



Zoning Board of Appeals

Gregory Koeppen
Chair

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August 5, 2022

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: #000802-2022

REQUESTED ACTION: 1. Reduce the side street yard setback from 30 feet to 3.5 feet to construct a shed.

HEARING DATE: August 11, 2022

GENERAL INFORMATION

APPLICANTS: Robert J. Grasty and Terri L. Grasty, record owners

OF PARCELS: One

SIZE: 0.75 acres, per Lake County Maps Online (including the 0.08 acre noncontiguous parcel west of Lake Shore Drive abutting Druce Lake)

LOCATION: 34871 N. Lake Shore Drive, Lake Villa, Illinois

P.I.N. 07-19-102-008

EXISTING ZONING: Residential-4 (R-4)

EXISTING LAND USE: Single-family dwelling and detached garage

PROPOSED: Same as existing with detached shed

SURROUNDING ZONING / LAND USE

NORTH, SOUTH
and EAST: Residential-4 (R-4) / Single-family dwellings

WEST: Residential-4 (R-4) / Vacant parcel

WEST: Village of Third Lake / Druce 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. Lincoln Avenue.

CONFORMING LOT: The subject property is a conforming lot in the Residential-4 (R-4) zoning district.

FLOODPLAIN / WETLAND: The property contains no mapped floodplains or wetlands.

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

- Lake County Public Works has no objection to the requested variance.

Lake County Health Department – Comments by Mark Mussachio

- The Health Department has no objections to the requested variance.

Lake County Environmental Engineering Division - Comments by Joel Krause

The Engineering Division has no objection to the requested variance.

Lake County Building Division – Comments by Bob Springer

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

RECOMMENDATION

Staff has no objection to this variation request. In our opinion, the request meets the required standards of Lake County, Illinois Code of Ordinances Section 151.056 (C)(4) for variances in the following manner:

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

Comment: Although the property is a conforming lot in the Residential-4 (R-4) zoning district, in staff's opinion, the following features and characteristics constitute, in the aggregate, exceptional conditions:

- The property abuts three streets which requires a 30-foot setback to each property line.
- The portion of the yard subject to a lesser side yard setback has other constraining features, including a walkway, the detached garage, and the water well, which is west of the garage on the north side of the house.
- The Applicant wishes to maintain an open view of the lake. The proposed location of the shed adjacent to the eastern property line would be placed behind a stand of mid-sized trees. This location would provide the least amount of impact upon the lake viewshed for the subject and adjacent properties.
- The property contains several large mature trees on the north and southwest side of the house.

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

Comment: The property contains a 453 square foot detached garage in the northeast corner of the property. However, as the applicant owns the 0.08-acre non-contiguous parcel abutting Druce Lake, it is not uncommon for the owners of lakefront parcels to need additional storage area to store amenities used for the water (boats, piers, etc.). The proposed location and modest size of the 192 sq. ft. shed, preserves the openness of the property, and maintains the views of the lake for the subject and adjacent properties. Given the on-site limitations, the size and location of the proposed improvement in the proposed location is appropriate to accommodate recreational storage.

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 request will alleviate the need for exterior storage of equipment and items uses customarily associated with lakefront property. Although the applicant could place the shed towards the west side of the house to

comply with all setbacks, this would result in a more negative visual impact upon adjacent property owners by blocking views of the lake. Therefore, the placement of the detached shed in the proposed location would have the least overall negative visual effect upon the adjacent property owners.

RECOMMENDED CONDITION

In the event the Board is inclined to grant the variance request, staff recommends that it be consistent with the site plan of ZBA application #000802-2022.