



Zoning Board of Appeals

George Bell
Chairman

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August 22, 2019

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: #000496-2019

REQUESTED ACTION: Reduce the street yard setback from 30 feet to 14 feet to construct a detached garage.

HEARING DATE: August 22, 2019

GENERAL INFORMATION

APPLICANTS Robert and Linda Piepenbrink, record owners

OF PARCELS: One

SIZE: 0.14 acre, per Lake County Maps Online

LOCATION: 35190 N. Lake Shore Drive, Ingleside, Illinois
P.I.N. 05-16-302-018

EXISTING ZONING: Residential-1 (R-1)

EXISTING
LAND USE: Single-family dwelling and detached garage

PROPOSED: New detached garage

SURROUNDING ZONING / LAND USE

NORTH, SOUTH,
EAST: Residential-1 (R-1) / single-family dwellings

WEST: Residential-1 (R-1) / private lake shore property and Pistakee Lake

COMPREHENSIVE PLANS

LAKE COUNTY: Residential Medium Lot (1 to 3 acre density)

DETAILS OF REQUEST

ACCESS: The existing driveway takes access from N. Lake Shore Drive.

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 Health Department – Comments by Mark Mussachio

The Health Department has no objection to the granting of this request.

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.

Grant Township Highway Department – Kim Kiesgen, Grant Township Highway Commissioner

I understand the hardship when it comes to removing an existing structure and replacing it with a larger structure and staying within the guidelines of the zoning ordinance. My concern with this situation is safety especially with the snowplow removal and emergency vehicles. The average truck or suburban is approximately 19 feet long, given a 14-foot setback, vehicles parked in this driveway will extend into the road 5 feet or more. I would like to see the structure setback four additional feet (18-feet) to avoid the obstruction of traffic flow.

ADDITIONAL INFORMATION

On November 6, 2007, the Zoning Board of Appeals granted a variation for the subject property to reduce the minimum required northeast side yard building setback from 4.5 feet to 0 feet for the construction of a deck.

RECOMMENDATION

While staff has no objection to a reduction of the required 30-foot street yard setback, staff is compelled to recommend denial of the requested 14-foot street yard setback as it is not the minimum adjustment necessary. However, staff feels an 18-foot setback would meet the standards for approval if the ZBA were inclined to approve a lesser deviation by amending the street yard setback variance request to 18 feet, which allows for sufficient driveway parking area. , staff would consider a revised recommendation of approval. Currently, the 14-foot street yard setback does not meet the required standards in the following manner:

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

Comment: It is the desire of the applicant to construct a detached garage southeast of the single-family dwelling. The following features and characteristics constitute, in the aggregate, exceptional conditions in staff's opinion:

- The placement of the house and property terrain makes rear access impractical.
- The septic field is located in the rear of the property.
- Narrow 50-foot wide lot.

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. Given the on-site limitations, the location of the garage southeast of the single-family is appropriate. However, as the garage can be placed further to the west, staff cannot support the current variance request of a 14-foot property line setback as it is not the minimum adjustment necessary. Given the minimal distance between the road pavement to the edge of the right-of-way, a 14-foot property line setback would leave insufficient area for a driveway parking space..

Staff recommends approval of a reduced setback variance request of 18-feet, which would allow the owner to improve their property consistent with nearby properties and provide enough space to accommodate off-street parking.

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

Comment: A reasonably sized detached garage is considered appropriate for the beneficial use of residentially zoned property. As previously stated, staff cannot support the current variance request of a 14-foot property line setback as it is not the minimum adjustment necessary. If the variance request is revised, placement of a detached garage with an 18-foot street yard setback would not have a negative impact upon the adjacent property owners.

RECOMMENDED CONDITION

In the event the Board grants the variation of the proposed street setback, staff recommends that it be in substantial conformance with the site plan of ZBA application #000496-2019.