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May 23, 2016

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

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

CASE NO: 7861

HEARING DATE: May 26, 2016

REQUESTED ACTIONS:

1. Reduce the required front street yard setback from 25 feet to 11.26 feet to construct an attached garage.
2. Reduce the required side yard setback from 4 feet to 0.42 feet to accommodate an existing single family home and proposed attached garage. The building wall would be no closer than 2 feet from the property line, and the eave and gutter would be no closer than 0.42 feet.

GENERAL INFORMATION

OWNER: Kyle DeBord

OF PARCELS: 1

SIZE: 0.14 acres, per Lake County's Geographical Information Systems (GIS)
Calculated Acreage

LOCATION: 33612 N Gages Lake Dr., Grayslake, Illinois. PIN 07-30-201-013

EXISTING ZONING: Residential-4 (R-4)

EXISTING LAND USE:	Single Family Residence
PROPOSED LAND USE:	The applicant is proposing to construct a new attached garage on the front end (east side) of the existing single family home. A portion of the existing home would be removed to accommodate the garage.

SURROUNDING ZONING / LAND USE

EAST:	Residential-4 (R-4) / Single-Family Residential
NORTH:	Residential-4 (R-4) / Single-Family Residential
SOUTH:	Residential-4 (R-4) / Single-Family Residential
WEST:	Open Space (OS) / Gages Lake

COMPREHENSIVE PLANS

LAKE COUNTY:	Residential: 0.25 to 1-acre lot density
VILLAGE OF GURNEE:	Not designated
VILLAGE OF GRAYSLAKE:	Not designated
VILLAGE OF THIRD LAKE:	Not designated

DETAILS OF REQUEST

ACCESS:	Direct access is provided from N Gages Lake Drive, a private street.
CONFORMING LOT:	The subject property is a nonconforming lot in the Residential-4 (R-4) zoning district.

FLOODPLAIN / WETLAND: The property contains mapped floodplain.

SEPTIC AND WATER: The subject property is served by public sewer and water.

ADDITIONAL STAFF COMMENTS

- The front yard setback for a structure on a nonconforming lot is a function of the lot depth. Lake County Code Section 151.233(C)(1)(a) specifies the minimum front yard setback shall be 20% of the lot depth or the underlying zoning district setback, whichever is less. In this instance, 20% of the lot depth results in front yard setback of 25 feet.
- The interior side setback for a structure on a nonconforming lot is a function of the lot width. Lake County Code Section 151.233(C)(1)(b) specifies the minimum interior side yard setback shall be four feet or 10% of the lot width, whichever is greater. In this case the lot is only 35 feet wide at the 25 foot front yard setback line, therefore, the interior side yard setback is 4 feet.
- There is a 10 foot wide private walk along the southeast side of the property to access the private beach on Gages Lake. The private walk was platted in 1923, and has never been improved for public access. Both the subject property and the adjacent property maintain this area, and improvements related to both properties encroach into the walkway. The proposed garage does not result in offsite improvements in this area.
- In order to accommodate the proposed attached garage, the property owner has opted to remove 252 square feet of the existing single family home. The reduced footprint of the home will allow the attached garage to be located as far back from the road as possible.

STAFF COMMENTS

Joe Meyer – Lake County Division of Transportation

- Gages Lake Drive is a privately maintained street; therefore, LCDOT has no comments on the requested setback variations.

Mark Mussachio –Environmental Health Services

- It appears the property is served by public sewer and water, therefore, no review required.

Robert Springer – Building Division

- The building division has no objection to the granting of this variance

Eric Steffen – Engineering & Environmental Services

- This division has no objection to the requested variance.

Fred Treven – Lake County Public Works

- Review of this proposal indicates there is no conflict between the proposed garage addition and the main line sanitary sewer and water main. However, there is no data on file regarding the location of each respective sanitary sewer and water service line.

RECOMMENDATION ON VARIANCES

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

Zoning Variance Approval Criteria – Lake County Code Subsection 151.056 (C)(4)

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

Comment – The subject property is located in the R-3 zoning district and is nonconforming due to the lot area and width. The parcel is located on Gages Lake in a subdivision (platted in 1922) that was designed with small, narrow lots. In comparison to other lots in the subdivision, the property is exceptionally narrow, irregularly shaped, and only 5,900 square feet in area. Additionally, the existing residential structure is also nonconforming and located only 2 feet from the northeast property line. Given these existing features, it is necessary for the proposed attached garage to be located close to the front street lot line. The requested variances would also remedy the existing home's nonconforming status with respect to the side yard setback.

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

Comment – It is the desire of the applicant to construct an attached garage and remedy the nonconforming status of the existing single family home. The garage would provide sheltered parking, which is practical, especially in winter months, as well as provide additional storage. Currently, the property owner uses the gravel drive for parking, and is proposing to place the garage over the existing driveway. An enclosed garage is a reasonable request as garages are common throughout Lake County, and most houses on the street have garages. The property owner has proposed to remove 252 square feet of the existing home in order to accommodate the attached garage. Without zoning relief for the front and side yard setbacks, it is unlikely an attached garage could be placed anywhere on the property.

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

Comment – The Lake County Code requires two off-street parking spaces for a single family dwelling. With the proposed two-car garage, the subject property would meet this requirement, while providing the opportunity for sheltered parking. Enclosed parking serves aesthetic and practical purposes, as most homes in the area have garages so vehicles are out of sight. These variation requests are in harmony with the general purpose and intent of the zoning regulations. The proposed placement of the attached garage within the front and side yard setbacks will not have a negative effect upon the adjacent property owners. The proposed garage will meet the side yard setback to the northwest property line, the setback to water's edge, the height limitation, and Impervious Surface Ratio (ISR).

The property owner plans to demolish 252 square feet from the front of the existing home in order to construct the proposed attached garage in such a way as to minimize the variance request. Additionally, the property owner is proposing to place the garage further away from the side property line than the existing home in order to minimize impacts on the neighbor to the south and the unused public walkway.