



**Lake County Central Permit Facility**  
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September 30, 2015

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

FROM: Hannah Mog, Planner  
Lake County Department of Planning, Building, and Development

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CASE NO: 7453

HEARING DATE: October 8, 2015

REQUESTED ACTIONS:

1. Reduce the required front street yard setback from 30 feet to 5 feet to construct a detached garage.

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**GENERAL INFORMATION**

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OWNER: David Caplan

# OF PARCELS: 1

SIZE: 0.28 acres, per Lake County's GIS Calculated Acreage

LOCATION: 28191 W. Stewart Ave, Spring Grove, Illinois. PIN 01-33-410-019

EXISTING ZONING: Residential-1 (R-1)

EXISTING LAND USE: Single Family Residence

PROPOSED LAND USE: The applicant is proposing to construct a new detached garage between the existing conforming residence and the street.

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

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EAST:	Residential-1 (R-1) / Single-Family Residential
NORTH:	Residential-1 (R-1) / Single-Family Residential
SOUTH:	Open Space (OS) / Channel to Nippersink Lake
WEST:	Residential-1 (R-1) / Single-Family Residential (Vacant)

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### **COMPREHENSIVE PLANS**

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LAKE COUNTY:	Medium Lot Residential 1-3 acre lot density
VILLAGE OF FOX LAKE:	Not designated

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### **DETAILS OF REQUEST**

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ACCESS:	Direct access is provided from W Stewart Ave
CONFORMING LOT:	The subject property is a nonconforming lot in the Residential-1 (R-1) zoning district.
FLOODPLAIN / WETLAND:	The property contains mapped floodplains and wetlands.
SEPTIC AND WATER:	The subject property is serviced by a private septic system and well.

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### **ADDITIONAL STAFF COMMENTS**

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- The Antioch Township Highway Commissioner has reviewed the proposed location for the detached garage and has stated he has no issues with the proposed placement of the structure.
  - The property owner also owns the lot to the west of the subject property, at 28201 W Stewart Ave, Spring Grove, IL. At a later date the applicant intends to remove the existing shed and build a home on this lot. Consolidations of the two lots is not required, and the subject of the hearing and case considerations is the single parcel at 28191 W Stewart Ave, Spring Grove, IL.
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### **STAFF COMMENTS**

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Joe Meyer – Lake County Division of Transportation

- Stewart Ave is an Antioch Township Road; therefore, LCDOT offers no comments on the requested setback variation.

Arnie Rapa – Environmental Health Services

- The Lake County Health Department has no objection to the requested variance.

Eric Steffen – Engineering & Environmental Services Division

- This division has no objection to the requested variance.

Robert Springer – Building Division

- The building division has no comment. All construction must be completed in accordance with all adopted building codes.
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### **RECOMMENDATION ON VARIANCES**

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Staff recommends approval for the variance requests. In Staff's opinion, the variance requests comply with the standards in the following manner:

**Zoning Variance Approval Criteria – LCC Subsection 151.056 (C)(4)**

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

Comment – This long, narrow parcel slopes from the street down towards the lake, and there is no practical opportunity to construct a detached accessory structure in a conforming location on the lot. Specifically, floodplain, wetlands, and an existing septic field prevent a detached garage from being located on the rear of the property. Also, narrow side yards limit the opportunity for a driveway to serve a detached garage on the rear of the property. The front yard setback requirement and the location of the existing home severely hamper the owner's ability to locate a garage without detrimentally impacting the layout of the property and the aesthetic appearance of the existing home.

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

Comment – The location of the existing single family residence, the location of natural resources, and the onsite septic system limit the garage location to the front yard setback area. If the strict letter of the regulation were to be followed by implementing the 30 foot setback from Stewart Avenue, the garage could not be constructed, as the house is located 32 feet from the property line. Two off street parking spaces are required per Chapter 151 of the Lake County, IL Code of Ordinances. Currently, the property owner is parking vehicles within the right-of-way. An enclosed garage located at the front of the property is a more practical solution for off street parking and more consistent with the pattern of development in the area.

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

Comment – The proposed project will be in alignment with the purpose and intent of the ordinance by protecting the healthy, safety, and general welfare of the residents of the locality. The addition of a detached garage on the subject property at the proposed location would both eliminate the owner's existing parking of vehicles in the right-of-way and make the property more consistent with the established character of the neighborhood.