



Zoning Board of Appeals

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Chairman

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

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

CASE NO: 8089 Variation

REQUESTED ACTION: 1. To reduce the required west side yard setback from 4 feet to 1.98 feet to reconstruct the back room and garage as well as construct a second story on the existing home.

HEARING DATE: August 25, 2016

GENERAL INFORMATION

APPLICANTS: Christina Melnytschuk

OF PARCELS: One

SIZE: 0.14 acre, per Lake County's Geographic Information System

LOCATION: 40513 N. East Drive, Antioch
PIN 01-24-405-006

EXISTING ZONING: Residential-1 (R-1)

EXISTING
LAND USE: Single-family dwelling

PROPOSED: The applicant would like to reconstruct the back room and garage as well as construct a second story on the existing home.

SURROUNDING ZONING / LAND USE

SOUTH, WEST
and EAST:

Residential-1 (R-1) / single-family dwellings

NORTH:

Estate (E) / Agriculture

COMPREHENSIVE PLANS

LAKE COUNTY:

Residential Single-Family Medium Lot, 1 to 3 acre lot density

DETAILS OF REQUEST

ACCESS:

Direct access is provided via N. East Drive.

NONCONFORMING LOT:

The subject property is nonconforming lot due to lot area.

FLOODPLAIN / WETLAND:

The subject property contains no mapped wetlands or floodplains.

SEWER AND WATER:

Private septic and well.

ADDITIONAL COMMENTS

- The purpose for the variation request is to accommodate the reconstruction of the back room and garage due to water damage from a roof leak. In addition, a second floor addition and dormers will be added.
- A building permit for the work to complete construction has been received and is currently on hold due awaiting the results of this hearing.

ADDITIONAL STAFF COMMENTS

Jeff Bixler – Health Department

The Lake County Health Department has no objection to the variation request.

Betsy Duckert – Lake County Division of Transportation

N. East Drive is an Antioch Township road; therefore, LCDOT has no comments on the requested setback variances.

Eric Steffen – Engineering Division

The Engineering Division has no objection to the requested variance.

Robert Springer – Building Division

The Building Division has no objection to the granting of this variance subject to meeting all building code requirements.

RECOMMENDATION ON VARIANCE

Staff recommends approval as the request would be in harmony with the intent of the regulations.

Zoning Variance Approval Criteria – UDO Section 151.056(C)(4)

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

Comment: The existing house is located 3.48 feet away from the west property line. The proposed addition does not expand the footprint of the existing home and the overhang proposed matches the existing overhang on the home.

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

Comment: Without the approval of the requested variation, the petitioner cannot build a second story due to the location of the existing footprint of the home. In addition, if the existing house were to be destroyed, a new home could not be rebuilt in its current location using the existing foundation.

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

Comment: The variation will not have a negatively impact on the adjacent property owner's privacy, light, or air. Granting the variation is in harmony with the general purpose of the regulations.

RECOMMENDED CONDITIONS

1. In the event the Board is inclined to grant the proposed variance request, the Board could condition their action on a 2-story structure to be located in the same location as the existing 1-story structure depicted on the site plan accompanying this application.