

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the June 27, 2022 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, June 27, 2022 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, Ari Bass, and Nancy Novit, Lisa Nehring

Zoning Board of Appeals members absent: Board member 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 Sieman**
- 2. Consideration of the minutes from the May 23, 2022 meeting.**

The minutes of the May 23, 2022 meeting were approved as presented.

- 3. Consideration of a request for a recommendation in support of a variance from the side yard setback for accessory structures for a replacement detached garage at 1305 Edgewood Road.**
Property Owner: Pamela Morrison
Representative: Bryan Bertola, architect

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

Board member Clemens and Novit noted that they met the property owner while visiting the site but only exchanged pleasantries.

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

Mr. Bertola stated that the property is in the GR-3 zoning district which has a minimum lot width of 50 feet adding that this property is only 47 feet wide, but deep. He noted that the required side yard setbacks are six feet. He noted that the existing garage is two and a half feet from south property line. He noted that the narrowness of the lot is a hardship in siting the proposed garage in compliance with the current setbacks. He described the existing garage and conditions on the site. He noted that the proposed

garage is shifted slightly north of the footprint of the existing garage and is slightly larger, but similar in size to other garages in the neighborhood. He noted the relationship between the home and the proposed garage. He noted that as proposed, the garage, at the closest point, is 4.5 feet from property line, slightly further from the property line than the previous garage. He stated that due to the narrowness of the lot, shifting the garage to the north will negatively impact views from the house to the rear yard. He noted shifting the garage to the east increases the amount of pavement on the site and impacts the cedar trees to the east. He noted that a side load garage was considered but providing sufficient area for vehicle maneuvering proved to be difficult. He noted that the width of the garage complies with the Code. He noted that a preliminary grading plan was prepared with the intent of improving drainage in the back yard.

Ms. Friedrich reiterated that the property does not meet the minimum lot width requirement. She noted that the existing detached garage does not meet the side yard setback requirement and is about 2.5 feet from the south property line. She noted that the proposed garage shifts about 2 feet north improving upon the existing conditions with respect to encroachment into the setback. She noted that proposed location is intended to preserve the trees to the north and the east. She noted that the proposed grading is intended to avoid impact on the trees as well.

In response to questions from Board member Nehring, Mr. Bertola noted that the rear door on the garage provides access for lawn care equipment. He noted that pavement is provided adjacent to the rear garage door to meet the Code requirement. He noted that door is not intended for vehicle use.

In response to questions from Board member Novit, Ms. Friedrich confirmed without the overhead door proposed on the rear of the garage, a concrete pad would not be required in that area. She stated that if the door was smaller, too small for a vehicle, a concrete pad would not be required.

In response to questions from Board member Clemens, Mr. Bertola noted that currently, water drains into the garage from many directions. He noted that the neighboring property is at a higher elevation adding that water drains to the east.

In response to questions from Chairman Sieman, Ms. Friedrich confirmed that it appears that the garage on the adjacent property to the south is about 3 feet from the shared property line.

In response to questions from Chairman Sieman, Mr. Bertola confirmed that the proposed location is preferred by the property owner.

In response to questions from Board member Clemens, Mr. Bertola confirmed that the grading plan is intended to address drainage adding that the reason the garage is in disrepair is largely due to water issues.

Hearing no further questions from the Board, Chairman Sieman invited public testimony. Hearing none, he asked the Board for any final questions or comments.

In response to questions from Board member Nehring, Ms. Morrison stated that after a heavy storm, there is standing water in the rear yard for a few hours.

Board member Moorhead stated that this is a modest proposal and appears to satisfy the criteria. He stated support for the variance.

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

Board member Clemens agreed with the other Board member's comments.

Board member Nehring commended the efforts to improve the drainage. She stated support for the variance.

Chairman Sieman agreed with the comments of the other Board members and invited a motion.

Board member Nehring made a motion to recommend approval of the variance to allow construction of a detached garage no closer than 4.5 feet to the side (south) property line consistent with the site plan presented to the Board and based on the findings as detailed in the staff report and incorporating the Board's comments as additional findings.

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

4. Continued consideration of a request for a recommendation in support of variances from the front and side yard setbacks for an open front porch and a second story addition at 624 Highview Terrace.

Property Owners: Jerry O'Brien and Laura Nekola

Representative: Chris Russo, architect

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

Board member Bass noted he had a brief conversation with the next door neighbor during the site visit but is able to consider the petition objectively.

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

Mr. Russo noted that this petition was before the Board at the November 2021 meeting and was continued at that time. He stated that a variance is requested from the front yard setback to allow a useable front porch, wide enough to sit on, to be added to the house. He stated that a second floor addition is also proposed. He noted the second story addition requires a variance from the side yard setback on the west side of the property. He noted that the extent of the encroachment into the setback has not changed since the Board last saw the petition however, the height of the second floor addition is slightly lower than previously proposed. He noted that the Building Review Board considered the petition over the course of two meetings and after modifications to massing and some design elements, voted in support of the petition.

Ms. Friedrich reiterated that the Board continued this petition at the November 2021 meeting with direction to present the petition to the Building Review Board for input and with a request that information for information on previous variances granted in the surrounding area. She stated that the Building Review Board considered this petition at the April and May 2022 meetings and recommended approval of the plans as revised and as now presented to the Zoning Board. She confirmed that the extent of the encroachment of the second floor addition into the side yard has not changed from the plans presented to the Board in November. She confirmed that the overall height of the addition was slightly reduced. She noted that staff reviewed the surrounding area including 82 properties and found that variances from the side yard setback were granted for 10 properties. She noted that the variances allowed construction ranging from 4.64 feet to 8.50 feet from the property line. She noted that 5 of the variances were granted for conditions in which the neighbor's driveway was immediately adjacent to the property line. She noted that in one case, the homes were staggered and not immediately adjacent to each other, in another case the variance was granted only to allow the eave and gutter to extend into the setback, two of the variances were granted for single story additions, and one of the variances was for a second story addition. She noted that at the November 2021 meeting, the Board indicated support for the variance from the front yard setback for the open front porch. She noted that the proposed second story addition is 4 feet from the west property line at the point of furthest encroachment. She noted that two letters were received and are included in the Board's packet.

In response to questions from Board member Nehring, Ms. Friedrich noted that she is not sure of how far the neighboring home is setback from the property line.

In response to questions from Board member Moorhead, Mr. Russo confirmed that the chimney will need to be extended to meet the Code. He noted that the intent is to minimize the extension to the extent possible. He noted that chimney is about 9 feet wide.

In response to questions from Board member Moorhead, Ms. Friedrich clarified that the project complies with the square footage limitations.

In response to questions from Chairman Sieman, Ms. Friedrich confirmed that the encroachment into the side yard setback has not changed since the November meeting. She stated that the height of the addition was reduced about nine inches.

In response to questions from Board member Clemens, Mr. Russo stated that he does not know the height of the house to the east.

In response to questions from Chairman Sieman, Ms. Friedrich noted that along the west property line, the proposed addition is 22 feet 11 inches tall. She stated that the maximum height allowed for the property is 30 feet

Hearing no further questions from the Board, Chairman Sieman invited public testimony.

Donald Pochopien, 155 Maywood Road, stated that his house is 7 feet 10 inches from the property line and the eave extends an additional 27 inches. He stated that he is not opposed to a second story addition but is opposed to where it is located and how it is structured. He noted that 4 feet from property line is too close. He noted that the zoning ordinances are intended to protect neighbors from others that want to overbuild on their lot. He noted that the neighboring house is larger than his and he questioned whether a hardship exists. He stated that a desire to preserve the vaulted ceiling in the family room is not a hardship. He noted that other houses in the neighborhood have second floor additions that are off set from the outer wall of the first floor to comply with the side yard setback.

Jerry O'Brien, 624 Highview Terrace, owner of the subject property, stated that the Building Review Board provided input and the plan was modified in response. He noted that the property to the east, 634 Highview Terrace, is 30 feet in height. He stated that alternatives have been explored. He stated that from the original plan, the massing and streetscape appearance has improved. He acknowledged that the addition will slightly impact light and air to the neighboring property to the west. He noted that the proposed plan is not out of character with the neighborhood. He noted that the neighboring property benefits from the western views of the park.

Laura Nekola, 624 Highview Terrace, owner of the subject property, noted that many homes in the neighborhood do not meet the requirements of the R-1 zoning district. She stated that the house was built in the 1950's.

Chairman Sieman invited final questions and comments from the Board.

In response to questions from Board member Nehring, Mr. Pochopien confirmed that his consultant completed a sun/shadow study based on the height of the addition as presented in November.

In response to question from Board member Nehring, Ms. Friedrich clarified that in November, the height of the proposed addition was 24 feet 1 inch and the height as currently proposal is 22 feet 11 inches.

In response to questions from the Board, Mr. Russo stated that as an architect, he tries to avoid requesting variances. He noted that the hardship is that the zoning has changed since the home was built.

Board member Bass noted that in his opinion, this request is generally consistent with how other homes in the neighborhood have expanded.

Board member Clemens stated that 634 Highview Terrace can be seen from many locations in the neighborhood. He stated that the petitioners request is not unreasonable and in his opinion, it is tastefully and respectfully done. He stated support for the variance.

Board member Novit noted that she lives with some of the same setback constraints. She noted that she has single story house on either side of her two story house. She stated that she is supportive of the petition adding that the Building Review Board provided good feedback. She stated support for variance. She noted the neighbor to the west has views of South Park.

Board member Nehring acknowledged that expanding homes on small lots is difficult. She noted that the neighboring home at 634 Highview Terrace is very large. She acknowledged that the petitioners have spent considerable time on the project and have reduced the height slightly. She noted that a sun/shadow study was not conducted using the reduced height. She stated that she appreciates the work put into this project.

Board member Moorhead expressed concern about the extension of the chimney because it adds more wall to the western elevation. He noted however that the project appears to satisfy the criteria. He stated that it is a challenging petition.

Chairman Sieman recognized that it is difficult to expand homes in this small lot neighborhood. He stated that in his opinion, the Building Review Board process was helpful in reviewing alternatives. He noted it is difficult to be next to a corner lot. He stated that he always considers that a complete demolition could be proposed which could result in greater impact to the neighbors. He agreed that this is a difficult petition but noted that in his opinion, the petitioners have done what was asked of them.

Board member Moorhead noted that the June Terrace project was oriented north and south as opposed to east and west like this project resulting in a greater impact on light and air.

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

Board member Moorhead made a motion to recommend approval of variances to allow an open front porch no closer than 37 feet to the front property line and a second story addition no closer than 4 feet to the side (west) property line consistent with the site plan presented to the Board and based on the findings as detailed in the staff report and incorporating the deliberations of the Board as additional findings.

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

5. Consideration of a request for a recommendation in support of a variance from the front yard setback to allow an expanded driveway at 211 Washington Road.

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 frequently walks by the house but has not had any discussions about the project with anyone.

Hearing no further declarations, Chairman Sieman invited a presentation.

Mr. Engel stated that he lives at a busy intersection, on the southeast corner of Illinois and Washington Roads. He noted that they have considered various options to accommodate their cars. He noted that there is not enough room on his property to do a three point turn with a mini van and pull out forward on to Washington Road. He noted that there are two neighboring homes to the west on Illinois Road with turnarounds in their driveways. He noted that their household has seven people. He stated that two neighboring property owners are in support of the project and submitted letters to that effect. He noted that he measured the neighboring driveways and found that the driveway at 645 Illinois Road is 39 feet wide and the driveway at 635 Illinois is 33 feet wide. He noted that he has recently added landscaping in the area of the proposed driveway some of which will grow to about 6 feet in height.

Ms. Friedrich noted that based on the Zoning Code, the front yard of the subject property is Washington Road. She noted that the Zoning Code limits the width of driveways to 16 feet within the 40 foot front yard setback. She noted that the intent of the Code regulation is to limit parking within the front yard setback to benefit the appearance of the streetscape. She noted that the existing driveway is

nonconforming in width and ranges from 19 to 22 feet. She noted that the house was built right at the front yard setback. She noted that in the last six years, 12 variances were granted to allow expansion of driveways within the front yard setback. She stated that the approved driveway widths ranged from 18 feet to 32 feet, with an average width of 26 feet. She noted the variance to allow a driveway 32 feet wide was granted as part of an overall renovation of an historic estate.

In response to questions from Board member Novit, Ms. Friedrich explained that the Zoning Code defines the "front" of a property as the side with the shortest street frontage. She reviewed that within the front yard or corner side yard setback, driveways are limited to a maximum width of 16 feet.

In response to questions from Board member Nehring, Mr. Engel clarified that the wider driveways in his neighborhood are at 635 and 645 Illinois Road.

In response to questions from Board member Moorhead, Mr. Engel noted that he recently planted landscaping in the southwest corner of the property which will grow to be six to eight feet tall. He stated that he can see the Lake Forest College parking lots from his property.

In response to questions from Board member Moorhead, Ms. Friedrich noted that an earlier plan that was provided by Mr. Engel proposed a larger paved area with the intent of providing space for a three point turn. She noted that the turning radius in the small area available is difficult. She noted that the earlier plan would require two variances, one from the maximum width and the other from the extended side yard setback.

In response to questions from Board member Bass, Mr. Engel stated that he has four children and anticipated having four cars on the property in the future.

Hearing no further questions from the Board, Chairman Sieman invited public testimony.

Dale Shea, 207 Washington Road, stated that he has lived in his house for 20 years and quickly learned to back into driveway to allow for good visibility when backing out. He stated that having cars parked in a driveway is better than having cars parked on the street.

Hearing no further requests to speak from the public, Chairman Sieman invited final comments and questions from the Board.

In response to questions from Board member Clemens, Mr. Engel discussed how people approach his house noting that some enter at the front door facing Illinois Road and others enter at the kitchen door which faces Washington Road. He stated

that he has cleaned up some buckthorn on the site and noted several street trees in the area. He stated that he intends to keep the Maple tree at the corner of the property to screen views of cars parked in the driveway. He stated that he is not sure whether the expanded driveway will need to extend over the roots of the tree. He stated that he has not considered expanding the driveway toward Illinois Road. He stated that expanding it to the south seems more natural.

In response to questions from Board member Clemens, Ms. Friedrich stated that the City Arborist has not yet reviewed the plans.

Board member Novit noted that there is a fence around property in the area where the driveway expansion is proposed. She stated that the fence, in combination with additional landscaping, will screen views of parked cars to some extent. She agreed that keeping parked cars off the street near the corner is a good idea.

Board member Moorhead stated that at times there is parking along Illinois Road due to the proximity to the College. He stated support for the variance.

Board member Nehring stated support for the variance. She asked the petitioner to take all necessary precautions to preserve the tree noting the large canopy that will help to mitigate views of the parked cars from the streetscape.

Board member Bass stated support for the variance.

Chairman Sieman agreed with the comments of the other Board members He acknowledged the challenges presented by corner lots. He noted that the plan preserves the Illinois Road streetscape. He invited a motion.

Board member Novit made a motion to recommend approval of a variance to allow expansion of the existing driveway to no more than 32 feet in width consistent with the plan presented to the Board. She noted that the recommendation is conditioned on considering all necessary steps to increase the likelihood of survival of the Maple tree.

The motion was seconded by Board member Bass and approved by a vote of 5-1 with Board member Clemens voting nay.

8. Public testimony on non-agenda items.

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

9. Additional information from staff.

Ms. Friedrich noted the next meeting is scheduled for Monday, July 25th, 2022.

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The meeting was adjourned at 8:29pm.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician