

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the April 2, 2019 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, February 25, 2019 at 6:30 p.m., in the Council Chambers at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

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

Zoning Board of Appeals members absent: 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.

Chairman Pasquesi 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 February 25, 2019 meeting.

The minutes of the February 25, 2019 meeting were approved as submitted.

3. Consideration of a request for approval of variances from the lot-in-depth setbacks to allow a second story addition and alterations at 181 Wildwood Road.

Owner: Lori Fitzgerald

Representative: Mike Malloy, Lynch Construction, designer

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

Mr. Malloy introduced the petition. He stated that variances are requested due to the unique characteristics of the property and the existing house. He noted that the buildable area is a minimal, limited to the center of the lot. He noted that prior property owners received two variances in the past and now the current owner is requesting a variance to allow a second story addition over the main mass of the single story structure. He noted that there is no increase to the footprint of the house. He described the existing house and property and the proposed addition and alterations to the existing house.

Ms. Friedrich noted that the lot-in-depth setback variances are requested to allow construction of a second story addition over an existing one story portion of the house and attached garage, and to allow associated modifications to the existing roof all located within the required setback areas. She noted that a lot-in-depth is a lot in which the street frontage does not meet the minimum required by the applicable zoning district. She described that this property has 46 feet of street frontage as opposed to 75 feet, the minimum required by the

Code. She noted that the property is developed with a single family home that was constructed in 1955 and that this parcel was created sometime prior to 1955, likely prior to the current subdivision requirements. She noted however that the parcel as it exists today, is a separate buildable, legal nonconforming lot. She noted that findings of fact were provided to the Board, in support of the variances to allow the second story addition and related modifications to be constructed no closer than 38'11" to the north property line, 14'6" to the south property line and 29'3" to the east property line and a variance from the lot in depth setbacks to allow modifications to the existing roof on the single story element of the house to encroach no closer than 10'4" to the south property line.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Moorhead, Ms. Friedrich explained that this overall neighborhood was subdivided and this particular lot was parceled off sometime before about 1955 and that as evidenced by the issuance of building permits in the past and the granting of previous variances, the City has recognized the parcel as a legal buildable lot. She noted that there is an easement that provides access to the property.

In response to questions from Board member Sieman, Ms. Friedrich confirmed that the triangular lot to the northwest of this property is a buildable lot and is currently developed with a single family home.

In response to questions from Board member Nehring, Mr. Malloy stated that the new construction will be tied into the existing gutters.

Chairman Pasquesi, hearing no further questions from the Board, invited public testimony. Hearing none, he returned the discussion to the Board.

Board member Nehring stated support for the petition and the requested variances.

Chairman Pasquesi agreed with Board member Nehring and commended the design noting that the project will improve the overall visual balance of the house.

Board member Moorhead noted support for the variances noting that the proposed addition is compatible with the neighborhood.

Chairman Pasquesi invited a motion.

Board member Sieman made a motion to recommend approval to the City Council of variances from the lot-in-depth setback requirements to allow the siting of the second story addition no closer than 38'11" to the north property line, 14'6" to the south property line and 29'3" to the east property line and a variance from the lot in depth setbacks to allow modifications to the existing roof on the single story element of the house in a manner that encroaches no closer than existing, 10'4" to the south property line, all consistent with the site plan submitted to the Board. He stated that the motion is based on the findings detailed in the staff report and noted that the Board's discussion is also incorporated into the findings.

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

4. Consideration of a request for approval of a variance to allow a rear addition within the side yard setback at 1165 W. Deerpath.

Owners and Representatives: James and Emily Bernahl

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

Mr. Bernahl introduced the petition. He described the addition to the rear of the existing house. He stated his family has owned the property for about three years and as they have lived in the house, they have come to understand what changes would best suit their family. He noted the original intention to construct a basement below the rear addition but noted that was found to be cost prohibitive. He stated that as now proposed, a crawl space will be provided below the proposed rear addition and the mechanicals will be located in the house and in the attic space. He noted that the addition will not be visible from the road way. He noted that the intent is to add vegetation to the west side of the property and to enhance the existing vegetation in that area. He noted that the addition will open up the living area for the family.

Ms. Friedrich noted this petition requests a side yard setback variance to allow construction of a rear addition. She noted that the proposed addition will expand the existing ranch home by extending the house to the rear adding that the west wall of the proposed addition aligns with the existing, nonconforming west wall of the house. She noted that the existing house is located approximately 10'3" from the west property line, including the eave. She noted that the petitioner's preferred plan is reflected in Scheme A, the proposed rear addition is configured to match the existing encroachment of the house. She noted that this approach is reasonable and is supported by City staff. She noted there is existing landscape screening along the west property line that will remain, providing some buffer between the proposed rear addition and the home on the property to the west. She noted that a condition is proposed requiring that a landscape plan be submitted, along with plans for permit, reflecting existing vegetation that will remain to help screen the addition from the west and additional screening proposed to enhance screening of the area of the encroachment. She noted that an alternative plan, Scheme B, was also submitted by the petitioner to demonstrate that alternatives were explored during the design process and while this option meets the setback requirements, it does restrict the flow of the interior space. She noted there are findings of fact in the staff report supporting the petitioner's preferred plan and the request for a side yard variance to allow an addition to be constructed no closer than 10'3" to the west property line subject to the submittal of a landscape plan.

In response to questions from Chairman Pasquesi, Ms. Friedrich noted that the hickory tree on the east side of the property will be removed adding that the City's Certified Arborist supports the removal due to rot found in the tree possibly making it unstable.

In response to questions from Board member Lewis, Mr. Bernahl reviewed the floor plan explaining how the proposed addition provides needed space while keeping specific features of the existing house.

In response to questions from Board member Nehring, Mr. Bernahl stated that windows are not proposed on the west wall of the addition, that wall that encroaches into the setback, to protect the privacy of the neighbor.

In response to questions from Board member Moorhead, Mr. Bernahl reviewed the second floor place explaining how the proposed addition will provide needed storage space.

In response to questions from Board member Nehring, Mr. Bernahl confirmed that the existing house is a slab on grade and only a crawl space will be constructed with the proposed addition that extends into the setback. He confirmed that the crawl space will stand alone and will not be connected to existing crawl spaces.

In response to questions from Chairman Pasquesi, Ms. Friedrich clarified that Scheme A is presented for Board consideration and Scheme B is presented only show that options were considered by the petitioners.

Hearing no further questions from the Board, Chairman Pasquesi invited public testimony. Hearing none, he returned the discussion to the Board.

Board member Nehring stated support for the addition noting that the variance criteria appear to be satisfied.

Board member Moorhead stated support for the petition noting that the proposed addition appears to be compatible with other homes in the neighborhood which includes homes with second floor space.

Board member Sieman stated support for the petition conditioned upon review and approval by the Building Review Board.

Board member Lewis stated that he does not see an adverse impact resulting from granting the variance as requested.

Chairman Pasquesi agreed with the comments of the Board members and invited a motion.

Board member Nehring made a motion to recommend approval to the City Council of the side yard variance to allow an addition to be constructed no closer than 10'3" to the west property line. She stated that the motion is based on the findings detailed in the staff report and noted that the Board's discussion is also incorporated into the findings and inclusive of the condition:

1. A landscape plan showing existing and/or proposed landscaping along the west property line, in the vicinity of the addition shall be submitted at the time plans are submitted for permit and shall be subject to the review and approval of the City's Certified Arborist.

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

6. Public testimony on non-agenda items.

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

7. Additional information from staff.

Ms. Friedrich noted that the next meeting is scheduled for Monday, April 22, 2019.

The meeting was adjourned at 6:56 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician