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Chair

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May 15, 2024

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: #000966-2024

HEARING DATE: May 23, 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 30 feet to 2.33 feet to accommodate a new detached garage as measured to the roof overhang.
2. Reduce the side yard setback from 6 feet to 3 feet to accommodate a new detached garage as measured to the roof overhang.

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**GENERAL INFORMATION**

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OWNER: Wladyslawa Sitko

# OF PARCELS: One

SIZE: 0.45 acres, per Lake County's Geographical Information Systems

LOCATION: 20888 N Dogwood St, Deerfield, IL  
PIN 15-34-201-020

EXISTING ZONING: Residential-2 (R-2)

EXISTING LAND USE: Single family home

PROPOSED LAND USE: The applicant is proposing to construct a detached garage.

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**SURROUNDING ZONING / LAND USE**

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NORTH: Residential-2 (R-2) / Single-Family Residential

EAST: Residential-2 (R-2) / Township Road (N Dogwood Street) & Single-Family Residential

SOUTH: Residential-2 (R-2) / Single-Family Residential

WEST: Residential-2 (R-2) / Single-Family Residential and the Aptakisic Creek

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**COMPREHENSIVE PLAN**

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

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**DETAILS OF REQUEST**

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ACCESS: Direct access is provided via N Dogwood St.

CONFORMING LOT: The subject property is a conforming lot in the Residential-2 (R-2) zoning district.

FLOODPLAIN / WETLAND: The property contains mapped wetlands along the rear of the parcel, floodway across approximately two-thirds of the parcel on the west side, and it is entirely within floodplain.

SEPTIC AND WATER: The subject property is serviced by Lake County Public Works sewer and water.

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**ADDITIONAL COMMENTS**

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- The front setback for an accessory structure on a conforming lot is outlined in the Lake County Code 151.113 (C) (2) (a) and Table 151.125(1), which specifies the minimum front (street) setback shall be 30 feet in the R-2 zoning district.

- The side yard setback for an accessory structure on a conforming lot is outlined in the Lake County Code Chapter 151.113(C)(2)(a), which specifies the minimum side yard setback shall be 6 feet.
- Floodway regulations outlined in Lake County Code Chapter 151.150 (B) dictates what development is allowed within floodway boundaries. Only the construction, modification, repair, or replacement of a very few appropriate uses are allowed in the regulatory floodway, which does not allow for new residential accessory structures.

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### STAFF COMMENTS

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Tony Dupree – Lake County Department of Public Works

- Lake County Public Works Department (LCPW) provides water and sewer to this parcel.
- Proposed work will not affect any LCPW assets.
- The proposed driveway would cover the private sewer and water services. Though permitted, this is not advised. Neither the water buffalo box nor any sewer clean out should be covered by the proposed driveway.
- If a driveway is constructed, a cleanout is suggested on both sides.
- A Public Works permit will not be required as long as the existing sewer or water service line is not altered beyond five feet of the foundation.

Joel Krause – Engineering Division

- The Engineering Division has no objection to this requested variance.
- Please be advised that while the proposed detached garage is shown to be located outside the limits of the regulatory floodway, it is still shown as being located within the limits of the regulatory floodplain.
- A site development permit will be required for this work to ensure that all applicable floodplain regulations are being met.

Ieva Donev – Building Division

- The Building Division has no objection to the requested variances.
- A building permit will be required.
- Exterior walls less than 5 feet from property lines shall be designed per Table R302.1(1), 2018 IRC.

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## RECOMMENDATION

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In Staff's opinion, the application meets 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 Request 1 and 2: The subject property has wetlands along the western quarter of the property and floodway on the entire western portion of the property along Aptakistic Creek. The property is also entirely within the floodplain.

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

Comment:

Variance Request 1 and 2: Garages are customarily an accessory to single-family homes. The Unified Development Ordinance recognizes a 24' x 24' structure as a standard for a two-car garage. The subject parcel does not have an existing garage and the applicant is proposing a 24' x 22' square feet garage. Due to floodway regulations, the only suitable location to build a 24' x 22' garage is by encroaching into the front yard and side yard setbacks.

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

Comment:

Variance Requests 1 and 2: The variation requests are in harmony with the general purpose and intent of the zoning regulations as the requested location for the proposed garage is the only location available outside of the floodway. The majority of neighbors along the Aptakistic Creek have existing garages within the floodway, granting this variance would allow the applicant to construct a garage without building within the floodway.

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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 garage addition shall be consistent with the site plan accompanying ZBA application #000966-2024.