

**Zoning Board of Appeals**  
**Proceedings of the July 23, 2018 Meeting**

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, July 23, 2018 at 6:30 p.m., in the Council Chambers at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Mark Pasquesi and Board members Richard Plonsker, Kevin Lewis, Mark Pasquesi and Lisa Nehring

Zoning Board of Appeals members absent: Board members Michael Sieman (one vacant)

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 Pasquesi reviewed the role of the Zoning Board of Appeals and asked members of the Board and staff to introduce themselves.

**2. Consideration of the minutes from the May 17, 2018 meeting.**

The minutes of the May 17, 2018 meeting were approved as submitted.

**3. Consideration of a request for approval of side and rear yard setback variances for an open, rear porch at 525 W. Deerpath.**

**Owner: Sally Grover**

**Representative: Matthew Kerouac, architect**

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

Mr. Kerouac described the property and noted that the property owner recently purchased the house and is completing renovations to make it accessible given her mobility limitations. He described the existing house and the existing encroachment into the side yards. He noted that the proposed rear porch addition does not exceed the existing encroachment of the house and extends 3 feet into the rear yard setback. He noted that the proposed project allows for a covered porch connection from the existing garage door, to the existing entry into the house. He explained that because the existing garage door is located in the side yard setback, the proposed porch also encroaches. He described the open nature and modest size of the proposed porch.

Ms. Friedrich explained side and rear yard setback variances are requested to allow construction of an open covered, rear porch on the south side of the residence. She noted that the property is zoned R-4, although it does not meet the minimum lot width or lot size requirements for that zoning district. She described the house as a modest single story ranch home with an attached garage. She noted that the request for the rear porch is to allow covered access from the garage to the house to meet the needs of the property owner who has limited mobility and desires a path, protected from the elements. She noted that the rear of the garage and about 13'6" of the house are located in the setback in the area where the connecting porch is proposed. She noted the proposed open, covered porch is stepped to match the wall of the house and is just over 7 feet deep, to provide a minimal covered connection between the doors of the garage and house. She noted that there are findings in the Board's packet to support the variance to allow the open, covered rear porch to be located no closer than 6'4" to the side property line and no closer than 47' to the rear property line consistent with the site plan submitted to the Board.

In response to questions from Board member Novit, Mr. Kerouac stated that there is a grade change from the floor of the garage to the floor of the house making an interior connection difficult. He noted that the house is compact presenting a further challenge to creating a functional door between the garage and the house.

In response to questions from Board member Nehring, Mr. Kerouac noted that the porch is supported by two piers and will have less impact on the tree than the existing concrete patio that will be removed.

In response to questions from Board member Nehring, Ms. Friedrich confirmed that the City's Arborist reviewed the proposed plan and is supportive of the project with respect to the work around the tree.

In response to questions from Board member Novit, Mr. Kerouac noted that both existing patios are planned for removal.

Hearing no further questions from the Board, Acting Chairman Sieman invited public testimony, hearing none, he returned the discussion to the Board.

Board member Nehring stated support for the variances. She offered that a heated surface on the porch might also be helpful in providing a safe connection.

Board member Lewis stated that the proposed porch and requested variances do not appear to have an adverse impact on the neighbors adding that no neighbors are present or submitted testimony. He noted however that the property owner purchased the home, with the existing encroachment, and knowing that they wanted

an accessible and covered entrance from the garage to the house. He noted that since there is no neighbor input, he is supportive of the variances.

Chairman Pasquesi stated agreement with comments of the other Board members. Hearing no further comments from the Board, he invited a motion.

Board member Lewis made a motion to recommend approval of rear and side yard variances to the City Council to allow a covered porch addition to be constructed no closer than 6 feet 4 inches to the side property line and no closer than 47 feet to the rear property line as shown on the site plan presented to the Board. He stated that the motion is based on findings detailed in the staff report and noted that the Board's discussion is also incorporated into the findings.

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

**4. Consideration of a request for approval of a side yard setback variance for a new dormer at 1195 McKinley Road.**

**Owner: Muhammad Rizwan**

**Representative: Gerald McManus, architect**

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

Mr. McManus introduced the petition, noting that Mr. Rizwan recently purchased the property with the intent to rehabilitate it. He reviewed the history of the property and explained that a variance is requested from the side yard setback to allow the construction of a dormer to allow for reconfiguration of an interior staircase to meet Code requirements and make the second floor habitable. He described the construction of the proposed stair noting that the home as it exists encroaches into the side yard setback by only a few inches along the north property line. He noted that the encroachment is slightly more at the west end of the house, than at the east end of the house. He noted that the existing eave on the house encroaches into the setback and may need repair or reconstruction as a result of the construction of the dormer. He described the relationship of the house and proposed dormer to the neighboring property.

Ms. Friedrich reviewed the request for a variance from the side yard setback requirement explaining that the variance is required to allow construction of a dormer along the north elevation of the existing home. She noted that the proposed dormer will allow the stairs inside the home to be reconfigured in a way that meets today's Codes. She stated that the existing house was constructed in 1928 and based on City records, the footprint of the house has been unchanged since the original

construction. She noted that the proposed dormer is located in an area of the existing house that encroaches into the 6 foot side yard setback by approximately 1 foot 6 inches, including the eave. She noted that as a result of changes to the public street over time, the lot does not meet the current minimum lot width and lot size requirements. She noted the staff report presents findings in support of the variance request to allow the dormer to encroach up to 18 inches into the side yard setback, the same extent as the existing house. She noted that the structure of the dormer itself, as proposed, will only encroach 2 inches into the setback, however it is likely that some reconstruction or repair of the existing eave, which is located wholly in the setback, will be necessary.

In response to questions from Board member Lewis, Ms. Friedrich clarified that a variance to allow encroachment of up to 18 inches is requested to allow reconstruction of the existing eave, if necessary.

In response to questions from Board member Lewis, Mr. McManus noted that in the process of opening the roof, to build the dormer, it may be necessary to reconstruct the rafters that extend into the setback. He noted that at the end of the project, the eave will not encroach any further than what exists today.

In response to questions from Board member Nehring, Mr. McManus clarified that the stairway will be reconstructed to provide adequate headroom which does not exist today.

In response to questions from Board member Lewis, Mr. McManus explained that the existing exterior wall may need to be thickened in order to support the proposed dormer addition if it is set back 2 inches to comply with the setback adding that the additional work required could be significant. He added that meeting the current insulation requirements in the Energy Code could also complicate the ability to construct the dormer fully within the allowable building area.

In response to questions from Chairman Pasquesi, Mr. McManus clarified that at the northwest corner of the proposed dormer, the encroachment into the setback will be 2 inches and at the northeast corner of the proposed dormer, there will be no encroachment.

In response to questions from Board member Nehring, Ms. Friedrich confirmed that the City's Lead Plans Examiner reviewed the plan preliminarily and will do a final review when the plans are submitted for permit to verify that the proposed construction is in compliance with applicable Codes.

In response to questions from Board member Lewis, Ms. Friedrich confirmed that the City's Lead Plans Examiner reviewed the plans preliminarily and agrees that the

dormer, at the proposed size, is necessary to allow the stairs to meet the applicable Code requirements.

In response to questions from Board member Lewis, Mr. McManus agreed that the stairs as proposed will be sufficient to meet the applicable Code requirements.

Hearing no further questions from the Board, Chairman Pasquesi invited public testimony. Hearing none, he returned the discussion to the Board.

Board member Lewis stated support for a variance of 2 inches to allow the construction of a new dormer. He added that he is also supportive of replacement, repair or reconstruction of the eave currently located within the side yard setback but stated that he does not support an open ended variance to allow an encroachment of up to 18 inches into the side yard setback.

Chairman Pasquesi agreed with Board member Lewis' statement. Hearing no further comments from the Board, he invited a motion.

Board member Lewis made a motion to recommend approval of a variance to the City Council to allow a dormer addition to extend 2 inches into the side yard setback and including repairs or reconstruction of the existing eave, which encroaches into the side yard setback, in its present configuration.

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

#### **5. Public testimony on non-agenda items.**

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

#### **6. Additional information from staff.**

Ms. Friedrich noted the next meeting is scheduled for Monday, August 27th.

The meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Michelle E. Friedrich  
Planning Technician