



Lake County Central Permit Facility
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July 2, 2018

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: #VAR-000371-2018

HEARING DATE: July 12, 2018

REQUESTED ACTIONS:

1. Reduce the street yard setback from 20.5 feet to 4.5 feet to accommodate the construction of a detached garage. The building wall would be no closer than 5 feet, and the overhang would be no closer than 4.5 feet.

GENERAL INFORMATION

OWNER: Roger Weinhandl and Linda Lee Drewes

OF PARCELS: 1

SIZE: 0.12 acres, per Lake County's GIS Calculated Acreage

LOCATION: PIN 07-30-106-002, 33843 N. Prospect Drive, Grayslake, IL.

EXISTING ZONING: Residential-4 (R-4)

EXISTING LAND USE: Single Family Residence

PROPOSED LAND USE: The applicant is proposing to construct a new detached garage between the existing residence and the street.

SURROUNDING ZONING / LAND USE

EAST:	Residential-4 (R-4) / Single-Family Residential
NORTH:	Residential-4 (R-4) / Single-Family Residential
SOUTH:	Residential-4 (R-4) / Single-Family Residential
WEST:	Residential-4 (R-4) / Open Space Use

COMPREHENSIVE PLANS

LAKE COUNTY:	Residential Single-Family Residential (0.25 to 1-acre lot density)
VILLAGE OF GRAYSLAKE:	Not designated
VILLAGE OF THIRD LAKE:	Not designated

DETAILS OF REQUEST

ACCESS:	The garage will face and take direct access from N. 2 nd Street. The property also abuts N. Prospect Drive.
CONFORMING LOT:	The subject property is a nonconforming lot in the Residential-4 (R-4) zoning district.
FLOODPLAIN / WETLAND:	The property does not contain mapped floodplain or wetlands.
SEPTIC AND WATER:	The subject property is serviced by sewer and water.

ADDITIONAL STAFF COMMENTS

- The front yard setback for a structure on a nonconforming lot is a function of the lot depth. Lake County Code Section 151.233(C)(1)(a) specifies the minimum front yard setback shall be 20% of the lot depth or the underlying zoning district setback, whichever is less. In this instance, 20% of the lot depth is 20.5 feet while the Residential-4 (R-4) setback is 30 feet; therefore the front yard setback required is 20.5 feet. Since this lot is a double frontage lot, the total setback requirement for the east and west property lines fronting streets is 41 feet.
- The Warren Township Highway Commissioner and Grayslake Fire Protection District were provided information on the proposed variance for the detached garage and have indicated no objection to the proposed location of the structure.
- The proposed structure complies all other applicable regulations including height, side yard setbacks, Impervious Surface Ratio (ISR), and proximity to other structures.

STAFF COMMENTS

Joe Meyer – Lake County Division of Transportation

- N. 2nd Street is a Warren Township road under the jurisdiction of the Highway Commissioner; therefore, LCDOT offers no comments on the requested setback variation.

Heather Galan– Public Works

- The project does not affect the public sewer or watermain, therefore Public Works has no objection.

Eric Steffen – Engineering & Environmental Services 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.

RECOMMENDATION ON VARIANCES

In Staff's opinion, the application meets the approval criteria for variations specified in the Lake County Illinois, Code of Ordinances, Section 151.056(C)(4) and recommends approval of the variance request for the following reasons:

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

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

Comment – The lot contains less than 5,300 square feet of area and has a lot depth, on average, of 102.5 feet. The existing home is 63 feet long from the deck facing Prospect Street to the rear of the house facing Second Street and is located in the middle of the lot due to a street yard setback requirement of 20.5 feet on both the east and west side of the property. In order for the detached garage to be placed on the property while meeting the 4 feet of separation distance required between structures it must be located at the requested 4.5 feet from Second Street.

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 reasonably accommodate a garage on the property. A garage provides the required parking spaces for a single-family dwelling. A garage is reasonable use for a residential property, as it provides sheltered off-street parking spaces. Denying the variation would create a hardship for the applicant by depriving him of a garage which is an amenity enjoyed by others in the neighborhood.

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

Comment – The proposed project will be in alignment with the purpose and intent of the ordinance as there will be no impact to the health, safety, and general welfare of the residents of the locality. The addition of a detached garage on the subject property at the proposed location would both eliminate the owner's need to park outdoors and make the property more consistent with the established character of the neighborhood as there are other garages on Second Street that do not comply with the street yard setback standard. Granting the variation is in harmony with the general purpose of the regulations.

RECOMMENDATION ON VARIATION

1. In the event that the Board grants the variation, staff recommends that the variation limit the size of the garage to 22'x20'.
2. The garage is constructed in accordance with the site plan accompanying the application.