



**Lake County Central Permit Facility**  
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September 17, 2020

TO: Gregory Koeppen, Acting Chairman  
Lake County Zoning Board of Appeals

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

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CASE NO: #VAR-000546-2020

HEARING DATE: September 24, 2020

REQUESTED ACTIONS:

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1. Allow one accessory structure to remain on a parcel without a principal structure.
  2. Reduce the side-yard setback for an existing accessory structure from 13 ft. to 0 ft.
  3. Reduce the front street setback for an existing accessory structure from 30 ft. to 0 ft.
  4. Allow a second new accessory structure on a parcel without a principal structure.
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**GENERAL INFORMATION**

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OWNERS: Jeffrey Liesendahl Revocable Trust ((Jeffrey and Pamela Liesendahl, trustees), recorded owner

# OF PARCELS: One

SIZE: 1.41 acres, per Lake County GIS information

LOCATION: 25612 W FLORENCE AVE ANTIOCH, IL 60002 PIN: 01-24-105-007

EXISTING ZONING: Residential-1 (R-1)

EXISTING LAND USE: Accessory structure without a principal structure

PROPOSED LAND USE: Two accessory structures without a principal structure

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### **SURROUNDING ZONING / LAND USE**

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EAST:	R-1/ Accessory structure without principal structure
NORTH:	RC/ Marina and RV park
SOUTH:	R-1/ Single-Family Residential
WEST:	R-1/ Single-Family Residential

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### **DETAILS OF REQUEST**

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ACCESS:	Access is provided from W FLORENCE AVE.
CONFORMING LOT:	The subject property is a conforming lot in the R-1 zoning district.
FLOODPLAIN / WETLAND:	There are no mapped wetlands or floodplain on the property.
SEPTIC AND WATER:	There is currently no active well or septic on the property.

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### **STAFF COMMENTS**

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Joel Krause – Engineering & Environmental Services Division

This division has reviewed ZBA Case VAR-000546-2020 with the following comments:

- The Engineering Division has no objection to the requested variance. Note that a separate Site Development Permit will be required for the new accessory structure on the parcel.

Robert Sherwood – Building Division

- The Building Division has no objection to the requested variance. New building with less than 5 feet property line setback will have to comply with Section R302.1, 2012 IRC. Exterior wall assembly will have to be rated in accordance to Table R302.1(1).

Tom Copenhaver – Health Department

- The Health Department has no objection to variance request.

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### ADDITIONAL STAFF COMMENTS

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1. The parcel is a conforming lot in the Aylings Bluff Park subdivision that was platted in 1916.
  2. The lot is improved with a non-conforming accessory structure that was, according to the applicant, constructed in 1905.
  3. The structure was used as a dairy barn for a large estate that once encompassed several lots in the Aylings Bluff Park subdivision.
  4. The applicant owns the lot and single-family home directly across Florence Ave. from the subject parcel.
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### RECOMMENDATION ON VARIANCES

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Staff recommends approval for the variance requests. In Staff's opinion, the variance requests comply 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 –**

**Variance requests #1, 2 & 3 for the existing dairy barn (Allow an accessory structure without principal structure and reductions in street and side yard setbacks):**

The dairy barn, built in 1905, is part of a historic estate that was subdivided in 1916. The structure is non-conforming per the current standards of the Unified Development Ordinance, and predates the County's original establishment of zoning regulations in 1939. As such, the structure in its current location has a unique pre-regulatory vintage.

**Variance request #4 for new detached garage (Allow a 2<sup>nd</sup> accessory structure without a principal structure):**

The applicant owns the lot (the "main parcel") and single-family home directly across Florence Ave from the subject lot on which the proposed accessory structure will be located (the "subordinate parcel"). The main parcel does not contain an accessory structure that can function

as a modern automobile garage. The addition of a functional auto garage on the main parcel would be significantly constrained by the parcel's extensive historic garden, septic field, and mature trees which, in the aggregate, constitute exceptional conditions. The subordinate parcel's location directly across the street from the main parcel affords a unique opportunity to establish an accessory automobile garage in close proximity to the owner's home.

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

Comment –

Variance requests #1, 2 & 3 for the existing dairy barn (Allow an accessory structure without principal structure and reductions in street and side yard setbacks):

The 115-year-old accessory structure was part of the original estate that was subdivided in 1916. The accessory structure is a component of the historic site and removing it would diminish the site's unique character.

Variance request #4 for new detached garage (Allow a 2<sup>nd</sup> accessory structure without a principal structure):

The main parcel does not include an accessory structure that can accommodate modern functional parking bays. Specifically, the coach house on the main parcel contains parking bays that are not deep enough to accommodate modern vehicles. Altering the structure to accommodate a modern vehicle would destroy the historic character of the structure.

There is no practical space to accommodate a 2<sup>nd</sup> accessory structure on the main parcel. The open area of the lot, west of the coach house, is occupied by the septic system. The open area to the east of the coach house provides a view from the street to a historic formal garden and locating an accessory structure there would spoil the integrity of the historic site.

The dairy barn structure on the subordinate parcel likewise cannot accommodate modern vehicles in its original parking bays. In order to retrofit the structure to accommodate modern vehicles, the rear concrete wall of the bays would have to be altered. This would impact the structural integrity of the building and require alterations to the structure that would alter its historic character.

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

Comment –

Variance requests #1, 2 & 3 for the existing dairy barn (Allow an accessory structure without principal structure and reductions in street and side yard setbacks):

Florence Ave. ends just west of the applicant's property. It serves approximately 12 additional lots to the east of their property. The dairy barn has been located on the site, adjacent to Florence Ave., for 115 years with no adverse impact to surrounding properties. The presence of the structure is a unique part of the neighborhood's character. Denying the request would confer no discernable neighborhood benefit and prevent the owner from preserving and enhancing this unique historical structure.

Variance request #4 for new detached garage (Allow a 2<sup>nd</sup> accessory structure without a principal structure):

Garages are a customary accessory use to a residence. The proposed unobtrusive location of the accessory structure in the rear of the lot would pose no discernable hardship to adjacent property owners or the neighborhood and is appropriate to the neighborhood character.

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**RECOMMENDED CONDITIONS OF APPROVAL**

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In the event the Board is inclined to grant the proposed variance request for the new proposed detached garage (Variance request 4), staff recommends:

1. The proposed detached garage is constructed in substantial conformance with the site plan accompanying the variance application.
2. The proposed detached garage is constructed in compliance with the dimensional standards for an accessory structure on a conforming lot in the R1 zoning district.