Agenda Item 3

1455 Edgewood Road Side Yard Setback Variance

Staff Report Vicinity Map Air Photos

Materials Submitted by Petitioner
Application
Statement of Intent
Existing Site Plan
Proposed Site Plan
Proposed Elevations
Proposed Floor Plans
Proposed Grading Plan
Proposed Landscape Plan
Streetscape Overlay
Elevation Overlay – North Elevation



STAFF REPORT AND RECOMMENDATION

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

DATE: July 25, 2022

FROM: Michelle Friedrich, Planning Technician

SUBJECT: Side Yard Setback Variance

OWNERS PROPERTY LOCATION ZONING DISTRICT

Jamie and Sophia Childs 1172 Tamarack Lane Libertyville, IL 60048 1455 Edgewood Road R1 – Single Family Residenc 9,375 SF minimum lot size

SUMMARY OF REQUEST

This is a request for approval of a side yard setback variance from the north property line to allow construction of a new single family residence on the foundation of the existing house which is proposed for demolition.

The Childs' property is located on the east side of Edgewood Road, north of Spruce Avenue. The property is in the Hield's Ravine Park Subdivision which was approved in 1924. The parcel today is developed with a single story residence constructed in 1954. The Building Review Board will review the proposed demolition and the design aspects of the new residence at the August 2022 meeting.

FACTS

Compliance/Non-Compliance with Key Code Requirements

- The property does not meet the minimum lot width requirement of 75 feet. (The lot was created prior to this requirement.)
- ❖ The property does meet the minimum lot size requirement of 9,375 square feet.
- The existing house complies with the front, side (south) and rear yard setback requirements.
- The existing house does not comply with the side (north) yard setback requirement.
- The existing detached garage complies with the front, side (north) and rear setback requirements.
- The existing detached garage does not comply with the side (south) yard setback requirement.
- The project complies with the square footage limitations.
- The project complies with the lot coverage limitation.
- The proposed replacement single family residence complies with the front and side (south) and rear yard setback requirements.
- The proposed replacement single family residence does not comply with the side (north) setback requirement.

Physical, Natural or Practical Difficulties

The Hield's Lake Forest Ravine Park Subdivision was approved by the City in 1924, prior to the current day setback requirements.

STAFF EVALUATION

As noted above, this property is located in the R-1 Zoning District. The R-1 Zoning District has a minimum lot size of 9,375 square feet and a minimum lot width of 75 feet. The parcel totals approximately 10,800 square feet and is 60 feet wide and does not meet the current minimum lot width requirement. Many lots along this block of Edgewood Road are narrower than the minimum lot width required in the zoning district due to changes in the Zoning Code since the time the subdivision was approved. Neither the size, nor configuration of the lot has changed since the subdivision was originally approved in 1924.

The property owners desire to redevelop the property utilizing the existing foundation of the residence. The existing residence is a ranch home sited approximately 9 feet from the north property line with a large overhang that extends an additional 3 feet into the side yard setback to the north. As proposed, the replacement residence will be two stories and is proposed to utilize the existing foundation and as proposed, the overhang and gutter on the new residence will extend into the setback to a lesser extent than the overhand on the existing residence. As proposed, the new residence, at the furthest extent, will be located 7.50 feet from the north property line, instead of ten feet as required by the Code. Importantly, the proposed two-story residence is adjacent to the neighbor's driveway to the north, providing distance between the proposed two story house and the neighboring ranch home. In addition, the property owners are proposing a row of 5 foot tall arborvitae along the north property line, in the general area of the home, that will provide screening.

FINDINGS OF FACT

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

- 1. The requested side (north) setback variance will not alter the essential character of the neighborhood. The siting of the house will not change, but rather the height of the structure will change.
- 2. The conditions upon which the variance is requested, including the siting of the original house, are generally unique to this neighborhood and to this property and are not generally applicable to other properties in the same zoning district throughout the City.
- 3. The existing property does not conform to the minimum lot width requirement of the R-1 zoning district limiting the width of the house in order to comply with the required setbacks.
- 4. The variance and the replacement residence will not impair light or ventilation to adjacent properties, increase congestion, endanger public safety, or diminish property values. The proposed replacement residence is adjacent to the

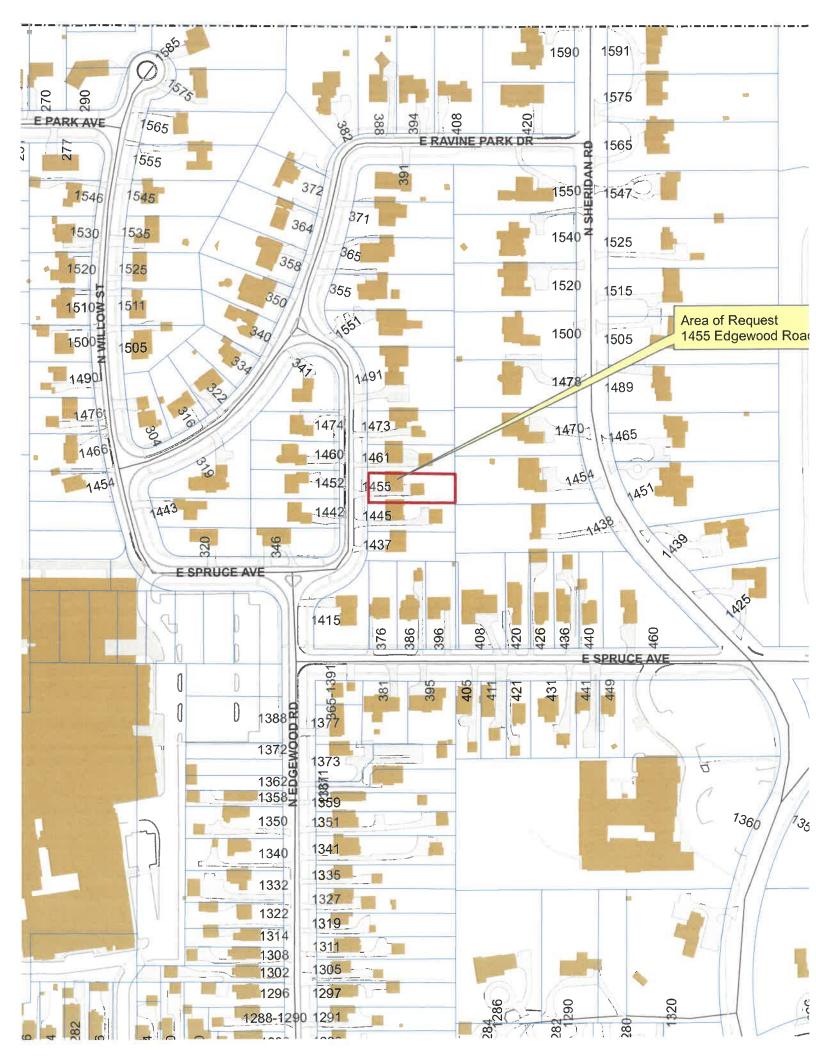
neighbor's driveway, providing some distance from the neighboring home to the north. The proposed replacement residence is intended to upgrade the property.

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. 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 to allow construction of a replacement single family residence no closer than 7.50 feet to the side (north) property line and consistent with the site plan submitted to the Board.









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

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Zoning Statement of Intent 1455 Edgewood Road Lake Forest, IL 60045

Standards for Variance:

Zoning Request: Side yard setback on the North side is required due to the existing foundation being at 9.05′, required in the R-1 District is 10.00′. The current residence with its larger overhang is currently over the setback line by 4'2-3/4'' and the proposed overhang will be over the setback line by 2'2-3/4''.

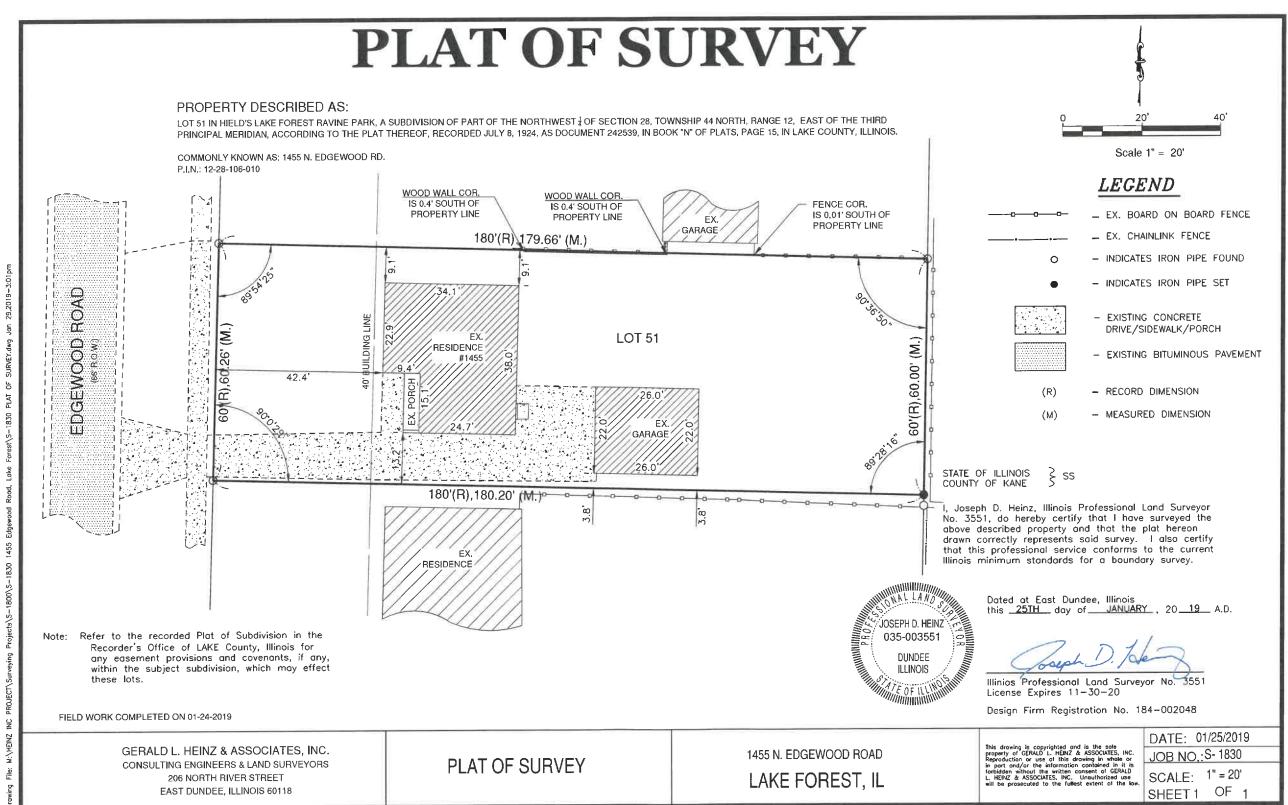
Standard 1: The proposed variance will not alter the essential character of the neighborhood since we are proposing a new structure on an existing foundation. Refer to Structural Engineer's report.

Standard 2: The conditions for the request for the variance are unique to this property and spring forth from the fact that the house was originally constructed over the side yard setback line.

Standard 3: The hardship was not created by the current owner; the existing house was originally constructed over the side yard setback line.

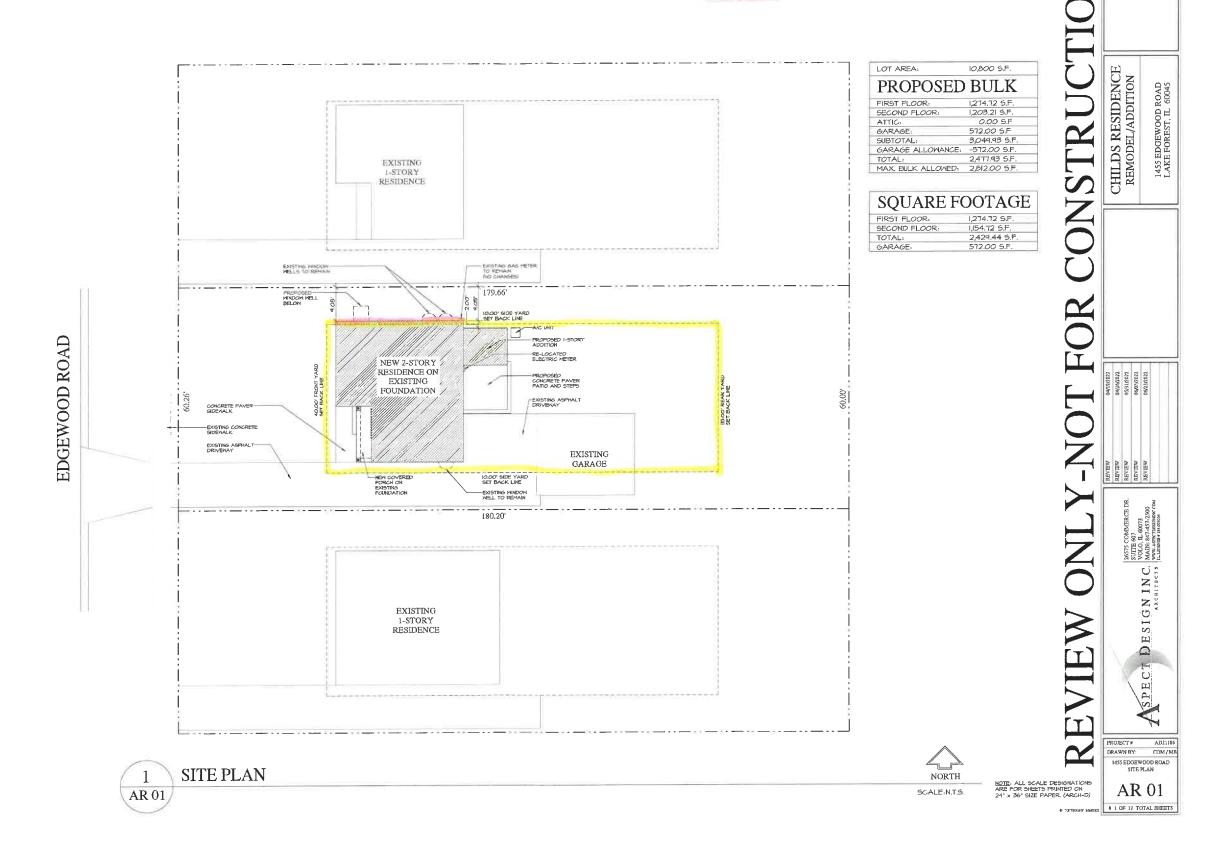
Standard 4: The proposed variance will not impair the adequate supply of light and air to adjacent properties because the addition is thoughtful in its massing and will not substantially increase the congestion of the public streets, or increase the danger of fire, or endanger public safety and will in fact increase property values within the neighborhood.

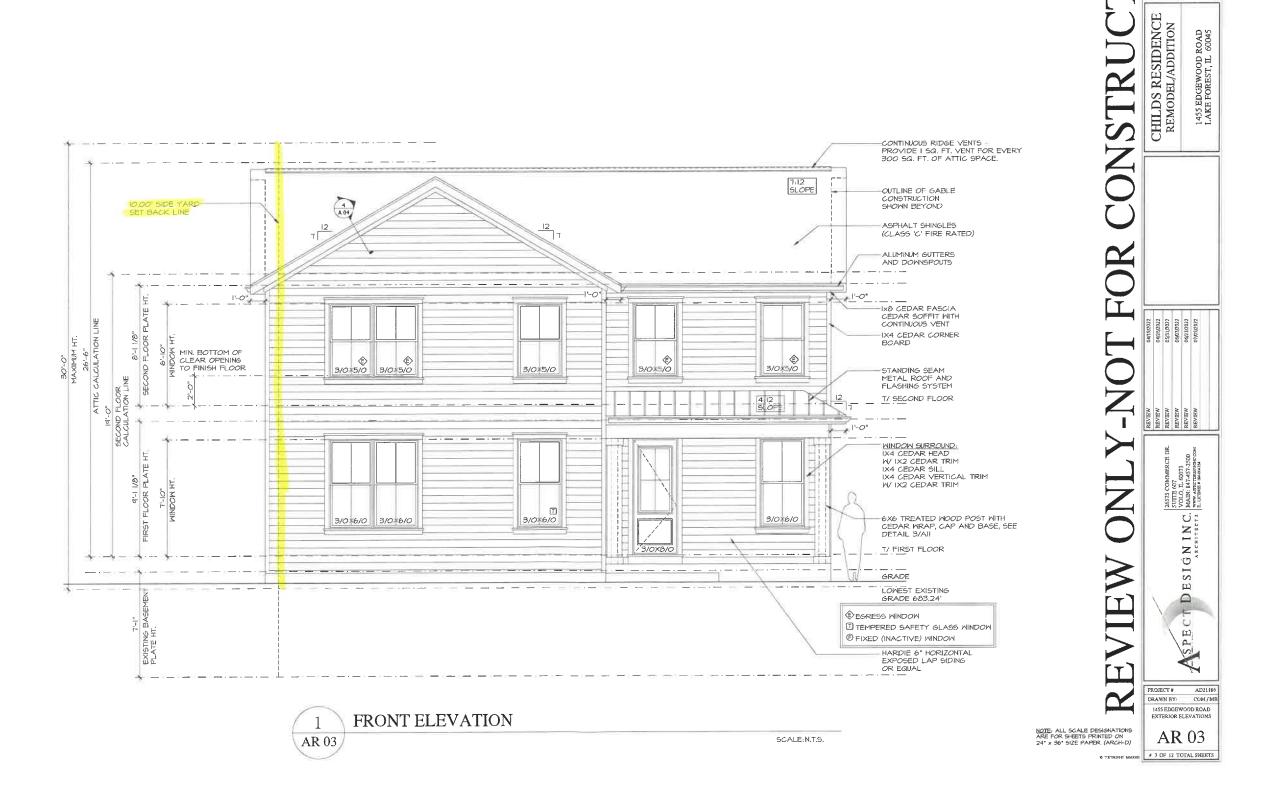
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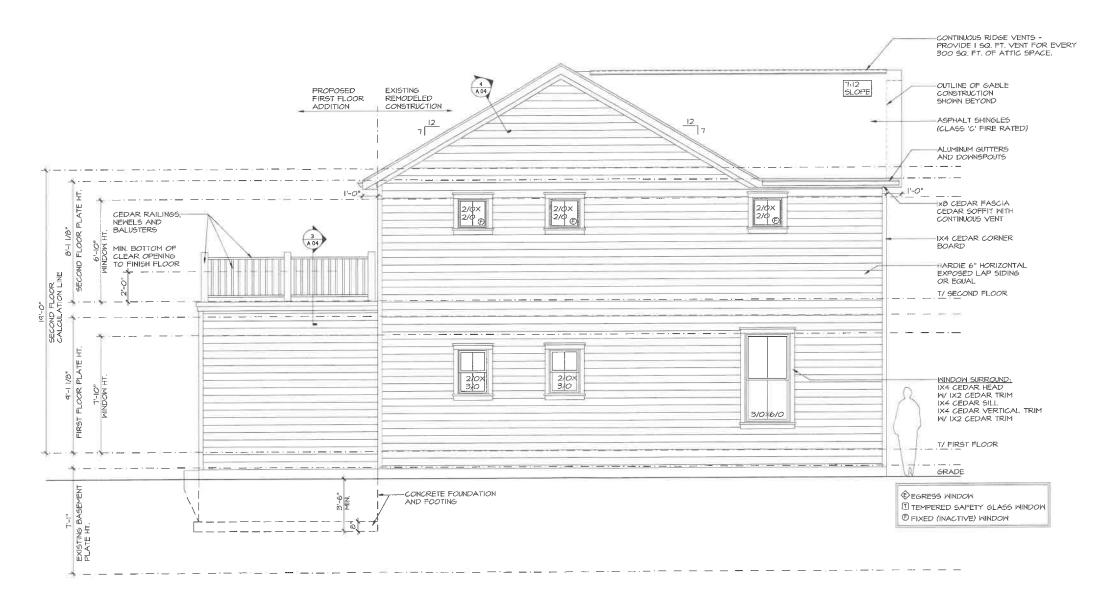


SETBACK LINE







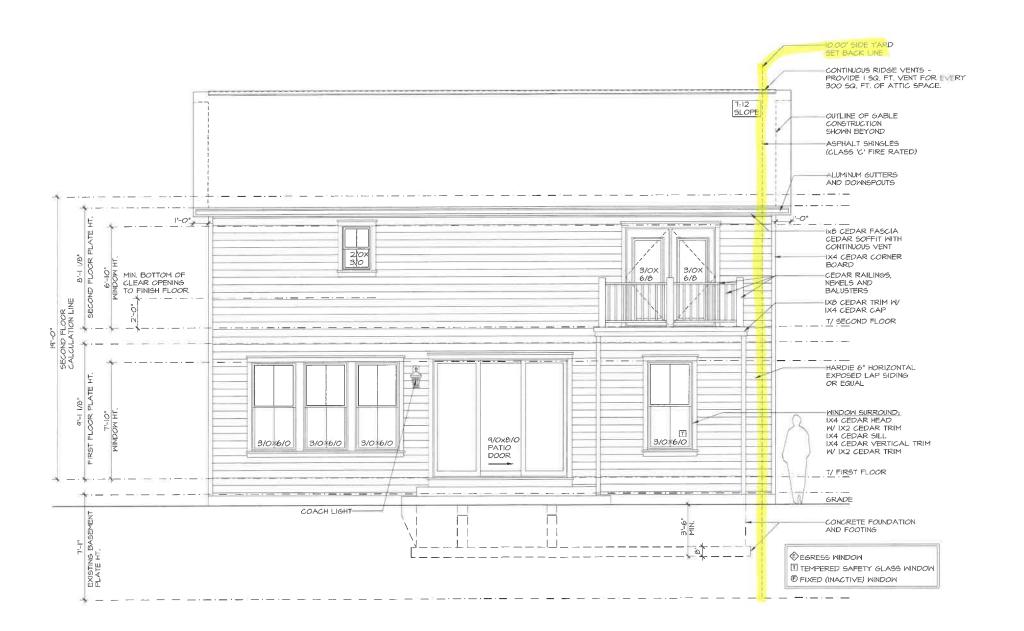


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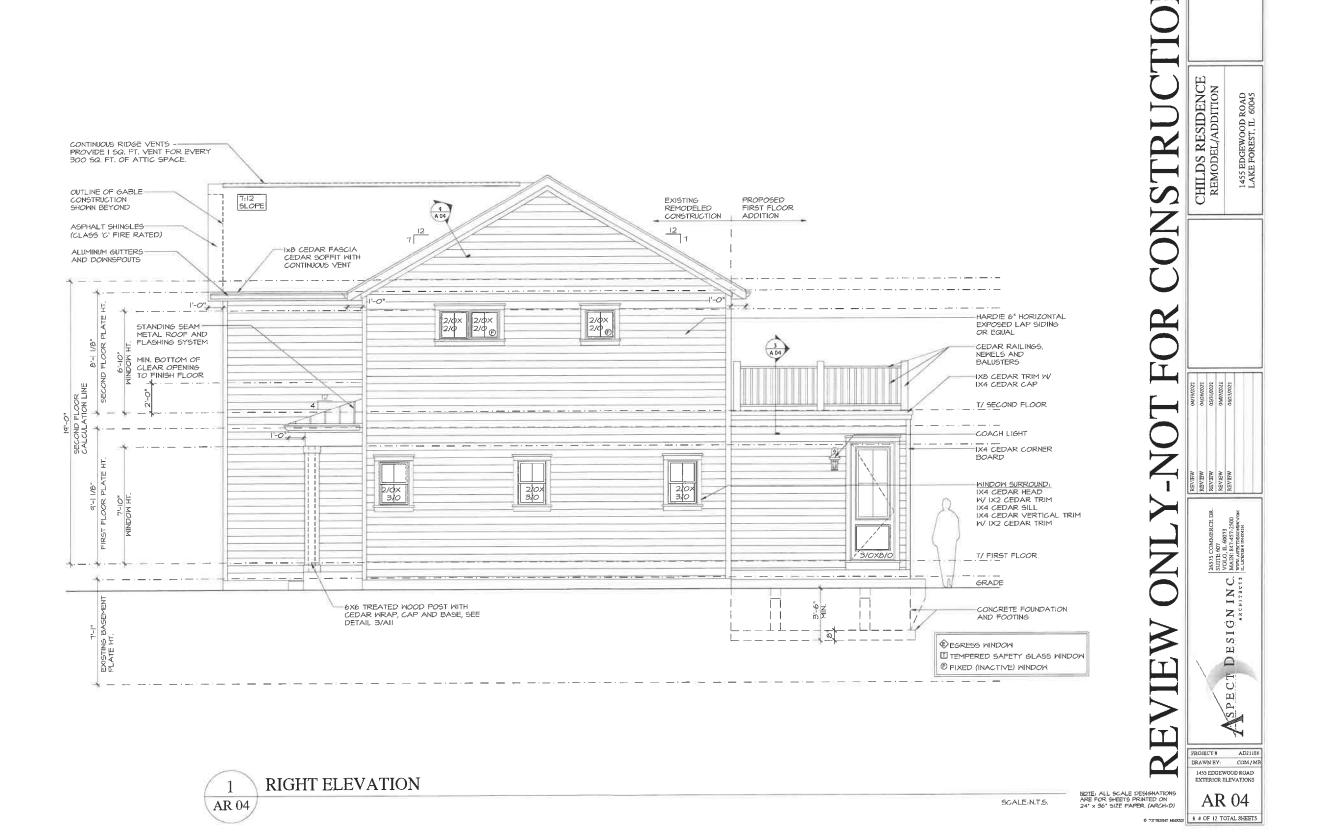
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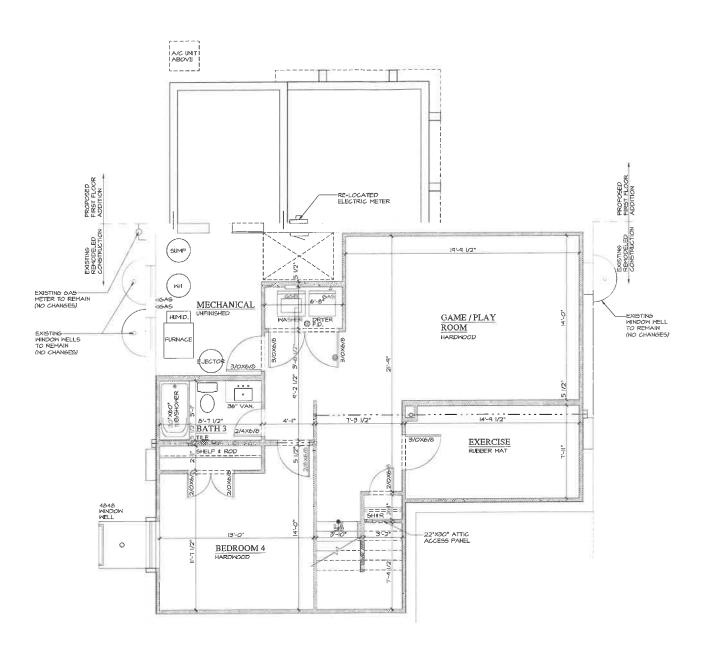
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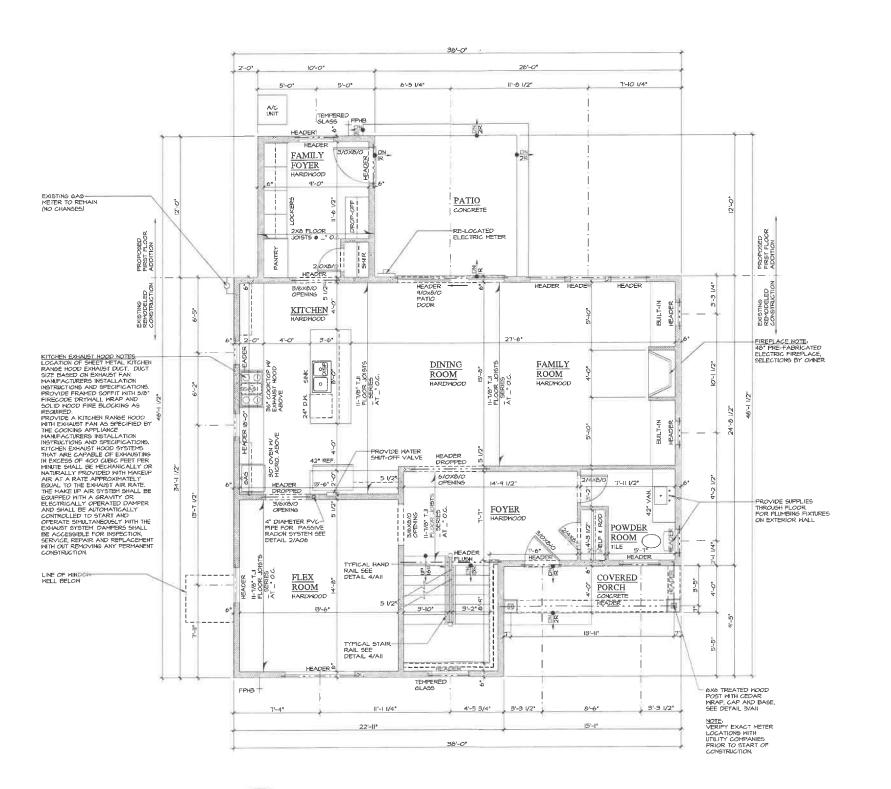
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FIRST FLOOR PLAN

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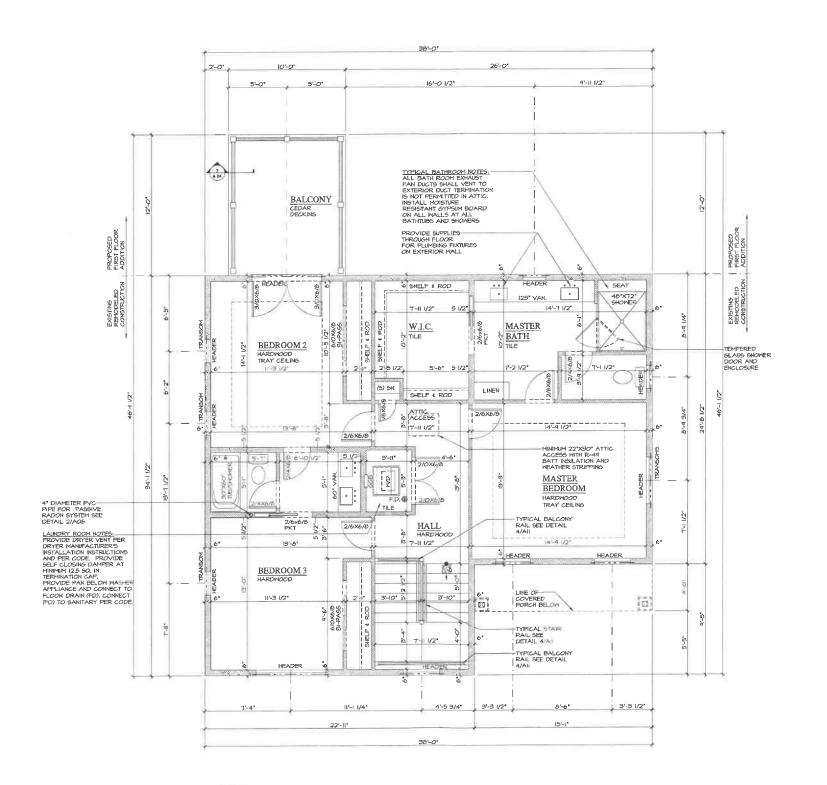
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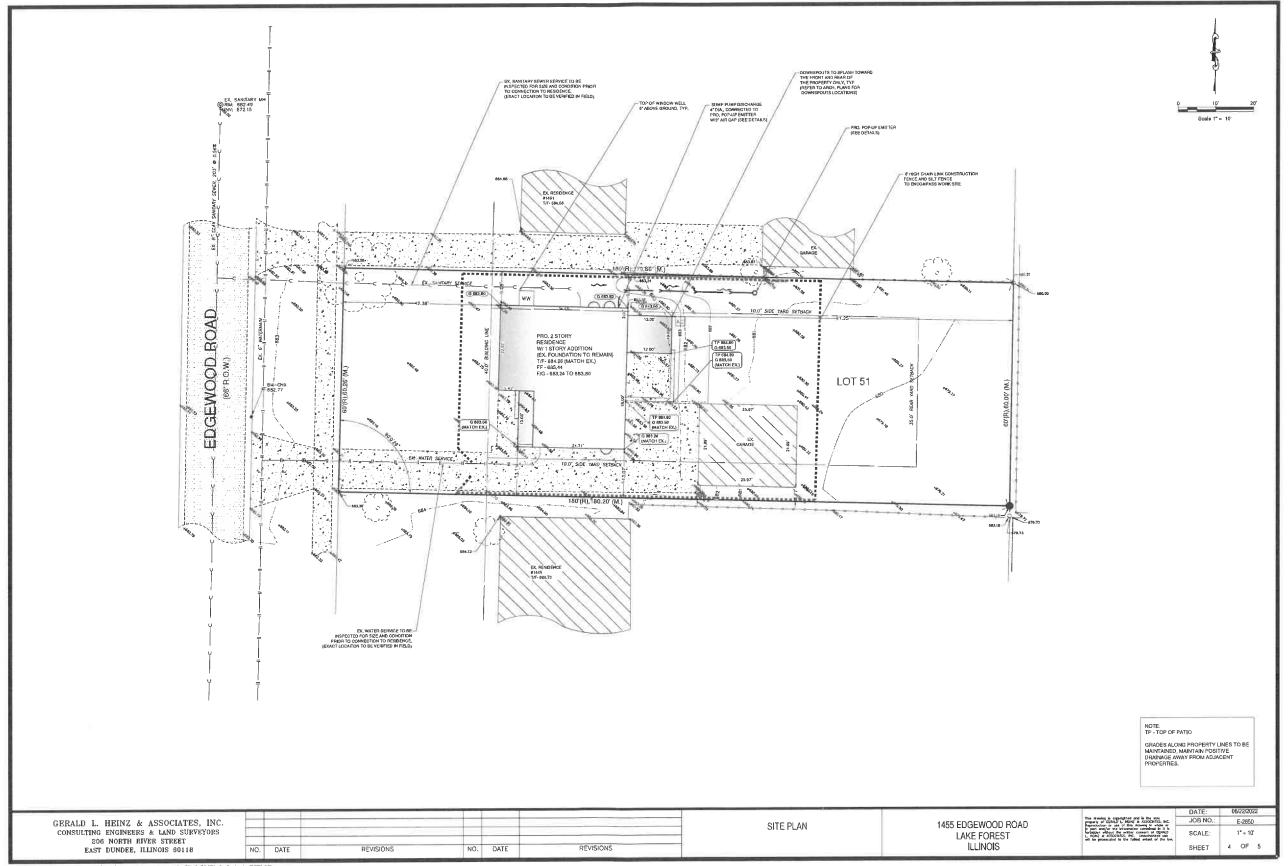
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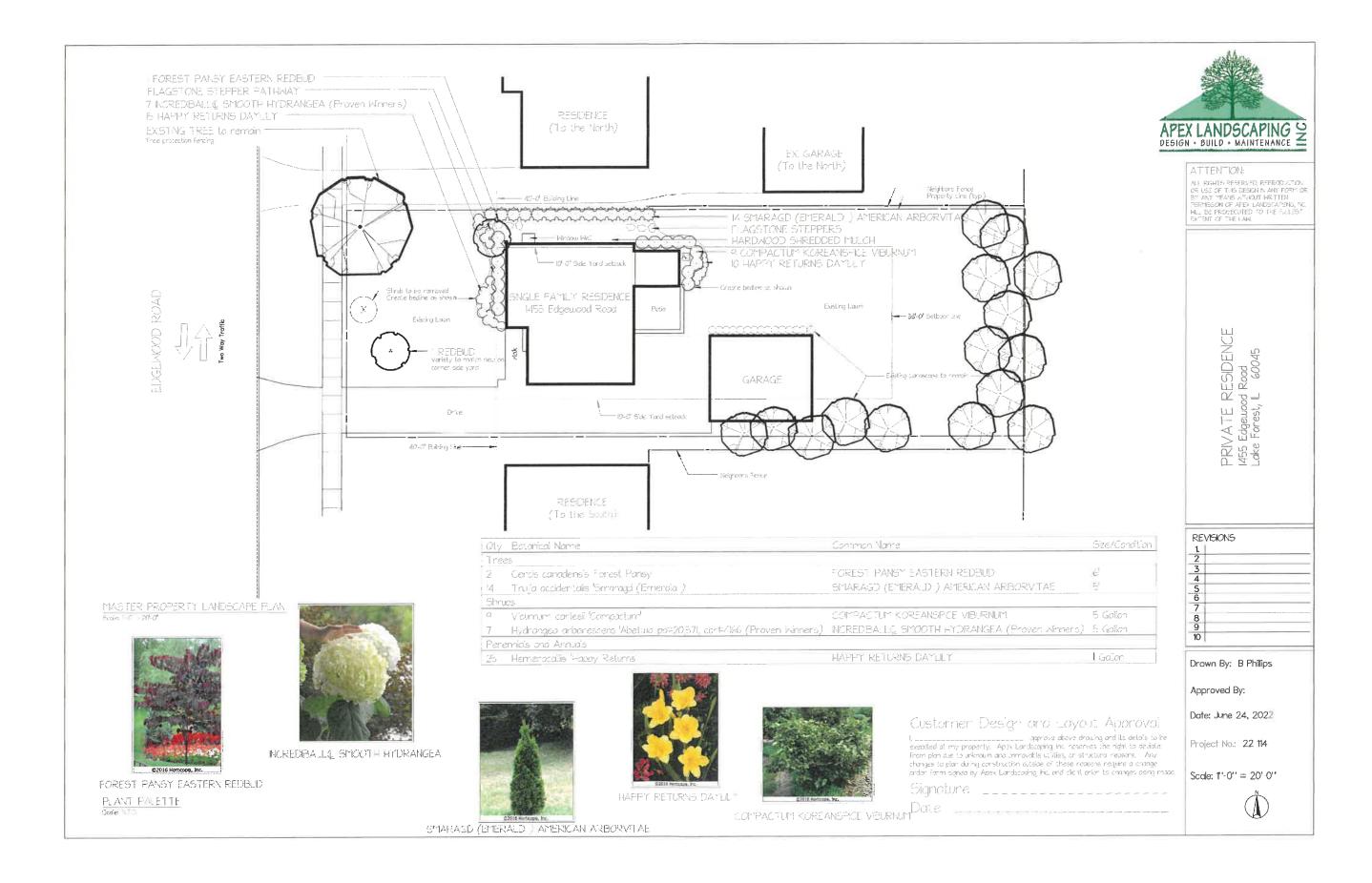
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SECOND FLOOR PLAN









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1455 EDGEWOOD ROAD LAKE FOREST, IL 60045

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AR 15

LEFT ELEVATION (OVERLAY)

SCALE: N.T.S.

6 OF 12 TOTAL SHEETS

AR 15

Agenda Item 4

1361 Edgewood Road Setback Variance

Staff Report Vicinity Map

Materials Submitted by Petitioner

Application
Statement of Intent
Proposed Site Plan
Proposed Grading Plan
Neighborhood Streetscape Study
Proposed Streetscape Elevation
Proposed Elevations
Proposed Floor Plans
Proposed Detached Garage Elevations
Approved Subdivision Plat
Correspondence



STAFF REPORT AND RECOMMENDATION

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

DATE: July 25, 2022

Michelle E. Friedrich, Planning Technician FROM:

Setback Variance SUBJECT:

PROPERTY OWNER

Lillian H. Shepard Trust (Joseph H. Duff, 30%, Rochelle M. Davis, 30%, Rudolph O. Duff, Jr., 10%, Rahasaan O. Duff-Tatum, 10%, Gingi F. Wingard, 10% and

Laura J. Stephenson, 10%)

REPRESENTATIVE

Jeff Letzter, project manager

PROPERTY LOCATION

1361 Edgewood Road

GR-3 - General Residence

ZONING DISTRICT

CONTRACT PURCHASER

Michael Simoneau and Alison Schuster

DEVELOPER

Peter Childs, Childs Development

SUMMARY OF REQUEST

This is a request for approval of setback variance to allow the proposed driveway to be sited within the extended side yard setback, within the front yard setback. The larger property was recently subdivided, creating two long, narrow parcels, from what was previously three parcels.

The design elements of the new residence were considered at the June Building Review Board meeting. At that meeting, the Building Review Board directed the petitioner to explore siting the house in a manner consistent with the prevailing setback of homes along the street and acknowledged that in shifting the house, a variance would be necessary to allow the driveway configuration that would result from siting the house in that manner.

This parcel is located on the east side of Edgewood Road, just south of Spruce Avenue.

FACTS

Compliance/Non-Compliance with Key Code Requirements

- ❖ The property complies with the minimum lot width requirement.
- ❖ The property complies with the minimum lot size requirement.
- The proposed project complies fully with the lot coverage limitation.
- ❖ The proposed project complies fully with the building scale limitation.
- The proposed residence and detached garage comply with the setback requirements.

❖ The existing driveway does not comply with the setback requirements and as proposed, a portion of the driveway shifts further south within the setback area.

Physical, Natural or Practical Difficulties

- Many driveways along Edgewood Road predate the current zoning requirements and as a result, are nonconforming to the setbacks as shown on the graphic provided by the petitioner included in the Board's packet.
- Siting the house further back on the property to allow the driveway to meet the current zoning requirements does not allow the proposed new residence to align with the prevailing setback.
- Nearly all existing driveways on this block of Edgewood Road are sited on the south side of the property.

STAFF EVALUATION

This property is located within the GR-3 zoning district. As noted above, the property was recently subdivided into two lots. Prior to the subdivision, there were three lots and three structures with a single shared driveway.

The Code does not permit driveways to be located within the extended side yard setback, within the front yard setback. In the GR-3 zoning district, the side yard setback is 6 feet and the front yard setback is 40 feet.

The existing driveway is sited within the extended side yard setback and is not in conformance with current zoning requirements. This condition is common along this block of Edgewood Road, as noted in the Neighborhood Streetscape Study provided by the petitioner. The existing driveway is 2.9 feet from the south property line and as proposed, will remain in that location from the street to 27 feet east of the front property line and then will shift south, to within 1.5 feet from the south property line.

The Building Review Board acknowledged that a narrower house could allow a driveway in conformance with the required setbacks but supported the configuration of the residence as proposed noting that it is generally consistent with other homes in the neighborhood. The Board also acknowledged that approval of the request variance will likely result in a similar request for the adjacent lot to the north at the time it is redeveloped.

FINDINGS OF FACT

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

- 1. The variance, if granted, will not alter the essential character of the subject property, the surrounding area or the larger neighborhood in which the property is located. Siting of the house, in the same manner as other homes on Edgewood Road will preserve the character of streetscape. Only slight changes proposed to the existing driveway.
- 2. The condition upon which the variance is requested, the existing character of the streetscape, is generally unique to this property and this neighborhood and is not

- applicable to other properties in the same zoning district in other areas of the community.
- 3. The difficulty in conforming with the Code, has, in part, been created by the contract purchasers, as a narrower house could be proposed, creating more space to shift the driveway the appropriate distance from the south property line. However, the proposed driveway configuration is generally consistent with driveways throughout this established neighborhood.
- 4. The variance requested will not impair light or ventilation to adjacent properties, increase congestion, endanger public safety, or substantially diminish property values. The proposed improvements will redevelop the property in a manner that is generally consistent with the overall neighborhood and support property values along Edgewood Road.

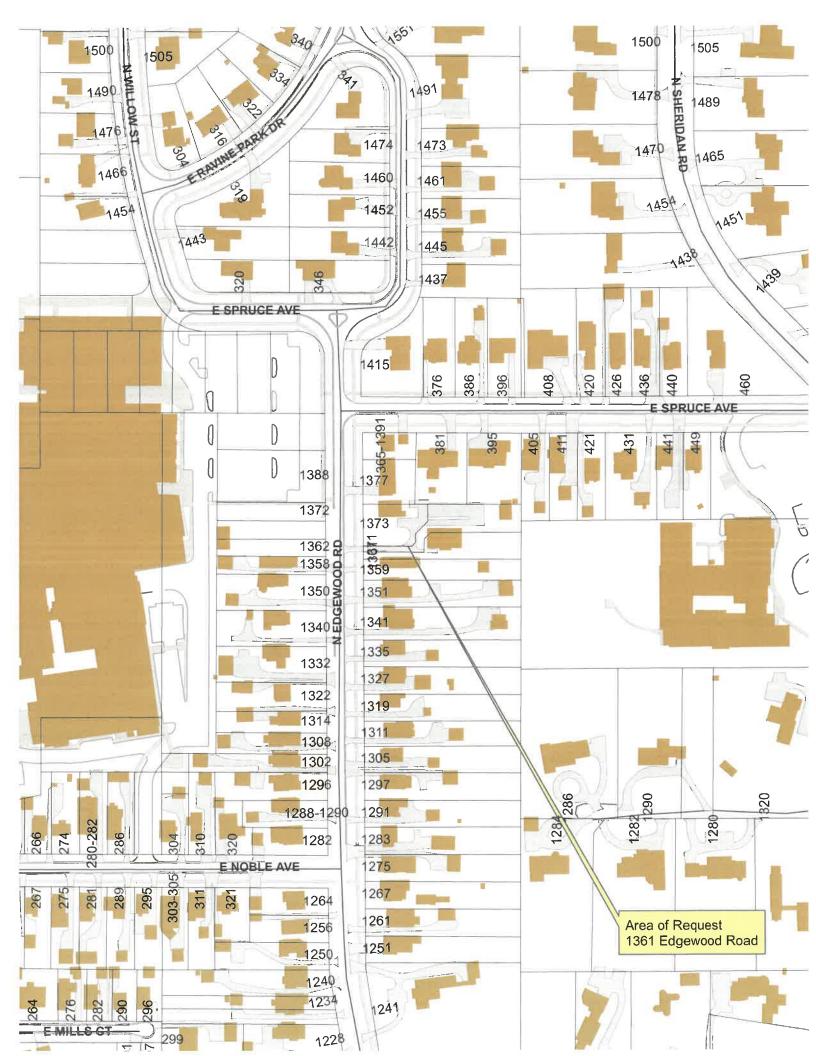
PUBLIC COMMENT

Standard public notice of this request was provided by the City to surrounding property owners. Notice was also provided in the Lake Forester, the agenda was posted at various public locations and on the City's website. As of the date of this writing, one email was received by a neighboring property owner requesting a tree on the property to the north be maintained.

RECOMMENDATION

Based on the findings presented above, recommend approval to the City Council of a variance to allow the driveway encroach into the side yard setback, within the front yard setback as follows no closer than 1.5 feet at the closest point and as reflected on the plans presented to the Board. The recommendation is subject to the following conditions of approval.

- 1. The approval is conditioned on approval of the project by the Building Review Board.
- 2. Given the proximity of the driveway and impervious surface, to the property line, diligent review of the drainage and grading plan by the City Engineer is required to assure no negative impact to the adjacent property to the south.





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

PROJECT ADDRESS 13	RESS 1361 EDGEWOOD ROAD						
ZONING DISTRICT	GR-3)					
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Property Owner (s)	Name	LILLIAN H. SHEPARD TRUST, DTD 3-6-91					
(may be different from project address)	Address	1361 EDGEWOOD ROAD LAKE FOREST, IL 60045					
		323-459-5411 Fax -					
5	Email	JOHFFLAN & EARTHLINK . HET					
Applicant/Representative	Name	ASPECT DEGIGN, INC. JEFF LETZTER					
- The state of the		PROJECT MANAGER					
(if different from Property Owner)		26575 COMMERCE DR SHITE GOT VOLG, NL GOOT					
	Phone	847-457-2500 Fax					
	Email	JLETZTERE ASPECT DESIGNING COM					
Beneficial Interests		Staff Reports are Available the Friday before the Meeting					
	See Exhibit A	Email Report: Owner Representative					
	See Exhibit B	Fax Report: Owner Representative					
	See Exhibit C						
Trust, larid of other	See Exhibit C	Tick of Nepola. Owner					
Signatures 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.							
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Applicant/Representative	hinky	Date					

EXHIBIT C

TRUST OWNERSHIP

Please list the Trust number and name and address of the Trustee, as well as the names and addresses of all beneficiaries of the Trust, together with their respective interests in the Trust. The application shall be further verified by the applicant in his capacity as Trustee or by the beneficiary as a beneficial owner of an interest in the Trust and the application shall be signed individually by as many beneficiaries as are necessary to constitute greater than 50% ownership of the beneficial interest of the trust.

TRUST NUMBER FEIN 88-6756264	TRUSTEE INFORMA	<u>Tion</u>			
	NAME Josep	H. Duff, Successor Trustee			
	FIRM Lillian	H. Shepard Trust, DTD			
	ADDRESS 6139	Wooster Ave.			
	Los Angeles	os Angeles, CA			
25/5°	PHONE 323-4	59-5411			
BENEFICIARIES	FOR THE RESERVE NAMED OF THE PERSON OF THE P				
NAME Joseph H. Duff	NAME Rochell	e M Davis			
ADDRESS 6139 Wooster Ave.	ADDRESS 1351	i. Western Ave, Apt . 315			
Los Angeles, CA	Lake Forest, IL 60	045			
TRUST INTEREST 30 %	TRUST INTEREST	30 %			
NAME Rudolph O. Duff, Jr.	NAME Rahsa	an O. Duff-Tatum			
ADDRESS 3697 W. Mento Ave.	ADDRESS 3363	La Selva, Unit A			
Hemet, CA 92545	San Mateo, CA S	4403			
TRUST INTEREST 10 %	TRUST INTEREST	10%			
NAME Gingl F. Wingard	NAME Laura	I, Stephenson			
ADDRESS 234 Willow Grove Ave.	ADDRESS 3201	Tally Ho. Lane			
Philadelphia, PA 19118-3919	Madison, Wi 53705	Madison, WI 53705			
TRUST INTEREST	TRUST INTEREST	10 %			

Zoning Statement of Intent 1361 Edgewood Road, Lake Forest, IL 60045

Standards for Variance:

Zoning Request: After our June 1st, 2022, BRB meeting and review of the proposed siting of the new home on Lot 2 (1361) the BRB advised us to seek a variance to allow the driveway to encroach into the extended side yard setback within the front yard setback.

Current code would have the driveway 6' from the property line, which causes the home to be pushed back onto the site and does not allow the front of the home to align with all the current homes of the neighborhood. All the current homes in the neighborhood did not need to comply to this current code. Most driveways are on the property line or nearby.

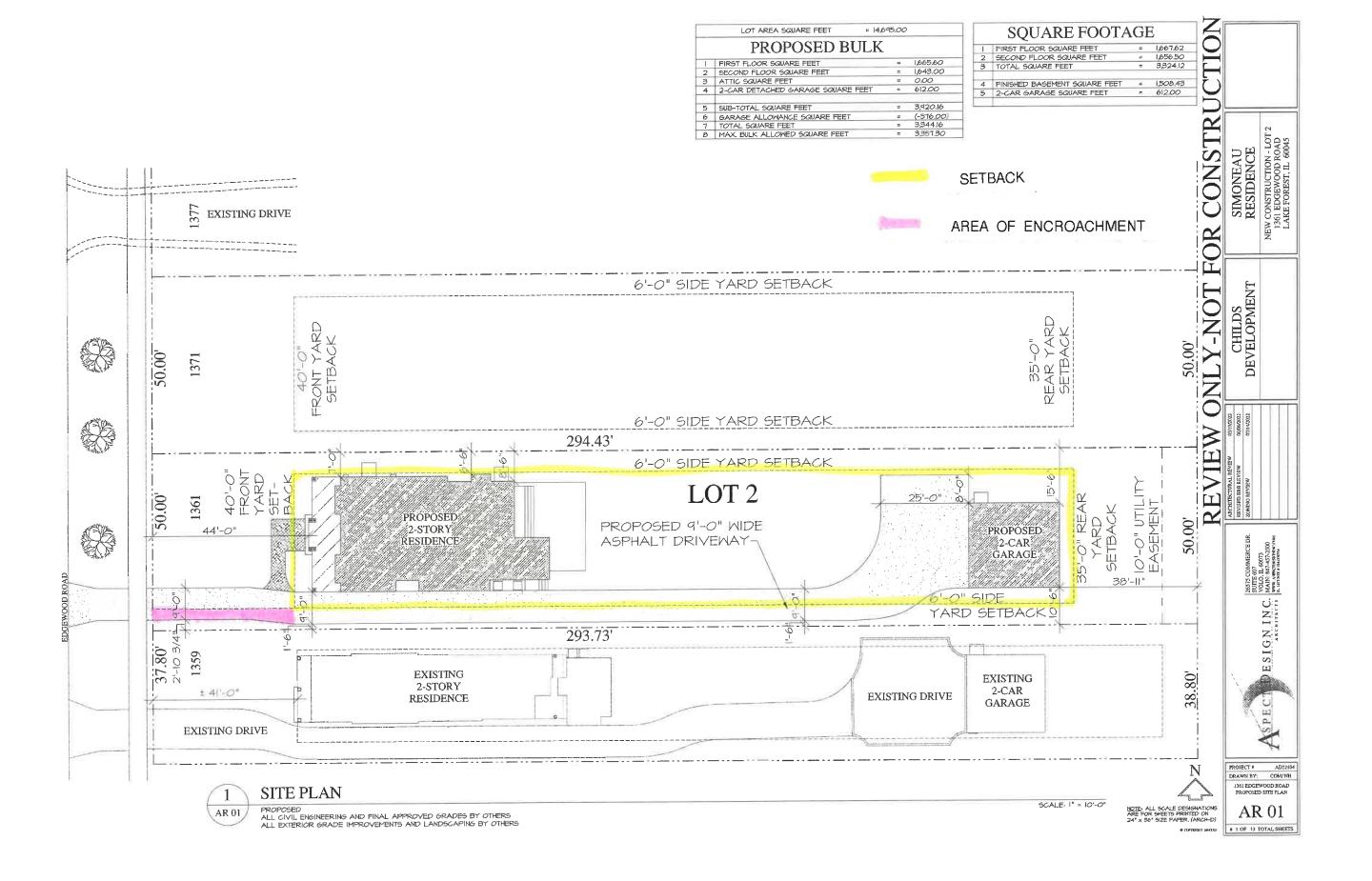
In the BRB meeting, we discussed seeking a variance to match a current drive entry to Lot 2 and to have it at 2.9' from the South property line and based on our proposed site plan, we can remain at that distance for 27', then gently slope the drive to 1.5' for 13' until we reach the 40' front yard setback line and then continue the 9' wide driveway to the detached garage.

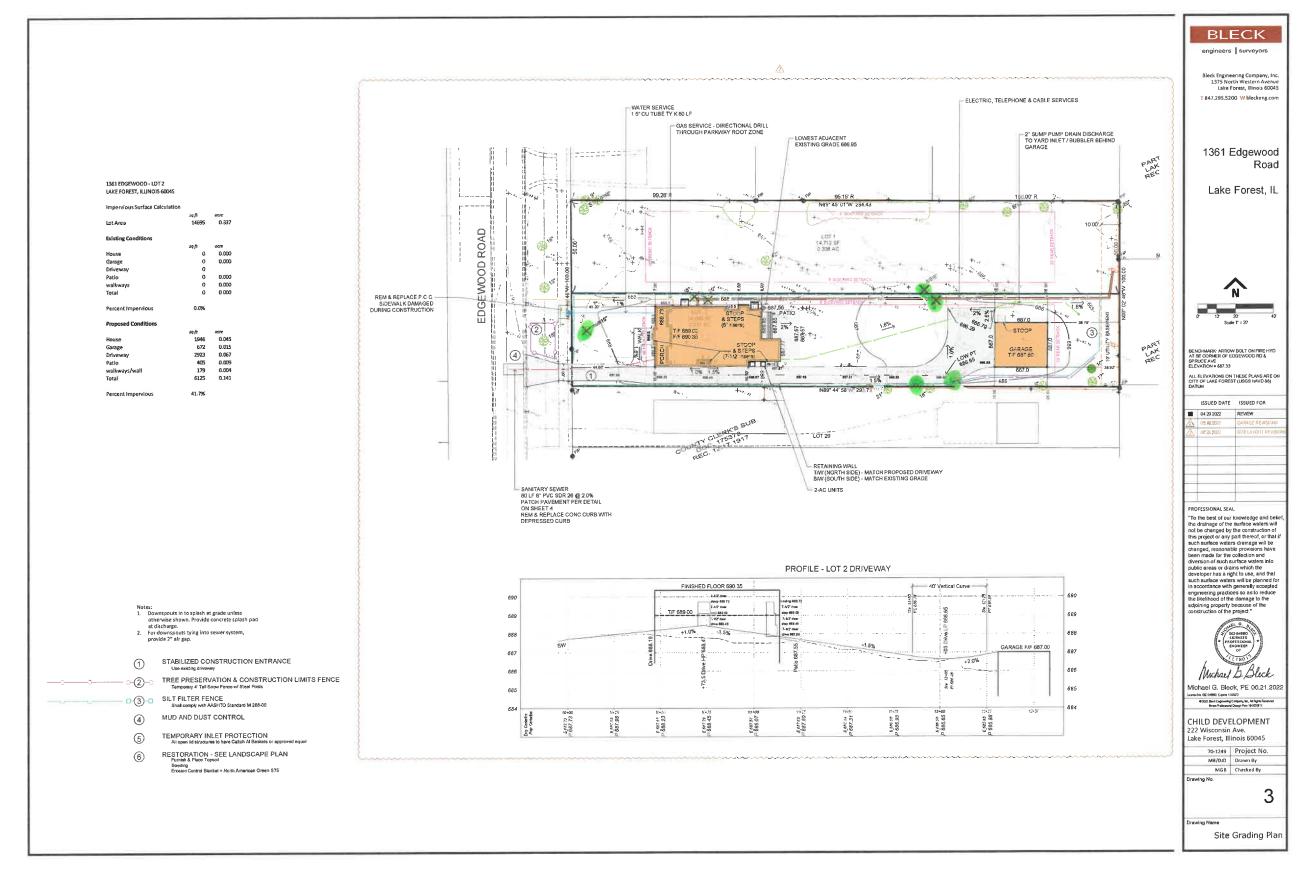
Standard 1: The proposed variance will not alter the essential character of the neighborhood since we are proposing a driveway location that would match the current locations and benefit the front of the homes to match the neighborhood.

Standard 2: The conditions for the request for the variance are unique to this property being that it must comply to current standards, which the surrounding neighborhood did not.

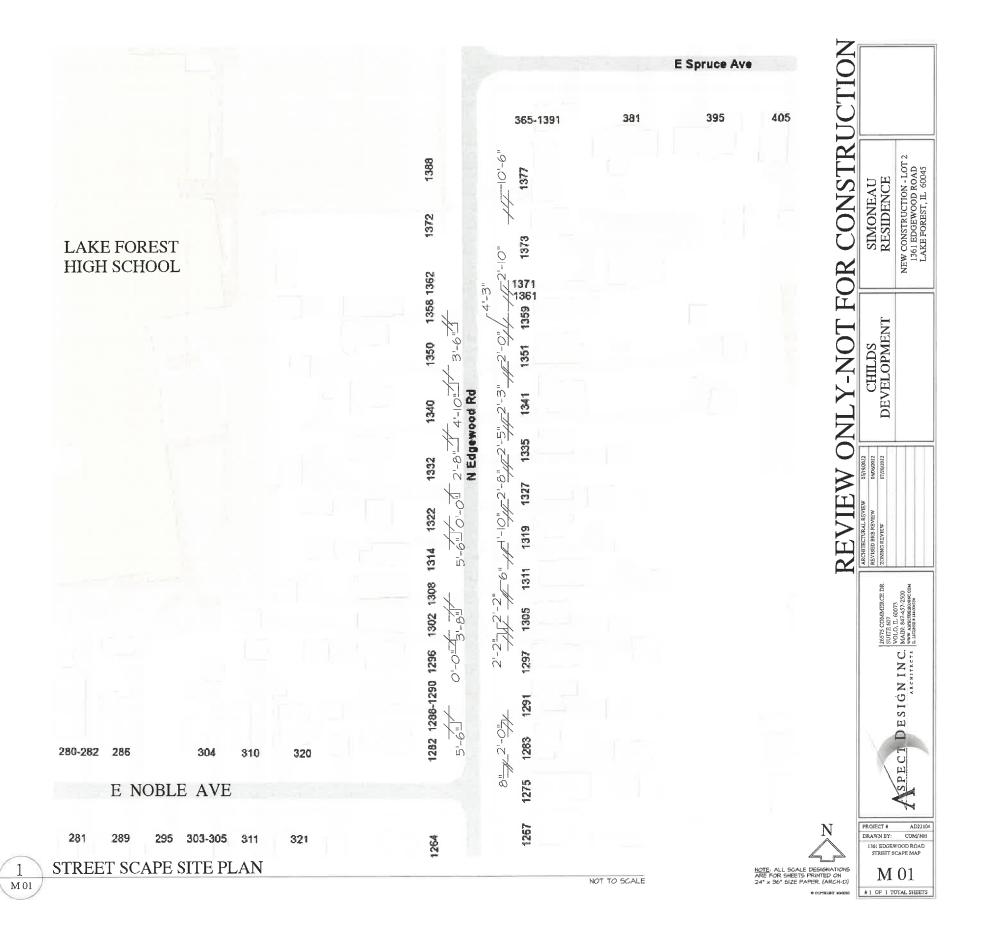
Standard 3: The hardship was not created by the current owner, but by current codes that would cause a hardship for the home to blend in with the current neighborhood.

Standard 4: The proposed variance will not impair the adequate supply of light and air to adjacent properties because the addition is thoughtful in its massing and will not substantially increase the congestion of the public streets, or increase the danger of fire, or endanger public safety and will in fact increase property values within the neighborhood.

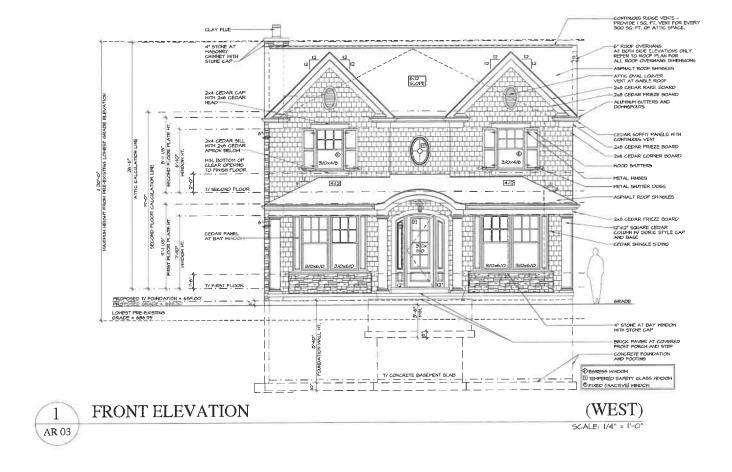




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PROJECT # AD22104

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1361 EDGEWOOD ROAD
FRONT ELEVATION

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3 OF 13 TOTAL SHEETS



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1361 EDGEWOOD ROAD
LEFT ELEVATION

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NOTE; ALL SCALE DESIGNATION ARE FOR SHEETS PRINTED ON 24" x 36" SIZE PAPER. (ARCH-



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LAKE FOREST, IL. 60045 REVIEW ONLY-NOT FOR CHILDS DEVELOPMENT

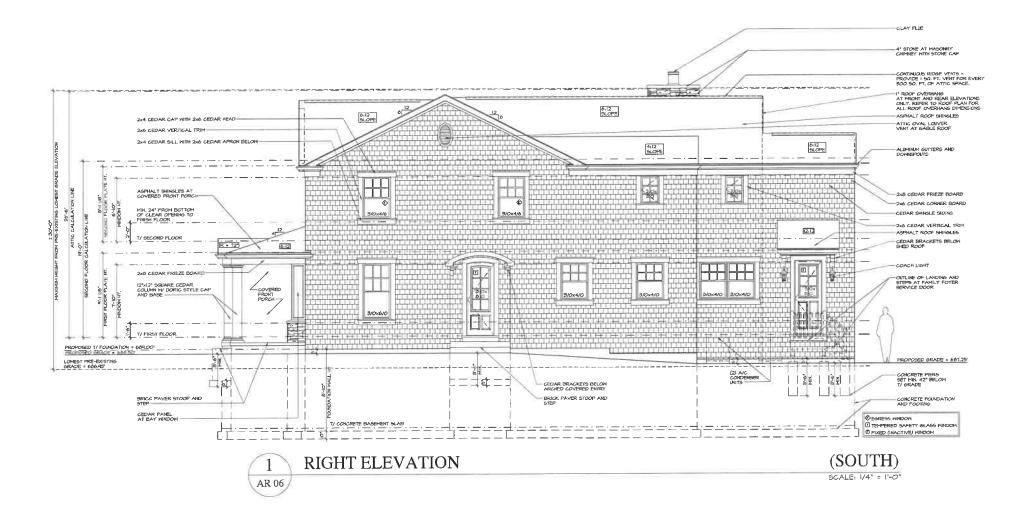
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1361 EDGEWOOD ROAD REAR ELEVATION

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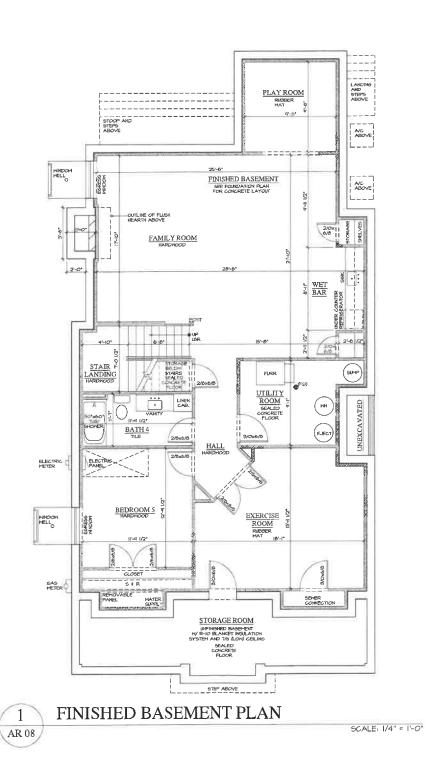
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REVIEW ONLY-NOT FOR CONSTRUCTION NEW CONSTRUCTION - LOT 2 1361 EDGEWOOD ROAD LAKE FOREST, IL 60045 SIMONEAU RESIDENCE ASPECT DESIGNINC, MADRIENT-ASPAGE
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REVIEW ONLY-NOT FOR CONSTRUCTION SIMONEAU RESIDENCE NEW CONSTRUCTION - LOT 2 1361 EDGEWOOD ROAD LAKE FOREST, IL 60045 CHILDS DEVELOPMENT

SPECT DESIGNINC: MARK THERSON COM

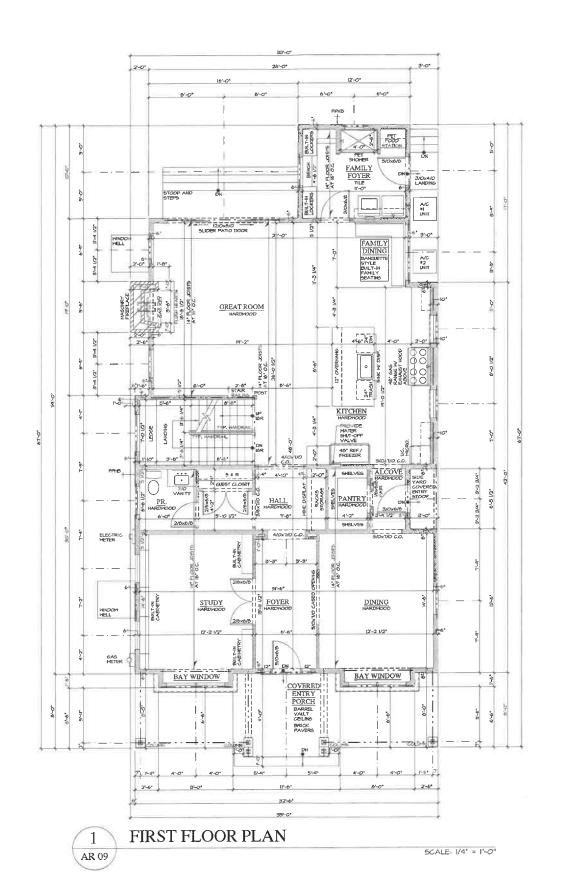
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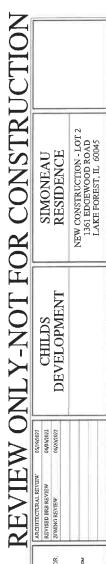
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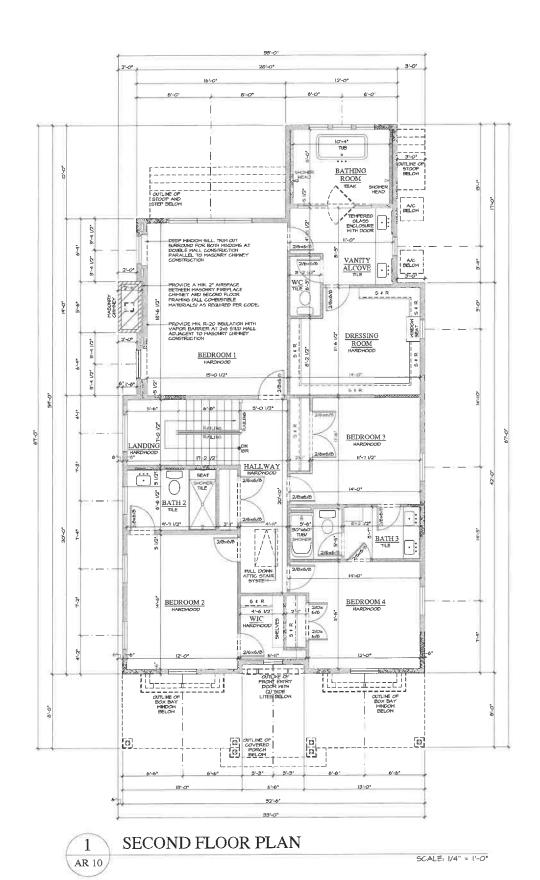






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REVIEW ONLY-NOT FOR CONSTRUCTION

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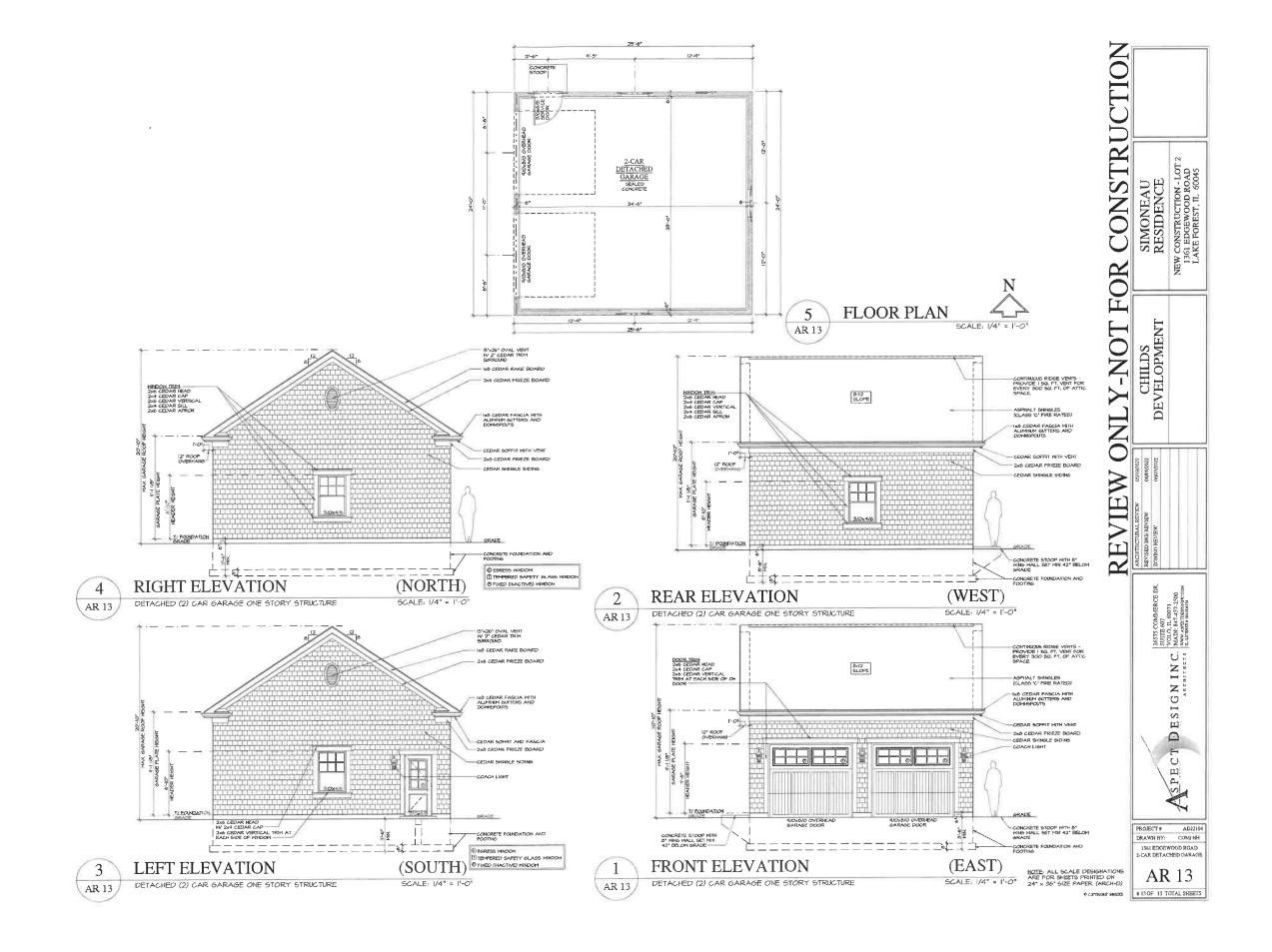
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SPECT DESIGNINC MARKETSTRANDS PROJECT # AD22104
DRAWN BY: COM/ NH

1361 EDGEWOOD ROAD 2nd FLOOR PLAN

AR 10 # 10 OF 13 TOTAL SHEETS





JAMES SHEPARD RE-SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 44 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS. 7913281 SPRUCE AVENUE 06/22/2022 LOT 3 LOT 1 EDGEWOOD ROAD 6' SIDEYARD SETBACK 20 foot access and utility easement per document 1115474 hereby vacated with the recording of this plat of subdivision LOT 30 PROJECT NO. 70-1249 TYPICAL SETBACKS BLECK Bleck Engineering Company, Inc. 1375 North Western Avenue Lake Forest, Illinois 60045 SHEET 1 OF 2 T 847.295.5200 bleckeng.com