

August 21, 2018

TO: Lake County Planning, Building and Zoning Committee

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

RE: Knesley Subdivision Plat Amendment and Subdivision Modification Request – Shields Township

Modifications from the Lake County Code

The Knesley Subdivision is located on the south side of Quassey Avenue, an existing private street, approximately 540 feet west of US Hwy 41 and 0.36 miles north of Rockland Road, Shields Township. The subject property is zoned Residential-3 (R-3), with an average net lot area of 18,212 square feet (once amended). The character of the surrounding area is single-family residential, zoned R-3. The Knesley Subdivision is a Conventional Single-Family Residential Subdivision in accordance with the Lake County Code. The subdivision will be served by public sewer and water.

The property owner is requesting the following modification from the Lake County Code:

Modification Request

1. Section 151.190(B)(1) of the Lake County Code allows a maximum of three (3) lots to be served by a private drive. The applicant has requested to reconfigure the previously approved subdivision plat to accommodate an additional building site.

The property owner's request for the modification is attached to this report.

Background

A portion of Quassey Avenue is classified as a private street which consists of an access and utility easement that has been in existence since 1939. Over the years, the section of the road classified as a private street has been reduced as a significant portion has been accepted by the Shields Township Highway Department. Most recently, the 245 feet of road directly west of the subject property was dedicated to the Township which resulted in four fewer homes accessing the private portion of the street, reducing the number of properties with private road access from 13 to 9. If the modification and plat amendment were to be approved, the reconfigured outlot of the Knesley Subdivision would be the tenth home accessing the private street. The Lake County Code limits the number of lots served by a private street in order to ensure adequate access to lots served and to ensure proper maintenance.

Past Committee actions:

Similar access modification requests were approved by this Committee for the following subdivisions taking access from Quassey Avenue:

1. Montalto Subdivision (12340 Quassey Ave.) on October 18, 2004.
2. Knesley Subdivision (12415 Quassey Ave.) on November 28, 2005
3. Picchietti Lot Split (12355 Quassey Ave.) on September 1, 2009

Recommendation

Modification from Private Street Access:

Staff supports the granting of the modification to allow an additional building site on a private street that provides access to more than three lots. It is staff's position that previous actions by the Committee have established a precedent allowing subdivisions to create additional lots along Quassey Avenue. In addition, the recent road dedication has reduced the overall number of lots accessing the private street, brings the public portion of the street to the western property line of the subject property, and allows the Township Highway Department greater access for maintenance.

The Knesley Subdivision was approved in 2005 as a 3-lot subdivision with an outlot for natural resource protection purposes and was granted a modification from the PB&Z Committee to allow the subdivision to access to the private street. Subsequently, the 2017 road dedication by the applicant's predecessor-in-interest has resulted in the three buildable lots obtaining access to a public road, with just the outlot remaining on the private portion. The current property owner is pursuing a plat amendment to reconfigure the existing outlot to accommodate an additional building site. However, as a result of the recent road dedication, should the subdivision modification be granted, the overall number of lots accessing the private street would be fewer than when previous modifications were granted (with an overall reduction in the length of the private road by 245 feet).

It was the intention of the applicant to dedicate the portion of Quassey Avenue fronting the outlot to the Township Highway Department prior to pursuing the plat amendment, however, adjoining neighbors did not wish to dedicate their portion of the private drive. Without the neighbors' participation in the dedication, the applicant is unable to dedicate his portion of the road. However, as part of the larger effort to reduce offsite impacts resulting from the reconfiguration of the outlot, the proposed building site design has incorporated additional engineered site improvements designed to improve drainage in the vicinity of the subject property including the abutting private road and its shoulders.