



**Lake County Central Permit Facility**  
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April 18, 2014

TO: George Bell, Chairman  
Lake County Zoning Board of Appeals

FROM: Eric J. Tooke, Senior Planner  
Lake County Department of Planning, Building, and Development

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CASE NO: 6287 & 6288

HEARING DATE: April 22, 2014

REQUESTED ACTIONS:

1. Conditional Use Permit to allow a self-storage facility in the General Commercial (GC) zoning district.
2. Variance to reduce the front setback from 30 feet to 15.5 feet.
3. Variance to increase the floor area factor from 0.30 to 0.36

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**GENERAL INFORMATION**

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OWNER: Justus Properties & Company

# OF PARCELS: Three

SIZE: 0.50 acres

LOCATION: 25385 w. Route 173, Antioch, Illinois

EXISTING ZONING: General Commercial (GC)

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Self-storage facility

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### **SURROUNDING ZONING / LAND USE**

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EAST:	General Commercial/ Retail Livestock Feed & Grain sales
NORTH:	Residential-1 (R-1) / Single-Family Residential
SOUTH:	Residential-1 (R-1) / Single-Family Residential
WEST:	General Commercial / Landscape Contractor

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### **COMPREHENSIVE PLANS**

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LAKE COUNTY:	Retail/Commercial
VILLAGE OF ANTIOCH:	Commercial

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### **DETAILS OF REQUEST**

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ACCESS:	Direct access is provided from 5 <sup>th</sup> Ave.
CONFORMING LOT:	The subject property is a conforming zoning lot in the General Commercial (GC) zoning district.
FLOODPLAIN / WETLAND:	The property does not contain mapped floodplains and wetlands.
SEWER AND WATER:	The property is on well and septic.

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## STAFF COMMENTS

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Staff of the Lake County Division of Transportation, the Health Department, and the Building and Engineering Division, have provided the following comments:

Joe Meyer – Lake County Division of Transportation

- IL Route 173 is a State Highway under the jurisdiction of IDOT and 5th Avenue is a Antioch Township Road under the jurisdiction of the Highway Commissioner; therefore, LCDOT has no comments on the requested CUP and variations for floor area and the street setback.

Jeff Bixler – Environmental Health

- The Department has no objections to these requests.

Eric Steffen – Engineering

- This division has no objection to the proposed Conditional Use Permit (CUP) to allow a self-service storage facility. The proposed project will require a site plan review under the Site Development Permit application.
- This division has no objection to the proposed variances for the proposed self-service storage facility. The proposed project will require a site plan review under the Site Development Permit application.

Robert Springer – Building

- The Building Division has no objection to the granting of this variance and CUP. Use of the building will be subject to review of construction drawings.
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## RECOMMENDATION ON CONDITIONAL USE PERMIT

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### **Conditional Use Approval Criteria – Section 3.6.7**

1. The use in its proposed location will be consistent with the stated purpose and intent of Section 1.5:

**Comment** – The proposed use in its proposed location is consistent with the purpose and intent of the Ordinance to protect the health, safety, and general welfare of existing and future residents. The Future Land Use Map shows the area as retail commercial. The approval of the Conditional Use Permit will facilitate bringing the site into compliance. Additionally, the intensity of the proposed use will be controlled by the conditions placed by this CUP. These conditions include those standards set during the Site Capacity and Site Plan Review process.

2. The proposed use in its proposed location complies with all applicable standards of this Ordinance, including any applicable Use Standards of Section 6.2.

Comment – Staff feels that the site plan submitted with this Conditional Use Permit application substantially complies with all applicable Ordinance requirements; however, it will be necessary for the site plan to demonstrate that the development will comply with all Ordinance requirements before permits will be issued. Appropriate variances shall be obtained for requirements that cannot be met.

3. The proposed use in its proposed location will not have a substantial adverse impact on any of the following, either as they exist at the time of the application or as they may be developed in the future due to implementation of the Regional Framework Plan:

- a. Adjacent property

Comment – The development of these properties will eliminate the existing foundation and fence from the previous restaurant use. The self-storage use will be less intense than the previous restaurant use as there will be a reduction of traffic onto the property. In addition, no office is being proposed, therefore the undersized septic used for the restaurant on the residential property to the south will not be used.

The proposed landscaping on the site plan illustrates the landscaping proposed along IL Rt. 173 and 5<sup>th</sup> Avenue which will meet the requirements of the Unified Development Ordinance (UDO). In addition, there will be a transition yard agreement recorded for the landscaping along the south property line between the General Commercial property and the R-1 property owned by Justus Properties and Company. The proposed landscaping along the south property in conjunction with the recorded landscape easement agreement will nearly meet the normal required plant units required by the UDO; however, it does not include a fence. No landscaping is required along the west lot line as the zoning of that parcel is also GC.

- b. Character of the neighborhood

Comment – The proposed self-storage facility is consistent with character of the neighborhood as commercial properties align along the south side of IL Rt. 173. Abutting this corridor of commercial to the south is residential zoning. Some of the existing businesses operating along this corridor required Conditional Use Permits in order to operate including the landscape contractor to the east.

Approval of this Conditional Use Permit will facilitate compliance; eliminate violations and reducing adverse impacts on the character of the neighborhood with the proposed landscaping on the subject property.

c. Natural Resources

Comment – It appears there will be no adverse impacts to natural resources as there are none on the subject property.

d. Infrastructure

Comment – It appears there will be no adverse impact on public infrastructure as there is already access onto 5<sup>th</sup> Avenue. In addition the proposed use will not require a septic or well

e. Public sites

Comment – It appears there will be no adverse impacts on public sites. There are no public sites in the immediate vicinity.

f. Any other matters affecting the public health, safety, or general welfare

Comment – It appears there will be no adverse impacts on any other matters affecting the public health, safety, or general welfare.

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**RECOMMENDED CONDITIONS FOR CONDITIONAL USE PERMIT**

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1. The development must be in substantial conformance with the site plan pursuant to ZBA application #6287 and #6288 and any approved variances.
2. All landscape buffering must be installed and maintained in a manner consistent with the requirements of the Unified Development Ordinance, except where variances from these requirements have been approved, or when a landscape waiver has been recorded.
3. Any expansions will be subject to the CUP amendment process.
4. All landscape buffer plantings shall be maintained per Article 9, Section 9.3.13 of the Lake County Unified Development Ordinance.
5. A landscape assurance bond shall be posted before permits are issued.

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**RECOMMENDATION ON VARIANCES**

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Staff recommends approval for the variance request. In Staff's opinion, in conjunction with the requested CUP application for a self-storage facility, the variance requests complies with the standards in the following manner:

#### **Zoning Variance Approval Criteria – UDO Section 3.12.3.4**

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

Comment – The property line is located approximately 50 feet from the edge of the street and the proposed building will be located over 65 feet away from the edge of the road pavement along IL Rt. 173.

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

Comment – The proposed structure may not be located in any other location of the subject property without requiring at least one variation.

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

Comment – It appears that most of the commercial structures located in this commercial corridor on IL Rt. 173 meet the required setback from the right-of-way easement; they appear to be closer to the edge of the road than the proposed self-storage facility keeping in character with the commercial corridor. In addition, the proposal eliminates 2 access points onto IL Rt. 173 thereby meeting the general purpose and intent of the zoning regulations.

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#### **RECOMMENDED CONDITIONS**

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1. The property shall be developed in substantial conformance with the site plan submitted as part of zoning applications #6287 & #6288.