

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the April 26, 2021 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, April 26, 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, 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 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 March 29, 2021 meeting.

The minutes of the March 29, 2021 meeting were approved as submitted.

3. Consideration of a request for variance to allow expansion of the driveway within the front yard setback at 1090 Highland Avenue.

Property Owners: Zachary and Lacy Fidler

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

Mr. Fidler introduced the petition and noted that their family has lived in the house since 2016 and described the various improvements that have been made to the home in that time. He noted their current project is to replace their driveway and pave an area of loose gravel that is wider than 16 feet within the front yard setback. He noted with the proposed addition, the driveway will not be wider than 27 feet. He noted that there is existing landscaping in the area of expansion that

will remain and additional landscaping will be added along the north and east sides of the proposed driveway addition. He noted that the property is angled and the house is not oriented in an angled manner, creating a shorter distance to the front property line in the area of the existing driveway. He noted that several neighbors have emailed in support of the project.

Ms. Friedrich noted that this is a request for a driveway expansion wider than 16 feet width in the front yard setback. She noted that there is an existing gravel area that is proposed to be paved with asphalt. She noted that the existing landscaping along the west and north sides of the proposed driveway expansion will remain and the proposed landscaping will add to the existing screening. She noted that the garage space and existing driveway is on the short side of the property in relation to the distance to the front property line, as the street is angled. She noted had the driveway and garage been oriented on the south side of the property, this request would not be necessary. She noted there are letters in support of the project from five neighbors.

Chairman Pasquesi invited questions from the Board. Hearing no questions from the Board, Chairman Pasquesi called for any public testimony.

Mike Moebs, 1140 Highland Avenue, stated his support for the project and noted that the Fidlers have greatly improved their property since they purchased the property.

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

Chairman Pasquesi noted his support for the project and noted that it is helpful to have the neighbors in support of the project, especially the neighbor directly to the north.

Board member Nehring noted her agreement with Chairman Pasquesi's comments.

Board member Rose noted her agreement with Chairman Pasquesi's and Board member Nehring's comments. She noted she often walks through this neighborhood and stated that the improvements are in line with other properties in the neighborhood.

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 variance to allow widening of the driveway, up to 28 feet within the front yard setback consistent with the site plan submitted to the Board.

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

4. Consideration of a request for a variance from the side yard accessory structure setback to allow construction of a shed at 633 Woodland Road.

Property Owners: Peter Stephanie Thadani

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

Board member Novit noted that when she visited the site, she met the owners of the property but did not exchange any information on the petition with them.

Board member Nehring noted that when she visited the site, she did speak to the children in the driveway and told them that she was there to review the project.

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

Mr. Thadani introduced the petition and noted that the property is located at the southwest corner of Woodland Road and Meadow Lane. He noted that they recently purchased the home and have made several improvements to the property since that time. He noted that the request for the variance is to locate a shed 6 feet from the west property line, in close proximity to the existing garage. He noted that the family is looking for storage for larger items including pool equipment, bikes and a snowblower. He noted that the property is challenged by being on a corner of two streets and that there is a significant number of mature trees on the property that they wish to keep, that would prohibit the placement of the shed in those areas. He noted the placement of the shed near the house is helpful as the items that will be stored in the shed will be used in the driveway area. He noted that the neighbors to the west of them did submit a letter with questions about the placement of the shed and that he reached out to them to clarify that the shed will be placed on the gravel area of the site, where the neighbors are in support of it. He noted that in addition to existing screening in the area of the shed, there is a seven foot tall fence that will mitigate the visualization of the shed. He noted that the neighbors to the west also have a garage about ten feet from their shared property line, in the area of the proposed shed. He noted that there are no grade changes proposed and he described the proposed shed.

Ms. Friedrich noted that this petition is for an accessory structure setback variance for a shed, proposed at six feet from the side yard setback line, rather than the 20 feet, required by Code. She noted that the shed is proposed in an area adjacent to the rear of the neighbor's garage, in an area that is well screened and also

fenced. She noted that the lot does not meet the minimum lot size and width requirements. She noted that the petitioner's explored other options for placement of the shed, but given the property's location on a corner of two streets, along with a heavily wooded back yard, the best location for the proposed shed seems to be as presented.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Rose, Mr. Thadani stated that there will be no water or gas provided to the shed and that the pool equipment would not be located in the shed. He stated that pool ladder and diving board would be stored in the shed in the winter.

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

Board member Novit stated her support for the project.

Chairman Pasquesi stated his support for the project and the thoughtfulness in considering several options.

Board member Nehring stated her support for the project and the logical placement of the proposed shed.

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

Board member Moorhead made a motion to recommend approval to the City Council of an accessory structure side yard setback variance to allow the construction of a shed to be located no closer than 6 feet to the side (west) property line, 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.

**5. Consideration of a request for a variance from the setback requirement to allow construction of a beach pavilion on the slope of the bluff at 33 N. Stone Gate Lane.
Property Owner: WES JH LOT 76 LLC (Walter Sommers, 100%)
Representative: Diana Melichar, architect**

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

Ms. Melichar introduced the petition and provided background of the property. She noted that property owners recently purchased the property and made many

renovations to the house. She noted the existing boat house and the damage that it has incurred, directly fronting the beach and water. She explained that they explored proposing the replacement beach house in the same general location, but as to not create problems with the water level of Lake Michigan, ultimately decided to propose the structure in the location as presented. She noted that the intent is to keep much of the existing planting on the bluff, except in the areas of construction, and replacement plantings are proposed in those areas. She noted that the proposed beach house is located 55 feet from the water's edge and behind the toe of slope. She noted that the beach house should be less visible from the neighboring properties. She noted that the beach house includes an open terrace and an enclosed space. She noted a tram is proposed to terminate at proposed terrace. She noted that a steep slope analysis has been done and further geotechnical study will be done as part of the permit drawing development process. She noted that durable, waterproof concrete is proposed for much of the construction of the proposed beach house to allow this structure to be compatible with the adjacent Lake Michigan.

Ms. Friedrich noted that this is a steep slope variance to allow a beach pavilion to be permitted on the existing bluff. She noted that the existing boat house will be removed. She noted that the siting of the beach pavilion pulls the structure back from the water's edge to protect it from unnecessary deterioration. She noted that a steep slope variance is required by the Code when construction is proposed on the bluff, if certain technical requirements have been provided, reviewed by and approved by the City's Engineer, as it has with this project. She noted that the proposed beach pavilion has open and enclosed space.

Chairman Pasquesi invited questions from the Board.

In response to questions from Board member Moorhead, Ms. Melichar noted that there will be a full foundation under this structure and it will be designed with the geotechnical team. She noted that the wastewater will be pumped back to the appropriate location for disposal.

In response to questions from Board member Moorhead, Ms. Friedrich noted that the City Engineer pointed to the Simplified Bishop Method analysis in his recommendation of approval, in 159.015 D 2 (d).

In response to questions from Board member Moorhead, Ms. Czerniak noted that this is not a steep slope setback variance, but rather is a variance from the steep slope part of the Code, as this construction is on the bluff. She reaffirmed that the City Engineer would not recommend the Zoning Board's review of the project if he was not comfortable with the technical information provided for this project.

In response to questions from Board member Novit, Ms. Melichar stated that there is no plan for any other beach front improvements.

In response to questions from Board member Rose, Ms. Friedrich confirmed that the City Engineer was satisfied with the information submitted to date and that often, further planning and detailed documents are prepared prior to permit submittal, that the City Engineer will also review at that time.

Ms. Czerniak noted that this is an opportunity to give the petitioner any direction before they spend time and money on the final engineering.

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

Board member Sieman noted his support for the project and presentation. He noted this project meets the criteria for the Code and appreciated the positive recommendation from the City's Engineer.

Board member Moorhead noted his agreement of Board member Sieman's comments.

Chairman Pasquesi noted his agreement with the other comments by the Board members.

Board member Nehring noted her agreement with the other comments from the Board and noted the design of the beach pavilion to nestle into the bluff is wonderful.

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

Board member Novit made a motion to recommend approval of a steep slope variance to the City Council to allow construction of a beach pavilion and other beach related amenities consistent with the dimensioned site plan included in the packet.

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, May 24, 2021.

Ms. Czerniak noted that the City is looking to move away from remote meetings and back to in person meetings and will be reaching out to the Board members individually.

The meeting was adjourned at 7:27p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician