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March 28, 2019


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

FROM:           Thomas Chefalo, Principal Planner
                Lake County Department of Planning, Building, and Development


CASE NO:                    #VAR-000473-2019

HEARING DATE:               May 9, 2019

REQUESTED ACTIONS:

1.) Reduce the street setback from 30 feet to 6.69 feet and;

2) Reduce the side yard setback from 4 feet to 1.74 feet to allow for the expansion of an existing garage.


## GENERAL INFORMATION


OWNERS:                  Robert and Kristin Leonard, Record Owners

# OF PARCELS:            1

SIZE:                    0.24 acres, per Lake County GIS information

LOCATION:                40664 N GRAND AVE ANTIOCH, IL 60002 PIN: 01-24-204-017

EXISTING ZONING:         R-1

EXISTING LAND USE:       Single family home

PROPOSED LAND USE:       Single family home

## SURROUNDING ZONING / LAND USE

EAST:                        E/ cropland

NORTH:                       R-1/ Single-Family Residential

SOUTH:                       R-1/ Single-Family Residential

WEST:                        OS/ Bluff Lake

## DETAILS OF REQUEST

ACCESS:                      Access is provided from N. Grand Ave.

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

FLOODPLAIN / WETLAND:        There are very minimal wetlands or floodplain located on the property.

SEPTIC AND WATER:            The subject property is served by well and septic.

## STAFF COMMENTS

Eric Steffen – Engineering & Environmental Services Division
- The Engineering Division has no objection to variance request.

Bob Springer – Building Division
- The Building Division has no objection to variance request.

Mark Mussachio – Health Department
- The Building Division has no objection to variance request.

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**ADDITIONAL STAFF COMMENTS**

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1. The applicant intends to make improvements to a legal non-conforming 440 square foot detached garage, which, according to tax assessment records, was built in 1940. The applicant would like to add an additional parking bay and storage capacity to the garage.

2. The parcel is a non-conforming lot in the Grand Bluff subdivision. The subdivision was platted in 1892. The lot is very narrow but deep, with a 52.7-foot width and a 200-foot. The well is located near the south property line just south of the parking pad that is located adjacent to the south wall of the garage.

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**RECOMMENDATION ON VARIANCES**

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Staff recommends approval for the variance request. In Staff's opinion, the variance request complies 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 –

Side yard setback request

The garage, built in 1940, is a non-conforming structure which extends into the required 4-foot side yard setback. This garage location shares the width of property's front yard with an adjoining parking pad and water well. The concentration of these improvements, necessitated in part by the lot's narrow configuration, constitutes an unusual condition peculiar to the subject property.

Street setback variance request

The garage is a non-conforming structure which extends into the required 30-foot street setback. The lot's long, narrow configuration and adjoining lake to the west historically prevented development on the westernmost portion of the property adjoining the lakefront, necessitated an east-west orientation for the home further to the west of the lake, and consequently necessitated the "front-loading" of the

property's garage close to the street. This unusual set of circumstances has similarly affected the development pattern of the other lots along the street and constitutes an exceptional condition shared by the subject property and neighboring lots.

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

Comment –

### Side yard setback request

Relocating a larger garage entirely outside of the side yard setback would constitute a practical difficulty given the presence of the other improvements and infrastructure (water well) in the narrow front yard of the subject property. Further, given the existing garage's age and condition, a relocation of the entire structure would practically necessitate demolishing the garage and rebuilding an entirely new one.

### Street setback variance request

An addition to the garage that would meet current setback requirements would have to begin within 1 foot of the garage's rear wall. While it would be possible to only increase the size the garage by increasing its depth, it would require the applicant to use tandem or stacked parking therefore limiting the ability of the applicant to use the garage in a customary manner. A relocation of the entire structure with a front-facing three-car design would practically necessitate demolishing the garage and rebuilding and entirely new one and would be visually out of character with the adjoining front-loaded garages along the street.

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

Comment –

### Street yard setback request

Granting the variance will confer conforming status to the garage and allow the owners the opportunity to improve their property consistent with the development pattern along the entirety of the adjoining street. Denying the request would confer no discernable neighborhood benefit.

### Street setback variance request

Garages are a customarily accessory to single-family homes. The Unified Development Ordinances recognizes a 576 sq. ft. garage as a standard. The applicant's garage is 136 sq. ft.  below that standard. Extending the garage to provide for additional parking and

storage space is in keeping with the neighborhood character and would not harm the public interest.

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**Recommended Conditions of Approval**

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This variance is hereby granted subject to the following;

1. The proposed addition is constructed in accordance with the site plan accompanying the variance application.