

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the February 28, 2022 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, February 28, 2022 at 6:30 p.m., in Lake Forest, Illinois. This meeting was conducted remotely due to the pandemic.

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 November 22, 2021 meeting.

The minutes of the November 22, 2021 meeting were approved as submitted.

3. Consideration of a request for a variance from the lot-in-depth setback for a new single family residence at 983 Maplewood Road.

Property Owner: Lorraine M. DeGrazia Trust (Lorraine M. DeGrazia, 100%)

Contract Purchaser and Representative: Codfish Partners, LLC (Tom Swarthout 50% and Tim Swarthout 50%)

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

Board member Novit noted that she exchanged pleasantries with the petitioner and a neighbor while making a site visit.

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

Mr. Swarthout introduced the petition stating that he is the contract purchaser of the property. He stated that he has lived a few houses to the south of the property for 28 years. He noted that the site is challenging given its configuration and location on the

private lane. He stated his intent to improve upon the existing conditions on the site. He introduced his designer.

Ms. Erb described the 30 foot wide private lane that provides access to the subject property and several others. She noted that the existing residence was built in 1885 and has been modified significantly over the decades. She stated that the proposed replacement house will be sited generally in the footprint of the existing house. She noted that the garage for the new house is shifted to the northwest, away from the private lane to avoid the need to back out into the lane. She noted that the lot size does not conform to the minimum lot size currently required in the R-4 District. She noted that the proposed new residence will benefit property values and will not negatively impact light and air to neighboring properties. She reviewed the elevations of the proposed residence. She noted that no tree removal is proposed and reviewed the proposed landscape plan.

Mr. Swarthout stated that the proposed new residence will improve the neighborhood and will offer a home to a young family or empty nesters.

Ms. Friedrich stated that the subject property, is a lot-in-depth in the R-4 zoning district and explained that a variance is requested from the required 50 foot setback from all property lines due to the nonconforming nature of the lot. She stated that the Historic Preservation Commission recently granted a Certificate of Appropriateness approving the demolition of the existing house and the design aspects of the proposed replacement residence subject to approval of setback variances. She reviewed that the new residence is located similarly to the existing house with the exception of the garage which is located away from the private lane as noted by the petitioner. She noted that as proposed, the new garage and driveway are located adjacent to the garage and driveway on the neighboring property to the north. She noted that the proposed house will be, at the closest point, 6.5 feet from the east property line, 11 feet from the west property line, 26 feet from the north property line and 28 feet from the south property line.

Chairman Sieman invited questions from the Board, hearing none, he invited public testimony, hearing none, he invited final questions and comments from the Board.

In response to questions from Board member Nehring, Mr. Swarthout stated that the fence on the west property line will remain adding that invasive species of vegetation will be removed and landscaping will be added along the west and south property lines.

Board member Novit stated that the overlay drawings were helpful and stated that locating the proposed house in a similar location as the existing house is appropriate. She acknowledged that the property is challenging and stated that she believes that the applicable criteria appear to be met.

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

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

Board member Moorhead made a motion to recommend approval to the City Council of variances to allow a new residence within the lot-in-depth setbacks no closer than 6.5 feet to the east property line, 11 feet to the west property line, 26 feet to the north property line and 28 feet to the south property line, consistent with the site plan submitted to the Board.

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

**4. Consideration of a request for a variance from the lot-in-depth setback for two single story additions and air conditioning units at 471 Illinois Road.
Property Owners: Alan and Angella Koncarevic**

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.

Ms. Koncarevic introduced the petition and stated that the house was built in 1976 in compliance with the zoning regulations in place at that time. She stated that variances from the lot-in-depth setback requirements are requested to allow construction of a single story addition on the north side of the house, a single story addition generally in the footprint of the deck on the south side of the house, and relocation of the air conditioning units to the north side of the proposed addition. She noted that various locations for the additions were considered and explained that the plans presented were determined to work best with the floor plan and to limit impacts on neighbors.

Ms. Friedrich explained that the property is a lot-in-depth, in the R-1 Zoning District, and variances are requested from the 40 foot setback which applies to all sides of the property. She noted that, as described by the petitioner, there are three elements of the project; a single story addition on the north side of the house sited 24 feet from the property line, relocation of the air conditioning units next to the addition 20 feet from the north property line, and a single story addition generally in the footprint of the deck 28 feet from the south property line. She noted that an Elm tree will need to be removed to allow construction of the addition on the north side of the house. She noted a recommendation in the staff report in support of enhanced landscaping along the north and south property lines to fill in some gaps and provide improved screening for the adjacent properties. She noted that letters in support of the project were included in the Board's packet and added that staff

received two phone calls from neighbors with questions about the project, but no concerns were raised.

In response to questions from Chairman Sieman, Ms. Friedrich stated that the properties to the north, on Heather Lane, appear to comply with the applicable setbacks for those properties. She noted that at grade patios are permitted in the setback areas. She confirmed that the existing air conditioning units on the subject property are currently located within the required setback.

In response to questions from Board member Bass, Ms. Koncarevic stated an engineering plan had not yet been prepared.

In response to questions from Board member Bass, Ms. Friedrich stated that based on the limited scope of the project, a grading and drainage plan may not be required. She noted that the proposed additions do not extend further than the furthest extent of the house toward the north and south property lines. She stated that overland drainage in the area is generally in a west to east direction across the site.

In response to questions from Board member Rose, Ms. Koncarevic stated a formal landscape plan has not been developed adding that the intent is for natural plantings.

In response to questions from Board member Nehring, Ms. Koncarevic confirmed that the air conditioning units will be adjacent to the north wall of the bedroom and noted that other options for the units were considered but not workable.

Hearing no further questions from the Board, Chairman Sieman invited public testimony, hearing none, he stated support for the variances noting that if the property was not a lot-in-depth, the additions would comply with the setback requirements. He stated that he does not see a need for a condition requiring landscaping. He invited final comments from the Board.

Board member Nehring stated support for the variance and complimented the petitioners for planning the additions in a way that minimizes impacts on the neighbors.

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 variance from lot-in-depth setbacks to allow construction of a single story addition no closer than 24 feet to the north property line, air conditioning units no closer than 20 feet to the north property line, and a single story addition no closer than 28 feet to the south property line all consistent with the site plan submitted to the Board. She stated

that the motion does not include a condition for enhanced landscaping as recommended by staff.

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

**5. Consideration of a request for variances from the front and rear yard setbacks for a new single family residence at 50 S. June Terrace. Variances related to the location of the existing driveway are also requested.
Property Owners: Alvin and Beverly McRae
Representative: Diana Melichar, 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.

Ms. Melichar stated that the petitioners' family has lived in Lake Forest since immigrating to the United States in the early part of the 1900's and have owned property on June Terrace for most of that time. She stated that in recent years, the 50 June Terrace home was rented out. She noted that the petitioners are aging and want to construct a new duplex residence on the site to accommodate various family members. She stated that the existing home is sited at the rear of the property and is planned for demolition. She noted that the property is shorter in length, from east to west, than other properties on the same side of the street. She stated that the property is at the dead end of the street, bordered by the bike path to the west and South Park to the south. She stated that the new duplex is proposed closer to the street than the existing house and noted that the curb cut and driveway apron are proposed to remain in the existing location. She noted that various alternatives were studied for placement of the garage adding that the petitioners prefer an attached garage and space for a detached garage is limited. She stated that given the narrow lot, developing a plan that allowed sufficient space to maneuver a vehicle into and out of the garage was challenging. She stated that a key to making the garage work is pushing the residence toward the street, into the front yard setback, to align with the other homes on the street. She noted that the existing driveway is nonconforming with respect to the side yard setback. She stated that the pre-existing conditions of the property necessitate the request for variances.

Ms. Friedrich stated that some unique conditions impact the subject property: the adjacency of the bike path to the west, South Park to the south, and the location of a 20" public water transmission line about 17 feet to the south of the property line. She stated that the proposed demolition of the existing house and the design aspects of the proposed duplex are scheduled to be considered by the Building Review Board. She stated that a front yard variance is requested to allow the new duplex to be sited no closer than 30 feet to the front property line. She noted that

that the prevailing front yard setback in the neighborhood is 30 feet consistent with the original plat of subdivision, but not consistent with current zoning requirements. She noted that the Zoning Board of Appeals has supported front yard variances in similar situations in the past to allow new homes to conform to the established pattern in the neighborhood. She noted that a variance is requested to acknowledge the existing nonconforming condition of the driveway with respect to the side yard setback requirement which will remain unchanged with the new construction. She noted that the driveway is located in the extended side yard setback and the flare of the driveway apron, in the right-of-way crosses the extended property line. She noted that a letter was provided to the Board from the neighbor to the north in support of the project. She noted that the required rear yard setback is 35 feet and as proposed, the attached garage is located only 22 feet from the rear property line. She noted that a letter was received from a neighbor across the street in support for the project but noting concern about congestion on the street during construction.

Chairman Sieman invited questions from the Board.

In response to questions from Board member Novit, Ms. Melichar confirmed that a grading and drainage plan is being prepared by Bleck Engineering and, as part of that work, pervious materials for the driveway are being considered. She explained that due to the water main located to the south, the City Engineer directed that the required setback from the south property line should be adhered to. She noted that the bike path is a significant distance from the west property line with a wooded area between the property and the bike path. She stated that the garage apron as proposed is essentially in the footprint of the existing house.

In response to questions from Board member Rose, Ms. Friedrich confirmed that the driveway flare is within the City right-of-way.

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 Novit stated support for the requested variances and thanked the petitioner for addressing her questions. She welcomed the petitioners back to Lake Forest.

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

Board member Moorhead made a motion to recommend approval to the City Council of variances to allow a new duplex and attached garage to be constructed no closer than 30 feet to the front property line and no closer than 22 feet to the rear property line and to acknowledge the existing nonconforming driveway within the side yard setback all consistent with the site plan presented to the Board.

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

**6. Consideration of a request for a variance from the front yard setback for an addition and modifications to the driveway at 821 Northmoor Road.
Property Owner: Black House LLC – Series 821 Northmoor (Patrick Shaver 100%)**

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. Shaver introduced the petition and noted that he recently purchased this property and intends to update the home. He noted that the house was built in 1949 in compliance with the zoning regulations that were in place at that time. He described the existing home and the single car garage on the site. He stated that he proposes to remove the eastern portion of the and replacing it with a straight driveway, 20 feet in width, to provide access into a two car garage. He stated that the change to the driveway will reduce the impervious surface on the site by over 300 square feet. He noted that the garage will be expanded to the east and the second floor will be expanded with a cantilevered element extending over the garage and into the front year setback, beyond the existing front wall of the house.

Ms. Friedrich reviewed the variances requested noting that the first floor addition as proposed encroaches into the front yard setback one foot, matching the encroachment of the existing house. She noted that the expansion proposed on the second floor encroaches into the front yard setback an additional three feet, beyond the encroachment of the existing house. She noted that the existing driveway is awkwardly configured adding that the proposed driveway directly accesses the proposed two car garage. She confirmed that the reconfigured driveway reduces the amount of impervious surface on the site by over 300 square feet. She noted that the Building Review Board recently recommended approval of the project subject to conditions related to landscaping and the color palate.

Chairman Sieman invited questions from the Board.

In response to questions from Board member Nehring, Mr. Shaver described the planned drainage improvements and noted that the runoff from the flat roof will be handled appropriately.

In response to questions from Board member Clemens, Mr. Shaver stated that the buckthorn will be removed from the rear yard.

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 Novit stated support for the variances noting that the criteria appear to be met.

Chairman Sieman stated support for the petition. 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 variance to allow construction of an addition no closer than 36 feet to the front property line and a driveway 20 feet in width consistent with the site plan presented to the Board.

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

**7. Consideration of a request for a variance from the steep slope setback for a single story addition and dormers at 612 E. Woodland Road.
Property Owners: 612 E. Woodland Trust #1 (Greg Sleight 100%) and 612 E. Woodland Road Trust #2 (Megan Sleight 100%)
Representative: Gary Beyerl, architect**

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

Board members Novit and Nehring both stated that they met the owner on site during their site visits but did not discuss the petition.

Hearing nothing further, Chairman Sieman swore in all those intending to speak and invited a presentation from the petitioner.

Mr. Sleight stated that his family recently purchased the property and they have been enjoying the Lake Forest community. He noted that they hope to enhance and restore the historic property. He noted that their research on the property uncovered plans by David Adler for elements of the home that were not constructed. He stated that those plans served as inspiration for the proposed addition on the north side of the home which encroaches into the steep slope setback.

Mr. Beyerl described the service wing at the northeast corner of the house and explained the intent to convert that area and expand it to serve as part of the family home. He stated that a single story addition is proposed. He noted that the existing house encroaches into the steep slope setback adding that the proposed addition will encroach into the setback only a few feet further than the house. He noted that about 60 square feet of the single story addition encroaches into the setback. He noted that there are two dormers proposed on the north facing roof that will also encroach because they will be constructed on the portion of the house that

encroaches into the setback. He noted that the dormers are desired to provide proper and required egress from the third floor bedroom space. He stated that the proposed additions are the result of considerable study and are sensitive from a historic and steep slope standpoint and achieve upgrades to the home to serve current and future property owners.

Ms. Friedrich reviewed that the dormers and the single story addition both encroach into the steep slope setback but are minor in scale. She stated that the City Engineer has preliminarily reviewed the plans and recommends approval of a steep slope setback variance.

Chairman Sieman invited questions from the Board.

In response to questions from Chairman Sieman, Ms. Friedrich noted that although the dormers do not result in a change in the footprint of the home, they do add mass to the portion of the home that encroaches into the steep slope setback and as a result require review through the variance process.

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 variance noting that the proposed additions are minimal and respect the historic significance of the house.

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 variance to allow a single story addition and two dormers to encroach into the steep slope setback consistent with the site plan presented to the Board.

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

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, March 28, 2022 and is expected to be in person.

Ms. Czerniak noted that a request from Woodlands Academy for an amendment to a Special Use Permit is expected to be before the Board at the next meeting. She asked

the Board to forward any correspondence received to staff to assure that it is distributed to the full Board and included in the record for the petition.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician