

LAKE COUNTY ZONING BOARD OF APPEALS

CONDITIONAL USE PERMIT APPLICATION

Applicant(s): RK123, LLC a Florida Limited Phone: 847-963-6100
(please print) Owner(s) Liability Company
c/o JM Realty, LLC Fax: 847-963-6151
425 S. Creekside Dr. Email: _____
Palatine, IL 60074 Address _____
Address _____
Contract purchaser(s) if any Phone: _____
N/A Fax: _____
Address Email: _____

I/we hereby authorize the following person to represent me/us in all matters related to this application:

Mark Eiden Phone: 224-513-5500
Name Cell: _____
611 S. Milwaukee Ave., Suite 4 Fax: 224-513-5501
Libertyville, IL 60048 Email: meiden@eidenlaw.com
Address _____

Subject Present Zoning: E- Estate
Property: Present Use: Agriculture¹
Proposed Use: Commercial and open space
PIN(s): See Attachment
Address: 109 Acres at the SE corner of Rte. 12 and Old
McHenry Rd., Ela Twp., Lake County
Legal description: a/k/a 25275, 25435, 25770, 26479, 26475, and 25442
(___ see deed) See Attached Old McHenry Rd., Lake Zurich, IL 60047

Request:

I/we request a conditional use permit be approved to allow:
Planned Unit Development for Commercial and open
space development.

Explain why this conditional use permit is justified;
The purposes of the conditional use are to

1. provide for innovatiye land planning and construction
2. Lessen the intensity of development under requested zoning and reduce impact on surrounding uses.

Approval
Criteria:

The Lake County Zoning Board of Appeals is required to make findings of fact on your request. You should "make your case" by explaining specifically how your proposed request relates to each of the following criteria:

- A. the use in its proposed location will be consistent with the stated purpose and intent of the Zoning Ordinance (see Sec. 1.5)
For all of the following approval criteria, please refer to the Attachment.
- B. the proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Sec. 6.2.; and
- C. the proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of application or as they may be developed in the future due to implementation of the Comprehensive Plan:
 1. adjacent property,

2. the character of the neighborhood,

3. natural resources,

4. infrastructure,

5. public site, or

6. any other matters affecting the public health, safety, or general welfare.

I/we hereby attest that all information given above is true and complete to the best of my/our knowledge.

RK123, LLC



Signature of owner(s) Robert DiMucci, Manager

N/A

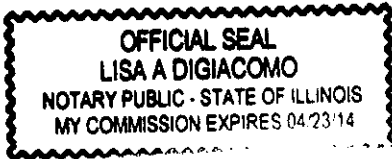
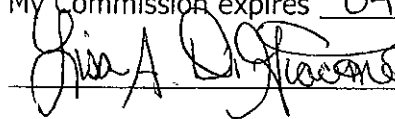
Signature(s) of contract purchasers

I, LISA A. DIGIACOMO a Notary Public aforesaid, do hereby certify that ROBERT DIMUCCI, MANAGER personally known to me is (are) the person(s) who executed the foregoing instrument bearing the date of September 20, 2010 and appeared before me this day in person and acknowledged that he/she/they signed, sealed and delivered the same instrument for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 20th day of September, 2010

(Seal)

My Commission expires 04/23/14



All that part of the Northeast 1/4 and the North 1/2 of the Southeast 1/4 of Section 6 and a small part of the Southwest 1/4 of Section 5, both in Township 43 North, Range 10 East of the 3rd Principal Meridian which lies Southwesterly of the of the Southwesterly line of the right of way of Old Mc Henry Road, South of the Southerly right of way line of Old Mc Henry Road as relocated as per the Plat of Highway thereof recorded on March 4, 1986 as Document No. 2424076 and lying East of the East right of way line of Road Road (U.S. Route 12) bounded by a line described as follows:

Commencing at the intersection of the center line of Old Mc Henry Road (SAR 32) as per the Plat of Survey thereof recorded February 13, 1943 as Document No. 524174 with the West line of the Northeast 1/4 of said Section 6; thence South 54 degrees 26 minutes 52 seconds East along the center line of said Old Mc Henry Road, a distance of 1071.95 feet to a point; thence South 33 degrees 33 minutes 00 seconds West, a distance of 40.0 feet to a point on the Southwesterly right of way line of Old Mc Henry Road and the Place of Beginning of that Tract of land to be described:

thence Northwesterly along a curved line, convex to the Northeast, tangent with the Southwesterly line of Old Mc Henry Road, heretofore described with a radius of 1105.92 feet, a central angle of 01 degree 11 minutes 27 seconds, a distance of 22.91 feet, arc measure, to a point;

thence South 34 degrees 21 minutes 43 seconds West along a radial line of the last described curved line, a distance of 10.0 feet to a point;

thence Northwesterly along a curved line, convex to the the Northeast, having a radius of 1045.92 feet, concentric with the last described curved line, having a central angle of 23 degrees 00 minutes 00 seconds, a distance of 434.93 feet, arc measure, to a point;

thence South 11 degrees 21 minutes 43 seconds West along a radial line of said curved line a distance of 10.0 feet to a point;

thence Westerly along a curved line, convex to the North, having a radius of 1085.92 feet, concentric with the last described curved line, having a central angle of 11 degrees 55 minutes 04 seconds, a distance of 225.88 feet, arc measure, to a point;

thence South 89 degrees 26 minutes 38 seconds West along a line tangent with the last described curved line, a distance of 140.19 feet to a point;

thence South 04 degrees 55 minutes 10 seconds West, a distance of 136.23 feet to a point in the Easterly line of Milton Road (SAR 8), distant 46.47 feet East from the West line of the Northeast 1/4 of said Section 6;

thence South 01 degree 02 minutes 10 seconds West along the East line of Milton Road (SAR 8), a distance of 242.54 feet to a point on the Easterly line of Rand Road and the Easterly line of the Palatine, Lake Zurich and Hauconda Railroad as shown on the Plat of Dedication thereof recorded August 24, 1937 as Document No. 440543, being a curved line, convex Easterly and having a radius of 1542.80 feet;

thence Southerly along the Easterly line of said right of way, a distance of 517.69 feet, arc measure, the chord of said curved line bearing South 04 degrees 37 minutes 47 seconds East, a distance of 515.42 feet to a point of tangent;

thence South 00 degrees 19 minutes 07 seconds East along the East line of said Rand Road, a distance of 317.57 feet to a point on the South line of the Northeast 1/4 of said Section 6, 133.0 feet East of the Southwest corner thereof;

thence continuing South 00 degrees 19 minutes 07 seconds East, parallel with the West line of said Northeast 1/4, a distance of 741.18 feet to a point of curve;

thence Southeasterly along a curved line, convex to the West and having a radius of 1388.64 feet, a distance of 428.14 feet, arc measure, to a point of tangent, the chord of said curved line bearing South 04 degrees 04 minutes 07 seconds East, a distance of 426.44 feet, to a point of tangent;

thence continuing South along the East right of way line, South 17 degrees 54 minutes 07 seconds East, a distance of 174.03 feet to a point on the South line of the North 1/2 of the Southeast 1/4 of said Section 6, at a point 163.74 feet East of the intersection of said line with the East line of Rand Road, as per Valentine Manor Subdivision, the Plat of which was recorded November 18, 1957 as Document No. 972308;

thence South 89 degrees 46 minutes 55 seconds East along the South line of the North 1/2 of said Southeast 1/4 being also the North line of Valentine Manor Subdivision, aforesaid, as said line is staked and occupied, a distance of 2341.82 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 6;

thence North 00 degrees 20 minutes 52 seconds West along the East line of the North 1/2 of the Southeast 1/4 of said Section 6, being also the West line of the the Southwest 1/4 of said Section 5 and the West line of Lakewood Estates of Hawthorne Woods - Phase One, the Plat of which was recorded June 3, 1987 as Document No. 2514083, a distance of 345.50 feet to an angle point at a corner of Lot 28 in said subdivision;

thence North 23 degrees 07 minutes 41 seconds East, along the line of said Lot 28 in said subdivision, being the previous location of an old fence line, a distance of 354.04 feet to a point on the Southwesterly line of the right of way of Old Mc Henry Road as per the Plat of Survey thereof, Recorded February 13, 1943 as Document No. 524178, 40.0 feet Southwesterly of the center line thereof;

thence Northwesterly along the Southwesterly line of said right of way, being a curved line, convex to the Southwest, having a radius of 5164.65 feet, a distance of 778.63 feet, arc measure, the chord of said curved line bearing North 44 degrees 47 minutes 27 seconds West a distance of 778.04 feet, to a point of tangent;

thence North 45 degrees 55 minutes 24 seconds West along the Southwesterly line of said Old Mc Henry Road, 40.0 feet Southwesterly of the centerline thereof, a distance of 502.49 feet to a point of curve;

thence continuing Northwesterly along the Southwesterly line of Old Mc Henry Road, being a curved line, convex to the Northwest and having a radius 5124.65 feet, a distance of 845.62 feet, arc measure, the chord of said curved line bearing North 50 degrees 11 minutes 10 seconds West, a distance of 844.84 feet, to a point of tangent;

thence continuing along the Southwesterly line of said right of way, North 54 degrees 26 minutes 52 seconds West, a distance of 416.37 feet to the Place of Beginning, all in Lake County, Illinois.

Area within Parcel One = 4,739,103.0 sq.ft. or 108.7948 acres.

**Property Addresses and
Property Index Numbers (PIN's)**

<u>Property Location:</u>	<u>PIN Number</u>
25575 N. Old McHenry Road Lake Zurich, Illinois	14-06-200-017
25435 N. US Highway 12 Lake Zurich, Illinois	14-06-400-009 (includes other property)
25275 N. Old McHenry Road Lake Zurich, Illinois	14-06-400-004
26475 N. Old McHenry Road Lake Zurich, Illinois	14-06-400-011
25442 N. Old McHenry Road Lake Zurich, Illinois	14-05-300-008
26479 N. Old McHenry Road, Lake Zurich, Illinois	14-06-400-010

The Addresses and Property Index Numbers on this page are effective as of January, 2012.