



Zoning Board of Appeals

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Chair

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December 3, 2021

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

FROM: Brad Denz, Senior Planner
Lake County Department of Planning, Building and Development

CASE NO: #000723-2021

REQUESTED ACTION: Reduce the front street yard setback from 30 feet to 20 feet to construct a single-family dwelling with an attached garage.

HEARING DATE: December 9, 2021

GENERAL INFORMATION

APPLICANTS: Rachel and Brenton Evans, record owners

OF PARCELS: One

SIZE: 0.18 acres, per Lake County Maps Online

LOCATION: 35370 N. Everett Avenue, Ingleside, Illinois
P.I.N. 05-13-306-012

EXISTING ZONING: Residential-3 (R-3)

EXISTING
LAND USE: Single-family dwelling with detached garage

PROPOSED: New single-family dwelling with an attached garage

SURROUNDING ZONING / LAND USE

NORTH, SOUTH,
and EAST: Residential-3 (R-3) / Single-family dwellings

WEST: Open Space (OS) / Long Lake

COMPREHENSIVE PLANS

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

DETAILS OF REQUEST

ACCESS: The property takes access from N. Everett Avenue.

NONCONFORMING LOT: The subject property is a nonconforming lot in the Residential-3 (R-3) zoning district due to lot size and lot width.

FLOODPLAIN / WETLAND: The subject property is not located in a floodplain or wetland.

SEWER AND WATER: The property is currently served by public sewer and private water well.

STAFF COMMENTS

Lake County Public Works – Comments by Brittany Sloan

The Lake County Public Works Department provides sewer service to the subject property and has no objection to the requested variance.

Lake County Health Department – Comments by Tom Copenhaver

Water Well Comments

A property alteration application and proposed site plan showing the new house and the well must be submitted for review and approval. The well must be protected from damage before the demolition of the residence. The well must be at least 10 feet from any foundation drain of the house and at least 10 feet from the sewer line.

Lake County Environmental Engineering Division - Comments by Joel Krause

The Engineering Division has no objection to the requested variance. A Site Development permit will be required for the new single-family dwelling with attached garage.

Lake County Building Division – Comments by Bob Springer

The Building Division has no objection to the granting of this request.

RECOMMENDATION

Staff recommends approval. In our opinion, the request meets the required standards of Section 151.056 (C)(4) for variances in the following manner:

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

Comment: It is the desire of the applicant to demolish the existing single-family dwelling along with the detached garage and rebuild a new single-family dwelling with an attached garage. In staff's opinion, the following features and characteristics constitute, in the aggregate, exceptional conditions:

- The terrain of the property slopes towards the lake on the west side of the property, making it challenging to utilize this portion of the lot for construction.
- Several large trees are located on the west side of the existing house. Situating the new building footprint to meet the 30-foot front setback would likely necessitate the removal of some or all of these trees.

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

Comment: Given the site limitations, the location of the proposed improvement is appropriate. The new structure and driveway would be constructed within the flattest surface of the property and would allow for the preservation of the existing trees and views of the lake. Attaching the garage to the new house will allow it to be placed further back from the street than the existing detached garage, which is nonconforming as located. Denial of the variation would prevent the applicant from improving their property consistent with the improvements of adjacent property owners.

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

Comment: The variation request is in harmony with the general purpose and intent of the zoning regulations. The proposed placement of the single-family dwelling with attached garage would be an improvement from the location of the existing detached garage and would not have a negative visual effect upon the adjacent property owners.

RECOMMENDED CONDITION

In the event the Board grants the variation of the proposed decrease of the front street yard setback, staff recommends that it be consistent with the site plan of ZBA application #000723-2021.