



May 16, 2025

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

FROM: Natalia Fic, Planner
Lake County Department of Planning, Building, and Development

CASE NO: #001075-2025

HEARING DATE: May 22, 2025

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

- 1.) Reduce the front street setback from 30 feet to 23 feet, to allow for the construction of a new detached garage.
- 2.) Reduce the north side-yard setback from 6 feet to 3.6 feet, as measured to the eave, to allow for the construction of a new detached garage.
- 3.) Reduce the north side-yard setback from 4.2 feet to 3.15 feet, as measured to the overhang, to accommodate an existing single-family dwelling.

GENERAL INFORMATION

OWNER: Ben & Martha Bates, record owners

OF PARCELS: One

SIZE: 0.21 acres, per Lake County's Geographical Information Systems

LOCATION: 24160 N Lakeside Dr., Lake Zurich, IL

PINs: 1410415003

EXISTING ZONING:	Residential-3 (R-3)
EXISTING LAND USE:	Single-family home with detached garage.
PROPOSED LAND USE:	Single-family home with a new detached garage.

SURROUNDING ZONING / LAND USE

EAST:	Residential-3 (R-3) / Single-Family Residential and Township Road (N Lakeside Dr)
NORTH:	Residential-3 (R-3) / Single-Family Residential
SOUTH:	Residential-3 (R-3) / Single-Family Residential
WEST:	Open Space (OS) / Forest Lake

COMPREHENSIVE PLAN

LAKE COUNTY:	Residential Single-family Residential (0.25 to 1- acre lot density)
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DETAILS OF REQUEST

ACCESS:	Direct access is provided via N Lakeside Dr.
NONCONFORMING LOT:	The subject property is a nonconforming lot due to insufficient lot area and lot width.
FLOODPLAIN / WETLAND:	The property contains mapped floodplain and mapped wetlands at the rear of the property.
SEPTIC AND WATER:	The subject property is serviced by Lake County public sewer and water.

ADDITIONAL COMMENTS

- The front setback for structures on a nonconforming lot is a function of the lot depth. Section 151.233(C)(1)(a) of the LCC specifies the minimum front setback for an accessory structure 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-3 zoning district, so the required front yard setback is 30 feet.
- The interior side yard setback for an accessory structure on a nonconforming lot is a function of structure height. Lake County Code Section 151.233(C)(1)(f) specifies accessory structure shall not exceed 12 feet in height at the minimum 4-foot setback, with an additional two feet in height given for each additional setback beyond four feet to a max height of 20 feet at an 8-foot setback. In this case, as the proposed garage is 15 feet tall, the minimum interior side yard setback is 6 feet.
- The minimum interior side yard setbacks for a principal structure on a nonconforming lot is set forth in Section 151.233 (C)(1)(b) of the LCC. The minimum interior side setback for principal structures shall be four feet or 10% of the lot width, whichever is greater, but no greater than the setback specified for the underlying zoning district. In this case, the width of the lot is 42 feet, which dictates a 4.2-foot setback to the west (side).
- According to the assessment records, the house was built in 1950.
- County aerial photography shows that the existing garage was constructed in its current location before 1993. The applicants propose to replace the garage and its deteriorating foundation with a larger, updated structure (24' x 30').

STAFF COMMENTS

Andrew Heuser – Engineering Division

- The Engineering Division has no objection to these variances

Ieva Donev – Building Division

- Building Division has no objections to the variance request.
- Building permits will be required. Design shall incorporate requirements per Table R302.1(1), 2018 IRC.

Tony Dupree – Public Works Division

- Lake County Public Works Department (LCPW) provides water and sewer to this parcel.
- Tap card (attached to this Variance) shows both services approaching the home from the street on the south side of the existing garage.
- New garage should not be built over either of these services.
- Applicant may choose to have both services located by a private contractor prior to construction.
- A Public Works permit will not be required as long as the existing sewer or water service lines are not altered beyond five feet of the foundation of the home.

RECOMMENDATION

In Staff's opinion, the application for the variance requests meets the approval criteria for variations specified in LCC Section 151.056(C)(4). Staff's analysis of each request is provided below:

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

Comment: Variance Requests 1 & 2:

The subject property is located within an older subdivision platted in 1937, characterized by small, narrow lots. The lot is a nonconforming parcel in the R-3 zoning district due to the total area of less than 12,000 square feet and lot width less than 60 feet. The existing detached garage was constructed prior to the adoption of the LCC and currently complies with the front setback but encroaches into the north side-yard setback, a pre-existing nonconformity. Due to the narrow lot configuration and placement of the home, construction of a garage in the center or rear of the lot is impractical. Furthermore, the presence of underground water and sewer service lines located near the south property line, along with the downward slope of the center and rear yard, presents additional constraints to viable garage placement. The proposed location preserves approximately 34 feet of open space between the house and garage, maintains a mature canopy tree near the home, and consolidates parking and storage into a single structure.

Variance Request 3:

The existing home was constructed within the current required side yard setback before the current code was adopted.

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

Comment: Variance Requests 1 & 2

The proposed garage location utilizes the reasonably level and unobstructed area of the property, avoiding more significant disruption to the usable open yard area. While the

LCC recognizes a 24' x 24' accessory structure as the minimum standard for a two-car garage, the proposed 24' x 30' structure includes additional space to accommodate items typically associated with waterfront properties, such as recreational equipment and seasonal gear. The proposed garage maintains the existing side-yard setback while expanding to meet the storage needs of a waterfront property. The design of the concrete pad behind the garage also preserves open yard space for outdoor seating and storage.

Variance Request 3:

This variance request will confer legal status to an existing nonconformity and bring the subject structure into compliance.

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

Comment: Variance Requests 1 & 2:

The proposed variances align with the general purpose and intent of the zoning regulations by allowing a reasonably sized accessory structure that accommodates customary residential and waterfront storage needs. Several accessory structures along N Lakeside Drive similarly extend into front setbacks or exceed height limits, reflecting a development pattern that supports the requested relief. The garage will maintain the existing side-yard setback and reduce the front setback slightly, while aligning with the neighboring garage to the north. Ample space will remain between the garage and the street, ensuring clear visibility for both vehicles and pedestrians. Denial of the request would prevent the replacement of a structure that has existed in this location for over 30 years

Variance Request 3:

Approval of the variance request for the single-family dwelling would correct a nonconformity resulting from the adoption of the LCC in 2000. Denying the request would serve no public interest.

RECOMMENDED CONDITION

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

1. The location of the garage shall be consistent with the site plan accompanying ZBA application #001075-2025.