



Zoning Board of Appeals

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Chair

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October 13, 2022

TO: Gregory Koeppen, Chair  
Lake County Zoning Board of Appeals

FROM: Eric Tooke, Principal Planner  
Lake County Department of Planning, Building and Development

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CASE NO: #000819-2022

REQUESTED ACTION: 1. Reduce the east street side setback from 30 feet to 19.39 feet.  
2. Reduce the north side (rear yard) setback from 9.7 feet to 5.91 feet.  
The purpose of the variances is to bring the existing house into compliance with the Lake County Code and for the construction of an attached garage.

HEARING DATE: October 24, 2022

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### GENERAL INFORMATION

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APPLICANTS: Richard T Sorensen, record owner

# OF PARCELS: Two

SIZE: 0.29 acres, per Lake County GIS

LOCATION: 25270 and 25262 W. Hawthorne Avenue, Antioch, Illinois

PINs: 01-25-217-027 and 01-25-217-028

EXISTING ZONING: Residential-1 (R-1)

EXISTING  
LAND USE: Single-family dwelling

PROPOSED LAND USE: Single-family dwelling with attached garage

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**SURROUNDING ZONING / LAND USE**

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ALL DIRECTIONS: Residential-1 (R-1) / Single-family dwellings

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**COMPREHENSIVE PLANS**

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LAKE COUNTY: Residential Single-Family Medium Lot (1 to 3-acre lot density)

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**DETAILS OF REQUEST**

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ACCESS: Access is provided from Woodland Avenue

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

FLOODPLAIN / WETLAND: The subject property does not contain any mapped wetlands or floodplain.

SEWER AND WATER: The property is currently served by a private septic system and well.

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**STAFF COMMENTS**

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Lake County Health Department – Comments by Tom Copenhaver

- The Health Department has no objections to the setback variances as they pertain to the existing house. However, property alteration permit approval to construct the garage addition could not be granted by the Health Department at this time because of encroachment into the designated septic field reserve area. If the Board is inclined to approve the variance requests, the reserve area will need to be re-located to allow for the garage addition to proceed. To do this, a soil test and preliminary system layout must be prepared showing it is possible to establish reserve area elsewhere on the property.

Lake County Environmental Engineering Division - Comments by Joel Krause

This Division has reviewed ZBA Case VAR-000819-2022 with the following comments:

- The Engineering Division has no objection to the requested variance.

Lake County Building Division – Comments by Bob Springer

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

Lake County Department of Transportation – Comments by Joe Meyer

- Both Woodland Avenue and W. Hawthorne Avenue are Township Roads. LCDOT has no objection to the requested variance.

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**ADDITIONAL COMMENTS**

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- The subject property abuts two public rights-of-way (ROW): W. Hawthorne Avenue on the south side and Woodland Avenue on the east side. The front lot line is determined by the narrowest part of the lot abutting the street. In this case, the front (street) yard is adjacent to W. Hawthorne Avenue.
- The street side setback for a nonconforming lot is determined by lot width. For lots over 80 feet wide, the street setback standard for the underlying zoning district shall apply, resulting in a street side setback of 30 feet.
- The existing single-family dwelling is located 19.39 feet from the Woodland Avenue ROW and 5.91 feet from the north property line, which necessitates the variance requests. Although the applicant is proposing to construct an attached garage addition which will also encroach into the required 30-foot street side setback from the ROW, the addition will be farther away from the property line than the wall of the existing house.
- The proposed attached garage will not interfere with the intersection visibility triangle.

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**RECOMMENDATION**

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Staff recommends approval. In our opinion, the request meets the required standards of Section 151.056 (C)(4) of the Lake County, Illinois Code of Ordinances for variances in the following manner:

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

Comment: The subject property is in a subdivision that was platted in 1927 and was designed with small, narrow lots. It is fronted by two ROWs, requiring street setbacks from both Hawthorne and Woodland Avenues. The corner lot (Lot 72) is narrower than most other parcels in the subdivision. Further, the existing residential structure, constructed in 1998, was built mainly on Lot 72 with the septic system and deck located on Lot 71. The expansion field for the septic encompasses the southern portion of both lots. Requiring a larger setback from Woodland Avenue would further encroach onto the septic expansion field. All of these factors in conjunction limit the buildable area.

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

Comment: It is the desire of the property owner to construct an attached garage addition and remedy the nonconforming status of the existing home. The Lake County Code 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, vehicles must be parked outside on the driveway which subjects them to damage from break-ins or severe weather. Given the limitations of the site's configuration, the location of the proposed improvement is appropriate.

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

Comment: The variation requests are in harmony with the general purpose and intent of the zoning regulations and will remedy the existing home's nonconforming status with no impact to the neighborhood. The proposed garage addition will be constructed at an increased distance from the street property line, thereby reducing the impact to adjacent properties. The proposed addition will provide adequate space for safe indoor storage of the applicants' vehicles and other items which is a reasonable and appropriate use of the property.

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### **RECOMMENDED CONDITIONS**

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In the event the Board grants the variation of the proposed setbacks, staff recommends the variance be subject to the following conditions:

1. The variance is consistent with the site plan of ZBA application #000819-2022.
2. The construction of the attached garage addition cannot proceed absent approval from the Lake County Health Department for an alternate septic system reserve area.
3. In the event approval for an alternate septic system reserve area is not obtained, the variance shall be limited to and be consistent with the footprint of the existing house.