

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

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

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

Zoning Board of Appeals members absent: Laurie Rose

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 stated he made a determination that the meeting should be conducted remotely in compliance with Governor's Executive Order 2020-07, issued on March 16, 2020 that suspended certain Open Meetings Act provisions relating to in-person attendance by members of a public body due to the Covid-19 pandemic. He 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 December 23, 2020 and January 25, 2021 meetings.

The minutes of the December 23, 2020 and January 25, 2021 meetings were approved as submitted.

3. Consideration of a request for a variance from lot-in-depth setback requirements to allow construction of a single story addition to the west side of the residence at 342 N. Western Avenue.

Property Owners: Michael and Franca Giannelli

Representative: Michael Breseman, architect

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

Board member Novit noted that she received a phone call from a neighboring property owner, Gayle Strenger Wayne, and noted that the subject of the phone conversation was consistent with the written correspondence submitted by Ms.

Wayne0. She noted that Rob Wayne, a neighbor, introduced himself to her when she made a site visit. She stated that she did not have a conversation with Mr. Wayne. She stated that despite the Ex Parte contacts, she will be able to evaluate the petition objectively.

Board member Clemens declared that he too received a phone call from and saw the neighbor, Gayle Strenger Wayne, when he visited the site. He stated that despite the Ex Parte contact, he will be able to evaluate the petition objectively.

Hearing no objections from other Board members, Chairman Pasquesi invited a presentation from the petitioner and swore in all those intending to speak.

Mr. Breseman introduced the petition and noted that the house was built in the late 1950s and was modified over the years. He noted that the Giannelli's recently purchased the home and desire to add a garage on the west side of the house to alleviate congestion on the driveway and also provide a family gathering space. He noted that the property is in the R-4 zoning district and because it is a lot-in-depth, all of the setbacks are 50 feet. He noted that 58% of the house is currently in the lot-in-depth setback. He noted that the proposed garage wall is 16 feet 2 inches from the west property line with an eave overhang of an additional 1 foot 3 inches. He noted the petitioners explored other locations on the property for the additional garage; the northeast side of the existing residence and a detached garage at the northwest corner of the property. He noted that for various reasons, including drainage, tree impacts and travel distance from the existing residence, ultimately the location of an attached garage on the west side of the house was determined to be the best solution. He noted that the hardship necessitating the variance was not created by the existing or prior owners of the property owners but by a chance in the Zoning Code. He noted that if the variance is granted, the new garage will not impair light to neighboring homes and will relieve congestion on the site. He described the neighboring properties and noted that a pool house on the neighboring property to the west is the closest structure to the proposed garage and is over 50 feet away. He noted there is one tree that will be impacted by the proposed garage. He noted that Mike Bleck of Bleck Engineering prepared a preliminary civil engineering plan for the project indicating that the subject property drains to the north, toward a low point. He noted that the existing driveway will be expanded slightly to provide access into the proposed garage. He noted that there are two garage doors proposed, both on the north and south elevations, to provide a covered, open air space for the family. He described the proposed elevations and noted they are complimentary to the existing structure.

Ms. Friedrich noted that this petition is a request for a variance from the lot-in-depth setback requirements adding that the property does not have street frontage on Western Avenue. She noted that a 50 foot setback is applied from all property lines for lots-in-depth in the R-4 zoning district. She noted that the house was built in the

1950s and the variance request is for a garage addition on the west side of the house. She stated that the variance request includes the eave and overhang on the proposed garage. She noted that the proposed garage is sited 14 feet 11 inches from the west property line. She noted that the garage steps back from the north elevation of the house about 19 feet, tucking the new garage on the side of the existing house. She noted that the driveway changes proposed are all in compliance with the Code. She noted that the proposed garage is over 50 feet from the pool house on the property to the west and over 200 feet from the house to the west. She noted that there is an email in the Board's packet from a neighbor to the northeast of the Giannelli property noting drainage concerns. She noted that a high level review of the preliminary drainage plan was completed by Engineering staff and the plan was determined to generally be workable. She noted during the formal plan review process, a final drainage and grading plan will be submitted and will be evaluated taking into account the concerns raised by the neighbor. She noted that the Board received another email today from a neighbor stating support of the variance request. She noted that the staff report includes a recommendation for a condition requiring adequate hardscape on the south side of the garage adjacent to the rear vehicle overhead door to comply with the Code. She noted that condition offers the option of modifying the rear door to not allow a vehicle to pull out into the rear yard.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Sieman, Ms. Friedrich noted that the Code does not prohibit vehicle doors on opposite elevations of the garage but requires a hard surface, an apron, adjacent to any vehicle door.

In response to questions from Board member Nehring, Mr. Breseman noted that the private driveway is owned by the owners of the property to the east. He noted that the Giannelli's have an access easement over the driveway.

In response to questions from Board member Nehring, Ms. Czerniak stated that the City is not involved in determining how the maintenance of the driveway is handled. Chairman Pasquesi, hearing no further questions from the Board, invited public testimony.

Gayle Strenger Wayne, 340 N. Western Avenue, noted that she owns the property directly to the east and the private driveway. She noted no objection to the project as presented and is confident that the Giannelli's will repair any damage to the private driveway.

Robert Walsh, 350 N. Western Avenue, noted he has lived in his house which is located to the northeast of the subject property, for 18 years. He noted that prior construction work at the site in 2020 detracted from his quiet enjoyment of this rear yard. He noted

that many of the construction vehicles parked in the private driveway, which borders his property. He noted that the Giannelli's property sits at a higher elevation than his property. He noted that he understands that the Board's purview is the variance, but stated concern that the additional impervious surface and grading will result in excessive stormwater runoff. He noted that the new driveway area will add about 1300 square feet of impervious surface. He noted that the front yard of the subject property is already covered by a lot of blacktop. He noted that his property is already impacted by standing water which has caused soil erosion and tree problems. He questioned the need for a retaining wall along the western edge of the proposed driveway, adjacent to the proposed garage. He asked for further information about the note on the grading plan referring to a storm sewer line.

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

In response to questions from Board member Novit, Mr. Breseman noted that Bleck Engineering has been engaged to complete detailed drainage and grading plans. He noted that by adding a garage to the west of the existing house, cars will be shifted west on the site, away from the neighbors to the northeast.

In response to questions from Board member Nehring, Ms. Friedrich confirmed that City Engineering staff will review the final grading plan and the testimony presented to the Board to assure that all appropriate steps are taken to minimize any increased runoff.

In response to questions from Board member Nehring, Ms. Czerniak stated that the final drainage and grading plan will need to reflect grades off site for a minimum distance of 50 feet all around the property.

Chairman Pasquesi permitted Mr. Walsh to make further public comment.

Mr. Walsh noted that the grading plan is not reflective of the current conditions. He noted that the environment is changing and there are often intense rainfalls that negatively impact his property. He noted that the private driveway is pitched to his property.

Chairman Pasquesi invited staff response to public testimony.

Ms. Czerniak noted that the City's Engineering staff are available to meet with Mr. Walsh at his property to observe the existing conditions and offer recommendations.

Chairman Pasquesi thanked the petitioner and their representatives for identifying and presenting the multiple options studied. He noted his agreement that the plan presented is the best option for the site. He questioned if a vehicle door is

necessary on the south elevation of the garage and encouraged consideration of another solution to achieve the petitioner's goals.

Board member Novit agreed with Chairman Pasquesi's comments. She stated support for the plan as presented noting that the plan locates the garage away from the front of the house and away from the Walsh's property. She noted that there is a row of large arborvitae along the north side of the property which provides screening from the property to the north. She acknowledged that construction activity is a nuisance.

Board member Nehring stated agreement with Chairman Pasquesi's and Board member Novit's comments. She agreed that the rear door on the garage could be modified.

Board member Sieman stated his appreciation for the time the petitioner spent studying options. He noted that Option B would not require a variance adding that the petitioners pursued the better plan although it did require a variance. He stated that he does not agree with the other Board members comments on the rear door and questioned whether that aspect of the project was within the Board's purview.

Board member Moorhead stated his agreement with the comments of the other Board members adding that he is comfortable that the City will review the drainage plan and address the stormwater concerns appropriately. He noted that the petition appears to satisfy the criteria for a variance. He noted that the nuisance issues relating to construction traffic are not the purview of the Board.

Board member Clemens stated agreement with the other Board member's comments.

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 the lot-in-depth setback variance to allow construction of an attached garage no closer than 14'11"to the west property line consistent with the site plan submitted to the Board. He noted that no conditions of approval are included in the motion.

The motion was seconded by Board member Novit and was approved by a vote of 6 to 0.

4. Public testimony on non-agenda items.

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

5. Additional information from staff.

Ms. Friedrich noted that the next meeting is scheduled for Monday, March 29, 2021.

The meeting was adjourned at 7:22 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician