

DEVELOPMENT REVIEW COMMITTEE MEMORANDUM

**VILLAGE OF LIBERTYVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
200 EAST COOK AVENUE
LIBERTYVILLE, ILLINOIS 60048-2090**

FROM: PLANNING DIVISION

DATE: June 4, 2025

SUBJECT: Development Review Committee (DRC) Reports for Cases Scheduled for Consideration on **Monday, June 9, 2025**

The DRC Meeting was held on **Monday, May 19, 2025**. DRC members present included:

Heather Rowe	Director of Community Development
Tony Repp	Deputy Director of Community Development
David Smith	Senior Planner
Wil Richardson	Planner
Keith Gronke	Building Division Manager/Building Commissioner
Jeff Cooper	Deputy Director of Public Works/Village Engineer
Harrison Meyer	Senior Project Engineer
Mike Weaver	Director of Fire Prevention

Attached herewith are the DRC Reports for the following cases:

Zoning Board of Appeals
ZBA 25-04

Plan Commission
PC 25-05, PC 25-06, PC 25-07, PC 25-08,
PC 25-09, PC 25-10, and PC 25-11

CASE NO.: ZBA 25-04 Variation for Lot Coverage

DATE FILED: May 9, 2025

REQUESTED ACTIONS:

ZBA 25-04 Request is for a variation to increase the maximum permitted lot coverage for property located in an R-6, Single Family Residential District at 225 Elm Court.

APPLICANT INFORMATION:

Applicants: Russell and Cara Benes
Owners: Russell and Cara Benes
Agent: Dan Wells, Elan Landscaping Design Co.
Address: 225 Elm Court

SITE INFORMATION:

Location: The property is commonly known as 225 Elm Court
Current Zoning and Land Use: R-6 Single Family Residential District
Size: The subject site is approximately 7,085 square feet in land area.
Surrounding Zoning:
 North: R-6 Single Family Residential District
 South: R-6 Single Family Residential District
 East: R-6 Single Family Residential District
 West: R-6 Single Family Residential District
Land Use Plan: Traditional Residential (TR)
Road Classification: Elm Court is a Village of Libertyville owned and maintained road and classified as a Minor Street.
Physical Characteristics: The subject lot is currently developed with a 2½-story frame single family residential structure and detached garage.

STAFF ANALYSIS:

Background:

The applicants, Russell and Cara Benes, are requesting a variation to increase the maximum permitted lot coverage for their residence located in an R-6, Single Family Residential District at 225 Elm Court.

The current Zoning Code permits the lot coverage to not exceed 45% for interior single-family lots in the R-6 district. The subject site has an existing lot coverage of approximately 50.46%. The current homeowner purchased the property in 2023 in its current pre-existing impervious condition

and stated that they were unaware that the property was not in compliance with the current lot coverage regulations.

Village records contain a site plan and architectural drawings of the residence and detached garage that complied with the lot coverage requirements at 44.5%. The permit for the residence and detached garage was issued in 2003 based upon that plan. Since 2003 additional impervious hardscape has been added to the property without the benefit of obtaining the proper permits. These non-permitted improvements caused the property to exceed the maximum permitted lot coverage.

The applicant is proposing to reduce the current lot coverage that they inherited upon the purchase in 2023 from 50.46% to approximately 49.1% by removing some brick pavers in and next to the driveway and some front stepper stones in front of the house.

It is Staff's position that an effort to come closer to the maximum allowed lot coverage of 45% should be taken through removal of additional hard surface elements on the property. This would be consistent with the approach to similar recent request (525 Lange Ct; approved November 2024). Staff does not support the variation request as proposed.

STANDARDS FOR VARIATION:

The applicant has provided a written response to the Standards for Variation which is included as part of their application submittal.

ENGINEERING DIVISION COMMENTS:

1. Staff recognizes the 'existing' permitted impervious coverage of the property to be 3,156.2 sq. ft. (44.5% lot coverage), as this was the amount that was approved on the original set of permit drawings for the home in 2003. Therefore, any net increase of impervious area being considered at this time will be calculated based on this original value, since there have not been subsequent permits issued since that date regarding impervious surface.

Regardless of the installation dates for any unpermitted items between 2003 and the current date, staff requires that this additional impervious area be held to current design standards given that it is being considered for approval at this time. This approach is consistent with past practice for unpermitted installations. Therefore, stormwater detention would be required in accordance with the Village's Appendix P Stormwater Management Regulations for any net increase of impervious area greater than 400 sq. ft. when compared to the 2003 value summarized above (i.e. a lot coverage of 3,556.2 sq. ft. or greater would require detention).

The proposed plans provided by the Applicant result in a lot coverage of 3,582.8 sq. ft. Therefore, stormwater detention would be required for the improvements as currently shown. This would require the provision of engineering design plans, prepared by a licensed Professional Engineer.

2. The following additional items were previously discussed during on-site meetings between Village staff, the property owner, and the landscape contractor, and shall be addressed as part of the permitting process:
 - a. A swale shall be provided from the new discharge pipe located along the east property line, just west of the neighbor's driveway, to ensure runoff is directed towards the north and not directly to the neighboring property.
 - b. The rear downspout location from the southeast corner of the house shall be revised to be as far north (close to the house) as feasible with consideration to existing features.

STAFF RECOMMENDATION -- PRIOR TO PUBLIC HEARING:

Regarding **ZBA 25-04**, Staff recommends **DENIAL** for a variation to increase the maximum permitted lot coverage from 45% to approximately 49.1% for property located in an R-6, Single Family Residential District at 225 Elm Court.