Agenda Item 3

445 E. Wisconsin Avenue Lot-In-Depth Setback Variance

Staff Report Vicinity Map Air Photos

Materials Submitted by Petitioner
Application
Statement of Intent
Plat of Survey
Proposed Site Plan
Enlarged Proposed Site Plan
Proposed Elevations
Proposed Floor Plans
Proposed Roof Plan
Photographs

The complete file is available for review at the Community Development Department.



STAFF REPORT AND RECOMMENDATION

TO: Chairman Pasquesi and members of the Zoning Board of Appeals

DATE: January 25, 2021

FROM: Michelle E. Friedrich, Planning Technician

SUBJECT: Lot-in-Depth Setback Variance

OWNERS

PROPERTY LOCATION

ZONING DISTRICT

John and Loren Dixon 445 E. Wisconsin Avenue Lake Forest, IL 60045 445 E. Wisconsin Avenue R-3 – Single Family Residence 40,000 minimum lot size

PROJECT REPRESENTATIVE

Peter Witmer, architect

SUMMARY OF REQUEST

This request is for approval of a lot-in-depth setback variance to allow construction of two small, single story additions within the required setback. A lot-in-depth property is defined as a property that does not meet the minimum street frontage, in this case, 125 feet, for the zoning district. The 445 E. Wisconsin Avenue property is 65 feet wide at the street. Due to the lot-in-depth nature of the property, the 40 foot front yard setback applies from all property lines for the home.

The property that is the subject of this petition is located on the east side of Wisconsin Avenue, north of Scott Street. The property was created through the Charles M. Rush Subdivision, recorded in 1973. The house predates the subdivision. The house was constructed in the 1901 as a coach house to a larger estate and today is adaptively reused as a single family residence.

The owner has been issued an interior demolition permit for some exploratory work that is not contingent upon this variance request.

FACTS

Compliance/Non-Compliance with Key Code Requirements

- The proposed project complies fully with the Building Scale requirements.
- The existing residence does not conform to the current lot-in-depth setback requirements and did not conform at the time the City approved the subdivision that created the lot.
- The property is a lot-in-depth, that is, a property that does not have the minimum street frontage required by the applicable zoning district. The front yard setback is applied to all sides of a lot-in-depth, in this case 40 feet.
- The proposed additions and a new air conditioning unit require a variance from the 40 foot lot-in-depth setback on the north side.

- The lot does not meet the minimum lot size requirement for the R-3 zoning district but was approved by the City through the subdivision in 1973.
- The lot does not meet the minimum lot width requirement for the R-3 zoning district and therefore, as noted above, is a lot in depth.

Physical, Natural or Practical Difficulties

The non-conforming nature of the existing house was created by changes in Zoning Code after the approval of the subdivision.

STAFF EVALUATION

This property is located within the R-3 zoning district and given the lot-in-depth nature of the property, a 40 setback is required from all four property lines for the residence. As stated above, the lot does not conform to the current minimum lot size or minimum lot width requirements. The proposed single story additions, along the north side of the existing residence, will not encroach any further into the 40 foot setback than the existing residence does, at the closest point, 14'8", including the eave. There are existing air conditioning units on the north side of the existing residence that will remain and an additional air conditioning unit is proposed to be added, generally in the same place as one of the units. The requested variance will address the non-confirming air conditioning units and the additional unit that is proposed.

This residence was constructed as a coach house in 1901, prior to subdivision of the property. As noted above, this property was created through a subdivision that was approved by the City in 1973, prior to the adoption of the lot-in-depth setback requirements that are in place today, creating the need for a setback variance.

Approximately half of the existing residence is in the lot-in-depth setback along the north property line. The proposed additions are single story in nature, in keeping with the existing house and do not extend further than the existing house does toward the north property line. The additions serve to "fill in" space between two areas of the main mass of the residence that extend to the north. Along the north property line there is landscaping both on the subject property and on the neighboring property, and a solid fence on the property line. In addition, the driveway and garage serving the property to the north are closest to the proposed additions, the neighboring home is further away.

FINDINGS OF FACT

Based on review of the information submitted by the petitioners and an analysis of this request based on applicable portions of the Zoning Code, staff submits the following findings.

- 1. The requested setback variance will not alter the essential character of the neighborhood as the additions face a landscaped area which screens views of the additions from the neighboring property to the north. The proposed additions do not extend further than existing portions of the residence and are not visible from the streetscape.
- 2. The conditions upon which the variance is requested are generally unique to this property and not applicable to other properties in the same zoning district due to the fact that the original coach house which today is adaptively reused as a single family residence, was existing at the time of the subdivision and the City approved the subdivision and specifically the configuration of this lot with knowledge of the siting of the house in relation to the property line.

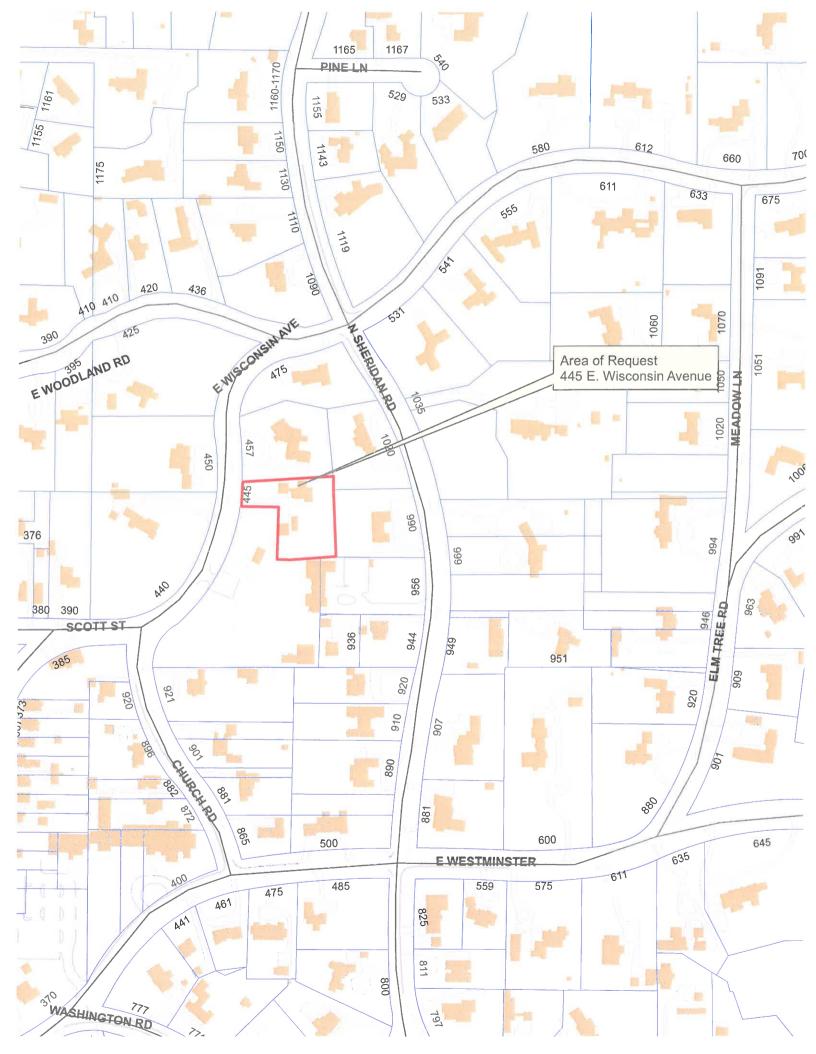
- 3. The hardship in conforming to the lot-in-depth setback requirements results from the adoption of lot-in-depth Code provisions after the property was subdivided which occurred after the structure was constructed. The application of the R-3 zoning district to the property also occurred after the original structure was constructed and after the property was created through a subdivision approved by the City.
- 4. The variance will not impair light or ventilation to adjacent properties to any greater extent than exists today, increase congestion, endanger public safety, or diminish property values. The proposed additions are small, a single story in height and well screened from the neighboring property to the north.

PUBLIC COMMENT

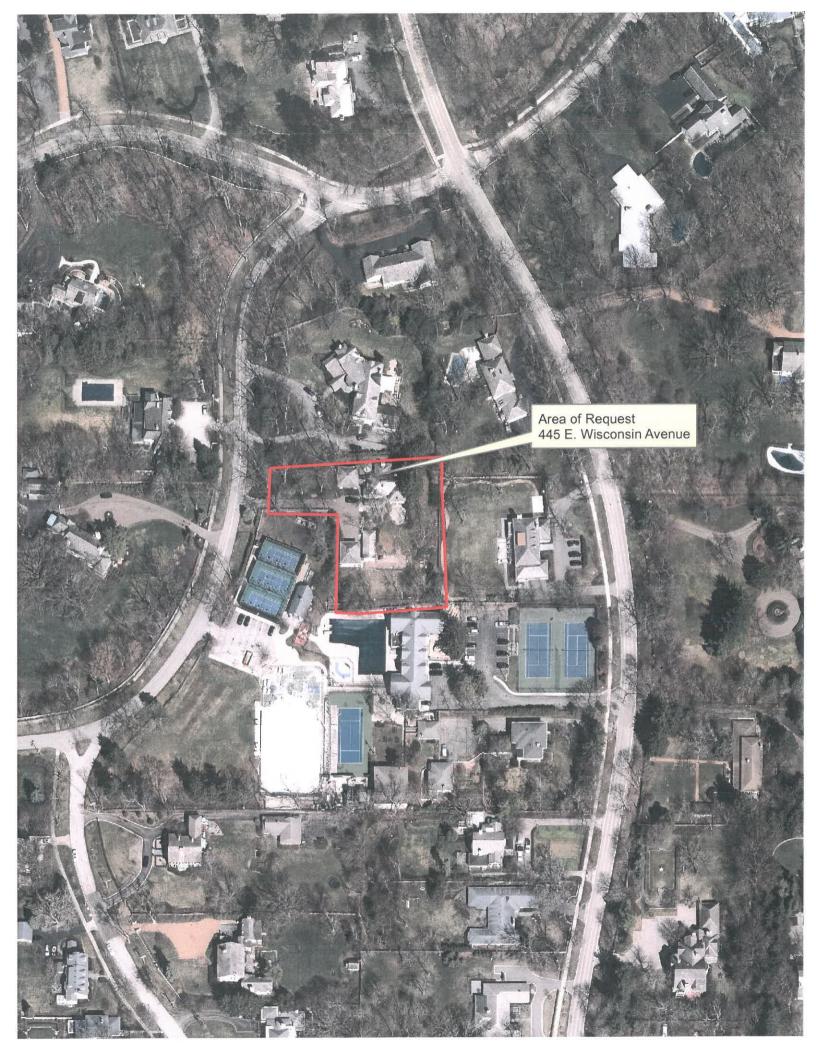
Standard public notice of this request was provided by the City to surrounding property owners. Notice was also provided in the <u>Lake Forester</u> and the agenda was posted at five public locations and on the City's website. As of the date of this writing, no correspondence has been received.

RECOMMENDATION

Based on the findings presented above, recommend approval to the City Council of a variance from the lot-in-depth setback requirement to allow construction of additions no closer than 14'8" to the north property line and placement of a new air conditioning unit no closer than 16 feet from the north property line consistent with the site plan submitted to the Board









THE CITY OF LAKE FOREST ZONING BOARD OF APPEALS <u>APPLICATION OF ZONING VARIANCE</u>

PROJECT ADDRESS 445 E. WISCONSIN	
ZONING DISTRICT P3	*
Property Owner (s) Name	N& LOREN DIXON
(may be different from project address) Address 445	E. WISCONSIN
	Fax
And linear Paramanantaking Name Page	
Applicant/Representative Name PET	R WITMOR
(if different from Property Owner)	S. WITMER & ASSOC
Address 000 Y	P. WESTELM AUE.
Phone 841	208-5240 Fax
Email PW17	TMER @ WITHERANDASSIC.COM
Beneficial Interests	Staff Reports are Available the Friday before the Meeting
Corporation See Exhibit A	Email Report: Owner Representative
Partnership See Exhibit B	Fax Report: Owner Representative
Trust, land or other See Exhibit C	Pick Up Report: Owner
Signatures	2 4
I have read the complete application packet and understand the variance process and criteria. I understand that this matter will be scheduled for a public hearing when a determination has been made that my application is complete.	
Jel Wall	Jan. 12, 2021
Owner	Date
Jours. Dixon	Gan. 12, 2021
Owner	Date
6	a
Applicant/Representative	Date

445 WISCONSIN

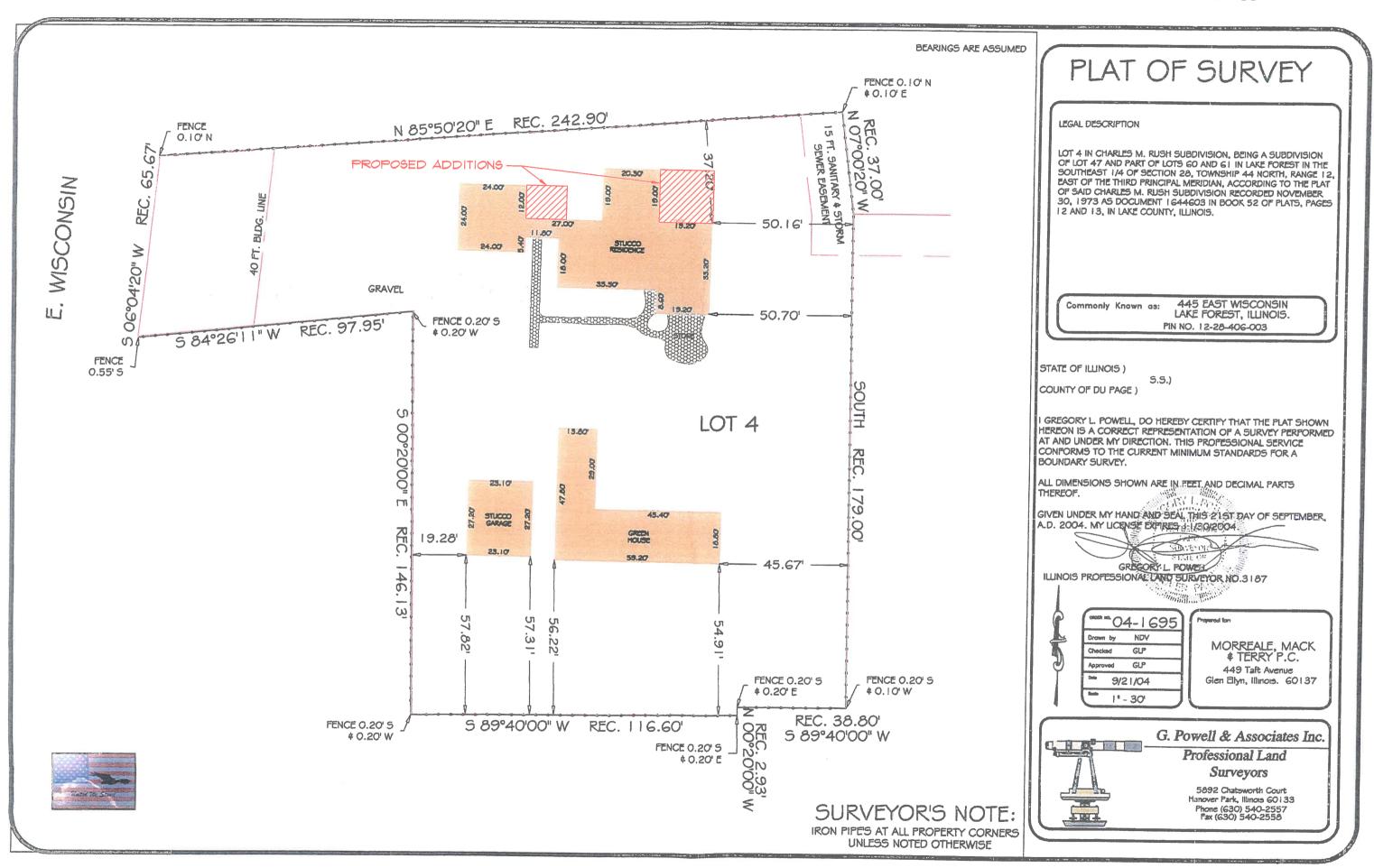
LAKE FOREST

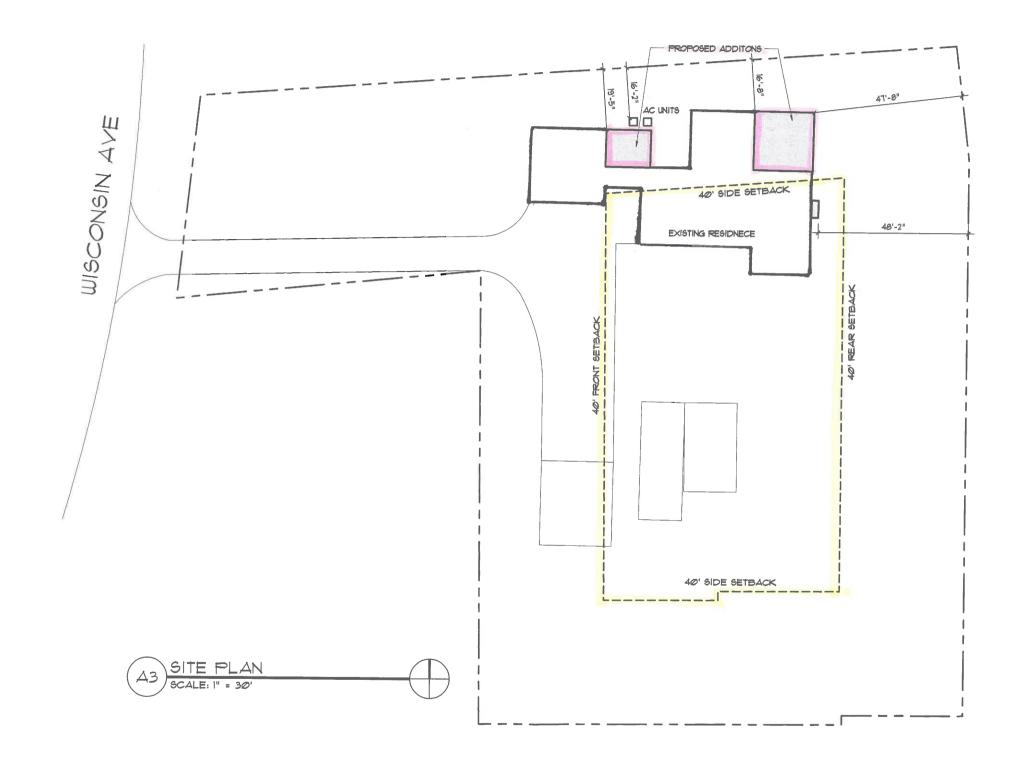
January 28, 2021

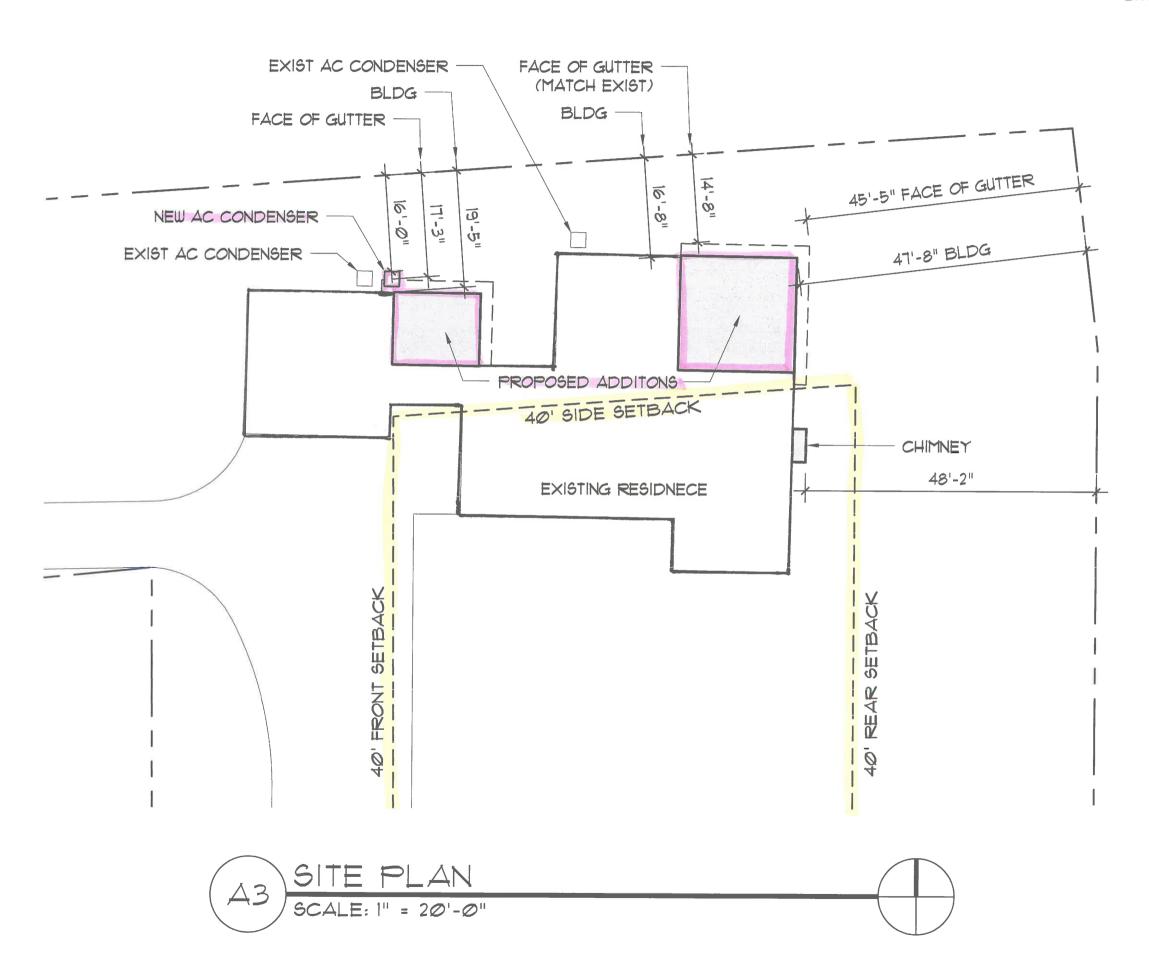
Statement of Intent - Zoning board of Appeals

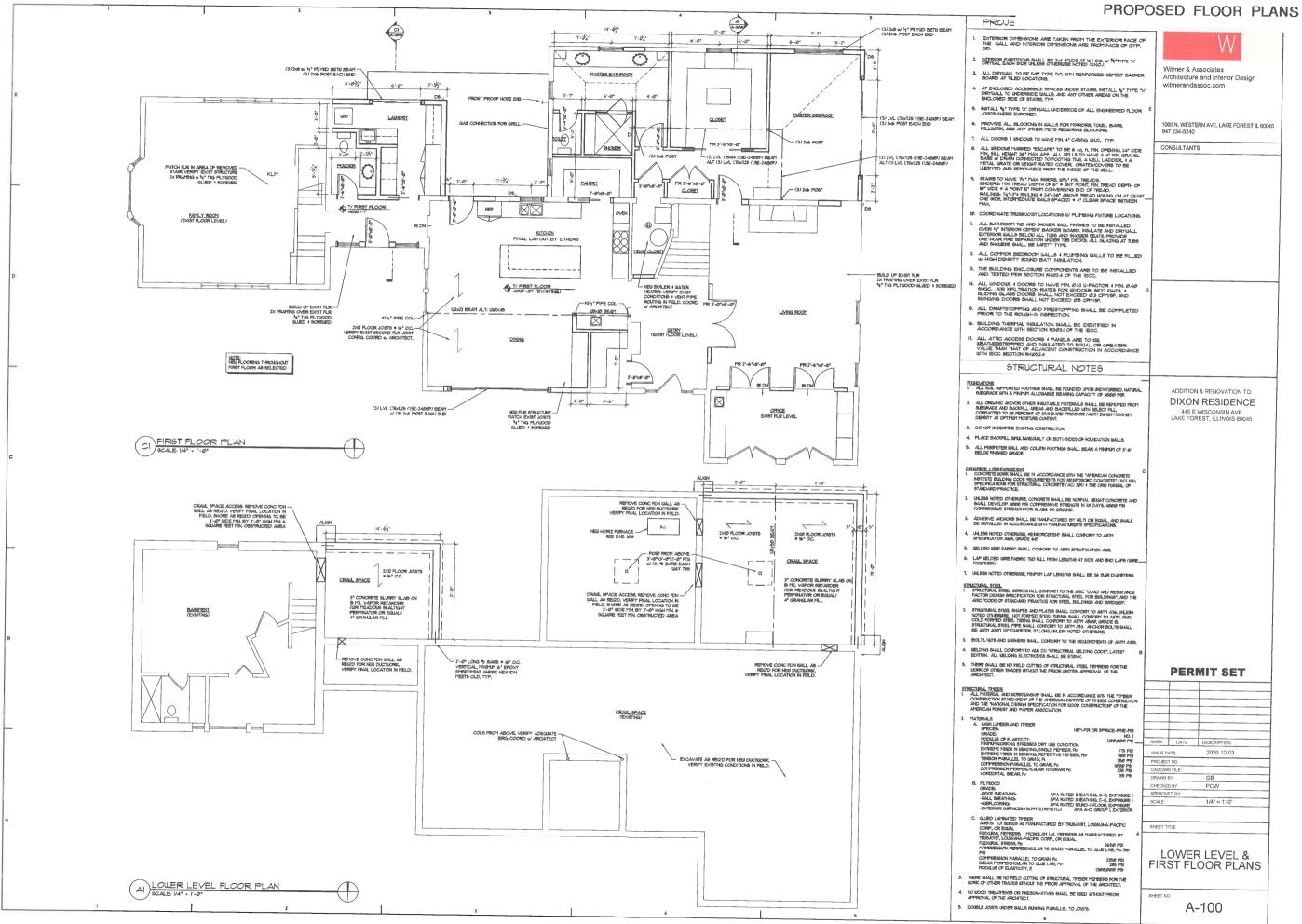
We are asking for a side yard variation for the existing home that was a carriage house to the home to the north. It was conforming when subdivided in the 70's and became non conforming when the zoning law was changed in the 90's. One half of the existing home is in the setback. We have conformed to the previous setback of 15' which is required in the R-3 zoning. The bedroom addition is 16.75' from the side yard and the laundry Mudroom is 19.5'.

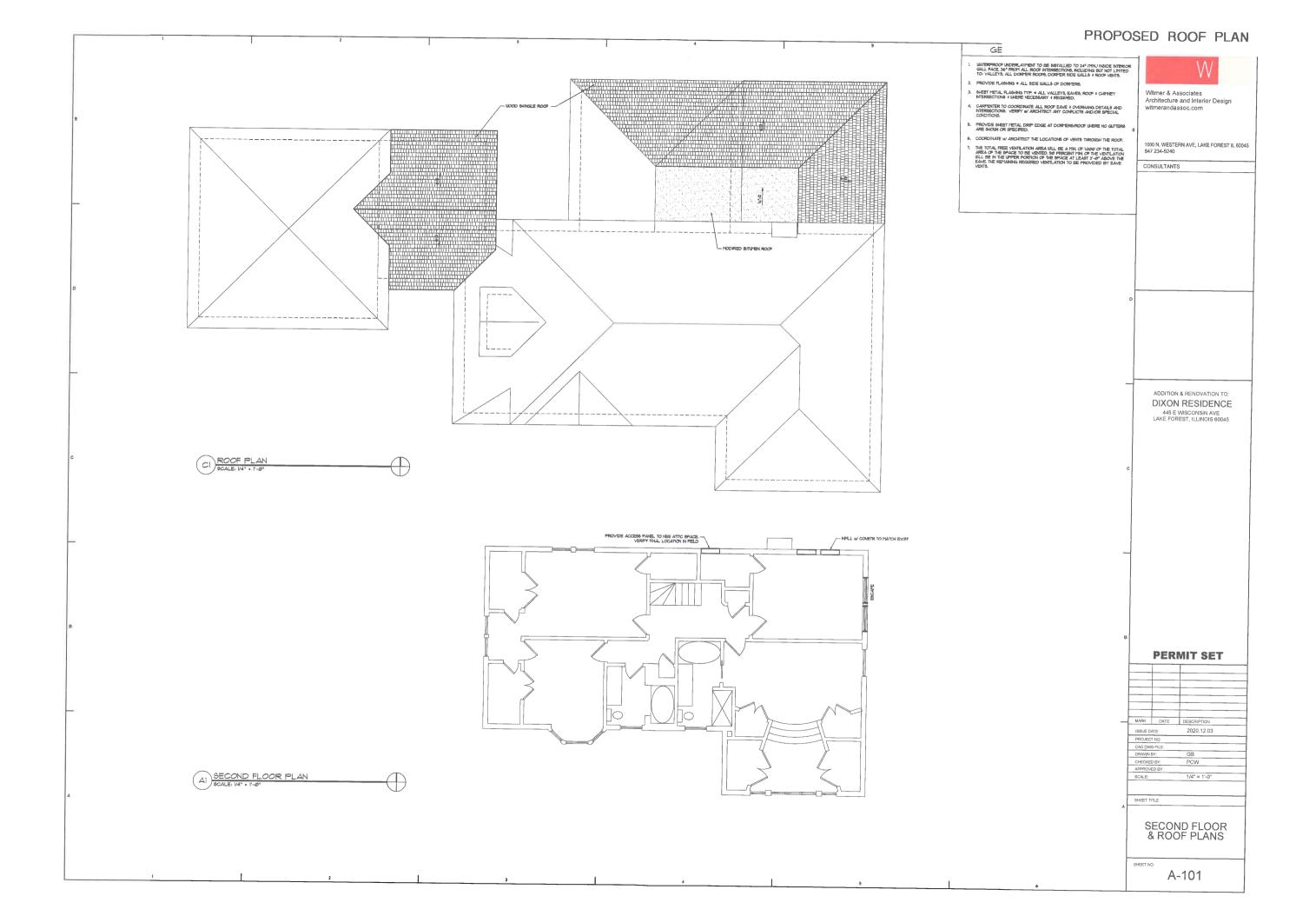
In remodeling this existing home a need to add an owners bedroom, bathroom and walk-in closet to the home. The only option being on the first floor and this is the logical space to add so that the bath and closet can be located in the 90's addition. They also have a need for a first floor laundry and Mudroom which are located at the secondary entry to the home. We are raising that entry up to correct a drainage issue that occurs at this door.













445 Wisconsin (subject property)



Northern Neighbor



440 Wisconsin



Winter Club