



Zoning Board of Appeals

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Chairman

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October 20, 2016

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

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

CASE NO: 8262 Variations

REQUESTED ACTION: 1. To reduce the required street yard setback to North Way, including the roof overhang, for a detached garage from 30 feet to 7.13 feet. The exterior wall will be no closer than 7.63 feet.

2. To reduce the separation distance between structures from 4 feet to 1.5 feet.

HEARING DATE: October 27, 2016

GENERAL INFORMATION

APPLICANTS: Patrick and Rebecca Sweet

OF PARCELS: One

SIZE: 0.41 acre, per Lake County Geographical Information Systems

LOCATION: 23518 W. North Avenue, Lake Villa, Illinois
P.I.N. 02-32-103-008

EXISTING ZONING: Residential-1 (R-1)

EXISTING
LAND USE: Single-family dwelling

PROPOSED: Detached garage

SURROUNDING ZONING / LAND USE

All Directions: Residential-1 (R-1) / single-family dwellings

COMPREHENSIVE PLANS

LAKE COUNTY: Residential Medium Lot

DETAILS OF REQUEST

ACCESS: Direct access to the single-family dwelling is from North Way on the north side of the property.

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

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

SEWER AND WATER: The property is served by private septic system and water well.

ADDITIONAL STAFF COMMENTS

Lake County Division of Transportation - Comments by Joe Meyer

North Way is a Township Road maintained by the Lake Villa Township Highway Commissioner; therefore, LCDOT offers no comments on the requested variation.

Lake County Health Department - Comments by Mark Mussachio

The Health Department has no objection to the variation request.

Lake County Environmental Engineering Division - Comments by Eric Steffen

The Engineering Division has no objection to the requested variance.

Lake County Building Division – Comments by Bob Springer

The Building Division has no objection to the granting of this variance provided the applicant agrees to design and build the garage with a one-hour fire separation in accordance with Section 302 of the 2012 International Residential Code.

RECOMMENDATION

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 following features and characteristics are present on the subject property and affect this standard:

- The property has three street property line setbacks: North Way to the north, Cedar Lake Way to the east, and North Avenue to the south.
- The septic tank and field area are located on the south side of the property.
- The property slopes to the south and contains woodland resources in the rear yard.
- The property contains a driveway at the northeast corner of the property which accesses North Way. The placement of a garage at the northeast corner of the property would eliminate the driveway area, place it within two street setbacks in addition to the intersection visibility triangle. The relocation would also be within the water well setback.

With regards to the variation for the 1.5 foot separation distance between structures, the existing single-family is improved with a basement in which a "ground roof" is present at-grade. The applicant's site plan indicates only a portion of the southeast corner of the garage roof overhang would be within the setback of the "ground roof". There would be 5 feet of separation between building walls.

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

Comment: Given the location of the existing single-family dwelling and driveway along with the on-site limitations, the northwest corner of the property is the optimal location for the detached garage. The location of the detached garage would be similar with the street yard setbacks of two adjacent properties along North Way. 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 detached garage will not have a negative effect upon the adjacent property owners as this setback would maintain consistency with others in the area.

RECOMMENDED CONDITIONS

In the event the Board grants the variations of the street yard and building separation setbacks, staff recommends that it be limited to the site plan of ZBA application #8262