



RIVER FOREST ZONING BOARD OF APPEALS

MEETING AGENDA

A meeting of the River Forest Zoning Board of Appeals will be held on Wednesday, March 8, 2018 at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

- I. Call to Order
- II. Continuation of the Hearing of February 8, 2018 for the Variation Requests for 631 Edgewood Place
- III. Adjournment

LOT COVERAGE

8969 SQ.FT. (LOT SIZE) X .30 = 2690.7 SQ.FT. ALLOWABLE

EXISTING HOME = 1251.3 SQ.FT. (FOOTPRINT)

EXISTING PORCH = 130.98 SQ.FT.

ENTRY CANOPY = 31.17 SQ.FT.

NEW GARAGE = 484 SQ.FT.

TOTAL LOT COVERAGE = 1897.45 SQ.FT.

EDGEWOOD PLACE

PROPERTY LINE

FRONT YARD SETBACK
21'-1 15/16" (21.17')

EXIST. SIDEWALK
134 SQ.FT.

EXIST. ENTRY
CANOPY
31.17 SQ.FT.

EXISTING HOME
1251.3 SQ.FT.
(FOOTPRINT)

EXISTING PORCH
130.98 SQ.FT.

NEW PITIO
228 SQ.FT.

NEW GARAGE
484 SQ.FT.

NEW DRIVEWAY
620 SQ.FT.

LINE OF NEW
DRIVEWAY

ROTATED GARAGE
MAKES MANEUVERING
FOR BOTH CARS MORE
DIFFICULT THAN THE
PROPOSED A1 ORIENTATION

SIDEYARD SETBACK
(REQUESTING VARIATION)

ROOF ENCROACHMENT
(REQUESTING VARIATION)

LINE OF TREE ROOTS-
KEEP GARAGE FND. CLEAR

1 SITE PLAN
3/32" = 1'-0"



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HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

SITE PLAN

Project number

1706

Date

2-20-2018

Drawn by

SOS

Checked by

KRS

Scale 3/32" = 1'-0"

B1



① FRONT ELEVATION
1/8" = 1'-0"



② Front 3D

FRONT VIEWS

Project number	1706	B2
Date	2-20-2018	
Drawn by	Author	
Checked by	Checker	Scale 1/8" = 1'-0"

HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

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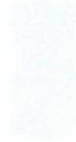
DRAWING KEY



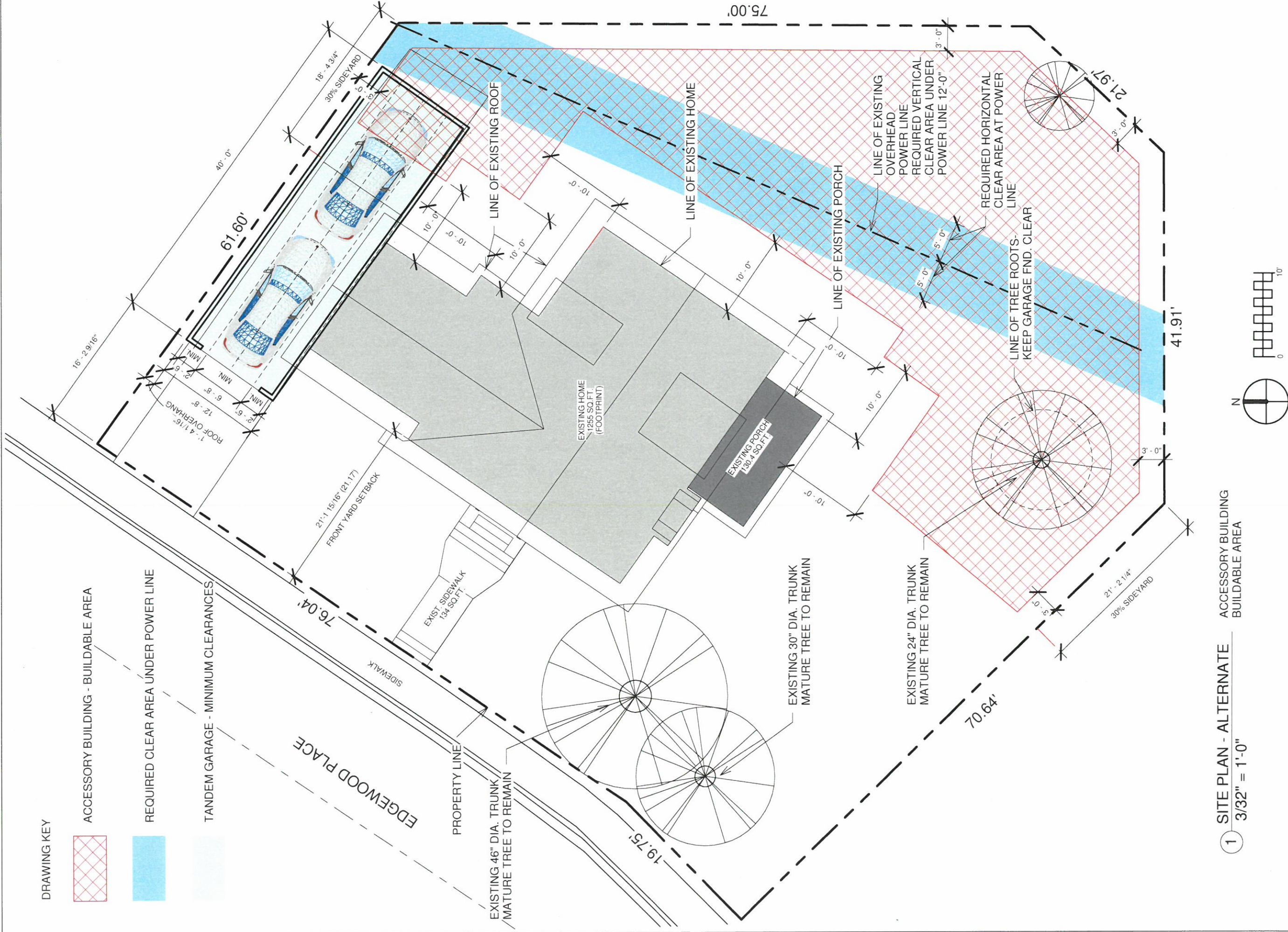
ACCESSORY BUILDING - BUILDABLE AREA



REQUIRED CLEAR AREA UNDER POWER LINE

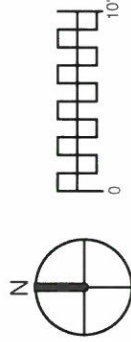


TANDEM GARAGE - MINIMUM CLEARANCES



1 SITE PLAN - ALTERNATE
3/32" = 1'-0"

ACCESSORY BUILDING
BUILDABLE AREA



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HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

SITE PLAN - ALTERNATE

Project number	1706
Date	2-20-2018
Drawn by	Author
Checked by	Checker
Scale	3/32" = 1'-0"

LOT COVERAGE

8969 SQ.FT. (LOT SIZE) X .30 = 2690.7 SQ.FT. ALLOWABLE

EXISTING HOME = 1251.3 SQ.FT. (FOOTPRINT)

EXISTING PORCH = 130.98 SQ.FT.

ENTRY CANOPY = 31.17 SQ.FT.

NEW GARAGE = 484 SQ.FT.

TOTAL LOT COVERAGE = 1897.45 SQ.FT.

EDGEWOOD PLACE

PROPERTY LINE

FRONT YARD SETBACK
21'-1 15/16" (21.17')

SIDEWALK

EXIST. SIDEWALK
734 SQ.FT.

EXIST. ENTRY
CANOPY
31.17 SQ.FT.

EXISTING HOME
1251.3 SQ.FT.
(FOOTPRINT)

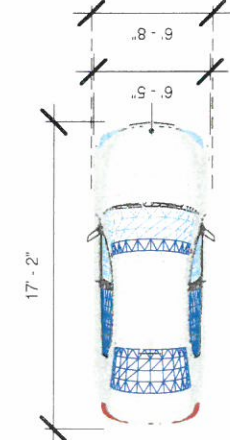
EXISTING PORCH
130.98 SQ.FT.

NEW PATIO
183 SQ.FT.

NEW DRIVEWAY
661 SQ.FT.

NEW GARAGE
484 SQ.FT.

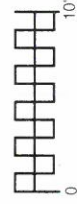
SIDEYARD SETBACK
(REQUESTING VARIATION)



TYPICAL AUTOMOBILE
6'-8" WIDE - DESIGN STANDARD
FOR ACCESS CLEARANCES



1 SITE PLAN
3/32" = 1'-0"



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HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

SITE PLAN

Project number	1706
Date	2-26-2018
Drawn by	SOS
Checked by	KRS
Scale	3/32" = 1'-0"



1 FRONT ELEVATION
1/8" = 1'-0"



2 Front 3D

FRONT VIEWS

Project number	1706
Date	2-26-2018
Drawn by	Author
Checked by	Checker
Scale	1/8" = 1'-0"

HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

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Zoning Board of Appeals
Village of River Forest
400 Park Ave.
River Forest, IL 60305

2/27/18

re: 631 Edgewood

Committee Members,

I live at 8011 Oak Ave., which is next door to 631 Edgewood. The front of my house faces Oak, but I have a porch and patio on the Edgewood side of the house (Oak curves into Edgewood at my house). Like other houses in River Forest, I have an irregularly shaped lot and much of my outdoor living space is on the side of my house. I oppose the construction of a garage at 631 Edgewood on the north side of the house as it would substantially change views from my porch and patio, and create a situation that I would not be able to improve with the use of landscaping or other means. I have attached photos of the view from my porch (which faces southwest) and my patio, which faces north, west and south. My concerns are as follows:

1. The proposed alternative site of the garage would set a 42' wall at the edge of my driveway.
2. There would be very little separation from the garage wall and my driveway, and would require the removal of mature landscaping of bushes, trees and grasses (that I planted). These plantings separate the Huston driveway from my driveway and act as visual screen, especially in spring, summer and fall. It does not appear that there would be enough room to plant new landscaping or move existing landscaping to screen my yard from the new garage.
3. The views from my porch and patio would be obstructed by the new garage. (see photos)
4. Unlike many streets that are straight, Oak curves into Edgewood, and as people walk or drive around that curve (which many do as people use the Forest preserve for recreation) they would see the entirety of the length of the garage. I believe this would decrease the value of my home. I have renovated my home with an eye to the aesthetics of the village and was given an Award of Merit by the Historic Preservation Commission in 2009. It would be a disappointment to have that effort, and the effort of the Village diminished by a structure that does not have to be built in that particular spot.

I support the original proposal to build a garage on the north side of 631 Edgewood, and hope that you will approve that site, as I believe there is more room and it is a more fitting location for a garage.

Sincerely,

Trina Bock

Trina Bockus



View from the top step of the porch.



View from the patio looking north

Maureen F. Huston
631 Edgewood Place
River Forest, IL 60305

Tuesday, February 27, 2018

RE: Response to Letter of Objection submitted by Kevin and Katie Horan of 623 Edgewood Place

To Whom It May Concern:

Please see responses to the letter of objection submitted by Kevin and Katie Horan, of 623 Edgewood Place. This letter was written in response to my application for variations to build a detached one-story garage at 631 Edgewood Place. The content of the Horans' letter is reproduced below (*inset italics.*) Several of the objections raised by Mr. and Mrs. Horan are based on errors of fact. (Recall that I lived in the house at 623 Edgewood Place for over 20 years. I built the addition and garage, and am very familiar with the conditions discussed and how they affect the property.) My response follows each section. In addition, since several of the Horan's factual errors were repeated in the letter multiple times; for simplicity, I duplicated my response below each allegation.

1) ***RE: Zoning Application Variation for 631 Edgewood Place***

"Pursuant to the Rules of Procedure for the Zoning Board of Appeals, we write to express our opposition to the zoning variation application submitted by Maureen Huston for the construction of a two-story garage in the side yard of 631 Edgewood Place."

- The application and plans submitted are for a **one-story garage**.

2) *"We live next door, with our two young children, at 623 Edgewood Place. As neighbors who live directly Southeast of the proposed garage construction, we will be the most severely impacted if the zoning variation is approved."*

- 623 Edgewood lies **southwest** of the property at issue at 631 Edgewood Place.

3) *"While it is not our intent to alienate our neighbors or to limit their use and enjoyment of their own property, we are very concerned about both the short-term and long-term negative impact on us and our property if this garage were to be constructed in their proposed area, in violation of the established side-yard setback requirements."*

- While living near construction is a temporary inconvenience, in the long run, building a garage to park vehicles out of view from the street will permanently enhance the aesthetic of the neighborhood.
- The unique shape and conditions that affect my property result in the inability to build an accessible two-car garage within setback requirements; hence the application for variations.

- 4) *“My wife and I both grew up in River Forest (she on the 900 block of Jackson Ave. and I on the 800 block of Clinton Place) and have life-long ties to this community. We searched for over two years before purchasing our first home and chose River Forest, and the Edgewood neighborhood in particular, for its unique character. We appreciate the winding street, plentiful trees and **open sight lines**.”*
- As depicted on the original drawings submitted (see A-1, D-1), the proposed placement of the garage is set approximately **10 feet behind the front façade of the existing house** on the property at issue, as well as **behind the front façade of 623 Edgewood Place**.
 - The proposed garage site (depicted in A-1, D-1) would have **no impact on any property’s direct view of the forest preserve** across the street, though a tandem garage (C-1) would significantly impair the view of our neighbor to the northeast at 8011 Oak Ave, as well as negatively impact her property value. (See Letter of Objection from Katrina Bockus.)
 - The proposed placement of the garage would impact the neighbor’s **“open sight lines” as viewed only across my property**.
 - **Property views are not considered a right incident to the land** unless acquired pursuant to an express grant or covenant. The current general rule in Illinois and most of the U.S. states that a right to view, like a right to light or air, can only arise by express grant or covenant.
 - The Illinois Courts have repeatedly held that one property owner may not acquire a prescriptive or implied right to unobstructed light, air, ventilation or a view over the land of another. [*Guest v. Reynolds* (1873), *Keating v. Springer* (1893), *Baird v. Hannah* (1927), *Baron v. Abt* (1965), *People Ex Rel Hoogaisan v. Sears, Roebuck & Co.* (1972), *Infinity Broad Corp. of IL* (1987), et. al.]
 - **River Forest has no ordinance preserving a neighbor’s right to preserve a view across an adjacent residential property**, and no such express easement has been granted.
- 5) *“We value the consistency with established Village zoning that keeps the neighborhood uniform and preserves its history and character. The Village’s zoning code is “intended to promote the public safety, health, convenience, comfort, preservation of property values and general welfare of the Village.” Based on our review of the drawings provided to us, the application for variation, if approved, will result in a detached **two-story** structure situated **within 12 feet our home and 10 feet of the sidewalk**.”*
- I am seeking a permit for a **one-story** garage.
 - The existing **house at 623 Edgewood** is the **approximately 13 feet from the property line**, and **16 feet from closest point of the proposed garage site** (per Plat of Survey, and drawings A-1, B-1, D-1.)
 - The front of the **garage** structure would be a minimum of **31 feet from the sidewalk**. (See drawings A-1, B-1, D-1.)
- 6) *“This will drastically **change the character of the neighborhood, depreciate the value of***

surrounding properties, ...”

- Building a 2-car garage will enhance the aesthetic value of the neighborhood; as designed, the garage would improve the view and appeal of the property in addition to keeping vehicles out of view of the street.
- The proposed structure was carefully designed with attention to detail to match the existing style of the existing architecturally significant home. The architects reviewed the original blueprints, drawn by Robert S. Spencer in 1919 for finishing details, materials, and proportions to match the existing structure. The goal is to make the garage look as if it could have been built with the house.
- While building a garage does not add significantly to the resale value of the property, it would improve the use and enjoyment of the property. The ability to park vehicles out of view of the street contributes to the visual appeal of the neighborhood, which reflects positively on neighboring properties.

7) *“... and transform our driveway into a dark tunnel, ...”*

- The proposed garage would cast a shadow on the driveway adjacent to the front (northern) corner of the house prior to 7 am for a few weeks in late spring only.²
- The angle of the garage’s gabled roof peak would be oriented northeast-southwest, minimizing the extent of any shadow cast by the garage to the south and east.
- In fact, **the existing house itself at 623 Edgewood shades the driveway and planting beds** along the northeast side of the property.

² See Solar Path diagrams for 2018 (images represent “first light” on days represented):

- March Equinox <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.03.20/07:00/5.75/0>
- June Solstice <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.06.25/07:00/5.75/0>
- September Equinox <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.09.22/07:00/5.75/0>
- December Solstice <https://www.suncalc.org/#/41.8911,87.8267,20/2018.12.21/07:00/5.75/0>

8) *“... creating a permanent safety hazard for our children.”*

- The front corner of the proposed garage (closest to the neighbor’s driveway) would be set **almost 35 feet from the base of the driveway** at the public sidewalk, and **behind the front façade of the existing home at 623 Edgewood.**
- The **existing home at 623 Edgewood** is set approximately 32 feet from the public walk, **closer than the nearest adjacent corner of the proposed garage.**
- Current visibility from the driveway is also affected by an **existing 4’ wooden fence** on the property line (northeast of the driveway), which extends several feet beyond the front façade of the existing house at 623 Edgewood, and approximately **10 feet beyond the**

front of the proposed garage. Even the fence ends just over 26 feet from the sidewalk, so there is ample room for a car to stop on the driveway several feet from the public sidewalk for a clear view of the sidewalk and street before proceeding.

- 9) *“The application seeks not one, but three (3) separate variations: side yard setback (3 feet vs. 9.58 feet); roof eave setback (2 feet vs. 3 feet); and combined side yard setback (14 feet to the northeast property line but only 2 feet to ours). Based on the drawings we were provided, the garage would rise 18 feet above street level and be prominently placed in the front of the property.”*
- The elevation as indicated on the elevation (A-2) indicates the proposed gable roof height at **18 feet above the elevation of the public sidewalk**; this is not the height of the proposed structure from the garage foundation to the roof line.
 - The proposed roof elevation is compliant with River Forest Village Code, Title 10, Chapter 8, Section 6.A:
 - o An accessory building or structure erected or structurally altered shall not exceed eighteen feet in height or one and one-half stories, whichever is less, and an accessory building shall not include an inhabitable second floor.
 - Due to the gradual rise of the property from the street to the proposed location for the garage, the height of the actual structure would be less than 18'. Finished height will depend on a number of factors yet to be determined, including final location, and required grading and excavation, etc. prior to pouring the foundation. In any case, the elevation *from the sidewalk* will not exceed 18 feet, and may be less.
 - At the Zoning Board meeting on February 8th, 2018, Mr. Horan stated that the elevation of his two-story garage is “18 feet”, however, based on the elevation from the public sidewalk, the **two-story garage** at 623 Edgewood Place is **in excess of 21 feet**.
 - The proposed garage would be visible from the front of the property, but as shown in the drawings (A-1, D-1), the front of the structure would be about 10 feet behind the front façade of the existing house on the property, and behind the façade of the existing home at 623 Edgewood. While the garage design will reflect the architecture of the existing house, it is smaller and set back, and designed to complement the house without upstaging or detracting from it.
- 10) *“The eaves of the proposed garage would reach within 2 feet of our property line, obstructing sunlight to our driveway and yard, and shading the entire eastern façade of our*

home.”

- Due to the unusual angle of the street, the orientation of the home at 623 Edgewood is offset, such that the corners of the structure point North, South, East, and West, and the façades face NE, NW, SE, and SW. **The only “eastern façade”** on a structure at 623 Edgewood **is the side of the garage**, which lies immediately adjacent to the taller two-story garage at 616 Thatcher.
- The façade of the home closest to the proposed garage site faces **northeast**, while the rear of the home faces **southeast**. Most of the “eastern façade” of the existing home is further east and south of the proposed garage, and would be completely unaffected and in fact, out of view of the proposed structure.
- **The northeast façade of the house does not get direct sunlight.**
- The proposed **garage would cast a shadow on the driveway** adjacent to the front (northern) corner of the house **prior to 7:00 a.m. for a few weeks in late Spring each year**. The garage shadow would most likely affect the driveway for a brief time early in the morning, during a few weeks in early summer.
- Any shadowing is **further minimized by the significant topographic difference between the properties**, further reducing the comparative height of the proposed garage against the height of the existing house. (See topographic survey, and photos attached.)
- See Solar Path diagrams for 2018 (images represent “first light” on days represented):
 - March Equinox <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.03.20/07:00/5.75/0>
 - June Solstice <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.06.25/07:00/5.75/0>
 - September Equinox <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.09.22/07:00/5.75/0>
 - December Solstice <https://www.suncalc.org/#/41.8911,87.8267,20/2018.12.21/07:00/5.75/0>

11) *“This would negatively impact the use and enjoyment of both the exterior and interior of our home in at least three ways: 1. there is virtually no chance any grass or plants would grow in the shadow of this structure;”*

- As demonstrated in the solar path diagrams, the northeast side of the house at 623 Edgewood gets **little or direct sunlight**. Shade on the northeast side of the property is from the house itself at 623 Edgewood Place.
- During the 22 years I lived at 623 Edgewood Place I was not able to grow grass, but I could grow shade-loving groundcover and annuals on the northeast side of the property.

12) “2. *[S]unlight would be obstructed to our living room, kitchen, breakfast room, and two upstairs bedrooms.*”

- The **living room windows** face northwest (the front of the house) and southwest, on the **opposite side of the house from the proposed garage.**
- The **breakfast room and kitchen windows are further east** (closer to the path of the sun) than the proposed garage; given the path of the sun throughout the year, **the garage could never cast shadows on these windows.**
- See Solar Path diagrams for 2018 (images represent “first light” on days represented):
 - March Equinox <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.03.20/07:00/5.75/0>
 - June Solstice <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.06.25/07:00/5.75/0>
 - September Equinox <https://www.suncalc.org/#/41.8911,-87.8267,20/2018.09.22/07:00/5.75/0>
 - December Solstice <https://www.suncalc.org/#/41.8911,87.8267,20/2018.12.21/07:00/5.75/0>
- Even if the garage were set farther back in line with the path of the sun, the **second floor windows would be well above any shadow** cast by the gabled roofline of the garage.
- As demonstrated on the solar path diagrams, **the home itself at 623 Edgewood blocks sunlight to the northeast** side of the property (and shades the southwestern yard of 631 Edgewood every afternoon – not vice versa.)

13) 3. *The only sight from every east-facing window of our home would be the garage at 631 Edgewood Place;*

- The property at 623 Edgewood has direct unobstructed view of the forest preserve across the street. The unobstructed view extends the length of the angled section of Edgewood Place (from 600 Edgewood to Oak Ave -- see photo attached.)
- Due to the unusual angle of the street, the position of the home at 623 Edgewood is offset, such that the corners of the structure face North, South, East, and West. The front of the home across from the forest preserve faces northwest; the far side faces southwest; the side of the home adjacent to the proposed garage site faces **northeast**, while the rear of the home faces **southeast**. Therefore, **two sides of the home face easterly.**
- The home would have **unobstructed views from the southeast** side of the home, and at most, a **partially obstructed view from the northeast windows**; the bottom of the **second floor windows would be above the gabled roofline** of the proposed garage.
- It is not our intent or desire to alienate our neighbors or to limit their use and enjoyment of their property, however as stated above, in the absence of a local ordinance or an express easement, **a neighbor has no right to preserve a view over the land of another.**

- 14) *“The garage would create a **blind spot for those walking or pulling out of our driveway onto a street with an already-dangerous curve.**”*
- The driveway for 623 Edgewood is adjacent to a very slight angle on Edgewood Place (approximately 11°, per survey); the driveway is about 220 feet (two properties) from the 45° curve to the southwest, and about 220 feet (two properties) to the 55° curve to the northeast.
 - The garage would not contribute to a “blind spot” since the front of the proposed **garage** would be **set back, behind the façades of both 623 and 631 Edgewood**. The southwest corner of the garage (closest to the property line) would be **about 35 feet from the public sidewalk**.
 - The front façade of the existing home at **623 Edgewood** is approximately **32 feet from the public sidewalk**, so the existing house is more of a visual barrier than the proposed garage.
 - Furthermore, an existing **4 foot wooden fence** on the property line extends **more than 7 feet beyond the front façade** of the house at 623 Edgewood Place, and about **10 feet beyond the corner of the proposed garage**.
- 15) *“There is **no reason, other than inconvenience, that a proposed garage cannot be constructed without a zoning variation. Any proposed garage construction can and should be accomplished within the existing Village zoning requirements.***
*Zoning code variations are granted if eight established standards are satisfied (Section 10/5/4F). From our review **the application for 631 Edgewood Place conflicts with at least four of the listed standards:***
- The eight standards were thoroughly addressed in the original application, and clearly outline several factors to demonstrate that building a garage is not based on “inconvenience” but rather specific hardships unique to this property at issue.
- 16) ***I. The physical surroundings, shape or typographical conditions of the specific property involved with bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out.***
- While we are aware of the irregular shape of the lot at 631 Edgewood Place (as our property has this in common) **this is an inconvenience, not a hardship. There is nothing inherently flawed about the property that results in a ‘specific hardship.’**”*
- The lot at **623 Edgewood Place has five sides; 631 Edgewood has seven sides.**
 - Irregularly shaped lots can create inherent hardships in complying with the strict letter of the regulations, as distinguished from mere inconveniences.
 - The addition, garage, and other improvements at **623 Edgewood Place required several variations** to obtain permits.

- 17) *“The dimensions and layout of the property were known to the owner when it was purchased. It was known that the layout might present certain limitations, especially in constructing the “ideal garage” given the lot’s shape and size.”*
- I am not seeking to build an “ideal garage.” I am seeking to build a basic detached two-car enclosed parking structure as **required by Ordinance** for a single-family residence in River Forest.
- 18) *“However, there are at least two options for garage construction that don’t require a zoning variation. First, the existing curb cut and driveway to the East of the residence could accommodate the construction of a garage where, it is assumed, the original garage is located.”*
- The original site housed a **horse barn, not a garage**. It was too small to accommodate even a single subcompact vehicle.
 - The original site is located adjacent to the main utility pole at the rear corner of the northeast property line; **clearance regulations prohibit rebuilding on the original site**.
 - The northeast wall of the existing **house is 14 feet from the property line**, so a garage would have to be “attached “ to the house (adjacent to a bedroom.) Despite being “attached”, there would be no way to provide egress to the house from the garage.
 - The standard width of a single or tandem garage is 14’, which would put the wall of the garage ON the property line.
 - A minimum width attached garage would be 12’8”, which would place a minimum 1’ eave less than ½ foot from the property line.
 - The architectural design of the existing home would make it impossible to match the style or blend the roofline of an attached garage. This property was built by Robert S. Spencer in 1919, and is listed as a Significant Property by the Historic Preservation Commission. A tandem garage on the northeast side of the existing house would be unsightly, but it would destroy the historical character of the home. As such, it would be in direct violation of several provisions of the Historic Preservation Regulations, as adopted by the Village Board of Trustees.
 - Building a tandem garage would have a **significant negative impact on the adjacent neighboring property at 8011 Oak Ave**. A garage on the northeast side of the home (existing curb cut) would require several variations.
 - A garage on the northeast side of the property would significantly impair the use and enjoyment of 8011 Oak, and it would negatively impact the property value, and in turn surrounding properties as well. The existing house on the lot at 8011 Oak is oriented such that the porch and patio would face the 40-foot wall of the garage.

- The close proximity to the property line would require the removal of shrubs and grasses planted on the property line by the homeowner at 8011 Oak as a visual screen to separate the existing adjacent driveways. The proximity of the existing paved driveway at 8011 Oak would leave no room to move or replace plantings to offset the length of the garage wall.)
 - The 40-foot garage wall would be prominently visible to foot and vehicle traffic traveling southwest on Edgewood Place. Because the garage would extend several feet beyond the already short front setback of the existing home, it would also block the view of properties to the southwest, negatively impacting visual appeal and detracting from the aesthetic value of property in the immediate area.
 - (See Letter of Objection from Katrina Bockus of 8011 Oak Ave, River Forest.)
 - Placement of a tandem garage (drawing D-1) on the northeastern side of 631 Edgewood would also present a legitimate **blind spot and safety hazard**, as it would extend beyond the already short front setback of 21 feet to the front of the existing house, further limiting visibility to traffic in both directions. The length of the driveway would extend less than one full car-length between the garage door and the public sidewalk. (See C-1.)
 - The existing curb cut is about 115 feet from the blind corner at Oak Avenue. Visibility from the existing driveway is already limited by the presence of continuous hedges adjacent to the public sidewalk, 5 feet from the curb on Edgewood, and extending around the corner.
 - The driveway would extend less than one full car-length from the garage door to the public sidewalk, severely limiting visibility of foot or street traffic when backing out.
- 19) *“Second, a garage could be constructed in the rear 1/3 of the property, in compliance with current zoning requirements, if utility lines were re-routed or buried. While either option may present sacrifices with regard to size or expense, these are inconveniences, not hardships, as defined in Section 10/5/4F.”*
- The barriers to building a garage in the rear 1/3 of the lot are not mere inconveniences.
 - In light of the poor drainage and frequently standing water in the rear yard, the ComEd Field agent indicated that ComEd would not want to bury the main power lines.
 - Even if power lines were moved to the property lines, the rear 1/3 of the property at issue is prone to significant flooding, despite three sub-soil drainage pits. (The depressed contour of the rear yard is well documented on the topographic survey and photographs submitted with the original application.)
 - To comply with setback requirements to property lines and the existing house structure, the only location the garage could be placed would require an estimated 50-60% impermeable surface coverage in the rear yard in addition to current impermeable surface coverage. (In total, impermeable surface coverage would be times the current total proposal.)

- Increasing impermeable surface coverage in the rear of the lot would further exacerbate the drainage issues, significantly increasing the volume of storm water run off.
 - As illustrated in the photos previously submitted, despite three sub-soil drainage pits, the property already receives more water than it can absorb. Increasing storm water run off would increase the volume of excess water to be diverted to storm drains.
 - Illinois law prohibits a landowner from impeding or interfering with natural drainage from adjoining properties; the lower property is bound to receive surface water that naturally flows onto it from higher ground. A landowner has no right to obstruct the flow of surface water, and no right to build an artificial structure that will interfere with the drainage of higher land, according to civil law as it is applied in Illinois.
 - Reducing the permeable surface or interrupting storm water run-off increases the volume of standing water and associated health risks by providing breeding ground for insects, including mosquito larvae and fly maggots.
- 20) ***“III. The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification.***
- The conditions of the property located at 631 Edgewood apply equally to each adjoining property: each is irregularly shaped and has attendant limitations.”*
- It is true that many surrounding properties are irregularly shaped, and each has “attendant limitations”, however the combination of conditions that impact the property at 631 Edgewood Place are, in fact, unique.
 - The fact that other properties also have unique conditions does make the ‘attendant limitations; “equal” to other properties. The **unique challenges** related to the irregular 7-sided lot, severe drainage issues, long span of main utility lines across the rear yard, and the location of mature trees, and placement of the existing house structure **do not “apply equally” to any other property in River Forest.**
- 21) *“However, each parcel adjoining 631 is in compliance with Village zoning standards, with a garage built in the rear 1/3 of the property.”*
- When I built the garage at 623 Edgewood Place in the mid-1990s, it required several variances, including a height variation under River Forest Village Code, Title 10, Chapter 8, Section 6.A:
 - o An accessory building or structure erected or structurally altered shall not exceed eighteen feet in height or one and one-half stories, whichever is less, and an accessory building shall not include an inhabitable second floor.

- The garage at 623 Edgewood Place was built as a two-story accessory structure, including a habitable 2nd floor, with roof height that exceeds 18 feet above sidewalk elevation. It also required additional setback regulations, since both the side of the garage and the eaves violate setback requirements from the rear (easterly) property line.
 - The inability to strictly comply with Village zoning standards is not uncommon, even among adjacent properties. For example, the homeowners at 8011 Oak, 620 Thatcher, and 618 Thatcher also have garages that do not strictly comply with current Village Code.
- 22) *“Further, any garage not in the rear 1/3 of the property on Edgewood Place is an attached garage.”*
- The homes at 518 Edgewood Place and 522 Edgewood Place both have detached garages not built in the rear 1/3 of their lots. There are several more examples in River Forest.
- 23) *Moreover, to our knowledge, there are no detached garages situated in the front 2/3 of any property anywhere in the Village; much less two-story structures located within 10 feet of sidewalk.”*
- Many homes in River Forest have garages in close proximity to the public sidewalk. For example, 7968 Iowa (attached garage), 702 Forest, 903 Keystone, and 632 Ashland, and 633 Ashland (all detached) have garages in close proximity to the public sidewalk, to name just a few.
 - The proposed garage would be **more than 30 feet from the public sidewalk.**
- 24) *“The proposed application not only seeks to construct a two-story, detached garage, but one that is in conflict with at least three zoning codes, negatively impacts neighboring property, and would require the removal of at least two large old-growth trees from the front yard of the property.”*
- I am seeking to build a **one-story** detached garage with a gable roof.
 - One of the reasons the garage is proposed near the southwest property line is to **preserve the three mature trees** that remain on this property after losing several mature trees to disease. (Emerald Ash borer and Dutch Elm disease.)
- 25) *“VI. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.*

Based on the submitted drawings, the garage structure will be even with the front of the residence and thus less than 10 feet from the sidewalk."

- As indicated on the submitted drawings (A-2, B-2, D-2), at the closest point, the **garage structure is more than 30 feet from the public sidewalk.**
- The garage is approximately the **same distance from the sidewalk** as the front façade of **the house at 623 Edgewood.**
- On the property at issue, the front of the **existing residence is 21 feet from the sidewalk.**
- Illinois Municipal Code (5 ILCS 5/11-74.4-3.G) defines inadequate ventilation, light, and air as follows:
 - o The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials.
 - o **Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces** or rooms and improper window sizes and amounts by room area to window area ratios.
- Building a garage would not impair adequate light, air or ventilation to 623 Edgewood.

26) *The peak of the proposed structure would be equal to the height of our home's gutters.*

- As depicted in submitted elevation drawings (A-2, B-2, D-2) , the peak of the **garage roof line is 18 feet.**
- This is well below the gutters (**over 22 feet**) at 623 Edgewood.
- The proposed garage roofline would be at about the level of the bottom of 2nd floor windows at 623 Edgewood.

27) *"This would negatively impact our property in both an immediate and permanent fashion. Notwithstanding the inconveniences associated with construction, the proposed structure will eliminate sight lines to the forest preserve from our home and will permanently shade our home and our yard;"*

- The forest preserve is across from the properties at issue, and extends the length of the angled section of Edgewood Place (from 600 Edgewood to Oak Ave; see photo attached.)
- The proposed placement of the garage would impact the neighbor's **"open sight lines" as viewed only across my property;** it would have no impact on any property's direct unobstructed view of the forest preserve across the street.
- The proposed garage roofline would be at about the level of the bottom of 2nd floor windows at 623 Edgewood.

- **Property views are not considered a right incident to the land** unless acquired pursuant to an express grant or covenant.
 - Under Illinois law one property owner may not acquire a prescriptive or implied right to air, light, or ventilation over the land of another.
 - **River Forest has no ordinance preserving a neighbor's right to preserve a view across an adjacent residential property**, and no such express easement has been granted.
- 28) *"[I]t almost guarantees no grass will grow on the east section of our lawn and no flowers will survive along our driveway."*
- While I was never tried to grow grass on the northeast side of the house, grass grows on the tree-shaded front lawn to the northwest, and in the back yard to the southeast.
 - During the 22 years I lived at 623 Edgewood Place, the northeast façade of the house experienced heavy shade, but I was able to grow shade-loving groundcover and annuals.
- 29) *"If constructed, every East-facing view from both floors of our home will be consumed by the sight of our neighbor's garage."*
- Due to the unusual angle of the street, the home at 623 Edgewood is offset, such that the corners of the structure face North, South, East, and West. **Two sides of the home face easterly.** The side of the home adjacent to the proposed garage site faces **northeast**, while the rear of the home faces **southeast**.
 - The home would have **unobstructed views from the rear** of the home, and at most, a **partially obstructed view from the side windows**; the **second floor windows would be above the roofline** of the proposed garage.
 - It is not our intent to alienate our neighbors or to limit their use and enjoyment of their property, however as stated above, in the absence of a local ordinance or an express easement, **a neighbor has no right to preserve a view over the land of another**
- 30) *"More importantly, the proposed garage would further obstruct the view of the street from our driveway on an already-dangerous curve; this concern is of paramount importance to us as the parents of two young boys."*
- The driveway for 623 Edgewood is adjacent to a very slight angle on Edgewood Place (approximately 11°, per survey); the driveway is about 220 feet from the 45° curve to the southwest, and about 220 feet to the 55° curve to the northeast.
 - The front façade of the proposed **garage would be set behind the front façades** of both 623 and 631 Edgewood; the southwest corner of the garage (closest to the property line) would be **about 35 feet from the public sidewalk**.
 - The front façade of the existing home at **623 Edgewood is approximately 32 feet from**

the public sidewalk, so their existing house would represent more of a visual barrier than the proposed garage.

- Furthermore, an **existing 4 foot wooden fence** on the property line (northwest of the driveway) **extends over 7 feet beyond the front façade of the house at 623 Edgewood Place**, and about **10 feet beyond the proposed corner of the garage**. The fence ends over 26 feet from the sidewalk, allowing ample room to stop well clear of the public sidewalk.
- 31) *“Moreover, we anticipate the construction to require re-grading of the lot’s surface, which will result in future problems for our property in the form of increased drainage and flood run-off being re-routed toward our home. This will negatively impact our property value and may actually cause damage in the form of flooding.”*
- As illustrated on the plat of survey, the elevation of the lot at **623 Edgewood is significantly higher** along the lot line adjacent to 631 Edgewood Place.
 - Redirecting the natural flow of water to the neighbor’s property would require the addition of two feet or more of soil to our yard. (This would also require another permit.)
 - Adding enough soil to change the flow of water across the yard would kill the single mature tree in the back yard, and prevent the natural flow of water from other properties (in violation of Illinois law.)
 - Part of the garage plan is to address the drainage issues created by the depression in the rear yard, compounded by run-off from surrounding properties (including 623 Edgewood.) A drainage plan cannot be created until the location for the garage is finalized.
- 32) *“The proposed construction would significantly impact the character of the rest of the neighborhood as it would be an extreme oddity to have a detached garage placed so prominently in the front of a yard and so close to the street. Again, per our assessment, the only structure as such in the entire village.”*
- Building a 2-car garage will enhance the aesthetic value of the neighborhood; as designed, the garage would improve the view and appeal of the property in addition to keeping vehicles out of view of the street.
 - The proposed structure was carefully designed with attention to detail to match the existing style of the existing architecturally significant home. The architects reviewed the original blueprints, drawn by Robert S. Spencer in 1919 for finishing details, materials, and proportions to match the existing structure. The goal is to make the garage look as if it could have been built with the house.
- There are several examples of garages placed in close proximity to the street in River

Forest, often due to constraints related to property shape or size. Examples include 7968 Iowa (attached garage), 702 Forest, and 903 Keystone (detached garages.)

33) *“If this structure existed when we were looking to purchase our home, we would not have given our house a second look. Perhaps even more significant, if we wanted to live in a neighborhood where the garages were as prominently placed in the front of the lot, or where the distance between one’s home and a neighboring structure was less than 12 feet, we would have moved to another town.”*

- **The house at 623 Edgewood is about 13 feet from the property line. As originally proposed, the garage structure would be at least 16 feet from their home.**
- There are also several examples of homes in River Forest built in close proximity to each other and/or to neighbor’s garages, including 915 and 919 Thatcher, 1023 and 1027 Thatcher, 1215 Ashland, 903 Thatcher and 7968 Iowa, and several more on the 100 block of Forest, and the 000 block of Gale, to name a few.

34) *“VIII. That there is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

In conclusion, the property at 631 Edgewood Place can accommodate a garage that is in compliance with existing code; as noted above, there are several ways to accomplish this.”

- Construction of garage would not only **allow for “reasonable use”** of the property, but it would also **bring the property into compliance** with Village Ordinance requiring enclosed parking for two cars on this detached single-family residential property.
- In fact, the only compliant location on the property that could accommodate a two-car garage that is accessible by an average vehicle would require 50-60% of the rear yard to be covered with impermeable surface.
- Increasing the impermeable surface would significantly increase storm water run-off, and would likely increase flooding to surrounding properties (especially on Thatcher Ave.) that currently drain onto the property at issue.
- Reducing the permeable surface or interrupting storm water run-off increases the volume of standing water and associated health risks by providing breeding ground for insects, including mosquito larvae and fly maggots.

35) *“Zoning regulations exist for reason: to preserve the character of the Village, the safety of is residents, and ensure uniformity among residential property. A **two-story** garage built on the **front of this property** would be clearly out of place here ...*

- The application and plans submitted are for a **one-story garage**.
- The front façade of the proposed **garage would be set behind the front façades** of both 623 and 631 Edgewood; the southwest corner of the garage (closest to the property line) would be **about 35 feet from the public sidewalk**.
- **623 Edgewood has a two-story garage**.

36) *“...and negatively impact our quality of life, **our potential safety, neighboring property, and our potential resale value.**”*

- The front façade of the proposed **garage would be set behind the front façades** of both 623 and 631 Edgewood; the southwest corner of the garage (closest to the property line) would be **about 35 feet from the public sidewalk**.
- The front façade of the existing home at **623 Edgewood is approximately 32 feet from the public sidewalk**, so their existing house would represent more of a visual barrier than the proposed garage.
- Furthermore, an **existing 4 foot wooden fence** on the property line (northwest of the driveway) **extends more than 7 feet beyond the front façade of the house at 623 Edgewood Place, and about 10 feet beyond the proposed corner of the garage**.
- The northeastern garage the Horan’s suggested would create a legitimate safety hazard, and would have a significant negative impact on the quality of life, and property values for the adjacent property at 8011 Oak Ave.

37) *As such, we oppose and object to the zoning variation application. We thank you for your consideration and careful analysis of this application. Please keep us apprised of any further deliberation or decision in this matter; and feel free to contact us if you have any questions or wish to discuss further.*

Kevin and Katie Horan

My responses are true and accurate to the best of my knowledge. Please don’t hesitate to contact me if I can answer any further questions.

Respectfully submitted,

Maureen F. Huston
708.421.2588

LOT COVERAGE

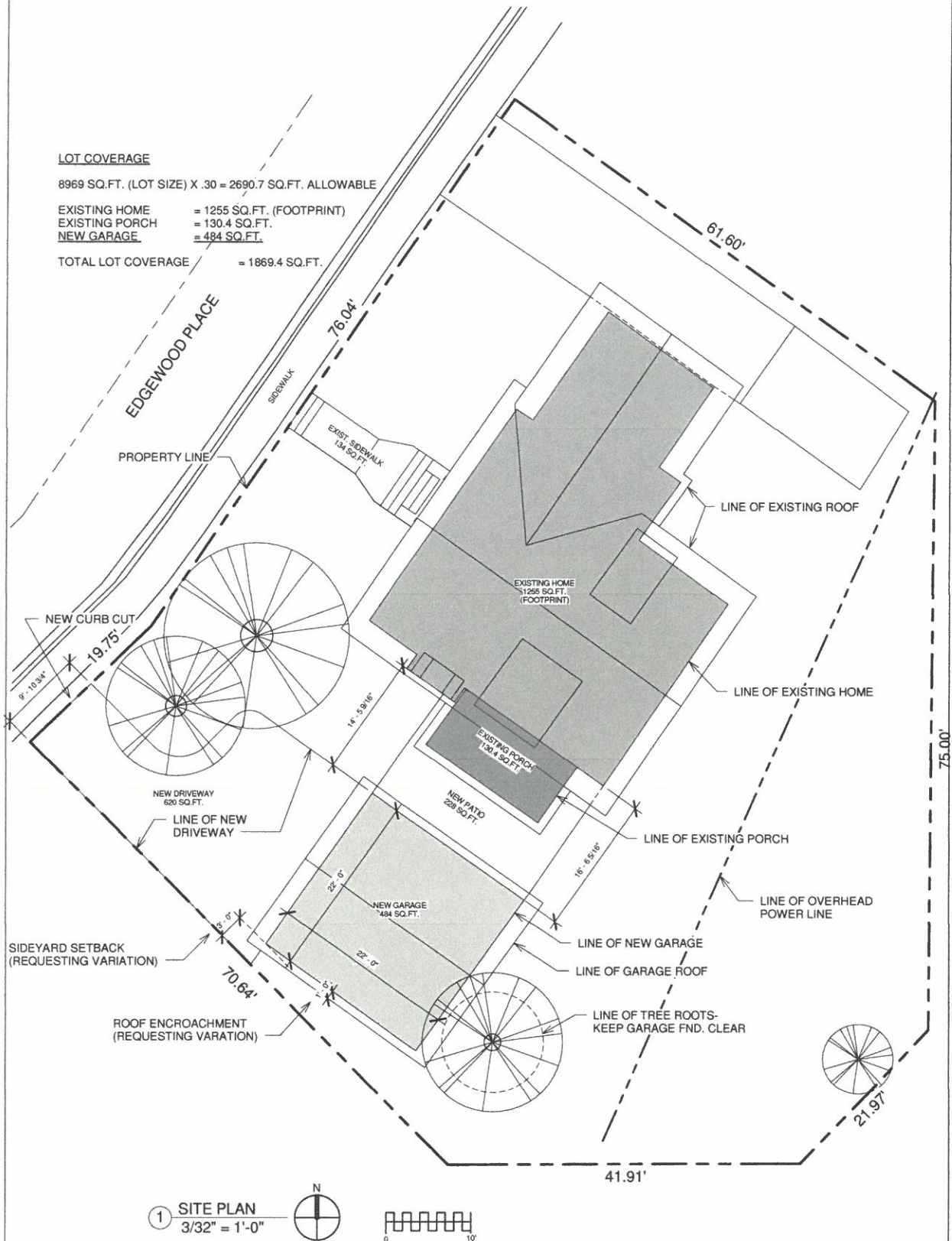
8969 SQ.FT. (LOT SIZE) X .30 = 2690.7 SQ.FT. ALLOWABLE

EXISTING HOME = 1255 SQ.FT. (FOOTPRINT)

EXISTING PORCH = 130.4 SQ.FT.

NEW GARAGE = 484 SQ.FT.

TOTAL LOT COVERAGE = 1869.4 SQ.FT.



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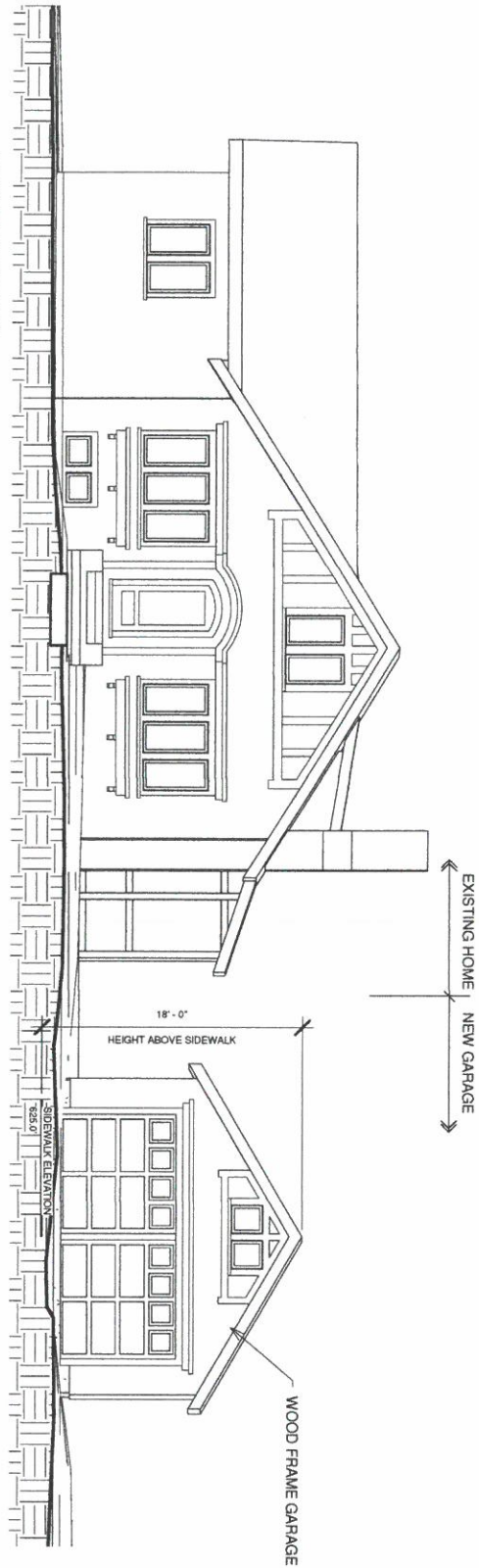
HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

SITE PLAN

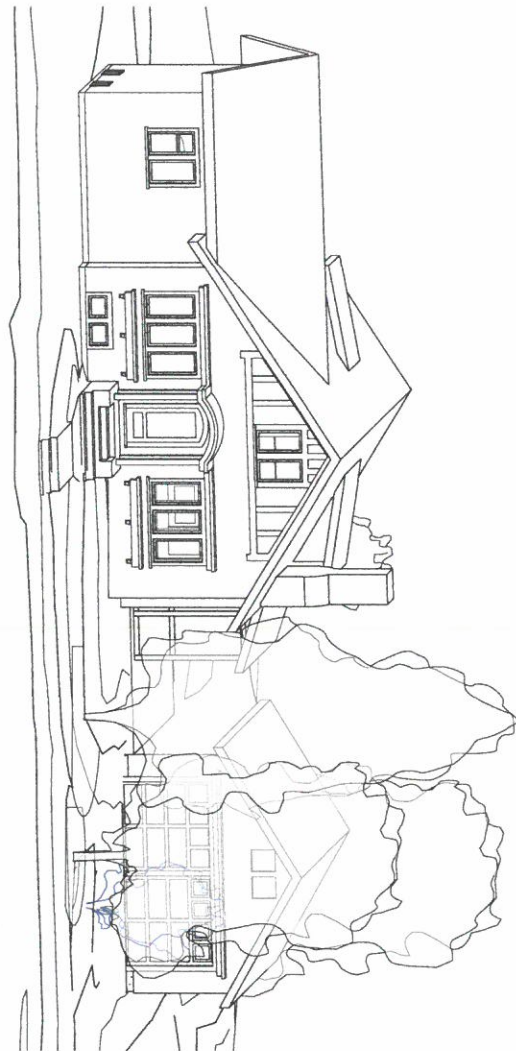
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Date	11-15-2017	
Drawn by	SOS	
Checked by	KRS	
Scale 3/32" = 1'-0"		

11/15/2017 2:49:10 PM

1 FRONT ELEVATION
1/8" = 1'-0"



2 Front 3D



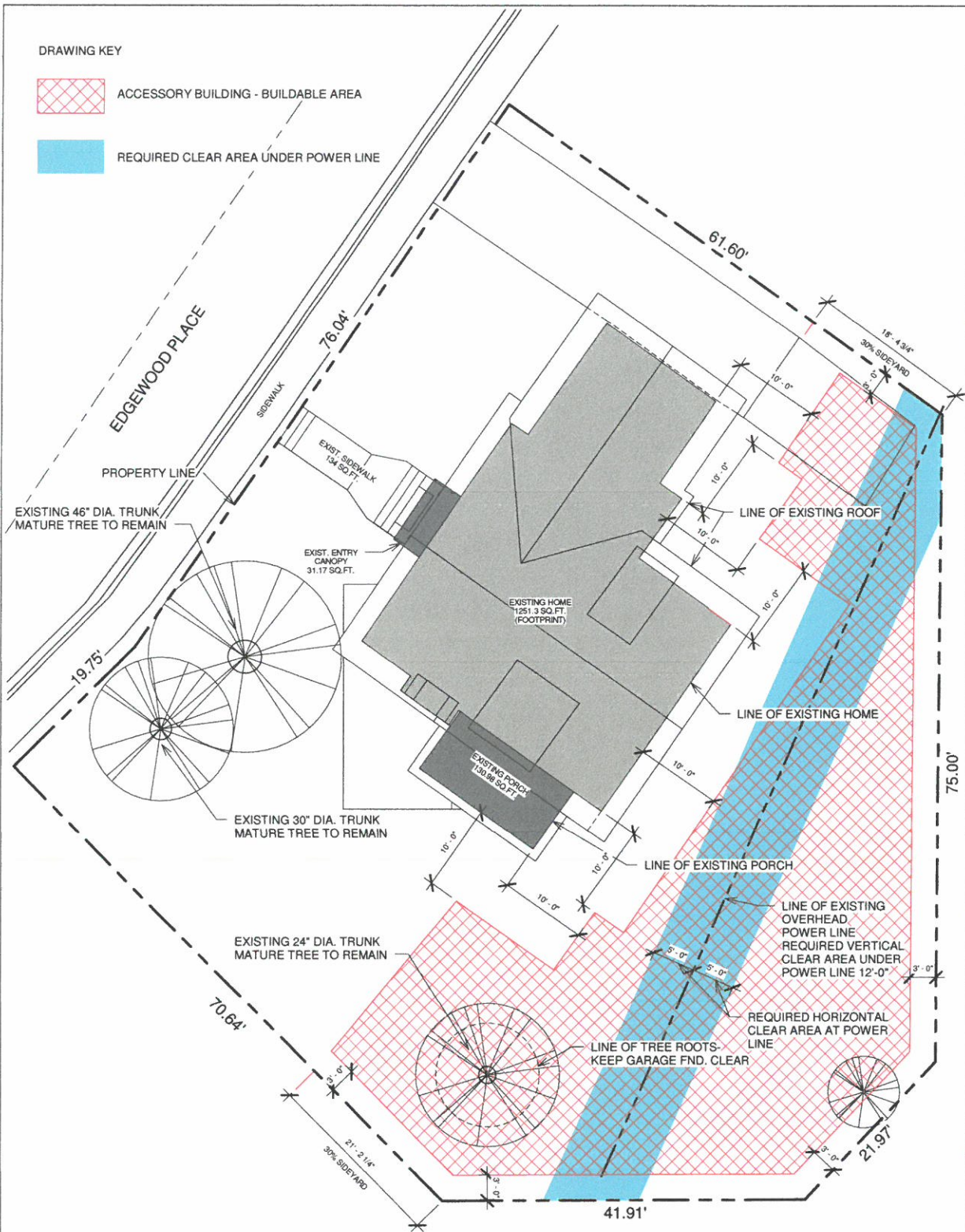
DRAWING KEY



ACCESSORY BUILDING - BUILDABLE AREA



REQUIRED CLEAR AREA UNDER POWER LINE



1 SITE PLAN - ALTERNATE
3/32" = 1'-0"

ACCESSORY BUILDING
BUILDABLE AREA



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HUSTON RESIDENCE
631 Edgewood Place
River Forest, IL 60305

SITE PLAN - ALTERNATE

Project number	1706
Date	1-31-2018
Drawn by	Author
Checked by	Checker
Scale 3/32" = 1'-0"	

A1a

2/1/2018 9:00:50 AM

Computation path of the sun for:

River Forest, IL, USA

20.Mar.201806:55 UTC-5

>|<

here Partial solar eclipse: 10.06.2021 | 22.3% more

Toolbox

Satellite

Solar data for the selected location

Dawn:	06:26:47
Sunrise:	06:54:14
Culmination:	12:58:43
Sunset:	19:03:54
Dusk:	19:31:25
Daylight duration:	12h9m40s
Distance [km]:	148.978.894
Altitude:	-0.15°
Azimuth:	89.42°
Shadow length [m]:	n/a
at an object level [m]:	5.75

Geodata for the selected location

More solar data

Mar Equinox:	20.03.2018 11:14 CDT
Jun Solstice:	21.06.2018 05:07 CDT
Sep Equinox:	22.09.2018 20:53 CDT
Dec Solstice:	21.12.2018 16:22 CST

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Computation path of the sun for:

River Forest, IL, USA

21.Jun.2018 05:17 UTC-5

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Toolbox

Satellite

Solar data for the selected location

Dawn:	04:41:51
Sunrise:	05:15:51
Culmination:	12:53:09
Sunset:	20:30:26
Dusk:	21:04:27
Daylight duration:	15h14m35s
Distance [km]:	152.027.831
Altitude:	-0.12°
Azimuth:	56.94°
Shadow length [m]:	n/a
at an object level [m]:	5.75

Geodata for the selected location

More solar data

Mar Equinox:	20.03.2018 11:14 CDT
Jun Solstice:	21.06.2018 05:07 CDT
Sep Equinox:	22.09.2018 20:53 CDT
Dec Solstice:	21.12.2018 16:22 CST

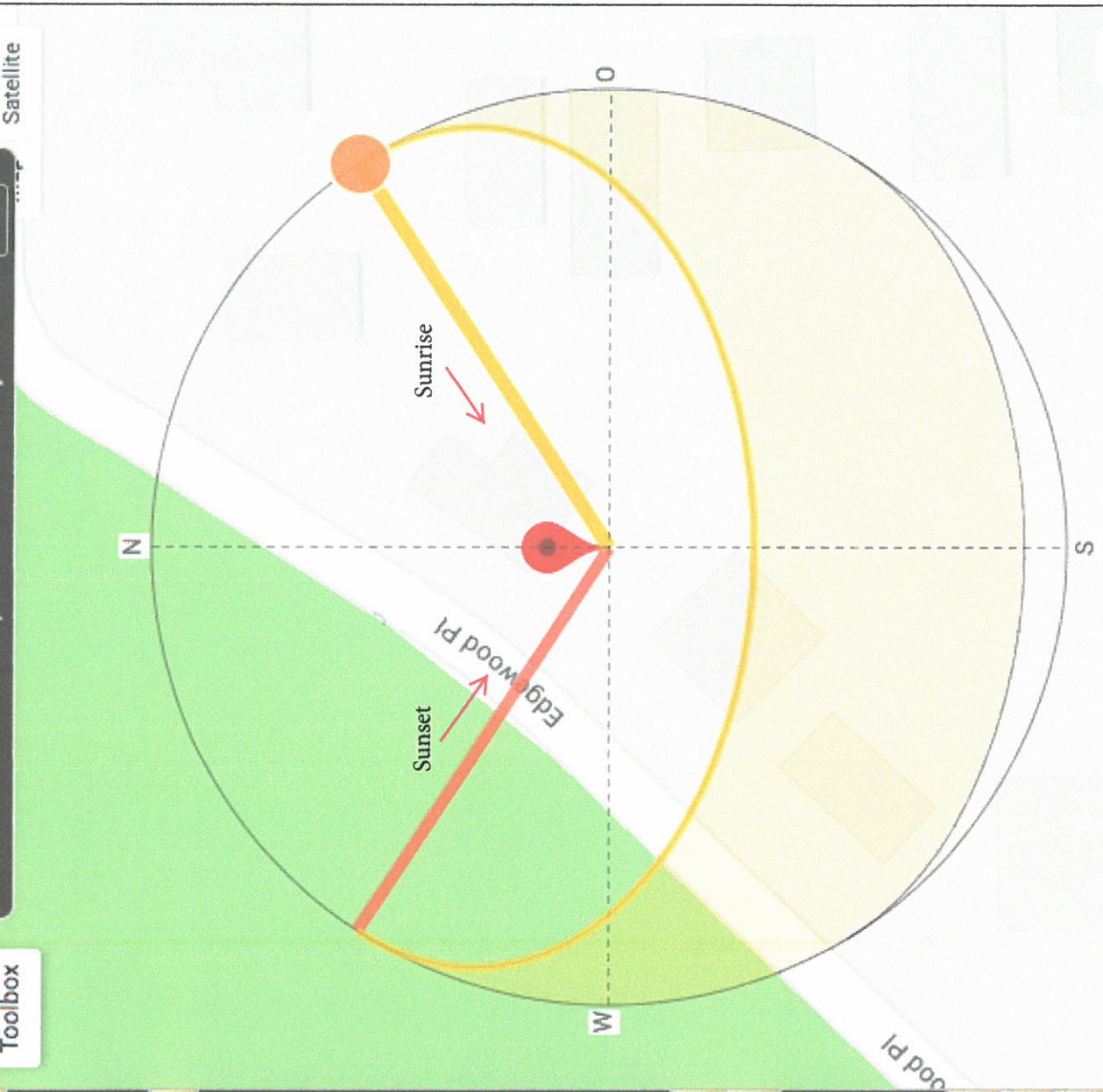
Print

Contact

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0:00 1:00 2:00 3:00 4:00 5:00 6:00 7:00 8:00 9:00 10:00 11:00 12:00 13:00 14:00 15:00 16:00 17:00

Computation path of the sun for:

River Forest, IL, USA
22.Sep.2018 06:39 UTC-5

here Partial solar eclipse: 10.06.2021 | 22.3% more

Toolbox

Satellite

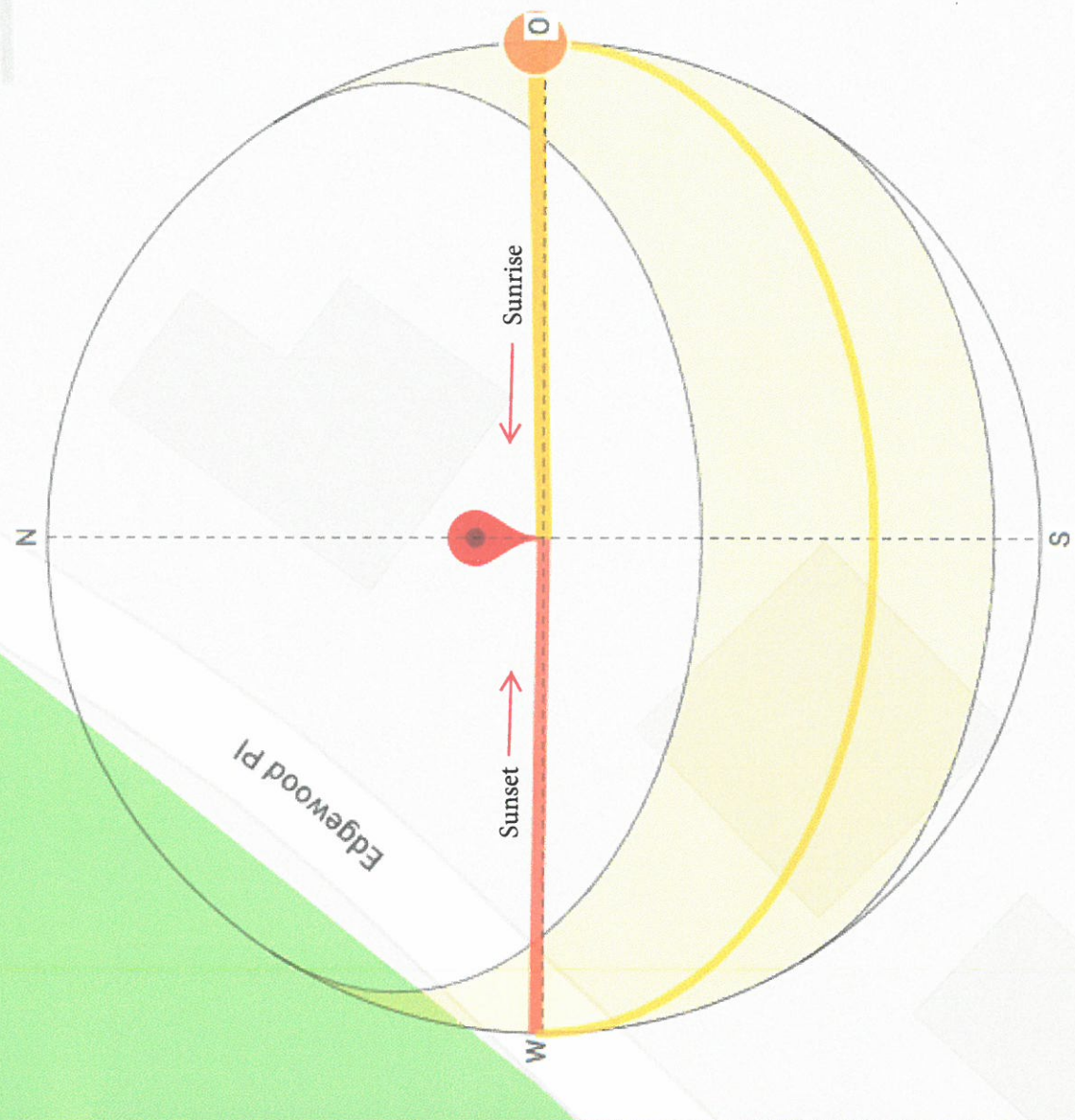
Solar data for the selected location

Dawn:	06:10:54
Sunrise:	06:38:25
Culmination:	12:43:57
Sunset:	18:48:46
Dusk:	19:16:14
Daylight duration:	12h10m21s
Distance [km]:	150.155.659
Altitude:	-0.18°
Azimuth:	88.99°
Shadow length [m]:	n/a
at an object level [m]:	5.75

Geodata for the selected location

More solar data	
Mar Equinox:	20.03.2018 11:14 CDT
Jun Solstice:	21.06.2018 05:07 CDT
Sep Equinox:	22.09.2018 20:53 CDT
Dec Solstice:	21.12.2018 16:22 CST

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Computation path of the sun for:

River Forest, IL, USA

21.Dec.2018 07:16 UTC-6 >|<

here Partial solar eclipse: 10.06.2021 | 22.3% more

Toolbox

Satellite

Solar data for the selected location

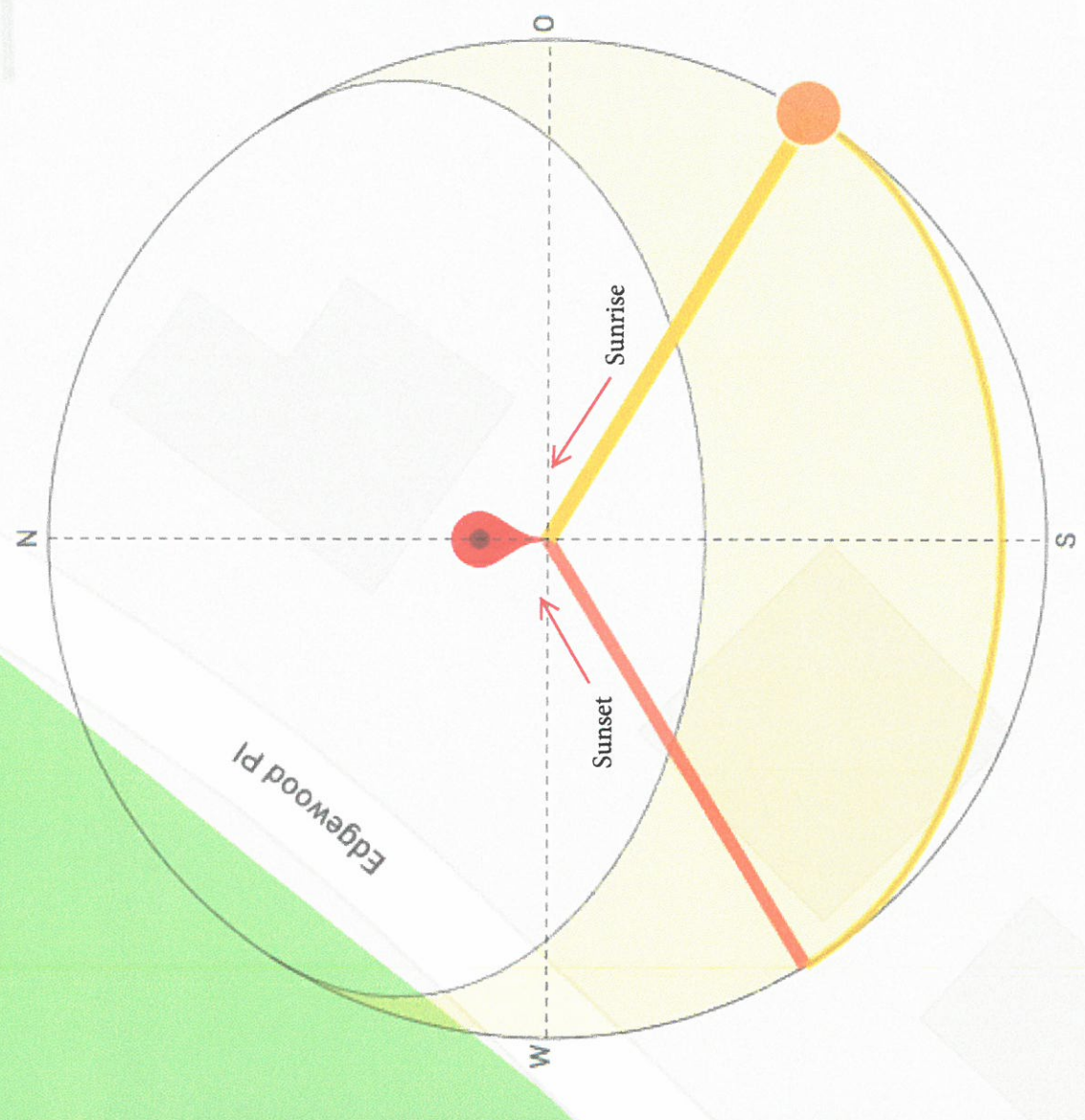
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Sunrise:	07:15:15
Culmination:	11:49:28
Sunset:	16:23:42
Dusk:	16:55:02
Daylight duration:	9h8m27s
Distance [km]:	147.167.813
Altitude:	-0.17°
Azimuth:	121.48°
Shadow length [m]:	n/a
at an object level [m]:	5.75

Geodata for the selected location

More solar data

Mar Equinox:	20.03.2018 11:14 CDT
Jun Solstice:	21.06.2018 05:07 CDT
Sep Equinox:	22.09.2018 20:53 CDT
Dec Solstice:	21.12.2018 16:22 CST

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There is a significance difference in the heights of the surface between 631 Edgewood (foreground) and 623 Edgewood (background.) The shovel provides perspective. There is no risk of storm water run off draining from 631 to the adjacent property.





Village of River Forest

Village Administrator's Office

400 Park Avenue
River Forest, IL 60305
Tel: 708-366-8500

MEMORANDUM

Date: February 27, 2018

To: Zoning Board of Appeals

From: Lisa Scheiner, Assistant Village Administrator
Clifford Radatz, Building Official

Subj: 631 Edgewood Place - Zoning Variation - Commonwealth Edison Issue

At its February 8, 2018 meeting, the Zoning Board of Appeals ("ZBA") held a public hearing regarding requested variations to Section 10-9-7 of the Zoning Ordinance for the purpose of constructing a detached garage in the side yard adjacent to the house at 631 Edgewood Place. During the hearing the property owner, Maureen Huston, testified that she is prevented from locating the garage in certain areas of her property because of an overhead Commonwealth Edison ("ComEd") main line that exists in the rear of the property. She testified that ComEd requires a ten (10) foot clearance between any structure and the main line. She also testified that ComEd told her it would cost approximately \$40,000 to relocate the line underground and that it is cost prohibitive. The ZBA asked Village Staff to contact ComEd to confirm this information.

Village Staff met with Corey Foster, External Affairs Manager for ComEd on Tuesday, February 27, 2018 at 10:30 a.m. Mr. Foster confirmed that Ms. Huston had been in contact with ComEd and that a "preliminary walk-down" was conducted at the property to give Ms. Huston a ballpark estimate of the cost of relocating the overhead main line and that the estimate was \$40,000, plus or minus \$5,000-\$10,000. Mr. Foster explained that Ms. Huston would be required to pay a 10% non-refundable deposit (\$4,000) before ComEd staff would proceed with the design and engineering of the project and determine a more accurate cost.

Mr. Foster further explained that the overhead mainline at 631 Edgewood Place is considered a "private line" because it is located in a private easement. As a result, the property owner would be responsible for bearing the full cost of relocating the service. There is no way this could be considered a Village improvement as it is not located in the Village's right-of-way. Finally, Mr. Foster indicated that relocating the main line to another overhead location is most likely not an option due to ComEd's location and clearance requirements.