



April 22, 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: #000957-2024

HEARING DATE: April 25, 2024

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

- 1.) Reduce the front setback from 22 feet to 8.75 feet, as measured from the eave, to allow for the construction of a second-floor addition to a single-family house.
- 2.) Reduce the front setback from 22 feet to 11.87 feet, as measured from the eave, to allow for the construction of a garage addition to a single-family house.

GENERAL INFORMATION

OWNER: Trust #3222023

OF PARCELS: Two

SIZE: 0.33 acres, per Lake County's Geographical Information Systems

LOCATION: 26355 W FOREST CT ANTIOCH, IL

PINs: 0114208004 & 0114208005

EXISTING ZONING: Residential-1 (R-1)

EXISTING LAND USE: Single family home.

PROPOSED LAND USE: Single-family home with 2nd floor and garage additions.

SURROUNDING ZONING / LAND USE

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

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

SOUTH: Open Space (OS) / Channel

WEST: Residential-1 (R-1) / Vacant

DETAILS OF REQUEST

ACCESS: Direct access is provided via W. Forest Ct.

NONCONFORMING LOT: The subject property is a nonconforming lot due to lot area and width.

FLOODPLAIN / WETLAND: The southern half of the property is within mapped floodplain.

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

ADDITIONAL COMMENTS

- The minimum front setback for a principal structure on a nonconforming lot is a function of the lot width. Section 151.233(C)(1)(a) of the Lake County Code (LCC) 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 22 feet.
- Per Section 151.233(H)(2)(b) of the LCC, a legal nonconforming single-family dwelling may be allowed a second story, provided the following standard is met: the existing structure is located at least ten feet from the street lot line and at least four feet from the side and rear lot lines. In this case, the second story addition is proposed at 8.75 feet from the street lot line (closer than the minimum ten feet); hence, a variance is required.
- In conjunction with the renovation of the house, the applicant will raise the habitable space above the flood protection elevation.

STAFF COMMENTS

Miriam Vega – Health Department

- The Health Department has no objection if the minimum setback distances are met which will need to be verified at time of permitting.:

Joel Krause – Engineering Division

- The Engineering Division has no objection to these requested variances.

Hayden Green – Building Division

- The Building Division has no objection to the variance requests.
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RECOMMENDATION

In Staff's opinion, the application meets the approval criteria for variations 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:

The subject property is a nonconforming lot since it meets neither the minimum lot area nor minimum lot width for the zoning district. The south half of the property is within the regulatory floodplain. There is a significant grade change on the property that begins directly to the rear of the house.

The house was constructed in 1960 before the current dimensional standards were adopted. The floorplan of the house is unconventional with access to the only full bath through the kitchen.

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

Comment:

The location of the house on the lot prevents the applicant from constructing 2nd. floor and garage additions that would meet the required front setback while preserving the character of the front façade, reducing the intrusion of garage addition into the floodplain and the grade change that begins to the rear of the house.

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

Comment:

The garage addition will allow the applicant to store the recreational vehicle in a secure space. The 2nd floor addition will allow the applicants to expand the living space and create a more functional layout to meet current standards for a floorplan for a single-family house. Granting the variance will have no appreciable impact to adjacent properties or the surrounding neighborhood.

RECOMMENDED CONDITION

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

1. The location of the additions shall be consistent with the site plan accompanying ZBA application #000957-2024.