

**The City of Lake Forest**  
**Zoning Board of Appeals**  
**Proceedings of the October 28, 2024 Meeting**

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, October 28, 2024 at 6:30 p.m., in Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Ari Bass and Board members Laurie Rose, Art Miller, James Moorhead, Henry Kleeman and Mike Adams (one vacant position)

Zoning Board of Appeals members absent: Henry Kleeman

Staff present: Catherine Czerniak, Director of Community Development and Luis Prado, Assistant Planner

**1. Introduction of Board members and staff, overview of meeting procedures - Chairman Bass**

Chairman Bass reviewed the meeting procedures and asked the members of the Board to introduce themselves.

**2. Consideration of the minutes from the September 23, 2024 meeting.**

The minutes of the September 23, 2024 meeting were approved as presented.

**3. Consideration of a request for a recommendation in support of a variance from the accessory structure side yard setback for a replacement detached garage at 854 Highview Terrace.**

**Property Owners: Tomas and Catherine FencI**

**Representative: Andrew Venamore, contractor**

Chairman Bass asked for any Ex Parte contacts or conflicts of interest. He noted that he exchanged pleasantries with the property owner will visiting the site. Hearing nothing further, he invited a presentation from the petitioner and swore in all intending to speak on the petition.

Mr. Venamore stated that a variance from the accessory structure setback is requested to allow construction of a replacement garage in the same location as the existing, deteriorated garage. He stated that the new garage will be very similar to the existing garage except that instead of two single garage doors, one double wide door is proposed to improve maneuverability. He stated that the new garage will have a deeper eave that will encroach into the setback further than the existing condition he noted however, that the garage wall is in the same location as the

existing garage wall. He noted that consideration was given to shifting the garage slightly, out of the setback and away from the house, however, problematic drainage on the site and the desire to preserve a large tree in the back yard drove the siting of the garage in the same location as the existing garage. He stated that there is about 25 feet between the garage and the house, a minimum required distance to allow for maneuverability.

Ms. Friedrich confirmed that the proposed garage is in the same location as the existing garage and measures three feet from the wall of the garage to the west property line, rather than five feet as required by Code. She noted that the overhang and gutter on the new garage will encroach 18 inches into the setback, further than the four inch overhang on the existing garage. She noted that the property owners have considered how best to replace the existing, deteriorating garage for some time but have delayed this project to assure the drainage issues in the rear yard can be addressed at the same time. She added that preserving the large Oak tree in the rear yard is important to the petitioners.

Chairman Bass invited questions from the Board.

In response to questions from Board member Adams, Mr. Venamore stated that his goal is always to avoid requesting variances. He confirmed that consideration was given to shifting the garage to the east and the north to avoid the need for variances but noted that the constraints in the small rear yard, the heritage tree, drainage problems, and the need to be able to maneuver a car around the house prevented an alternate siting. He confirmed that the property owners have advised their neighbors of the proposed project and letters of support were provided to the Board.

Hearing no further questions from the Board, Chairman Bass invited public comment. Hearing none, he invited final questions and comments from the Board.

Board member Moorhead stated support for the variances noting that the request appears to satisfy the variance criteria.

Board member Rose stated support for the variances and acknowledged the challenges on the site that create the need for a variance.

Board members Adams and Miller agreed with the comments of Board members Moorhead and Rose.

Chairman Bass stated support for the variance and hearing no further questions or comments from the Board, he invited a motion.

Board member Moorhead made a motion to recommend approval of a variance from the accessory structure side yard setback to allow a replacement detached

garage to encroach no closer than 1 foot 8 inches, including the eave and gutter, to the side (west) property line. He stated that the recommendation is based on the findings as detailed in the staff report.

The motion was seconded by Board member Miller and approved by a vote of 5 to 0.

**4. Consideration of a request for a recommendation in support of a side yard variance for a mud and storage room addition and air conditioning units at 40 N. Sheridan Road.**

**Property Owners: Casamigos, LLC (John Davidson, 50% and Amy Davidson, 50%)**

**Representative: Scott Streightiff, architect**

Chairman Bass asked for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner and swore in all intending to speak on the petition.

Mr. Streightiff stated that a side yard setback variance is requested for an addition to the south side of the house and two air conditioning units on the south property line. He stated that the petition complies with all other Code requirements. He stated that in 2008, a similar request was approved by the Zoning Board, but the work was never completed. He noted that limited parking, storage, and the lack of a mudroom are concerns for the petitioners. He stated that the current proposal is reduced from the scale of the project proposed and approved by the Board in the past. He stated that the house is located on the west side of Sheridan Road and was designed by Stanley Anderson. He stated that the addition is designed in keeping with the character and quality of the original architecture of the home. He reviewed various alternatives that were considered. He stated that the proposed addition will not encroach further than the existing components of the home.

Mr. Prado stated that the staff report provides findings in support of a variance from the south property line to allow a garage and mudroom addition. He confirmed that the proposed addition does not encroach into the setback any further than existing components of the home and will be no closer than six feet to the south property line. He stated that at the proposed location, the air conditioning units will encroach further into the setback adding that they appear to be located on the south property line. He noted that the staff report recommends further exploration of options for locating the air conditioning units in compliance with the setback requirements and away from the neighboring property.

Chairman Bass invited questions from the Board.

In response to questions from Board member Rose, Mr. Streightiff stated that the existing air conditioning units are adjacent to the garage on the south elevation. He

noted that all utilities are in the same location and shifting them would require considerable expense. He stated that the property owners desire to maintain the path along the south side of the house and as a result, the air conditioning units are proposed on the property line. He stated that a possible solution is to keep the air conditioning units adjacent to the south wall of the home and shift the path away from the house, toward the property line.

In response to questions from Board member Miller, Mr. Streightiff stated there is no room for storage in the existing garage and the addition provides storage space. He stated that he does not know whether the addition could be constructed over the air conditioning units.

In response to questions from Board member Adams, Mr. Streightiff confirmed the addition will encroach into the setback the same distance as the existing trellis.

In response to a question from Board member Rose, Mr. Streightiff acknowledged that the air conditioning units could be relocated to the north side of the house.

In response to questions from Chairman Bass, Mr. Streightiff confirmed that the fence is not square to the property line.

In response to questions from Board member Rose, Ms. Davidson confirmed the fence was in place at the time she purchased the property.

Hearing no further questions from the Board, Chairman Bass invited public comment. Hearing none, he invited final questions and comments from the Board.

Board member Adams stated an interest in understanding the exact location of the fence in relation to the property line.

Board member Rose concurred that the property line should be staked by a surveyor.

In response to questions from the Board, Mr. Prado confirmed that the variance for the addition can be approved separate from consideration of the variance for the air conditioning units.

Board member Miller stated that the sound of an air conditioning unit located on the property line is problematic.

In response to a question from Board member Adams, Mr. Streightiff confirmed that the intention is to keep the fruit trees along the south property line.

Board member Moorhead stated support for a variance for the addition. He stated that he does not support the request for a variance to allow the air conditioning units

to be located on the south property line. He stated that he would support a continuance of that aspect of the petition. He acknowledged that relocating the air conditioning units may be inconvenient and expensive but noted that as presented, that aspect of the petition does not satisfy Criteria 4.

Chairman Bass stated that shifting the path to the property line and locating the air conditioning units up against the wall of the south elevation should be considered. He stated that an accurate survey and staking the property line will be helpful.

Board member Rose agreed with the comments offered by Board member Moorhead.

Board member Adams stated support for the variances as requested. He stated that if the air conditioning units are relocated, it could impact the overall project. He noted that the home to the south is a distance away from the proposed air condition unit location.

Board member Moorhead pointed out that the property owner to the south, or a future owner, may want to renovate their property in the future which could change the use of the space on the neighboring property adjacent to the air conditioning units. He stated this request seems aggressive and does not recall the Board seeing a request in the past to have the air conditioning units on the property line.

Board member Miller stated approving the location of the air conditioning on the property line could set a precedent for other properties.

Board member Rose noted that consideration needs to be given to the space needed to maintain the air conditioning units as raised in the neighbor's letter.

In response to questions from Board member Moorhead, Ms. Czerniak stated that the manufacturer's specification for the units would need to be met which could specify a required separation distance or maintenance area needed. She stated that if the Board decides to move forward with the proposal as presented or some alternative, a condition requiring sound mitigation could be recommended as part of the approval.

In response to comments from the Board, Mr. Streightiff stated that the air units could be located up against the house adding that the neighbor appears to be accepting of that option.

In response to questions from Chairman Bass, Ms. Czerniak reiterated that there may be a required separation distance from the wall of the home.

In response to questions from Board member Adams, Mr. Streightiff explained that if the path is shifted to the property line, the air conditioning units could be located

adjacent to the wall of the addition. He explained that in that scenario, the air conditioning units would be four to five feet from the fence which is nearly on the property line. He stated that the air conditioning units would be three and a half feet closer to the property line than they are now.

In response to questions Board member Rose, Mr. Streightiff stated that the air conditioning units run efficiently. He added that a trellis could be built around the units for sound mitigation.

Board member Moorhead stated that in his opinion, the property owner should bear the burden of moving the air conditioning units rather than place them on or close to the property line. He stated support for the option of locating the units against the wall of the addition and moving the pathway to the property line.

Board members Rose and Adams agreed with Board member Moorhead regarding the placement of the air conditioning units.

Board member Miller again raised the question of whether the addition for storage space could be built the above the air conditioning units.

Board member Rose stated that ventilation around the air conditioning units is required.

Hearing no further comments from the Board, Chairman Bass invited a motion.

Board member Moorhead made a motion to recommend approval of a variance from the side yard setback to allow an addition to be located no closer than six feet to the south property line and the air conditioning units to be located as close to the wall of the addition, along the south elevation, as technically and operationally possible. He stated that the recommendation is based on the findings as detailed in the staff report and incorporates the Board's deliberations as additional findings. He stated that the motion is subject to the following condition.

- Sound mitigation measures must be installed around the air conditioning units.

The motion was seconded by Board member Adams and approved by a vote of 5 to 0.

**5. Consideration of a request for a recommendation in support of variances from the front yard and lot in depth setbacks for a garage addition and variances from the front yard and steep slope setbacks for a screen porch addition at 600 Mayflower Road.**

**Property Owner: JE Ventures, LLC (Judy Nygard, 100%)**

**Representative: Nick Marmitt, architect**

This item was postponed.

**6. Consideration of a request for a recommendation in support of a rear yard variance for a rear addition at 1320 Elm Tree Road.**

**Property Owner: Chicago Title Land Trust (#9002345942)**

**Representative: Scott Streightiff, architect**

This item was postponed.

**7. Public testimony on non-agenda items.**

No public testimony was presented to the Board on non-agenda items.

**8. Additional information from staff.**

Consideration of the 2025 Zoning Board of Appeals meeting calendar.

Board member Miller made a motion to approve the 2025 Zoning Board of Appeals meeting calendar.

Board member Adams seconded the motion, and it was approved by a vote of 5 to 0.

The meeting was adjourned at 7:22 p.m.

Respectfully submitted,

Michelle E. Friedrich  
Planning Technician