



**Lake County Central Permit Facility**  
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September 20, 2017

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

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

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CASE NO: #VAR-000262-2017

HEARING DATE: September 28, 2017

REQUESTED ACTIONS:

1. Reduce the minimum lot size in the Estate (E) zoning district from 80,000 square feet to 66,258 square feet to remedy a nonconformity created by an improper land division.
2. Reduce the minimum lot width in the Estate (E) zoning district from 190 feet to 88.96 feet to remedy a nonconformity created by an improper land division.

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**GENERAL INFORMATION**

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OWNERS: Serhiy Syhlyanyk

# OF PARCELS: 1

SIZE: 1.52 acres, per Plat of Survey

LOCATION: 14602 W Mayland Villa Rd., Lincolnshire, IL 60069. PIN 15-14-100-078

EXISTING ZONING: Estate (E)

EXISTING LAND USE: Single family home

PROPOSED LAND USE: Single Family Home

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**SURROUNDING ZONING / LAND USE**

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EAST:	Estate (E) / Single-Family Residential
NORTH:	Estate (E) / Single-Family Residential
SOUTH:	Estate (E) / Single-Family Residential
WEST:	Estate (E) / Single-Family Residential

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**COMPREHENSIVE PLANS**

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LAKE COUNTY:	Residential 1 to 3-acre lot density
VILLAGE OF LCOLNSHIRE:	Estate Residential
VILLAGE OF VERNON HILLS:	Not designated
VILLAGE OF BUFFALO GROVE:	Not designated
VILLAGE OF RIVERWOODS:	Not designated
VILLAGE OF METTAWA:	1 Acre Residential
CITY OF LAKE FOREST:	Not designated

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**DETAILS OF REQUEST**

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ACCESS:	Direct access is provided from Mayland Villa Road
CONFORMING LOT:	The subject property is a nonconforming zoning lot in the Estate (E) zoning district.
FLOODPLAIN / WETLAND:	The property contains regulatory floodplain, and there are no mapped wetlands identified.
SEPTIC AND WATER:	The subject property is serviced by private septic and private well.

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### **ADDITIONAL STAFF COMMENTS**

- Lake County Code Table 151.125(1) specifies the minimum lot size and width for a conforming lot in the Estate (E) zoning district. A conforming lot requires 80,000 square feet of lot area and 190 feet of lot width. In its current configuration, the subject property contains 66,258 square feet of lot area and 88.96 feet of lot width.
- The subject property was improperly divided (and a 30' foot easternmost portion thereof sold to the adjoining neighbors) prior to the applicant, Mr. Syhlyanyk, purchasing the property. The division/sale effectuated a transfer of ownership over a 30-foot-wide driveway easement for the neighbors' benefit. In addition to providing the neighbors ownership over their driveway, the sale also reduced their property's nonconformity due to a lack of direct road frontage.
- Upon assuming ownership of the subject property, Mr. Syhlyanyk began work without permits on the home (consisting of relatively minor updates to the exterior architecture and minor interior alterations.) He has since applied for all permits to complete the necessary work, which are currently on hold pending the outcome of this hearing.

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### **STAFF COMMENTS**

Arnie Rapa – Environmental Health

- The Health Department has no objection to the requested variances.

Eric Steffen – Engineering & Environmental Services Division

- The Engineering Division has no objection to variance request.

Robert Springer – Building Division

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

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### **RECOMMENDATION ON VARIANCES**

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

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

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

Comment – The unique situation Mr. Syhlyanyk found himself in is the result of a historically unusual lot configuration created by an unimproved 30-foot access easement serving the landlocked parcel to the east. The previous owners' decision to sell this portion of the property in order to remedy the neighboring nonconformity in no way reduced the usable area of the subject property, as this area was already encumbered with the access easement.

The subject property is in the Estate (E) zoning district and has existed as a legal nonconforming lot dating back to at least 1975. Prior to the improper land division, the property contained 75,594 square feet of area and 118.96 feet of road frontage and was therefore considered nonconforming. Following the improper subdivision, the property contains 66,258 square feet in area and 88.96 feet of lot width.

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

Comment – Without recognition of the increased nonconformity, the subject property could not continue to exist in its current configuration and cannot be improved like neighboring properties. The requested variance would remedy the nonconforming status of the existing property and allow the current owner to complete the building alterations and to continue to improve the property in the future.

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

Comment – Granting of the variance would allow the property to be further improved consistent with other nearby properties, several of which are of similar size as the subject property, legally nonconforming, and consequently able to obtain alterations permits. In addition, the proposed scope of work would bring the structure into conformance with the surrounding properties in terms of architectural aesthetics and quality.