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May 16, 2024

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: #000970-2024

HEARING DATE: May 23, 2024

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

- 1.) Reduce the side street setback from 30 feet to 14.76 feet.
- 2.) Reduced the required separation between structures from 4 feet to 3 feet as measured from the eaves.
- 3.) Reduce the required front street setback for an existing legal nonconforming shed from 30 feet to 6 feet.

GENERAL INFORMATION

OWNER: Deborah Jean Pieracci Living Trust, record owner (Deborah Jean Pieracci as trustee)

OF PARCELS: One

SIZE: 0.30 acres, per Lake County's Geographical Information Systems

LOCATION: 1016 W NORTH AVE., LAKE BLUFF, IL

PINs: 1219114001

EXISTING ZONING: Residential-3 (R-3)

EXISTING LAND USE: Single family home with shed.
PROPOSED LAND USE: Single-family home with shed and detached garage.

SURROUNDING ZONING / LAND USE

EAST: Residential-3 (R-3) / Single-Family Residential
NORTH: Residential-3 (R-3) / Single-Family Residential
SOUTH: Residential-3 (R-3) / Single-Family Residential
WEST: Village of Lake Bluff/Commercial

DETAILS OF REQUEST

ACCESS: Direct access is provided via W. North Ave.
NONCONFORMING LOT: The subject property is a conforming lot in the R-3 zoning district.
FLOODPLAIN / WETLAND: There are no mapped floodplain or wetlands on the property.
SEPTIC AND WATER: The subject property is serviced by public sewer and water.

ADDITIONAL COMMENTS

- The minimum 30-foot front setback and side street setbacks for an accessory structure on a conforming lot are set forth in Section 151.113 (C) (2) (a) of the LCC.
- Per Section 151.113 (B) (4) of the LCC, accessory structures must not be located within four feet of any other structure.
- According to assessment records, the house was built in 1968 with a 315 square foot attached garage (15' wide x 21' deep).
- The County had inadvertently permitted the shed at its location through a registration. Such decision rendered the shed "legally nonconforming"; a variance is necessary to ensure the shed's replacement at its location if destroyed.

STAFF COMMENTS

Joel Krause – Engineering Division

- The Engineering Division has no objection to these requested variances. Please note that a Site permit will be required.

David Modrzejewski – Building Division

- The Building Division has no issues with this variation request. Please note that the garage wall and soffit directly facing the residence will need to be constructed with a minimum 1-hour fire rating per Section R302 of the IRC.
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RECOMMENDATION

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

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

Comment: **Variance requests 1 & 2**

The subject property is a conforming corner lot in the R3 zoning district and thus subject to two street setbacks and intersection visibility requirements.

There are 2 mature trees on the property.

The house was constructed in 1968 with a 315 sq. ft. one car garage.

The house was constructed to the rear of the lot near the back alley.

Variance request 3

The current shed location was incorrectly approved by Lake County through the fast-track registration process.

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

Comment: **Variance requests 1 & 2**

The location of the mature trees, the location of the house near the back alley and the 30-foot required setbacks from both Bayonne and North Avenues place a significant constraint on the buildable area of the property. Other properties along North Ave with detached garages can locate the garages near and access them from the back alley.

Variance request 3

The applicant constructed the shed at their expense in reliance on the County's issuance of a project registration.

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

Comment: **Variance requests 1 & 2**

Construction of the detached garage will allow the applicant to store her vehicles in a secure space. Though there are no other structures along North Ave. that extend into the front setback, approval of the variance request would have minimal impact on neighbors and community character.

Variance request 3

Approval of the variance request would correct a nonconformity resulting from County staff approval and would have no impact on neighbors or community character.

RECOMMENDED CONDITION

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

1. The location of the garage shall be consistent with the site plan accompanying ZBA application #000970-2024.