



**Lake County Central Permit Facility**  
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May 31, 2016

**TO:** George Bell, Chairman  
Lake County Zoning Board of Appeals

**FROM:** Eric Tooke, Senior Planner  
Lake County Department of Planning, Building, and Development

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**CASE NO:** 7847

**REQUESTED VARIANCE:** To reduce the required setback from Riverview Place from 30 feet to 6.5 feet for the building foundation/landscape wall. The building will be 30 feet and the overhang will be 29 feet away from Riverview Place.

To reduce the required setback from Forest Avenue from 30 feet to 0 feet for a building foundation/ landscape wall.

To reduce the required setback from Forest Avenue from 30 feet to 9 feet for the proposed building and overhang.

**HEARING DATE:** June 9, 2016

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**GENERAL INFORMATION**

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**OWNER:** Diane Georgeson, record owner, and Joyce and Patrick McKinney, Tecstar Industries, Inc. dba McKinney's East Marina

**# OF PARCELS:** Five

**SIZE:** 1.41 acres, per Lake County Geographic Information System (GIS)

**LOCATION:** Mailing Address is 26050 West Riverview Place, Antioch

- 01-14-210-011, 26058 W. Riverview Place, Antioch, IL
- 01-14-210-012, 26056 W. Riverview Place, Antioch, IL

- 01-14-210-013, 26054 W. Riverview Place, Antioch, IL
- 01-14-210-014, 26052 W. Riverview Place, Antioch, IL
- 01-14-210-015, 26050 W. Riverview Place, Antioch, IL

EXISTING ZONING: Recreation Commercial (RC)

EXISTING LAND USE: Marina and RV Park

**SURROUNDING ZONING / LAND USE**

NORTH: Recreation Commercial/Vacant

SOUTH: Recreation Commercial/Single-Family Dwelling

EAST: Open Space/ Lake Marie

WEST: Recreation Commercial/Vacant

**COMPREHENSIVE PLANS**

LAKE COUNTY: Retail/Commercial

**DETAILS OF REQUEST**

ACCESS: Direct access is provided via Riverview Ave.

CONFORMING LOT: The five combined lots are a conforming zoning lot in the RC zone.

FLOODPLAIN / WETLAND: There are mapped floodplains and wetlands located on this parcel.

SEPTIC AND WELL: Septic and well are regulated by Lake County Health Department.

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## ADDITIONAL COMMENTS

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- The purpose for the variation requests is to build a new accessory structure to replace two accessory structures, one of which suffered a roof collapse and was recently demolished replace an accessory structure that had its roof collapse due to heavy snow 2 years ago and to replace a second accessory structure on the subject property. The structure is 16 square feet larger than the combined square footage of the buildings it is replacing.
- The existing building is used to repair boats, as an accessory use to the marina. The proposed building will be used for boat repair and maintenance.
- The property is encumbered with floodplain, and the proposed building will be required to comply with all floodplain development standards, including compensatory storage. To minimize the compensatory storage area, the foundation wall will be exposed within the setback, which requires a setback variance.
- Any decision to approve a variance must be made with consideration of demonstrating that all conditions are being met. The Zoning Board of Appeals has the authority to interpret the required conditions for approval and create appropriate responses as needed.

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## STAFF COMMENTS

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**1. Robert Springer – Building Division**

The building division has no objection to the granting of this variance.

**2. Eric Steffen – Engineering Division**

This division has no objection to the requested variances. A Site Development Permit will be required for the proposed project.

**3. Joe Meyer – Lake County Division of Transportation**

Forest Avenue is a Township Road under the jurisdiction of the Antioch Township Highway Commissioner; therefore, LCDOT has no comments on the requested setback variations.

**4. Mark Ring – Township Highway Commissioner**

Antioch Township Highway Department has no issue with the replacement of the building at 26050 Riverview Place off of Forest Avenue.

**5. Arnie Rapa – Health Department**

The proposed variation requests to reconstruct an accessory structure will not impact the existing well and septic system per the owner's site plan.

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**RECOMMENDATION ON VARIANCE**

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Staff recommends approval as the request would be in harmony with the intent of the regulations.

**Zoning Variance Approval Criteria – UDO Section 151.056(C)(4)**

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

Comment – The subject property is located within regulatory floodplain. The applicants are proposing their building on the highest elevation possible on the property while meeting the setback requirements from the septic and well. Forest Avenue is unimproved and is not intended to be improved in the future per the Township Highway Commissioner.

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

Comment – The building itself will be located further from W. Forest Ave. than the existing structure proposed to be removed and the previous structure which has been removed. The building foundation, which is impacting the setback from both Forest Avenue and Riverview Avenue, is designed to bring the building 2 feet above the floodplain per UDO standards by using a gentle slope, while the building foundation/landscape wall is proposed to keep the building in place. This location has the highest elevation on the property and is best suited for the proposed structure.

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

Comment – The proposed building and foundation wall will meet the intent of the Unified Development Ordinance to ensure protection from fire, flood, and other dangers, and in limiting any impact of development on the adjacent or abutting property owners. Compensatory storage is proposed to limit floodplain impact.

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**RECOMMENDED CONDITION**

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1. In the event the Board is inclined to grant the proposed variance requests, the Board could condition their action on compliance with the site plan accompanying this application.