



April 18, 2025

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

FROM: Frank Olson, Senior Planner  
Lake County Department of Planning, Building, and Development

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CASE NO: #001069-2025

HEARING DATE: April 24, 2025

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

- 1.) Reduce the front setback from 27 feet to 15.24 feet to allow the construction of an attached deck to an existing single-family dwelling.

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**GENERAL INFORMATION**

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OWNER: Steve Mandell, record owner

# OF PARCELS: One

SIZE: 0.15 acres, per Lake County's Geographical Information Systems

LOCATION: 27980 N Bluff Street, Wauconda, IL, 60084

PIN: 09-25-104-038

EXISTING ZONING: Residential-1 (R-1)

EXISTING LAND USE: Single-family home

PROPOSED LAND USE: The applicant is proposing to construct an attached deck to the existing single-family dwelling.

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### **SURROUNDING ZONING / LAND USE**

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NORTH:	Residential-1 (R-1) / Township Road (Cook St)
SOUTH:	Residential-1 (R-1) / Single-Family Residential
EAST:	Residential-1 (R-1) / Township Road (N. Bluff St) and Single-Family Residential
WEST:	Residential-1 (R-1) / Single-Family Residential

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### **COMPREHENSIVE PLAN**

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LAKE COUNTY:	Residential Single-family Medium Lot (1 to 3-acre lot density)
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### **DETAILS OF REQUEST**

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ACCESS:	Access is provided via Cook St.
CONFORMING LOT:	The subject property is a nonconforming lot due to insufficient lot area and lot width in the Residential-1 (R-1) zoning district.
FLOODPLAIN / WETLAND:	The property contains no floodplain or wetlands.
SEWER AND WATER:	The subject property is serviced by public sewer and water.

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### **ADDITIONAL COMMENTS**

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- The minimum front setback for a deck attached to a principal structure on a nonconforming lot is a function of the lot depth. Section 151.233(C)(1)(a) of the Lake County Code 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 is less than the underlying zoning district setback, so the setback is 27 feet.
- For decks attached to the principal structure on nonconforming lots, Lake County Code Section 151.233 (C) (1) (c) requires a minimum side street setback of four feet, plus one-half foot of additional setback for each foot of lot width above 28 feet with a maximum 30-foot setback. In this case, since the lot width is 50 feet, a 15-foot setback is required.

- As per Section 151.172 of the Lake County Code, on corner lots, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to impede or obstruct vision between a height of three feet and ten feet above the road crown within an imaginary area formed by a point on each street centerline, this area is called the vision triangle. The subject attached deck is within the vision triangle but will meet height requirements at 3 feet tall.

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#### STAFF COMMENTS

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Miriam Vega – Lake County Health Department

- The Health Department has no objection to the variance request, this property appears to be connected to public water and sewer.

Andrew Heuser – Engineering Division

- The Engineering Division has no objection to the requested variance, a site permit may be required.

Ieva Donev – Building Division

- The Building Division has no objection to the requested variance.

Tony Dupree – Lake County Public Works

- Parcel is outside of the Lake County Public Works' service areas. Please see local service providers for their applicable permitting processes and fees.

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#### RECOMMENDATION

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In Staff's opinion, the application meets the approval criteria for variations specified in Lake County Code Section 151.056(C)(4) and recommend 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 in the R-1 zoning district. The lot is 6,750 square feet, significantly less than the minimum lot area requirement of 40,000 square feet in the R-1 zoning district. The lot is also 50 feet wide, which is significantly less than the minimum lot width requirement of 130 feet in the R-1 zoning district. The lot is located on a corner between Cook Street and N Bluff Street, which requires two street setbacks.

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

Comment: Due to the narrow shape and limited area on the lot, there are no other logical locations for a reasonably sized attached deck. Placing the deck on the

northern portion of the lot would require a similar variation request, there is insufficient space on the southern portion of the house for an attached deck, and the western side of the property would require traversing through the attached garage to get to the deck. The proposed location is the most reasonable location for an attached deck.

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

Comment:

The proposed deck would be in harmony with the general purpose and intent of the zoning regulations, due to the smaller lot sizes within the neighborhood, many of the neighboring properties appear to have portions of their homes or garages that encroach into the required setbacks. Allowing the deck within the required setbacks should not have any adverse impacts on neighboring properties.

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**RECOMMENDED CONDITION**

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In the event the Board decides to approve the proposed variance, staff recommend the following condition:

1. The location of the proposed attached deck shall be consistent with the site plan and elevations accompanying ZBA application #001069-2025.