

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the July 25, 2022 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, July 25, 2022 at 6:30 p.m., in Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Lisa Nehring and Board members Pete Clemens, James Moorhead, Ari Bass, and Laurie Rose (by phone for medical reasons)

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 Nehring

Chairman Nehring reviewed the meeting procedures and asked the members of the Board to introduce themselves.

2. Consideration of the minutes from the June 27, 2022 meeting.

The minutes of the June 27, 2022 meeting were approved as presented.

**3. Consideration of a request for a recommendation in support of a variance from the side yard setback to allow construction of a new residence on an existing, non-conforming foundation at 1455 Edgewood Road.
Property Owners: Jamie and Sophia Childs
Representative: Jeff Letzter, project manager**

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

Mr. Letzter introduced the petition. He stated that the petitioners propose to demolish the ranch home and construct a new two story home on the foundation of the existing house. He acknowledged that the existing foundation encroaches one foot into the side yard setback along the north property line adding that a variance is requested to allow the new home to encroach as well. He pointed out the overhang of the eave on the new house will be less than the overhang of the eave on the existing house so the extent of the encroachment into the setback will be reduced. He stated that the footprint of the new house will be expanded to the rear. He stated that the new

foundation will fully comply with the setback requirements. He stated that an evaluation of the integrity of the foundation was completed by a structural engineer and the foundation was determined to be adequate to support a new two story home. He noted there are a mix of ranch homes and two story homes in the neighborhood. He reviewed the architectural style and details of the proposed home. He noted that the existing landscaping along the north property line will remain, and arborvitae will be added. He provided streetscape images reflecting the proposed home.

Ms. Friedrich stated that the property is in the R-1 zoning district which requires a side yard setback of 10 feet. She noted that the property does not meet the current minimum lot width for the R-1 district adding that the existing home does not comply with the required 10 foot setback. She noted that the house, at the furthest extent of encroachment, the edge of the eave, encroaches about four feet into the required setback. She reviewed that the above grade portion of the home is proposed for demolition and that the new home will be constructed on the existing foundation. She stated that the eave overhang and the gutter on the new house extend 1.5 feet from the house. She noted that the driveway for the house to the north is adjacent to the property line providing for additional separation of the homes beyond the required setback. She stated that the petitioner plans to plant arborvitae along the north property line to mitigate the impact of the new home on the neighboring property. She stated that as proposed, the new home will be located 7.5 feet from the north property line at the point of furthest encroachment. She stated that the Building Review Board will also consider this petition.

In response to questions from Board member Clemens, Mr. Letzter confirmed there is a window well on the north side of the home.

In response to questions from Board member Bass, Mr. Letzter clarified that the existing home encroaches 4 feet into the side yard setback and the proposed home will encroach 2.5 feet due to the shallower eave overhang.

In response to questions from Board member Moorhead, Ms. Friedrich acknowledged that there are four ranch home in a row but noted that no significance is attached to the homes. She stated that the home was built in 1954.

In response to questions from Chairman Nehring, Ms. Friedrich reiterated that nothing of significance was found relating to the home that is proposed for demolition. She noted that the Building Review Board will consider the appropriateness of the proposed demolition. She confirmed that the proposed house complies with the allowable square footage for the property.

In response to questions from Chairman Nehring, Mr. Letzter reiterated that the proposed house complies with the allowable square footage. He stated that five foot tall arborvitae are proposed along the north property line.

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

Board member Moorhead noted that a two story home may create a jarring effect in the context of the ranch homes along the street. He questioned whether this inconsistency will change the character of the neighborhood from a zoning perspective.

Board member Bass stated that there are two story homes across the street from the property. He stated that given the current pattern of development, the four ranch homes may be the anomaly.

Board member Moorhead acknowledged that the trend is to tear down homes and noted that he raised the point for consideration.

Ms. Czerniak noted that if the entire house, including the foundation, was removed, the petitioner could, building a two story house in compliance with the setbacks without any review by the Zoning Board of Appeals.

Board member Clemens agreed that the ranch homes could be seen as the homes that are out of character with the neighborhood.

Board member Bass noted that the additional arborvitae will help to visually break up the mass of the new home.

In response to questions from the Board, Mr. Letzter confirmed that the proposed house is 28 feet in height, below the 30 foot maximum allowable height.

Board member Rose stated that Board member Moorhead's question is interesting but noted that the house could be built without Zoning Board of Appeals review if it was shifted over to fully comply with the setbacks. She stated that in her opinion, the petition appears to meet the applicable criteria and stated support for the petition.

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

Board member Moorhead made a motion to recommend approval of a variance to allow construction a new home 7.50 feet from the north property line consistent with the site plan presented to the Board. He stated that the motion is based on the

findings as detailed in the staff report adding that the deliberations of the Board are incorporated into the record as additional findings.

The motion was seconded by Board member Clemens and approved by a vote of 5 to 0.

4. Consideration of a request for a recommendation in support of a variance to allow a driveway to encroach into the extended side yard setback within the front yard at 1361 Edgewood Road.

Property Owners: Lillian H. Shepard Trust (Joseph H. Duff, 30%, Rochelle M. Davis, 30%, Rudolph O' Duff, 10%, Ransaan O. Duff-Tatum, 10%, Gingi F. Wingard, 10% and Laura J. Stephenson, 10%)

Contract Purchasers: Michael Simoneau and Alison Schuster

Representative: Jeff Letzter, project manager

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

Mr. Letzter reviewed the history of the site and the recent resubdivision of the property. He said that the Building Review Board recently reviewed the new home proposed for this property. He noted that during the discussion, the Building Review Board suggested that the petitioner seek a variance to allow the driveway to encroach into the side yard setback to allow the house to align with others along the streetscape. He noted that to establish a driveway that conforms to the setback, the new home would need to be setback considerably further on the lot than other homes in the neighborhood. He stated that as proposed, the new driveway will follow the alignment of the existing driveway for the most part, maintaining a setback of 1.5 feet from the south property line where possible.

Ms. Friedrich reviewed that until recently, the site was part of a larger development that included three lots and three structures. She stated that the properties were resubdivided into two lots, and the three homes were demolished, to allow the site to better conform to the pattern of development in the neighborhood. She stated that this petition pertains to the newly created south lot. She confirmed that at a recent Building Review Board meeting, the Board suggested that the petitioner explore siting the residence consistent with the prevailing front yard setback along the street. She noted that the Board acknowledged that this would require a variance for the driveway. She stated that the Building Review Board acknowledged that a narrower house could be built eliminating the need for a variance but determined that the house as proposed is consistent with the character of the neighborhood. She explained that the Code requires that within the front yard setback, driveways must meet the extended side yard setback. She stated that for this property, the driveway would need to be six feet from the property line to comply with the Code. She stated

as proposed, the driveway is 2 feet 9 inches from the property line for 27 feet, closest to the street and then is located 1.5 feet from the property line for 13 feet. She noted that this configuration is close to the configuration that existed for many years when the property was developed with three homes. She noted that the petitioner provided documentation that most driveways in the neighborhood are located on the south sides of the properties, and within a few feet of the property line. She noted that the Board received letters addressing the health of a tree on the site and raising concerns about drainage. She noted that the staff report recommends two conditions of approval in an effort to minimize the potential for stormwater runoff from the driveway to the neighboring property given the location near the property line and the variance requested.

In response to questions from Board member Moorhead, Ms. Friedrich confirmed that the responsibility for the tree that is located on the shared property line is a private matter. She stated that drainage will need to be addressed as each of the two new lots is developed.

In response to questions from Board member Bass, Ms. Friedrich confirmed that currently, both properties are in the same ownership.

In response to questions from Board member Clemens, Mr. Letzter stated that the contract purchaser is not interested in a shared driveway for the two lots.

In response to questions from Board member Rose, Mr. Letzter noted that permeable surface for the driveway was not considered.

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

Rochelle Davis, 1351 N. Western Avenue, noted that she is in attendance as a member of the trust that owns the property.

Hearing no further requests to speak, Chairman Nehring asked the Board for any final questions or comments.

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

Board member Bass noted that in his opinion, the new home will be a good addition to the neighborhood.

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

Board member Moorhead made a motion to recommend approval of a variance to allow the driveway to encroach into the side yard setback, within the front yard setback, no closer than 1.5 feet at the closest point consistent with the site plan presented to the Board and based on the findings as detailed in the staff report. He noted that the Board's deliberations are incorporated as additional findings adding that the motion is subject to the following conditions of approval.

1. Building Review Board endorsement of the new house.
2. A curb shall be installed along the south edge of the driveway to prevent runoff on to the neighboring property given the location very close to the property line.
3. The City Engineer is directed to consider the grade and crowning of the driveway to minimize runoff on to the neighboring property to the south.

The motion was seconded by Board member Clemens and approved by a vote of 5 to 0.

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, August 22, 2022.

The meeting was adjourned at 7:27 pm.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician