



February 20, 2025

TO: Gregory Koeppen, Chair
Lake County Zoning Board of Appeals

FROM: Thomas Chefalo, Principal Planner
Lake County Department of Planning, Building, and Development

CASE NO: #001044-2025

HEARING DATE: February 27, 2025

REQUESTED ACTIONS: Variance from the requirements of the Lake County, Illinois Code of Ordinances (LCC) to:

1. Reduce the front street setback from 30 feet to 3.5 feet as measured from the eave to allow an addition to the principal structure.

GENERAL INFORMATION

OWNER: Joel Burns, record owner

OF PARCELS: Two

SIZE: 0.33 acres, per Lake County's Geographical Information Systems

LOCATION: 39428 N CIRCLE AVE ANTIOCH, IL

PINs: 0125406031 & 0125406032

EXISTING ZONING: Residential-1 (R-1)

EXISTING LAND USE: Single family home.

PROPOSED LAND USE: Single-family home with house and addition.

SURROUNDING ZONING / LAND USE

EAST:	Residential-1 (R-1) / Single-Family Residential
NORTH:	Residential-1 (R-1) / Single-Family Residential
SOUTH:	Open Space (OS) / Petite Lake
WEST:	Residential-1 (R-1) / Single-Family Residential

DETAILS OF REQUEST

ACCESS:	Direct access is provided via Circle Ave.
NONCONFORMING LOT:	The subject property is a nonconforming lot due to lot area and width.
FLOODPLAIN / WETLAND:	The southern two-thirds of the property is within mapped floodplain.
SEPTIC AND WATER:	The subject property is served by a private septic system and well.

ADDITIONAL COMMENTS

- The minimum front setback for a principal structure on a nonconforming lot is a function of the lot width. Section 151.233(C)(1)(a) of the LCC requires the minimum front setback shall be 20% of the lot depth or the underlying zoning district setback, whichever is less. In this instance, 20% of the lot depth would be greater than the minimum setback required for the R-1 zoning district, so the required front yard setback is 30 feet.
- According to assessment records, the house was constructed in 1960.
- In July 2024, the Zoning Board of Appeals approved front and side setbacks variances (VAR-000974-2024) for the property to allow for the detached garage located in the required front setback to be attached to the house.
- Subsequently, the project was redesigned to also include a covered entry porch and mud room. Because the new site plan was not consistent with the plan approved with VAR-000974-2024, the applicant desires an additional variance request be heard.

STAFF COMMENTS

Jeff Schrei – Health Department

- The Health Department has no objection so long as the minimum well and septic system setback distances are met. These distances will need to be verified at time of permitting.

Andrew Heuser – Engineering Division

- The Engineering Division has no objection to this variance. Please note that the addition may be located partially within the Regulatory Floodplain, which would place the entire structure within the Regulatory Floodplain. All applicable portions of the LCC will apply. A site permit will be required.

Hayden Green – Building Division

- The Building Division has no objection to the variance request.
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RECOMMENDATION

In Staff's opinion, the application meets the approval criteria for variations specified in Lake County Code Section 151.056(C)(4) and recommends approval of the variance for the following reasons:

1. Exceptional conditions peculiar to the applicant's property:

Comment: The subject property is a nonconforming lot since it meets neither the minimum lot area nor minimum lot width for the zoning district. The south two-thirds of the property is within the regulatory floodplain. There is a significant grade change on the property that begins directly to the front of the house. Additionally, the presence of several mature trees and the septic system would present challenges to a rear house addition.

The house was constructed within the current required front setback before the current code was adopted.

2. Practical difficulties or particular hardship in carrying out the strict letter of the regulation:

Comment: The location of the house on the lot prevents the applicant from constructing a covered front porch and mudroom that would meet the required front setback and provide the occupants with safe access to the house and an appropriate transition space between the house and garage. Additionally, given the location of the mature trees and septic system and constraints related to floodplain site topography and the interior layout of the house, the proposed location utilizes the only practical area available for the addition.

3. Harmony with the general purpose and intent of the zoning regulations:

Comment: The variation request is in harmony with the general purpose and intent of the zoning regulations. The redesigned plan will allow the applicants to expand the living space and provide safe access to the house and will not intrude into the front setback further the existing garage does currently Granting the variances will have no appreciable impact on adjacent properties or the surrounding neighborhood.

RECOMMENDED CONDITION

In the event the Board grants the proposed variance, staff recommends the following conditions:

1. The location of the addition shall be consistent with the site plan accompanying ZBA application #001044-2025.