



August 4, 2016

Zoning Board of Appeals

George Bell  
Chairman

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

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

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CASE NO: 8075 Variation

REQUESTED ACTION: To reduce the required street yard setback, including the roof overhang, of an attached garage to a single-family dwelling from 22.9 feet to 6.6 feet. The exterior wall will be no closer than 7.6 feet.

HEARING DATE: August 11, 2016

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#### **GENERAL INFORMATION**

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APPLICANTS: Ernesto DeHoyos and Juanita Rodriguez

# OF PARCELS: One

SIZE: 0.13 acre, per Geographical Information Systems

LOCATION: 35370 N. Nielsen Drive, Round Lake, Illinois  
P.I.N. 06-18-304-016

EXISTING ZONING: Residential-3 (R – 3)

EXISTING  
LAND USE: Single-family dwelling

PROPOSED: An attached garage to a single-family dwelling

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

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

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## COMPREHENSIVE PLANS

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LAKE COUNTY: Residential Single-Family Medium Lot, 0.25 to 1 acre lot density

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## DETAILS OF REQUEST

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ACCESS: Direct access is provided via Nielsen Drive.

NONCONFORMING LOT: The subject property is nonconforming lot due to lot area and lot width.

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

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

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## ADDITIONAL STAFF COMMENTS

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Lake County Division of Transportation - Comments by Joe Meyer

Nielsen Drive is a Township Road maintained by the Avon Township Highway Commissioner; therefore, LCDOT offers no comments on the requested variation.

Lake County Health Department - Comments by Jeff Bixler

The Health Department has no objections to the request.

Lake County Environmental Engineering Division - Comments by Eric Steffen

The Engineering Division has no objections to the requested variance.

Lake County Building Division – Comments by Bob Springer

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

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## RECOMMENDATION

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Staff recommends approval. In our opinion the request meets the required standards in the following manner:

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

Comment: The subject property is located in the Residential-3 (R-3) zoning district and is nonconforming due to lot area and lot width. The lot is 5,726 square feet in area and 50 feet wide, in sharp contrast to conforming lots in R-3 which are 12,000 square feet and 60 feet of lot width. Ultimately the placement of the existing single-family dwelling in the center of the lot renders any type of two-car garage addition within the setbacks unachievable.

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

Comment: The location of the attached garage would be similar with the street yard setbacks of adjacent properties along Nielsen Drive. Denial of the requested variance would prevent the owners from improving their property consistent with nearby properties.

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. A garage is considered appropriate for the beneficial use of residentially zoned property. The proposed placement of the attached garage and driveway area will not have a negative effect upon the adjacent property owners as this setback would maintain consistency with others in the area.

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### **RECOMMENDED CONDITIONS**

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In the event the Board grants the variation of the street yard setback, staff recommends that it be limited to the site plan of ZBA application #8075.