructions for Variation (Page 2 of 2)

Process and Public Notice (Continued)

- **Monday after meeting:** Village Board performs first reading; there is discussion, but no final action. Applicant may request immediate approval for cause. (e.g. economic loss; construction timeline; etc.)
- **2nd Monday of next month:** Village Board performs second reading, votes.

Fee and Escrow

You will be initially required to provide an escrow of to cover (in advance) the Village's costs of considering your application. Some common costs charged to escrow include:

- Legal and public notice
- Printing and reproduction
- Recording (e.g. of real estate instruments)
- Attorney fees paid by the Village

From this escrow, the Village will also collect its application fee (do not provide two payments). This fee is due whether your application is approved or denied. Any remaining balance in your escrow account will be refunded after all costs are actually paid by the Village, which is generally 60 to 90 days after your last hearing. When only minor variations are sought, an escrow deposit of **\$1,500** and an application fee of **\$500** applies. In all other cases, a deposit of **\$3,000** and an application fee of **\$750** applies.

Other Regulatory Review

Applying for and obtaining a special use permit is **in addition** to other steps you may be required to undertake to complete your project or open your business. Other common steps include:

- Building plan review
- Architectural site plan & signage review
- Utility connections
- Health department inspections

Checklist

You **must** include the following with your application:

Attached Forms:

- ___ Applicant Information (signed)
- ___ Response to Variation Standards
- ___ Residential Bulk Calculations
(for residential zoned property)
- ___ Regulatory Floor Area Worksheet
(If floor area to be affected by work)
- ___ Escrow agreement (signed)

___ **Provide:** Plat of survey including legal description

___ **Provide:** Evidence of title or contractual interest (e.g. a lease)

___ **Provide:** Scale plans of proposed work (e.g. site plan; floor plan; elevations)

You **may** also consider including:

___ Photographs of the subject property and nearby area

___ Written testimony from nearby neighbors

Village of Lake Bluff, Illinois
Zoning Relief Application
2024 PCZBA Meeting Calendar

Month	Deadline to Apply (Close of Business)	Date of Hearing (7 p.m.)
Jan 2024	Fri, Dec 15, 2023	Wed, Jan 17, 2024
Feb 2024	Fri, Jan 26, 2024	Wed, Feb 21, 2024
Mar 2024	Fri, Feb 23, 2024	Wed, Mar 20, 2024
Apr 2024	Fri, Mar 22, 2024	Wed, Apr 17, 2024
May 2024	Fri, Apr 19, 2024	Wed, May 15, 2024
Jun 2024	Fri, May 24, 2024	Wed, Jun 19, 2024
Jul 2024	Fri, Jun 21, 2024	Wed, Jul 17, 2024
Aug 2024	Fri, Jul 26, 2024	Wed, Aug 21, 2024
Sep 2024	Fri, Aug 23, 2024	Wed, Sep 18, 2024
Oct 2024	Fri, Sep 20, 2024	Wed, Oct 16, 2024
Nov 2024	Fri, Oct 25, 2024	Wed, Nov 20, 2024
Dec 2024	Fri, Nov 15, 2024	Wed, Dec 18, 2024

For months not listed above:

*Meetings are usually on the third Wednesday of each month.
The deadline is typically 25 days prior to the meeting date.
Please contact us if you need to confirm a specific date.*

**Village of Lake Bluff, Illinois
Zoning Relief Application
Applicant Information (Page 1 of 2)**

Subject Property

Address: 300 MacLaren Lane
PIN: 12-20-304-019 and 12-20-304-021
Current Use: Single family residence

	Owner / Title Holder	Joint Ownership (if applicable)
Name:	<u>Douglas Palandech</u>	<u>Diane Palandech</u>
Address:	<u>300 MacLaren Lane</u> <u>Lake Bluff, IL 60044</u>	<u>300 MacLaren Lane</u> <u>Lake Bluff, IL 60044</u>
Phone:	<u>312-404-3486</u>	<u>847-340-2588</u>
E-mail:	<u>dpalandech@fgppr.com</u>	<u>dianepalandech@gmail.com</u>

If ownership is other than individual or joint, check below and attach additional information:

☐ **Corporation** ☐ **Partnership** ☒ **Land Trust** ☐ **Trust**

Applicant (If Different)

Name: John McLinden, BMAC Services LLC
Address: 409B S. Highway 83
Relationship to Property: Owner's Representative
Phone: 312-401-2600
E-mail: jmclinden@digibilt.com

**Are all real estate taxes, special assessments, and other obligations
paid on the subject property in full? If no, explain.**

☒ **Yes** ☐ **No**

Village of Lake Bluff, Illinois
Zoning Relief Application
Applicant Information (Page 2 of 2)

Narrative of Request / Proposed Work:

Two-story addition in rear of home and extending existing deck

Printing - Choose One:

The PCZBA requests that all drawings be produced no larger than 11" x 17" whenever possible.
In addition to printed copies, submit digital copies of all materials to cgable@lakebluff.org.

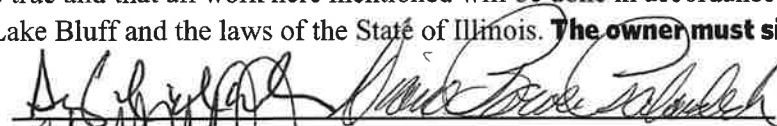
☒ I request that the Village produce any necessary copies of my application and any attachments.
I understand that my application escrow will be charged the cost of printing.
For architectural sized plans, costs may be significant and include delivery fees.

☐ I will provide **9 printed copies** of my application and any attachments to Village Hall
(40 E. Center Ave.) and will ensure they are **received** no later than 15 days prior to the meeting.

Signatures

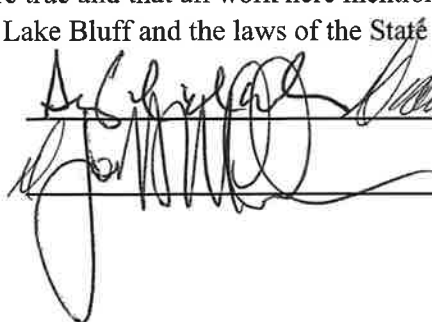
The undersigned hereby represent, upon all of the penalties of the law, for the purpose of inducing the Village of Lake Bluff to take the action herein requested, that all statements herein and on all related attachments are true and that all work here mentioned will be done in accordance with the ordinances of the Village of Lake Bluff and the laws of the State of Illinois. **The owner must sign the application.**

Owner



Date: 1-24-2025

Applicant



Date: 1-24-2025

Village of Lake Bluff, Illinois
Zoning Relief Application
Standards for Variation (Page 1 of 2)

The PCZBA is required to base their recommendations on the following standards. It is the burden of the Applicant to establish that they meet each standard. Each standard is printed below. You should provide a statement as to how your application satisfies each standard. You may respond to the questions below on this sheet, or attach a separate typed sheet.

Practical Difficulty or Hardship: No variation shall be granted pursuant to this section unless the applicant shall have established that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

Background: The subject lot is designated as a corner lot because there was a proposed extension of Hawthorne Court. This street was to be extended to a proposed residential neighborhood shown on the Village's early zoning map. Since the time that neighborhood was proposed, the land south of the subject lot has remained undisturbed and there are no plans, to our knowledge, for the extension of Hawthorne.

Current & Proposed Conditions: The home's address is 300 MacLaren Lane, and its front door faces onto MacLaren Lane. We are requesting, since this lot is not on an actual corner, that the setback to the South be treated as a side yard setback (required setback = 16') as opposed to being considered a front yard (required setback = 30'). Currently, the home is setback 30.54'. The proposed addition, with a 4' extension from the existing home would have a 26.54' side yard setback or a variance of 3.46'.

The addition will serve two purposes: extension of the owner's suite on the first floor and, importantly, create a recreational and learning center for the homeowners' 17 grandchildren, many of whom live in Lake Bluff. The constraint is to keep the interior deck dimension at a minimum of 22' (see Drawing Exhibit).

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

The unique physical condition is that this lot is being treated as corner situated, which it is not, while the side of the home is being treated, from a setback perspective, as the front of the home, which it is not.

Village of Lake Bluff, Illinois
Zoning Relief Application
Standards for Variation (Page 2 of 2)

The PCZBA is required to base their recommendations on the following standards. It is the burden of the Applicant to establish that they meet each standard. Each standard is printed below. You should provide a statement as to how your application satisfies each standard. You may respond to the questions below on this sheet, or attach a separate typed sheet.

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 sale 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 granting of an authorized variation.

We do not see this request as a special privilege, but merely to recognize that the lot will never be corner situated, given the re-designation of the land use to the South. The variance would be consistent with guidelines for side yard setbacks for other single family homes in the neighborhood.

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

We believe the proposed addition and setback variance request is not only in harmony with the spirit of the zoning code, but that it will add value to the West Terrace's housing stock.

Public Health And Safety: The variation would not: a) impair an adequate supply of light and air to adjacent property; b) increase the congestion in public streets unreasonably, or increase parking requirements on public streets unreasonably; c) increase the hazard of fire; d) endanger the public safety; e) diminish or impair the value of property within the area surrounding the subject property; or f) in any other respect impair the public health, safety, comfort, morals, and welfare.

We believe the proposed addition and setback variance request will not negatively impact public health or safety.

Village of Lake Bluff, Illinois
Zoning Relief Application
Residential Bulk Calculations

Address or Lot #: _____

("Left" and "Right" are relative to standing on the addressed street and looking towards the property.)

For subdivisions involving existing structures, complete **every** line.

For variation requests, complete only those lines affected by the proposed work.

	Existing	Proposed	Conforms or Variation Required
<u>Lot Width</u> (as measured at front setback line)			
Lot Area			
<u>Principal Building Setback</u>			
Front			
Side (Left)			
Side (Right)			
Side (Combined – Sum Sides)			
Rear			
<u>Accessory Building Setback</u>			
<u>Regulatory Floor Area</u>			
<u>Impervious Surface Coverage</u>			
<u>Front Yard Impervious Surface</u>			
<u>Building Coverage</u>			
<u>Maximum Building Height</u>			
<u>Daylight Plane Height Restriction</u> (Start at 12' at the lot line. Add one foot "up" for each one foot "in" from the lot line. Note if any building element(s) exceed the height plane.)			

Village of Lake Bluff, Illinois
Zoning Relief Application
Regulatory Floor Area Worksheet

Address or Lot #: _____

[The full rules for calculating Floor Area Ratio can be viewed here.](#)

Allowances vary depending on the size of your lot.

Staff can help calculate your eligibility for these, which adjust your total floor area (grey areas).

You should provide scale plans or drawings to justify your figures.

	Existing (Applicant Completes)	Proposed (Applicant Completes)	Allowance (Staff Completes)
Lot Area			
Gross Floor Area (Include <u>all</u> floors, basements, and detached structures)			
REMOVE Attics less than 6' in height			
REMOVE Attics greater than 6' in height not readily usable for living space			
REMOVE Basements, window wells, and stairwells protruding <u>less</u> than 3' from grade to first floor elevation			
REMOVE Detached structures in rear 27' or 25% of lot (<i>whichever is greater</i>)			
REMOVE Stoops and decks less than 42" in height			
REMOVE Covered porches less than 42" in height			
ADD Undereaves protruding more than 2' from exterior wall			
ADD Penalty for areas greater than 10' ceiling height			
REGULATORY FLOOR AREA (Staff Completes)			
Non-Conformance / Required Variation (Staff Completes)			

Village of Lake Bluff, Illinois
Zoning Relief Application
Escrow Agreement (Page 1 of 3)

THIS AGREEMENT ("**Agreement**") is made and entered into as of January 24, 2025,
by and between **THE VILLAGE OF LAKE BLUFF** ("**Village**") and

John McLinden, Owner's Representative for Douglas and Diane Palandech ("**Applicant**").

IN CONSIDERATION OF the recitals and mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Applicant has submitted to the Village for its review and consideration an application seeking zoning relief necessary to commence a proposed use at or to construct proposed improvements of the real property located at:

300 MacLaren Lane, Lake Bluff, Illinois ("**Proposal**") that requires one or more of the following actions by the Village:

- i. Approval or amendment of zoning relief pursuant to Title 10 of the Municipal Code, including without limitation: a variation, special use permit, site plan approval, planned residential development, planned commercial development, planned mixed use development, RIO development plan, and/or amendment to the text of Title 10;
- ii. Approval or amendment of a plat of subdivision pursuant to Title 11 of the Municipal Code;
- iii. Approval pursuant to the Village's Watershed Development Ordinance, as adopted by reference in Title 12 of the Municipal Code; or
- iv. The preparation and consideration of amendments to the Village's liquor regulations, contained in Title 3, Chapter 2 of the Municipal Code.

B. Pursuant to Section 1-12-3 of the Village Comprehensive Fee Schedule and Section 10-2-6 of the Village Zoning Regulations ("**Escrow Regulations**"), applications for approval of a variation and a site plan and/or an amendment to a site plan and/or a text amendment to the Village's Zoning Regulations and other zoning relief must be accompanied by the applicable application fee and the applicant is responsible for payment of any additional costs incurred by the Village, including consultant costs and attorneys' fees, but not including normal operating activities such as internal staff time ("**Reimbursement Costs**").

SECTION 2. CASH DEPOSIT.

Pursuant to the Escrow Regulations, and in connection with the application for the Development, the Developer agrees to provide a cash escrow deposit to the Village in the amount of \$3,000 ("**Escrow**") to be used towards Reimbursement Costs incurred by the Village in processing the application for approval of the Proposal.

\$2000.00 *DL* *MB*

SECTION 3. REPLENISHMENT.

Pursuant to the Escrow Regulations, the Village Administrator shall periodically review the Escrow to ensure that adequate funds are available to satisfy the Reimbursement Costs relating to the Development. The Village Administrator shall notify the Applicant at such times when draws are made against the Escrow towards Reimbursement Costs. Subject to the terms of this Agreement, in the event that the Village Administrator determines that sufficient funds are not available, the Village Administrator shall so notify the Applicant and request a further amount to defray the anticipated additional costs. The Village Administrator shall determine the further amount due based on the nature of the Proposal, its complexity, the anticipated need for additional legal and other consultant services, and the amount of time remaining before the completion of the Proposal. The Applicant shall be given fourteen (14) days to deposit the additional funds. In the event that the funds are not deposited, the Village shall take no further action on the Proposal and shall so advise the Applicant.

SECTION 4. FINAL DISBURSEMENT.

Pursuant to the Escrow Regulations, at the completion of the Proposal and after all outstanding Reimbursement Costs incurred by the Village related to the Proposal have been satisfied in full, the Village Administrator shall remit the balance of the Escrow, if any, to the Applicant.

SECTION 5. DESIGNATED CONTACTS.

The designated contact persons for the Applicant and the Village concerning this Agreement are as follows:

	<u>For Village</u>	<u>For Applicant</u>
Name	Drew Irvin	John McLinden
Title	Village Administrator	Owner's Representative
Organization	Village of Lake Bluff	BMAC Services LLC
Address	40 East Center Avenue	409B S. Highway 83
City, State, Zip	Lake Bluff, IL 60044	Grayslake, IL 60030
Phone Number	(847) 283-6883	312-401-2600
Email	dirvin@lakebluff.org	jmclinden@digibilt.com

**Village of Lake Bluff, Illinois
Zoning Relief Application
Escrow Agreement (Page 3 of 3)**

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date first above written.

ATTEST

By 
Its Owner

ATTEST:

By 
Its Owner

APPLICANT

By _____
Its Owner's Representative

VILLAGE OF LAKE BLUFF

By _____
Its **Village Administrator**

EXHIBIT "A"

LEGAL DESCRIPTION

LOTS 37 AND 38 IN BLOCK 27, IN "THE TERRACE", BEING H. O. STONE AND COMPANY'S SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 28, 1925, AS DOCUMENT NO. 265877, IN BOOK "O" OF PLATS, PAGES 62, 63 AND 64, IN LAKE COUNTY, ILLINOIS,
12-20-304-019, 12-20-304-021

PLAT OF SURVEY

CES CONTINENTAL
ENGINEERS &
SURVEYORS, INC.



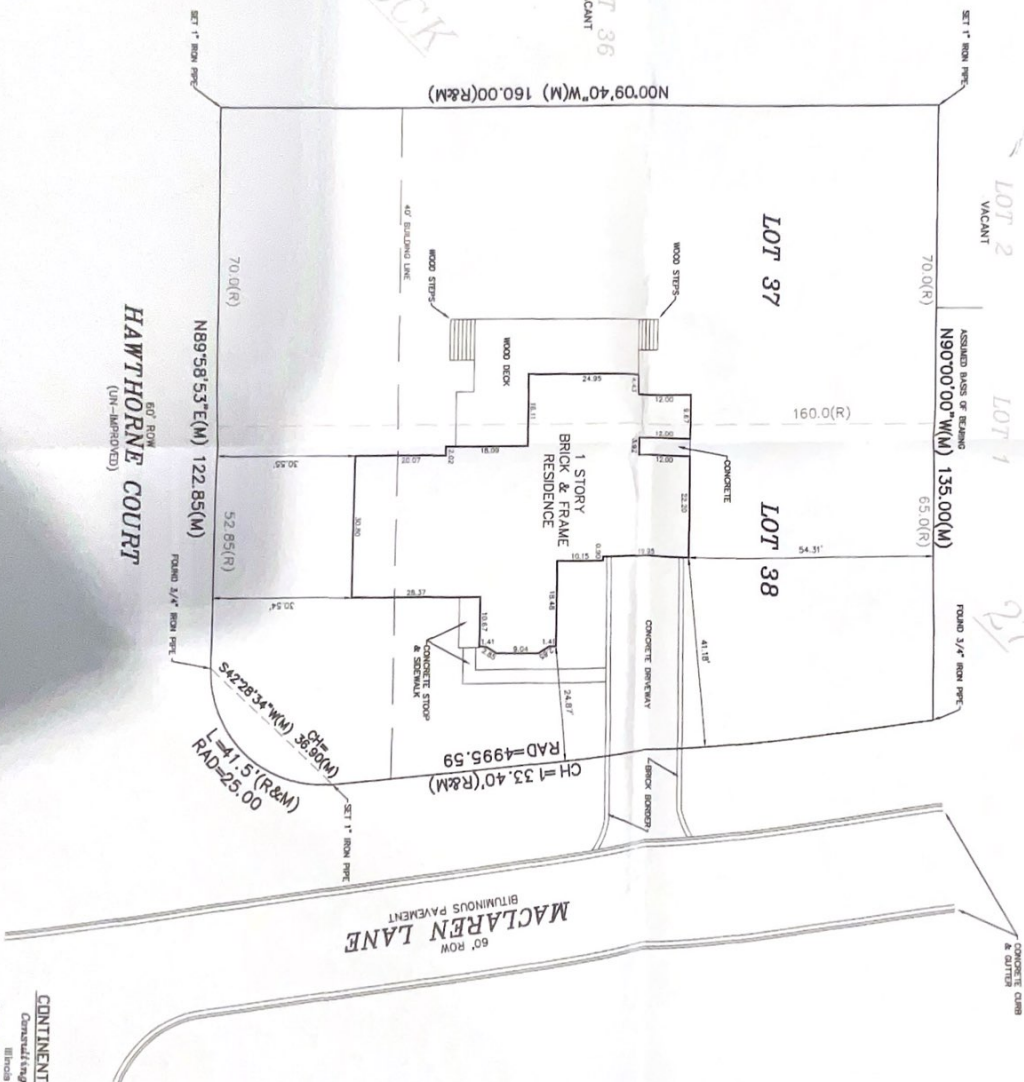
NOTE:
EXISTING AND BUILDING LINES INDICATED ARE TAKEN FROM ORIGINAL RECORDED
SURVEY MAPS AND RECORDS. THIS SURVEY IS BASED ON THE ASSUMPTION THAT THE
ALIGNED, OR NOT DEPICTED UPON RECORDED SUBDIVISION PLAT, BEING IN THIS
PLAT, BEING OR INSTRUMENT CREATING SAME.

LEGEND
R = RECORD
M = MEASURED
L = ARC LENGTH
CH = CHORD LENGTH
RAD = RADIUS

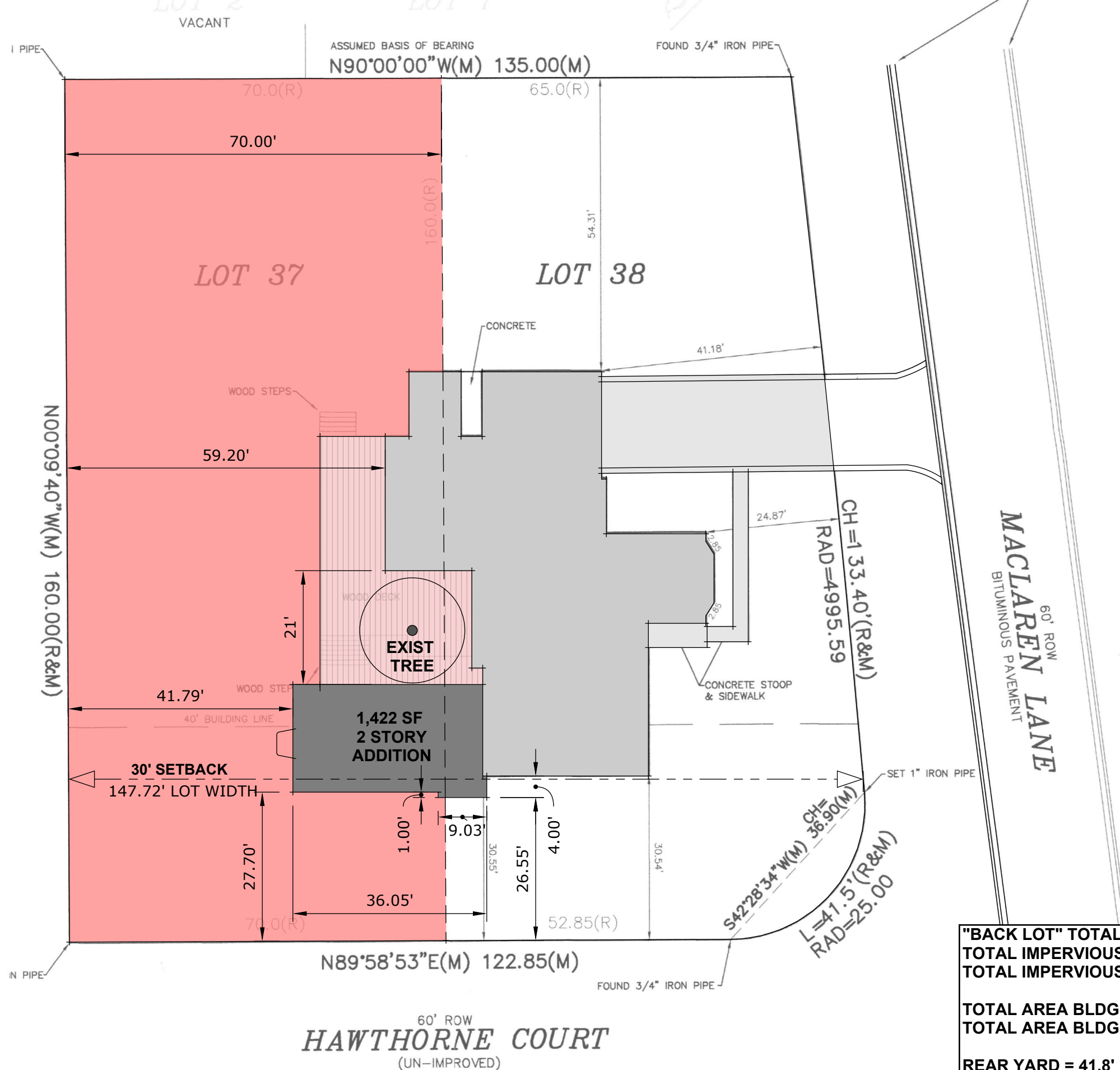
LOTS 37 AND 38 IN BLOCK 27, IN "THE TERRACE", BEING H. O. STONE AND
COMPANY'S SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 44 NORTH, RANGE 12
EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
RECORDED SEPTEMBER 28, 1925, AS DOCUMENT NO. 285877, IN BOOK "O" OF PLATS,
PAGES 62, 63 AND 64, IN LAKE COUNTY, ILLINOIS.
COMMONLY KNOWN AS: 300 MACLAREN LANE, LAKE BLUFF, IL.
PINS: 12-20-304-019
12-20-304-021
AREA=22,705 SF

PREPARED FOR: RALPH, SCHWAB, GARTNER & SCHIEVER, CHARTERED
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
PLAT IS VOID IF IMPRESSED SEAL DOES NOT APPEAR
STATE OF ILLINOIS
COUNTY OF COOK
I, TERENCE R. CAHILL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR,
HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY AS HEREIN
DESCRIBED AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF
SAID SURVEY
ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

Terence R. Cahill
TERENCE R. CAHILL
ILLINOIS P.L.S. #35-2899
DATE: 5/11/17
LIC. EXP. 11-30-18



CONTINENTAL ENGINEERS & SURVEYORS, INC.
Consulting Engineers • Land Surveyors • Planners
Illinois Professional Design Firm #18-003402
1313 FAIRMONT ROAD, HOFFMAN ESTATES, ILLINOIS 60169
(847)883-3256 FAX(847)883-3496



"BACK LOT" TOTAL AREA = 11,200 SF
TOTAL IMPERVIOUS SURFACES = 912 SF
TOTAL IMPERVIOUS SURFACES = 8% (<12%)

TOTAL AREA BLDGS & ACCESSORY STRUCTURES = 912 SF
TOTAL AREA BLDGS & ACCESSORY STRUCTURES = 8% (<12%)

REAR YARD = 41.8'
REAR YARD = 68% (>47%)





Palandech Residence
300 MACLAREN LANE, LAKE BLUFF IL

SOUTH WEST CORNER
2/10/2025





6. PUBLIC HEARING AND CONSIDERATION OF AN APPEAL BY DELMAR AND MARY STAUFFER OF THE VILLAGE BUILDING COMMISSIONER'S DECISION DENYING A BUILDING PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FAMILY ROOM AND DECK ADDITION ON THE EXISTING SINGLE FAMILY DWELLING AT 300 MACLAREN LANE.

Discussion of this issue began with clarification of the court reporter in attendance. Village Attorney Elrod stated that the meeting minutes are the official record of the Zoning Board Meeting and requested that the minutes of tonight's meeting reflect that the transcript to be prepared by the court reporter would not be considered the official record.

Mr. O'Neill gave a review of the reasons why this issue is on the Zoning Board's Agenda.

Mr. O'Neill requested that all documentation distributed to the Zoning Board Members on this agenda item by the Village Engineer via his cover memorandum dated July 22, 1994, be considered part of the official record of this meeting.

Mr. O'Neill also requested that a letter from Peter Cummins to the Village dated July 21, 1994, also be considered part of the record. Village Engineer Russell confirmed that the letter had been received by the Village.

Mr. O'Neill informed of his intent to question Village Engineer Russell in detail relative to this matter. Prior to proceeding, Village Attorney Elrod clarified his dual role position at this evening's meeting; counsel on behalf of the Village of Lake Bluff and counsel on behalf of Village Engineer.

Mr. O'Neill questioned Village Engineer Russell on his personal background, education, degree, title, duties in the Village, and length of time employed.

Mr. O'Neill then extensively questioned Mr. Russell on his involvement in the decision made to deny Mr. Stauffer's application for a building permit. Mr. Russell was questioned relative to all persons who were involved in the decision to deny the building permit. Mr. O'Neill, also asked several questions relative to the Open Lands proposal for use of the property west of the Stauffers.

Mr. O'Neill then questioned Mr. Delmar Stauffer, owner of 300 MacLaren Lane. Mr. Stauffer reviewed the purchase history of his home and the history of the purchase of the vacant lot behind his home and Mr. Stauffer's understanding of the development restrictions placed on the vacant lot.

Village Attorney Elrod questioned Village Engineer Russell on the zoning of the subject property and the uses for the property as stipulated in the Zoning Ordinance. Also Village Attorney Elrod requested that two letters, both dated July 24, 1994, become part of the record, from Trustee Donald Goostrey and Trustee Larry Lee.

Member Hardy advised that he had attended past Village Board meetings when similar lot transfers occurred and recalled that the Village Board's intent was that no building was to take place on the back lots.

Member Holstein advised that he had communicated with Edward Holstein, a member of the Board of Trustees when the subject lot was sold to the Stauffers. Edward Holstein had advised that it was his recollection that the back lots were not be utilized for construction.

Member Sorsen stated that she felt that the subject Ordinance and Warranty Deed restrictions had not been written very clearly. She advised that she did not object to the construction of the addition as proposed.

Member Hart asked for clarification of the requirements regarding the construction of accessory buildings on the back lot. Member Hart indicated that he had spoken with a couple Village Board members who had also advised that they recalled that no building was to be permitted on the back lots.

Village Attorney Elrod suggested that the issue be tabled so that the Stauffers and the Village Board could have an opportunity re-negotiate development restrictions on the back lot. Mr. O'Neill indicated that he wanted to the Zoning Board to make a decision this evening.

Chairman Steadman advised that he would prefer that the Stauffers and the Village Board reach a settlement on this issue; however he was reluctant to delay the matter further given the many months that have elapsed since the time that the Stauffers have applied for a building permit.

Attorney Elrod again recommended it would be far better if the Village could work out the differences with the Stauffers and recommended that the issue be tabled.

After further discussion relative to consideration of this matter between Mr. O'Neill and Village Attorney Elrod, Member Hardy made a motion to table this item to give the Stauffers and the Village Board of Trustees an opportunity to negotiate a settlement.

Member Alexander seconded the motion. The motion was unanimously passed by the following roll call vote:

Ayes: (6) Alexander, Hardy, Hart, Holstein,
Sorsen, Steadman

Nays: (0)

Note: The court reporter left the meeting upon completion of this item.

7. PUBLIC HEARING AND CONSIDERATION OF AN APPLICATION BY DR. JOHN KYNCL FOR A VARIATION FROM THE NONCONFORMING STRUCTURES AND USE REGULATIONS OF THE VILLAGE ZONING REGULATIONS TO ALLOW FOR THE ENLARGEMENT OF A RESIDENCE ON A LOT WHICH CURRENTLY CONTAINED MORE THAN ONE RESIDENCE ON THE PROPERTY COMMONLY KNOWN AS 800 NORTH GREEN BAY ROAD.

Mr. Dan Sutherland, Architect for Dr. John Kyncl, presented a slide presentation showing the current location of the residences and other structures located on the property located at 800 North Green Bay Road. Mr. Sutherland explained the plan of Dr. Kyncl to construct an addition which will combine one of the existing smaller residences with a nearby existing garage; the result being a larger single family residence. Mr. Sutherland advised that it was that intent of Dr. Kyncl that a relative of Dr. Kyncl would reside in the new residence.

Mr. Sutherland advised that it was also Dr. Kyncl's intent to renovate and restore several of the other existing out-buildings on the site.

Mr. Sutherland explained that Dr. Kyncl felt that the existing structures had some historical and/or architectural significance and therefore wanted to incorporate the existing structures into a new home design rather than tearing the structures down.

Mrs. Elvira West, 600 Thorn Valley, expressed opposition to the plan as proposed and advised that before any building project is approved on the property, that an overall development plan should be developed for the entire parcel.

Chairman Steadman expressed concern about granting a variance based on only the conceptual sketches as proposed.

RESOLUTION NO. 94-29

Resolution Approving Declaration of Restrictive Covenants For 300 MacLaren Lane

WHEREAS, on January 17, 1994, Delmar J. Stauffer and Mary B. Stauffer (the "Stauffers") submitted an application for a building permit to construct additions to their existing residence (the "Proposed Additions") located at 300 MacLaren Lane (the "Main Parcel"); and

WHEREAS, the Stauffers' existing residence (the "Residence") is located entirely on the Main Parcel; and

WHEREAS, the proposed additions would extend into the back lot of the Stauffers' property (the "Back Lot"), which the Village sold to the Stauffers in 1990; and

WHEREAS, the warranty deed conveying the Back Lot from the Village to the Stauffers (the "Warranty Deed") contains a restrictive covenant (the "Restrictive Covenant") prohibiting construction of certain buildings and structures on the Back Lot, including the additions that the Stauffers have proposed in their January 17, 1994 building permit application; and

WHEREAS, the Stauffers have agreed to enter into a Declaration of Restrictive Covenants with the Village that would, among other things, (i) repeal the Restrictive Covenant, and (ii) allow the improvement of the Back Lot pursuant to development standards restricting the area of impervious surface and building coverage and establishing a minimum rear yard setback; and

WHEREAS, in order to manage and control the development of the Back Lot and other nearby property, the Village President and Board of Trustees have found and determined that it is in the best interests of the Village to enter into the Declaration of Restrictive Covenants with the Stauffers and to allow the owners of other specified nearby property an opportunity to enter into substantially similar agreements with the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION 1.

The Declaration of Restrictive Covenants by and between the Stauffers and the Village of Lake Bluff, in substantially the form attached hereto as Exhibit A and as acceptable to the Village Attorney, is hereby approved.

SECTION 2.

The Village President and the Village Clerk are hereby authorized and directed to execute and seal, on behalf of the Village, the Declaration of Restrictive Covenants; provided, however, that the Declaration of Restrictive Covenants shall not be so executed or attested by or on behalf of the Village unless and until the Village has received an original of the Declaration fully executed by the Stauffers.

SECTION 3.

The Village Administrator is hereby authorized and directed to cause the Declaration of Restrictive Covenants to be recorded with the Office of the Lake County Recorder of Deeds, following execution by all parties in accordance with the terms of the Declaration.

SECTION 4.

The Village Administrator is hereby authorized and directed to inform the respective owners of 502 Witchwood, 502 MacLaren Lane, 412 MacLaren Lane, 400 MacLaren Lane, and 260 MacLaren Lane, that for a period of 120 days from the date of this Resolution, the Village will agree to amend the Restrictive Covenants applicable to the back lots of said properties in the same manner as the Restrictive Covenant applicable to the 300 MacLaren Lane Back Lot has been amended pursuant to the Declaration of Restrictive Covenants approved pursuant to Section 1 of this Resolution.

SECTION 5.

The Village Attorney is hereby authorized and directed to execute, on behalf of the Village Building Commissioner, the Agreed Order of Dismissal of Appeal in the Zoning Board of Appeals proceedings related to the Stauffers' appeal of the Village Building Commissioner's decision to deny the Stauffers' building permit application.

SECTION 6.

This resolution shall be effective following passage by the Village Board of Trustees of the Village of Lake Bluff in the manner prescribed by law.

PASSED this 22nd day of August, 1994, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

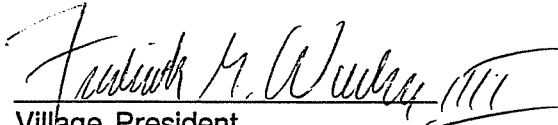
AYES: (4) Trustees Goostrey, Krippel, Lee and Swanton

NAYS: (0)

ABSTAIN: (0)

ABSENT: (2) Trustees Mullenbach and Tincher

APPROVED this 22nd day of August, 1994.


Village President

ATTEST:


Village Clerk

EXHIBIT A

Declaration of Restrictive Covenants

3584259

AUG 24 1994 GOV

DECLARATION OF RESTRICTIVE COVENANTS

This DECLARATION is dated as of the 22nd day of August, 1994, and is by and between Delmar J. Stauffer and Mary B. Stauffer (the "Owners") and the Village of Lake Bluff, an Illinois municipal corporation (the "Village").

W I T N E S S E T H:

WHEREAS, the Owners are the legal and beneficial owners of record of a parcel of real estate located in the Village of Lake Bluff, County of Lake, State of Illinois and legally described in Exhibit A, attached hereto and by this reference incorporated herein (the "Main Parcel"); and

WHEREAS, the Owners are also the legal and beneficial owners of record of another parcel of real estate located in the Village of Lake Bluff, County of Lake, State of Illinois and legally described in Exhibit B, attached hereto and by this reference incorporated herein (the "Back Lot") (the Main Parcel and the Back Lot are collectively hereafter referred to as the "Subject Property"); and

WHEREAS, the Owners' existing residence (the "Residence") is currently located entirely on the Main Parcel; and

WHEREAS, the Back Lot has a depth of 70 feet, total area of 11,200 square feet, and is located immediately west of and adjacent to the Main Parcel; and

WHEREAS, the Village and the Owners executed a warranty deed dated October 24, 1990 and recorded as Document No. 2979767, conveying the Back Lot to the Owners with a restrictive covenant prohibiting construction of certain buildings and structures on the Back Lot (the "Restrictive Covenant"); and

WHEREAS, the Owners and the Village desire to execute and record this Declaration to repeal the Restrictive Covenant and to restrict the use and development of the Back Lot pursuant to the terms and conditions of this Declaration; and

WHEREAS, the Owners and the Village desire and intend that any owner, occupant, mortgagee, or any other person or persons acquiring an interest in the Subject Property, or any portion thereof, shall at all times hold their interest subject to the covenants and restrictions hereinafter set forth, which covenants shall be enforceable by the Village of Lake Bluff, Lake County, Illinois; and

WHEREAS, upon execution of this Declaration, the Village shall cause this Declaration to be recorded with the Lake County, Illinois, Recorder of Deeds;

NOW, THEREFORE, the Village and the Owners declare that the Subject Property and all portions thereof and all improvements thereon are and shall be held, transferred, sold, conveyed, used, and occupied subject to the covenants herein set forth, which covenants shall run with the Subject Property and be binding on all parties presently having or hereafter acquiring any right, title, or interest in the Subject Property or any part thereof or improvements thereon, and on their heirs, successors, and assigns, and shall inure to the benefit of each of them and to the benefit of the Village of Lake Bluff, Illinois;

1. The Restrictive Covenant is hereby repealed in its entirety and replaced with the terms, conditions, restrictions, and covenants set forth in this Declaration.

2. Notwithstanding any provision of the Village's zoning regulations that may provide or allow otherwise:

- A. The total area of impervious surfaces on the Back Lot shall not exceed 12 percent of the total area of the Back Lot.
- B. The total coverage area of all buildings and accessory structures on the Back Lot shall not exceed 12 percent of the total area of the Back Lot.
- C. The rear yard of the Back Lot shall have a depth of not less than 47 percent of the depth of the Back Lot.

- D. No free-standing building of any kind or free-standing structure of any kind shall be erected on the Back Lot.

3. In addition to any and all other remedies it may have, the Village of Lake Bluff may enforce this Declaration; provided, however, that the failure of the Village to enforce this Declaration or any particular provision hereof at any given time shall in no event be deemed a waiver of the right to do so thereafter. In case of any successful enforcement action, the Village shall be entitled to recover from the Owners all costs of enforcement, including, but not limited to, administrative expenses and legal fees. If such costs are not recovered from the Owners within 30 days following a demand in writing by the Village for such payment, such costs, together with interest and costs of collection, shall become a lien upon the Subject Property, and the Village shall have the right to foreclose such lien by an action brought in the name of the Village as in the case of foreclosure of liens against real estate.

4. This Declaration shall run with and bind the Subject Property for a term of 50 years from the date this Declaration is recorded after which time this Declaration shall be automatically extended for successive periods of 10 years unless an instrument amending this Declaration as hereinafter provided shall be recorded to provide for some other duration. If any of the agreements, covenants, or provisions created by or contained in this Declaration would otherwise be unlawful or void for violation of (a) the Rule Against Perpetuities or some analogous statutory provision, (b) the Rule Restricting Restraints on Alienation, or (c) any other statutory or common law rules imposing time limits, then such agreements, covenants, or provisions shall continue only until 21 years after the death of the last survivor of the now living lawful descendants of Richard M. Daley, Mayor of Chicago.

5. This Declaration and its effect shall not at any time hereafter be modified, amended, or annulled except by a written instrument executed by the then owner or owners of

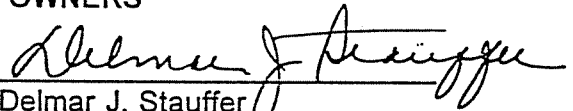
record of the Subject Property and approved by a written resolution duly adopted by the President and Board of Trustees of the Village of Lake Bluff, Lake County, Illinois.

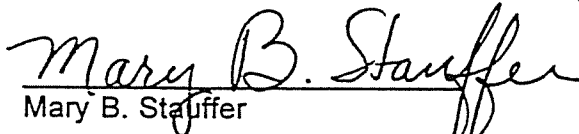
6. The terms and provisions of this Declaration shall be defined as set forth in the Village Zoning Regulations, as amended from time-to-time, and if not defined therein shall have their usual and customary meanings.

7. Invalidation of any term or provision of this Declaration shall in no way affect any other term or provision hereof, which other terms and provisions shall remain in full force and effect.

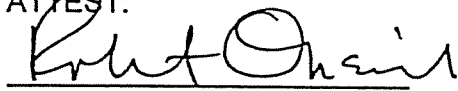
IN WITNESS WHEREOF, the Village and the Owners have caused this instrument to be executed, acknowledged, and attested.

THE OWNERS

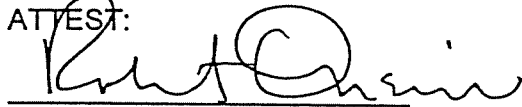

Delmar J. Stauffer


Mary B. Stauffer

ATTEST:

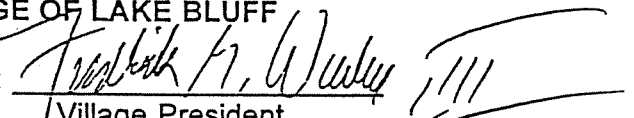


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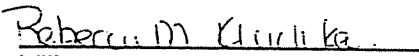


VILLAGE OF LAKE BLUFF

By:


Village President

ATTEST:


Deputy Village Clerk

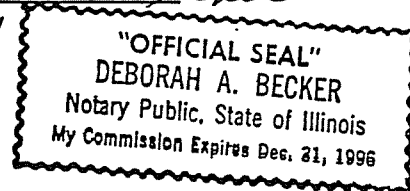
STATE OF ILLINOIS)
COUNTY OF LAKE)

DELMAR J. STAUFFER and MARY B. STAUFFER, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me on this 23 day of Aug, 1994, in person and acknowledged that they signed and delivered the said instrument as their respective free and voluntary acts for the uses and purposes therein set forth.

Deborah A. Becker
Signature of Notary

SEAL

My Commission Expires: Dec. 31, 1996



STATE OF ILLINOIS)
COUNTY OF LAKE)

This instrument was acknowledged before me on August 24, 1994, by Frederick G. Wecker, III, the Village President of the VILLAGE OF LAKE BLUFF, an Illinois municipal corporation, and by Rebecca M Kluchko, the Village Clerk of said municipal corporation.

Deputy

Irmgard R. Barnes
Signature of Notary

SEAL

My Commission Expires: 7-18-96

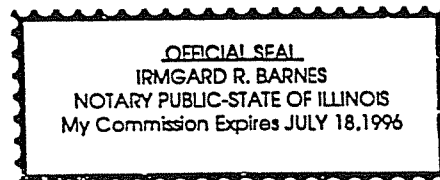


Exhibit A

Lot 38 in Block 27, in the "Terrace", being H. O. Stone and Company's Subdivision of part of Section 20, Township, 44 North, Range 12, East of the Third Principal Meridian, according to the plat thereof, recorded September 28, 1925, as Document 265877, in Book "O" of Plats, pages 62, 63, and 64 in Lake County, Illinois.

Exhibit B

Lot 37 in Block 27, in the "Terrace", being H. O. Stone and Company's Subdivision of part of Section 20, Township, 44 North, Range 12, East of the Third Principal Meridian, according to the plat thereof, recorded September 28, 1925, as Document 265877, in Book "O" of Plats, pages 62, 63, and 64 in Lake County, Illinois...