

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the September 28, 2020 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, January 27, 2020 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 Michael Sieman, James Moorhead, Nancy Novit, Kevin Lewis, 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 January 27, 2020 meeting.

The minutes of the January 27, 2020 meeting were approved as submitted.

3. Consideration of a request for variances from the front yard setback for a replacement and expanded open front porch and the side yard setback for new air conditioning units for the residence at 587-589 Ivy Court.

Property Owner: McIlvaine Enterprises, Inc. (Bruce McIlvaine)

Representative: Wells Wheeler, 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. Wheeler described the project as a replacement of an existing front porch with a new expanded front porch. He noted that the existing small porch is within the front yard setback. He noted that the replacement porch will have a larger footprint and will expand across the front of the duplex to create a more functional space. He stated that the replacement porch, like the existing porch, and will be in the front yard setback. He noted that there are many duplexes on the cul-de-sac and noted that this duplex is visible from Ivy Court and from Maywood Road. He

stated that the building is sited at the front yard setback line. He noted that there is a detached garage at the rear corner of the property. He noted that the existing porch is falling off the front of the house as the slab has moved away from the foundation of the residence. He noted that the proposed expanded front porch is in the footprint of the existing porch and the existing sidewalk and creates a deeper, more useable porch. He noted that the second part of the petition is a request to allow two air conditioning units to be placed in the side yard setback, three feet from the west property line. He noted there is an existing concrete patio in the back of the duplex and window wells and exhaust fans in other locations limiting the options for placement of the air conditioning units. He noted the duplex currently has window air conditioning units that will be removed. He noted that the intent of the project is to upgrade the property and the duplex to fit into the neighborhood better. He described the proposed landscaping around the proposed front porch. He noted that the project will improve the character of the duplex and the surrounding neighborhood. He noted that the front porch will be open, helping to reduce the appearance of mass of the duplex building.

Ms. Friedrich noted that this petition is a request for a variance from the front yard setback requirements to allow construction of an expanded, replacement open front porch and a side yard setback variance to permit two new air conditioning units to be installed along the west side of the house. She noted that the property was recently purchased by Bruce McIlvaine and prior to his ownership, the property had fallen into disrepair. She noted that the new property owner began improving the property right away. She noted that after purchasing the property, the petitioner found that the front porch is pulling away from the home and desires to replace the porch with an expanded porch to improve the appearance and functionality of the house. She noted that the site was marked with paint to indicate the proposed footprint of the expanded front porch. She noted that the expanded front porch will not extend further north than the existing sidewalk and stoop that exists today. She noted that the new porch will extend along most of the front elevation of the home, but not into either side yard setback. She noted that the porch will remain open, and the increased depth will make it more functional. She explained that a variance from the side yard setback is also requested to accommodate central air conditioning units. She noted that the required side yard setback is six feet and that air conditioning units are not permitted by right in the side yard setbacks. She noted that currently, there are in-wall air conditioning units extending from the building on both the west and east sides to cool each unit of the duplex. She noted that Mr. McIlvaine plans to remove the in-wall units and install central air conditioning throughout the building. She noted that given the existing site constraints and the upgrades proposed by the petitioner, locating the new air conditioning units on the ground, on the west side of the building appears to be the only workable option. She stated that the air conditioning units are proposed no closer than three feet from the west property

line. She noted that two conditions of approval are recommended in the staff report; no more than two residential air conditioning units shall be installed and efforts shall be made to mitigate the visual and sound impacts of the units through the use of fencing, trellis or vegetation.

Chairman Pasquesi invited questions from the Board.

In response to questions from Chairman Pasquesi, Ms. Friedrich noted that one neighbor, the owner of the property to the east, called and left a message with questions about the project. She noted that she returned the call, leaving a message with information on the project and offering to discuss the project, but never received a call back.

In response to questions from Board member Nehring, Mr. Wheeler described the proposed downspout locations and the drainage pattern on the site.

In response to questions from Board member Rose, Mr. Wheeler noted that there will be screening, most likely fencing, around the proposed air conditioning units. He noted that the neighbor to the west has air conditioning units in the same area on their property.

In response to questions from Board member Moorhead, Ms. Friedrich noted that the provisions in the GR-3 zoning district were amended in 1972.

In response to a question from Board member Sieman, Ms. Friedrich noted that the project is in compliance with the lot coverage regulations.

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

Board member Nehring noted that this project is an improvement to the neighborhood. She added that it appears that drainage will be handled appropriately.

Board member Novit noted her agreement with Board member Nehring's comments. She stated that an open front porch is a great asset to a house and is welcoming, especially in a small lot neighborhood.

Chairman Pasquesi noted his agreement with Board members Nehring and Novit and noted that it was helpful to walk the property and get an understanding of the current physical condition of the home. He stated support for the project.

Board member Sieman noted his appreciation that the condition of the house and the property are being addressed by the new owner noting that it is nice to see

neighborhood improvements. He noted that in past reviews of porches, the Board has recommended a condition that the porch remain open. He noted that he would like to see a condition as part of the Board's motion that requires the porch to remain open given its encroachment into the front yard.

Board member Rose noted agreement with Board member Sieman's comments adding that the design of the expanded porch is consistent with other homes in the neighborhood. She commented that the porch enhances the viability and usability of the home. She noted that keeping the porch open will retain the character of the neighborhood.

Board member Moorhead noted his agreement with the comments of the other Board members and noted that the project appears to address the criteria for a variance.

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

Board member Sieman made a motion to recommend approval to the City Council of a front yard setback variance to allow the replacement and modified front porch to be located no closer than 31.5 feet to the front property line and the new air conditioning units to be located no closer than 3 feet to the west property line as shown on the site plan in the Board's packet. He noted that the recommendation includes the conditions that no more than two residential air conditioning units shall be installed, that efforts shall be made to mitigate the visual and sound impacts of the units, and that the front porch remain open.

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

4. Consideration of a request for variances from the front and rear yard setbacks and from the side yard (north) setback to allow construction of a new residence and attached garage at 1088 Griffith Road.

Property Owners and Representatives: Brian and Jennifer Harbison

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. Harbison introduced himself and his family and noted that they are excited to join the Lake Forest community. He noted his appreciation to City staff for the assistance provided to date. He described the existing house and property and noted the poor condition. He noted that his family purchased the house in September 2018, but until recently, they were not prepared to build a new house.

He noted that the project will be before the Building Review Board at the October meeting. He described the older neighborhood within which the house is located and pointed out that McKinley Road borders the property to the west. He noted that many years ago, part of the west side of the properties along the east side of McKinley Road was "taken" for right-of-way for McKinley Road, truncating the property. He noted that the proposed new house is 22 feet from the front property line, including the front porch and a variance from the front yard setback is requested. He noted that the second variance is for the garage which is proposed to be located 8 feet 10 inches from the west (rear) property line. He noted that the main mass of the house steps in further than the garage and is in compliance with the side yard setback. He noted that a side yard setback variance is requested to allow the garage to be located 2'6" from the north property line. He noted that the proposed front yard setback for the house is consistent with the siting and placement of many of the homes in the neighborhood. He noted that the garage placement is also consistent with many of the garages in the neighborhood, sited at the rear corner of the property. He noted some of the garages are attached and some are detached.

Ms. Friedrich noted that this project is a request for approval of front, side and rear yard setback variances to allow construction of a new single family residence and attached garage. She noted that the existing house is proposed for demolition adding that the demolition design elements of the proposed home and garage will be reviewed at the upcoming Building Review Board meeting. She noted that this parcel is a through lot, located east of McKinley Road and west of Griffith Road. She noted that in the case of a through lot, the front yard setback, 40 feet in this case, is applied to both street frontages. She noted that the property is only 85 feet deep, so applying a 40 foot setback along the street frontages to the east and west creates an unbuildable lot. She noted that the subdivision creating this property was approved in 1913 and sometime later, a portion of the west side of the lot was taken for public right-of-way. She noted that the lot does not meet the minimum lot size based on today's Zoning Code. She noted the variances requested are to allow the house to be sited no closer than 22 feet to the front property line along Griffith Road as measured from the furthest extent of the 3 foot deep open front porch. She noted that the proposed setback of the house along Griffith Road is consistent with the setbacks of other homes in the neighborhood. She noted that the house, as proposed, will be 25 feet 10 inches from the McKinley Road (west) property line and the attached garage, at the back corner or the northwest corner of the house, is 8 feet 10 inches from the west property line. She noted that the house is sited in generally the same location as the existing house. She noted that the petitioners designed the house to conform to the side yard

setback to the south. She added that the main mass of the house, excluding the attached garage, conforms to the side yard setback to the north. She noted the garage as proposed requires a variance the side yard setback to the south. She noted that the garage as proposed is located 2 feet 6 inches from the north property line. She noted there are two emails in the Board's packet from neighboring property owners in support of the petition.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Nehring, Ms. Friedrich noted that the curb cut will not shift due to a parkway tree to the north that would be impacted if it was moved. She noted that the driveway will shift once it is past the sidewalk and on private property.

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

In response to questions from Board member Moorhead, Mr. Harbison stated that the neighbor, Mr. Bertola has not yet seen the site plan, but noted that they have been in communication with him by email.

Chairman Pasquesi noted that Mr. Bertola is in attendance and is welcome to comment.

Ms. Friedrich noted that Mr. Bertola was mailed the meeting notice with a copy of the site plan attached.

Board member Nehring complimented the project adding that it will enhance the neighborhood. She noted that the proposed siting of the new house and garage is reasonable given the limitations of the lot.

Chairman Pasquesi noted that the property is unique in that it is a through lot. He stated that the proposed project will be a significant improvement to the neighborhood. He noted he is in favor of this petition.

Board member Novit noted that she appreciates that the height of the proposed house is lower than the existing house and that the design is respectful to the neighborhood both of which minimize the impact of the encroachment into the setbacks.

Board member Rose noted that when she visited the site she spoke to a neighbor who was excited and supportive of the project. She stated support for the petition.

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 variances to allow a new single family residence to be constructed no closer than 22 feet to the front property line and no closer than 25 feet 10 inches to the rear property line; and to allow the attached garage to encroach no closer than 8 feet, 10 inches to the rear property line and no closer than 2 feet 6 inches to the north side 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 incorporated as additional the findings.

The motion was seconded by Board member Sieman 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, October 26, 2020.

Ms. Czerniak noted that the Board's meetings will continue to be held remotely for now.

The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician