

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the May 17, 2018 Meeting

A special meeting of the Lake Forest Zoning Board of Appeals was held on Thursday, May 17, 2018 at 6:30 p.m., in the Council Chambers at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Zoning Board of Appeals members present: Acting Chairman Michael Sieman and Board members Kevin Lewis, Mark Pasquesi and Lisa Nehring

Zoning Board of Appeals members absent: Chairman Louis Pickus and Board members Nancy Novit and Richard Plonsker

Staff present: Michelle Friedrich, Planning Technician and Catherine Czerniak, Director of Community Development

1. Introduction of Board members and staff, overview of meeting procedures.

Acting Chairman Sieman reviewed the role of the Zoning Board of Appeals and asked members of the Board and staff to introduce themselves.

2. Consideration of the minutes from the April 30, 2018 meeting.

Approval of the minutes of the April 30, 2018 meeting was postponed.

3. Consideration of a request for approval of a front yard setback variance for a replacement single family dwelling at 104 Washington Circle.

Owners: Tom and Judy Westberg

Representative: Monica Artmann-Ruggles, architect

Acting Chairman Sieman introduced the agenda item and asked the Board for any Ex Parte contacts or conflicts of interest. Hearing none, Acting Chairman Sieman invited a presentation from the petitioner and swore in all those intending to speak.

Ms. Artmann-Ruggles introduced the petition noting that the Westbergs recently purchased the property. She reviewed the history of the property and described the character of the established neighborhood noting the curving nature of Washington Circle. She stated that the previous home on the site was sited about 50 feet back from the front property line, creating the appearance of a gap in the streetscape. She explained that the home now proposed is designed and sited to fit the character of the streetscape and includes an open front porch. She noted that the two story element on the house is located on the north side, as Washington Circle curves away

from the property. She stated that the project was reviewed and approved by the Building Review Board on May 2nd with a recommendation for a minimum front yard setback of 30 feet. She stated that due to the curve of the street, with a minimum 30 foot setback, at the northeast corner, the house would be setback 39 feet from the front property line. She stated that a 30 foot minimum setback could create the appearance of a gap in the streetscape.

Ms. Friedrich explained that the request before the Board is for a variance from the front yard setback requirement to allow the proposed new single family home to align with the pattern of front yard setbacks along the street. She stated that there was previously a home on the property which was deemed a health and life safety hazard and removed by the petitioners shortly after they purchased the property. She stated that the required front yard setback is 40 feet in the R-1 district. She stated that the petitioners are requesting a variance to allow the new house to be located 25 feet from the front property line, at the closest point. She explained that the Building Review Board reviewed this petition earlier in May and determined that locating the house 30 feet from the property line, at the closest point, would be more appropriate given the two-story nature of the northeast corner of the front façade. She noted that the Building Review Board had a lengthy discussion about the overall length of the house on the site but ultimately recommended approval of the design aspects of the project. She noted that most of the houses along the street were built prior to the current setback requirements adding that in the past, the Board has recommended front yard variances to allow new construction to conform to the established setback pattern along the street. She stated that maintaining a consistent setback along Washington Circle is important to preserving the character of this smaller lot neighborhood. She noted that the staff report includes findings in support of a variance to allow the new house to be located no closer than 30 feet to the front property line.

In response to questions from Board member Nehring, Ms. Artmann-Ruggles confirmed that the house may get wider in some areas if a 30 foot setback is required instead of the proposed 25 foot setback, to accommodate the desired spaces. She confirmed that the house will conform to the square footage requirements.

In response to questions from Board member Lewis, Ms. Friedrich confirmed that a variance is required for either a 25 foot setback or a 30 foot setback reiterating that the required front yard setback is 40 feet.

In response to questions from the Board, Ms. Czerniak explained that the Building Review Board in part based its recommendation on a recently constructed house on Oakwood Avenue which received a front yard variance and visually appears somewhat out of character with the streetscape. She noted that like the Washington Circle neighborhood, further transition is anticipated along that streetscape so being

somewhat cautious in the extent of variances granted may make some sense. She noted that in both cases, there is variety in the setbacks of homes along the streets.

In response to a question from Board member Pasquesi, Ms. Friedrich stated that unless there is a significant change in the overall design aspects of the house, no further Building Review Board review will be required.

In response to questions from Acting Chairman Sieman, Ms. Ruggles stated that if a 30 foot front setback is required, the house will not get longer, but the elevations may change slightly to work around the additional five foot setback.

In response to questions from Acting Chairman Sieman, Ms. Czerniak explained that the Building Review Board approved the project with a split vote. She noted that those voting nay had concerns about the overall length of the house. She stated that no rear yard variance is requested adding that justifying a hardship for a rear yard variance for new construction would be difficult.

In response to questions from Board member Nehring, Ms. Artmann-Ruggles explained that the portion of the house that is closest to the front property line is an open porch. She stated that the rest of the front elevation is set back further than 25 feet.

Hearing no further questions from the Board, Acting Chairman Sieman invited public testimony.

Thomas Kearin, 115 Washington Circle, stated that he has lived on Washington Circle for 16 years and has seen changes in the area. He stated that in his opinion, meeting the average of the setbacks of the homes along the street will preserve the flow of front facades along the street. He stated that the homes in the area are not perfectly aligned. He stated his support for the 25 foot setback as requested by the petitioners.

Acting Chairman Sieman asked for further public testimony. Hearing none, he returned the discussion to the Board.

In response to questions from Board member Pasquesi, Ms. Czerniak confirmed that the findings could be revised to support a 25 foot setback if desired by the Board. She suggested that the Board may want to consider a condition that requires the front porch, which will be located closest to the streetscape, to remain open as proposed.

In response to questions from Board member Lewis, Ms. Artmann-Ruggles reviewed the setback distances at various points along the front façade. She stated that the two story element is setback about 27 feet from the front property line.

Board member Lewis noted that the neighboring home, at 114 Washington Circle, is located much closer than other homes along the street. He stated support for a 30 foot setback commenting that 25 feet appears too close to the street.

Board member Nehring suggested a 28 foot setback as a middle ground. The petitioners agreed that a 28 foot setback is workable as a compromise.

Board member Pasquesi noted that the setbacks of the surrounding homes vary significantly. He stated that a 25 foot setback does not seem unreasonable. He pointed out that the two story portion of the house will be setback further than the front porch.

Board member Lewis agreed that the setbacks of the homes along the street vary greatly but noted that the homes on either side of the proposed house are among those closest to the street and therefore, may not be a fair comparison. He stated support for the compromise suggested by Board member Nehring.

Board member Nehring commented that Washington Circle is curved and as a result, the setbacks of homes vary and give the neighborhood a unique character.

Board member Pasquesi noted that the train runs along the rear of the property so siting the house closer to the street is an advantage, moving the house away from the railroad tracks.

Acting Chairman Sieman stated an interest in finding the right balance between all of the comments offered. He questioned whether the Building Review Board's recommendation of 30 feet is the right approach as opposed to the 25 foot setback requested by the petitioner. He stated that either proposal may have a positive outcome.

Board member Pasquesi noted that two neighboring residents stated support for a variance allowing the house to be sited 25 feet back from the front property line.

Acting Chairman Sieman pointed out that the setbacks of the houses on the east side of the street have not been referenced in the Board's discussion to date. He noted that there is no sidewalk on the east side of the street, but the houses appear to be closer to the street.

Board member Lewis noted that the setbacks along each side are seen in a different context from each other when driving down the street. He stated that the Building Review Board considered this petition and recommended a 30 foot setback. He stated that he is trying to find a reason to approve a variance to allow 25 feet from the front property line.

Board member Nehring stated that siting the house at 30 feet from the front property line feels different.

Board member Pasquesi stated that the homeowner prefers to site the house 25 feet from the front property line and stated that unless the requested variance is at odds with the neighborhood, the variance may be appropriate.

In response to a question from Board member Nehring, Ms. Friedrich noted that the previous house on the site was set back about 40 feet from the property line.

Board member Lewis suggested that an average of setbacks in the area could be taken to determine the appropriate siting for the house.

In response to questions from the Board, Ms. Czerniak confirmed that if the Board is inclined to consider Board member Nehring's compromise suggestion of a 28 foot setback, a motion to that effect would be appropriate. She explained that the dissenting votes on the Building Review Board on this petition related to concerns about the overall length of the house, not the setback from the front property line.

Acting Chairman Sieman stated that he could support a variance to allow a 30 foot setback as requested.

In response to questions from Acting Chairman Sieman, Ms. Artmann-Ruggles stated that the proposed house is workable with either a 25 foot or 30 foot setback. She stated that a 28 foot setback, a compromise between the two, is also workable. She reiterated that the two story portion of the house is proposed at 30 feet from the property line. She noted that the previous house on the property was setback closer to 50 feet from the front property line.

Board member Lewis stated his support for a variance that would allow the second story element of the proposed house to be located no closer than 30 feet to the front property line and the open porch area to be located no closer than 27 feet to the front property line.

Acting Chairman Sieman stated his support for a variance as proposed by Board member Lewis.

Board members Pasquesi and Nehring agreed with the compromise suggested by Board member Lewis.

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

Board member Lewis made a motion to recommend approval of a front yard setback variance to the City Council to allow the second story element of the residence to be located no closer than 30 feet to the front property line and the open porch area to be located no closer than 27 feet to the front property line. He stated that the motion is based on findings in the staff report and noted that the Board's discussion is also incorporated into the findings.

The motion was seconded by Board member Pasquesi and was approved by a vote of 4 to 0.

4. Consideration of a request for approval of rear yard and side yard setback variances for a replacement garage at 620 Washington Road.

Owner: Stephen Brewster

Representative: John Krasnodebski, architect

Acting Chairman Sieman introduced the agenda item and asked the Board for any Ex Parte contacts or conflicts of interest. Hearing none, Acting Chairman Sieman invited a presentation from the petitioner and swore in all those intending to speak.

Mr. Krasnodebski introduced the petition, reviewed the history of the property and explained that variances are requested from the rear and side yard setbacks to allow the construction of an attached garage. He noted that the existing detached garage is in poor condition. He noted that the lot is narrow and tapers to the rear, creating a narrowing condition where the garage exists today. He stated that the house is setback 152 feet from the front property line limiting the options for a garage at the rear of the home. He reviewed the proposed, attached garage noting that it will be located at least 22 feet from the rear property line and at least 6 feet from the south property line. He stated that the garage will conform to the setback of the house along the south side of the property. He explained that the rear yard variance is necessary to provide an adequate turning radius for cars and a functional garage. He pointed out that the existing garage is considered an accessory structure because it is detached noting that an attached garage must comply with the setbacks for the house and therefore, the proposed garage encroaches into the rear yard setback and requires a second variance. He described the massing of the house noting that the garage as proposed follows the design concept of the house. He noted that the plan as proposed provides a 3 foot buffer between the driveway and the north property line for landscaping. He described the proposed individual carriage doors that will break up the massing of the new garage. He added that the wood trim and proposed colors will allow the garage to look like a natural fit for the property. He noted that the current zoning regulations were enacted after the house was built. He noted that efforts were made to minimize the size of the garage and the extent of the variances requested.

Ms. Friedrich reviewed the request for variances from the side and rear yard setback requirements to allow construction of an attached, two car garage and a linking element. She noted that the proposed garage will replace an existing, non-conforming detached garage and shed which are located very close to the rear property line. She confirmed that the home and detached garage were constructed in the mid 1950's, prior to current zoning regulations. She stated that the existing garage complies with the rear yard setback requirement because as a detached structure, different setbacks apply. She stated that the existing garage does not conform to the applicable side (south) yard setback requirement. She pointed out the linking element proposed to connect the existing house to the new garage noting that as an attached garage, the setbacks for the house apply. She stated that the replacement garage will be about 22 feet from the rear property line and 6 feet, at the closest point, from the side (south) property line, measured from the point of furthest encroachment, the eaves/overhangs. She noted that placement of the new garage is somewhat difficult due to the long, narrowing lot. She noted that the proposed siting, although it requires a variance, provides for a functional garage. She stated that the staff report details findings in support of the variances and recommends one condition of approval.

In response to questions from Board member Pasquesi, Ms. Friedrich noted that if a detached garage was proposed, the rear yard setback would be 10 feet.

In response to questions from Board member Nehring, Mr. Krasnodebski clarified that the proposed garage is setback six feet from the south property line, the same distance as the existing garage.

In response to questions from Board member Lewis, Mr. Krasnodebski confirmed that the six foot measurement is from the furthest point of encroachment, the eave or the overhang. He stated that the foundation of the new garage is 6' 8 ½" from the south property line. He noted that the overhangs are essentially the same on the existing and proposed garages.

In response to questions from Board member Lewis, Ms. Friedrich confirmed that the neighbors were properly noticed and that no correspondence was received on this petition.

Acting Chairman Sieman invited public testimony. Hearing none, he returned the discussion to the Board.

Board member Nehring commented that the design and siting appear logical adding that the area is well screened by existing landscaping. She noted that there is a parking lot to the north of the property.

Board member Lewis complimented the design noting that the proposed project will be an improvement to the home and property. He noted that the proposal does not push beyond what exists on the property to the south. He stated that the proposed encroachment to the west is logical, to allow for a link between the house and garage. He stated that the garage is properly sized for the house. Board member Pasquesi stated there are limited options for siting a garage on the property commenting that the proposal is a good solution.

Acting Chairman Sieman commended the architectural approach and stated agreement with the comment of the other Board members. He invited a motion.

Board member Pasquesi made a motion to recommend approval of side and rear yard setback variances to the City Council to allow an attached garage and linking element to be constructed at the rear of the home no closer than 22' to the rear property line and no closer than 6' to the side (south) property line. He stated that the motion is subject to the following recommendation.

1. Landscaping along the perimeter of the property in the vicinity of the garage shall be enhanced and maintained to provide a buffer between the garage and driveway, and the neighboring properties.

The motion was seconded by Board member Nehring and was approved by a vote of 4 to 0.

5. Public testimony on non-agenda items.

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

6. Additional information from staff.

Ms. Friedrich noted the next meeting is scheduled for Tuesday, May 29th.

The meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician