

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the November 22, 2021 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, November 22, 2021 at 6:30 p.m., in Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Michael Sieman and Board members Pete Clemens, James Moorhead, Nancy Novit, Laurie Rose, Ari Bass 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 Sieman

2. Consideration of the minutes from the October 25, 2021 meeting.

The minutes of the October 25, 2021 meeting were approved as submitted.

3. Consideration of a request for approval of amendments to the Special Use Permit for Ragdale, a residential artists' retreat, to incorporate portions of the property currently addressed as 1272 N. Green Bay Road into the Ragdale Campus, to approve an updated Master Campus Plan and to modify the conditions in relation to the changes proposed on the Campus.

Property Owner: The City of Lake Forest

Tenant: Ragdale Foundation

Representative: Michael Cleavenger, Executive Director of Ragdale and Taylor Lininger, Rosborough Partners

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

Mr. Cleavenger introduced the petition and noted that the City is acquiring the Hart property to the north of the Ragdale Campus and it will be incorporated into the campus. He stated that no change in the use of the campus is planned and stated that Ragdale is looking forward to expanding the current uses across the site. He stated that the neighboring properties should not experience any change in impacts from the site.

Ms. Lininger reviewed the current and proposed boundaries of the Ragdale Campus and noted that the campus as it exists today includes the original Ragdale house, the Barn House and the new Sybil Shearer Studio. She stated that the Hart which is proposed to be added to the Ragdale Campus, is developed with a residence and a studio. She noted that existing driveway curb cuts will be maintained adding that no new curb cuts are proposed. She stated that some minor reconfiguration of parking areas is proposed.

Ms. Czerniak noted that Ragdale is a unique use, a residential artist's retreat, in a residential zoning district and as such, is authorized to operate under a Special Use Permit. She stated that an amendment to the existing Special Use Permit is requested to approve an expanded boundary for the Ragdale Campus and incorporate an updated Use Plan for the campus. She stated that any significant changes proposed to the structures on the property or to the gardens will require review and will be subject to approval by the Historic Preservation Commission. She stated that no change to the number of resident artists on the site at one time is proposed. She stated that based on the expanded boundaries and use map, staff is recommending some modifications to the conditions of approval of the Special Use Permit as detailed in the Board's packet. She noted that a small portion of the Hart property, located west of the Ragdale garden and developed with a small outbuilding cabin, will be retained by the Hart family.

Chairman Sieman invited questions from the Board.

In response to questions from Board member Rose, Ms. Czerniak noted that the existing Special Use Permit allows limited community events to be held on the Ragdale Campus. She said that no change is proposed to that language. She stated that City parking lots are used for the events and attendees are shuttled to the Ragdale Campus from the Central Business District. She confirmed that the Board's recommendation on the request for amendments to the Special Use Permit will be forwarded to the City Council for final action.

In response to questions from Board member Moorhead, Ms. Czerniak stated that the City has not received complaints about activity on the Ragdale Campus. She stated that the activity level at Ragdale is very different than at Elawa Farm adding that Ragdale is the only tenant at this location. She stated that the Special Use Permit does not allow the Ragdale facilities to be rented out for to private parties. She explained that a small portion of the Hart property will be retained by the Hart/Lansing family for personal use of the nonconforming outbuilding. She stated that the City will have a first right of refusal on the small parcel that will be retained by the family. She stated that the access easement benefitting Lake Forest Open Lands is documented on the plat of subdivision noting that it extends in an east/west direction off Green Bay Road, just north of the main Ragdale House.

In response to questions from Board member Moorhead, Mr. Cleavenger stated that he contacted the closest neighbors to explain the planned expansion of the boundaries of the campus.

In response to questions from Board member Novit, Ms. Czerniak confirmed that the access easement be indicated on the site plan.

Hearing no further questions from the Board, Chairman Sieman invited public testimony, hearing none, he invited final questions and comments from the Board.

Board member Nehring stated support for the proposed amendment project and for the Ragdale Foundation overall.

Board member Moorhead stated support for the amendments to the Special Use Permit as presented.

Board member Clemens stated support for the proposed amendments to the Special Use Permit and stated his appreciation for being able to tour the property.

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

Board member Novit also agreed with the comments of the other Board members. She acknowledged the gift from the Hart/Lansing family which allows the original Howard Van Doren Shaw property to be reassembled.

Board member Bass stated support for the proposed amendment.

Chairman Sieman also noted his support for the petition. Hearing no further comments from the Board, he invited a motion.

Board member Nehring made a motion to recommend to the City Council approval of amendments to the Special Use Permit for Ragdale as presented and incorporating the updated boundary and use maps. She stated that the access easement should be noted on the plan.

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

4. Consideration of a request for a variance from the rear yard setback to allow expansion and alterations to the existing garage and a variance from the side yard setback for an air conditioning unit for the silo at 550 Hathaway Circle.

Property Owners: Mike and Melissa Ginter

Representative: Michael Breseman, architect

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

Mr. Breseman described the property and the existing structure noting that originally, the structure was the milk barn and silo for the Meadowood Dairy Farm. He noted that the property is on the National Register of Historic Places and in a Local Historic District. He noted that the property owners recently purchased the property and found that the garage is very undersized. He stated that the addition of a third garage bay is proposed to make the garage more functional. He stated that an existing shed will be removed to compensate in part for the expansion of the building footprint to accommodate a third garage bay. He noted that the required rear yard setback is 40 feet and currently, 80% of the existing garage is located within the setback. He noted that the petitioners shared the plans with neighbors and the neighbors to the west and the south submitted letters in support of the petition. He stated that the project includes second floor space over a portion of the third garage bay to provide space for an expanded closet in the master bedroom. He stated that the second floor space does not extend the full width of the garage bay or extend into the setback to the same extent as the garage bay. He stated that a staircase is planned in the third bay of the garage and will provide access to new below grade space planned under the existing garage to add storage space to the house. He described the roof structure of the second floor space pointing out how it steps away from the west property line. He noted that on the north side of the house, two air conditioning units are proposed, near the silo, and will encroach slightly into the side yard setback. He described the drainage and landscape improvements planned for the property noting that the additional landscaping will screen the planned additions.

Ms. Friedrich stated that two variances are requested, one to allow an addition to the garage to encroach no closer than 7.5 feet to the rear property line and the second to allow air conditioning units to be located no closer than 12.5 feet to the north property line. She noted that the air conditioning units will cool the silo which currently does not have adequate air conditioning. She stated that as proposed, the air conditioners will be located at the point where the house and silo are connected. She stated that the milk barn and silo were converted to a single family home in 1953. She stated that the Historic Preservation Commission will consider the design aspects of the project and a request for a variance from the square footage limitation at an upcoming meeting. She stated that the garage addition is intended to improve the functionality of the garage and provide storage space for the home. She noted that the second floor addition does not extend the full length of the garage addition but instead, steps back, away from the west property line. She noted that the proposed landscape plan includes a mix of columnar arbor vitae along the west and south property lines to provide screening of the addition.

Chairman Sieman invited questions from the Board.

In response to questions from Board member Nehring, Mr. Ginter stated that the fence along the west property line is owned by the neighboring property owner adding that he intends to replace the fence as part of this project.

Hearing no further questions from the Board, Chairman Sieman invited public testimony, hearing none, he invited final questions and comments from the Board.

In response to questions from Board member Rose, Mr. Breseman stated that a sunshine/shadow study was not completed but noted that the second floor addition is pulled away from the west property line. He noted that the existing shed covers about 40 percent of the footprint of the proposed garage addition. He noted that the design of the addition is consistent with the existing structure.

In response to questions from Board member Nehring, Ms. Friedrich confirmed that letters in support of the petition were received from the adjacent property owners to the west and south.

Board member Bass noted that the residence to the west is located south of the proposed addition. He stated that in his opinion, it does not appear that the proposed addition will have any impact to the neighboring home.

Board member Nehring noted that the existing tall landscaping in the area already shades some areas.

In response to questions from Board member Clemens, Mr. Breseman stated that eight foot tall arbor vitae are planned along the south property line in combination with lower plantings to replace the invasive species that exist today.

Board member Novit stated support for the project noting that the second floor addition is carefully designed to respect the existing structure and the neighbors. She stated that the neighbor to the west has not raised any objections to the proposed project. She stated that the proposed location for the air conditioner is logical.

Board member Nehring agreed with Board member Novit. She stated that the plan is sensitive to the surrounding neighbors. She noted that extensive landscaping is proposed.

Chairman Sieman stated support for the variance but noted that he was initially hesitant because of the previous variances that were granted for the property. He noted that it is important to update homes to meet the needs of today's families. Hearing no further comments from the Board, he invited a motion.

Board member Novit made a motion to recommend approval to the City Council of a variance to allow an addition within the rear yard setback no closer than 7.5 feet to the west property line and a variance to allow an air conditioning unit to be located within the side yard setback, 12.5 feet from the north property line, all consistent with the plan presented to the Board. She stated that the drainage and grading plan will be subject to review and approval by the City Engineer.

The motion was seconded by Board member Bass and approved by a vote of 7-0.

5. Consideration of a request for variances from the front and side yard setbacks to allow construction of a front porch and a second story addition at 624 Highview Terrace. A lot coverage variance is also requested.

Property Owners: Jerry O'Brien and Laura Nekola

Representative: Chris Russo, project manager

Chairman Sieman introduced the agenda item and asked the Board for any Ex Parte contacts or conflicts of interest.

Board member Nehring stated that she met Mr. O'Brien when she visited the site but did not have a conversation with him.

Board member Novit stated that she also met Mr. O'Brien when she visited the site, and he reviewed the architectural design of the proposed addition with her. She stated that despite the interaction, she can review the petition objectively.

Board member Bass stated that he exchanged pleasantries with Mr. O'Brien when he visited the site but had no discussion about the petition.

Hearing no further declarations, Chairman Sieman swore in all those intending to speak and invited a presentation from the petitioner.

Mr. Russo introduced the petition and stated that he has worked with the property owners over the course of the last year to develop a plan that meets the desires of the family. He noted that this project has been on the Zoning Board's agenda twice in the past but was removed in response to concerns raised by the neighbor to the west. He stated that the neighbor's concerns have been taken into consideration. He stated that the owners are withdrawing the request for a variance from the lot coverage limitation. He stated that the existing house is modest, and the owners wish to stay in the home and expand it to make it functional for their family. He reviewed the proposed changes to the floor plans noting that office space, a mudroom and a laundry room will be added to the first floor if the bedrooms are moved into a second floor addition. He stated that the second floor addition will be built out with three modestly sized bedrooms and two bathrooms. He noted that the family room is in the rear portion of the existing first floor and has a vaulted ceiling which the owners want

to keep. He stated that to preserve the vaulted ceiling space, the second floor addition is pushed toward the front of the house adding that the front of the house is the best location for the second floor addition to minimize impact on the neighbor. He presented an alternate plan that complies with the side yard setbacks and extends north to south over the length of the house. He noted however that the alternative design eliminates the vaulted ceiling in the family room and impacts light to the neighboring home to some extent. He stated that a sunlight/shadow study was completed and presented screen shots from the study. He stated that the design is sympathetic to the neighbor to the west with respect to the roof forms and the length of the addition from north to south.

Mr. O'Brien stated that he has lived in the neighborhood for about 12 years adding that his children attend school in the community. He stated that the proposed improvements will allow the family to grow in the house and allow him and his wife to age in place.

Ms. Friedrich stated that the neighborhood is comprised of small lots platted in the 1920's and is built out with homes. She stated that given the nonconforming nature of many of the homes in the neighborhood, requests for some variances are reasonable. She reviewed the aspects of the proposed project that encroach into the required setbacks. She noted that an open front porch is proposed in the front yard setback and a second floor addition is proposed within the side yard setback. She stated that a rear porch and a replacement garage are proposed, and both comply with the required setbacks. She stated that based on Mr. Russo's comments, staff understands that there has been a reduction in the footprint to eliminate the need for a variance from the lot coverage limitation. She explained that the existing house is sited just beyond the 40 foot front yard setback and a variance to allow a new front porch to encroach into the front yard setback up to three feet is requested. She stated that the open front porch could help to reduce the appearance of mass of the front façade and present a human scale element to the streetscape. She noted that the existing house, including the eave and gutter is 3'10 ½" from the west property line. She stated that as proposed, the second story addition is pulled in slightly and is located 4'2 ¾" from the west property line including the eave and gutter. She noted that the property to the west is a corner lot and as a result, the rear of the neighboring home abuts the side of the property in this petition. She noted that the proposed second story addition extends 24.5 feet from north to south and increases the height of the house to approximately 24 feet in height. She noted that three letters were received from the neighbor to the west noting concerns with drainage and limits to sunlight reaching his home as a result of the addition. She noted that another letter was received from a neighbor on Northmoor Road expressing concerns about granting a lot coverage variance due to drainage issues in the neighborhood. She stated that ten letters of support for the project were received from other neighbors. She stated that staff recommends continuing the petition to allow the petitioner to

continue to explore alternatives that comply with the setbacks or require variances of a lesser magnitude.

Chairman Sieman invited questions from the Board.

In response to questions from Board member Nehring, Ms. Friedrich stated that she was unsure if a variance was granted for the second floor addition on the house to the east of the property in this petition. She confirmed that the City Engineer has preliminarily reviewed the drainage and grading plan and indicated support for installation of a storm sewer along the west property line which was recently added to the plan to help address standing water issues. She stated that the City Engineer encouraged consideration of locating the drain more centrally in the rear yard to collect water in that location.

In response to questions from Board member Bass, Mr. Russo stated that the potential for an alternate plan, somewhere between the preferred plan and the alternate presented, was not studied. He stated that the property owners want to achieve a certain amount of space. He stated that if the second floor is extended over the family room, eliminating the vaulted ceiling, it makes sense to extend the addition the full length of the house north to south.

In response to questions from Board member Clemens, Ms. Friedrich confirmed that the City Engineer can be asked to provide input on the appropriateness of the downspouts from 634 Highview Terrace draining onto the 624 Highview Terrace property.

In response to questions from Board member Moorhead, Ms. Friedrich confirmed that the proposed second floor addition conforms to the 30 foot height limitation. She added that the alternate plan presented to the Board was not presented to staff for review prior to the meeting.

In response to questions from Board member Nehring, Ms. Friedrich stated that she knows that some variances have been granted in the past to homes in this neighborhood. She stated that she does not know the specifics of the variances or how they compare in magnitude of impact on neighboring properties to the current request. She stated that staff can conduct a study of variances in the neighborhood.

Board member Nehring noted that the house to the west has a large overhang on the east elevation which likely limits the amount of light entering the home.

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

Donald Pochopien, 155 Maywood Road, stated that he is the owner of the property immediately to the west. He noted that his eave is 27 inches deep. He stated that information was provided in his letter showing how the light to his property will be impacted by the proposed addition. He commented that he does not think a storm sewer is necessary but noted that the downspout at the northwest corner of the house at 624 Highview Terrace could be redirected. He noted that a swale may also be helpful along the shared property line.

Hearing no further requests to speak from the public, Chairman Sieman invited final comments from the petitioner.

Mr. Russo stated that the owners believe they should be permitted to build a second floor addition and that they need to find the best way to do it. He acknowledged that the alternate plan presented is not a good option and is not sensitive to the existing house, the property owner, or to the neighbor. He noted that a short length of wall, from north to south, will be less impactful to the neighbor and provides the best design, architecturally. He noted that the room sizes proposed on the second floor are minimal.

Board member Rose commented that it might be best to learn more about this area, have staff conduct some research, and allow the petitioner to explore other options for expanding the home.

Board member Moorhead stated that the sunlight/shadow study presented is confusing. He stated that he believes that the owner of the property at 155 Maywood Road is correct that there will be an impact on light to his property. He stated that it would be helpful to present a sunlight/shadow study for a winter day. He added that it would also be helpful to understand whether there are other viable alternatives for expanding the house. He stated that the variance request is like the request considered by the Board for the 2 June Terrace property which was also a situation where the houses were side by side, without a driveway separation. He noted that many of the homes on Highview Terrace have buffers of land or a driveway between them except for a few single story homes. He noted at this time, he is not inclined to support this petition because the criteria do not appear to be satisfied. He stated that he is willing to consider alternate plans.

Board member Clemens stated a willingness to support the petition. He noted that the house to the east overshadows the single story home at 624 Highview Terrace. He noted that the proposed addition is lower in height than the house to the east and is consistent with other additions in the neighborhood.

Board member Nehring agreed with Board member Clemens that other homes in the neighborhood have been expanded. She said she supports the property owners' interest in expanding their home to allow them to stay in the neighborhood. She

stated that the alternate design that was presented is not attractive and would not be consistent with the character of the neighborhood. She stated support for the design of the proposed addition but acknowledged that the increased mass could impact light to the neighboring property.

Board member Bass agreed that the proposed addition is in keeping with additions to other homes in the neighborhood.

In response to a question from Board member Bass, Ms. Friedrich stated that the alternate plan was not provided to staff in advance of the meeting and was not included in the Board's packet. She stated that as noted by the petitioner's architect, the preferred plan retains the vaulted ceiling in the first floor family room at the rear of the house. She added that any addition that is proposed will be subject to consideration by the Building Review Board. She confirmed that the Board could choose to continue consideration of the petition to allow further study by staff and the petitioner.

Ms. Czerniak offered that the Building Review Board would be able to offer some input on the design aspects of various options for expanding the house. She noted that the properties in this neighborhood are small and there are limits to what can be accommodated on the properties.

Board member Novit stated that she understands the various perspectives on the petition. She agreed that sometimes, a small lot cannot accommodate everything that is desired. She also agreed that the petitioners should be allowed to do what they want on their property. She noted in the past, the Zoning Board of Appeals has granted variances for very specific instances that were not intended to set a precedent for every property in the neighborhood. She stated that she is interested in learning more about the variances that have been granted to date in this neighborhood. She stated that she does not like delaying action on a petition but noted that she is not sure that either of the options presented are the best solution for the property.

Chairman Sieman agreed with Board member Novit's comments. He stated that he is struggling to find the right answer. He stated that additional data may help guide the Board to the right answer. He asked for clarification on whether the residence to the west is conforming to the setbacks. He stated that a desire to retain the vaulted ceiling in the family room is not a hardship to support a setback variance. He stated support for a variance for the front porch. He stated that it is his understanding, based on the petitioner's presentation, that a variance from the lot coverage requirement is no longer requested.

Board member Nehring noted that the front porch addition is part of the overall design which could change based on the Board's discussion to date. She suggested holding off action on the variance for the front porch addition.

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

Board member Rose made a motion to continue consideration of the petition to allow the petitioners time to explore other alternatives and staff time to research other variances granted in the neighborhood.

The motion was seconded by Board member Novit and approved by a vote of 6-1, with Board member Clemens voting nay consistent with his earlier comments.

Chairman Sieman asked that the Building Review Board review various concepts developed by the petitioner and weigh in on the design aspects of the proposed project.

In response to questions from Board member Rose, Ms. Friedrich confirmed that the petition is currently scheduled for Building Review Board consideration in December.

Board member Moorhead stated that in his opinion, the Building Review Board may provide valuable feedback.

In response to questions from Board member Novit, Ms. Friedrich confirmed that staff will research whether drainage was discussed at the time the addition to the house at 634 Highview Terrace was considered.

7. Public testimony on non-agenda items.

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

8. Additional information from staff.

Ms. Friedrich noted that the next meeting is scheduled for Monday, January 24, 2022.

The meeting was adjourned at 8:41p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician