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March 20, 2026

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

FROM: Natalia Fic, Planner
Lake County Department of Planning, Building, and Development

CASE NO: #001157-2026

HEARING DATE: March 26, 2026

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

- 1.) Reduce the side-yard setback from 4 feet to 2.5 feet as measured to the closest point, to allow an existing shed.
- 2.) Reduce the separation distance between structures from 4 feet to 3 feet, as measured to the eaves.

GENERAL INFORMATION

OWNER: Andrew Zancenکو

OF PARCELS: One

SIZE: 0.48 acres, per Lake County's Geographical Information Systems

LOCATION: 37029 N. Stanton Point Rd, Ingleside, IL

PIN: 0502404001

EXISTING ZONING: Residential-2 (R-2)

EXISTING LAND USE: Single family residence with detached garage.

PROPOSED LAND USE: Single-family residence with detached garage and shed.

SURROUNDING ZONING / LAND USE

EAST: Open Space (OS) / Fox Lake
NORTH: Residential-2 (R-2) / Single-Family Residential
SOUTH: Residential-2 (R-2) / Single-Family Residential
WEST: Township Road (N Stanton Point Rd) and Residential-2 (R-2) / Single-Family Residential

COMPREHENSIVE PLAN

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

DETAILS OF REQUEST

ACCESS: Direct access is provided via N. Stanton Point Rd.
NONCONFORMING LOT: The subject property is a nonconforming lot as it does not meet the minimum lot width requirement of the R-2 zoning district.
FLOODPLAIN / WETLAND: The entirety of the property is in mapped floodplain. There are no mapped wetlands on the property.
SEPTIC AND WATER: The subject property is serviced by Lake County public sewer and a private water well.

ADDITIONAL COMMENTS

- The existing shed was constructed without the required permits. As part of Administrative Adjudication case AA-017577-2025, the applicant is seeking to come into compliance by requesting variances to allow the shed to remain in its current location.

- The LCC Section 151.233(C)(1)(b) specifies the minimum interior side setback for accessory structures on nonconforming lots shall be four feet. The subject shed is located approximately 2.5 feet from the north property line.
- LCC Section 151.113(B)(4) specifies that no accessory structure may be located within four feet of any other structure. As proposed, the separation between the shed overhang and garage overhang is approximately three feet between the eaves.
- According to Assessment records, the house was constructed in 1951.

STAFF COMMENTS

Andrew Heuser – Engineering Division

- The Engineering Division has no objection to these variances.
- The project and structure are located within the regulatory floodplain and a site permit showing full compliance with the floodplain regulations will be required.

Ieva Donev – Building Division

- As currently constructed, the subject structure does not comply with building code requirements.
- The Building Division has no objection to the requested variance, provided the structure is modified to comply with Table R302.1(1) of the 2024 IRC (International Residential Code).
- As the walls are located less than 3 feet from the property line, they must be constructed with a minimum 1-hour fire resistance rating and shall not contain any openings (windows or doors).

Tony Dupree – Lake County Public Works

- Proposed variance will not affect any Lake County Public Works' assets.

Miriam Vega – Health Department

- The Health Department has no objection to the variances.

RECOMMENDATION

In Staff's opinion, the variances as requested do not fully meet all of the approval criteria for variations specified in LCC Section 151.056 (C)(4). As such, Staff recommends denial of the variations for the following reasons:

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

Comment: **Variance Requests 1 & 2:**

The subject property is a nonconforming lot in the R-2 zoning district due to the total lot width of less than 90 feet. The existing garage is located approximately 3.96 feet from the side property line and considered legally nonconforming with respect to the required setback. The single-family dwelling is also located relatively close to the northern property line, which limits flexibility in locating accessory structures in a manner that avoids encroachment into required setbacks while maintaining functional use of the yard. The property contains additional constraints, including the location of the sewer service lines near the center of the lot and the location of the dwelling occupying a significant portion of the buildable area. Staff acknowledges that these conditions reduce flexibility in siting accessory structures on the lot. However, staff finds that reasonable alternative locations for the shed may exist. Specifically, the southern portion of the lot adjacent to the garage, as well as portions of the rear yard, appear to be capable of accommodating the shed in compliance with the required four-foot setback and minimum separation standards.

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

Comment: **Variance Request 1 & 2:**

The applicant would like to retain use of the existing shed. However, a hardship may not be claimed when it arises from a self-created condition. While staff recognize the property is narrow and nonconforming due to its width, and contains certain site constraints, these conditions do not demonstrate a unique hardship that necessitates placement of the shed within the required setback or reduced separation distance to the garage. The property can continue to be reasonably used as a single-family residence without the shed encroaching into the required standards. The applicant has indicated a desire to maintain open space and preserve lake views at the rear of the property. While this is a reasonable consideration, it reflects a preference in site design rather than a hardship inherent to the property. Although the requested variances represent a relatively minor deviation and are unlikely to create significant impacts on adjacent properties, the need for the variance appears to be based on preferred placement rather than a demonstrated hardship unique to the property.

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

Comment: **Variance Request 1 & 2:**

Sheds are a customary accessory use to a single-family residence and are generally consistent with the character of the R-2 zoning district. It is reasonable for a property

owner to desire an additional structure for storage or personal use. The subject shed is relatively small in scale and does not appear to alter the overall character of the neighborhood. It is not readily visible from the roadway; however, it is located closer than permitted to the northern property line and adjacent structure. The potential impact would be limited primarily to the immediately adjoining property to the north. The proposed variance is generally consistent with the zoning regulations in allowing functional residential use of the property.

RECOMMENDED CONDITIONS

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

1. The structure must comply with building code requirements, subject to review and approval of building permit BLD-097253-2025 by the Building Division.
2. The applicant shall obtain approval of site development permit SITE-097413-2025.
3. The location of the shed shall be consistent with the site plan accompanying ZBA application #001157-2026.