

## **Agenda Item 4**

### **375 E Deerpath Square Variances from the East and West Setbacks**

Staff Report  
Vicinity Map  
Air Photos

#### Materials Submitted by Petitioner

Application  
Statement of Intent  
Site Plan  
Elevations  
*Landscape Plan*

*Materials shown in italics are included in the Board packet only. A complete copy of the packet is available from the Community Development Department.*



## STAFF REPORT AND RECOMMENDATION

TO:	Chairman Bass and members of the Zoning Board of Appeals
DATE:	May 27 <sup>th</sup> , 2025
ADDRESS:	375 Deerpath Square
FROM:	Luis Prado, Assistant Planner
SUBJECT:	<b><i>Variances from Setbacks on the East and West Sides of the Property</i></b>

### OWNERS

Daniel and Adriana  
Axeunte

### PROPERTY LOCATION

375 Deerpath Square

### ZONING DISTRICT

R3 – Single Family  
Residential District

### PROJECT REPRESENTATIVE

John Nelson, Architect

### Summary of the Request

This is a request for a recommendation in support of variances to allow minor encroachments into the zoning setbacks on the east and west sides of the property for small portions of the proposed house and for the driveway.

### Description of the Property

This property is located on the east side of Deerpath Square, at the southeast corner of the intersection of Deerpath and Deerpath Square and just west of the Route 41 on-ramp heading south from Deerpath. The property is located in the Deerpath Hill Estates, 2<sup>nd</sup> Addition subdivision which was recorded in 1929. This property is unique in that it is bordered on four sides by public streets. Therefore, the property has 40-foot setbacks from all four property lines.

On May 7<sup>th</sup>, 2025, the Building Review Board approved the design aspects of the proposed residence, attached garage and the overall site plan.

### FACTS

#### ***Compliance/Non-Compliance with Key Code Requirements***

- ❖ The property does not comply with the minimum lot width for the R-3 zoning district of 125 feet.
- ❖ The property does not comply with the minimum lot size for the R-3 zoning district of 40,000 square feet.
- ❖ The proposed residence complies with the setbacks from the north and south property lines.

- ❖ The proposed residence does not comply with the setbacks from the east and west property lines.
- ❖ As proposed, at the furthest point, the open front porch encroaches five 5 feet into the 40-foot setback from the west property line.
- ❖ The overhang on the roof of the main house encroaches into the setback two (2) feet, less than the encroachment of the porch.
- ❖ As proposed, the driveway exceeds the allowable width within the front yard setback.
- ❖ As proposed, on the rear (east facing) elevation, the cantilevered portion of the second floor, including the overhang of the roof, encroaches four (4) feet into the 40-foot setback from the east property line.

### ***Physical, Natural or Practical Difficulties***

- ❖ The property is surrounded by public streets on all four sides.
- ❖ The lot, established before current zoning regulations, does not comply with the minimum lot width or lot size required by the applicable zoning district, R-3.

### **Staff Evaluation**

The petitioner proposes to construct a new house on a vacant lot with minor encroachments into the 40-foot setbacks from the east and west property lines. The house as proposed encroaches five (5) feet into the setback from the west property line at the furthest point, the porch.

Due to the long and narrow configuration of the property, and the grade change on the south portion of the property, the driveway is proposed off of Deerpath Square. To provide adequate access into the proposed three car garage, the driveway width is proposed at 30 feet, instead of the maximum width of 16 feet permitted by right in the front yard setback.

The cantilevered portion of the second floor, that is the portion of the second floor that extends out beyond the walls of the first floor on the rear (east) elevation, including the roof overhang, will encroach 4 feet into the 40-foot setback from the east property line.

As noted above, the property is surrounded on all four sides by public streets resulting in a front yard setback of 40' on all sides of the property. This unique condition limits the buildable area and creates challenges for siting the home. The encroachments into the setbacks on the east and west sides of the house are mitigated by the openness of the front porch on the west side and the limited encroachment of the second story on the east side. Additionally, there is substantial vegetative screening along the east property line and no adjacent homes, only a State highway.

### **Findings of Fact**

Based on a review of the information submitted by the petitioners, an analysis of this request based on applicable portions of the Zoning Code, and inspection of the site, staff submits the following findings in support of variances from the east and west setback requirements.

1. This long vacant property is a buildable lot. The proposed residence is at the edge of a residential neighborhood and fronts on public streets on all sides. The Building Review Board reviewed the project and recommended approval of the site plan, design aspects of the proposed residence. The property is heavily vegetated and most of the vegetation will remain. Based on the above, the proposed residence and driveway if developed with the variances as requested, will not alter the essential character of the neighborhood.
2. The conditions upon which the variances are requested are generally unique to this property. It is uncommon for a property to be surrounded on all four sides by public roads which constrains the buildable area.
3. The hardship on which the request for variances are based are the establishment of the lot prior to the adoption of the current zoning regulations and the presence of public streets on all four sides of the property.
4. No evidence has been submitted that indicates that the variances if approved, will increase congestion, endanger public safety, or diminish property values in the neighborhood.

### **PUBLIC COMMENT**

Standard public notice of this request was provided by the City to surrounding residents and property owners. Notice was also published in the Lake Forester and the agenda was posted at public locations and on the City's website. As of the date of this writing, no correspondence or contacts have been received regarding this petition.

### **RECOMMENDATION**

Based on the findings presented above, recommend approval of setback variances to allow encroachment of portions of the residence into the zoning setbacks on the east and west sides of the property and a driveway that exceeds the permitted width in the front yard setback.

- Encroachment of an open front porch and, to a lesser extent, the roof overhang of the main house, no further than five (5) feet into the setback along the west property line.
- Encroachment of the second story of the residence no further than four (4) feet into the setback along the east property line.

- A variance to allow the driveway to be no more than 30 feet wide within the setback along the west property line.

All as reflected on the site plan presented to the Board.

The recommendation includes the following conditions of approval.

- The front porch shall remain open.
- The vegetative screening along the east property line shall remain or, if removals are approved by the City, replanting must occur to achieve a similar density in three planting seasons.





Area of Request  
375 Deerpath Square



Area of Request  
375 Deerpath Square



THE CITY OF LAKE FOREST
ZONING BOARD OF APPEALS APPLICATION OF ZONING VARIANCE

PROJECT ADDRESS 315 DEER PATH SQUARE

ZONING DISTRICT R-3

Property Owner (s)

Name DANIEL & ADRIANA AYENTE

(may be different from project address)

Address 587 IVEY COURT, LAKE FOREST, ILLINOIS 60045

Phone 224-715-1426 Fax -

Email AYENTE30@gmail.com

Applicant/Representative

Name JOHN NELSON ARCHITECTS, INC.

Title SOLE PROPRIETOR

(if different from Property Owner)

Address 1420 WHISPERING SPRINGS CIRCLE, PALATINE, ILL 60074

Phone 847-513-4389 Fax -

Email JANCO4@COMCAST.NET

Beneficial Interests

N.A.

- Corporation [ ] See Exhibit A
Partnership [ ] See Exhibit B
Trust, land or other [ ] See Exhibit C

Staff Reports are Available the Friday before the Meeting

Table with 4 rows and 4 columns: Report type, Owner, Representative, and checkboxes.

Signatures

I have read the complete application packet and understand the variance process and criteria. I understand that this matter will be scheduled for a public hearing when a determination has been made that my application is complete.

Signature of Daniel & Adriana Ayente, Date 3/6/25

Signature of John Nelson, Date 3/6/25

Signature of John Nelson, Date 3/10/25

**JOHN NELSON – ARCHITECT, INC.**

**NCARB CBO**

1420 Whispering Springs Circle  
Palatine, IL 60074  
847-991-9154 - Office  
847-513-4389 - Cell  
janco4@comcast.net

February 5, 2025

City of Lake Forest  
Zoning Board of Appeals  
800 Field Drive  
Lake Forest, Illinois 60045

Re: Request for a Zoning Variation for a Setback Reduction  
375 Deer Path Square (PIN: 12-32-303-001-000)  
Daniel and Adriana Axente – Owners/Petitioners

Ladies and Gentlemen,

Daniel and Adriana Axente are the owners of the 375 Deer Path Square lot who presently live at 587 Ivey Court in Lake Forest, Illinois.

They purchased a property at this 375 Deer Path Square lot for the purpose of building a new single-family residence for their family.

The property is 29700 sq. ft. (0.68 acres) which appears fairly large for a single family lot. However the property is zoned R-3 resulting in forty foot setbacks around all sides constraining a reasonable single family use and appropriate appearance.

As a result the Axente family comes to the Zoning Board of Appeals seeking relief as follows:

1. A 1.5 foot variance at the easterly side (rear yard) of the property in order to allow a 2 foot 2<sup>nd</sup> floor cantilever extension so that the 2<sup>nd</sup> story cantilever will be 38.5 feet from the rear lot line and not 40.0 feet from the rear lot line.
2. A 4.5 foot variance at the westerly side (front yard) of the property in order to allow a one-story covered porch (design element) to encroach into that 40 foot front yard setback so that the porch will be 35.5 feet from the front yard line.

The cantilevered 2<sup>nd</sup> floor allows for reasonable size bedrooms, baths and further serves as a shadow line architectural element breaking up the rear yard elevation.

The one-story covered porch is a design element breaking up the front elevation.

All foundations, except for the covered porch structure, are within the 40 foot setback line.

The variation, if granted, will not alter the essential character of the subject property, the surrounding area or the larger neighborhood in which the property is located.

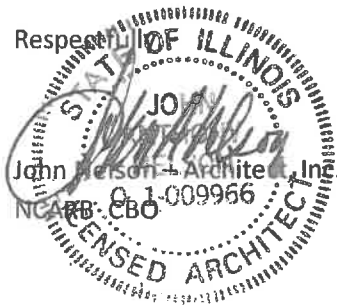
The condition upon which a petition for a variance is based is due to the unique required setbacks which the variance is sought.

The alleged difficulty or hardship in conforming with the requirements of this chapter in the zoning ordinance is caused by the zoning ordinance and has not been created by the actions of any person presently or formerly having an interest in the property

The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or diminish or impair property values within the neighborhood.

For these reasons Daniel and Adriana Axente seek approval of the setback reductions as cited within the body of this letter.

Respectfully,



# SITE PLAN

**WARNING:**  
IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE ARCHITECT OF RECORD, TO ALTER THESE DRAWINGS OR SPECIFICATIONS IN ANY WAY.

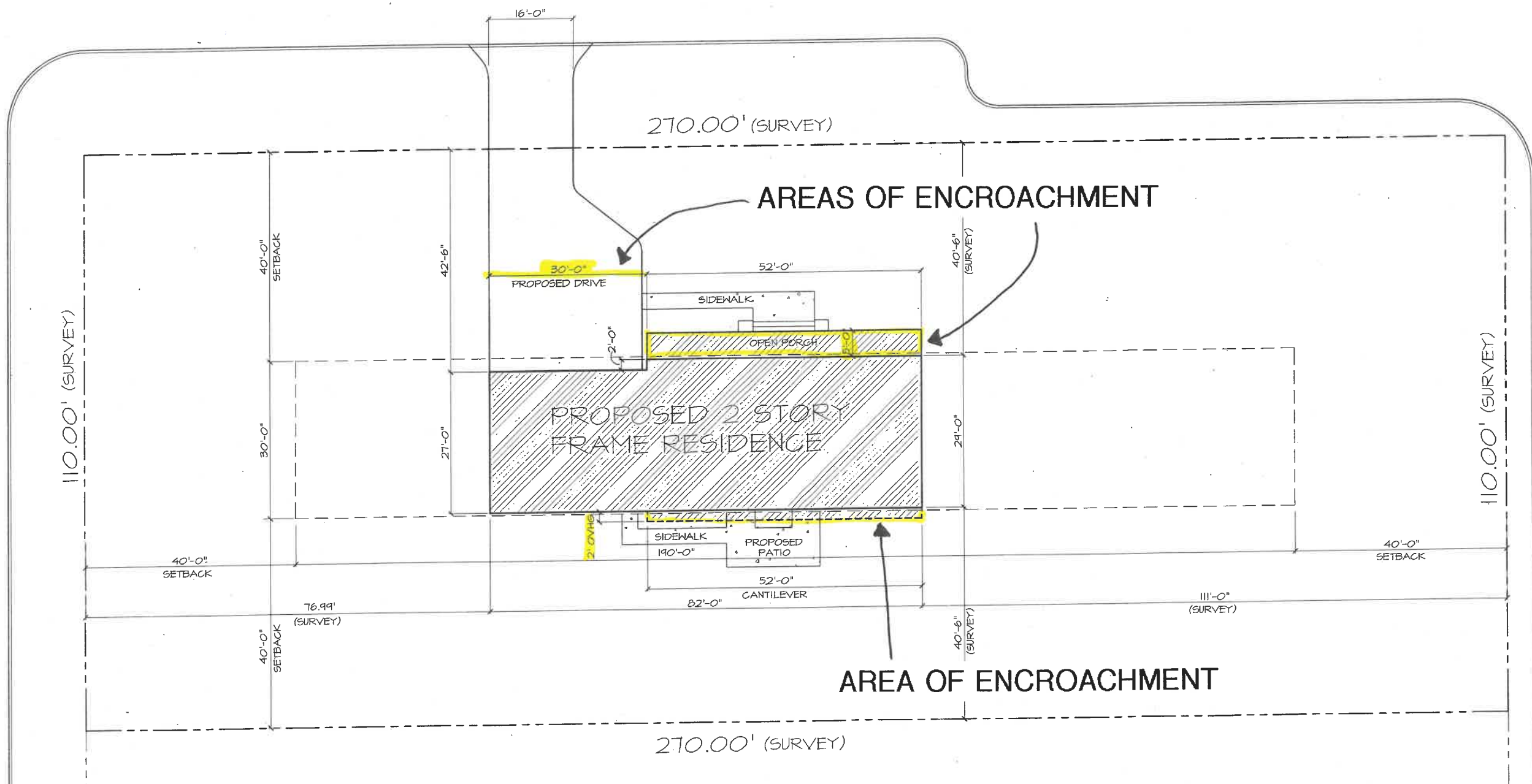
JOHN NELSON - ARCHITECT, INC.  
1420 WHISPERING SPRINGS CIRCLE  
PALATINE, IL 60074

PROPOSED NEW SINGLE FAMILY RESIDENCE FOR:  
DANIEL & ADRIANA AXENTE  
375 DEER PATH SQUARE  
LAKE FOREST, IL

WEST DEERPATH

KENNINGTON TERRACE

DEERPETH SQUARE



**PROPOSED SITE PLAN**  
SCALE: 1" = 10'-0"

DATE	APPEAR	REVIEW
2/17/25	APPEAR	REVIEW
4/14/25	VILLAGE	REVIEW

DATE:  
DRAWN BY:  
CHECKED BY:  
SCALE:

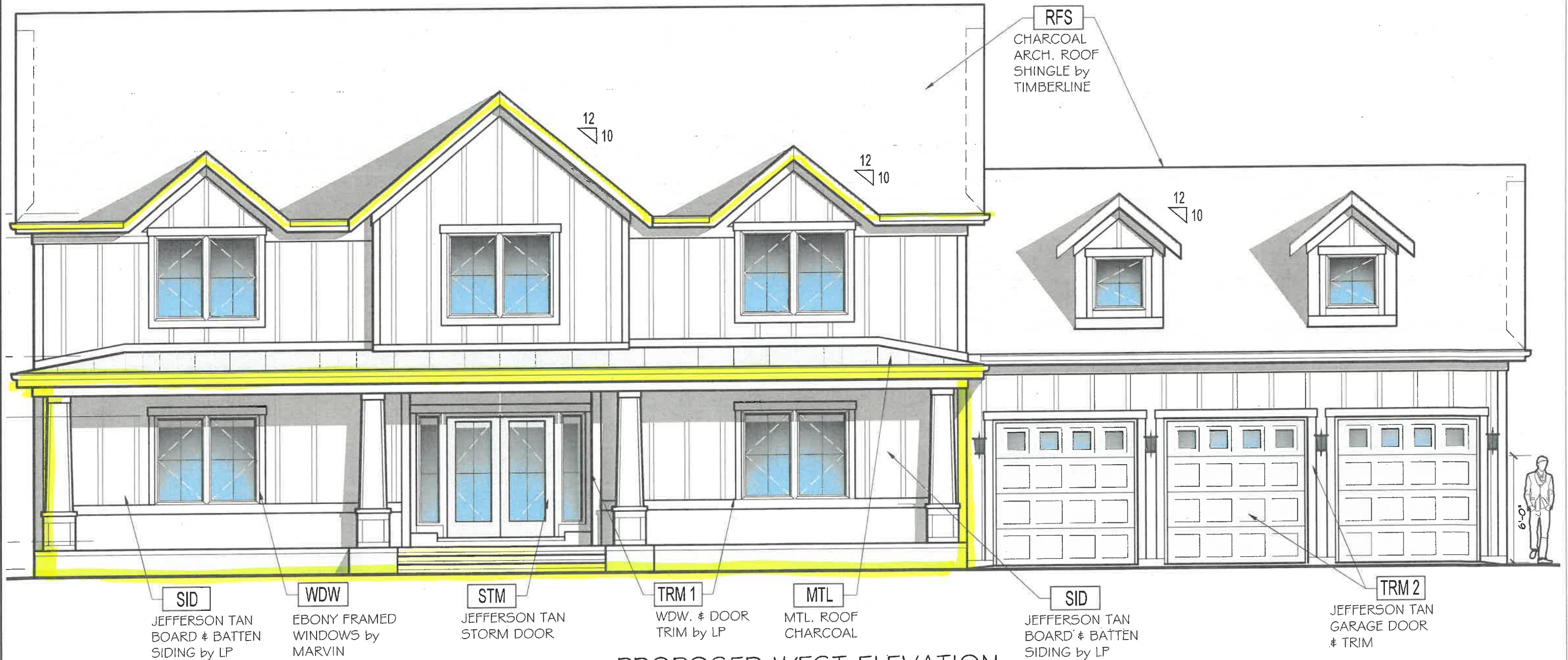
SHEET TITLE:  
**PROPOSED SITE PLAN**

SHEET NUMBER:  
OF: TOTAL SHEETS

51

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# WEST ELEVATION



## PROPOSED WEST ELEVATION

SCALE: 3/16" = 1'-0"

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1420 WHISPERING SPRINGS CIRCLE  
PALATINE, IL 60074

DATE	REVISION
2/17/25	APPEAR. REVIEW
4/14/25	VILLAGE REVIEW

PROPOSED RESIDENCE FOR;  
**DANIEL & ADRIANA AXENTE**  
375 DEER PATH SQUARE

SHEET DESCRIPTION:  
**PROPOSED  
EXT. ELEVATION**

SHEET NUMBER:  
**A3B**

EAST ELEVATION



RFS  
CHARCOAL  
ARCH. ROOF  
SHINGLE by  
TIMBERLINE

10  
12

35'-0"

WDW  
EBONY FRAMED  
WINDOWS by  
MARVIN

TRM 1  
WDW. & DOOR  
TRIM by LP

SID  
JEFFERSON TAN  
BOARD & BATTEN  
SIDING by LP

WDW  
EBONY FRAMED  
WINDOWS by  
MARVIN

PROPOSED EAST ELEVATION

SCALE: 3/16" = 1'-0"

WARNING:  
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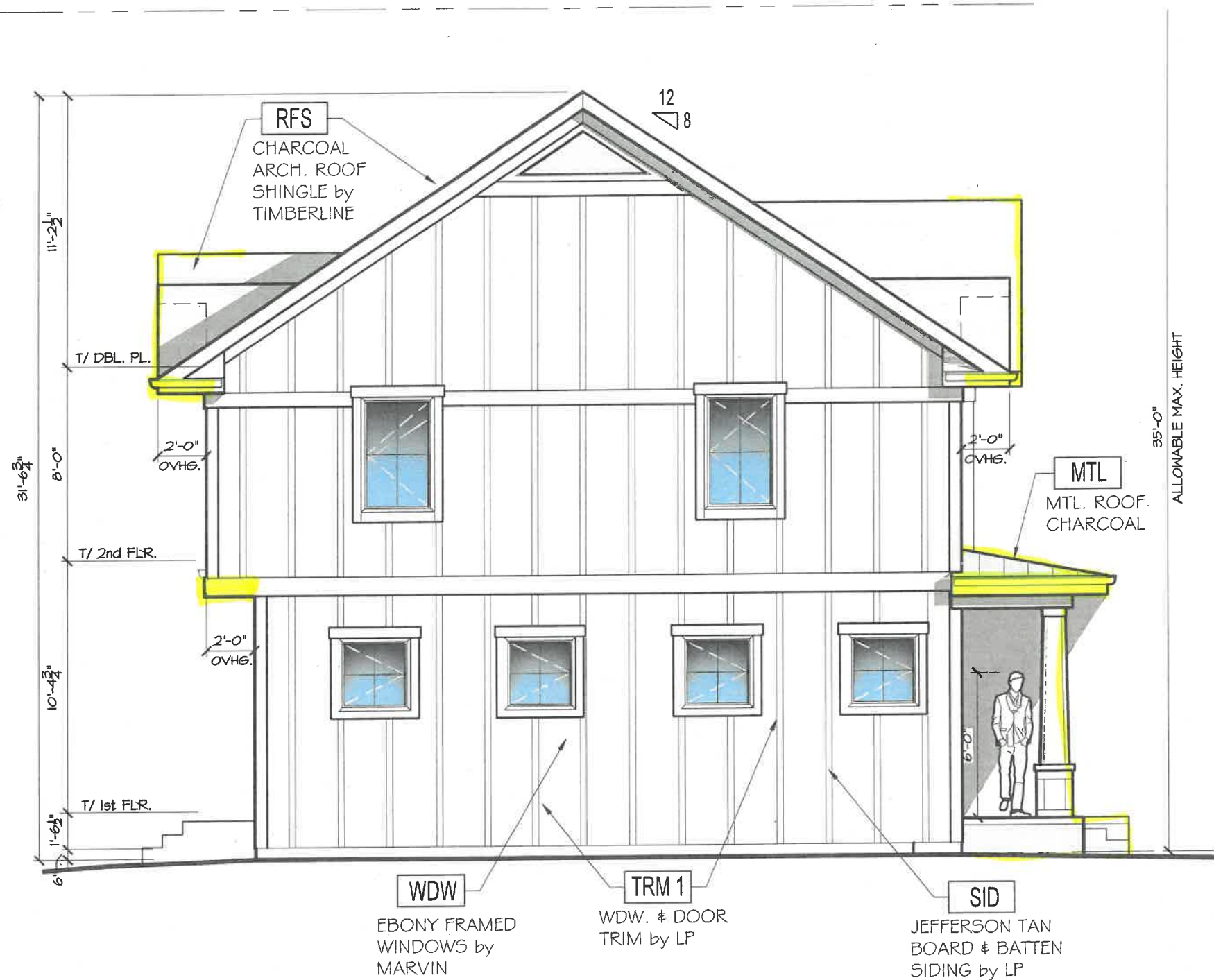
DATE	
2/17/25	APPEAR. REVIEW
4/14/25	VILLAGE REVIEW

PROPOSED RESIDENCE FOR;  
DANIEL & ADRIANA AXENTE  
375 DEER PATH SQUARE

SHEET DESCRIPTION:  
PROPOSED  
EXT. ELEVATION

SHEET NUMBER:  
A3A

NORTH ELEVATION



PROPOSED NORTH ELEVATION

SCALE: 3/16" = 1'-0"

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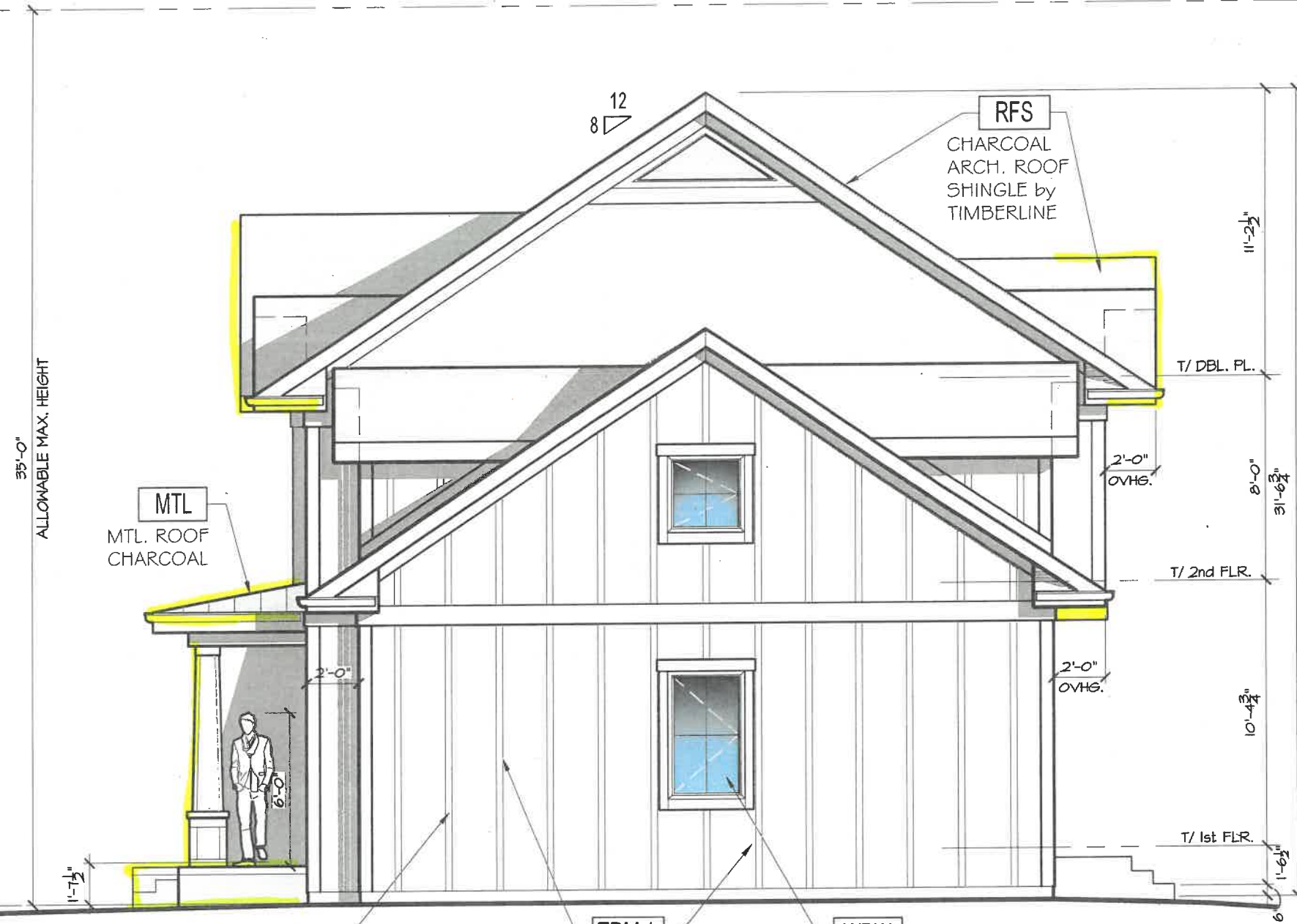
DATE	
2/17/25	APPEAR. REVIEW
4/14/25	VILLAGE REVIEW

PROPOSED RESIDENCE FOR;  
DANIEL & ADRIANA AXENTE  
375 DEER PATH SQUARE

SHEET DESCRIPTION:  
PROPOSED  
EXT. ELEVATION

SHEET NUMBER:  
A4A

SOUTH ELEVATION



PROPOSED SOUTH ELEVATION

SCALE: 3/16" = 1'-0"

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JOHN NELSON - ARCHITECT, INC.  
1420 WHISPERING SPRINGS CIRCLE  
PALATINE, IL 60074

DATE	
2/17/25	APPEAR. REVIEW
4/14/25	VILLAGE REVIEW

PROPOSED RESIDENCE FOR;  
DANIEL & ADRIANA AXENTE  
375 DEER PATH SQUARE

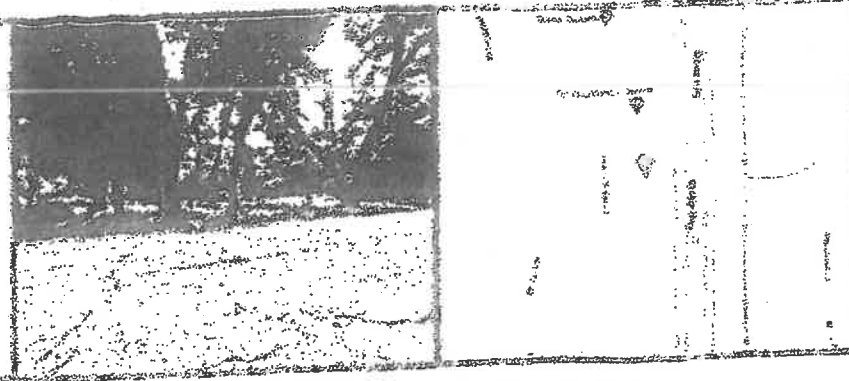
SHEET DESCRIPTION:  
PROPOSED  
EXT. ELEVATION

SHEET NUMBER:  
A4B

LANDSCAPE PLAN



www.exacta.com | OFFICE: 773.305.7011



SURVEY NUMBER: 2408.1391

PROPERTY ADDRESS: 375 DEERPATH SQUARE, LAKE FOREST, ILLINOIS 60755

PLANT LIST

- 1 RSM ROYAL SIAE MAGNOLIA 10'
- 4 DBB DWARF BURNING BUSH 36"
- 8 HP HYDRANGEA PAN. QUICK 36"
- 5 DL DWARF LILAC 36"
- 13 GB GLENCOE BOXWOOD 18"
- 21 OO ORNAMENTAL ONION 19"
- 16 LM LADY'S MANTLE 19"
- 9 TH TURTLE HEAD 19"
- 17 LT LILY TURF QT
- 2 TA REDMOND LINDEN 3"
- 3 PC CHANTICLEER PEAR 3"

LANDSCAPE PLAN

SCALE 1/20" = 1'-0"

NORTH REV: 4.15.2025, 4.22.2025

(R) 00'02"  
(R) 270.00' (R)  
(R) 270.00' (R)

