



Lake County Central Permit Facility
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May 17, 2018

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

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

CASE NO: VAR-000356-2018

HEARING DATE: May 24, 2018

REQUESTED ACTIONS: Reduce the minimum west street yard setback from 30 feet to 22.5 feet to accommodate the installation of a generator.

GENERAL INFORMATION

OWNERS: Lake County Public Works Department

OF PARCELS: One

SIZE: 0.40 acres., per Lake County GIS Calculated Acreage

LOCATION: 25346 W. Lincoln Drive, Lake Villa, Illinois. PIN 05-01-413-015

EXISTING ZONING: Residential-3 (R-3)

EXISTING LAND USE: Lake County Public Works (LCPW) community water delivery system consisting of an existing well pump house, which is currently being converted to distribute Lake Michigan Water, and a related water delivery structure.

PROPOSED LAND USE: Lake County Public Works facility with addition of a backup electrical generator

SURROUNDING ZONING / LAND USE

EAST: Residential-3 (R-3) / Single-Family Residential

NORTH: Residential-3 (R-3) / Single-Family Residential

SOUTH: Residential-3 (R-3) / Single-Family Residential

WEST: Residential-3 (R-3) / Single-Family Residential

DETAILS OF REQUEST

ACCESS: Direct access is provided from W Lincoln Drive.

CONFORMING LOT: The subject property is a conforming lot in the Residential-3 (R-3) Zoning District.

FLOODPLAIN / WETLAND: The property contains does not contain mapped floodplain or wetlands.

SEPTIC AND WATER: The subject property has access to LCPW sewer and water

ADDITIONAL STAFF COMMENTS

- The subject property is improved with an existing structure which houses a community water supply system consisting of a well pump house. The Lake County Public Works (LCPW) Department has applied for building permits related to the conversion of the existing well house to aid in the distribution of Lake Michigan water. The water will be supplied by the Central Lake County Joint Action Water Agency (CLCJAWA).
- On August 13, 2015 the Lake County Zoning Board of Appeals (ZBA) approved a variance request by LCPW to reduce the required front street yard setback from 30 feet to 2 feet to accommodate a Central Lake County Joint Action Water Agency (CLCJAWA) delivery structure. This structure has since been constructed.

- The Lake County Public Works Department, a governmental agency created pursuant to Illinois law, is statutorily authorized under 55 ILCS 5/5-15010 to construct and maintain water supply facilities, including facilities such as the subject of these variance requests. CLCJAWA is similarly created and authorized under Illinois law to establish and maintain water supply facilities pursuant to 5 ILCS 220/3.1.

STAFF COMMENTS

Joe Meyer – Lake County Division of Transportation

- Lincoln Drive and Fairview Lane are Lake Villa Township roads.

Eric Steffen – Engineering & Environmental Services Division

- The Engineering Division has no objection to the requested variance.

Bob Springer – Building Division

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

RECOMMENDATION ON VARIANCES

Staff recommends approval for the variance request. In Staff's opinion, the variance request complies with the standards for a variance 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 subject parcel is a conforming lot in the R-3 zoning district, which has a 30-foot street yard setback from both Lincoln Drive and Fairview Lane. The property is currently improved with a structure which houses a well pump house (currently being converted), an exterior generator, meter vault, water delivery structure, as well as a driveway to provide access. As a part of the building and site work being completed, it is the desire of the applicant to relocate the existing generator, currently on the east side of the building, to the west side of the building. LCPW is electing to relocate the generator in order to reduce noise interference reported by the nearest neighbor to the east. Existing structures, along with the 30-foot required street setback, drastically reduce the area where the generator can be built without negatively impacting the nearest neighbor.

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

Comment – LCPW policy requires a permanent second power source for large-scale water delivery systems, so that in the event of a power outage, residents' water service would not be interrupted. Failure to provide such backup would potentially compromise continuous water service to the neighborhood. While the generator could be constructed outside of the required 30-foot setback, the resultant location would be nearer to the neighbor to the northwest. It is the desire of LCPW to limit noise impacts on neighboring properties while fulfilling their statutory duty to provide water services. The generator relocation will mitigate noise impacts to the neighbor to the east. Relocating outside of the required setback would push the location towards the neighbor to the northwest. The proposed location will mitigate all potential impacts to the greatest extent possible.

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

Comment – An adequate, reliable supply of potable water is essential to public health and welfare. The proposed generator is necessary in order to comply with the timeline set forth as part of the Lake Michigan Water Project, approved for the County Board in June 2013, for which the County Board allocated funds through Special Service Area (SSA) #16 designated for necessary water infrastructure improvements. Timely review and approval of the requested variances will allow the County's portion of the Lake Michigan Water Project to proceed on schedule, so that water may be delivered to residents of the Fox Lake Hills neighborhood within the required timeframe.

The applicant has proposed to locate the generator in such a way as to minimize impacts of surrounding properties. The proposed location is near to the existing building and will be installed behind existing landscaping. The proposal aims to minimize the noise impact on neighbors, as well as minimize the visual impact for traffic coming down both Lincoln Drive and Fairview Lane.

RECOMMENDATION ON VARIANCE

1. In the event the Board is inclined to grant the proposed variance request, staff recommends that it be consistent with the site plan proposed with this zoning case #VAR-000356-2018.