

**VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS MEETING MINUTES
February 14, 2019**

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, February 14, 2019 in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

The meeting was called to order at 7:30 p.m. Upon roll call, the following persons were:

Present: Chairman Frank Martin, Members Tagger O'Brien, Joanna Schubkegel, and Gerald Dombrowski
Absent: Members Michael Smetana and David Berni
Also Present: Secretary Clifford Radatz, Assistant Village Administrator Lisa Scheiner, Village Attorney Carmen Forte

II. APPROVAL OF SEPTEMBER 13, 2018 ZONING BOARD OF APPEALS MEETING MINUTES

A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to approve the minutes of the September 13, 2018 Zoning Board of Appeals meeting.

Chairman Martin stated that Member Schubkegel should not vote on the motions to approve the minutes because she was not on the Board at the time of the meeting.

Ayes: Members O'Brien, Dombrowski and Chairman Martin
Nays: None.
Motion passed.

III. APPROVAL OF SEPTEMBER 20, 2018 ZONING BOARD OF APPEALS MEETING MINUTES

A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to approve the minutes of the September 20, 2018 Zoning Board of Appeals meeting.

Ayes: Members O'Brien, Dombrowski and Chairman Martin
Nays: None.
Motion passed.

IV. VARIATION REQUEST FOR 1427 JACKSON AVENUE – LOT COVERAGE

Chairman Martin stated that the next matter on the agenda was a variation request for 1427 Jackson Avenue.

Secretary Radatz swore in all parties wishing to speak.

Michael Trilla of HJH Homes introduced himself as a partner in the firm which is renovating the property at 1427 Jackson Avenue. He noted that Mr. Hank Haff, who signed the application for the Zoning Variation was not able to attend the meeting. Mr. Trilla noted that the property does not have a garage, which does not comply with the requirement of the Zoning Ordinance for two enclosed parking spaces. They are proposing to construct a garage on the property, but the new garage will increase the Lot Coverage of the site to 31.96%, which exceeds the Lot Coverage of 30% allowed by the Zoning Ordinance.

Mr. Trilla noted that prospective home buyers require a garage for the storage of their motor vehicles and various possessions.

Member O'Brien asked whether there was ever a garage on the property. Mr. Trilla indicated that he did not know for sure.

Chairman Martin noted that the application was signed by Hank Haff, and asked who owns the property. Mr. Trilla noted that the property is owned by HJH Homes; Hank Haff is the principal of the firm, and that Mr. Trilla was a partner in this acquisition. Chairman Martin asked if the application could be amended to show that HJH Homes is the owner of the property, and that Mr. Haff is acting as agent for the owner. Mr. Trilla agreed that the application could be amended.

Dennis McMurray, who resides at 1429 Jackson Avenue, spoke in opposition to the variation due to concerns regarding flooding and drainage. Mr. McMurray fears that the water problems on his property will be exacerbated by the addition of the proposed garage and extension of the driveway.

Linda Binder, 1422 Monroe, spoke in opposition to the variation due to concerns regarding flooding and drainage. Ms. Binder stated that the lot at 1427 Jackson slopes towards her backyard as well as it slopes towards Mr. McMurray's property. She also fears that the addition of a garage and driveway will increase flooding in her backyard. She suggested that the developer should be considering previous pavers to decrease the run-off from the site.

John Binder, 1422 Monroe, spoke in opposition to the variation due to concerns regarding flooding. Mr. Binder stated that the 1400 block of Monroe has widespread problems with drainage.

Mr. Trilla expressed a willingness to work toward a solution for the drainage problems which are affecting the neighboring properties. He went on to state that the addition of a garage to the subject property would improve the value of the neighboring properties. He noted that the lack of a garage would be a hardship in marketing this property to prospective buyers.

Chairman Martin asked if he or any of his partners live in the house or have any intention to live in the house. Mr. Trilla answered "No". Chairman Martin asked if the property was purchased at a foreclosure sale. Mr. Trilla acknowledged that it was. Chairman Martin asked if the intention is to renovate the property and re-sell it. Mr. Trilla agreed that that is the intention. Chairman Martin asked if the owners thought that they could get more for the property with a garage than without. Mr. Trilla answered "Absolutely", but noted that this wasn't the sole reason for requesting the variation and that he believed that the house would sell either with a garage or without.

Chairman Martin closed the public hearing and explained the process.

Member Dombrowski asked if Building Official Radatz was confident in the numbers regarding lot coverage. Mr. Radatz explained that staff relied on a recent property survey which counts only structures toward lot coverage calculations.

Member O'Brien inquired about alternative paving materials to mitigate flooding, for the driveway extension and for replacement of the existing driveway. Ms. O'Brien asked if the subject property has water problems. Mr. Trilla indicated that he had not noticed any.

Mr. Radatz explained that Building Permit process includes a requirement to submit an engineered Grading and Drainage plan for projects where a new accessory building is to be constructed.

Member Dombrowski asked the applicant if they have already started renovating the home. Mr. Trilla stated that the renovation work was in progress.

Chairman Martin asked if someone would like to make a motion regarding the matter before the ZBA.

Village Attorney Carmen Forte advised the Board members that a vote in favor of the requested variation indicates that they have found that the applicant has satisfied each of the 8 Standards. If a member votes against the motion, Attorney Forte asked that the reason be stated so that Village Board can consider which Standard the member believes has not been met when the variation comes before them. He also noted that with only 4 member of the Zoning Board present, that unless the variation is recommended unanimously, the Village Board will need 4 votes to approve the variation rather than a simple majority.

Mr. Trilla asked if there were any questions regarding the applicant's responses to the 8 Standards. Chairman Martin indicated that there were none.

A MOTION was made by Member Dombrowski and SECONDED by Member O'Brien to recommend to the Village Board of Trustees that this request for variation be granted.

Chairman Martin asked if there was any discussion regarding the matter.

Member O'Brien noted her concern about the drainage conditions, but acknowledged the need for a garage. Member O'Brien noted that the variation should be contingent upon solving the drainage

problems, so that the runoff onto neighboring properties is equal to or less than the current condition.

Chairman Martin asked if she was asking Member Dombrowski to amend his motion. Ms. O'Brien agreed.

In response to a question from Chairman Martin, Member Dombrowski agreed to amend his motion, to recommend to the Village Board that the variation be granted subject to the provision of an engineering report that indicates that the construction of the proposed garage and driveway improvements will not result in an increase in runoff onto the adjoining properties greater than that which currently exists. Ms. O'Brien seconded the amended motion.

Chairman Martin called the motion.

Ayes: Members Dombrowski, O'Brien (noting that the engineering to resolve the drainage problems is necessary to satisfy Standard #5), Schubkegel

Nays: Chairman Martin (noting that Standard #4 has not been met; citing the applicant's testimony that the purpose of constructing the garage is to sell the property for more money than the applicant can without the garage.)

Chairman Martin announced that the Zoning Board has voted 3 to 1 in favor of the motion to recommend the variation be granted by the Village Board, subject to conditions. Village Attorney Forte advised that since the recommendation lacked four affirmative votes from the Zoning Board of Appeals, the variation must be presented to the Village Board as a recommendation NOT to approve the requested variation.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

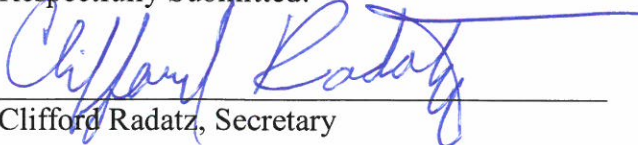
A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to adjourn the meeting at 8:00 p.m.


Ayes: Members O'Brien, Dombrowski, Schubkegel, and Chairman Martin

Nays: None.

Motion passed.

Respectfully Submitted:


Clifford Radatz, Secretary


Frank Martin, Chairman
Zoning Board of Appeals

Date: 3/14/2019