



Zoning Board of Appeals

George Bell
Chairman

500 W. Winchester Road, Suite 101
Libertyville, Illinois 60048
Phone 847-377-2600
Fax 847-984-5608
Email planning@co.lake.il.us

March 15, 2017

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: #000330-2018

REQUESTED ACTION: 1. Reduce the west street yard setback from 30 feet to 20.07 feet for an expansion of a single-family dwelling and to alleviate the nonconforming status of the existing single-family dwelling.

HEARING DATE: March 22, 2018

GENERAL INFORMATION

APPLICANTS: Petro Kholiava, record owner

OF PARCELS: One

SIZE: 0.46 acre, per Lake County Maps Online

LOCATION: 26855 W. Highland Road, Barrington, Illinois
P.I.N. 13-26-308-001

EXISTING ZONING: Residential-1 (R-1)

EXISTING
LAND USE: Single-family dwelling with a two-car attached garage

PROPOSED: Single-family dwelling with a three-car attached garage

SURROUNDING ZONING / LAND USE

ALL DIRECTIONS: Residential-1 (R-1) / single-family dwellings

COMPREHENSIVE PLANS

LAKE COUNTY: Residential Medium Lot (1 – 3 acre)

DETAILS OF REQUEST

ACCESS: Direct access to the single-family dwelling is from Highland Road to the north.

NONCONFORMING LOT: The subject property is a nonconforming lot in the R-1 zoning district due to lot area and lot width.

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

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

ADDITIONAL STAFF COMMENTS

Lake County Division of Transportation - Comments by Joe Meyer

Highland Road is under the Jurisdiction of Cuba Township. LCDOT offers no comment.

Lake County Health Department – Comments by Mark Mussachio

The Health Department has no objections to the requested variance.

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 request.

RECOMMENDATION

It is the desire of the applicant to construct an addition to the attached two-car garage located at the northwest corner of the property. Staff is generally not opposed to the side street yard setback variation for the addition to the attached garage. However, we are compelled to recommend denial of the variance, as we do not find Standard 2 is met for this request.

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

Comment: It is the desire of the applicant to expand the attached two-car garage to include an additional stall. The following features and characteristics constitute, in the aggregate, exceptional conditions in staff's opinion:

- The property has two street yard setbacks to the north and west, which constrain a lot that does not have sufficient lot area for the zoning district.
- The location of the house and existing attached garage is located at the northwest corner of the property. Relocating the attached garage to another area of the property would be problematic for the applicant. A mature tree is located on the east side of the house in which a garage within the vicinity of the tree drip-line could compromise the vitality. The septic system is likely located on the southside of the property.

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

Comment: The Lake County Unified Development Ordinance requires two off street parking spaces per residence, and it is common for those spaces to be in a covered garage, protected from the elements. While it would be desirable to construct a larger attached three-car garage, and such a structure would not be out of character with the community, denial of the variance for a three-car garage within the street yard setback would not constitute a particular hardship.

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

Comment: The variation request could be considered in harmony with the general purpose and intent of the zoning regulations, as several three-car garages are located in the area. Given the existing tree-line on the west side of the property, the proposed placement of the three-car garage would not have a negative effect upon the adjacent property owners.

RECOMMENDED CONDITIONS

In the event the Board grants the variation of the proposed street yard setback, staff recommends that it be limited to the site plan of ZBA application #000330-2018.