

**The City of Lake Forest**  
**Zoning Board of Appeals**  
**Proceedings of the May 24, 2021 Meeting**

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, May 24, 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 and Lisa Nehring

Zoning Board of Appeals members absent: Vacant Position

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 stated that 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 April 26, 2021 meeting.**

The minutes of the April 26, 2021 meeting were approved as submitted.

**3. Consideration of a request for variances from lot-in-depth and accessory structure setback requirements to allow construction of a front entry addition and a detached garage at 420 Washington Road.  
Property Owners: Deborah Kiersch and Erik Wisch**

Chairman Sieman 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 the project was previously presented to the Board and has been modified based on the input received. He noted that in the prior submittal, an addition was proposed on the south side of the house, near the ravine which raised some concerns. He stated that since that meeting, other options were studied including an addition on the west side of the home and an addition on the north side, the front of the house. He stated that as

now proposed, the project includes a modest addition at the front entry, on the north side of the home. He stated that a lot-in-depth setback variance is required for the front addition. He added that a variance from the required accessory structure setback is required for the eave and gutter on the west side of the proposed detached garage. He noted that the garage otherwise complies with the setbacks and is sited to allow for workable access for vehicles entering and exiting the garage. He noted that the air conditioning units are located on the west side of the house, away from the neighbors. He noted that the retaining wall on the south side of the property, adjacent to the ravine, will be repaired or replaced as directed by the structural engineer's evaluation.

Ms. Friedrich noted that the house on the property has been vacant for over 25 years. She confirmed that since the Board last saw this petition, the project has changed significantly. She noted that the proposed front entry addition, on the north side of the house, minimally encroaches into the east side of the lot-in-depth setback. She noted as previously presented, the detached garage did not require a variance however, the garage siting was shifted to improve the functionality. She explained that as a result, the eave and gutter on the west side of the garage extends into the setback, 2 feet 4 inches. She noted the staff report includes a recommendation for approval of the variances subject to two conditions; one requiring that the patio be no more than eight inches above grade consistent with the plans presented to the Board and the second pertaining to the repair or replacement of the retaining wall consistent with the recommendation from the structural engineer.

Chairman Sieman invited questions from the Board.

In response to questions from Board member Novit, Mr. Wisch stated that the staircases on the south side of the house will be removed.

In response to questions from Board member Nehring, Mr. Wisch stated that an engineer is preparing plans to address drainage on the site. He noted that the foundation of the house, overall, is structurally sound but there are some areas that require repair.

In response to questions from Board member Clemens, Mr. Wisch confirmed that the intent is to bury the electric service.

In response to questions from Board member Rose, Mr. Wisch stated that there will be a stormsewer under the deck located to the south of the house to collect and direct drainage.

In response to questions from the Board member Nehring, Mr. Wisch noted that the patio on the east side of the residence will be flagstone and the deck will be wood.

Hearing no further questions from the Board, Chairman Sieman invited public testimony. Hearing no requests to speak, Chairman Sieman returned the discussion to the Board.

Board member Novit thanked the petitioners for the changes made to the plans since the last meeting. She stated support for the variances requested.

Board member Nehring agreed with Board member Novit's comments.

Board member Moorhead agreed with the other Board members' comments and noted that the plan, as presented, appears to address the comments and concerns from the last meeting.

Board member Clemens stated support for the petition and commended the petitioners for addressing the comments from the last meeting.

Board member Rose commended the petitioners for their efforts to address the comments from the last meeting and stated support for the petition.

Chairman Sieman stated support for the project and agreed with the comments of the other Board members. Hearing no further comments from the Board, he invited a motion.

Board member Nehring made a motion to recommend approval to the City Council of a lot-in-depth setback variance to allow a small portion of the addition at the front entry, on the north elevation, to encroach into the setback and a variance from the accessory structure setback to allow the eave and gutter of the detached garage to encroach into the setback as depicted on the plan submitted to the Board. She noted the motion includes the following conditions.

1. The patio and deck shall be no more than eight inches above grade, with little to no excavation, unless a variance is requested and approved through a separate public hearing process.
2. Prior to issuance of a building permit, the petitioner shall submit plans for the repair or replacement of the retaining wall along the south property line, in accordance with the recommendation in the October 2020 structural report and the City Engineer's comments.

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

**4. Consideration of a request for a variance from the rear yard setback to allow construction of an addition to the existing garage at 1100 Inverlieth Rd.  
Property Owners: Scott and Roxanne Argie**

**Representative: Kirk Alexakos, architect**

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

Board member Clemens noted that he received a call from Scott Argie with questions on how to pursue a variance and he directed him to City staff.

Board member Novit noted that she met the Argies when she visited the site and discussed the project but nothing beyond the information that was provided in the packet.

Board member Nehring noted she saw the Argies when she visited the site but did not engage in conversation.

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

Mr. Alexakos introduced the petition and explained that a rear yard setback variance is requested to allow an addition to the garage to extend to within 22 feet of the east property line. He noted that the lot is a corner lot and does not meet the minimum lot size requirements. He stated that the house is sited at an angle which limits the options for adding to the garage. He noted that the garage addition is needed to fit today's vehicles. He noted that construction of a link is also proposed between the house and the existing detached garage. He noted that there is existing landscaping along the east property line which will screen the garage addition. He noted that the petitioner received two letters from adjacent neighbors in support of the project.

Ms. Friedrich noted that the property is a corner lot in the R-3 zoning district and does not meet the current minimum lot size requirements. She noted that the corner setbacks require a 40 foot setback from the west, south and east property lines. She noted that a variance is requested to allow the garage addition to encroach no closer than 22 feet toward the east property line. She noted that an addition connecting the house and the detached garage is also proposed. She noted the existing landscaping along the east property line which provides screening.

Chairman Sieman invited questions from the Board. Hearing no questions from the Board, he invited public testimony. Hearing no requests to speak, he returned the discussion to the Board.

Board member Nehring complimented the design of the addition.

Board member Moorhead commented that the petition is straightforward petition and appears to meet the criteria for a variance.

Board member Clemens stated support for the variance.

Chairman Sieman stated support for variance as well and noted that the project presents a creative solution for a corner lot. 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 from the rear yard setback to allow a garage addition to be constructed no closer than 22 feet to the rear (east) property line as depicted on the plans presented to the Board.

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

**5. Consideration of a request for a variance from the side yard setback requirement to allow construction of a rear screen porch at 494 Oakwood Avenue.  
Property Owner: JE Ventures, LLC (Judy Nygard)**

Chairman Sieman 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. Nygard introduced the petition and explained that a screen porch is proposed over the existing patio at the rear of the residence. She noted that a variance from the side yard setback is required to allow the screen porch to align with the house. She noted that the use of the area will not change, it will just be enclosed to protect the family from insects. She noted that the neighbors are in support of the project. She noted that the screen porch cannot be stepped in to comply with the side yard setback because the porch must align with an existing door on the house. She stated that the door cannot be shifted due to existing mechanicals.

Ms. Friedrich noted a side yard setback variance is requested to allow a screen porch to be added to the rear of the house and sited no closer than 6 feet to the south property line rather than 10 feet as required by Code. She noted that the screen porch as proposed, aligns with the wall of the house. She noted that the porch cannot be stepped in to meet the setback due to the configuration of the rooms in the home and existing mechanical equipment. She noted that there is significant landscape screening along the south property line and the neighbors to the south have a driveway beyond the screening.

Chairman Sieman invited questions from the Board. Hearing no questions from the Board, he invited public testimony. Hearing no requests to speak, he returned the discussion to the Board.

In response to a question from Board member Clemens, Ms. Nygard confirmed that the porch will be constructed over the existing patio.

Board member Novit stated support for the petition adding that it meets the criteria for a variance.

Board member Nehring agreed with Board member Novit.

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

Board member Nehring made a motion to recommend approval to the City Council of a side yard setback variance to allow a screen porch to be constructed no closer than 6 feet to the south property line consistent with the site plan submitted to the Board.

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

**6. Consideration of a request for variances from the front and side yard setback requirements to allow construction of an open front porch and an attached garage at 713 Illinois Road.**

**Property Owner: Chance Shea**

**Representative: Dale Shea**

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

Mr. Shea introduced the petition and noted that he and his son purchased the property recently. He noted that this lot is about 6300 square feet, less than the minimum required by Code in this zoning district and is pie shaped. He noted that initially, the intent was only to shift the driveway to the east side of the property and not construct a garage however, as the project progressed, it was determined that it would be best to add a garage. He noted that since purchasing the property various improvements have been made to the property. He noted that a two car garage is proposed along with a covered front porch and a rear porch. He noted the proposed garage is 23 feet wide and 25 feet deep. He noted that variances are required to allow the front porch and the garage to be located within the front yard setback and the garage to also encroach into the side yard setback along the east property line. He noted that a variance is also requested to allow the

driveway to exceed the maximum 16 foot width within the front yard setback. He noted that an 18 foot wide driveway is proposed. He noted that several surrounding properties drain to property and a drainage plan will be reviewed by the City Engineer.

Ms. Friedrich noted there are several variances requested in this petition; front yard variances for an open front porch and garage, a side yard setback for the garage and a front yard variance to allow the driveway to exceed the maximum allowable 16 foot width. She noted that the property is triangular in shape and, as a result, has no rear yard, only side yards to the north and south. She noted that the property is across the street from the Lake Forest College athletic fields. She noted that the property does not meet the current minimum lot size requirements. She stated that the site plan provided to the Board identifies the very small buildable area on the site adding that it is reasonable that variances are required since the property is a legal building lot. She noted that the City Engineer has preliminary reviewed the drainage plan and will need to review final details prior to the issuance of a building permit. She noted that staff requested that the petitioner explore alternatives to minimize the extent of the variances needed including shifting the garage back, reducing the size of the garage, and narrowing the driveway in some areas. She noted three conditions are recommended in the staff report; submittal of a fully dimensioned site plan, a requirement that the front porch remain open and submittal of a landscape plan to add plantings to soften the appearance of the driveway and garage on the streetscape to the extent possible.

Chairman Sieman invited questions from the Board.

In response to questions from Chairman Sieman, Mr. Shea clarified that he initially purchased the property for his son and since that time, his son has become the owner of the property.

In response to questions from Board member Clemens, Mr. Shea stated that the grade on the site is not being lowered. He stated that the retaining wall will direct water to flow around the house.

In response to questions from Board member Rose, Mr. Shea stated that an 18 foot wide driveway is helpful when working on a vehicle and getting in and out of a vehicle parking in front of the garage.

In response to questions from Board member Nehring, Mr. Shea noted there are no storm drains on the property.

In response to questions from Board member Moorhead, Ms. Friedrich stated that she is not aware of any variances granted in this neighborhood for increased driveway

widths. She acknowledged however that there are likely existing driveways that do conform to the current Code.

In response to questions from Board member Moorhead, Mr. Shea noted that the front yard setback runs through the middle of the house.

In response to questions from Board member Novit, Mr. Shea confirmed that the driveway is 21 feet in length.

Hearing no further questions from the Board, Chairman Sieman invited public testimony. Hearing no requests to speak, he returned the discussion to the Board.

Board member Novit stated support for the project and noted that it is important to support investment in smaller homes and properties. She stated that the petition appears to meet the criteria for a variance.

Board member Moorhead commented that in his opinion, this petition is not clear cut. He noted that as proposed, the garage and driveway will be right on the street. He noted that there seems to be a potential to shift the garage back a few feet and possibly narrow the driveway. He acknowledged that the curve of Illinois Road at this location presents a challenge. He noted that to the east, there is a house with a garage in front of the residence, but the garage is shifted back and is not in the setback. He acknowledged the reasonableness of the desire for a garage on the site of the size specified however he suggested consideration of shifting the garage back on the site and narrowing the driveway.

Board member Nehring noted that this is a very small property. She expressed concern that if the garage is shifted back, it will limit the rear yard. She noted that landscaping on the site will be important. She noted that the proposed driveway is not very long.

Board member Rose agreed with Board member Moorhead.

In response to questions from Board member Rose, Ms. Friedrich explained that the driveway permit that was issued to allow the driveway to be relocated from the west side of the site to the east was issued for a standard 16 foot wide driveway as requested by the petitioner at that time. She added that no garage was proposed. She noted that if the garage is shifted back on the site, it will encroach further into the side yard setback.

Chairman Sieman reopened the public comment period recognizing the phone disruptions being reported in the community.

Mr. Engel, 211 Washington Road, stated support for the project as proposed.

Chairman Sieman, hearing no further requested from the public to speak, stated support for the variances as requested. He acknowledged Board member Moorhead's concerns but noted that shifting the garage back creates a greater encroachment into the side yard setback. At Mr. Shea's request, Chairman Sieman reopened the public hearing and allowed him to make additional comments.

Mr. Shea acknowledged that Board's comments and noted that the driveway and garage as proposed are minimal and are necessary to make the property usable.

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

Board member Novit made a motion to recommend approval to the City Council of a variance to allow construction of an open front porch no closer than 20'8 to the front property line, an attached garage no closer than 16'11" to the front property line and no closer than 5'1" from the side (south) property line, and a driveway width not to exceed 18 feet within the front yard setback all consistent with the site plan presented to the Board. She stated that the recommendation is subject to the following conditions of approval.

- Fully dimensioned plans must be submitted to the City and will be subject to staff review and approval prior to the issuance of a permit.
- The front porch on the residence shall remain open.
- A landscape plan reflecting existing and proposed plantings must be submitted and will be subject to staff review and approval. The landscape plan, to the extent possible, shall provide for plantings in the front of the house and along the south side to help to soften the mass of the garage located within the setbacks and the visual impact of the expanse of hardscape within the front yard setback. (Since drainage is an issue on this property, no plantings shall occur within swales or overland flow routes as identified or required by the City Engineer).

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

## **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, June 28, 2021.

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Michelle E. Friedrich  
Planning Technician

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