

ILLINOIS POLLUTION CONTROL BOARD
May 17, 1972

TENNIS DEVELOPMENT, INC.)
)
) #72-59
)
)
)
)
ENVIRONMENTAL PROTECTION AGENCY)

OPINION AND ORDER OF THE BOARD (BY MR. SAMUEL T. LAWTON, JR.)

Petition for variance from the sewer ban provisions of case League of Women Voters v. North Shore Sanitary District, #70-7, 12, 13 and 14, was filed with the Board on February 14, 1972. Petitioner seeks to construct an indoor tennis building on Lot 12 in the North Shore Industrial and Research Centre, in Lake Bluff.

On February 22, 1972, we issued an opinion and order noting that the variance petition, as filed, was "uninformative as to the type of facilities to be installed within the building and as to the persons who will be using such facilities". Petitioner was given twenty days in which to file such information as would be necessary to enable the Board to make a judgement on the facts of the case.

An amendment to the petition was filed on March 8, setting forth that the premises to be constructed will contain eight indoor tennis courts, together with a small pro shop and locker rooms for men and women containing a total of ten showers, two sinks, five commodes and two urinals. There will be no restaurant or bar facilities in the building. A membership of approximately 1,000 persons is anticipated, which will probably not be reached until after five years of operation. Petitioner represents that the bulk of the membership will come from North Chicago, Lake Bluff, Lake Forest and surrounding unincorporated areas, observing that the Libertyville-Mundelein area, the Deerfield area and the Highland Park area, are each served with tennis clubs of their own. This belief is supported by membership applications and inquiries already received from persons in the North Chicago, Lake Bluff and Lake Forest area. Promotional advertising for membership will be directed to residents within this district. As a consequence of the anticipated area of membership, petitioner contends that the use of the sewer facilities which would serve petitioner would be a substitute for the same use of facilities in the homes of members and that as a consequence, the proposed use will not generate additional sewage on the already over-burdened facilities of the North Shore Sanitary District.

We believe petitioner's position to be meritorious and grant the variance request as sought. Cf. Waukegan Park District v. Environmental Protection Agency, #71-314 and 71-342.

We grant this variance notwithstanding the fact that the petitioner might otherwise be eligible for relief as a consequence of our partial lifting of the sewer ban in the areas served by the Waukegan and Clavey Road sewage treatment facilities.

This opinion constitutes the findings of fact and conclusions of law of the Board.

IT IS THE ORDER of the Pollution Control Board that Tennis Development, Inc. be granted a variance from the sewer ban provisions of the Board Order of March 31, 1971 in case entitled League of Women Voters v. North Shore Sanitary District, #70-7, 12, 13 and 14, to enable the indoor tennis building to be constructed and operated by petitioner on Lot 12 of the North Shore Industrial and Research Centre to connect with the sewer facilities of the North Shore Sanitary District.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 17 day of May, 1972, by a vote of 4 to 0.


