



Zoning Board of Appeals

George Bell
Chairman

500 W. Winchester Road, Suite 101
Libertyville, Illinois 60048
Phone 847-377-2600
Fax 847-984-5608

E-mail lcpermits@lakecountyil.gov

November 7, 2019

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

FROM: Boris Schwarzenbach, Planner
Lake County Department of Planning, Building, and Development

CASE NO: #VAR-000517-2019

HEARING DATE: November 14, 2019

REQUESTED ACTIONS:

- 1.) Reduce the west side yard setback from 6 feet to 6 inches for the addition of a carport.

GENERAL INFORMATION

OWNERS: Tab Steinhaus and Candace Steinhaus

OF PARCELS: One

SIZE: 0.17 acres, per Lake County GIS information

LOCATION: 21437 W. Engle Dr., Lake Villa, IL PIN: 06-10-209-006

EXISTING ZONING: R-1

EXISTING LAND USE: Single family home

PROPOSED LAND USE: Single family home with attached carport

SURROUNDING ZONING / LAND USE

ALL DIRECTIONS: R-1 / Single-Family Residential

DETAILS OF REQUEST

ACCESS: Direct access is provided from Engle Drive.

CONFORMING LOT: The subject property is nonconforming in terms of lot width and area in the R-1 zoning district.

FLOODPLAIN / WETLAND: There are no regulatory floodplains or mapped wetlands on the property.

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

ADDITIONAL STAFF COMMENTS

- The single-family house was constructed in 1972, before the County adopted its current zoning ordinance. The subject parcel currently lacks a garage; the property owner's vehicles are parked outside on the driveway. The applicant is proposing to build a carport attached to the principal structure over a portion of an existing paved driveway.
 - The side yard setback for a principal structure on a nonconforming lot is a function of the lot width measured at the front setback line. Lake County Code Section 151.233(C)(1)(b) specifies the side yard setback shall be a minimum of 10% of the lot width, but not greater than specified for the underlying zoning district. In this instance, 10% of the zoning lot width of the subject property is six feet.
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STAFF COMMENTS

Mark Mussachio – Environmental Health

- The Health Department has no objection to the requested variances.

Ieva Donev – Building Division

- The Building Division has no objection to the granting of this request.

Joel Kraus – Site Development

- The Site Development Division has no objection to the granting of this request.

RECOMMENDATION ON VARIANCE

Staff recommends approval for the variance request for the carport. 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 – The applicant proposes to build a 10.14 X 26.22-foot carport connected to the west side of the house. There are several features and characteristics that constitute, in aggregate, exceptional conditions. The lot is in an older subdivision that was platted with small, narrow lots. The buildable area for a carport is constrained given the location of the house on the property. Further, the location of the septic field in the rear of the property and a large tree that is located in the front yard further limits the area to build an addition.

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

Comment – There is a practical difficulty given the inability of the property to accommodate an attached carport that would be in compliance with all dimensional standards of the Lake County Code. Placing the carport in front of the house would necessitate a request for a front yard setback variance and the location of the septic field prohibits locating the carport to the rear of the house. Further, it is not possible for a vehicle to access the rear of the lot given the presence of the house's septic system in the backyard. 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. Currently the owner's vehicles are parked outside exposed to the effects of weather. Given the property limitations, the location of the proposed carport west of the single-family house is appropriate.

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

Comment – Covered parking for cars in garages/carports is a customary accessory use to a single-family house. The proposed location of the carport is in character with other structures

in the neighborhood and would have a nominal impact on adjacent property owners. The two lots immediately to the west of the subject property, adjacent to the proposed carport, are undeveloped and heavily wooded.

RECOMMENDED CONDITION

In the event the Board grants the variation of the proposed west side setback, staff recommends that it be in substantial conformance with the site plan of ZBA application #000517-2019.