

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the October 26, 2020 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, October 26, 2020 at 6:30 p.m.

Zoning Board of Appeals members present: Chairman Mark Pasquesi and Board members Michael Sieman, James Moorhead, Nancy Novit, Pete Clemens, Laurie Rose and Lisa Nehring

Zoning Board of Appeals members absent: none

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 September 28, 2020 meeting.

The minutes of the September 28, 2020 meeting were approved as submitted.

3. Consideration of a request for approval of a variance from the front yard setback for a second story addition over an existing non-conforming first floor space at the residence at 1083 Griffith.

Property Owner: Lisa Gross

Representative: Rein Puttkammer, contractor

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.

Ms. Gross noted that her mother has limited mobility and explained that the goal of the proposed renovations is to make the house accessible for her. She noted she recently retired from teaching in Lake Forest and intends to stay in the community. She noted that Mr. Puttkammer, the project contractor, specializes in adapting existing homes for seniors. She noted that the existing home does not have an accessible bathroom to accommodate her mother's needs. She noted that several options were considered. She noted that the proposed addition, which will accommodate an accessible bathroom, is over an existing one-story sunroom. She noted that the

footprint of the house will not change and the roofline will be consistent with the existing roof form. She reviewed the proposed floor plan and pointed out the accessibility features. She stated that the neighbors are aware of and support the project. She noted that prior to moving forward with the addition, the house was on the market with the intent of moving to a one story home in the community. She stated that instead of moving, they decided to pursue the addition so they could remain in the neighborhood because it is close to town and they know the neighbors.

Ms. Friedrich reviewed that the petition requests a zoning variance to allow for a second story addition over a non-conforming single story portion of the house. She stated that the house was built prior to the current Code regulations and consistent with the 25 foot setback as established on the plat and in effect at the time of construction, and consistent with the pattern of setbacks of other homes along the streetscape in the neighborhood. She reviewed that the proposed addition will provide an accessible bathroom for an elderly relative. She noted that the addition will not extend further than the existing home and will be located just over 27 feet from the front property line. She noted that there are two letters from neighbors in the packet in support of the project.

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

Chairman Pasquesi stated that the request appears straight forward and logical especially given the family circumstances. He noted that the letters of support from the neighbors are helpful. He thanked the petitioner for contacting the neighbors.

Board member Novit agreed with Chairman Pasquesi.

Board member Rose also agreed with Chairman Pasquesi's comments. She noted that it is important to provide accessible homes in the community.

Board member Nehring recognized the petitioner's creativity in incorporating the addition nicely into the existing home.

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

Board member Nehring made a motion to recommend approval to the City Council of a front yard setback variance to allow a second story addition over an existing single story portion of the home to be located no closer than 28 feet to the front property line, and no closer to the property line than the existing house, consistent with the site plan submitted to the Board.

The motion was seconded by Board member Novit and was approved by a vote of 7 to 0.

4. Consideration of a request for approval of variances from the steep slope and lot-in-depth setbacks to allow construction of a rear addition and deck at 420 Washington Road.

Property Owners and Representatives: Deborah Kiersch and Eric Wisch

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. Wisch introduced the petition and noted that when the Ailing Brown Estate came up for sale in 2018, they were originally interested in the house at 410 Washington Road. He noted however that they made an offer on the 420 Washington Road property instead and lost out to another contract purchaser. He noted the other contract purchaser presented a project to the Zoning Board of Appeals in 2019. He stated that ultimately, they were able to purchase the property in late 2019. He pointed out the ravine on the property and the associated steep slope setback requirement. He noted that they considered lifting the home and setting it on a new foundation slightly to the east, away from the ravine and minimizing encroachment into the setbacks. He noted however after investigation, they decided to work with the house, at the existing location, and to restore it and do what is necessary to address water infiltration. He stated that in considering options, the architecture of the house and the history of the Brownsville area was considered. He noted the shared driveway that extends through the property and the need to maintain access for the neighboring homes was also considered along with tree preservation, the visibility of utility poles and maintaining the sense of open space in the area. He stated that the project team includes engineers and landscape architects that are well versed in Lake Forest and knowledgeable about ravines. He stated the proposed site plan respects the original building, its connection with the ravine and the Brownsville neighborhood. He reviewed various options that were considered for siting the addition including an addition on the west side of the house noting that option created a tight condition for access to the garage. He added that an addition on the west side of the house may diminish the historic character of the house, create an alley-like feeling and could impact trees and vegetation. He noted that the preferred site plan maintains the footprint of the simple Craftsman cottage by tucking the addition behind the home and adding a detached garage to the west, facing the house. He noted that the site plan as presented accomplishes the goals restoring the historic home and enhancing the shallow ravine. He added that the plan is to remove the utility poles from the ravine and put the services underground. He stated that a report from a structural engineer on the condition of the retaining walls along the ravine was presented to the City a few days ago. He acknowledged that based on the report, the walls will require some work. He noted however that the proposed addition is not expected to negatively impact the retaining walls and may allow some of the current hydrostatic pressure on the wall to be relieved. He stated that there are many problems with the house and property stemming from the lack of maintenance over many years. He

stated that they share a common goal with other property owners in the Brownsville neighborhood to restore and revitalize the area for the long term with a respect for the history of the property.

Ms. Friedrich noted that this property was the subject of a petition before the Board last year. She explained that project did not move forward because the former contract purchaser did not proceed with acquisition of the property. She stated that the petitioners recently purchased the property and have been working for some time on plans to renovate the property and update it to meet the needs of their family. She noted that the house has not been occupied for over 20 years. She stated that the petitioners propose a rear two story addition, an at grade patio and a deck all of which extend further into the steep slope and lot in depth setbacks than the existing house. She noted that a significant portion of the existing house is in the steep slope and lot-in-depth setbacks because of the construction of the home prior to current regulations. She noted that a detached garage is proposed to the west of the residence, in compliance with the setback requirements. She noted that the City Engineer has reviewed the plan and, based on the information provided, is able to support, from a technical perspective, the construction proposed within the steep slope setback. She noted that there is a letter in the Board's packet from a neighbor stating concerns about granting a variance from the steep slope setback requirements. She added that two additional letters were received after the Board packets were distributed and were provided to the Board, one in support of the project as proposed and the other stating some concerns. She noted that the petitioners provided studies of other site plan options that were considered. She stated that given the additional information recently provided by the petitioners, the complexity of the project, and input received from neighbors, staff recommends that the Board continue the petition with direction to the petitioners and staff to more fully vet all options for locating an addition including those that could minimize the number or extent of the variances required. She noted that if the Board desires to take action on the petition as presented, staff should be directed to prepare findings in support of the action based on the Board's evaluation of the applicable criteria and, the staff report includes conditions of approval that the Board may want to include in the motion. She acknowledged, as noted by the petitioner, that a structural report on the retaining wall was received on Friday, prior to this meeting. She confirmed that based on preliminary review of the report by the City Engineer, portions of the wall appear to be in good condition and other areas require repair or replacement along with some drainage improvements.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Novit, Ms. Friedrich confirmed that the retaining wall along the south edge of the ravine is on the 420 Washington Road property and is the responsibility of the owners of that property. She confirmed that in

many cases, property lines run down the center of ravines but noted that is not the case here.

In response to questions from Board member Rose, Ms. Friedrich confirmed that some storm sewer and drainage improvements are proposed and will be subject to review and approval by the City Engineer.

In response to questions from Board member Rose, Mr. Wisch stated that in order to repair the retaining wall on the south side of the ravine a construction easement from the adjacent neighbor will likely be required. He stated that as part of the improvements planned for the site, drainage from his property will be properly directed to the ravine and if permitted, a connection will be made to an existing storm sewer pipe.

In response to questions from Board member Nehring, Mr. Wisch confirmed they intend to connect to the storm sewer located near the ravine if feasible.

In response to questions from Board member Novit, Ms. Czerniak confirmed that any storm sewer or drainage improvements will be carefully reviewed by the City Engineer before any work is authorized.

Chairman Pasquesi noted that based on the preliminary review by the City Engineer, the proposed construction does not appear to threaten the stability of the ravine.

In response to questions from Chairman Pasquesi, Mr. Wisch confirmed that the retaining wall is 8 feet tall. He noted that the neighboring house located closest to the wall is 175 feet to the south.

In response to questions from Board member Sieman, Ms. Friedrich agreed to provide the meeting minutes and packet from the 2019 project to the Board.

In response to questions from Board member Sieman, Mr. Wisch described the general location of the addition proposed in 2019.

In response to questions from Chairman Pasquesi, Ms. Friedrich noted that the 2019 petition proposed to remove the exterior stairs on the east and south side of the house. She noted that a small addition was proposed on the south side of the house and a larger addition on the west side of the house. She said a detached garage was also proposed in conformance with the required setbacks.

In response to questions from Board member Moorhead, Ms. Friedrich stated that the steep slope setback was established to protect ravines and bluffs. She noted that the City Engineer must review any construction or alterations proposed in the steep slope setback along with supporting documentation, and make a recommendation on

whether the proposed project could be accomplished without negative impact in the short or long term, to the ravine.

In response to questions from Board member Nehring, Mr. Wisch stated that they do not have information on past repairs made to the wall.

In response to questions from Board member Moorhead, Ms. Czerniak stated that the steep slope setback requirement was established in the 1980's in recognition of the important role the ravines play in the City's stormwater system and in the character of the community.

In response to questions from Board member Moorhead, Ms. Friedrich confirmed that the design aspects of the project are under the purview of the Historic Preservation Commission.

In response to questions from Board member Rose, Ms. Friedrich confirmed that the City Engineer reviewed the proposed removal of the exterior stairs and did not raise any concerns about that work with respect to impacts on the ravine. She clarified that the stairs on the south side of the house are concrete and the stairs on the east side of the house are constructed of wood.

In response to questions from Board member Rose, Ms. Czerniak confirmed that this ravine is identified as part of the City's stormwater management system despite the fact that it is shallow and the starting point of the ravine as it moved east.

In response to questions from Board member Moorhead, Mr. Wisch confirmed the intent to restore the ravine under the direction of the project engineer.

In response to questions from Board member Moorhead, Ms. Kiersch explained if the addition is located to the west of the house, the historic footprint of the house is lost. She noted the kitchen was always facing the ravine and if the addition is located to the west, the mudroom and bathroom will not connect to the kitchen. She noted that the proposed plan orients the garage so that the narrow end faces the private drive and reducing the amount of driveway required on their property. She stated that no matter where the addition is located, significant drainage and storm sewer work will be required to address existing drainage issues.

In response to questions from Board member Novit, Mr. Wisch explained the intended route for the utilities if they are relocated underground.

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

Amy Schuetz, 552 Rosemary Road, stated that she lives behind the property. She noted that she submitted a letter to the Board. She stated that she is concerned about granting a variance from the steep slope setback requirement but noted that she has no objection to the overall renovation of the house. She stated that in her opinion, the petitioners have not demonstrated a hardship in support of the variance or that there are no other workable options that may not require a variance of could require a variance of a lesser extent. She questioned whether the current nonconforming property should be allowed to be made more nonconforming. She noted that the steep slope setback was established to protect ravines and to avoid accelerating the natural erosion processes that occur by disturbing the table land adjacent to a ravine. She stated that property owners should abide by the Code requirements. She stated that in her opinion, there are other alternatives including an addition on the west side of the house, outside of the steep slope setback, as was proposed in the 2019 plan. She noted that the house was built in the 1920s and noted that it has not been lived in for the 22 years that she has lived behind it. She acknowledged that the City Engineer has reviewed the plan preliminarily and found no evidence of negative impact but stated that she does not believe that is a guarantee that nothing will ever happen to the ravine as a result of the addition and construction activity that is proposed. She noted the significant effort that she has put into planting and restoring the ravine on her property.

Jim Carris, 430 Washington Road, stated that he lives to the north of this property and shares the private drive. He noted that this is a unusual subdivision and the sort of variances requested are appropriate for this property and the subdivision which was approved in 1987. He noted that he went through a similar process to require variances after purchasing his property 15 years ago. He stated that it was worth the effort. He noted this house has been in disrepair for many years. He stated full support for the plan as presented and the proposed improvements.

Chairman Pasquesi noted that a request to cross-exam the petitioner was submitted by Stephen Malato, attorney representing Amy Schuetz, 522 Rosemary Road. He invited Mr. Malato to cross exam.

Mr. Malato stated given the testimony to date, he would be making a statement rather than cross-examining any witnesses. He complimented the project and wished the petitioners success in the restoration of their new home but noted that there are issues with the plan as presented. He noted that Ms. Schuetz requests that the petitioners consider a plan that does not encroach further than the existing house into the required setbacks. He acknowledged that neighbors on the other side of the house prefer the addition to be on the side of the house away from them. He pointed out that protection of the ravine is a significant issue as opposed to an aesthetic issue. He encouraged the Board to take a stance to protect the ravine.

Hearing no further requests to speak from the public, Chairman Pasquesi returned the discussion to the Board.

In response to questions from Board members, Ms. Czerniak confirmed that the City documents and inspects ravines periodically to assess the condition and determine whether there are any impediments to stormwater flows.

Ms. Kiersch noted that there was a very heavy rain in mid-May and during that rain she inspected the ravine. She noted that the stability of the ravine is important to the property and impacts their house more so than any other house. She stated that it is their intent to be good stewards of the ravine and the property as a whole.

In response to a question from Board member Novit, Ms. Kiersch confirmed that the intent is to gut the entire house because of many issues with the existing structure.

Chairman Pasquesi noted that staff is recommending that the petition be continued to allow other alternatives to be explored. He noted that it is important to consider the petitioners' vision for the project. He noted that in his opinion, the hardship supporting the variance is that the house has been vacant for 30 years and pointed out that the vacant house, in a deteriorating condition, is impacting property values in the area. He acknowledged that the addition as proposed encroaches into the setback further than the existing house.

Board member Nehring noted that this petition will improve drainage in the area. She noted that the addition is modest in nature and the improvements, in her opinion, are necessary for today's family. She noted that it is important to note the petitioner is working to address existing issues and respect the historic nature of the property.

Board member Sieman stated his appreciation for the petitioners' passion for renovating the property and for the plans presented. He agreed that the property has been an issue for quite some time. He agreed that the concerns about the ravine must be balanced with the interest in preserving the historic character of the house and making the house functional. He stated that it would be helpful review the plans presented in 2019 and to review the discussion that occurred at that time. He noted that the purpose would not be to compare the merits of the projects, but to gain an understanding about options and impacts. He stated support for continuing the petition to allow further evaluation.

Board member Novit agreed with Board member Sieman that it is important to weigh the value of protecting the ravine against the value of the protecting the historic nature of the property and house. She encouraged the petitioners to explore alternatives, including an addition on the west side of the house.

Board member Moorhead agreed with the comments of Board members Sieman and Novit. He noted that the rear addition in this petition is much larger than the rear addition presented in 2019. He acknowledged that the Historic Preservation Commission will consider how any proposed additions will impact the historic nature of the property. He stated that he is not yet convinced of the hardship that necessitates the requested variances. He stated support for continuing the petition.

Board member Moorhead suggested that consideration should be given to whether any of the proposed improvements on this property will have downstream impacts.

Board member Rose agreed that the addition now proposed is larger than the addition proposed in 2019 and potentially could be more impactful on the ravine. She noted the importance of the ravines in Lake Forest and encouraged the petitioner to explore other options.

Board member Clemens agreed with the other comments of the other Board members and stated support for continuing the petition.

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

In response to a question from Board member Sieman, Ms. Czerniak commented that it will be worthwhile to allow City staff to work with the petitioners and the City Engineer to follow up on the questions and comments from the Board before moving the project in its present form, forward to the Historic Preservation Commission later this week.

Board member Rose made a motion to recommend continuation of the petition, with direction to the petitioner to consider other locations for an addition in an effort to eliminate or reduce the number or extent of variances required. She noted that the motion includes a request to City staff to provide the Board with information on the 2019 petition at the time this matter comes back to the Board for further consideration.

The motion was seconded by Board member Nehring and was approved by a vote of 7 to 0.

5. Consideration of a request for approval of a variance from the lot-in-depth setback to allow construction of additions and alterations at the residence at 1388 N. Green Bay Road.

Property Owner: Wendy Wood-Prince Trust (Wendy Wood-Prince 100%)

Representative: Edward Deegan, architect

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.

Ms. Wood-Prince introduced herself noting that she recently purchased the property and is excited about renovating the house. She noted that she is a lifelong resident of Lake Forest and is committed to a high quality project. She noted that she has reached out to all the neighbors about the project and has not heard any opposition to the project.

Mr. Deegan introduced the petition and noted that the original house was a cottage for a larger estate house and nicknamed the Peanut Cottage. He noted that the goal of the project is to add on to the home in a character that is consistent with what exists today. He noted that the existing residence is sited in the northwestern corner of the property not in conformance with current setback requirements. He stated that because the property is considered a lot-in-depth, 50 foot setbacks are required from all property lines. He reviewed the existing property noting the configuration of the driveway which crosses on to the neighboring property. He also noted that architecturally, there are a number of issues with the residence that will be corrected with the project. He noted the limited visibility of the house from the Green Bay Road streetscape. He described the existing structure noting that a later addition on the west side of home is proposed for removal. He noted that the elements of the original cottage were used as inspiration for the design of the proposed additions. He noted that the additions are intended to visually move the house to the center of the property. He reviewed the proposed floor plans and elevations. He reviewed the landscape plan noting the increased screening planned along the north property line and modifications to the driveway to improve circulation. He noted that the site is fairly flat and the proposed additions do not require significant regrading of the site he noted however that some regrading will occur to address existing drainage issues.

Ms. Friedrich noted that this property was also before the Board in 2019, but that project, presented by a different petitioner, did not move forward. She noted that Ms. Wood-Prince recently purchased the property. She noted that subject to the Board's action, this project is scheduled to be reviewed by the Historic Preservation Commission in November. She noted that the entire existing house is in the lot-in-depth setback because it was constructed prior to the adoption of the lot in depth provisions and the current setbacks. She reviewed that the western part of the house/garage is proposed for demolition and the original cottage will remain. She noted that the house was originally a gardener's cottage to the main estate house that was located to the south. She described the proposed project noting that it includes a screen porch addition on the south side of the original cottage and a larger addition to the east of the original cottage. She noted that the addition proposed at the east end of the cottage is shifted south of the existing structure to

minimize the impact to the neighbor to the north. She stated however that the addition is located in the lot-in depth setback. She noted that the site plan was developed with careful attention to focusing the additions and active areas on the property to the south of the home and away from the north property line where the existing cottage is located. She reviewed the proposed changes to the driveway noting that the proposed changes will move the driveway away from the neighboring house. She stated that at the closest point, the proposed addition is about twenty five feet from the north property line.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Sieman, Ms. Friedrich explained that if the property had a wider street frontage on Green Bay Road, the lot would not be considered a lot in depth and a 20 foot setback would apply to the north property line.

In response to questions from Board member Sieman, Ms. Wood-Prince explained that shifting the additions further south could impact a significant oak tree.

In response to questions from Board member Sieman, Mr. Deegan added that in addition to preserving the oak tree, the proposed layout also preserves the character of the original cottage.

Chairman Pasquesi, hearing no further questions from the Board, invited public testimony.

Ms. Gesauldo, 1418 N. Green Bay Road, live to the northwest of the property, off of another private drive. She stated that she also own the property directly to the west of this property, 1302 N. Green Bay Road. She stated that she has lived in this area for 30 years and has watched the property fall into disrepair. She stated support for the petitioner's creative plans for the challenging property.

Hearing no further public comment, Chairman Pasquesi returned the discussion to the Board.

Board member Novit stated support for the variances as request for noting the uniqueness of the property and the sensitivity shown in locating the additions away from the north property line. She stated support for preserving the significant trees on the property. She noted that the staking on the site was helpful in understanding the project.

Chairman Pasquesi agreed with Board member Novit's comments and emphasized that the staking on the site was very helpful and much appreciated.

Board member Nehring agreed with Board member Novit's and Chairman Pasquesi's comments.

Board member Moorhead agreed with the comments of the other Board members comments and stated that the criteria for a variance appear to be satisfied.

Board member Sieman agreed with the other Board member's comments and noted that if not for the nuance of the property being defined as a lot in depth, the additions would comply with the side yard setback.

Board member Rose agreed with the comments of the other Board members.

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

Board member Novit made a motion to recommend approval to the City Council of a lot-in-depth setback variance for a two story addition to be no closer to the north property line than 25 feet as depicted in the site plan submitted to the Board.

The motion was seconded by Board member Rose and was approved by a vote of 7 to 0.

**6. Consideration of a request for approval of variances from the front and corner side yard setbacks to allow construction of a replacement single family residence located 80 Washington Road
Property Owner: Elizabeth Roberts
Representative: Jonathan Clair, architect**

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. Clair introduced the petition and the property owner. He noted that the petitioner plans to move back to Lake Forest to be near her daughter and grandchildren. He noted that this property has been in disrepair for a long period of time. He noted that the request is for a variance from the front yard setback along Washington Road. He stated that the plan complies with the corner side yard setback of 12 feet along Ryan Place property line and the required setbacks on the south and west sides of the property. He reviewed the site plan and noted the owner's desire for a cottage style house with a first floor master bedroom. He noted that the existing house and detached garage will be demolished. He pointed out that the existing structures do not meet the current setback requirements. He pointed out the established pattern of setbacks along Washington Road noting that the majority of the homes were constructed prior to the current setbacks. He stated that the new house as planned will be at least 12

feet from the property line along Washington Road property line. He stated that the new house will front on Ryan Place and will utilize the same curb cut on Ryan Place that exists today. He noted that rather than an attached garage, the new garage will be an attached, side loading garage. He noted that the plan as presented provides for a yard on the south side of the property. He reviewed the floor plans, elevations and exterior materials for the new house. He noted that the new house will be sited further back from Ryan Place than the existing residence and is smaller in scale. He described the proposed landscaping; foundation plantings, small bushes and trees. He stated that the overgrown plant materials on the site will be removed. He noted that alternative site plans were considered and are included in the Board's packet.

Ms. Friedrich explained that this petition requests a variance from the required front yard setback for a new single family residence. She noted that the property has been a problem for a number of years adding that Ms. Roberts recently purchased the property with the intent to redevelop it. She stated that the Building Review Board is scheduled to review the request for approval of the demolition of the existing house and the design aspects of the new house. She noted that in the past, the Zoning Board has supported requests for variances from the front yard setback for new construction in established neighborhoods to allow the new home to fit with the established pattern of homes along the streetscape. She stated that the prevailing setbacks along Washington Road and Ryan Place were established many years ago, prior to the current Code requirements. She noted that the site plan as presented sites the new house within the front yard setback along Washington Road, consistent with the existing setbacks and to allow for a site design that provides some open yard area. She stated that a variance is requested to allow the house, at the point of furthest encroachment, to be located no closer than to the front property line, along Washington Road. She noted that several options were studied for siting the house and noted that the site has some limitations because of its location on a corner and near the intersection of Cherry Avenue and Washington Road. She stated that retaining the curb cut in the existing location was determined to be the safest option. She noted that the Board received a letter from the neighbor to the west raising concerns about the siting of the house and the driveway. She noted two additional letters were included in the Board's packet stating support for the petition.

In response to questions from Board member Moorhead, Ms. Friedrich confirmed that a driveway along Washington Road is a safety concern because of the proximity to the corner and the intersection of Cherry Avenue with Washington Road. She also noted that Washington Road has higher traffic volumes than Ryan Place.

In response to questions from Board member Moorhead, Mr. Clair that the other site plan options studied limited the opportunity for a useable and private yard area. He added that an attached garage is important to the petitioner.

Chairman Pasquesi, hearing no further questions from the Board, invited public testimony. Chairman Pasquesi swore in those intending on speaking.

Bob Franksen, 95 Washington Road, noted that he and his family have lived across the street from the property for about 25 years. He noted that he previously served on the City's Plan Commission and Zoning Board of Appeals. He stated that he provided a letter in support of the project which was included in the Board's packet. He stated that he fully and enthusiastically supports the project adding that the property has been a problem for the neighborhood for many years with unruly renters and the site in falling into disrepair. He noted that this project is a wonderful solution to redeveloping the site and appropriate for the neighborhood.

Kim Tunney, 620 Ryan Place, stated that she lives just west of the subject property. She noted that she submitted a letter to the Board earlier in the day. She stated that she is a long time member of community. She stated her preference for alternative plan D noting that the property has a Washington Road address. She noted that the alternate plan will eliminate a driveway on Ryan Place in an area where four driveways currently exist. She noted it removal of the driveway from Ryan Place will reduce congestion and eliminate a garage in the area. She stated that she included photos with her letter showing the congestion that occurs on the street and stated that this project presents the opportunity to improve the situation. She encouraged the Board to support alternative plan D.

Hearing no further public comment, Chairman Pasquesi returned the discussion to the Board.

In response to questions from Board member Sieman, Ms. Friedrich clarified that due to a modification of the plan, a variance is only requested from the required setback along Washington Road, not along Ryan Place.

In response to questions from Board member Novit, Mr. Clair noted that in plan D, the detached garage, facing Washington Road, could be pulled forward, toward Washington Road, but that location would impact window placement on the house and locate the garage doors on Washington Road. He noted that in Plan D, the rear yard abuts the garage and driveway of the neighboring property to the west.

Chairman Pasquesi stated support for the variance as requested and he noted that given the problematic history of the property, the project will be an improvement to the neighborhood.

Board member Novit noted that she lives in the neighborhood and is aware of the problems this property has caused. She noted that this project will be a great improvement to the site.

Board member Nehring stated in her opinion, the siting of the house on the site is very appropriate and maximizes the use of the space.

Board member Moorhead agreed with the comments of the other Board members and noted that the requested variance appears to satisfy the criteria for a variance. He acknowledged the neighbor's comments and concerns noting that it is important to balance the interests of the larger neighborhood with individual concerns.

Board member Sieman noted that the variance request before the Board is for a variance from the front yard setback along Washington Road. He stated that in his opinion, the request is reasonable. He stated that whether or not the driveway should be shifted from Ryan Place to Washington Road is not a matter for this Board unless the nature of the requested variance changes.

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

Board member Novit made a motion to recommend approval to the City Council of a variance to allow a new single family residence to be constructed no closer than 12 feet to the front (east) property line. She noted that the recommendation is based on the findings presented in the staff report.

The motion was seconded by Board member Clemens and was approved by a vote of 7 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, November 23, 2020.

The meeting was adjourned at 9:03 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician