



April 10<sup>th</sup>, 2025

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

FROM: Melanie Comer, Planner  
Lake County Department of Planning, Building, and Development

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CASE NO: #001064-2025

HEARING DATE: April 24, 2025

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

- 1.) Reduce the north rear yard setback from 9.2 feet to 1.5 feet to allow for an addition to a single-family home.
- 2.) Reduce the side street setback from 30 feet to 21 feet, as measured to the eave, to allow for an addition to a single-family home.
- 3.) Reduce the west side yard setback from 9.2 feet to 5.9 feet, as measured to the eave, to accommodate an existing single-family home.

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**GENERAL INFORMATION**

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OWNER: James & Margaret Reth

# OF PARCELS: One

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

LOCATION: 23028 W. Villa Rica Rd, Antioch, IL 60002

PIN: 02-20-403-016

EXISTING ZONING: Residential-1 (R-1)

EXISTING LAND USE: Single-Family Dwelling

PROPOSED LAND USE: Construct an addition to an existing single-family home for a garage and bedroom.

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**SURROUNDING ZONING / LAND USE**

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NORTH: Residential-1 (R-1) / Single-Family Residential

EAST: Residential-1 (R-1) / Single-Family Residential

SOUTH: Agricultural (AG) / Lake County Forest Preserve

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 N Oak Drive (private drive).

CONFORMING LOT: The subject property is considered a non-conforming lot in the Residential-1 (R-1) zoning district given that it does not meet the minimum lot area or lot width requirement of the R-1 district.

FLOODPLAIN / WETLAND: The property does not contain mapped floodplain or wetland.

SEPTIC AND WATER: The subject property is serviced by private septic system and well.

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**ADDITIONAL COMMENTS**

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- The minimum interior side and rear yard setbacks for a principal structure on a nonconforming lot is set forth in Section 151.233 (C)(1)(b) of the Lake County Code. The minimum interior side and rear 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 92 feet (not including the 8-foot easement for access), which dictates a 9.2-foot setback to the north (rear) and to the west (side).

- The minimum side street setback for a principal structure on a non-conforming lot is set forth in Section 151.233(C)(1)(c) of the Lake County Code. The minimum side street setback shall be four feet, plus one-half foot of additional setback for each foot lot width above 28 feet. The minimum setback from N Oak Drive in this case is 30 feet.

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## STAFF COMMENTS

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Jeff Schrei – Lake County Health Department

- The Lake County Health Department has no objections to the requested setback variations provided the applicant is apprised of and complies with the following:

Note: The following comments are based on the ordinance(s) of the Lake County Health Department Chapter 171 ONSITE WASTEWATER TREATMENT SYSTEMS and 170 CHAPTER 170: WELL AND WATER REGULATIONS Any changes to the property that may impact daily water usage or setback distances to the septic components and water well will require a property alteration permit from this Department with associated fees.

1. A search of the County records yielded no records of the septic system or water well on this property. Therefore, you must contact a Lake County Licensed Septic Installation Contractor or Lake County Licensed Septic Designer to provide an accurate location drawing of the existing septic system components and water well. (a list of names can be found online at <https://www.lakecountylil.gov/2474/Well-Septic-Evaluations>)
2. Once you have obtained a property alteration permit, this Dept. will review the septic and well records that you have hired a contractor to provide. We will then determine if the new proposal meets all setbacks listed below
3. The new proposed structure(s) must adhere to all the required setback distances as indicated by Chapter 171 Appendix D and Illinois Administrative Code Title 77 – public health Part 920 – water well construction code Table C. During the property alteration permit approval process, a detailed scaled drawing with the location of the well must be submitted to this Department.

Andrew Heuser – Engineering Division

- The Engineering Department has no objection to these variances. A Site permit will be required.

Ieva Donev – Building Division

- The Building Division has no objections to the variance requests. A Building permit will be required.

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## RECOMMENDATION

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In Staff's opinion, the variances requested meet the approval criteria specified in Lake County Code Section 151.056(C)(4) and recommends approval of the variances for the following reasons:

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

Comment:

Variance Requests 1, 2, & 3: A conforming lot in the R-1 zoning district has a minimum of 40,000 square feet and a minimum lot width of 130 feet. The subject property is considered non-conforming because it is well below the required lot area at approximately 10,000 square feet and 92 feet in lot width. Currently, there is no garage on the property. The location of the existing well and septic system, which occupies most of the southern portion of the property, provides constraints to the buildable location within the lot. The private drive to the east of the subject property, which has served multiple homes dating back to the 1930s according to aerial imagery, provides direct access to the home. Due to the private road on the east side of the home, any structure on the lot is subject to side street setbacks.

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

Comment:

Variance Request 1 & 2      The property contains exceptional conditions that limit the location of the proposed addition. The existing septic field is located to the south of the existing home, limiting the area available for an addition to the home. Additionally, the property is subject to two street setbacks, limiting the area available to construct an addition on the property. A 2-car garage is considered a customary use on residential properties. The owners currently have no garage on the property. The proposed location of the garage and bedroom addition utilizes the most practical area of the lot as there is an existing driveway leading to the proposed addition.

Variance Request 3:      The home has existed in its current configuration since it was constructed in 1936. There is no proposed expansion to the west or south. By remedying the nonconforming status of the home, it would be able to be rebuilt in the same footprint in the event of destruction of the home by any means.

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

Comment:

Variance Requests 1 & 2: The variation requests are in harmony with the general purpose and intent of the zoning regulations for the proposed single-family dwelling. The addition to the single-family dwelling as proposed will not significantly impact the adjacent properties and is in keeping with the neighborhood character of the surrounding single-family dwellings with attached garages.

Variation Request 3: The home has existed in its current configuration since 1936. Additionally, the surrounding homes are similar in character and configuration to the subject home.

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**RECOMMENDED CONDITION**

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In the event the Board decides to approve the proposed variances, staff recommends the following conditions:

1. The location of the proposed addition to the existing single-family home shall be consistent with the site plan accompanying ZBA application #001064-2025.