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## Lawsuits spoil clean slate

By **BOB BRETTSCHEIDER**  
STAFF WRITER

It is not surprising that a village the size and density of Wilmette would find itself the target of a lawsuit from time to time.

It is surprising, though, how close the village came to escaping calendar 1991 without a single suit fired in its direction. Not until late October was the first major legal action filed against the village.

Brought by developer Mort Balaban, the lawsuit contends the village illegally prevented him from subdividing property on Old Glenview Road, east of Skokie Boulevard, into three separate lots.

Mort Kaplan, Balaban's attorney, argues the subdivision plan provided for lots of legal size with legal frontage. He further argues the plan meets all zoning requirements. By limiting Balaban him to two lots, the village prevented him from recouping the money he invested in the property, Kaplan said.

The Village Board and Plan Commission denied Balaban's subdivision plan because it did not reflect the existing density of the neighborhood, said Robert Mangler, village corporation counsel.

While Balaban's lawsuit was the first of the year, it is not the only lawsuit. The second was filed, in late November by an insurance company seeking to recover an estimated \$3,000 damage to a car that collided with a Wilmette police car last spring. Mangler said he plans to countersue for damages to the squad car.

No court date has been set for either case.

"You never know when they are going to come," Mangler said of lawsuits aimed the village. "Every year . . . I'm asked how much we should budget for litigation and I say I have no idea."

Mangler, who could not remember a year in which the village went without a lawsuit, noted the statute of limitations on lawsuits related to automobile accidents is two years. "They can kick around for a long time before they are filed," he said. "There is no way in the world to predict them."

On a list of pending court cases involving the village, one dates back to 1984; three remain from 1988 two from 1987; three from 1988; one (Continued on page 16)

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