



MEMORANDUM

Date: April 12, 2019
To: Eric Palm, Village Administrator
From: Rosey McAdams, Finance Director
Subject: Approval – Payment to Accela for Springbrook Annual Maintenance

The Village uses Springbrook software for financial accounting, utility billing, building permits, accounts receivable, contractors and business licensing, payroll and cash receipting functions. Springbrook software is owned by Accela. As part of our agreement with Springbrook, we are required to pay an annual maintenance fee for the use of the software. The maintenance fee provides for software updates and employee support and assistance. An invoice in the amount of \$24,923.00 for the period from May 1, 2019 through April 30, 2020 is attached. This amount represents a 5.0% increase over the prior year.

Because the amount of the invoice is over \$20,000, staff is requesting Village Board approval to pay the invoice.

Requested Board Action: Approve a payment in the amount of \$24,923.00 to Accela for annual maintenance for the period from May 1, 2019 – April 30, 2020.



2633 Camino Ramon, Suite 500
San Ramon CA 94583

Invoice # INV-ACC45211
Invoice Date 4/5/2019
Invoice Due Date 5/5/2019
Invoice Currency USD
Term Start Date 5/1/2019
Term End Date 4/30/2020
Open Air #
Page 1 of 1

Bill To:
River Forest, IL - Village of
400 Park Avenue
River Forest IL 60305

Ship To:
River Forest, IL - Village of
400 Park Avenue
River Forest IL 60305

RENEWAL: 5/1/2019 - 4/30/2020

Purchase Order No.	Customer ID	Sales Order	Payment Terms
	2621 River Forest, IL - Village of	SO-ACC14039	Net 30
Item Number	Description	Quantity	Ext. Price
SU00	Finance Suite	1	\$7,557.00
SU00	Accounts Receivable	1	\$293.00
SU00	Building Permits	1	\$2,477.00
SU00	Cash Receipts	1	\$1,041.00
SU00	Code and Contact Management	1	\$2,477.00
SU00	Utility Billing	1	\$5,204.00
SU00	Licenses and Permits	1	\$2,477.00
SU00	Payroll	1	\$3,397.00

Subtotal	\$24,923.00
Trade Discount	
Tax	\$0.00
Total Invoice Amount USD	\$24,923.00
Balance Due USD	\$24,923.00

Card Payment Link: [Please Click here](#)

Please direct inquiries to:
Accounts Receivable Dept. at (925) 659-3275
Send an email to: accountsreceivable@accela.com
Accela TAX ID: 94-276-7678

Remit To:
Accela Inc.
774375
4375 Solutions Center
Chicago, IL 60677-4003

Wiring Instructions
Wells Fargo Bank
For credit to: Accela Inc.
Account: 412-1765507
ABA: 121000248



MEMORANDUM

Date: April 22, 2019

To: Catherine Adduci, Village President
Village Board of Trustees

From: Eric J. Palm, Village Administrator

Subj: Village Administrator's Report

Upcoming Meetings (all meetings are at Village Hall unless otherwise noted)

Wednesday, April 24	6:00 pm	Quarterly Community Crime Prevention Meeting
Wednesday, April 24	6:00 pm	Board of Fire and Police Commissions Meeting – Canceled
Thursday, April 25	2:00 pm	River Forest Fire Pension Fund Meeting
Thursday, April 25	3:30 pm	River Forest Police Pension Fund Meeting
Thursday, May 2	7:30 pm	Development Review Board Meeting
Thursday, May 9	7:30 pm	Zoning Board of Appeals
Friday, May 10	7:30 am	Economic Development Commission Meeting

Recent Payments of >\$10,000

In accordance with the purchasing policy, the following is a summary of payments between \$10,000 and \$20,000 that have occurred since the last Board meeting:

Vendor	Amount	Description
Benistar/Hartford	\$10,345	Retiree Insurance Premiums April 2019
Bell Fuels Inc.	\$10,723	Gasoline/Diesel Fuel for Village Vehicles

New Business Licenses Issued

Selleria Veneta Inc.	7773 Lake (Tenant of RF Chocolates)	Luxury Italian Purses/Accessories
Joy Milk Tea LLC	349 Ashland (Sub tenant of RF Kitchen)	Wholesale Beverages

Thank you.



Village of River Forest
Village Administrator's Office
400 Park Avenue
River Forest, IL 60305
Tel: 708-366-8500

MEMORANDUM

Date: April 16, 2019

To: Eric Palm, Village/Zoning Administrator

From: Lisa Scheiner, Assistant Village Administrator

Subj: Request for Zoning Variations – 559 Ashland - Garage

Issue:

Paul and Cheryl Harding, owners of the property at 559 Ashland, wish to construct a new detached garage in the rear yard of their property. They are requesting relief from the Village's regulations which limit the height of the garage and which also restrict how far the eaves of the roof of the garage can encroach into the side yard setback.

Analysis:

Village code requires that all properties located in the R-2 Single-family residential zoning district have two enclosed parking spaces. The lot can accommodate a detached, two-car garage, however, Mr. and Mrs. Harding own a home designed by Frank Lloyd Wright and is a significant property. They have designed a garage that they believe is in keeping with the architectural style of the home and are requesting relief to accommodate the proposed design.

They are requesting a variation of 2' on the height of the garage. Village regulations restrict the height of the garage to 18' and they are proposing to construct a garage that is 20' tall so that the roof pitch matches that of the home. They are also requesting a variation to allow the roof eave to encroach into the side yard setback by up to 2'. Village regulations require that the garage maintain a 3' side yard setback, so the setback in this case would be reduced to 1'.

Mr. and Mrs. Harding were previously granted a variation for the construction of a detached garage in 2016 allowing them to encroach into the side yard setback. The homeowners did not obtain a building permit or commence construction on the approved garage so the zoning variations that were previously granted expired. Since 2016 the applicants have modified the design of the garage. They are again requesting relief from the side yard setback requirements and now request relief from the building height requirements

Below please find a summary of staff's review of available records regarding zoning variation requests regarding garage height that were acted upon by the Village Board since 2008. Please

note that each application and recommendation is considered based on its own facts and approval of a particular zoning variation does not set a precedent for other variations.

Roof Eave Encroachment into Side Yard Setback

Address	Hearing Date	Description of Variation Request	Comments	ZBA Rec.	VBOT Action	Ord. #
1431 Monroe	12/20/17	Decrease side yard setback to roof eave from 3' to 2.5'	Addition to home	Deny	Approve	3681
1043 Lathrop	1/12/12	Decrease secondary side yard setback to roof eave from 25' to 13'-6"	Addition to garage that extends wall with nonconforming setback	Approve	Approve	3410
633 Park	12/8/11	Decrease side yard setback to roof eave from 3' to 0'-8 1/8"	Addition to home	Approve	Approve	3407
1034 Forest	11/10/11	Decrease side yard setback to roof eave from 3' to 0'-8 3/8"	Remove and replace roof on home	Approve	Approve	3403
1442 William	1/13/11	Decrease side yard setback to roof eave from 3' to 0'-10"	Addition of screened in porch	Approve	Approve	3359
216 Franklin	6/12/08	Decrease side yard setback to roof eave from 3' to 1'-9 7/8"	Addition to home	Approve	Approve	3248

Accessory Structure Height

Address	Hearing Date	Description of Variation Request	Comments	ZBA Rec.	VBOT Action	Ord. #
346 Park	8/9/18	Increase height of accessory structure from 18' 10.8" to 18'-11.8"	De minimis increase to building height; exceeded min. variation	Approve	Approve	3718
146 Keystone	6/12/14	Increase height of accessory structure from 18' to 24'	Garage included cupola intended to match architectural style of significant home	Deny	Approve	3526
1408 Keystone	5/14/09	Increase height of accessory structure from 18' to 24'-5"	Architecturally significant home; garage matches structure; garage includes vehicle lift	Approve	Approve	3290

Request for Board Action:

If the Village Board of Trustees wishes to approve the requested variations, the following motion would be appropriate: Motion to approve an Ordinance granting the requested variations to Sections 10-9-6 and 10-9-7 of the Zoning Ordinance at 559 Ashland Avenue.

Please note that because this item received a recommendation in favor of approval from the Zoning Board, the Village Board may approve it with a simple majority.

Documents Attached:

- Ordinance
- Findings of Fact

- Report from the Zoning Board of Appeals
- Minutes of the March 14, 2019 Zoning Board of Appeals Meeting
- Application

ORDINANCE NO. _____

**AN ORDINANCE APPROVING SIDE YARD SETBACK AND HEIGHT VARIATIONS TO
ALLOW CONSTRUCTION OF AN ACCESSORY GARAGE AT 559 ASHLAND AVENUE**

WHEREAS, the Village of River Forest ("Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village President and Board of Trustees of the Village ("Corporate Authorities") have adopted a zoning ordinance ("Zoning Ordinance"), which has been amended from time to time; and

WHEREAS, the Village received a request for variations ("Application"), from petitioners Paul and Cheryl Harding (together "Petitioners"), from the requirements of the Zoning Ordinance (i) to allow a two feet (2') encroachment of an accessory garage roof eave into the required side yard setback, requiring a variation of one foot (1') from the side yard setback requirements of Section 10-9-7 of the Zoning Ordinance, and (ii) to allow an accessory garage to be built to a maximum height of twenty feet four inches (20' 4"), requiring a variation of two feet four inches (2' 4") from the maximum height allowed for accessory structures in Section 10-9-6 of the Zoning Ordinance (together the "Variations"), on the property commonly known as 559 Ashland, River Forest, Illinois ("Property") in the R-2 Single-Family (Detached) Residential Zoning District; and

WHEREAS, the Property is legally described in **EXHIBIT A** attached hereto and made a part hereof; and

WHEREAS, the Application was referred to the Zoning Board of Appeals of the Village ("ZBA") and was processed in accordance with the Zoning Ordinance, as amended; and

WHEREAS, on March 14, 2019, the ZBA held a public hearing on the Application pursuant to notice thereof given in the manner required by law, and, after considering all of the testimony and evidence presented at the public hearing, the ZBA recommended approval of the Variations by a vote of 6-0, all as set forth in the Findings and Recommendation of the ZBA in this matter ("Findings and Recommendation"), a copy of which is attached hereto as **EXHIBIT B**; and

WHEREAS, the President and Board of Trustees of the Village of River Forest have duly considered the Findings and Recommendation of the ZBA, and all of the materials, facts and circumstances affecting the Application, and, finds that the Application satisfies the standards set forth in the Zoning Ordinance relating to variations;

NOW, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: The recitals above are incorporated into Section 1 as though set forth herein.

SECTION 2: The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Ordinance: (i) find that the Variations meet the standards for a variation set forth therein and (ii) approve the Variations with respect to the accessory garage on the Property proposed by the Petitioners in their Application. The Variations are approved only to the extent needed for the construction and maintenance of the accessory garage on the Property proposed by the Petitioners in their Application, and the Variations shall remain in effect only for so long as the accessory garage proposed in the Application remains on the Property.

SECTION 3: Prior to the issuance of any building permit by the Village for the accessory garage related to the Variations, the Petitioners shall record a copy of this Ordinance on title to the Property at Petitioners' sole cost and expense, and the Petitioners shall provide proof of said filing to the Village.

SECTION 4: Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the rescission of the approvals made in this Ordinance.

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

[THIS SPACE INTENTIONALLY LEFT BLANK]

ADOPTED this 22nd day of April, 2019, by the Village President and Board of Trustees pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 22nd day of April, 2019.

Catherine Adduci, Village President

ATTEST:

Kathleen Brand-White, Village Clerk

The Petitioners acknowledge hereby the reasonableness of the above and foregoing terms and conditions in the Ordinance, and hereby accepts the same.

By: _____
Titleholder of Record of the Property

By: _____
Titleholder of Record of the Property

Date: _____

Date: _____

EXHIBIT A

LEGAL DESCRIPTION

LOT 34 IN BLOCK 2 IN PART OF RIVER FOREST, BEING A SUBDIVISION OF PART OF SECTION 12 AND 11, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, SURVEYED FOR THE SUBURBAN HOME MUTUAL LAND ASSOCIATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1890 IN BOOK 43 OF PLATS PAGE 20, AS DOCUMENT 1291334, IN COOK COUNTY, ILLINOIS.

EXHIBIT B

**REPORT, FINDINGS OF FACT AND RECOMMENDATION
FROM THE ZONING BOARD OF APPEALS**

(attached)

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS –
FINDINGS OF FACT AND RECOMMENDATION REGARDING
SIDE YARD SETBACK AND ACCESSORY BUILDING HEIGHT VARIATIONS
AT 559 ASHLAND AVENUE**

WHEREAS, petitioners Paul and Cheryl Harding (the “Petitioners”), owners of the property located at 559 Ashland Avenue in the Village of River Forest (the “Subject Property”), have requested a variation from Section 10-9-7 of the Village of River Forest Zoning Ordinance (“Zoning Ordinance”), which requires a three foot (3’) side yard setback for accessory buildings located in the rear thirty percent (30%) of a lot, but allows a roof overhang to project one foot (1’) into the required setback. The Petitioners seek to build a proposed accessory garage building with a five foot (5’) side yard setback (conforming), but with a roof eave that would encroach, at its greatest point, up to two feet (2’) into the required side yard setback at the south side of the Subject Property. The Petitioners are also seeking a variation from Section 10-9-6 of the Zoning Ordinance, which limits accessory structures to eighteen feet (18’) in height. The Petitioners propose to construct a garage with a maximum height of twenty feet (20’). Together, the variations sought from Section 10-9-6 and 10-9-7 are the “Proposed Variations.” The Subject Property is located in the R-2 Single-Family Residential Zoning District; and

WHEREAS, the Village had previously considered and approved an identical variation for the encroachment of the roof overhang into the side yard setback in 2016, but Petitioner had never followed through on building the proposed garage, and the previously granted variation has expired; and

WHEREAS, the Village of River Forest Zoning Board of Appeals (the “Board”) held a public hearing on the question of whether the Proposed Variations should be granted on March 14, 2019, as required by Section 10-5-4(E) of the Zoning Code, at which all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the Board; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village. In addition, notice was sent to surrounding homeowners; and

WHEREAS, at the March 14, 2019 public hearing, the Petitioners explained that the existing single family home on the Subject Property is a 1901 Frank Lloyd Wright designed two story single family residence, and that the design of the proposed garage with its height and tapering eaves is responsive to, and reflects the aesthetic of, the design of the existing home. The existing single family residence is nationally significant as the first Wright-designed Prairie-Style home in the Chicago area; and

WHEREAS, the Petitioners also asserted that the topography of the Village of River Forest slopes down towards the Des Plaines River. That fact, combined with the Village Code requirement of measuring height of structures from the nearest public sidewalk to the highest point of the structure, in the opinion of Petitioners, unfairly penalizes property owners on the east side of north-south streets relative to building heights, and constitutes a hardship; and

WHEREAS, there is a 100 year old oak tree on the Subject Property which impacts the location of the proposed garage; and

WHEREAS, a letter in support of the Proposed Variations was submitted by the Executive Director of the Frank Lloyd Wright Building Conservancy; and

WHEREAS, River Forest resident Dan Lauber spoke in support of the Proposed Variations at the public hearing. Mr. Lauber noted the extreme efforts that have been made in the past to maintain the architectural integrity of the existing residence, and that the loss of complimentary architectural integrity for the garage if the Proposed Variations are not granted would be a loss to the entire community; and

WHEREAS, Mr. Lauber further testified that the Proposed Variation would have no impact on the adjacent neighbors relative to flooding, light, and the other concerns expressed in the Village's variation standards. He concluded by noting the Proposed Variations relate to a special garage for a very special house; and

WHEREAS, the Board, having considered the criteria set forth in Section 10-5-4 of the Village Code, by a vote of 6-0 recommends approval of the Proposed Variations for the Subject Property.

NOW, THEREFORE, the Board makes the following findings of fact and recommendations pursuant to Section 10-5-4(E)(2) of the Zoning Code:

1. **The physical surroundings, shape, or topographical conditions of the Property constitute a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out.** The requested Variations are necessary to permit a reasonable use of the Subject Property, due to the unique and special nature of the existing nationally significant single-family residence on the Property, importance of complementing the design of the existing residence, and physical constraints existing on the Property. The physical surroundings, shape, and topographical conditions of the Subject Property, along with an existing tree that exists on the Subject Property within the allowable building envelope, constitutes a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out, due to the location of the single family home on the Subject Property and the historic nature of the Franklin Lloyd Wright designed single family residence on the Subject Property. The Board finds that this standard has been met.

2. **The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of the Village's Zoning Regulations, for which no compensation was paid.** The aforesaid unique physical condition did not result from any action of the Petitioners, but was created by natural forces or was the result of government action, other than the adoption of provisions of the Village's Zoning Ordinance, for which no compensation was paid. The Board finds that this standard has been met.

3. **The conditions of the Property upon which the petition for Variations is based may not be applicable generally to other property within the same zoning classification.** The conditions of the Subject Property upon which the petition for the Proposed Variations is based are not applicable generally to other property within the same zoning classifications because of the historic nature and national importance of the single family residence on the Subject Property, the unique siting of the existing single family residence on the Subject Property, and unique position of the tree relative to the proposed garage structure. The Board finds that this standard has been met.

4. **The purpose of the Variations is not based predominately upon a desire for economic gain.** The purpose of the Proposed Variations is not based predominantly on a desire for economic gain, but rather is based upon the desire to maintain architectural integrity on the entirety of the Subject Property by ensuring a garage design that is responsive to, and reflects the aesthetic of, the existing nationally significant residence on the Subject Property. The Board finds that this standard has been met.

5. **The granting of the Variations is not detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the Property is located.** The granting of the Proposed Variations is not detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the Subject Property is located. In fact, allowing the Proposed Variations will benefit the entire community by allowing the proposed garage to be built in a manner that reflects the design aesthetic of the existing nationally significant residence on the Subject Property. The Board finds that this standard has been met.

6. **The granting of the Variations 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 diminish or impair property values within the neighborhood.** The granting of the Proposed Variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or other endanger the public safety or substantially diminish or impair property values within the neighborhood. The Board finds that this standard has been met.

7. **The granting of the Variations will not unduly tax public utilities and facilities in the area of the Property.** The granting of the Proposed Variations will not unduly tax public utilities and facilities in the area of the Subject Property, because no significant change in use will result from the renovations to be performed if the Proposed Variations are granted. The Board finds that this standard has been met.

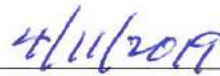
8. **There are no means other than the requested Variations by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.** There are no means other than the requested Proposed Variations by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Subject Property. The Board finds that this standard has been met.

RECOMMENDATION

The Board, by a vote of 6-0, for the reasons set forth above, recommends to the Village President and Board of Trustees that the Proposed Variations on the Subject Property allowing for the construction of an accessory garage building with a maximum height of twenty feet (20'), instead of the eighteen feet (18') in height allowed by the Zoning Ordinance, and with a tapering roof eave that would encroach, at its greatest point, up to two feet (2') into the required side yard setback at the south side of the Subject Property, instead of the one foot (1') allowed by the Zoning Ordinance, be GRANTED.



Frank Martin
Chairman



Date



REPORT FROM THE VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS

Recommendation: The Zoning Board of Appeals recommends granting variations to allow the construction of a new detached garage in the rear yard of the property that exceeds the Village's height restrictions and allows the roof eave to encroach further into the side yard setback than the Ordinance allows.

Property: 559 Ashland Avenue

Zoning District: R-2, Single-Family Residential Zoning District

Applicant: Paul and Cheryl Harding

Nature of Application: Insert Description

Ordinance Provisions: 10-9-6(A): An accessory building or structure erected or structurally altered shall not exceed 18 feet in height or 1 ½ stories, whichever is less, and an accessory building shall not include an inhabitable second floor.

10-9-7(C)(2)(c): An accessory structure may be constructed with a side yard of no less than three feet, provided that the entire accessory structure is within the rear thirty percent of the subject lot (as measured from the front property line to the rear property line). The eaves of a detached accessory structure shall be permitted to encroach a maximum of one foot into a required yard setback.

Analysis of Request:

Ordinance	Requirement	Proposed Condition
10-9-6(A)	An accessory building... shall not exceed 18 feet or 1½ stories in height	20' building height for detached garage
10-9-7(C)(2)(c)	The eaves of a detached accessory structure may encroach up to 1' into the required side yard setback	Encroach up to 2' into the side yard setback

Hearing Date: March 14, 2019

Date of Application: January 18, 2019

Zoning Board Vote:	Chairman Frank Martin	Yes
	David Berni	Yes
	Gerry Dombrowski	Yes
	Tagger O'Brien	Yes
	Joanna Schubkegel	Yes
	Michael Smetana	Not Present
	Ronald Lucchesi	Yes

Report Prepared by:	Clifford Radatz, Building Official
	Lisa Scheiner, Assistant Village Administrator

Requested Action:	Motion to approve an Ordinance granting the requested variations to Sections 10-9-6 and 10-9-7 of the Zoning Ordinance at 559 Ashland Avenue.
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**VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS MEETING MINUTES
March 14, 2019**

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, March 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 David Berni, Gerald Dombrowski, Ronald Lucchesi, Tagger O'Brien, and Joanna Schubkegel
Absent: Member Michael Smetana
Also Present: Secretary Clifford Radatz, Village Administrator Eric Palm, Village Attorney Michael Marrs

II. APPROVAL OF FEBRUARY 14, 2019 ZONING BOARD OF APPEALS MEETING MINUTES

A MOTION was made by Member O'Brien and SECONDED by Chairman Martin to approve the minutes of the February 14, 2019 Zoning Board of Appeals meeting.

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

III. APPROVAL OF FINDINGS OF FACT FOR THE VARIATION REQUESTED FOR 1427 JACKSON AVENUE

A MOTION was made by Member O'Brien and SECONDED by Member Schubkegel to approve the Findings of Fact and recommendation regarding the Lot Coverage variation related to a garage at 1427 Jackson Avenue

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

IV. VARIATION REQUEST FOR 559 ASHLAND AVENUE – SIDE YARD SETBACK AND HEIGHT OF AN ACCESSORY STRUCTURE

Chairman Martin announced that the next matter on the agenda were two variations requested for 559 Ashland Avenue.

Secretary Radatz swore in all parties wishing to speak.

Paul Harding, owner of the property at 559 Ashland Avenue, presented the variations requested for the construction of a detached garage in the rear yard of the property, which include the encroachment of the roof eave into the required setback from the south property line by a variable distance from 0 (zero) up to 1'-0", and to increase the maximum height up to 20 feet.

Mr. Harding explained that the existing home on the property is the E. Arthur Davenport House, the first Prairie School home designed by Frank Lloyd Wright in the Chicago area; and that the home is of national historic significance.

Mr. Harding stated that the proposed garage is designed to be compatible with the aesthetic of the house, with broad roof overhangs. He noted that there is a large existing tree at the northeast corner of the property that conflicts with the location of the garage. Even with the use of a special foundation design to avoid damage to the root system of the tree, the proposed garage cannot be moved any further north, leaving a small tapered encroachment of the roof eave into the south side yard setback.

Mr. Harding continued that the objective is to maintain the fidelity of the design of the garage to that of the house, duplicating the roof pitch. Mr. Harding noted that since the Zoning ordinance requires building height to be measured from the elevation of the public walk, and that there is a general slope in the Village downwards toward the Des Plaines River, properties on the east side of north-south streets are at a natural disadvantage. He also noted that the neighbor to the east had improved their property by raising the grade of their rear yard, resulting in water being trapped in his rear yard. As a result, he must raise the elevation of the garage slab to keep it above the flood level. Mr. Harding noted that his proposed improvements for the garage project includes a dry well to retain rainwater on site. All of which push the height of the roof ridge of the proposed garage above the 18 foot building height allowed by the Zoning ordinance for accessory buildings.

Mr. Harding noted that the hardship of complying to the strict requirements of the Zoning ordinance is that the garage could not be constructed with a design that is complementary to the historic Davenport House.

Chairman Martin asked Secretary Radatz to explain the requested variations to the Board, which he did.

Chairman Martin asked for clarification as to which of the variations currently requested was the same as the variation requested in 2016. Secretary Radatz stated that it was the variation for relief

from the side yard setback requirement. Chairman Martin asked if the current submission for the Side Yard Setback variation was different in any way from the request that had been previously reviewed and acted upon by the Village Board. Secretary Radatz stated that there was no difference between the current and previous requested variation.

Chairman Martin asked the applicant why the variation for the height of the garage had not been requested with the earlier application. Mr. Harding stated that it was an unusual practice to regulate the height of buildings at the rear of the lot by elevation of the public walk and that it had been an oversight on his part. Chairman Martin asked what the height of the building was relative to the grade immediately adjacent to the proposed garage. Mr. Harding indicated that it was 18'-7½".

Chairman Martin and Mr. Harding discussed the hardship of not constructing a garage which was faithful to the design considerations of a house with national historic significance.

Daniel Lauber, resident at 7215 Oak Avenue, spoke in favor of proposed variations. Mr. Lauber stated that he was a friend of the previous owners of this house, he was familiar with the house and the extreme efforts of the previous owners to maintain its architectural integrity. He stated that his opinion was that it was incumbent upon the Village to allow these variations to maintain the architectural integrity. He noted that the hardship to the Village would be the loss of architectural integrity for a historic home of national significance if the variations were not granted. Further, he did not see any negative effects on the neighboring properties if the variations are granted.

The public portion of the hearing was closed.

Member David Berni expressed support for the variations citing the need to maintain the integrity of a Frank Lloyd Wright property and the requested variations are minimal.

A MOTION was made by Member Dombrowski and SECONDED by Member Berni to recommend to the Village Board of Trustees that the requests for the variation to the Side Yard setback and to the Building Height requirements for the proposed detached garage be granted.

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

Chairman Martin called the motion.

Ayes:	Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and Chairman Martin (citing the testimony of Mr. Lauber in regard to the hardship).
Nays:	None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend the variations be granted by the Village Board.

V. TEXT AMENDMENTS TO THE ZONING ORDINANCE

Chairman Martin announced that the next matter on the Agenda was the Text Amendments which had been proposed by the Village Board. He asked that the case for all of the amendments be presented together and that the Zoning Board would discuss and vote on the proposed amendments separately.

Village Administrator Eric Palm presented an overview of the proposed text amendments.

The first text amendment presented was for an addition of language to the standard for Planned Development in section 10-19-3 (K) which will add accessibility for persons with disabilities as a consideration for approval. The proposed amendment stems from the concern of the Village Board that in a recent application for an amendment to the Planned Development at Concordia University Chicago, the applicant did not take an additional step to make the improvement more accommodating for individuals with disabilities. Rather than increase the requirements of Federal and State disability codes, the Board believes that this addition to the standards for review is a more expedient approach.

The second text amendment is to add Child Daycare Center to the Land Use Chart of section 10-21-3, Appendix A, and to designate Child Daycare Center as a Special Use in the PRI Zoning District. Mosaic Montessori School, which operates out of a leased space at the River Forest United Methodist Church, has approached the Village about expanding their operation to operate a Daycare facility within their present school. Currently, the Zoning ordinance defines Child Daycare Center, but does not allow the use. After discussions with the Village Attorney and the Village Board, it was suggested that Child Daycare Center should be allowed as a Special Use, but not as a Permitted Use. There is a concern with the implications for traffic during pick-up and drop-off times that warrants additional review of a proposed facility. Further, the use should be focused, and only allowed for consideration in the PRI District.

The final proposed text amendment concerns Side Yard setbacks, and the allowance for additions to walls of existing buildings which maintain non-conforming side yard setbacks. Mr. Palm summarized the history of side yard requirements in the Village and the last time the matter was reviewed in 2012. The current regulation allows walls maintaining a non-conforming side yard to be extended horizontally for 20 feet, but does not allow that wall to be increased in height. Since the last review, requests for variations to increase the height of non-conforming walls continue to be filed; therefore, the Village Board has asked for the matter to be revisited. Additionally, there is a proposed change to allow the continuation of a non-conforming roof eave as of right. For the record, Mr. Palm read the proposed changes to the text. Chairman Martin clarified that this proposed change would allow a wall with a non-conforming setback to be increased in height to the maximum building height allowed in the Zoning District, as of right, and without any notice. Mr. Palm concurred with the Chairman's assessment.

Mr. John Houseal, resident and Planning Consultant for the Village, reviewed the proposed text amendments.

Mr. Houseal agrees with the Village Board's approach for the modification of the standard for Planned Development to address concerns about accessibility. This approach allows the Development Review Board and the Village Board to ask the applicant questions regarding accessibility, and the applicant will need to answer carefully and thoughtfully in order to gain approval.

Mr. Houseal stated that he also supports the change to the Land Use Chart to allow Child Daycare Center as a Special Use in the PRI Zoning District. He noted that although this change is for the propose of allowing one user to apply for this use in one location, it will allow anyone to apply for this use in any other location in the PRI District. He noted that there are a variety of activities which occur in the PRI District, and that Child Daycare Center is compatible as an accessory to other uses within that district. Further, the additional review required by for a Special Use permit is right approach.

Mr. Houseal noted that this is the third time that the requirements for side yard setbacks have been reviewed in the 20 years that he has been a resident of the Village. He reviewed the various iterations of this requirement. Currently the ordinance allows a wall maintaining a non-conforming setback to be extended horizontally for 20 feet, but does not allow the wall to be increased in height. Mr. Houseal indicated that he had reviewed the requirements for similar Villages. He found the following:

- Oak Park allows non-conforming walls to be extended horizontally and vertically.
- Riverside allows non-conforming walls to be extended vertically, but not horizontally.
- Evanston and Glen Ellyn do not allow non-conforming walls to be extended either horizontally or vertically without a Zoning Variation.

Next, Mr. Houseal reviewed the history of the variations requested in River Forest. In the last 10 years, 12 variations had been requested to increase the height of a wall with a non-conforming side yard setback. Mr. Houseal did not feel that this number of requests was a burden to the Village. Of those 12 variations requested, 11 had been approved. It seems that the applicants have been able to make a compelling case in most instances to obtain the requested variation.

Mr. Houseal explored the concept of "fair certainty", where a resident has a fair idea of what can be done with his property, and also what can be done with a neighboring property. Mr. Houseal notes that variety of ways that this issue is regulated in other communities lends credence to the idea that there is no right or wrong way to do it. The relatively low frequency of requests is not a burden to the variation process and it provides an important safeguard to the neighbors. For the above reasons, Mr. Houseal does not support the proposed change to the side yard setback requirement.

Member Berni expressed his opposition to the proposed change to the side yard setback regulation.

Dan Lauber, 7215 Oak Avenue, addressed the Board as a professional Planner. He noted that one of the purposes of the Zoning Ordinance is to protect the neighbors. He does not think it is remotely fair that the extension of a wall with a non-conforming setback should

be inflicted on a neighbor without a review process. Mr. Lauber then quoted extensively from the Findings of Fact from the review of this regulation in 2012, noting that there was no contradicting testimony. He concluded that just as there was no evidence was presented 7 years ago to justify this change, and no evidence has been supported now. He further recommended “fact-based zoning”, where the neighbors adjacent to properties which are granted a variation are surveyed after construction is completed to determine what the impact of the variation has been. Mr. Lauber also commented that the number of variation requests was not burdensome. Mr. Lauber does not favor a change to the side yard setback regulations.

Tim Beckman, 550 Thatcher Avenue, stated his support for the proposed change to the Land Use Chart to include Child Daycare Center as a Special Use in the PRI District.

Susan Veazie, 517 Keystone Avenue, stated her support for the proposed change to the Land Use Chart to include Child Daycare Center as a Special Use in the PRI District.

Maria Carandang-Ramos, director of Mosaic Montessori school, expressed her support for the proposed change to the Land Use Chart to include Child Daycare Center as a Special Use in the PRI District.

Shaun Krueger, 346 Park Avenue, indicated that he was in favor of protecting the interest of the neighbors. Mr. Krueger suggested that the regulation should allow either a vertical extension of a non-conforming wall, or a horizontal extension, but not both. Also, he disputes the contention that prospective residents actually consider the Zoning regulations when they move into a community.

Mr. Palm commented that the change in the setback requirement from 3 feet to 5 feet is not much of a concern when a new home is being built, but the challenges faced when adding onto an existing home are considerable. Further, he noted that 12 variation requests in the last 10 years may not be a high frequency in an absolute sense, but it is a large percentage of the requests in River Forest, which does not have a high frequency of requests in total.

Chairman Martin asked Mr. Palm if he thinks that the zoning variation process was “overly time consuming”. Mr. Palm stated that it was not “overly time consuming”, but that it is time consuming and that there is an expense to it. Chairman Martin asked if the \$650 application fee was a big expense compared to the cost of construction for a second floor addition. Chairman Martin noted that the cost is probably less than 1% of the cost of the typical project.

Mr. Houseal reviewed the history of the change in the setback requirement from 3 feet to 5 feet, noting at in that time house sizes were growing unrestrained. Also, the previous 3-foot setback was measured at the closest point of the building to the property line, typically the roof eave; therefore, the walls of the house needed to move further away from the property line to achieve the desired architectural style. He opined that it is impossible to write a zoning ordinance that works for 100% of the properties. The writes of zoning ordinances assume that the standard will work for 90% to 95% of the properties. The

Zoning variation process is available for the 5% to 10% of the properties where the zoning standards don't work, and relief is granted where it is appropriate.

Member Berni asked Mr. Houseal if the regulation in Riverside, which allowed vertical extension of the non-conforming wall but not horizontal extension, worked better than the current regulation in River Forest. Mr. Houseal stated that it was a matter of personal preference, but he believes that River Forest's regulation is better.

Chairman Martin asked Mr. Houseal if he thought that the Zoning Variation process discourages re-investment in properties. Mr. Houseal stated that he did not think so.

The public portion of the hearing was closed.

Member O'Brien expressed support for the proposed change to section 10-19-3 (K).

Chairman Martin expressed concern that the term "disabilities" is not defined and it may result in delays to the Planned Development process.

Village Attorney Marrs stated that there were various definitions of disability in state and federal law which could be referenced if the issue is ever raised.

A MOTION was made by Member O'Brien and SECONDED by Member Schubkegel to recommend to the Village Board of Trustees that the section 10-19-3 (K) be amended to read "The design of the proposed use or combination of uses promotes a safe and comfortable environment for pedestrians and individuals with disabilities".

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

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend that the Village Board adopt of the proposed text amendment to section 10-19-3 (K).

A MOTION was made by Member Lucchesi and SECONDED by Member Berni to recommend to the Village Board of Trustees that the section 10-21-3, Appendix A be amended to add Child Daycare Center and to establish it as a Special Use in the PRI Zoning District.

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend that the Village Board amend the Land Use Chart by adding Child Daycare Center and to establish it as a Special Use in the PRI Zoning District.

A MOTION was made by Member Berni and SECONDED by Member Lucchesi to recommend to the Village Board of Trustees that the section 10-8-7 (C) (2) (a) be amended to read: "Eaves: The eaves of a structure shall be required to maintain a minimum three-foot side yard setback. The eave of an addition, where the eave of the existing structure does not meet this standard, may be constructed with a side yard equal to the existing nonconforming side yard of that eave."

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend that the Village Board adopt of the proposed text amendment to section 10-8-7 (C) (2) (a).

A MOTION was made by Member O'Brien and SECONDED by Member Lucchesi to recommend to the Village Board of Trustees that the proposed amendment to section 10-8-7 (C) (2) (b), to allow the wall of a building which maintains a non-conforming side yard setback to be increased in height, should NOT be adopted.

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend to the Village Board that the proposed text amendment to section 10-8-7 (C) (2) (b) should NOT be adopted.

VI. PUBLIC COMMENT

None.

VII. ADJOURNMENT

A MOTION was made by Member Berni and SECONDED by Member O'Brien to adjourn the meeting at 9:05 p.m.


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

Nays: None.

Motion passed.

Respectfully Submitted:


Clifford Radatz, Secretary


Frank Martin, Chairman
Zoning Board of Appeals

Date: 4/11/2019



MEMORANDUM

DATE: March 8, 2019

TO: Zoning Board of Appeals

FROM: Clifford E. Radatz *CER*
Building Official

SUBJECT: Variation Request – 559 Ashland Avenue

Paul A. Harding, FAIA and Cheryl Harding, owners of the property at 559 Ashland Avenue, have submitted the attached application for a variation to the side yard setback regulations (Section 10-9-7) of the Zoning Code. The applicants propose to construct a new detached garage in the rear yard of the property.

Section 10-9-7 of the Zoning Code permits an accessory building which is located in the rear 30 percent of the lot to have a minimum side yard setback to the wall of a building of 3'-0" and permits the eaves of the detached accessory building to encroach a maximum of 1'-0" into the required setback. The applicants propose to construct the building with a side yard setback of 5'-0" to the wall, and to have a roof overhang which varies in length from a minimum of 3'-0" to a maximum of 4'-0". At the maximum, the roof eave of the garage will encroach up to 2'-0" into the required side yard setback.

The applicants are also requesting a variation to the height regulations for Accessory Buildings (Section 10-9-6 of the Zoning Code) which limits accessory structures to eighteen feet in height. The applicant proposes to construct a garage with a height of 20 feet 4 inches.

If the Zoning Board wishes to recommend the approval of these variations to the Village Board of Trustees, the following motion should be made: Motion to recommend to the Village Board of Trustees the approval of the variations to Sections 10-9-6 and 10-9-7 of the Zoning Code at 559 Ashland Avenue.

If you have any questions regarding this application, please do not hesitate to call me.



**LEGAL NOTICE
ZONING BOARD OF APPEALS
RIVER FOREST, ILLINOIS**

Public Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals of the Village of River Forest, County of Cook, State of Illinois, on Thursday, March 14, 2019 at 7:30 p.m. at the Community Room of the Municipal Complex, 400 Park Avenue, River Forest, Illinois on the following matter:

The Zoning Board of Appeals will consider a zoning variation application submitted by Paul A. Harding, FAIA and Cheryl Harding, owners of the property at 559 Ashland Avenue, who are proposing to construct a detached Garage.

The applicants are requesting a variation to Section 10-9-7 that would allow the roof overhang of the proposed garage to project 2 feet into the required setback at the south side of the property. The Zoning Code requires a 3-foot side yard setback for accessory buildings which are located in the rear thirty percent of the lot, but allows the roof overhang to project 1 foot into the required yard setback.

The applicants are also requesting a variation to Section 10-9-6 of the Zoning Code which limits accessory structures to eighteen feet in height. The applicant proposes to construct a garage with a height of 20 feet 4 inches.

The legal description of the property at 559 Ashland Avenue is as follows:

LOT 34 IN BLOCK 2 IN PART OF RIVER FOREST, BEING A
SUBDIVISION OF PART OF SECTION 12 AND 11, TOWNSHIP 39
NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN,
SURVEYED FOR THE SUBURBAN HOME MUTUAL LAND
ASSOCIATION, ACCORDING TO THE PLAT THEREOF RECORDED
JUNE 23, 1890 IN BOOK 43 OF PLATS PAGE 20, AS DOCUMENT
1291334, IN COOK COUNTY, ILLINOIS.

All interested persons will be given the opportunity to be heard at the public hearing. A copy of the meeting agenda will be available to the public at the Village Hall.

Clifford Radatz
Secretary
Zoning Board of Appeals

Architecture
Historic Preservation
Construction Management

224 South Michigan Avenue
Suite 245
Chicago, Illinois 60604

312.922.2600
312.922.8222 Fax



HARDING PARTNERS

January 18, 2019

Mr. Cliff Radatz
Building Official - Administration
Village of River Forest Zoning Board of Appeals
400 Park Avenue
River Forest, Illinois 60305

Re: Application for Zoning Variations

Dear Mr. Radatz:

The proposed variation at the property on 559 Ashland Avenue includes a tapering eave encroachment of 0" – 12" beyond what is permitted by the zoning ordinance on the required side yard setback along the south property line setback. This was previously approved by the village of River Forest. We also request a variation which permits an increased height of the peak of the roof. This responds to the design of the original 1901 Frank Lloyd Wright House. It is also impacted by the topography of the site which slopes from rear to front of the property. The topography of the Village of River Forest slopes to the Des Plaines River. As written the village ordinance unfairly penalizes property owners on the east side of north south streets.

Very truly yours,

HARDING PARTNERS

Paul A. Harding, FAIA
Partner

cc: File



APPLICATION FOR ZONING VARIATION
Village of River Forest Zoning Board of Appeals

Address of Subject Property: 559 Ashland Avenue, River Forest, Illinois 60305 Date of Application: 01.18.19

Applicant		Architect / Contractor	
Name: Paul A. Harding, FAIA and Cheryl Harding		Name: Harding Partners Architects	
Address: 559 Ashland Avenue		Address: 224 South Michigan Avenue Suite 245	
City/State/Zip: River Forest, Illinois 60305		City/State/Zip: Chicago, Illinois 60604	
Phone: 3122180042	Fax: 3129228222	Phone: 3129222600	Fax: 3129228222
Email: pharding@harding.com		Email: pharding@harding.com	

Relationship of Applicant to Property (owner, contract purchaser, legal counsel, etc.): Owner

Zoning District of Property: ☐ R1 ☒ R2 ☐ R3 ☐ R4 ☐ C1 ☐ C2 ☐ C3 ☐ PRI ☐ ORIC

Please check the type(s) of variation(s) being requested:

☒ Zoning Code ☐ Building Code (fence variations only)

Application requirements: Attached you will find an outline of the other application requirements. Please read the attached carefully, the applicant will be responsible for submitting all of the required information.

Also attached for your information are the Zoning Board of Appeals "Rules of Procedure" for their public hearings.

Application Deadline: A complete variation application must be submitted no later than the 15th day of the month in order to be heard by the Zoning Board of Appeals in the following month. The Zoning Board of Appeals meets on the second Thursday of each month.

SIGNATURES:

The undersigned hereby represent for the purpose of inducing the Village of River Forest to take the action herein requested, that all statements herein and on all related attachments are true and that all work herein mentioned will be done in accordance with the ordinances of the Village of River Forest and the laws of the State of Illinois.

Owner: Paul A. Harding Date: 01.18.19
Applicant (if other than Owner): _____ Date: _____

Application Fee: A non-refundable fee of \$650.00 must accompany every application for variation. Checks should be made out to the Village of River Forest.

APPLICATION FOR ZONING VARIATION

Address of Subject Property: 559 Ashland Avenue, River Forest, Illinois 60305 Date of Application: 01.18.19

Summary of Requested Variation(s):

Applicable Code Section (Title, Chapter, Section) <i>Example:</i> 10-8-5, lot coverage	Code Requirement(s) <i>Example:</i> no more than 30% of a lot	Proposed Variation(s) <i>Example:</i> 33.8% of the lot (detailed calculations on a separate sheet are required)
10-8-7, Setback Regulations; C, Side Yards; 2, Exceptions; c, Accessory Structures	"The eaves of a detached accessory structure shall be permitted to encroach a maximum of one foot into a required sideyard setback."	Tapering encroachment from one foot to two feet into the sideyard. On the south facade of the proposed garage, the encroachment of the roof eaves shall be increased from the one foot permitted by zoning to a tapering variation that increases this from zero inches to twelve inches as shown in the attached drawings.
10-8-6: Height Regulations; A, Accessory Buildings	"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."	Increasing the permitted peak of the pitched roof by 2'-0" to a total height of 20'-0". This includes a 2" construction tolerance contingency which is not likely to be required. Please reference the Composite North Elevation drawing which shows the variance requested. The existing Frank Lloyd Wright House has a 5:12 roof pitch.

THE APPLICANT IS REQUIRED TO SUBMIT DETAILED LONG HAND CALCULATIONS AND MEASUREMENTS FOR ALL APPLICABLE ZONING PROVISIONS. APPLICATIONS WILL NOT BE CONSIDERED COMPLETE WITHOUT THESE CALCULATIONS AND MEASUREMENTS.

APPLICATION REQUIREMENTS FOR MAJOR VARIATIONS

A. General Requirements.

1. A complete copy of the application shall be submitted to the Zoning Administrator for processing. The written application form, bound together with supplementary exhibits shall contain at least the following information:
 - a. The name, address and phone number of the applicant.
 - b. If the applicant is not the owner of the property in question, (i) the name, address and phone number of the owner, (ii) the interest of the applicant in the subject property, (iii) proof of consent by the owner to the filing of the application, and (iv) any beneficiaries of the owner or developer.
 - c. The date of the application.
 - d. Identification of the property in question by street address. If there is no street address, the applicant must provide a description of the location of the property in relation to surrounding streets and properties.
 - e. A short, written description of the nature of the proposed variation, development or re-development, and the proposed use(s).
 - f. A plat of survey of the property which includes the location and dimensions of all existing or planned easements, land subject to covenant, rights-of-way, scale and north arrow.
2. In addition, the applicant shall submit drawings which graphically explain the site's present conditions and how they would be affected if the proposed variance were granted. Information should include, but not be limited to, the proposed structure's relation to the property line, nearby trees, and other existing structures on both the applicant's and the neighbor's properties. Information on the proposed structure's height, type of construction and depth of eaves should be provided. All drawings should be dimensioned and to scale. A copy of the plat of survey with this information noted on it would be sufficient.
3. **Submit one (1) hard copy of the completed application - initially. Once the application has been reviewed by Village Staff, and after the applicant makes all necessary changes, the applicant will then submit a total of nine more hard copies and one electronic copy of the completed application.**

B. In addition to the requirements identified in Section A, the following additional information shall also be provided on the drawings accompanying an application for a variation:

1. The height in stories and feet, gross floor area, lot coverage (footprint area of the proposed structures in relation to the area of the site, expressed as a percentage), and floor area ratio of all existing or proposed buildings located on the lot where the development is to take place.

2. If the development is a multiple-family residential development, the number of one-, two-, three-, or four-bedroom dwelling units proposed for construction.
 3. Dimensions of the development site, indicated along the property line. Distances to all buildings, structure, freestanding signs, on adjoining properties.
 4. The location of freestanding signs on the site.
 5. Identification of vehicular areas including parking areas, loading areas, and circulation areas, and showing the layout and size of parking spaces, aisles and direction of travel on or in lanes, aisles, or driveways.
 6. Legal documentation establishing homeowners associations or other legal entities responsible for control over required common areas and facilities.
 7. It is also recommended that the application include photographs of the subject property/building, and written testimony/letters from neighboring property owners indicating support of proposed project.
- C. No order of the Village Board of Trustees permitting a variation from the provisions of the Zoning Code shall be valid for a period longer than nine months, unless such use or structure is initiated within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for erection or alteration is obtained within such period of nine months and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

A variation shall be deemed to authorize only the particular construction or development which was applied for. A variation shall automatically become null and void if such construction or development is removed and not replaced within nine months following such removal.

STANDARDS FOR MAJOR VARIATIONS (SECTION 10-5-4F)

A major variation shall be recommended by the Zoning Board of Appeals only if it makes findings, based upon the evidence presented to it, that each of the following standards has been met:

1. 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;
2. The aforesaid unique physical condition did not result from an action of any person having an interest in the property, but was created by natural forces or was the result or was the result of governmental action, other than the adoption of this Zoning Ordinance, for which no compensation was paid;
3. The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;
4. The purpose of the variation is not based predominantly upon a desire for economic gain;
5. The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located;
6. 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 diminish or impair property values within the neighborhood;
7. That the granting or the variation would not unduly tax public utilities and facilities in the area;
8. 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.

Applicants are required to provide detailed written responses to each of the eight above standards.

Rules of Procedure for the Zoning Board of Appeals
Adopted 6/16/04

General Rules

- Rule 1 Prior to each regular meeting of the Zoning Board of Appeals, ("board") the village staff shall cause an agenda to be prepared.
- Rule 2 The ayes and nays shall be taken and recorded in the minutes in the case of the passage of all motions. A concurrence of a majority of all members present shall be necessary to the passage of same, unless otherwise required by law. In all cases where a motion is entered into the minutes, the names of the member moving and seconding shall be entered.
- A vote or question may be reconsidered at any time during the same meeting or at the first regular meeting held thereafter. A motion for reconsideration, once having been made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered. A motion to reconsider must be made by a member who voted on the prevailing side of the question to be reconsidered.
- Rule 3 Except during the portion of the meeting dedicated to public participation, no person (other than village staff or consultants to the board) may address the board without the consent of a majority of board members then present.
- Rule 4 These rules, except rule 2, may be temporarily suspended by a vote of two-thirds of the members present.
- Rule 5 The chairman shall be the presiding officer. In the absence of the chairman, the board members present shall elect a chairman *pro tem*. The presiding officer shall decide all questions of order.
- Rule 6 Four members shall constitute a quorum. Except as provided in this rule, no motion shall be considered or voted on without a quorum present. A member shall be considered "present" when available and participating in accordance with the rules governing participation by electronic means. A motion to recess to a future specified date may be considered and passed by less than a quorum of members.
- Rule 7 Any party to a hearing may arrange for the proceedings to be recorded and transcribed by a certified shorthand reporter at the party's expense. A copy of any transcript prepared shall be filed with the board. The board, at its discretion, may direct that the proceedings be recorded at the expense of the party initiating the action ("applicant") which is the subject of the hearing and may require the applicant to deposit funds sufficient to defer the cost of such recording.
- Rule 8 At any hearing, the applicant or any interested party may appear on his or her own behalf or may be represented by an attorney or agent.
- Rule 9 In addition to the applicant, any person having an interest in the action which is the subject the hearing ("interested parties") may appear at the hearing to give testimony. The village shall be deemed an interested party in every case, and need not appear.

Every interested party wishing to testify at the hearing shall submit to the Chairman of the Board, in writing, his or her name and address. The Chairman may impose reasonable limitations on evidence or testimony presented by interested parties, such as time limits and banning repetitious, irrelevant or immaterial testimony.

Rules Governing the Taking of Evidence

Rule 10 All evidence from the applicant and any interested persons shall be taken during the portion of the meeting dedicated to public participation. The order of presentation of evidence shall generally be as follows, but may be modified by the chairman:

- a. Testimony by applicant's witnesses.
- b. Report by staff and consultants.
- c. Board examination of applicant's witnesses.
- d. Cross-examination of applicant's witnesses.
- e. Testimony by interested party witnesses.
- f. Board examination of interested party witnesses
- g. Applicant's cross-examination of interested party witnesses.
- h. In some cases re-examination may be allowed.
- i. Summary/rebuttal by applicant.

At the conclusion of the portion of the meeting dedicated to public participation, the board shall begin to deliberate or continue the hearing to a date, time and location certain. During deliberations, the board members may question any person present regarding his/her previous testimony.

Rule 11 [Cross-examination of witnesses shall be limited to applications for a special use permit - ZBA only] Only the applicant, an interested party entitled to notice pursuant to the Village Zoning Code, member of the board or attorney for the board shall be permitted to cross-examine witnesses. In the event the applicant or any interested party is represented by an attorney, the attorney may conduct any cross-examination.

The chairman may impose reasonable conditions on cross-examination of witnesses, including, but not limited to, requiring persons to register with the chairman in advance and demonstrate that they fall within the class of persons allowed to cross-examine; restricting the subject matter on which cross-examination will be allowed and identifying those witnesses who may be cross-examined. Any such conditions shall be published in advance of the hearing.

Rule 12 Persons permitted to cross-examine a witness may, at the time indicated by the chairman, direct questions to the witness from a location chosen by the chairman. The opportunity for questioning a witness shall not be used by the questioner to offer testimony or evidence.

Rule 13 All persons offering testimony at a hearing shall testify under oath. An attorney shall be sworn if he or she offers testimony but not if he or she is questioning witnesses, summarizing testimony of witnesses, or addressing the board. Testimony may be given only from a location chosen by the chairman.

Rule 14 The board shall not be bound by strict rules of evidence; however, irrelevant, immaterial, argumentative, or repetitious evidence or questioning shall not be allowed. The chairman shall rule on all questions related to the admissibility of

evidence, which ruling may be overruled by a majority of the board members present.

- Rule 15 The chairman may take such actions as are required to permit an orderly and civil hearing.

Rules for the Conduct of Meetings by Electronic Means

- Rule 16 Whenever possible, members of the board who cannot be physically present at a public meeting and who wish to attend via electronic means shall give notice to the Village Administrator not less than two business days before the meeting date.
- Rule 17 When it is known two business days in advance of such meetings that any board member will attend through use of electronic means, a notice shall be posted stating the names of the members of the board who will be attending in that manner, and the type of medium through which they will attend.
- Rule 18 When it is not possible for a member of the board to give two business days notice, and the member is unable to be physically present at a meeting, and wishes to attend through the use of electronic means on the date of the meeting, prior to convening the meeting, the presiding officer shall announce such method of attendance to the public and the reason.
- Rule 19 If the chairman attends the meeting through the use of electronic means, he or she shall vacate the chair and a member who is physically present shall preside.
- Rule 20 When one or more members attend a meeting via electronic means, all votes shall be by roll call.
- Rule 21 No more than two members of the board may attend a meeting through the use of electronic means from the same remote location.
- Rule 22 At least four board members must be physically present to constitute a quorum.
- Rule 23 When speaker phones are used to allow a member of the board to attend a meeting without being physically present, the member using the speaker phone must, each time he or she wishes to speak, identify himself or herself by name and be recognized by the presiding officer before speaking.
- Rule 24 The board, in its sole discretion, by majority vote, may authorize village staff, or consultants, to participate in the proceedings by electronic means.
- Rule 25 All notices sent to interested parties and required by ordinance shall include a copy of these Rules and the following statement: All meetings of the board are held at Village Hall beginning at 7:30 P.M. unless otherwise stated in the attached notice, or announced by the board at the time of any recess.



SHORT DESCRIPTION OF THE NATURE OF THE PROPOSED VARIATION

Application for Zoning Variation

559 Ashland Avenue

1.18.19

Section A

1. Required Information

- a. *A short, written description of the nature of the proposed variation, development or re-development, and the proposed use(s).*

This is a previously approved zoning variation which expired. We are requesting reapproval. The original zoning variance implementation was delayed by Paul Harding's four surgeries.

The subject property is the nationally significant E. Arthur Davenport House, a 1901 Frank Lloyd Wright House. It is the first Frank Lloyd Wright Prairie House built in the Chicago Area. It was published in the June 1901 edition of the Ladies Home Journal as "The Small House with Lots of Room In it" and was exhibited widely before its completion in November 1901. Given the national significance of the Frank Lloyd Wright House, it is important that the garage reflect its aesthetic including the broad overhanging eaves. There is an existing 100 year old Oak Tree which is an important part of the property that is important to preserve. It constrains the garage location. With these physical surroundings coupled with the program for a two car garage and modest size family room, the garage is sited in the only feasible location. With the broad eaves it would be impossible to fit the structure on the site in between the tree with its root structure and the required side yard setbacks without having the eaves encroach upon the side yard setback. The tapered overhanging eaves would by necessity extend further into the side yard setback beyond the building ordinance by 0 - 12 inches. It would be a hardship to forego the broad overhanging eaves or to lose the tree, without a zoning variation.

New Zoning Variation

We are requesting approval to increase the permitted peak of the pitched roof by 2'-0". This includes a 2" construction tolerance contingency which is not likely to be required. Please reference the Composite North Elevation drawing which shows the variance requested. The existing Frank Lloyd Wright House has a 5:12 roof pitch. Given the national prominence of the house it would be a hardship to build the garage with a roof pitch different from the original 1901 Frank Lloyd Wright House. Another contributing factor is that the Village ordinance penalizes most owners whose residential property is on the east side of the north south streets due to the general sloping of the village topography down toward the Des Plaines River. Property owners whose property backs up into railroad embankments are also unfairly penalized.



RESPONSES TO GENERAL REQUIREMENTS

Application for Zoning Variations

559 Ashland Avenue

1.18.19

Section A

1. Required Information

e. *The name, address and phone number of the applicant*

Paul and Cheryl Harding
559 Ashland Avenue
River Forest, Illinois 60305
Phone: (312) 218-0042

f. *If the applicant is not the owner of the property in question, (i) the name, address and phone number of the owner, (ii) the interest of the applicant in the subject property, (iii) proof of consent by the owner to the filing of the application, and (iv) any beneficiaries of the owner or developer.*

Not Applicable

g. *The date of the application*

January 18, 2019

h. *Identification of the property in question by street address. If there is no street address, the applicant must provide a description of the location of the property in relation to surrounding streets and properties.*

559 Ashland Avenue

i. *A short, written description of the nature of the proposed variation, development or re-development, and the proposed use(s).*

See attached document.

j. *A plat of survey of the property which includes the location and dimensions of all existing or planned easements, land subject to covenant, rights-of-way, scale and north arrow.*

This is included in the attached drawings.

Section B

1. *The height in stories and feet, gross floor area, lot coverage (footprint area of the proposed structures in relation to the area of the site, expressed as a percentage), and floor area ratio of all existing or proposed buildings located on the lot where the development is to take place.*

Zoning data is shown on attached Drawing A-010, Site Plan and Zoning Data

2. *If the development is a multiple-family residential development, the number of one-, two-, three-, or four-bedroom dwelling units proposed for construction.*

Not Applicable

3. *Dimensions of the development site, indicated along the property line. Distances to all buildings, structure, freestanding signs, on adjoining properties.*

Site dimensions are shown on attached Drawing A-010.

4. *The location of freestanding signs on the site.*

Not Applicable

5. *Identification of vehicular areas including parking areas, loading areas, and circulation areas, and showing the layout and size of parking spaces, aisles and direction of travel on or in lanes, aisles, or driveways.*

Residential driveway is shown on an attached Drawing A-010. Parking is within the proposed garage.

6. *Legal documentation establishing homeowners associations or other legal entities responsible for control over required common areas and facilities.*

Legal description is on the attached Plat of Survey.

7. *It is also recommended that the application include photographs of the subject property/building, and written testimony/letters from neighboring property owners indicating support of proposed project.*

Photographs of the subject property and proposed building is attached Drawing G-010.

HARDING PARTNERS

RESPONSES TO THE STANDARDS FOR MAJOR VARIATIONS

Application for Zoning Variation

559 Ashland Avenue

1.18.19

STANDARDS FOR MAJOR VARIATIONS

1. *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 regulation were to be carried out;*

The unique aspects of the physical surroundings are as follows:

- The nationally significant house is Frank Lloyd Wright's 1901 E. Arthur Davenport House. It is recognized as being the "First Frank Lloyd Wright Prairie House to be built in the Chicago Area". It was nationally published and widely exhibited by Frank Lloyd Wright as "The Small House with Lots of Room in it" when it was completed in 1901. It has been included in numerous books on the architecture of Frank Lloyd Wright and other publications including the *New York Times* and the *Green Michelin Guide to Chicago*. It has been extensively restored at substantial cost by the current owners following the highest national standards for historic preservation. Paul Harding is a Fellow of the American Institute of Architects.
- The existing 100-year-old Oak Tree is a beautiful, mature tree located at the rear of the property. According to our landscape architect, it is important to save this mature, beautiful and healthy tree. The tree with its existing root structure is limiting the placement of the garage.
- The exterior of the Davenport House is protected by a façade easement and it cannot be changed or added on to. Adding on to the house or connecting an accessory structure is not possible.

Given the national significance of the Frank Lloyd Wright House, it is important that the garage reflect the aesthetic of the house, including the broad overhanging eaves. Due to the physical surroundings coupled with the program for a two car garage and modest size family room, the garage is sited in the only feasible location. It is in the location of the non-original 1921 garage that is currently on the site. The proposed garage incorporates broad overhanging eaves which are a defining feature of Frank Lloyd Wright's Prairie Houses. With the broad eaves it would be impossible to fit the structure on the site in between the tree with its root structure and the required side yard setbacks without having the eaves encroach upon the side

yard setback by an additional 12". The tapered overhanging eaves would by necessity extend further into the side yard setback beyond the building ordinance by 0 - 12 inches at the peak. It would be a hardship to forego the broad overhanging eaves or to lose the tree, without a zoning variation.

We are also requesting approval to increase the permitted peak of the pitched roof by 2'-0". This includes a 2" construction tolerance contingency which is not likely to be required. Please reference the Composite North Elevation drawing which shows the variance requested. The existing Frank Lloyd Wright House has a 5:12 roof pitch. Given the national prominence of the house it would be a hardship to build the garage with a roof pitch different from the original 1901 Frank Lloyd Wright House. Another contributing factor is that the Village ordinance penalizes most owners whose residential property is on the east side of the north south streets due to the general sloping of the village topography down toward the Des Plaines River. Property owners whose property backs up into railroad embankments are also unfairly penalized.

2. *The aforesaid unique physical condition did not result from an action of any person having an interest in the property, but was created by natural forces or was the result or was the result of governmental action, other than the adoption of this Zoning Ordinance, for which no compensation was paid;*

The aforesaid unique physical conditions did not result from actions of the current owners. They were the product of the time and technology of 1901, Frank Lloyd Wright's architecture, the location of the 100 year old oak tree and the fact that the current zoning ordinance did not exist when the original 1901 house and the current 1921 garage were built. This zoning ordinance unintentionally penalizes property owners on the east side of north south streets.

3. *The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;*

Given the unique physical circumstances and the national significance of the house, this proposed variation would not be applicable to another property in this zoning classification.

4. *The purpose of the variation is not based predominantly upon a desire for economic gain;*

The E. Arthur Davenport House is being restored by the current owners for altruistic reasons and is not being completed for financial gain. No one restores a Frank Lloyd House for economic gain. The garage, with its extreme fidelity to the original Frank Lloyd Wright, is not being restored for economic gain either.

5. *The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located;*

The granting of the variation will not be detrimental of the public welfare or adversely impact adjacent property. In fact, the restored Frank Lloyd Wright House with its proposed appropriately designed garage will continue to be an important part of the architectural heritage of River Forest and the United States. If granted, the proposed variation will provide lasting value to the Village of River Forest and its residents, including the immediate neighborhood.

6. *The proposed variation will not impair an adequate supply of light air to adjacent property; or substantially increase danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood;*

The proposed variation with the additional 0 - 12 inches of tapered eave on the south façade will not impair daylight and air to the adjacent two garages. It will not substantially increase the danger of fire or endanger the public safety. Oak Park permits eaves within 12" of the property line and there have not been any issues. The proposed garage along with the restored Frank Lloyd Wright house improves property value within the neighborhood. The modest height variation at the peak of the roof will not adversely impact the two adjacent garages or the adjacent property.

7. *That the granting or the variation would not unduly tax public utilities and facilities in the area;*

Clearly the eave setback variation from 0" to 12" would not increase water consumption, gas consumption or electric consumption. The increase in height of the ridge of the garage is extremely small in volume and would not impact water consumption, gas consumption, or electric consumption.

8. *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;*

There is no means other than the requested variation by which the alleged hardship can be avoided or remedied.



FRANK LLOYD WRIGHT BUILDING CONSERVANCY

8 March 2019

Mr. Cliff Radatz
Building Official – Administration
Village of River Forest Zoning Board of Appeals
400 Park Avenue
River Forest, IL 60305

Re: Application for Zoning Variation for the E. Arthur Davenport House

Dear Mr. Radatz,

This letter is in support of the request of Paul and Cheryl Harding for a zoning variance for the roof height of their proposed garage at 559 Ashland Avenue, River Forest. It is our understanding from the documents provided us by Mr. Harding that the roof ridge would project above the current zoning allowance by 2'-4." The proposed garage appears to be complimentary to the Hardings' house and we believe this amenity is likely to contribute to the long-term preservation of the house.

The Frank Lloyd Wright Building Conservancy applauds the restoration work the Hardings have done on their house, known historically as the Davenport House, designed by Frank Lloyd Wright in 1901. Wright is widely considered to be America's most important architect and one of its most significant artists. The mission of the Frank Lloyd Wright Building Conservancy, founded in 1989, is to facilitate the preservation and maintenance of the remaining structures designed by Frank Lloyd Wright through education, advocacy, preservation easements and technical services.

Thank you for your attention to this matter.

Sincerely,

Barbara Gordon
Executive Director

Zoning Review Information

Address: 559 Ashland Avenue

Date of Review:

Date of Submission:

1/18/2019

Contact: Paul Harding

Telephone #:

312.218.0042

Revised: 03.08.19

For Review and Building Permit

Zoning District :

R-2

Use:

Detached Garage for Single Family Residence

Accessory Structure

Permitted Use

Lot Area

Lot Width

Lot Depth

Lot Area

50.00

157.2950

7864.75

Lot Coverage

30% allowed for the R2 District

Allowed

Proposed

2359.43

1956.62

☒

24.88%

Floor Area Ratio

40% allowed for the R2 District

Allowed

Proposed

3145.90

2444.20

☒

31.08%

Setbacks

Accessory structure

Required

Proposed

Rear 30% of Lot Depth

47.1885

32.0000

☒

Is the Accessory Structure located in the rear 30% of the lot?

Yes

(If not, must comply with setbacks for the main building.)

Side Yard

10-8-7 C 2 c 3' to bldg

North

3.0000

7.0000

☒

10-8-7 C 2 c 2' to eave

2.0000

3.1250

☒

Side Yard

10-8-7 C 2 c 3' to bldg

South

3.0000

5.0000

☒

10-8-7 C 2 c 2' to eave

2.0000

1.0000

☒

South Roof Eave setback approved by
by Zoning Variation on 8-22-16

Rear Yard

10-8-7 C 2 c 3' to bldg

East

3.0000

5.6400

☒

10-8-7 C 2 c 2' to eave

2.0000

2.6400

?

☐

Accessory Structure

Zoning Review Checklist

5'-0" Clear required where adjacent to ComEd power lines 5' **N/A**

Building Height Ridge

Allowed

Proposed

Height above grade in feet

18'

20'

☒

Story Height

1.5

1

☒

Off-Street Parking

Required

Proposed

Garage spaces

2

2

☒

Does the Accessory Structure cover more than 30% of the Rear Yard? ☒

No

Rear Yard Depth 85.27

Lot Width at Rear Yard 50.00

Area of Rear Yard 4263.50

x 30% 0.30

Allowable Area of Acc. Bldg 1279.05

559 Ashland Avenue

Area Calculations

Revised:**7/3/2017****11/13/2018**

Lot Area	50.0000	157.2950	7864.7500
Allowed Coverage	0.3000		2359.4250
Allowed FAR	0.4000		3145.9000

Lot Coverage - Existing

First Floor Area	Existing	1062.6360
Detached Garage	Existing	414.7323
Open Porch	Existing	0.0000
		0.0000
Total		1477.3683

Lot Coverage - New

First Floor Area	Existing	1062.6360
Detached Garage	Proposed	893.9791
Open Porch	Existing	0.0000
		0.0000
Total		1956.6151

Floor Area - Existing

Floor Area - existing	1st floor	1062.6360
	2nd floor	987.5833
	Attic	0.0000
Detached Garage	Existing	414.7323
garage allowance (up to 500 s.f)		-414.7323
		2050.2193

Floor Area - Proposed

Floor Area - Proposed	1st floor	1062.6360
	2nd floor	987.5833
	Attic	0.0000
Detached Garage	Proposed	893.9791
garage allowance		-500.0000
		2444.1984

559 Ashland Avenue

Revised: 7/3/2017
11/13/2018

House - 1st floor - **Existing to remain**

A	10.9700	14.4500	158.5165
B	18.9800	37.5600	712.8888
C	8.0400	14.4500	116.1780
D	0.3200	8.4000	2.6880
E	8.0600	4.0200	32.4012
old bay, new is smaller	F	3.1100	12.8500
			1062.6360

House - 1st floor - **Proposed**
Existing to remain

1062.6360

0.0000
1062.6360

House - 2nd floor - **Existing to remain**

a	10.9700	14.4500	158.5165
b	18.9800	37.5600	712.8888
c	8.0400	14.4500	116.1780
			987.5833

House - 2nd floor - **Proposed**
Existing to remain

987.5833

		0.0000
d		0.0000
		0.0000

987.5833

House - Attic half story - **Existing to remain**

a	0.0000
b	0.0000
c	0.0000
	0.0000

House - Attic half story - **Proposed**
Existing to remain

	0.0000
	0.0000
d	0.0000
	0.0000
	0.0000

Detached Garage - **Existing**

a	20.3350	20.3950	414.7323
b			0.0000

414.7323Detached Garage - **Proposed**

a	25.5833	25.5833	654.5069
b	19.4167	12.3333	239.4721

893.9791Open Porch - **Existing**

a	0.0000
b	0.0000

0.0000

E. ARTHUR DAVENPORT HOUSE

GARAGE

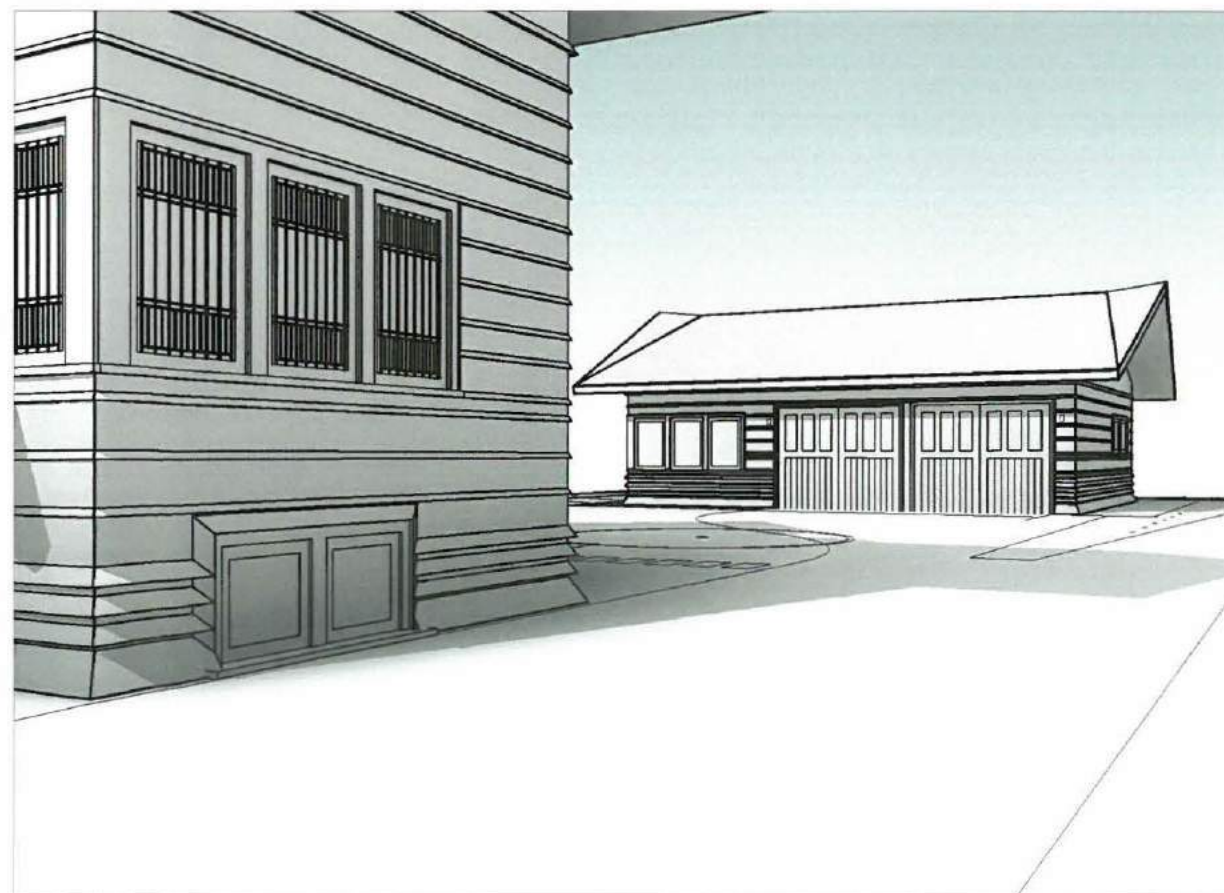
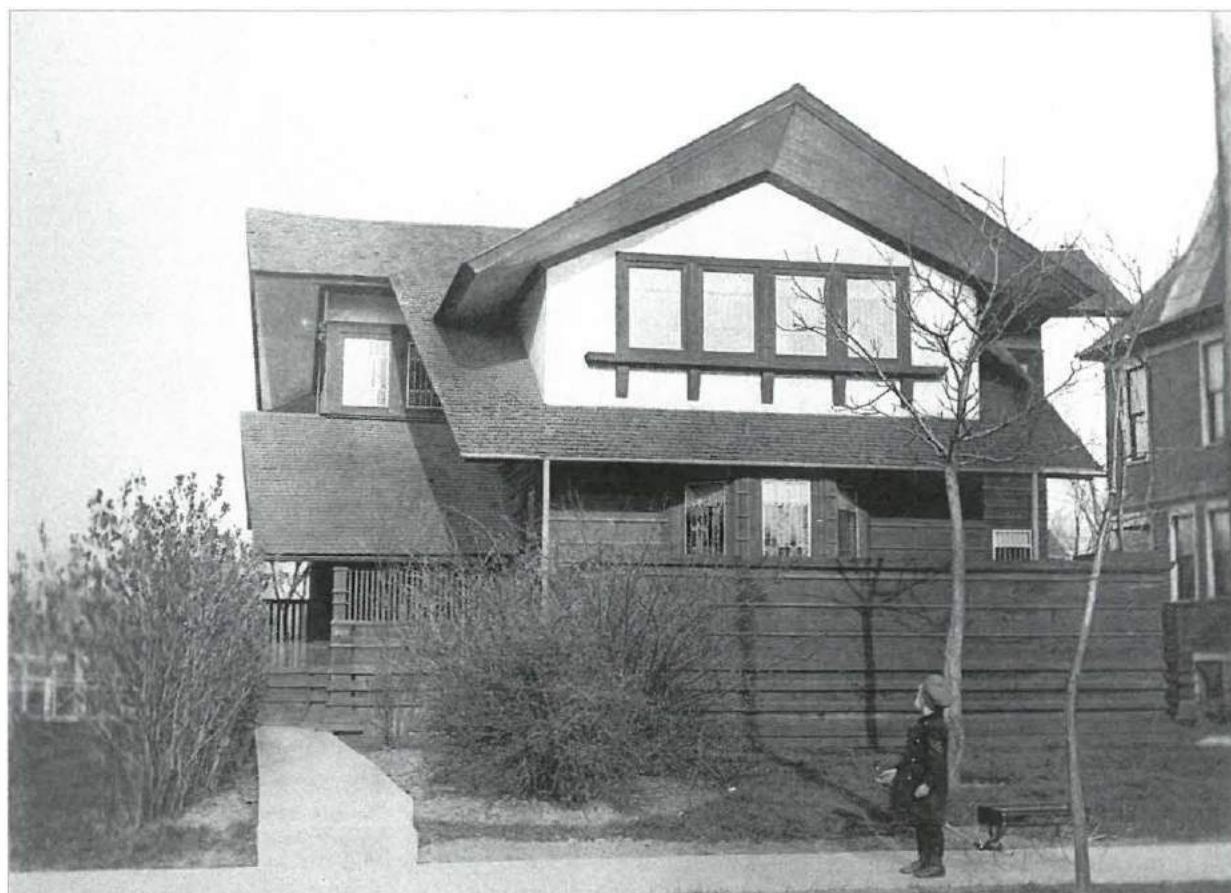
CLIENT	PAUL AND CHERYL HARDING 559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305
ARCHITECT	HARDING PARTNERS 224 SOUTH MICHIGAN AVENUE SUITE 245 CHICAGO, ILLINOIS 60604 312.922.2600 Tel
STRUCTURAL ENGINEER	GOODFRIEND MAGRUDER STRUCTURE LLC 53 WEST JACKSON BOULEVARD SUITE 352 CHICAGO, ILLINOIS 60604 312.265.2645 Tel
MECHANICAL ENGINEER	ARCHITECTURAL CONSULTING ENGINEERS OAK PARK, ILLINOIS
CIVIL ENGINEER	TERRA ENGINEERING CHICAGO, ILLINOIS
LANDSCAPE ARCHITECT	CYLA DESIGN OAK PARK, ILLINOIS



EXISTING HOUSE

PROPOSED GARAGE

ISSUED FOR ZONING VARIACE
01.18.19



BID DOCUMENTS

THESE DRAWINGS AND SPECIFICATIONS ARE "BID PACKAGE" DOCUMENTS WHICH INDICATE THE GENERAL EXTENT OF THE WORK AND SYSTEMS PERFORMANCE OF THE PROJECT IN TERMS OF THE DIMENSION OF THE BUILDING, THE TYPE OF STRUCTURE, THE ELECTRICAL AND LIFE SUPPORT SYSTEMS AND AN OUTLINE OF MAJOR ARCHITECTURAL ELEMENTS OF CONSTRUCTION. AS "BID PACKAGE" DOCUMENTS, THE DRAWINGS AND SPECIFICATIONS ARE NOT INTENDED TO INDICATE OR DEFINE ALL WORK REQUIRED TO COMPLETE THE FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. ON THE BASIS OF THE GENERAL INFORMATION PROVIDED, THE GENERAL EXTENT OF THE WORK INDICATED, DESCRIBED OR REQUIRED, THE CONTRACTOR SHALL ESTABLISH A COST WITH SUBCONTRACTORS AND PURCHASER AND INSTALL ALL ITEMS REQUIRED FOR THE FULL PERFORMANCE, EXECUTION AND COMPLETION OF THE WORK.

[illegible]

DAVENPORT HOUSE

GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

☐ ZONING VARIANCE

CLIENT
PAUL HARDING, FAIA
559 ASHLAND AVENUE
RIVER FOREST, ILLINOIS 60305

ARCHITECT
HARDING PARTNERS
224 SOUTH MICHIGAN AVENUE SUITE 245
CHICAGO, ILLINOIS 60604
312.922.2600 Tel
312.922.8222 Fax

TITLE
SITE PHOTOGRAPHS

DATE (MM/DD/YY)

04.15.16

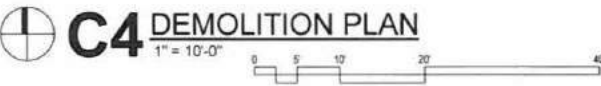
SHEET NO.

G-010

FILE NAME

BLDG - DVP - 20160101

© HARDING 2018



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5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	6.5.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CNSLT PRICING	5.24.16
NO	DESCRIPTION	DATE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60005

CLIENT
PAUL AND CHERYL HARDING
559 ASHLAND AVENUE
RIVER FOREST, ILLINOIS 60305

ARCHITECT
HARDING PARTNERS
224 SOUTH MICHIGAN AVENUE SUITE 245
CHICAGO, ILLINOIS 60604
312.922.2600 Tel
312.922.8222 Fax

STRUCTURAL ENGINEER
GOODFRIEND MAGRUDER STRUCTURE LLC
53 WEST JACKSON BOULEVARD SUITE 352
CHICAGO, ILLINOIS 60604
312.265.2645 Tel

MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING
ENGINEERS
OAK PARK, ILLINOIS

DATE (MM.DD.YY)
F
01.18.19

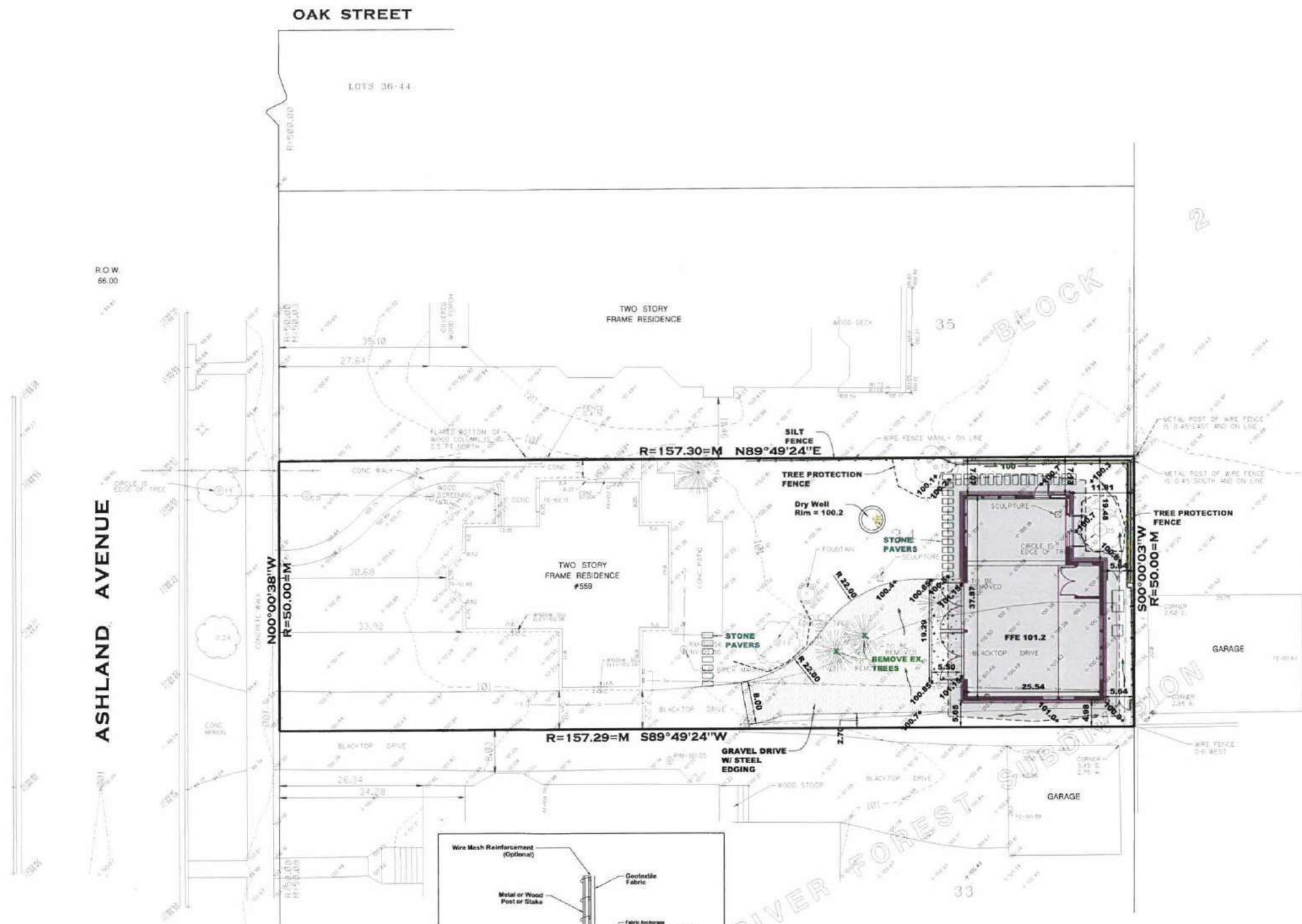
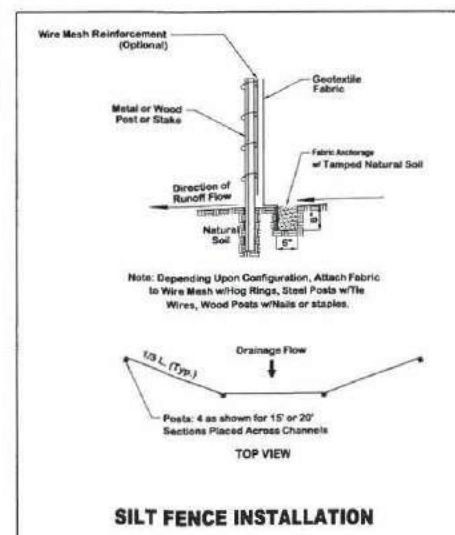
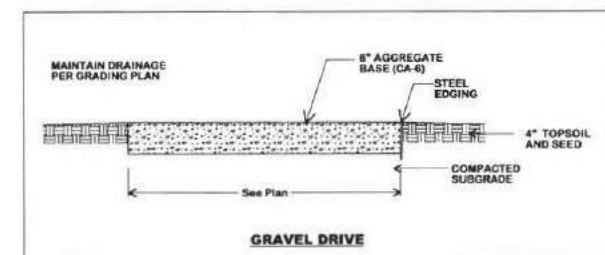
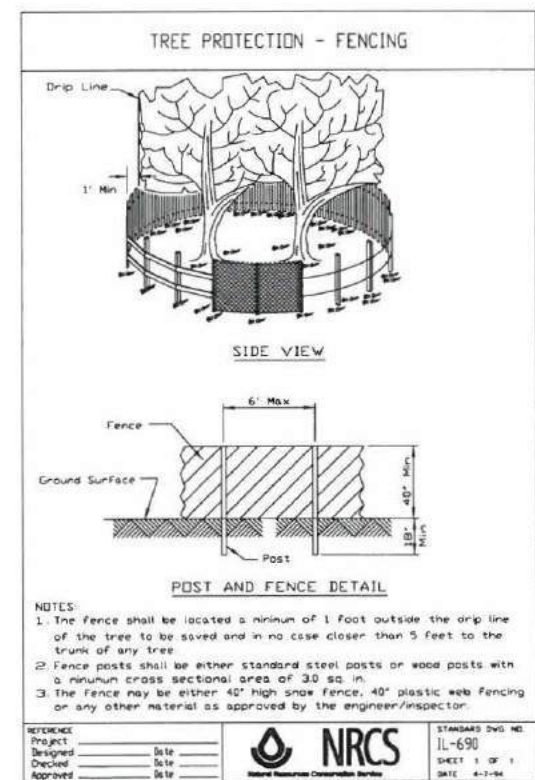
SHEET NO.

A-000

FILE NAME

BLDG - DVP - 20160101

© HARDING PARTNERS 2017



BENCHMARK:
ELEVATIONS WERE ESTABLISHED BY ASSUMING 100.00 ON THE CROSS CUT IN THE SIDEWALK AT THE NORTHWEST CORNER OF THE PROPERTY

STATE OF ILLINOIS)
COUNTY OF DUPAGE:SS

THESE PLANS HAVE BEEN PREPARED UNDER MY
SUPERVISION AND ARE BASED UPON AVAILABLE
INFORMATION.

STEPHEN MARK RICHARDS
LICENSE EXPIRES 11/30/2019



0 100 200
GRAPHIC SCALE - FEET

PROJECT NAME

Prepared For: CLIENT NAME
Client Address
Address-2
Phone

WEBSTER, McGRATH & AHLBERG, LTD.



LAND SURVEYING • CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE

207 SOUTH NAPERVILLE ROAD, WHEATON, ILLINOIS 60187
the district's name. More names would be added.

207 SOUTH MAPLEVILLE ROAD, WHEATON, ILLINOIS 60187
PH: (630) 859-7603 WWW.VENUS3D.COM

207 SOUTH NASHVILLE ROAD, WYBASTON, ILLINOIS 60187
Ph: (630) 669-7603 Web: www.yvartd.com

Ph: 833-888-7603 Web: www.yhallys.com
 Oregon Firm License No. 184-003101

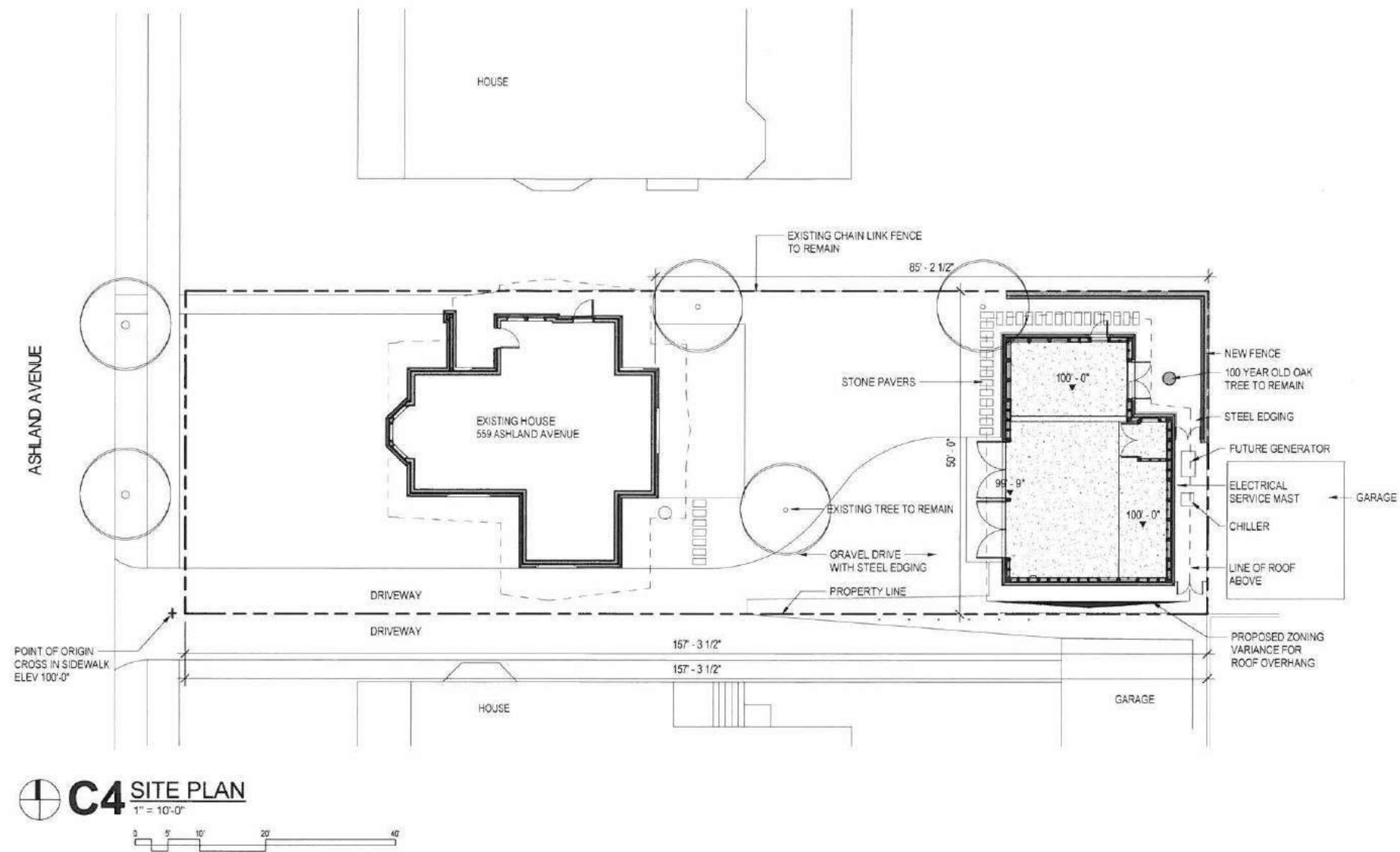
Design Firm License No. 184-003101

DEPARTMENT OF THE ARMY, WASHINGTON, D.C. 20315

Revision Description DATE		BY
Section Township-Range County XXX-XXX-XX		
JOB #	XXXXXX	SURV. JOCK
DRAWN: JOCK	REVIEW: SMR	
SCALE: 1"=1M	DATE: XXX-XX-XX	
SHEET NAME		

GRADING PLAN

C-1



E3 EXISTING OAK TREE
NTS

ZONING DATA

PROPOSED 1-STORY GARAGE AT 17'-0" AT ROOF PEAK

BUILDING AREA	
PROPOSED GARAGE FLOOR AREA	886 SF
EXISTING HOUSE FLOOR AREA	2028 SF
1ST FLOOR	1043 SF
2ND FLOOR	985 SF
TOTAL FLOOR AREA	2840 SF
SITE AREA	7864.5 SF
LOT COVERAGE	$1043 \text{ SF} + 886 \text{ SF} = 15\%$
FAR EXISTING STRUCTURE	$2028 \text{ SF} / 7864.5 \text{ SF} = .26$
FAR PROPOSED BUILDING	$886 \text{ SF} / 7864.5 \text{ SF} = .11$
TOTAL PROPOSED FAR	.37

	ZONING REQUIREMENTS	APPROVED ZONING VARIANCE
SIDE YARD SETBACK FROM PROPERTY LINE	3' - 0"	
EAVE ENCROACHMENT INTO REQUIRED SEDYARD SETBACK	1' - 0"	TAPERING ENCROACHMENT FROM 0' TO 1' BEYOND THE 1'-0" ENCROACHMENT INTO THE SIDE YARD REQUIREMENT. AREA IS SHOWN IN RED ON THE SITE PLAN ABOVE

BD DOCUMENTS

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5	ISSUED FOR ZONING VARIANCE	01.18.19
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NO.	DESCRIPTION	DATE

E. ARTHUR DAVENPORT HOUSE

GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

ISSUED FOR ZONING VARIANCE

CLIENT
PAUL AND CHERYL HARDING
559 ASHLAND AVENUE
RIVER FOREST, ILLINOIS 60305

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SITE PLAN AND ZONING DATA

DATE (MM/DD/YY)

01.18.19

SHEET NO.

A-010

FILE NAME

BLDG - DVP - 20160101

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C	5	ISSUED FOR ZONING VARIANCE	01.18.19
	4	ISSUED FOR BUILDING PERMIT	6.5.17
	3	CONSULTANT REVIEW	3.30.17
	2	CONSULTANT MEETING	7.08.16
	1	ISSUED FOR CNSLT PRICING	5.24.16
	NO	DESCRIPTION	DATE

E. ARTHUR DAVENPORT
HOUSE

GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

ISSUED FOR ZONING VARIACE

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OAK PARK, ILLINOIS

TITLE: FLOOR PLAN AND FOUNDATION PLAN

DATE (MM/DD/YY)

01.18.19

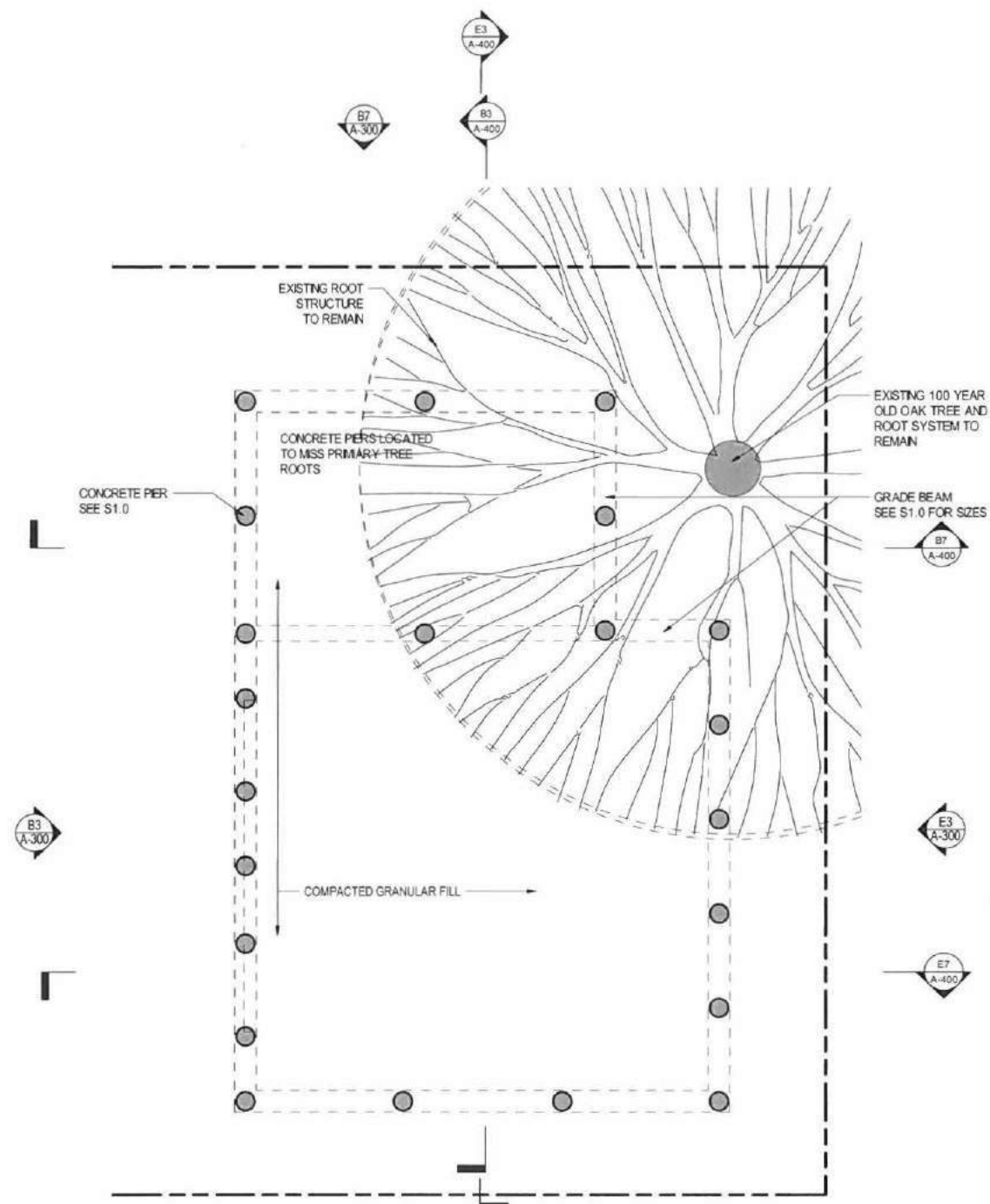
SHEET NO.

A-100

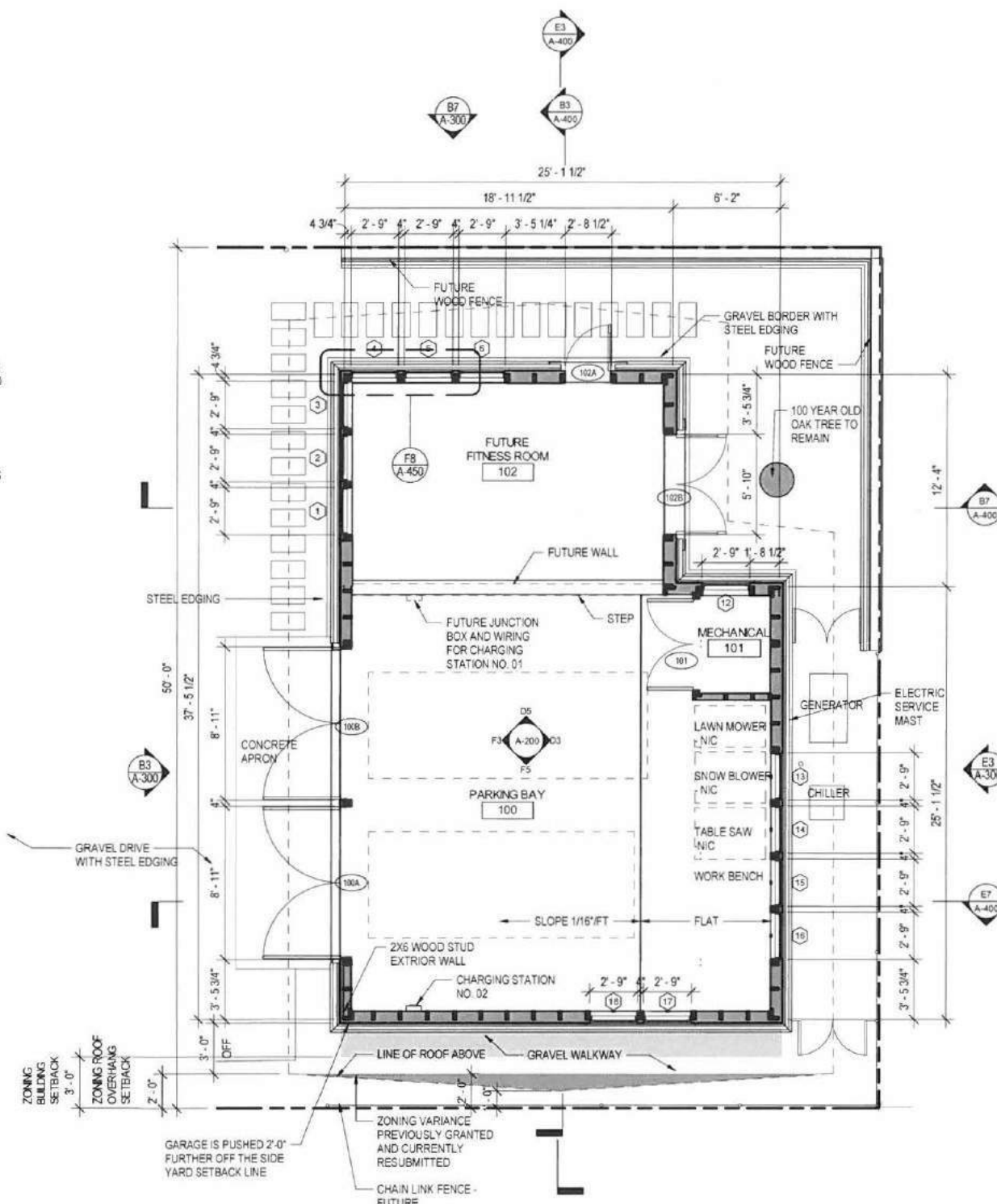
FILE NAME

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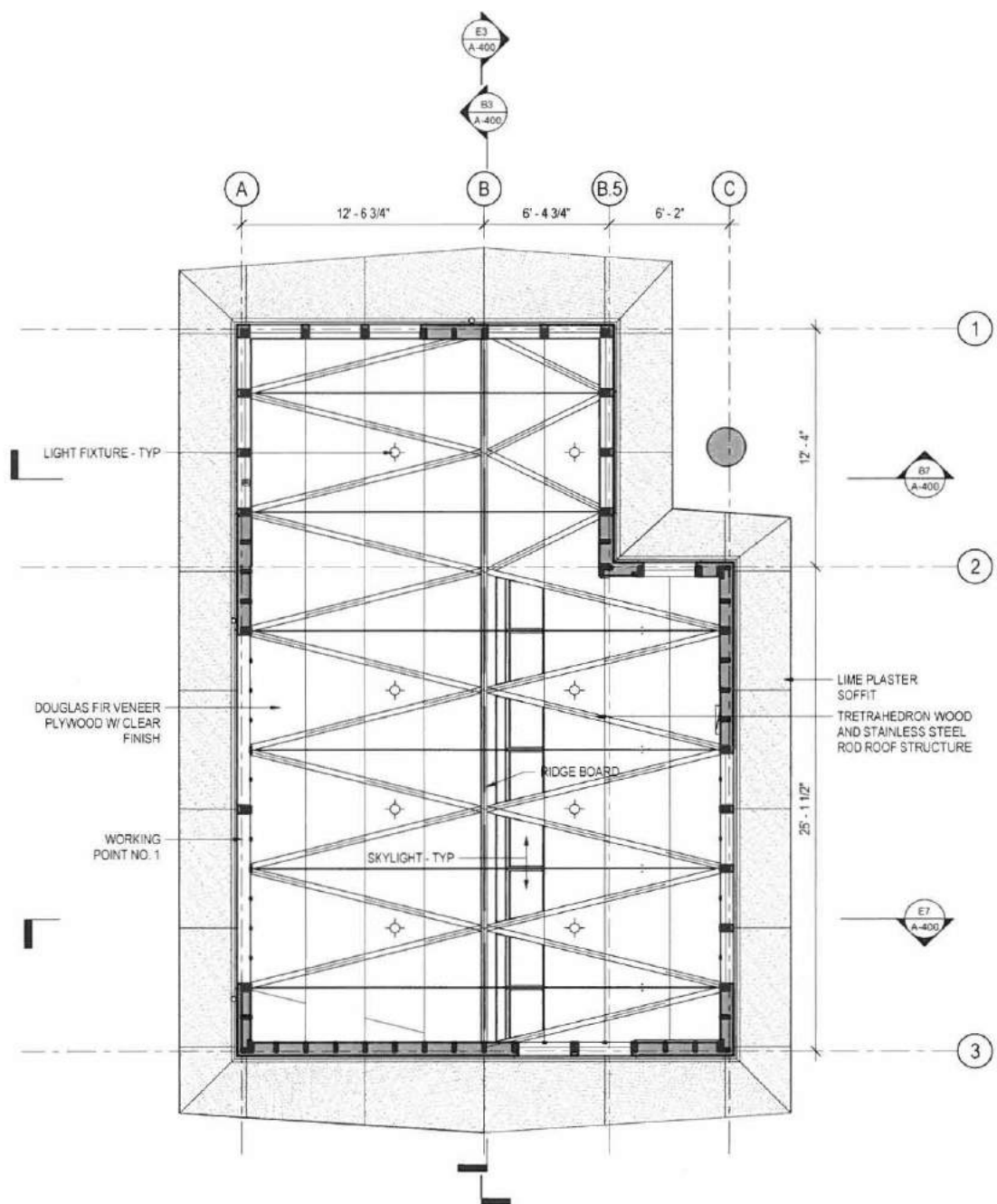
 **C6** FOUNDATION PLAN
1/4" = 1'-0"



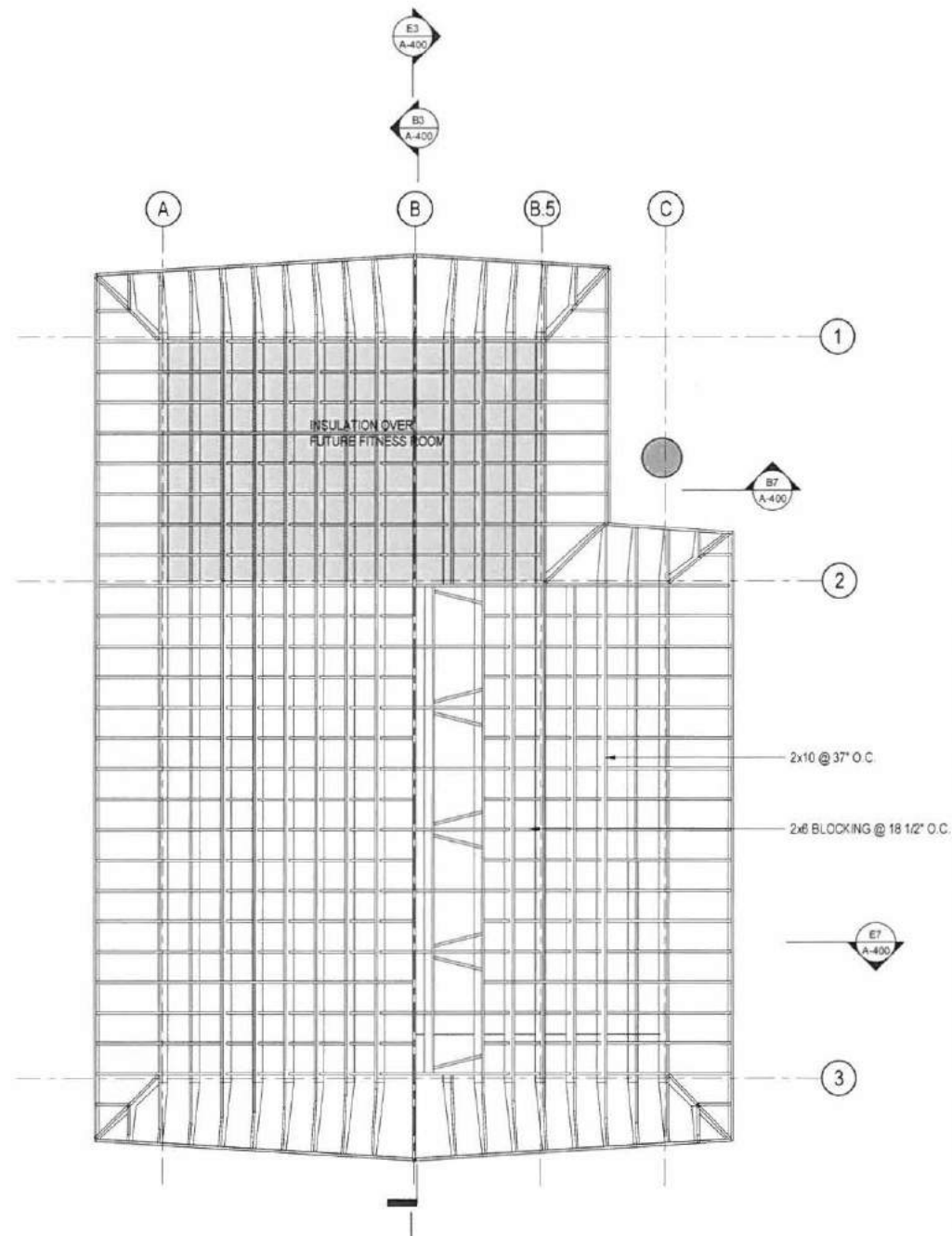
 **C2** FLOOR PLAN
1/4" = 1'-0"



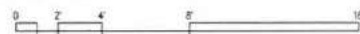
3/8/2019 12:08:45 PM P:\DVP\Drawings\BMM\Bldg\BVP - GARAGE_Large Size.rvt



C6 REFLECTED CEILING PLAN
1/4" = 1'-0"



C2 ROOF FRAMING PLAN
1/4" = 1'-0"



BID DOCUMENTS

THESE DRAWINGS AND SPECIFICATIONS ARE "BID PACKAGE" DOCUMENTS WHICH INDICATE THE GENERAL EXTENT OF THE WORK AND SYSTEMS PERFORMANCE OF THE PROJECT IN TERMS OF THE DIMENSION OF THE BUILDING, THE TYPE OF STRUCTURAL, MECHANICAL, ELECTRICAL, AND UTILITY SYSTEMS AND AN OUTLINE OF MAJOR ARCHITECTURAL ELEMENTS OF CONSTRUCTION. AS "BID PACKAGE" DOCUMENTS, THE DRAWINGS AND SPECIFICATIONS ARE NOT INTENDED TO INDICATE OR DESCRIBE ALL WORK REQUIRED FOR THE FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. ON THE BASIS OF THE GENERAL PERFORMANCE CRITERIA AND GENERAL EXTENT OF WORK INDICATED, DESCRIBED OR REQUIRED, THE CONTRACTOR SHALL ESTABLISH A COST WITH SUBCONTRACTORS AND FURNISH AND INSTALL ALL ITEMS REQUIRED FOR THE PROPER PERFORMANCE, EXECUTION AND COMPLETION OF THE WORK.

NO.	DESCRIPTION	DATE
5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	6.5.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CONSLT PRICING	5.24.16

E. ARTHUR DAVENPORT HOUSE

GARAGE

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ENGINEERS
OAK PARK, ILLINOIS

TITLE
ROOF PLAN AND REFLECTED
CEILING PLAN

DATE (MM.DD.YY)

01.18.19

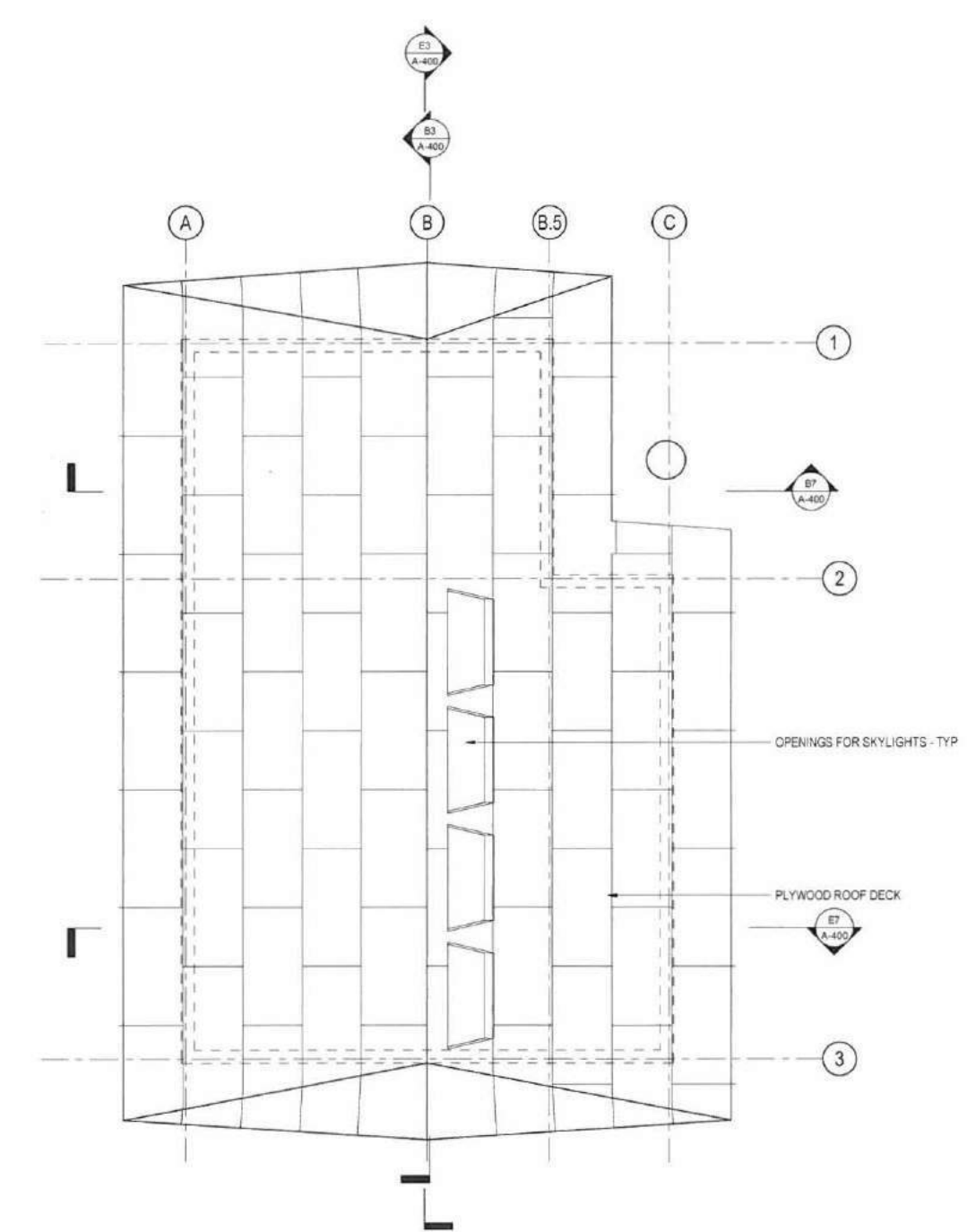
SHEET NO.

A-101

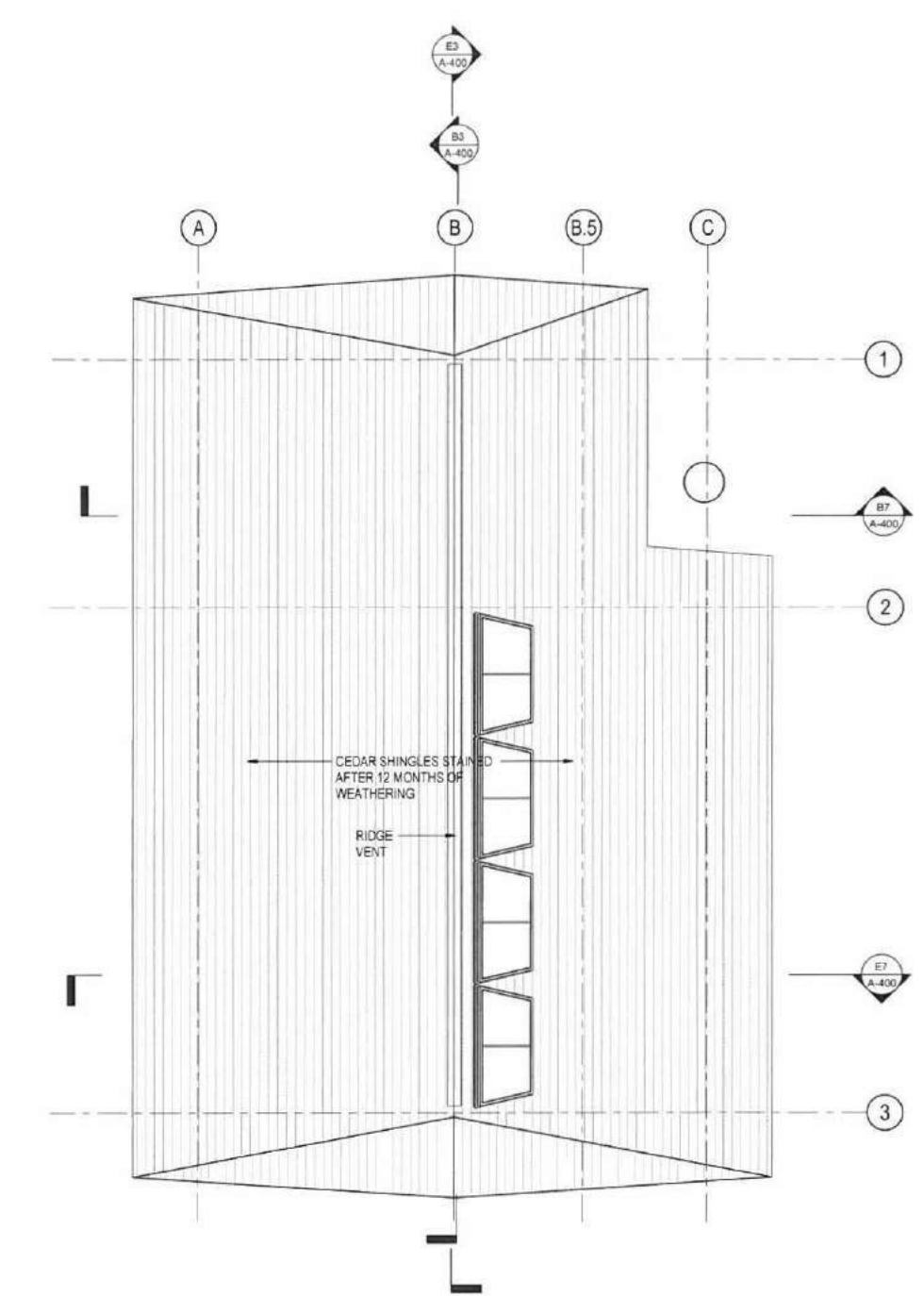
FILE NAME

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C6 ROOF DECK PLAN
1/4" = 1'-0"



C2 ROOF PLAN
1/4" = 1'-0"
0 2 4 8 12

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2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CONSULT PRICING	8.24.16

E. ARTHUR DAVENPORT HOUSE
GARAGE
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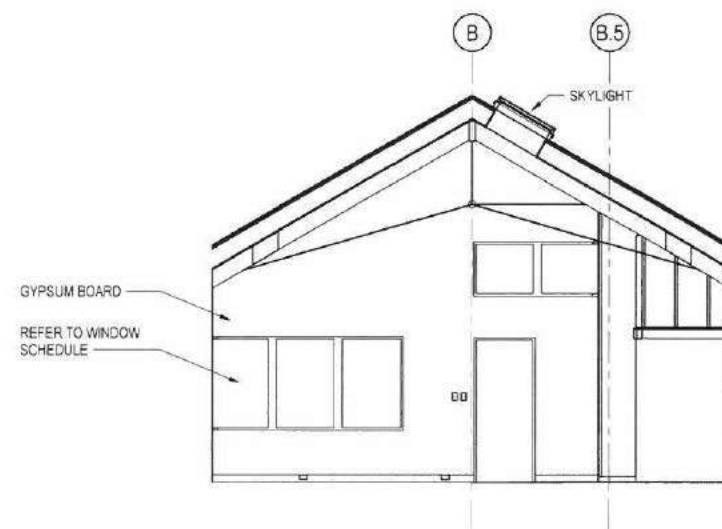
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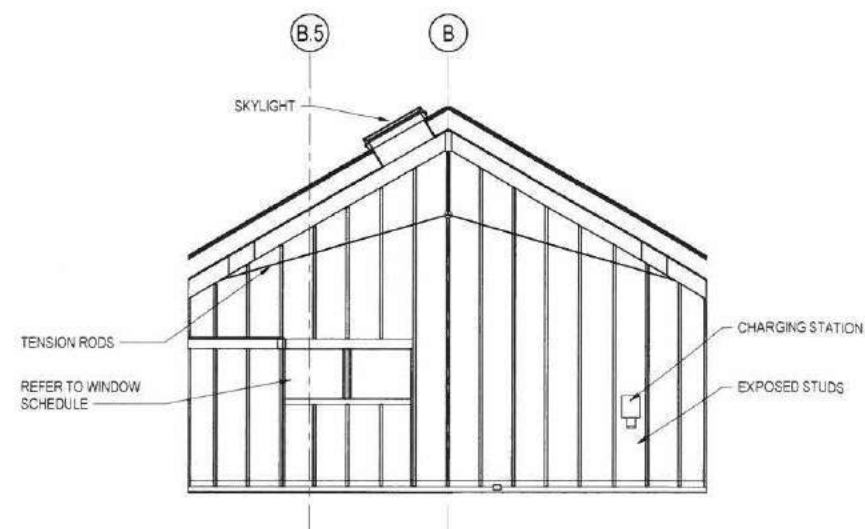
MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING ENGINEERS
OAK PARK, ILLINOIS

TITLE
ROOF PLAN

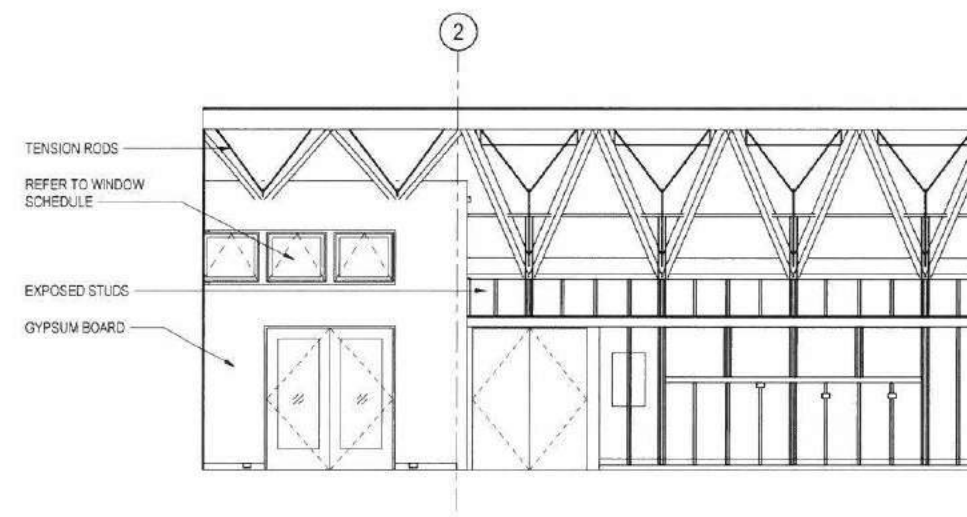
DATE (MM/DD/YY)
01.18.19
SHEET NO.
A-102
FILE NAME
BLDG - DVP - 20160101



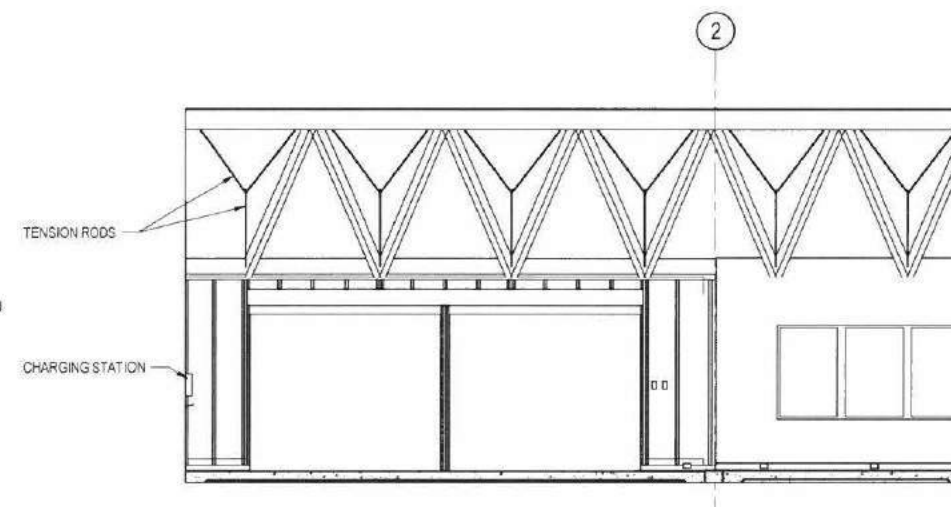
D5 INTERIOR ELEVATION - NORTH
1/4" = 1'-0"



F5 INTERIOR ELEVATION - SOUTH
1/4" = 1'-0"



D3 INTERIOR ELEVATION - EAST
1/4" = 1'-0"



F3 INTERIOR ELEVATION - WEST
1/4" = 1'-0"

BD DOCUMENTS

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B

NO.	DESCRIPTION	DATE
5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	05.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CONSULT PRICING	5.24.16

E. ARTHUR DAVENPORT HOUSE

GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

D ISSUED FOR ZONING VARIANCE

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TITLE
INTERIOR ELEVATIONS

DATE (MM.DD.YY)

01.18.19

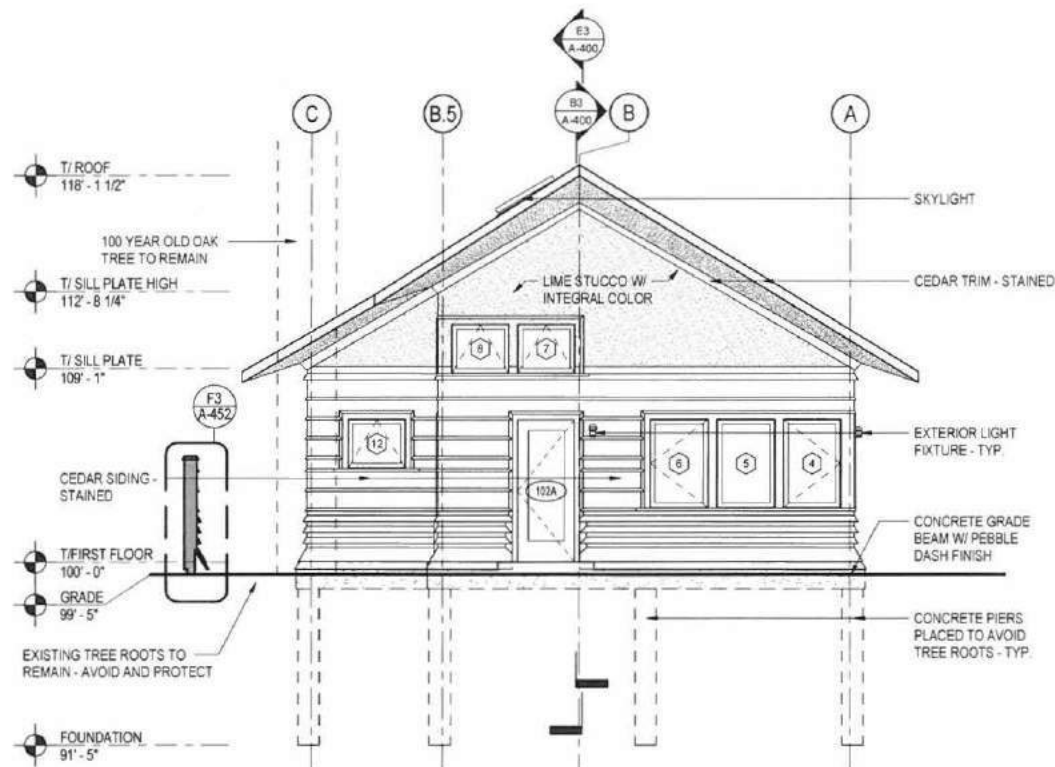
SHEET NO.

A-200

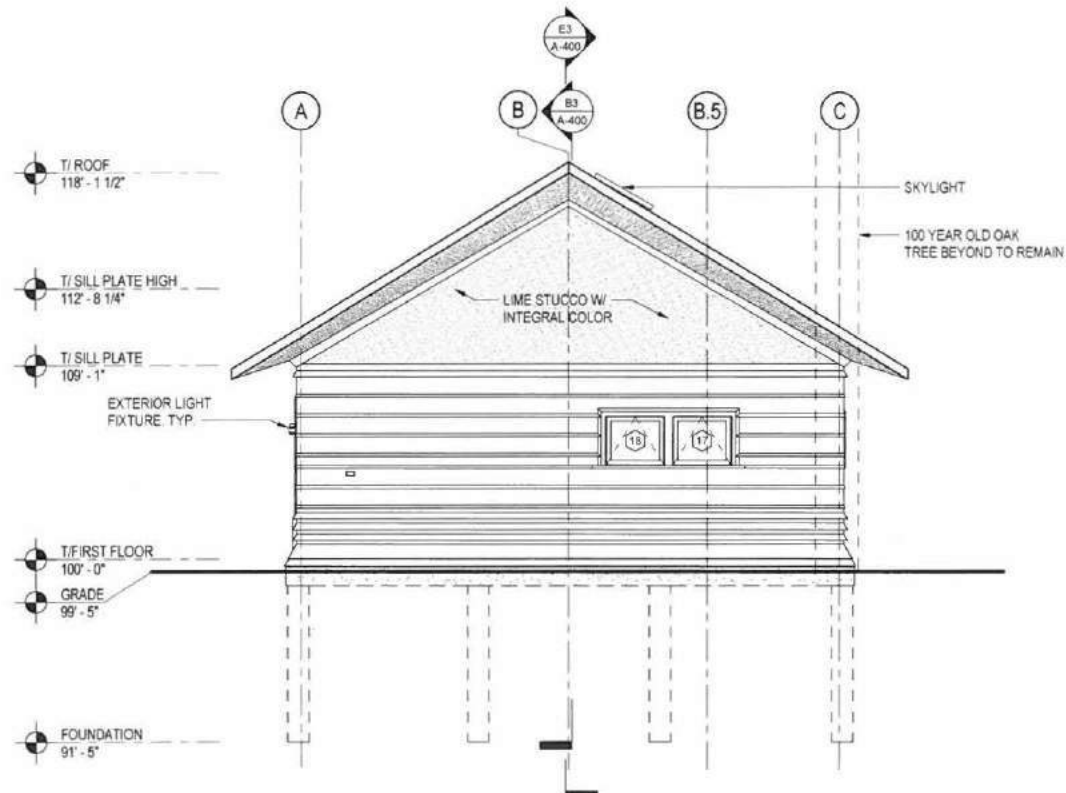
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BLDG - DVP - 20160101

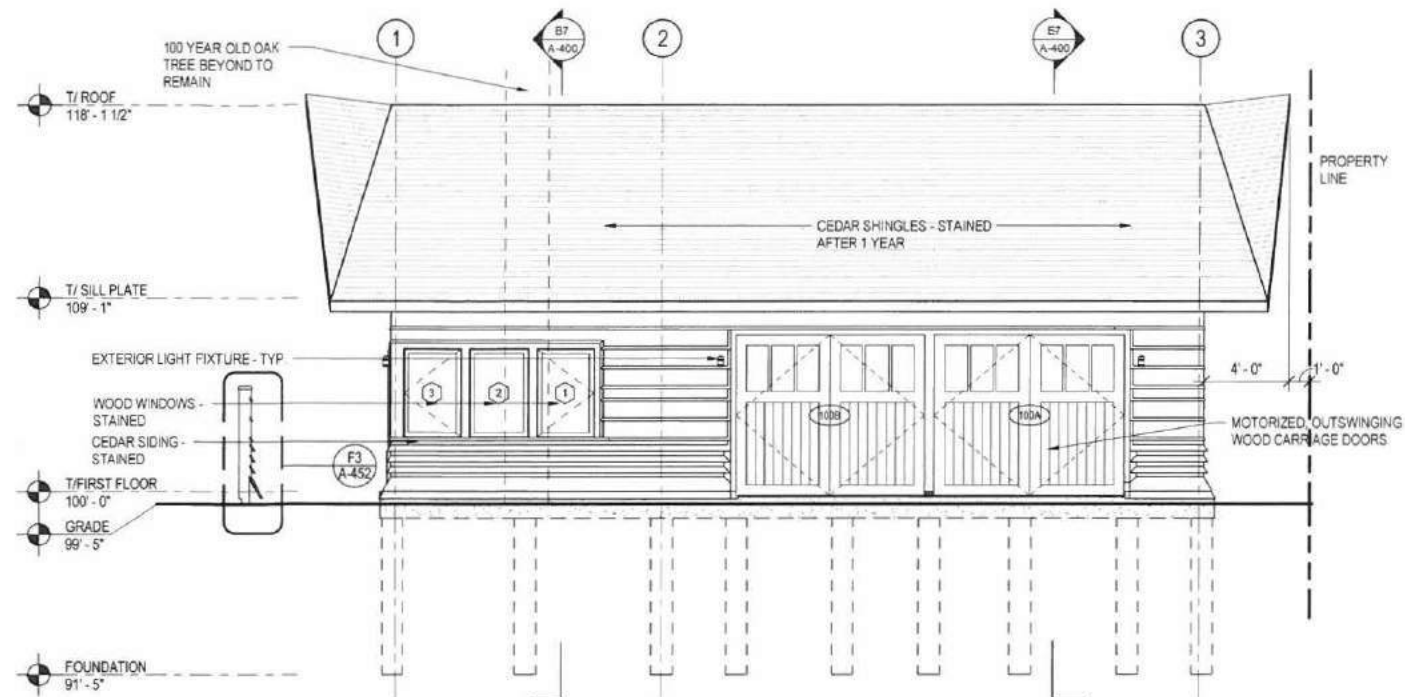
© HARDING PARTNERS 2017



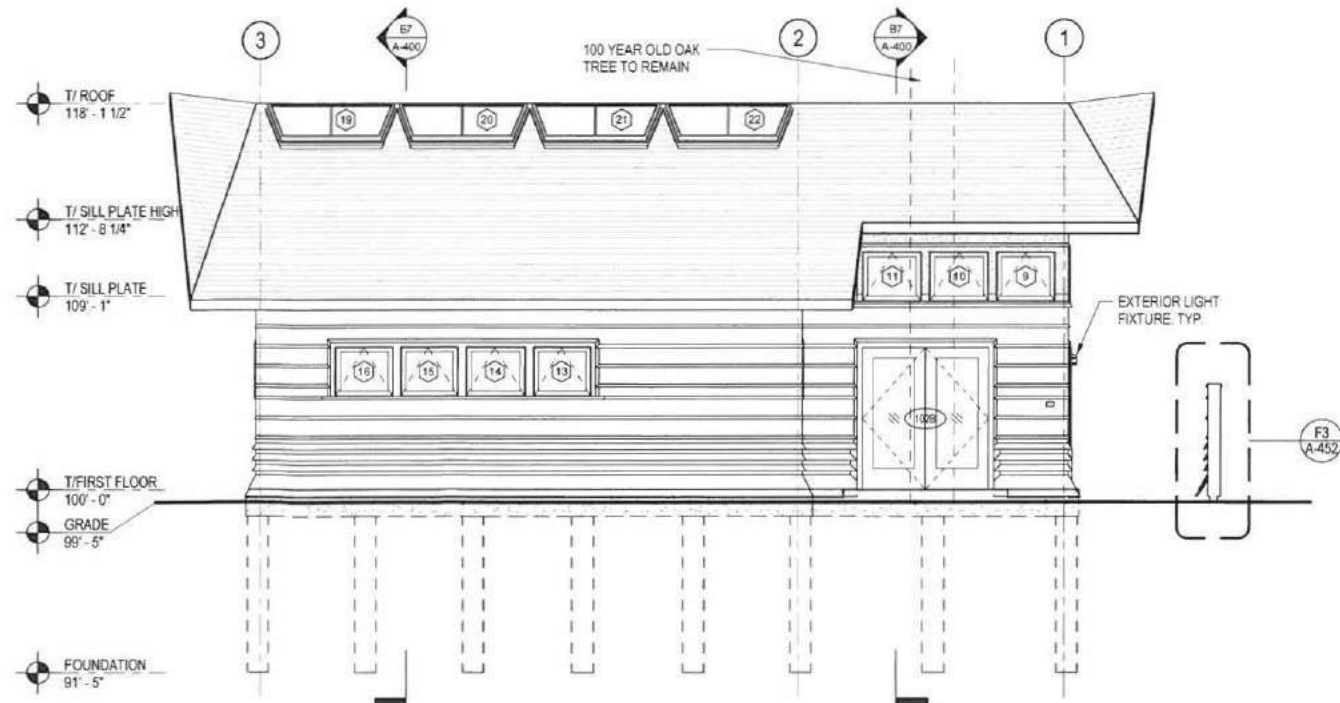
B7 NORTH ELEVATION
1/4" = 1'-0"



E7 SOUTH ELEVATION
1/4" = 1'-0"



B3 WEST ELEVATION
1/4" = 1'-0"



E3 EAST ELEVATION
1/4" = 1'-0"

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NO.	DESCRIPTION	DATE
5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	9.5.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CONSLT PRICING	5.24.16

E. ARTHUR DAVENPORT HOUSE

GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

ISSUED FOR ZONING VARIANCE

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MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING ENGINEERS
OAK PARK, ILLINOIS

TITLE EXTERIOR ELEVATIONS

DATE (MM.DD.YY)

01.18.19

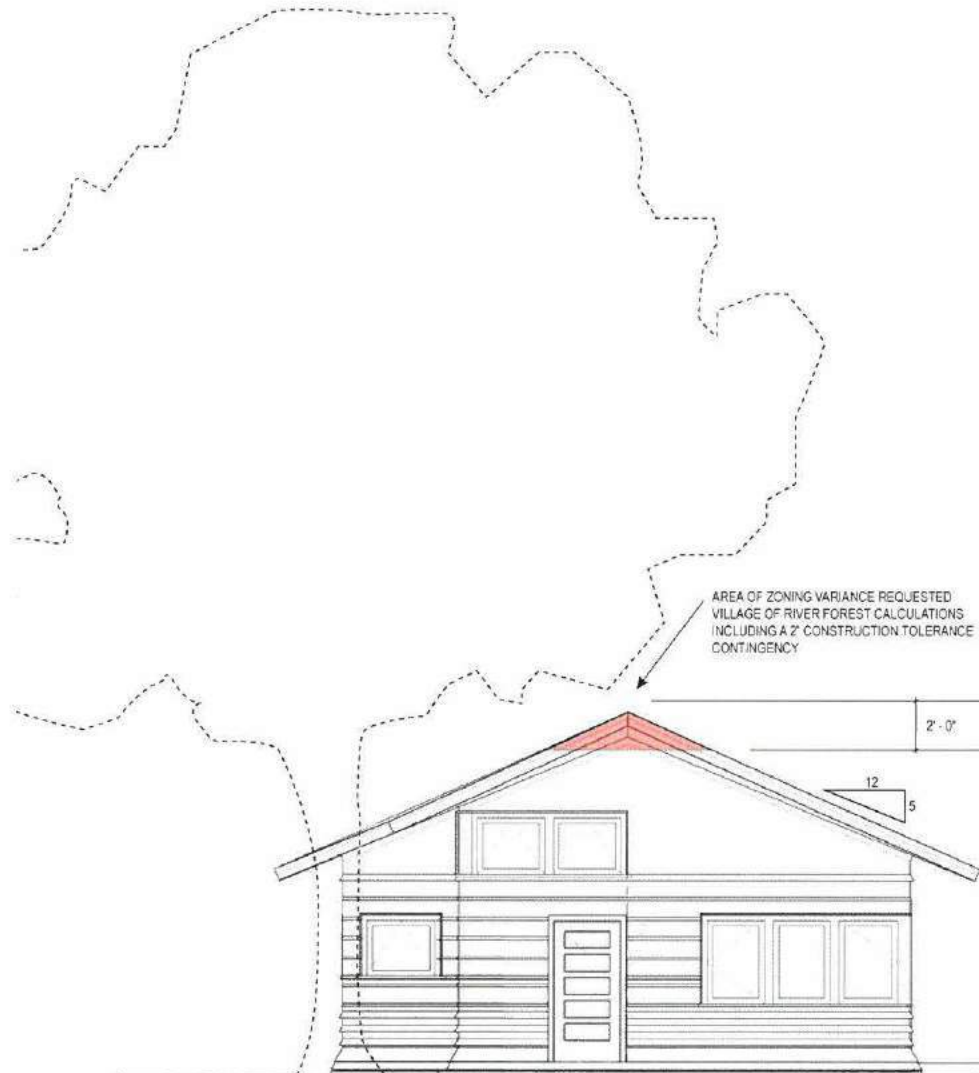
SHEET NO.

A-300

FILE NAME

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PROPOSED GARAGE
1/4" = 1'-0"

THE PROPOSED ZONING VARIANCE IS A PRODUCT OF A UNIQUE VILLAGE REQUIREMENT THAT TIES THE HEIGHT OF A GARAGE ROOF AT THE REAR OF THE PROPERTY TO THE FRONT SIDEWALK ALONG THE STREET. BEING ON THE EAST SIDE OF ASHLAND INSTEAD OF THE WEST SIDE OF ASHLAND IS THE PRIMARY CAUSE OF THE ZONING VARIANCE REQUEST. AN 1 1/2" OF THE ZONING VARIANCE IS ATTRIBUTABLE TO MATCHING THE ROOF DESIGN OF THE 1901 FRANK LLOYD WRIGHT HOUSE. 2" OF THE ZONING VARIATION IS TO PROVIDE A CONSTRUCTION CONTINGENCY REFLECTING NORMAL CONSTRUCTION TOLERANCES. IT WILL NOT LIKELY BE NEEDED BUT IT MUST BE CARRIED.

EXCLUDING THE FRANK LLOYD WRIGHT ROOF FLARES WHICH ARE VERY SMALL THE ROOF RIDGE IS 18'-1 1/2" ABOVE THE FINISHED FLOOR OF THE GARAGE. ON TOP OF THAT INCLUDED IS A CONSTRUCTION TOLERANCE CONTINGENCY OF 2"

PROPOSED ZONING VARIANCE FOR RIDGE OF ROOF
ELEV. 20'-0" ABOVE SIDEWALK
ELEV. 119.7

CURRENT ZONING ALLOWANCE
ELEV. 18'-0" ABOVE SIDEWALK
ELEV. 117.7

TOP OF FINISHED FLOOR ELEVATION
ELEV. 101.2
TOP OF PUBLIC SIDEWALK
ELEV. 99.7



EXISTING 1901 FRANK LLOYD WRIGHT HOUSE
1/4" = 1'-0"

**E. ARTHUR DAVENPORT
HOUSE, 1901
GARAGE**

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

ZONING VARIANCE APPLICATION

CLIENT
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TITLE
NORTH COMPOSITE ELEVATION

DATE (MM/DD/YYYY)

03.08.19

SHEET NO.

A-301

FILE NAME

BLDG - DVP - 20160101

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5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	6.5.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CONSULT PRICING	5.24.15
NO.	DESCRIPTION	DATE

E. ARTHUR DAVENPORT HOUSE

GARAGE

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ISSUED FOR ZONING VARIANCE

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PAUL AND CHERYL HARDING

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ARCHITECTURAL CONSULTING

ENGINEERS

OAK PARK, ILLINOIS

TITLE

BUILDING SECTIONS

DATE (MM.DD.YY)

01.18.19

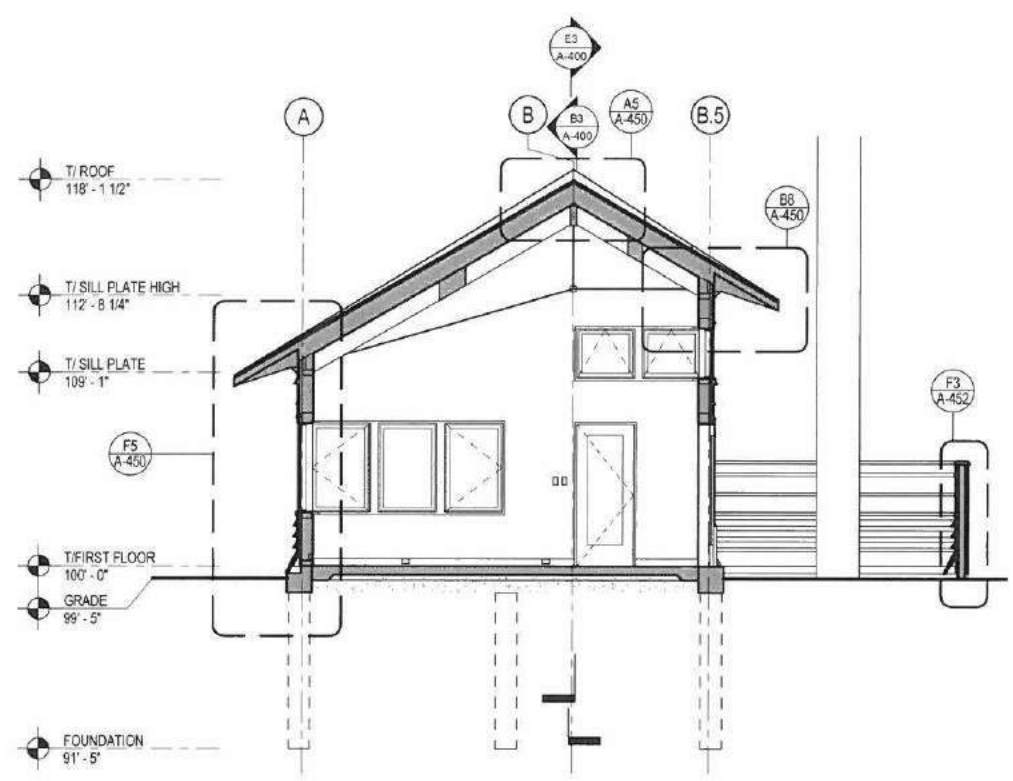
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A-400

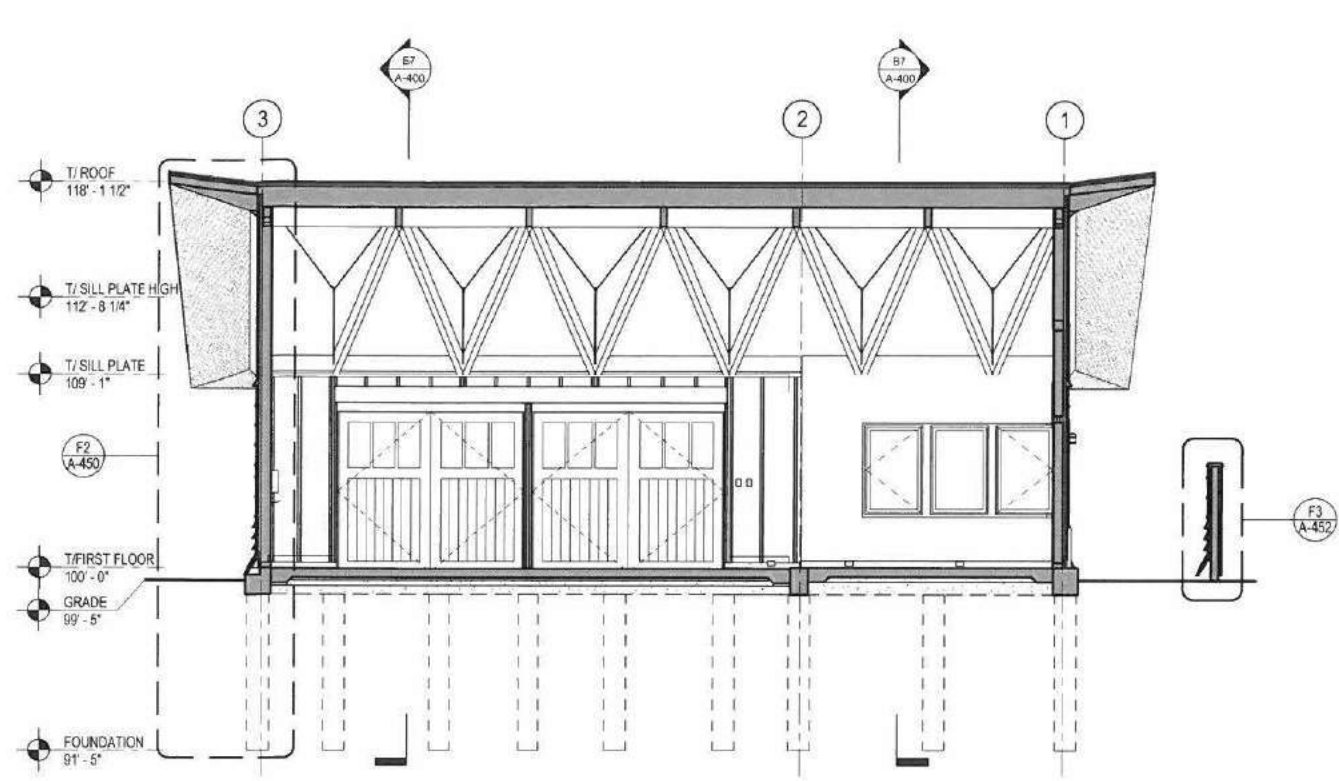
FILE NAME

BLDG - DVP - 20160101

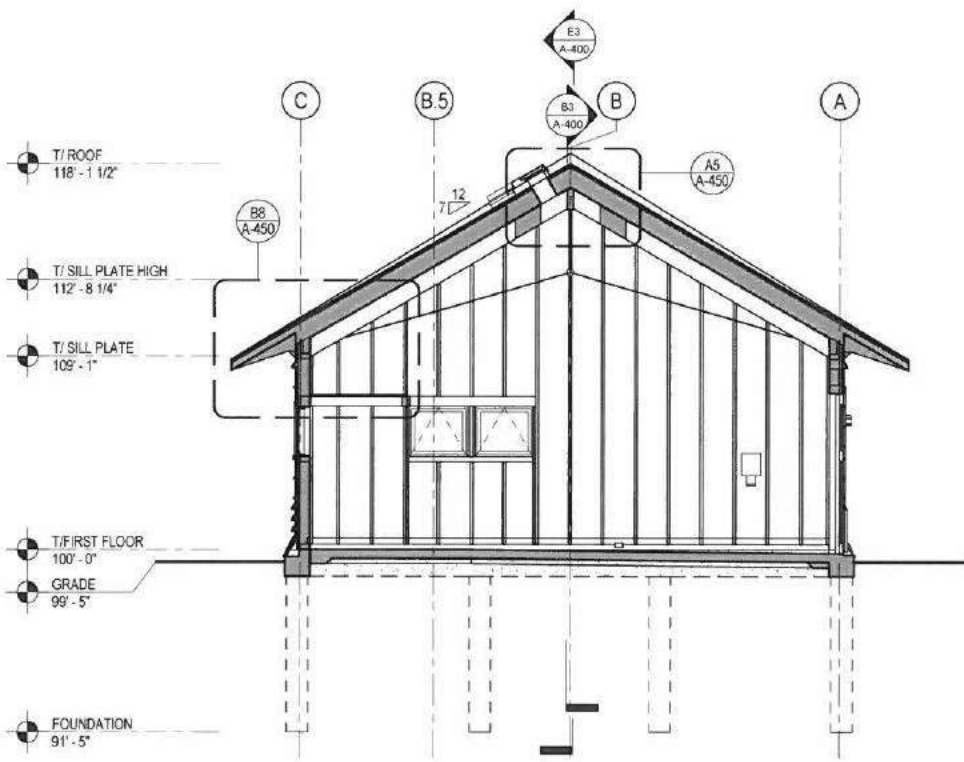
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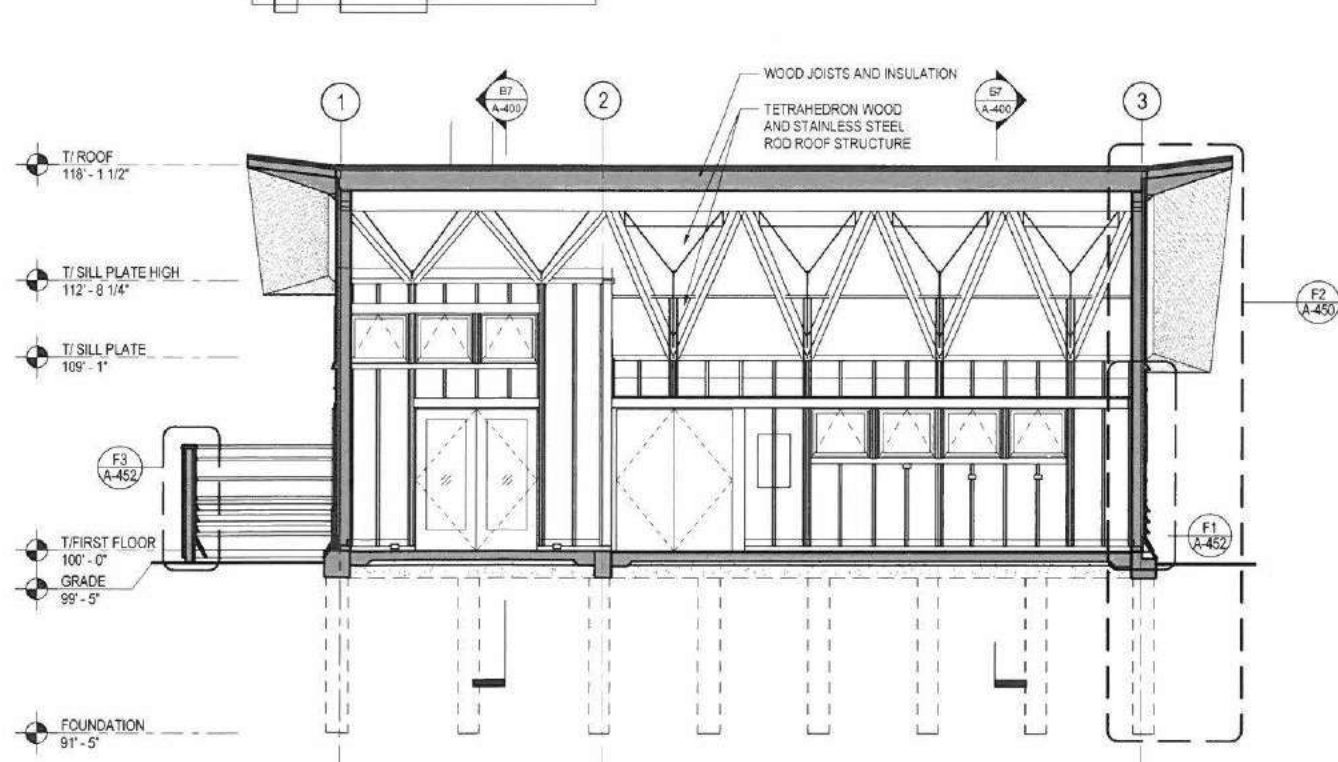
B7 TRANSVERSE BUILDING SECTION - NORTH
1/4" = 1'-0"



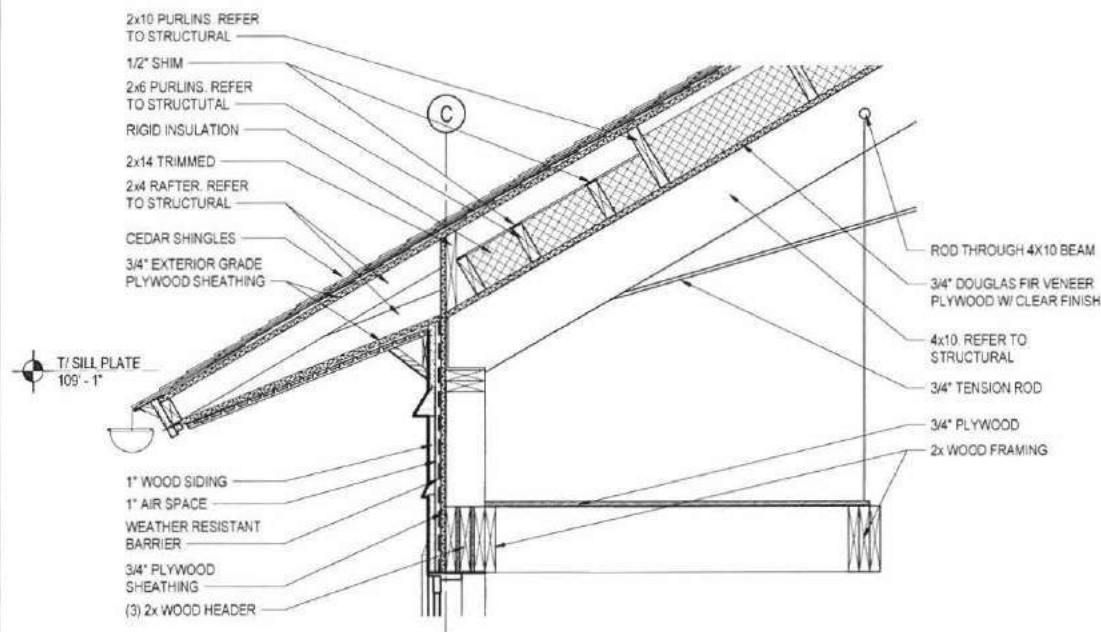
B3 LONGITUDINAL BUILDING SECTION - WEST
1/4" = 1'-0"



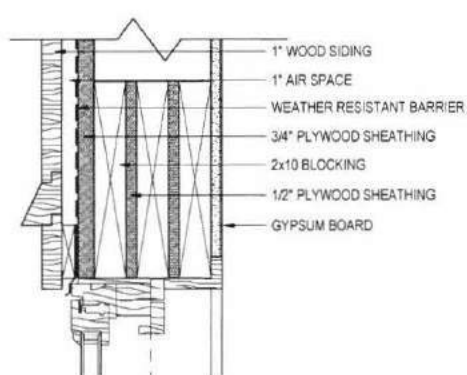
E7 TRANSVERSE BUILDING SECTION - SOUTH
1/4" = 1'-0"



E3 LONGITUDINAL BUILDING SECTION - EAST
1/4" = 1'-0"

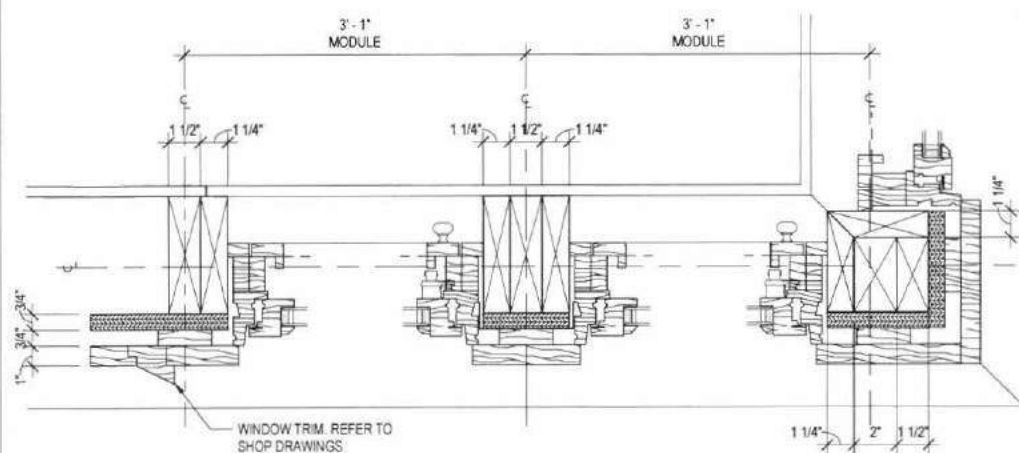


B8 TRANSVERSE BUILDING SECTION - SOUTH
1" = 1'-0"

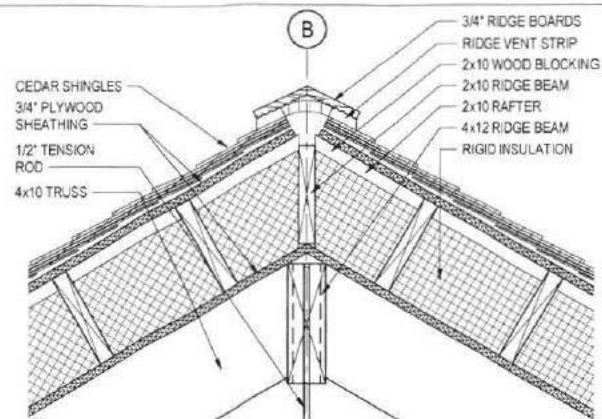


D8 WINDOW HEADER DETAIL
3" = 1'-0"

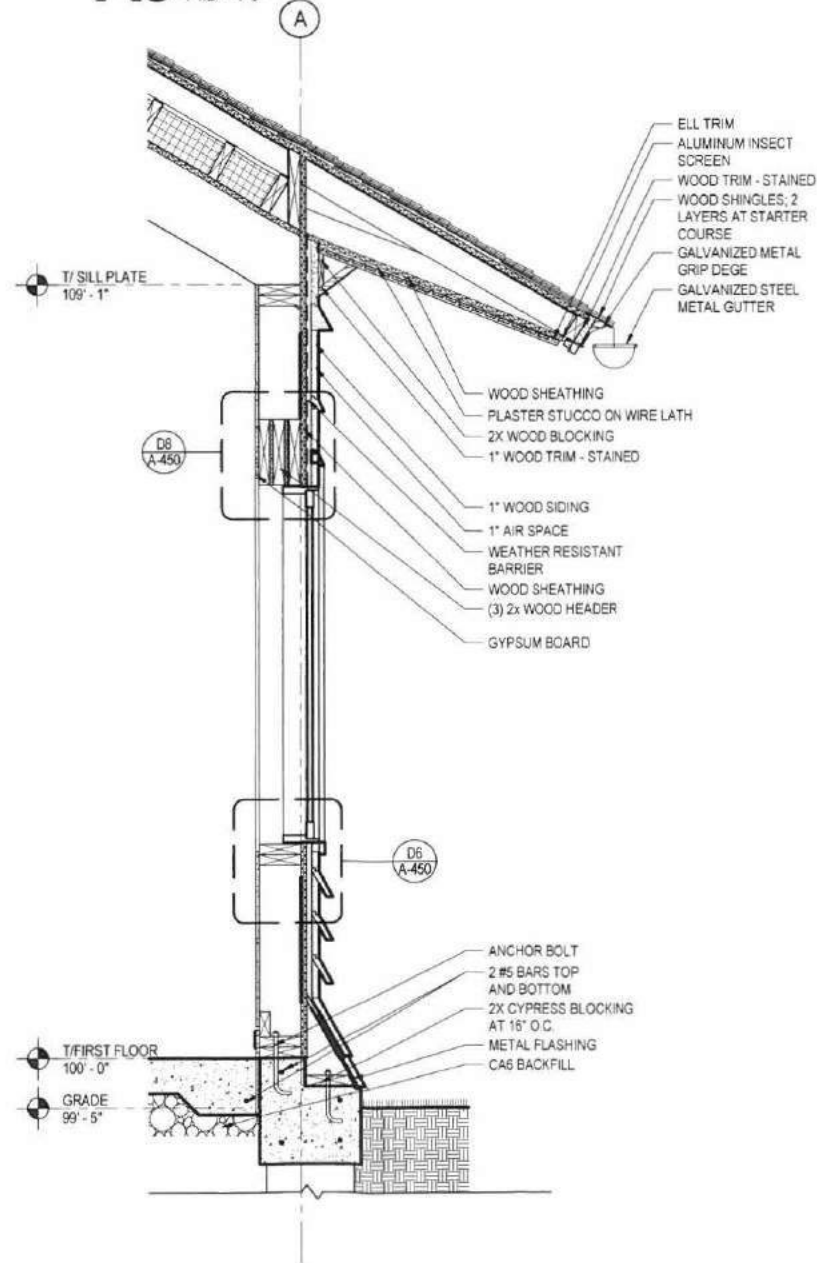
D6 WINDOW SILL DETAIL
3" = 1'-0"



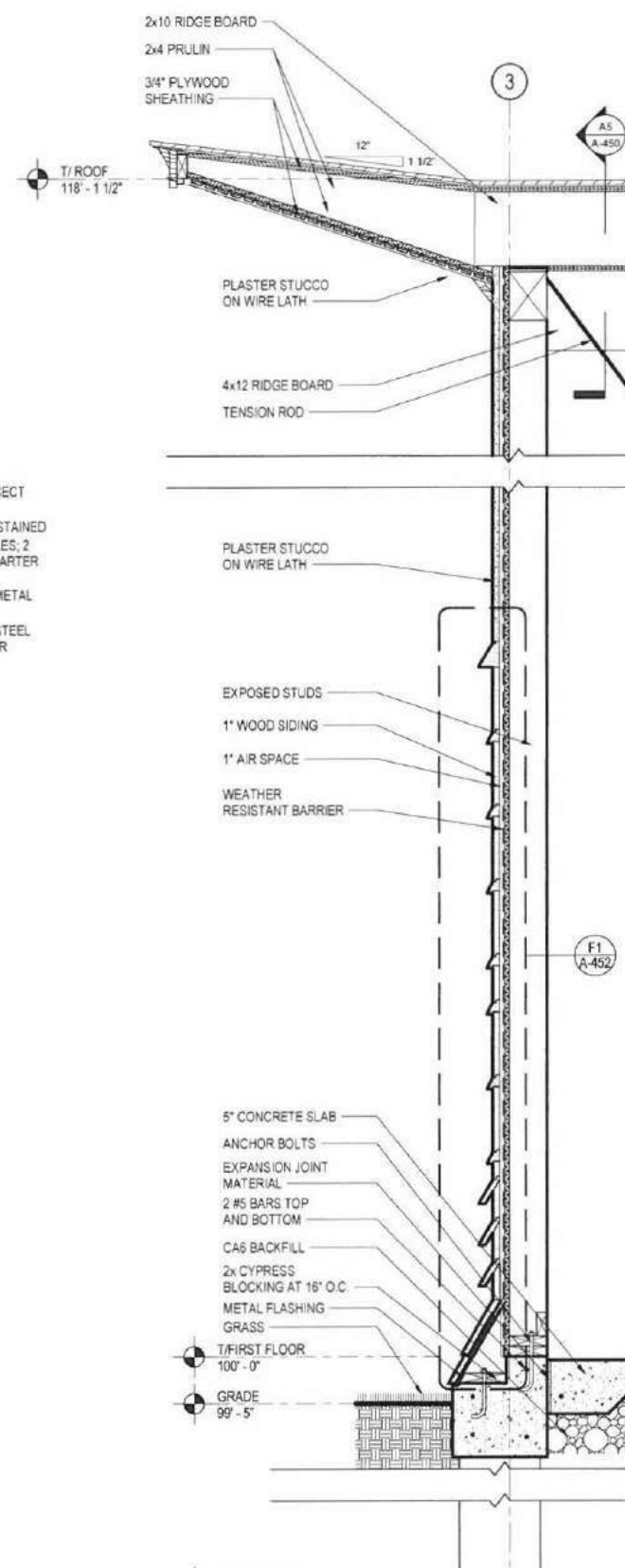
F8 WINDOW JAMB DETAIL
3" = 1'-0"



A5 ROOF RIDGE DETAIL
1 1/2" = 1'-0"



F5 WALL SECTION
1" = 1'-0"



F2 WALL SECTION
1" = 1'-0"

BD DOCUMENTS

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1	ISSUED FOR ONSLT PRICING	5.24.16

E. ARTHUR DAVENPORT HOUSE

GARAGE

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ISSUED FOR ZONING VARIANCE

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MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING ENGINEERS
OAK PARK, ILLINOIS

TITLE WALL SECTIONS AND BUILDING DETAILS

DATE (MM.DD.YY)

01.18.19

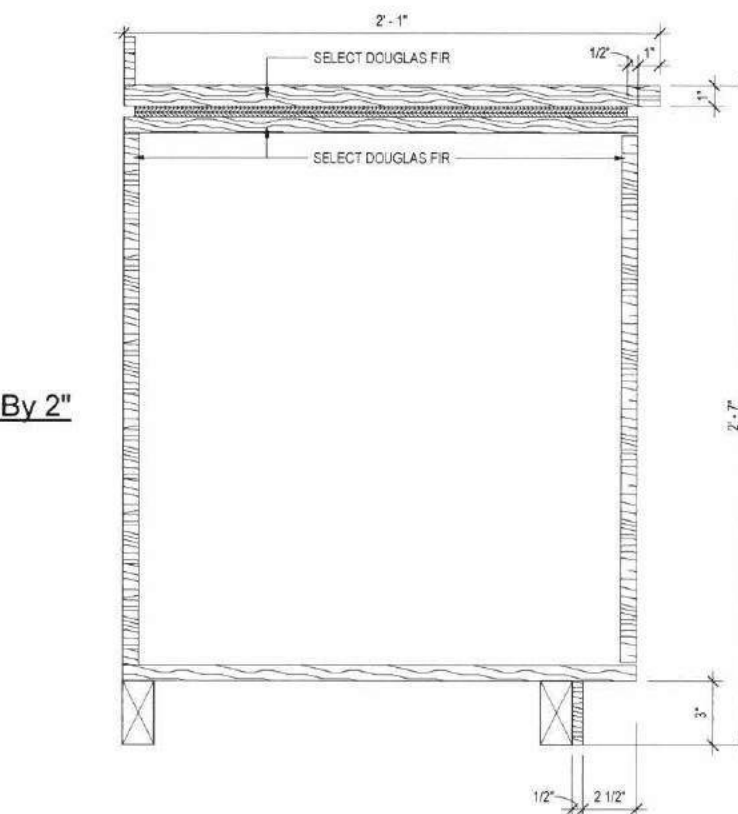
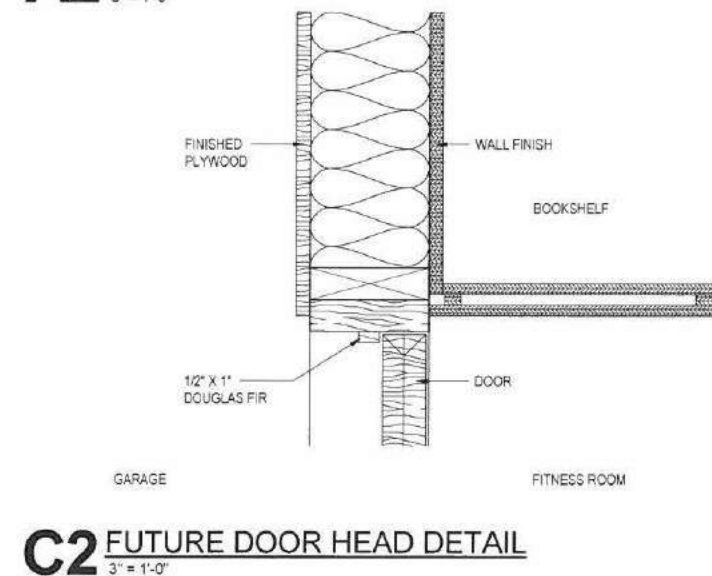
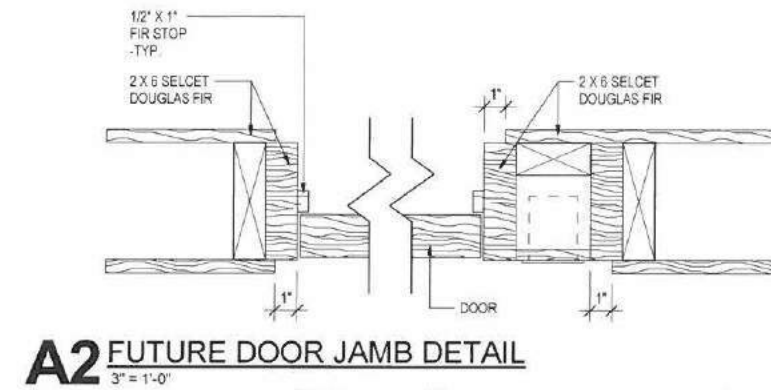
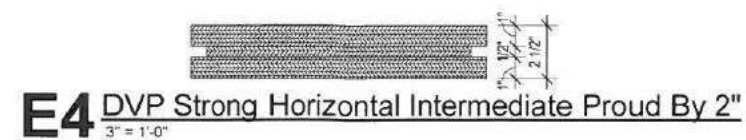
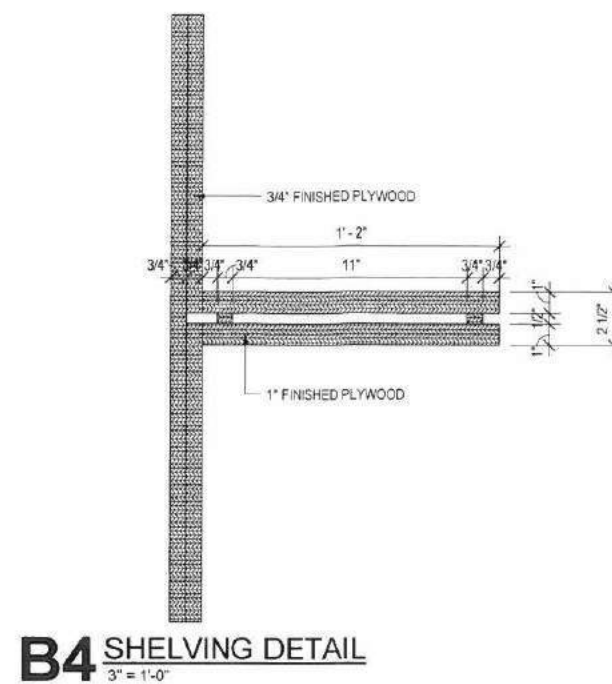
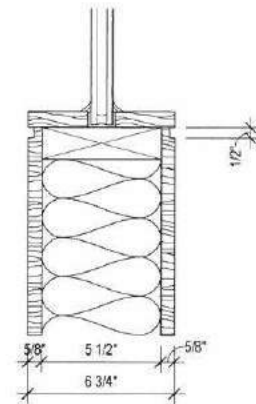
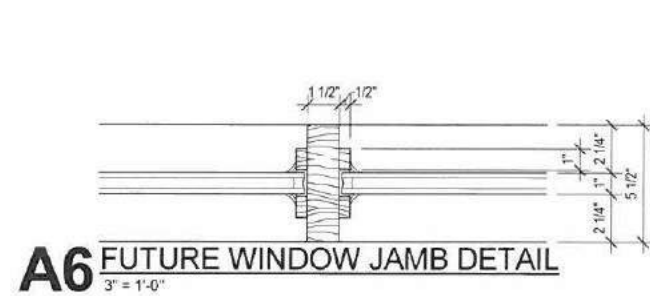
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BD DOCUMENTS

THESE DRAWINGS AND SPECIFICATIONS ARE "BID PACKAGE" DOCUMENTS WHICH INDICATE THE GENERAL EXTENT OF THE WORK AND SYSTEMS PERFORMANCE OF THE PROJECT IN TERMS OF THE DIMENSION OF THE BUILDING, THE TYPE OF STRUCTURE, MECHANICAL, ELECTRICAL, AND UTILITY SYSTEMS, AND THE GENERAL CHARACTERISTICS OF THE ELEMENTS OF CONSTRUCTION. AS "BID PACKAGE" DOCUMENTS, THE DRAWINGS AND SPECIFICATIONS ARE NOT INTENDED TO INDICATE OR DESCRIBE ALL WORK REQUIRED FOR THE PERFORMANCE OF THE PROJECT IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. ON THE BASIS OF THE GENERAL PERFORMANCE CRITERIA AND GENERAL EXTENT OF WORK INDICATED, DESCRIBED OR REQUIRED, THE CONTRACTOR SHALL ESTABLISH A COST WITH SUBTRACTORS AND SUPPLIERS FOR ALL ITEMS REQUIRED FOR THE PROPER PERFORMANCE, EXECUTION AND COMPLETION OF THE WORK.

5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	6.5.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CNSLT PRICING	5.24.16
NO.	DESCRIPTION	DATE

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TITLE
FUTURE BUILDOUT DETAILS

DATE (MM.DD.YY)

01.18.19

SHEET NO.

A-451

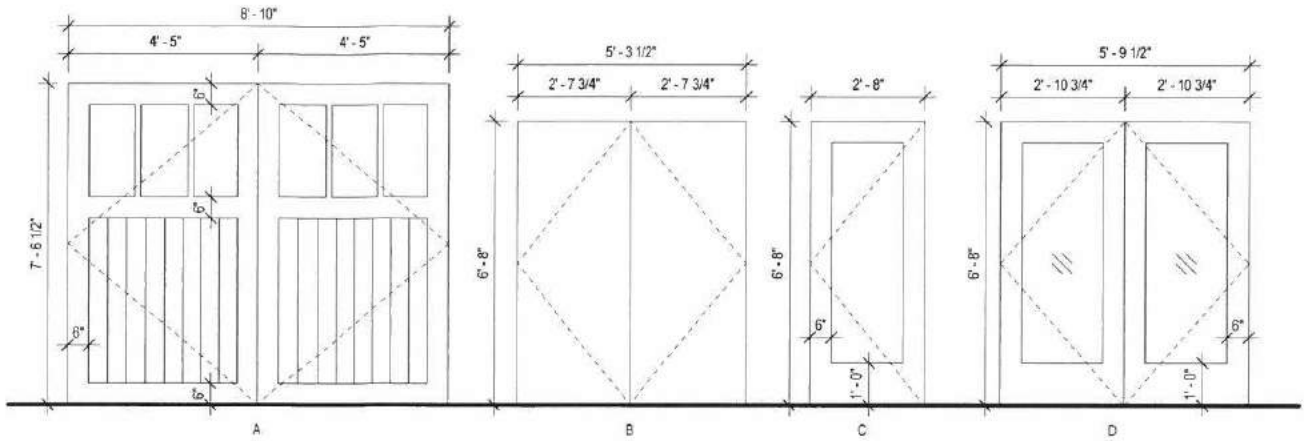
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DOOR SCHEDULE

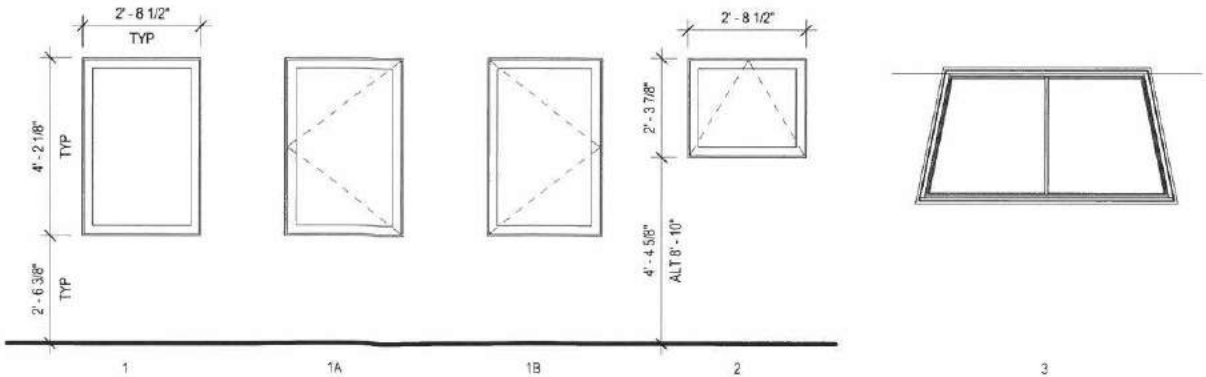
MARK	MANUFACTURER	MODEL	SIZE			TYPE	FINISH	GLAZING	HARDWARE SET NO	DETAILS			REMARKS
			W	H	T					HEAD	JAMB	SILL	
106A			8'-10"	7'-6 1/2"	2"	A		T, INST					
106B			8'-10"	7'-6 1/2"	2"	A		T, INST					
107			5'-3 1/2"	6'-8"	2"	B		NA					
108A			2'-8"	6'-8"	2"	C		T, INST					
108B			5'-9 1/2"	6'-8"	2"	D		T, INST					



C5 DOOR TYPES
1/2" = 1'-0"

WINDOW SCHEDULE

NO	MANUFACTURER	MODEL	WINDOW SIZE		TYPE	GLAZING	DETAILS			REMARKS
			W	H			HEAD	JAMB	SILL	
1			2'-8 1/2"	4'-2 1/8"	1B	DOUBLE	A-450 / FB	A-450 / FB	A-450 / DB	
2			2'-8 1/2"	4'-2 1/8"	1	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
3			2'-8 1/2"	4'-2 1/8"	1A	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
4			2'-8 1/2"	4'-2 1/8"	1B	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
5			2'-8 1/2"	4'-2 1/8"	1	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
6			2'-8 1/2"	4'-2 1/8"	1A	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
7			2'-8 1/2"	2'-3 7/8"	2	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
8			2'-8 1/2"	2'-3 7/8"	2	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
9			2'-8 1/2"	2'-3 7/8"	2	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
10			2'-8 1/2"	2'-3 7/8"	2	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
11			2'-8 1/2"	2'-3 7/8"	2	DOUBLE	A-450 / DB	A-450 / FB	A-450 / DB	
12			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
13			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
14			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
15			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
16			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
17			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
18			2'-8 1/2"	2'-3 7/8"	2	SINGLE	A-450 / DB	A-450 / FB	A-450 / DB	
19	WASCO		5'-0"	3'-1"	9					SKYLIGHT
20	WASCO		5'-0"	3'-1"	9					SKYLIGHT
21	WASCO		5'-0"	3'-1"	9					SKYLIGHT
22	WASCO		5'-0"	3'-1"	9					SKYLIGHT



F5 WINDOW TYPES
1/2" = 1'-0"

80 DOCUMENTS

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5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	05.17
3	CONSULTANT REVIEW	3.30.17
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TITLE
WINDOW AND DOOR SCHEDULE

DATE (MM.DD.YY)

01.18.19

SHEET NO.

A-501

FILE NAME

BLDG - DVP - 20160101

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GENERAL

GE 01. BEFORE SUBMITTING A PROPOSAL FOR THIS WORK, THE CONTRACTOR SHALL VISIT THE PREMISES AND ACQUAINT HIMSELF FULLY WITH THE EXISTING CONDITIONS. TEMPORARY CONSTRUCTION REQUIRED, QUANTITIES AND TYPES OF EQUIPMENT REQUIRED, ETC. HIS BID SHALL INCLUDE ALL SUMS REQUIRED TO DO THE WORK WITHIN THE EXISTING CONDITIONS. DISRUPTION OF NORMAL ACTIVITIES IN THE WORK AREA MUST BE KEPT TO A MINIMUM.

GE 02. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONSTRUCTION, DIMENSIONS, MEMBER SIZES AND ELEVATIONS FOR CONFORMANCE WITH THE DRAWINGS. ALL DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY.

GE 03. UNLESS NOTED OTHERWISE, DETAILS, SECTIONS, AND NOTES ON THE DRAWINGS ARE INTENDED TO BE TYPICAL FOR SIMILAR CONDITIONS.

GE 04. DIMENSIONS ON STRUCTURAL DRAWINGS ARE TO BE CHECKED AGAINST THE DRAWINGS OF OTHER DISCIPLINES, AND ALL DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY.

GE 05. COORDINATE WITH THE ARCHITECTURAL DRAWINGS FOR INTERLS, METAL WALL FRAMING, SHELF ANGLES, SIZE AND LOCATION OF SLOPES, DEPRESSIONS, FINISH FILLS, CHAMFERS, GROOVES, SLEEVES, INSERTS, ETC.

GE 06. COORDINATE WITH MECHANICAL/ELECTRICAL/PLUMBING DRAWINGS FOR DUCTWORK, PIPE SLEEVES, FLOOR DRAINS, INSERTS, HANGERS, TRENCHES, PITS, PADS, WALL AND SLAB OPENINGS, CONDUIT RUNS IN WALLS AND SLABS, SIZE AND LOCATION OF MACHINE OR EQUIPMENT SUPPORTS, BASES, ANCHOR BOLTS, ETC.

GE 07. ELEVATIONS SHOWN REFER TO PROJECT DATUM WHICH IS 1' FIRST FLOOR/102'-0".

GE 08. SHOP DRAWINGS PREPARED BY THE CONTRACTOR AND/OR HIS SUPPLIERS SHALL BE REVIEWED BY THE ARCHITECT ONLY FOR CONFORMANCE WITH THE DESIGN INTENT. NO WORK SHALL BE STARTED WITHOUT SUCH REVIEW.

GE 09. SHOP DRAWINGS PREPARED BY SUPPLIERS AND SUBCONTRACTORS SHALL BE REVIEWED BY THE CONTRACTOR PRIOR TO SUBMISSION TO THE ARCHITECT.

GE 10. DESIGN LOADS, ALLOWABLE STRESSES AND STRUCTURAL CAPACITIES ARE BASED ON THE CHICAGO BUILDING CODE, WITH LOCAL AMENDMENTS.

DESIGN WIND LOADS
MAIN WIND RESISTING SYSTEM COMPONENTS & CLADDING 20 PSF
30 PSF

DESIGN FLOOR LIVE LOADS
GARAGE FLOOR 50 PSF

DESIGN SNOW LOADS & ROOF LIVE LOADS
GROUND SNOW LOAD P_g 30 PSF
BALANCED SLOPED ROOF 25.2 PSF
UNBALANCED SLOPED ROOF
WINDWARD SIDE 0.0 PSF
LEEWARD SIDE 31.3 PSF

GE 11. SHOP DRAWING SUBMITTALS TO ARCHITECT/ENGINEER ARE REQUIRED FOR ALL PRE-FABRICATED ITEMS.

SHORING AND BRACING

SB 01. INDIVIDUAL STRUCTURAL COMPONENTS ARE DESIGNED TO SUPPORT LOADS IN THEIR FINAL, ERECTED POSITION AS PART OF THE TOTAL COMPLETED STRUCTURE. PROVIDE TEMPORARY SHORING, GUYING AND BRACING AS REQUIRED UNTIL ALL CONSTRUCTION AFFECTING LOAD-CARRYING MEMBERS AND LATERAL STABILITY IS COMPLETED.

SB 02. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR STABILITY OF STRUCTURE, ITS PARTS, AND JOB SITE SAFETY BY USE OF GUYING, BRACING, SHORING, BARRICADES, SAFETY RAILINGS AND DEVICES DURING THE ENTIRE PERIOD OF CONSTRUCTION.

SB 03. CONTRACTOR IS FULLY RESPONSIBLE FOR PROVIDING ALL TEMPORARY SHORING AND BRACING OF EXISTING ELEMENTS DURING CONSTRUCTION. ALL SHORING SHALL BE ADEQUATE TO SUPPORT ALL LOADINGS DURING MODIFICATION OF THE EXISTING BUILDING AND ERECTION OF THE NEW STRUCTURAL SUPPORT SYSTEM. TEMPORARY SHORING MUST REMAIN IN PLACE UNTIL ALL NEW STRUCTURAL MEMBERS SUPPORTING SHORED ELEMENTS ARE IN PLACE AND ALL NEW CONNECTIONS COMPLETED.

EXCAVATION AND BACKFILL

EB 01. BEFORE ANY OTHER BUILDING OPERATIONS ARE STARTED, REMOVE ALL BITUMINOUS PAVEMENT, LOOSE GRAVEL, ABANDONED FOUNDATIONS, BLACK LOAM, ORGANIC MATERIAL, AND FILL ENCOUNTERED WITHIN THE AREA TO BE OCCUPIED BY NEW CONSTRUCTION. NONE OF THIS MATERIAL OR OTHER EXCAVATED ON-SITE SOILS WHICH ARE FOUND TO BE UNSUITABLE SHALL BE USED FOR FILL WITHIN OR ADJACENT TO THE BUILDING. STORE GRAVEL ON SITE FOR POTENTIAL REUSE.

EB 02. GENERAL MACHINE EXCAVATION FOR FOOTINGS SHALL STOP NOT LESS THAN 6" ABOVE SCHEDULED ELEVATIONS OF BOTTOMS OF FOOTINGS. FINAL EXCAVATION TO UNDISTURBED SOL AT REQUIRED FOOTING ELEVATION SHALL BE DONE BY HAND NOT MORE THAN 48 HOURS BEFORE THE FOOTING IS PLACED.

EB 03. ALL NECESSARY CHANGES IN ELEVATION OF WALL FOOTINGS SHALL BE MADE IN STEPS OF NOT MORE THAN 2'-0" HIGH AND A MINIMUM OF 4'-0" APART, EXCEPT AS OTHERWISE DETAILED.

EB 04. AFTER EXCAVATING FOR ALL EARTH-SUPPORTED SLABS AND PRIOR TO PLACING FILL, THE EXPOSED NATURAL SOIL SHALL BE COMPACTED TO 95% N.C. OF ASTM D-1557 (MODIFIED PROCTOR) MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT.

EB 05. SEE GEOTECHNICAL REPORT FOR FOUNDATION BACKFILL AND FILL REQUIRED TO ESTABLISH FINAL SUBGRADES. ALL EARTH-SUPPORTED SLABS SHALL HAVE AT LEAST 6" OF C&G DIRECTLY BELOW THE SLAB COMPACTED TO 95% N.C. OF ASTM D-1557 (MODIFIED PROCTOR) MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT.

EB 06. VOID.

EB 07. ALL SOIL-SUPPORTED FOUNDATIONS SHALL BE FOUNDED UPON UNDISTURBED NATURAL SUBGRADE WITH A MINIMUM ALLOWABLE BEARING CAPACITY OF 3000 PSF AS INDICATED IN THE GEOTECHNICAL REPORT REFERENCED IN NOTE EB-14 AND AS FIELD VERIFIED AND APPROVED BY THE OWNER'S SOIL TESTING LABORATORY. THE FOOTING ELEVATIONS AND SOIL BEARING CAPACITIES AS SHOWN ON THE DRAWINGS ARE ESTIMATED FROM THE SOIL BORING DATA. FINAL EXACT ELEVATIONS AND SOIL BEARING CAPACITIES SHALL BE FIELD DETERMINED AND VERIFIED BY THE OWNER'S SOIL TESTING LABORATORY AND REVIEWED BY THE ARCHITECT/ENGINEER PRIOR TO PLACEMENT OF CONCRETE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN THE EVENT THAT THE SOIL CONDITIONS ENCOUNTERED VARY FROM THOSE ASSUMED IN THE DESIGN.

EB 08. VOID.

EB 09. BACKFILL AGAINST SIDES OF FOUNDATION WALLS SHALL BE PLACED SIMULTANEOUSLY ON BOTH SIDES TO THE TOP OF THE WALL.

EB 10. NO VOID SLABS, FOOTINGS, OR SLABS SHALL BE PLACED ONTO OR AGAINST SUBGRADE CONTAINING FREE WATER, FROST OR ICE.

EB 11. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY MEASURES TO PREVENT ANY FROST OR ICE FROM PENETRATING ANY FOOTINGS OR SLAB SUBGRADE BEFORE AND AFTER PLACEMENT OF CONCRETE UNTIL SUCH SUBGRADES ARE FULLY PROTECTED BY THE PERMANENT BUILDING STRUCTURE.

EB 12. THE CONCRETE FOR EACH ISOLATED FOOTING SHALL BE PLACED IN ONE (1) CONTINUOUS PLACEMENT.

EB 13. ALL PERIMETER WALL AND COLUMN FOOTINGS SHALL BEAR A MINIMUM OF 4'-0" BELOW FINISHED GRADE.

EB 14. FOR ADDITIONAL SITE CONDITIONS, FOUNDATION CONSTRUCTION CONSIDERATIONS, AND RECOMMENDATIONS, REFER TO THE GEOTECHNICAL REPORT.

DIMENSIONAL LUMBERS

DL 1. ALL WOOD CONSTRUCTION SHALL CONFORM TO THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, LATEST EDITION, BY THE NATIONAL FOREST PRODUCT ASSOCIATION.

DL 2. SAWN STRUCTURAL LUMBER SHALL HAVE THE FOLLOWING MINIMUM DIMENSIONAL UNIT STRESSES:

F_t	1,200 psi
F_v	180 psi
F_c PARALLEL	1,500 psi
F_c PERPENDICULAR	25.2 psi
E	1,600,000 psi

DL 3. ALL LUMBER SHALL HAVE AN AVERAGE MOISTURE CONTENT OF NOT MORE THAN 19 PERCENT.

DL 4. BOLT HEADS & NUTS BEARING ON WOOD SHALL BE PROVIDED WITH STANDARD CUT WASHERS.

DL 5. ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESURE TREATED.

DL 6. MINIMUM NAILED CONNECTIONS FOR WOOD FRAMING MEMBERS SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE 2009 IRC.

CONCRETE AND FORMWORK

CD 01. ALL CONCRETE WORK SHALL CONFORM TO THE LATEST EDITION OF THE FOLLOWING AMERICAN CONCRETE INSTITUTE PUBLICATIONS:

ACI 301	ACI 304	ACI 311
ACI 315	ACI 318	ACI 347

CD 02. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE LOCATION AND PLACEMENT OF INSERTS, EMBEDDED PLATES, MASONRY ANCHORS, REGULETS, SLEEVES, DUCT WORK, PADS, AND ANCHOR BOLTS. THE INSERTS, EMBEDDED PLATES, ETC. SHALL NOT INTERFERE WITH CONCRETE REINFORCEMENT LOCATIONS. THE GENERAL CONTRACTOR SHALL VERIFY ALL OPENINGS THROUGH WALLS WITH SHOP DRAWINGS SHOWING OPENINGS IN THE SLABS INCLUDING, BUT NOT LIMITED TO, SLEEVES SIZES AND LOCATIONS, DUCT SIZES AND LOCATIONS, ETC.

CD 03. SEE ARCHITECTURAL DRAWINGS FOR TYPE AND LOCATION OF ALL ARCHITECTURAL FINISHES, FLOOR FINISHES, FLOOR DEPRESSIONS, AND CURBS AND FOR ALL WATERPROOFING AND DAMPROOFING DETAILS. SEE MECHANICAL, ELECTRICAL, AND PLUMBING DRAWINGS FOR ADDITIONAL WALL AND/OR SLAB OPENINGS NOT SHOWN ON THE STRUCTURAL DRAWINGS.

CD 04. THE CONTRACTOR SHALL SUBMIT DETAILED DRAWINGS SHOWING THE LOCATIONS OF ALL CONSTRUCTION JOINTS, CURBS, AND SLAB DEPRESSIONS, IF ANY, AND DESCRIBE THE CONCRETE PLACEMENT SEQUENCE. ALL CURBS SHALL BE REINFORCED WITH AT LEAST 1-#4 CONTINUOUS AND #3 AT 18" O.C. DOVELS TO THE STRUCTURE BELOW, UNLESS NOTED OTHERWISE.

CD 05. CONCRETE SHALL DEVELOP MINIMUM 28-DAY STRENGTH AS FOLLOWS:

FOOTINGS AND FOUNDATIONS	MINVIT (145 PCF)	f_c	4,000 PSI
SLABS ON GRADE	MINVIT (145 PCF)	f_c	3,000 PSI

CD 06. ALL CONCRETE EXPOSED TO THE EXTERIOR SHALL BE AIR-ENTRAINED. WATER-REDUCING PLASTICIZING ADJUTIVES MAY BE USED, PENDING APPROVAL OF THE ARCHITECT.

CD 07. NO CALCIUM CHLORIDE OR CHLORIDE-ION PRODUCING ADMIXTURE SHALL BE USED IN ANY CONCRETE.

CD 08. FORMWORK FOR ALL CONCRETE WHICH WILL BE EXPOSED IN THE COMPLETED BUILDING SHALL BE CONSTRUCTION FROM A SUITABLE PLASTIC SURFACED PLYWOOD WHICH WILL PRODUCE AN ACCEPTABLY SMOOTH SURFACE. ALSO SEE THE SPECIFICATIONS.

CD 09. VERTICAL WALL CONSTRUCTION JOINTS SHALL BE FORMED WITH VERTICAL BULKHEADS AND KEYWAYS. WALL REINFORCEMENT SHALL BE CONTINUOUS THROUGH THE JOINT OR SHALL BE DOVELED WITH AN EQUIVALENT AREA OF REINFORCEMENT.

CD 10. ALL CONSTRUCTION JOINTS SHALL BE WIRE-BRUSHED AND CLEANED IMMEDIATELY PRIOR TO PLACING NEW CONCRETE. ALLOW 24 HOURS MINIMUM TO ELAPSE BETWEEN PLACEMENTS.

CD 11. VOID.

CD 12. EXPOSED EXTERNAL CONCRETE CORNERS SHALL BE CHAMFERED PER ARCH DETAILS.

CD 13. INTERIOR SLABS ON GRADE THICKNESSES AND REINFORCEMENT SHALL BE AS SHOWN AND NOTED ON THE PLANS. THICKENED OR DEPRESSIONS AS REQUIRED FOR THE DETAILS. DEPRESSIONS SHALL MAINTAIN FULL THICKNESS UNLESS NOTED OTHERWISE. SEE NOTE RS 05 FOR THE PLACEMENT OF WELDED WIRE FABRIC. A VAPOR RETARDER SHALL BE PROVIDED UNDER ALL INTERIOR SLABS ON GRADE PER THE PROJECT SPECIFICATIONS.

CD 14. SLABS ON GRADE SHALL BE PLACED IN ALTERNATE STRIPS WITH A MAXIMUM WIDTH OF 15'-0" OR AS SHOWN ON PLAN. CONTROL JOINTS SHALL BE CUT WITHIN A 5-12 HOURS AFTER THE CONCRETE HAS SET. CONTROL JOINTS SHALL NOT EXCEED 15'-0" INTERVALS IN EACH DIRECTION AND SHALL BE LOCATED TO CONFORM WITH BAY SPACING WHEREVER POSSIBLE (I.E. AT COLUMN CENTERLINES, HALF-BAYS, THIRD-BAYS).

CD 15. SLOPE CONCRETE SLABS WHERE REQUIRED TO FOR FLOOR DRAINS SHOWN ON THE ARCHITECTURAL AND PLUMBING DRAWINGS. MAINTAIN MINIMUM SLAB THICKNESSES AS SHOWN ON THE STRUCTURAL DRAWINGS.

CD 16. NO SLAB SHALL HAVE COLD JOINTS IN A HORIZONTAL PLANE. CONSTRUCTION JOINTS IN ELEVATED CONCRETE ON METAL DECK SHALL BE MADE AT THE THIRD POINT OF THE SPAN.

CD 17. VOID.

REINFORCEMENT STEEL

RS 01. ALL CONCRETE REINFORCEMENT SHALL BE DETAILED, FABRICATED, LABELED, SUPPORTED AND SPACED IN FORMS, AND SECURED IN PLACE IN ACCORDANCE WITH PROCEDURES AND REQUIREMENTS OUTLINED IN THE LATEST EDITIONS OF THE BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318) AND THE DETAILS AND DETAILING OF CONCRETE REINFORCEMENT (ACI 315). AT EPOXY COATED BARS, USE DIELECTRIC MATERIAL FOR BAR SUPPORTS AND NYLON COATED TIE WIRE.

RS 02. CHECKED SHOP DRAWINGS SHOWING REINFORCEMENT DETAILS, INCLUDING STEEL SIZES, SPACING, AND PLACEMENT SHALL BE SUBMITTED TO THE ARCHITECT FOR REVIEW PRIOR TO FABRICATION.

RS 03. ALL REINFORCEMENT STEEL SHALL BE HIGH STRENGTH NEW BULLET STEEL CONFORMING TO THE LATEST EDITION OF ASTM A 615, GRADE 60.

RS 04. ALL WELDED WIRE FABRIC SHALL CONFORM TO THE LATEST EDITION OF ASTM A 185.

RS 05. THE FOLLOWING CLEAR COVER SHALL BE PROVIDED FOR REINFORCEMENT IN CAST-IN-PLACE CONCRETE UNLESS NOTED OTHERWISE:

CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH, EXPOSED TO EARTH OR WEATHER	3"
#6 THROUGH #10 BARS	2"
#5 BARS, 3/8" DIA. WIRE AND SMALLER	1 1/2"
NOT EXPOSED TO WEATHER IN CONTACT WITH GROUND, SLABS & WALLS	3/4"
PIERS, COLUMNS AND BEAMS	3/4"
PRIMARY REINFORCEMENT, TIES AND STRUTS	1 1/2"

RS 06. PROVIDE ADEQUATE BOLSTERS, HIGH CHAIRS, SUPPORT BARS, ETC. TO MAINTAIN SPECIFIED CLEARANCES FOR THE ENTIRE LENGTH OF ALL REINFORCEMENT BARS. PROVIDE CONTINUOUS #4 SPACER BARS IN WALLS AND SLABS TO SUPPORT DOVELS. AS REQUIRED, WELDED WIRE FABRIC SHALL BE SUPPORTED IN PROPER POSITION ON CHAIRS AND CARRIER BARS.

RS 07. ALL EMBEDMENT LENGTHS SHALL CONFORM TO THE LATEST EDITION OF ACI 318.

RS 08. ALL REINFORCEMENT SPLICES SHALL BE LAP SPLICED AND WYRED TOGETHER IN CONTACT. SPLICE LENGTHS SHALL CONFORM TO THE LATEST ACI CRITERIA FOR SIZE AND TYPE OF REINFORCEMENT STEEL AND CONCRETE COMPRESSIVE STRENGTHS SPECIFIED. UNLESS NOTED OTHERWISE, MINIMUM LAP SHALL BE 40 BAR DIAMETERS.

RS 09. ALL WELDED WIRE FABRIC SHALL BE LAPPED TWO (2) FULL MESH PANELS AT SIDE AND END LAPS AND TIED SECURELY. PROVIDE ADDITIONAL REINFORCEMENT WHERE SHOWN ON THE DRAWINGS. PLACE MESH 1" FROM THE TOP OF SLABS. NO ELECTRICAL CONDUIT SHALL BE PLACED ABOVE WELDED WIRE FABRIC SLABS.

RS 10. NO REINFORCEMENT STEEL SHALL BE WELDED IN ANYWAY UNLESS PRIOR WRITTEN APPROVAL IS GIVEN BY THE ARCHITECT.

RS 11. CORNER BARS SHALL BE PROVIDED AT WALL CORNERS EQUAL TO THE HORIZONTAL WALL REINFORCEMENT.

RS 12. ALL CONCRETE FORMED SLAB OR WALL OPENINGS SHALL BE REINFORCED WITH #4#5 BARS PLACED ONE IN EACH FACE AT 45 DEGREES TO OPENING CORNERS.

RS 13. UNLESS NOTED OTHERWISE, ALL CONCRETE WORK SHALL CONTAIN AT LEAST MINIMUM REINFORCEMENT AS REQUIRED BY ACI 318.

RS 14. PROVIDE EPOXY COATED REINFORCEMENT AT ALL EXTERIOR CONCRETE INCLUDING WALLS.

ENGINEERED LUMBER

EL 1. ALL WOOD CONSTRUCTION SHALL CONFORM TO THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION, LATEST EDITION, BY THE NATIONAL FOREST PRODUCT ASSOCIATION.

EL 2. ALL LVLs ARE TO HAVE THE FOLLOWING MINIMUM STRUCTURAL PROPERTIES:

F_t	2600 psi
F_v	255 psi
F_c	750 psi (PERPENDICULAR)
F_c	2510 psi (PARALLEL)
E	1,900,000 psi

EL 3. BOLT HEADS & NUTS BEARING ON WOOD SHALL BE PROVIDED WITH STANDARD CUT WASHERS.

EL 4. MINIMUM NAILED CONNECTIONS FOR WOOD FRAMING MEMBERS SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE 2009 IRC.

EL 5. MICROSLAM (LVL) AND PARALLAM (PSL) BEAMS AND COLUMNS ARE MANUFACTURED BY WIEYERHAUSER / TRUSS-JOIST MACMILLAN.

EL 6. ALL MULTIPLE LAMINATED HEADERS SHALL BE NAILED TOGETHER IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATION.

PLYWOOD SHEATHING

PS 01. ROOF SHEATHING SHALL BE MINIMUM 3/4" THICK NOMINAL C-DX APA EXPOSURE 1, 32/18. LAY UP WITH 1/8" CLEAR BETWEEN PANELS TO ALLOW FOR EXPANSION. PROVIDE MINIMUM ONE PANEL EDGE CLIP PER SPAN.

PS 02. FLOOR SHEATHING: MIN. 3/4" (NOMINAL) C-DX APA RATED SHEATHING EXPOSURE 1, 48/24 TONGUE AND GROOVE EDGE SEALED PANELS.

PS 03. FASTEN PLYWOOD DECK WITH 10# NAILS AT 8" O.C. AT PANEL EDGES AND AT 12" O.C. AT INTERMEDIATE SUPPORTS (UNLESS NOTED OTHERWISE).

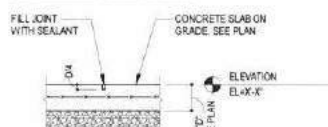
PS 04. GRADE MODULUS OF ELASTICITY:

C-DX EXTERIOR	1,800,000 PSI
---------------	---------------

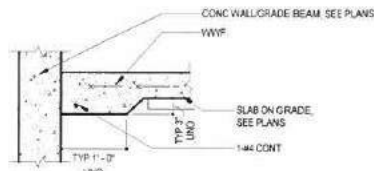
MINIMUM WORKING STRESSES DRY USE CONDITION:

EXTREME FIBER IN BENDING	$F_b = 2600$ psi
TENSION IN PLANE OF PLYS	$F_t = 2000$ psi
COMPRESSION IN PLANE OF PLYS	$F_c = 1640$ psi
SHEAR IN PLANE PERPENDICULAR TO PLYS	$F_v = 190$ psi
SHEAR IN PLANE OF PLYS	$F_s = 75$ psi
BEARING PERPENDICULAR TO PLANE OF PLYS	$F_c = 340$ psi

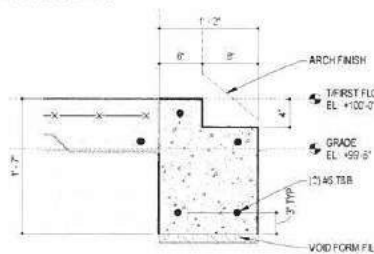
SAW CUT SLAB 8 TO 12 HOURS AFTER POUR
MAXIMUM JOINT SPACING: 18'-0" O.C. EW



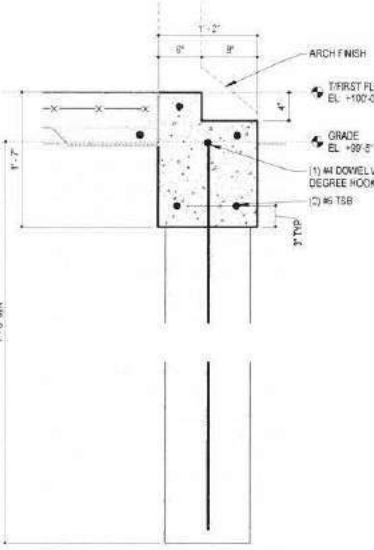
A TYP SLAB CONTROL JOINT
SCALE: 1/2" = 1'-0"



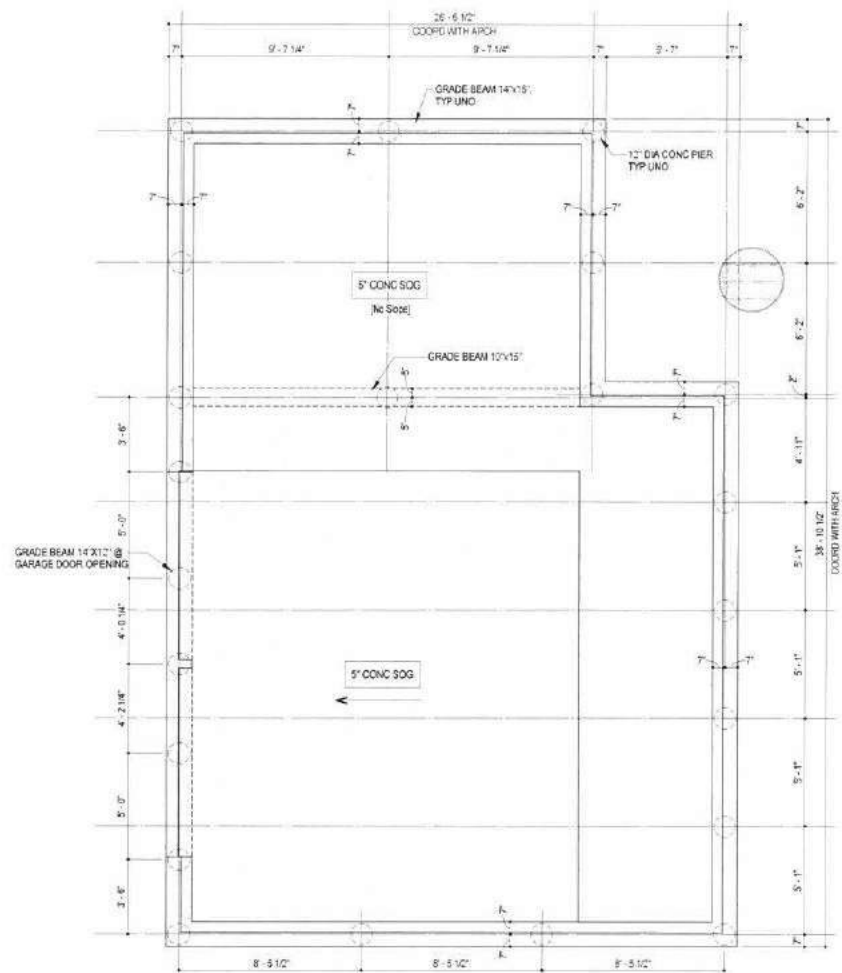
B TYP SLAB EDGE
SCALE: 3/4" = 1'-0"



C TYP GRADE BEAM DETAIL
SCALE: 1" = 1'-0"



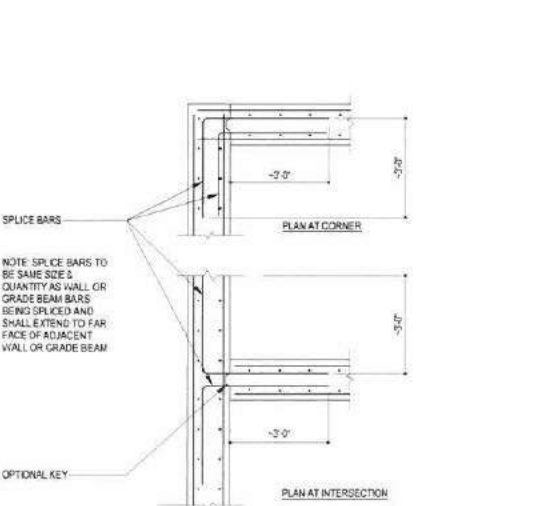
D GRADE BEAM @ PIER DETAIL
SCALE: 1" = 1'-0"



1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

PLAN NOTES:

- ELEVATIONS INDICATED ARE RELATIVE TO LOCAL DATUM. 1ST FLOOR = 102'-0".
- SEE ARCHITECTURAL DRAWINGS FOR ADDITIONAL DIMENSIONS AND INFORMATION.
- TYPICAL SOG: PROVIDE 2" SOG REINF WITH WVF 5/8" W/ 4W1" OVER VAPOR RETARDER OVER 8" DRAINAGE BED.



E TYP CORNER BARS @ GRADE BEAM
SCALE: 3/4" = 1'-0"

NOT FOR CONSTRUCTION

G O M P A S E L U N E S T R U C T U R E
Goodfriend Magruder Structure LLC
53 W Jackson Blvd, Suite 352
Chicago, IL 60604
312.265.2645
www.gmstructure.com
Structural Design and Engineering

2	ISSUED FOR BUILDING PERMIT	06.05.17
1	PROGRESS	04.27.17
NO	DESCRIPTION	DATE

E. ARTHUR DAVENPORT HOUSE, 1901 GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60005

C FOUNDATION PERMIT

CLIENT
PAUL AND CHERYL HARDING
559 ASHLAND AVENUE
RIVER FOREST, ILLINOIS 60005

ARCHITECT
HARDING PARTNERS
224 SOUTH MICHIGAN AVENUE SUITE 245
CHICAGO, ILLINOIS 60604
312.622.2600 TEL
312.622.8222 FAX

STRUCTURAL ENGINEER
GOODFRIEND MAGRUDER STRUCTURE LLC
53 WEST JACKSON BOULEVARD SUITE 352
CHICAGO, ILLINOIS 60604
312.265.2645 TEL

MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING ENGINEERS
OAK PARK, ILLINOIS

TITLE
GENERAL NOTES, FOUNDATION PLAN, AND DETAILS

DATE

4.27.17

SHEET

S1.0

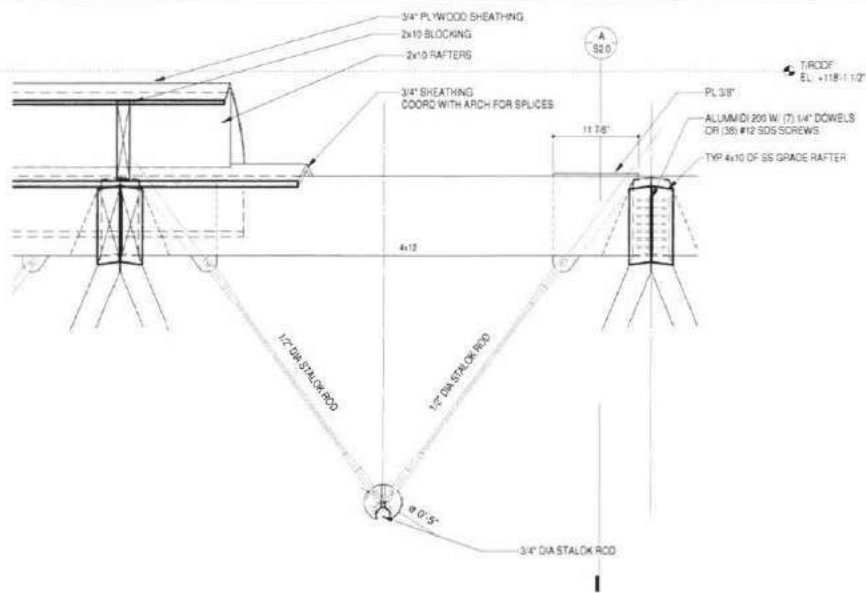
FILE

DVPGarage_STRUCTURE

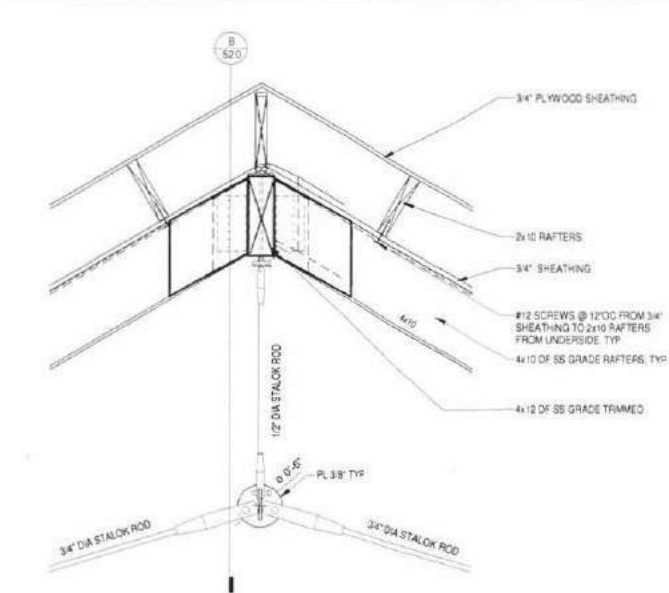
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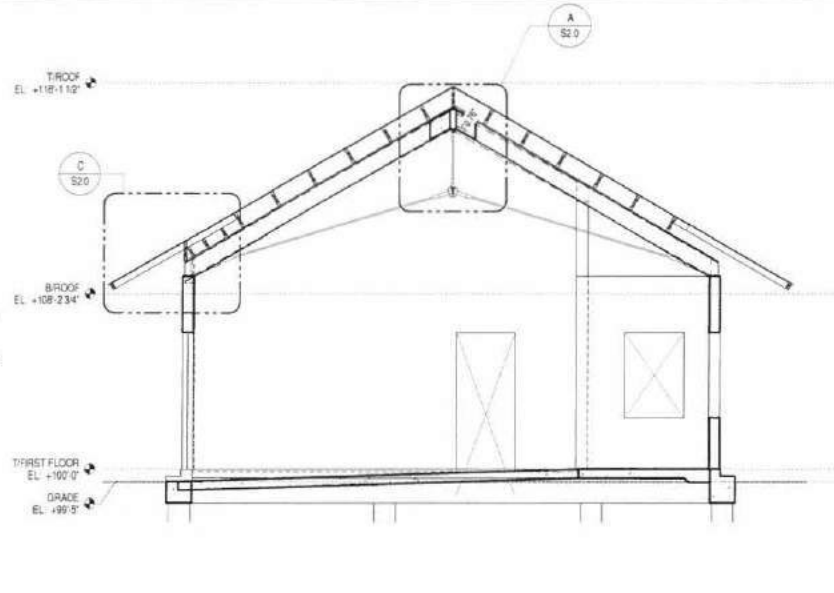
5/10/2017 02:30:26 PM \\GMSERVER\projects\Harding Partners\DVP Garage\structure\DVP Garage_STRUCTURE LargeSpacing.rvt



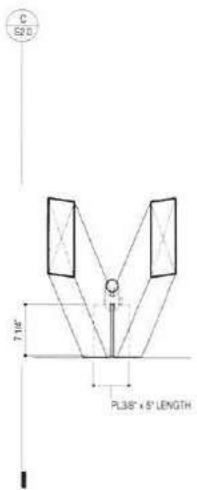
B DETAIL SECTION
SCALE: 1" = 1'-0"



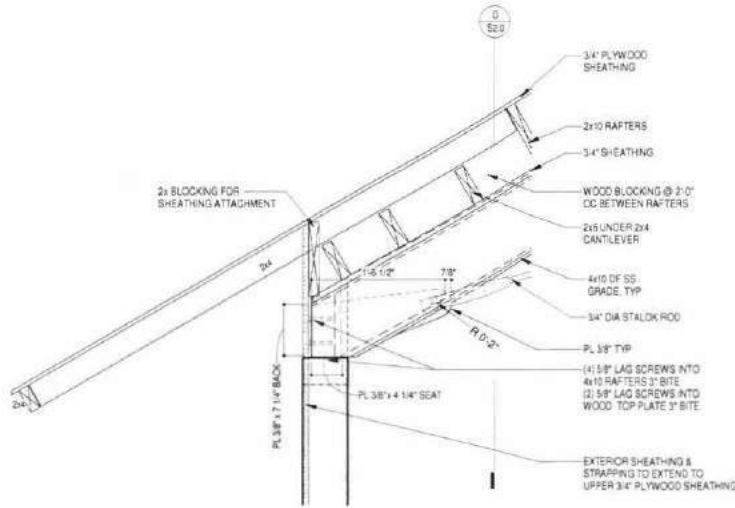
A DETAIL SECTION
SCALE: 1" = 1'-0"



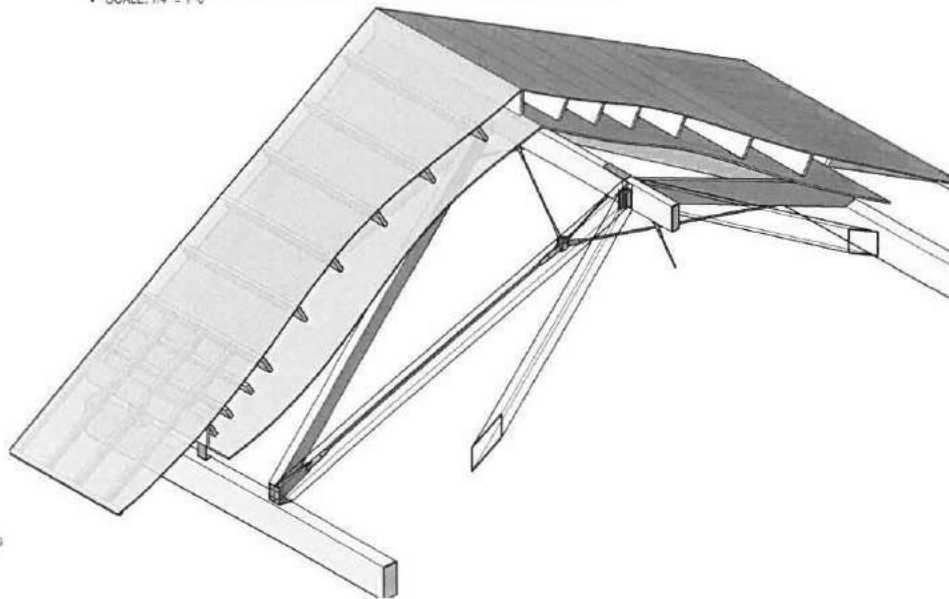
1 SECTION LOOKING NORTH
SCALE: 1/4" = 1'-0"



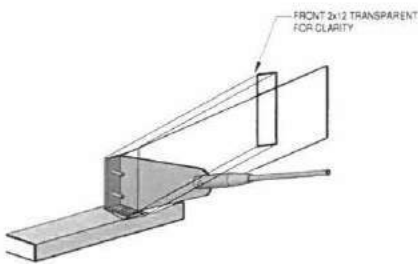
D DETAIL SECTION
SCALE: 1" = 1'-0"



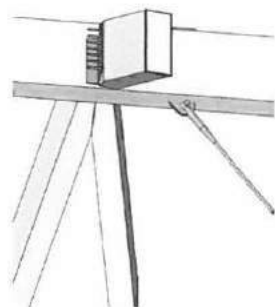
C DETAIL SECTION
SCALE: 1" = 1'-0"



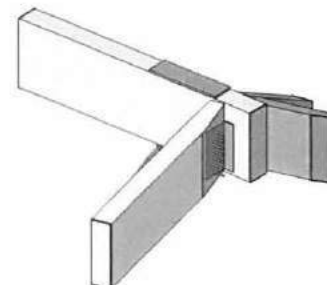
2 3D TYPICAL BAY
SCALE:



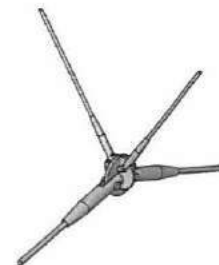
3D VIEW BASE CONNECTION (SIDE ANGLE)
SCALE:



3D VIEW TOP CONNECTION UNDER
SCALE:



3D VIEW TOP CONNECTION
SCALE:



3D VIEW STALOK NODE
SCALE:

NOT FOR CONSTRUCTION

GOODFRIEND MAGRUDER STRUCTURE LLC
53 W Jackson Blvd, Suite 352
Chicago IL 60604
312 265 2645
www.gmstructure.com
STRUCTURE Structural Design and Engineering

2	ISSUED FOR BUILDING PERMIT	06.05.17
1	PROGRESS	05.10.17
NO	DESCRIPTION	DATE

E. ARTHUR DAVENPORT HOUSE, 1901 GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

C FOUNDATION PERMIT

CLIENT
PAUL AND CHERYL HARDING
559 ASHLAND AVENUE
RIVER FOREST, ILLINOIS 60305

ARCHITECT
HARDING PARTNERS
224 SOUTH MICHIGAN AVENUE SUITE 245
CHICAGO, ILLINOIS 60604
312.922.2600 Tel
312.922.8222 Fax

STRUCTURAL ENGINEER
GOODFRIEND MAGRUDER STRUCTURE LLC
53 WEST JACKSON BOULEVARD SUITE 352
CHICAGO, ILLINOIS 60604
312.265.2645 Tel

MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING
ENGINEERS
OAK PARK, ILLINOIS

TITLE
BUILDING SECTIONS

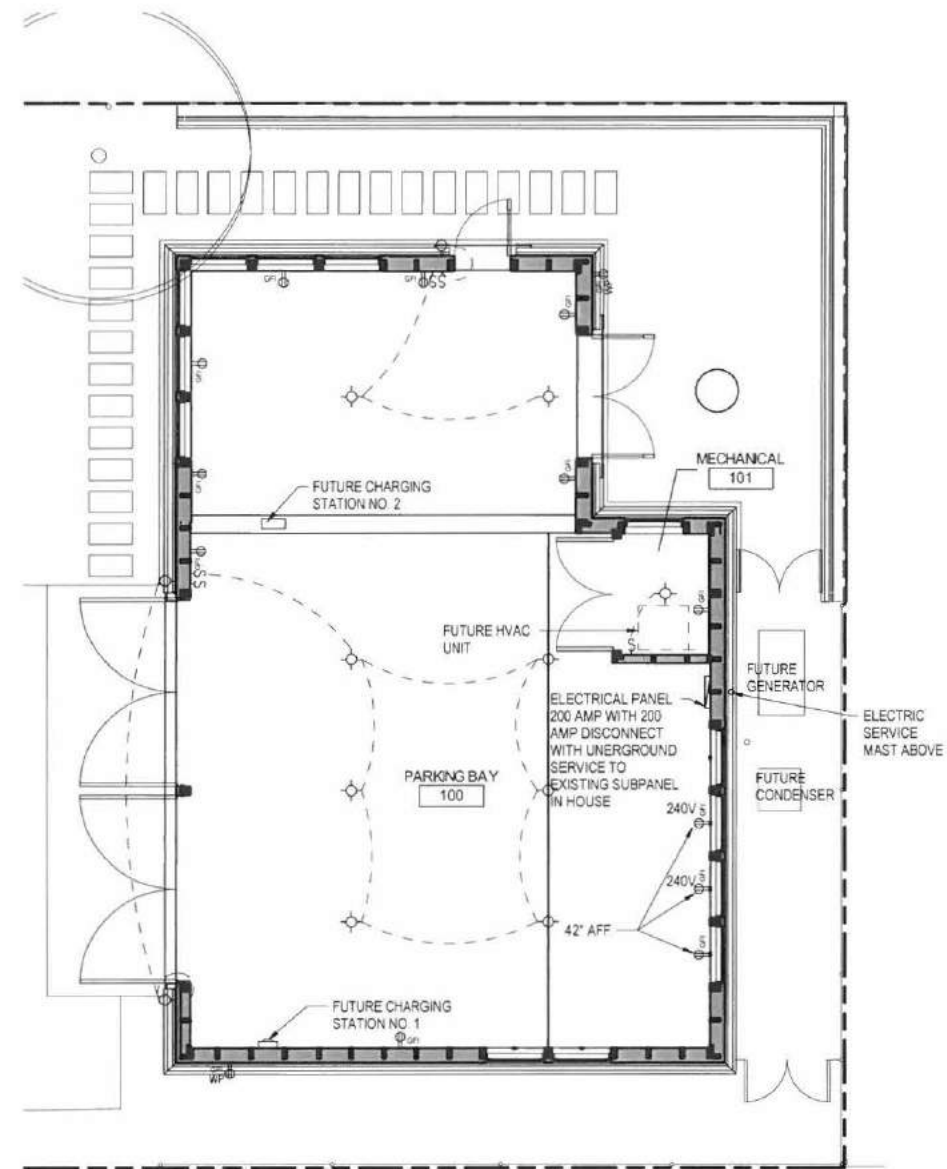
DATE
4.27.17

SHEET
S2.0

DVPGarage_STRUCTURE

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3/8/2019 12:09:31 PM P:\DVP\Drawings\BMM\Modell\BVP - GARAGE_Large Size.rvt



C2 FLOOR PLAN
1/4" = 1'-0"

BID DOCUMENTS

THESE DRAWINGS AND SPECIFICATIONS ARE "BID PACKAGE" DOCUMENTS WHICH INDICATE THE GENERAL EXTENT OF THE WORK AND SYSTEMS PERFORMANCE OF THE PROJECT IN TERMS OF THE DIMENSION OF THE BUILDING, THE TYPE OF STRUCTURAL, MECHANICAL, ELECTRICAL, AND UTILITY SYSTEMS AND AN OUTLINE OF MAJOR ARCHITECTURAL ELEMENTS OF CONSTRUCTION. AS "BID PACKAGE" DOCUMENTS, THE DRAWINGS AND SPECIFICATIONS ARE NOT INTENDED TO INDICATE OR DESCRIBE ALL WORK REQUIRED FOR THE FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. ON THE BASIS OF THE GENERAL PERFORMANCE CRITERIA AND GENERAL EXTENT OF WORK INDICATED, DESCRIBED OR REQUIRED, THE CONTRACTOR SHALL ESTABLISH A COST WITH SUBCONTRACTORS AND FURNISH AND INSTALL ALL ITEMS REQUIRED FOR THE PROPER PERFORMANCE, EXECUTION AND COMPLETION OF THE WORK.

B

5	ISSUED FOR ZONING VARIANCE	01.18.19
4	ISSUED FOR BUILDING PERMIT	6.5.17
3	CONSULTANT REVIEW	3.30.17
2	CONSULTANT MEETING	7.08.16
1	ISSUED FOR CONSULT PRICING	5.24.16
NO.	DESCRIPTION	DATE

E. ARTHUR DAVENPORT HOUSE

GARAGE

559 ASHLAND AVENUE RIVER FOREST, ILLINOIS 60305

ISSUED FOR ZONING VARIANCE

CLIENT
PAUL AND CHERYL HARDING
559 ASHLAND AVENUE
RIVER FOREST, ILLINOIS 60305

ARCHITECT
HARDING PARTNERS
224 SOUTH MICHIGAN AVENUE SUITE 245
CHICAGO, ILLINOIS 60604
312.922.2800 Tel
312.922.8222 Fax

STRUCTURAL ENGINEER
GOODFRIEND MAGRUDER STRUCTURE LLC
53 WEST JACKSON BOULEVARD SUITE 352
CHICAGO, ILLINOIS 60604
312.285.2645 Tel

MECHANICAL ENGINEER
ARCHITECTURAL CONSULTING ENGINEERS
OAK PARK, ILLINOIS

TITLE
ELECTRICAL PLAN

DATE (MM.DD.YY)
01.18.19

SHEET NO.
E-100

FILE NAME

BLDG - DVP - 20160101

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Village of River Forest

Village Administrator's Office

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

MEMORANDUM

Date: April 16, 2019

To: Eric Palm, Village/Zoning Administrator

From: Lisa Scheiner, Assistant Village Administrator

Subj: Proposed Text Amendments to the River Forest Zoning Ordinance

Issue:

On March 14, 2019, the Zoning Board of Appeals (ZBA) held a public hearing on proposed text amendments to the River Forest Zoning Ordinance regulations related to the following items:

1. An amendment to Section 10-19-3(K) to amend the standards for review of Planned Developments by adding consideration of the design of the proposed use as promoting a safe and comfortable environment for both pedestrians and individuals with disabilities (currently only pedestrians are considered);
2. An amendment to Section 10-21-3, Appendix A, to add Child Daycare Centers as a Special Use in the PRI (Public/Private Recreational Institutional Zoning District (currently this use is defined in the Zoning Ordinance but not identified in the Land Use Chart));
3. An amendment to Section 10-8-7(C)(2) of the Zoning Ordinance to allow the eave of an addition, where the eave of the existing structure does not meet the minimum three-foot (3') side yard setback, to be constructed with a side yard setback equal to the existing nonconforming side yard of the existing wall (currently this is not allowed without obtaining a variation);
4. An amendment to Section 10-8-7-(C)(2) of the Zoning Ordinance to allow vertical additions of non-conforming walls in side yard setbacks (currently this is not allowed without obtaining a variation).

Request for Board Action:

If the Village Board of Trustees wishes to approve the proposed text amendments the following motions would be appropriate:

1. Motion to Approve an Ordinance Amending the Village of River Forest Zoning Ordinance Relative to a Planned Development Standard for Individuals with Disabilities
2. Motion to Approve an Ordinance Amending the Village of River Forest Zoning Ordinance Relative to Child Daycare Centers as a Special Use in the PRI Public, Recreational, and Institutional Zoning District

3. Motion to Approve an Ordinance Amending the Village of River Forest Zoning Ordinance Relative to Horizontal Extensions of Non-Conforming Eaves in Side Yard Setbacks

Please note that because these items received a recommendation in favor of approval from the Zoning Board, the Village Board may approve the Ordinances with a simple majority.

If the Village Board of Trustees wishes to approve the proposed text amendment the following motions would be appropriate:

4. Motion to Approve an Ordinance Amending the Village of River Forest Zoning Ordinance Relative to Vertical Additions of Non-Conforming Walls in Side Yard Setbacks

Please note that because this item failed to receive the approval of four members of the Zoning Board of Appeals a favorable vote of 2/3 of the Board of Trustees is required to approve the Ordinance.

Documents Attached:

- Ordinances
- Findings of Fact
- Minutes of the March 14, 2019 Zoning Board of Appeals Meeting
- Application

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE VILLAGE OF RIVER FOREST
ZONING ORDINANCE RELATIVE TO A PLANNED DEVELOPMENT
STANDARD FOR INDIVIDUALS WITH DISABILITIES**

WHEREAS, the Village of River Forest ("Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village President and Board of Trustees of the Village ("Corporate Authorities") have adopted a zoning ordinance ("Zoning Ordinance"), which has been amended from time to time; and

WHEREAS, the Village is authorized to amend its Zoning Ordinance pursuant to Section 11-13-14 of the Illinois Municipal Code, 65 ILCS 5/11-13-14; and

WHEREAS, the Corporate Authorities have recently considered whether it is appropriate to amend the standards for planned developments to include specific consideration of the needs of individuals with disabilities in proposed planned developments; and

WHEREAS, on February 11, 2019, the Corporate Authorities referred consideration of a proposed text amendment regarding this matter ("Text Amendment") to the Village's Zoning Board of Appeals ("ZBA"); and

WHEREAS, the ZBA held a public hearing, on March 14, 2019, on the question of whether the proposed Text Amendment should be made, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on March 14, 2019, the ZBA voted to favorably recommend the proposed Text Amendment to the Corporate Authorities; and

WHEREAS, on April 11, 2019, the ZBA approved its findings and recommendation regarding the Text Amendment to the Corporate Authorities, and the Corporate Authorities have duly considered said report, findings of fact and recommendation, a copy of which is attached hereto as **EXHIBIT A** and made a part hereof; and

WHEREAS, the Corporate Authorities, pursuant to their statutory zoning authority, and the report, findings of fact and recommendation of the ZBA, have determined that it is in the best interests of the health, welfare and safety of residents of the Village to adopt the Text Amendment as set forth below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: The President and Board of Trustees of the Village of River Forest approve and adopt the report, findings of fact and recommendation of the ZBA, in **EXHIBIT A**, and incorporate such report, findings of fact and recommendations by reference as if fully set forth herein.

SECTION 3: Section 10-19-3(K) of the Zoning Ordinance is hereby amended as follows, with additions underlined and deletions struck through:

The design of the proposed use or combination of uses promotes a safe and comfortable ~~pedestrian~~ environment for pedestrians and individuals with disabilities

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: Except as to the Text Amendment set forth above in this Ordinance, all Chapters and Sections of the Zoning Ordinance of the Village of River Forest, as amended, shall remain in full force and effect.

SECTION 7: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

[THIS SPACE INTENTIONALLY LEFT BLANK]

ADOPTED this 22nd day of April, 2019 by the Village President and Board of Trustees, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 22nd day of April, 2019.

Catherine Adduci, Village President

ATTEST:

Kathleen Brand-White, Village Clerk

EXHIBIT A

**REPORT, FINDINGS OF FACT AND RECOMMENDATION
FROM THE ZONING BOARD OF APPEALS**

(attached)

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE VILLAGE OF RIVER FOREST ZONING ORDINANCE
RELATIVE TO CHILD DAYCARE CENTERS AS A SPECIAL USE IN THE PRI PUBLIC,
RECREATIONAL AND INSTITUTIONAL ZONING DISTRICT**

WHEREAS, the Village of River Forest ("Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village President and Board of Trustees of the Village ("Corporate Authorities") have adopted a zoning ordinance ("Zoning Ordinance"), which has been amended from time to time; and

WHEREAS, the Village is authorized to amend its Zoning Ordinance pursuant to Section 11-13-14 of the Illinois Municipal Code, 65 ILCS 5/11-13-14; and

WHEREAS, the Corporate Authorities have recently considered whether it is appropriate to allow child daycare centers as a special use in the PRI Public, Recreational And Institutional Zoning District; and

WHEREAS, on February 11, 2019, the Corporate Authorities referred consideration of a proposed text amendment regarding this matter ("Text Amendment") to the Village's Zoning Board of Appeals ("ZBA"); and

WHEREAS, the ZBA held a public hearing, on March 14, 2019, on the question of whether the proposed Text Amendment should be made, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on March 14, 2019, the ZBA voted to favorably recommend the proposed Text Amendment to the Corporate Authorities; and

WHEREAS, on April 11, 2019, the ZBA approved its findings and recommendation regarding the Text Amendment to the Corporate Authorities, and the Corporate Authorities have duly considered said report, findings of fact and recommendation, a copy of which is attached hereto as **EXHIBIT A** and made a part hereof; and

WHEREAS, the Corporate Authorities, pursuant to their statutory zoning authority, and the report, findings of fact and recommendation of the ZBA, have determined that it is in the best interests of the health, welfare and safety of residents of the Village to adopt the Text Amendment as set forth below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: The President and Board of Trustees of the Village of River Forest approve and adopt the report, findings of fact and recommendation of the ZBA, in **EXHIBIT A**, and incorporate such report, findings of fact and recommendations by reference as if fully set forth herein.

SECTION 3: The land use chart in Section 10-21-3, Appendix A, of the Zoning Ordinance is hereby amended as follows, with additions underlined:

LAND USES	R1 And R2 Low Density Residential	R3 Medium Density Residential	R4 High Density Residential	C1 Commercial	C2 Commercial	C3 Central Commercial	ORIC Office/ Research/ Industrial/ Commercial	PRI Public/Private Recreational Institutional
ACCESSORY USES								
*	*	*	*	*	*	*	*	*
<u>Child Daycare Center</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>
*	*	*	*	*	*	*	*	*

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: Except as to the Text Amendment set forth above in this Ordinance, all Chapters and Sections of the Zoning Ordinance of the Village of River Forest, as amended, shall remain in full force and effect.

SECTION 7: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

[THIS SPACE INTENTIONALLY LEFT BLANK]

ADOPTED this 22nd day of April, 2019 by the Village President and Board of Trustees, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 22nd day of April, 2019.

Catherine Adduci, Village President

ATTEST:

Kathleen Brand-White, Village Clerk

EXHIBIT A

**REPORT, FINDINGS OF FACT AND RECOMMENDATION
FROM THE ZONING BOARD OF APPEALS**

(attached)

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE VILLAGE OF RIVER FOREST
ZONING ORDINANCE RELATIVE TO HORIZONTAL EXTENSIONS OF NON-CONFORMING
EAVES IN SIDE YARD SETBACKS**

WHEREAS, the Village of River Forest ("Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village President and Board of Trustees of the Village ("Corporate Authorities") have adopted a zoning ordinance ("Zoning Ordinance"), which has been amended from time to time; and

WHEREAS, the Village is authorized to amend its Zoning Ordinance pursuant to Section 11-13-14 of the Illinois Municipal Code, 65 ILCS 5/11-13-14; and

WHEREAS, the Corporate Authorities have recently considered whether it is appropriate to allow horizontal extensions of eaves where otherwise prohibited in side yards when the extensions would be equal to an existing nonconforming side yard with respect to the eave; and

WHEREAS, on February 11, 2019, the Corporate Authorities referred consideration of a proposed text amendment regarding this matter ("Text Amendment") to the Village's Zoning Board of Appeals ("ZBA"); and

WHEREAS, the ZBA held a public hearing, on March 14, 2019, on the question of whether the proposed Text Amendment should be made, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on March 14, 2019, the ZBA voted to favorably recommend the proposed Text Amendment to the Corporate Authorities with regard to the horizontal extensions of eaves; and

WHEREAS, on April 11, 2019, the ZBA approved its findings and recommendation regarding the Text Amendment to the Corporate Authorities, and the Corporate Authorities have duly considered said report, findings of fact and recommendation, a copy of which is attached hereto as **EXHIBIT A** and made a part hereof; and

WHEREAS, the Corporate Authorities, pursuant to their statutory zoning authority, and the report, findings of fact and recommendation of the ZBA, have determined that it is in

the best interests of the health, welfare and safety of residents of the Village to adopt the Text Amendment as set forth below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: The President and Board of Trustees of the Village of River Forest approve and adopt the portion of the report, findings of fact and recommendation of the ZBA, in **EXHIBIT A**, regarding horizontal additions to eaves and incorporate that portion of the report, findings of fact and recommendations by reference as if fully set forth herein.

SECTION 3: Section 10-8-7(C)(2)(A) of the Zoning Ordinance, entitled “Eaves,” is hereby amended as follows, with additions underlined and deletions struck through:

The eaves of a structure shall be required to maintain a minimum three foot side yard setback. The eave of an addition, where the eave of the existing structure does not meet this standard, may be constructed with a side yard equal to the existing nonconforming side yard of that eave.

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: Except as to the Text Amendment set forth above in this Ordinance, all Chapters and Sections of the Zoning Ordinance of the Village of River Forest, as amended, shall remain in full force and effect.

SECTION 7: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

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ADOPTED this 22nd day of April, 2019 by the Village President and Board of Trustees, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 22nd day of April, 2019.

Catherine Adduci, Village President

ATTEST:

Kathleen Brand-White, Village Clerk

EXHIBIT A

**REPORT, FINDINGS OF FACT AND RECOMMENDATION
FROM THE ZONING BOARD OF APPEALS**

(attached)

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE VILLAGE OF RIVER FOREST
ZONING ORDINANCE RELATIVE TO VERTICAL ADDITIONS OF NON-CONFORMING
WALLS IN SIDE YARD SETBACKS**

WHEREAS, the Village of River Forest ("Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village President and Board of Trustees of the Village ("Corporate Authorities") have adopted a zoning ordinance ("Zoning Ordinance"), which has been amended from time to time; and

WHEREAS, the Village is authorized to amend its Zoning Ordinance pursuant to Section 11-13-14 of the Illinois Municipal Code, 65 ILCS 5/11-13-14; and

WHEREAS, the Corporate Authorities have recently considered whether it is appropriate to allow vertical additions to walls where otherwise prohibited in side yards when the additions would be equal to an existing nonconforming side yard with respect to the wall; and

WHEREAS, on February 11, 2019, the Corporate Authorities referred consideration of a proposed text amendment regarding this matter ("Text Amendment") to the Village's Zoning Board of Appeals ("ZBA"); and

WHEREAS, the ZBA held a public hearing, on March 14, 2019, on the question of whether the proposed Text Amendment should be made, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on March 14, 2019, the ZBA voted to not recommend the proposed Text Amendment to the Corporate Authorities with regard to the vertical additions to walls; and

WHEREAS, on April 11, 2019, the ZBA approved its findings and recommendation regarding the Text Amendment to the Corporate Authorities, and the Corporate Authorities have duly considered said report, findings of fact and recommendation, a copy of which is attached hereto as **EXHIBIT A** and made a part hereof; and

WHEREAS, the Corporate Authorities, pursuant to their statutory zoning authority, and the report, findings of fact and recommendation of the ZBA, have determined that it is in the best interests of the health, welfare and safety of residents of the Village to adopt the Text Amendment as set forth below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: The President and Board of Trustees of the Village of River Forest deny the portion of the report, findings of fact and recommendation of the ZBA, in **EXHIBIT A**, regarding vertical additions to walls, and find that allowing such additions are appropriate, reasonable and suitable.

SECTION 3: Section 10-8-7(C)(2)(b) of the Zoning Ordinance, entitled “Additions,” is hereby amended as follows, with additions underlined and deletions struck through:

An addition to an existing structure that does not meet this standard must maintain either a three-foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional twenty feet as of right into the nonconforming side yard, and the height of a wall that maintains a nonconforming side yard setback may ~~not~~ be increased with a side yard setback equal to the existing nonconforming side yard of that wall. The addition shall conform to the applicable front and rear yard setback requirements.

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: Except as to the Text Amendment set forth above in this Ordinance, all Chapters and Sections of the Zoning Ordinance of the Village of River Forest, as amended, shall remain in full force and effect.

SECTION 7: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

[THIS SPACE INTENTIONALLY LEFT BLANK]

ADOPTED this 22nd day of April, 2019, pursuant to a roll call vote of at least two-thirds (2/3) of the Board of Trustees of the Village of River Forest, per Section 10-5-6(C) of the Zoning Ordinance.

AYES:

NAYS:

ABSENT:

APPROVED by me this 22nd day of April, 2019.

Catherine Adduci, Village President

ATTEST:

Kathleen Brand-White, Village Clerk

EXHIBIT A

**REPORT, FINDINGS OF FACT AND RECOMMENDATION
FROM THE ZONING BOARD OF APPEALS**

(attached)

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT & RECOMMENDATION -
VARIOUS ZONING CODE TEXT AMENDMENTS**

WHEREAS, Petitioner the Village of River Forest ("Village"), based upon direction from the Village President and Board of Trustees given at its February 11, 2019 Regular Board Meeting, has requested consideration of, and a public hearing on, the following amendments to the River Forest Zoning Ordinance (the "Zoning Code"):

- An amendment to Section 10-8-7(C)(2) of the Zoning Code to allow the eave of an addition, where the eave of the existing structure does not meet the minimum three-foot (3') side yard setback, to be constructed with a side yard setback equal to the existing nonconforming side yard of the eave;
- An additional amendment to Section 10-8-7(C)(2) to allow walls that maintain a nonconforming side yard setback to be increased in height with a side yard setback equal to the existing nonconforming side yard of the existing wall;
- An amendment to Section 10-21-3/Appendix A, to add Child Daycare Centers as a Special Use in the PRI (Public/Private Recreational Institutional) Zoning District; and
- An amendment to Section 10-19-3(K) to amend the standards for review of Planned Developments by adding consideration of the design of the proposed use as promoting a safe and comfortable environment for both pedestrians and individuals with disabilities (currently only pedestrians are considered).

Collectively, the above-listed amendments are the "Proposed Text Amendments."

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on the question of whether the Proposed Text Amendments should be granted on March 14, 2019, as required by Section 10-5-5 of the Zoning Code, at which time all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the ZBA; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in a newspaper of general circulation in the Village, there being no newspaper published in the Village; and

WHEREAS, at the March 14, 2019 public hearing, Village Administrator Eric Palm presented the Proposed Text Amendments on behalf of Petitioner the Village; and

WHEREAS, Village Planning consultant John Houseal offered further explanation and analysis relative to the Proposed Text Amendments. As to the Proposed Text Amendment relative to increasing the height of existing nonconforming walls as of right, Mr.

Houseal noted that the Village had considered twelve (12) variations for such wall height increases in the last ten (10) years, and all but one (1) had been approved. Using those numbers, approximately one (1) variation for side wall height increases has been considered per year. He does not consider that number to be a burden on the ZBA or the Village. He further noted, however, that when considered, the variation requests for nonconforming side wall height increases were typically granted. Between those two factors, the scales of whether the text should be amended were not tipped a particular way. Mr. Houseal discussed how this same issue is handled in other communities, including Riverside, Hinsdale, Wilmette, Oak Park and Glen Ellyn. There is no discernible trend in other communities to allow or not allow such increases by right. Finally, Mr. Houseal noted that this is the third discussion of this particular text amendment since he started working with the Village 20 years ago, with the most recent consideration being in 2012; and

WHEREAS, River Forest resident Dan Lauber testified against the Proposed Text Amendment allowing walls with nonconforming side yard setbacks to be increased as of right. He noted that fairness is an important concept in zoning, both for property owners and those living nearby, and that it is not fair to increase a nonconforming side wall far beyond what a neighbor could have expected when the neighbor purchased his or her property. He contends that it is not an undue burden for property owners to bring a variation request if they desire to increase the height of an existing nonconforming wall; and

WHEREAS, River Forest resident Shaun Krueger spoke in favor of allowing increases in the height of nonconforming side yard setback walls, or increases in the length of nonconforming side yard setback walls, at the choice of the applicant, as of right (his variation for same had previously been denied). Several members of the public also spoke in favor of the Proposed Text Amendment allowing Child Daycare Centers as Special Uses in the PRI Zoning District; and

WHEREAS, after the close of public comment, the ZBA discussed the various Proposed Text Amendments. There was general agreement that all of the Proposed Text Amendments other than the Amendment allowing nonconforming side walls to be increased in height were meritorious. As to the Proposed Text Amendment allowing nonconforming side yard setback walls to be increased in height as of right, the members of the ZBA were uniform in their opposition to the change, noting that the number of requests for variations on this subject has not been overwhelming, the cost and time associated with seeking a variation is not substantial in relation to an overall project cost and timetable, that adjacent neighbors should be given an opportunity to weigh in on individual requests for height increases affecting them, and that nothing has changed since the ZBA last considered this matter in 2012; and

WHEREAS, following discussion, the ZBA, pursuant to Section 10-5-5(B)(2) of the Zoning Code, and by unanimous votes of 6-0, recommended approval of the amendment of Section 10-8-7(C)(2) to allow the eave of an addition, where the eave of the existing structure does not meet the minimum three foot (3') side yard setback, to be constructed within a side yard setback equal to the existing nonconforming side yard of the eave, the amendment of Section 10-21-3/Appendix A to add Child Daycare Centers as a special use

in the PRI Zoning District, and the amendment of Section 10-19-3(K) to amend the standards for review of Planned Developments to add consideration of whether the design of a proposed use promotes a safe and comfortable environment for individuals with disabilities. The ZBA next, on a unanimous vote of 6-0, voted to recommend denial of the amendment allowing walls in a nonconforming side yard setback to be increased in height as of right.

NOW THEREFORE, the Zoning Board of Appeals makes the following findings of fact and recommendations pursuant to Section 10-5-5(B)(2):

A. That APPROVAL of the following Proposed Text Amendments is recommended. These Proposed Text Amendments are found to be in the best interests of the Village and its residents and property owners:

- An amendment to Section 10-8-7(C)(2) of the Zoning Code to allow the eave of an addition, where the eave of the existing structure does not meet the minimum three-foot side yard setback, to be constructed with a side yard setback equal to the existing nonconforming side yard of the eave;
- An amendment to Section 10-21-3/Appendix A, to add Child Daycare Centers as a Special Use in the PRI (Public/Private Recreational Institutional) Zoning District; and
- An amendment to Section 10-19-3(K) to amend the standards for review of Planned Developments by adding consideration of the design of the proposed use as promoting a safe and comfortable environment for both pedestrians and individuals with disabilities.


B. That the Proposed Text Amendment to Section 10-8-7(C)(2) to allow walls that maintain a nonconforming side yard setback to be increased in height as of right with a side yard setback equal to the existing nonconforming side yard of the existing wall is recommended to be DENIED, and is found to not be in the best interests of the Village and its residents and property owners for the following reasons:

- The number of variations requested for such height variations (approximately one per year) has not been overwhelming for the ZBA or for the Village Board of Trustees;
- It is not a substantial burden in either time or money for persons seeking such a change to come before the ZBA for a hearing;
- Adjacent neighbors should have an opportunity to comment on unanticipated increases in building height and the effect of such increases on their property; and
- Circumstances are unchanged since the ZBA previously recommended denial of this same Text Amendment in 2012.

- No evidence was presented by the applicant or other witnesses that the Zoning Variation process as it currently is administered is overly burdensome or expensive.



Frank Martin
Chairman



Date

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

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, March 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 David Berni, Gerald Dombrowski, Ronald Lucchesi, Tagger O'Brien, and Joanna Schubkegel
Absent: Member Michael Smetana
Also Present: Secretary Clifford Radatz, Village Administrator Eric Palm, Village Attorney Michael Marrs

II. APPROVAL OF FEBRUARY 14, 2019 ZONING BOARD OF APPEALS MEETING MINUTES

A MOTION was made by Member O'Brien and SECONDED by Chairman Martin to approve the minutes of the February 14, 2019 Zoning Board of Appeals meeting.

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

III. APPROVAL OF FINDINGS OF FACT FOR THE VARIATION REQUESTED FOR 1427 JACKSON AVENUE

A MOTION was made by Member O'Brien and SECONDED by Member Schubkegel to approve the Findings of Fact and recommendation regarding the Lot Coverage variation related to a garage at 1427 Jackson Avenue

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

IV. VARIATION REQUEST FOR 559 ASHLAND AVENUE – SIDE YARD SETBACK AND HEIGHT OF AN ACCESSORY STRUCTURE

Chairman Martin announced that the next matter on the agenda were two variations requested for 559 Ashland Avenue.

Secretary Radatz swore in all parties wishing to speak.

Paul Harding, owner of the property at 559 Ashland Avenue, presented the variations requested for the construction of a detached garage in the rear yard of the property, which include the encroachment of the roof eave into the required setback from the south property line by a variable distance from 0 (zero) up to 1'-0", and to increase the maximum height up to 20 feet.

Mr. Harding explained that the existing home on the property is the E. Arthur Davenport House, the first Prairie School home designed by Frank Lloyd Wright in the Chicago area; and that the home is of national historic significance.

Mr. Harding stated that the proposed garage is designed to be compatible with the aesthetic of the house, with broad roof overhangs. He noted that there is a large existing tree at the northeast corner of the property that conflicts with the location of the garage. Even with the use of a special foundation design to avoid damage to the root system of the tree, the proposed garage cannot be moved any further north, leaving a small tapered encroachment of the roof eave into the south side yard setback.

Mr. Harding continued that the objective is to maintain the fidelity of the design of the garage to that of the house, duplicating the roof pitch. Mr. Harding noted that since the Zoning ordinance requires building height to be measured from the elevation of the public walk, and that there is a general slope in the Village downwards toward the Des Plaines River, properties on the east side of north-south streets are at a natural disadvantage. He also noted that the neighbor to the east had improved their property by raising the grade of their rear yard, resulting in water being trapped in his rear yard. As a result, he must raise the elevation of the garage slab to keep it above the flood level. Mr. Harding noted that his proposed improvements for the garage project includes a dry well to retain rainwater on site. All of which push the height of the roof ridge of the proposed garage above the 18 foot building height allowed by the Zoning ordinance for accessory buildings.

Mr. Harding noted that the hardship of complying to the strict requirements of the Zoning ordinance is that the garage could not be constructed with a design that is complementary to the historic Davenport House.

Chairman Martin asked Secretary Radatz to explain the requested variations to the Board, which he did.

Chairman Martin asked for clarification as to which of the variations currently requested was the same as the variation requested in 2016. Secretary Radatz stated that it was the variation for relief

from the side yard setback requirement. Chairman Martin asked if the current submission for the Side Yard Setback variation was different in any way from the request that had been previously reviewed and acted upon by the Village Board. Secretary Radatz stated that there was no difference between the current and previous requested variation.

Chairman Martin asked the applicant why the variation for the height of the garage had not been requested with the earlier application. Mr. Harding stated that it was an unusual practice to regulate the height of buildings at the rear of the lot by elevation of the public walk and that it had been an oversight on his part. Chairman Martin asked what the height of the building was relative to the grade immediately adjacent to the proposed garage. Mr. Harding indicated that it was 18'-7½".

Chairman Martin and Mr. Harding discussed the hardship of not constructing a garage which was faithful to the design considerations of a house with national historic significance.

Daniel Lauber, resident at 7215 Oak Avenue, spoke in favor of proposed variations. Mr. Lauber stated that he was a friend of the previous owners of this house, he was familiar with the house and the extreme efforts of the previous owners to maintain its architectural integrity. He stated that his opinion was that it was incumbent upon the Village to allow these variations to maintain the architectural integrity. He noted that the hardship to the Village would be the loss of architectural integrity for a historic home of national significance if the variations were not granted. Further, he did not see any negative effects on the neighboring properties if the variations are granted.

The public portion of the hearing was closed.

Member David Berni expressed support for the variations citing the need to maintain the integrity of a Frank Lloyd Wright property and the requested variations are minimal.

A MOTION was made by Member Dombrowski and SECONDED by Member Berni to recommend to the Village Board of Trustees that the requests for the variation to the Side Yard setback and to the Building Height requirements for the proposed detached garage be granted.

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

Chairman Martin called the motion.

Ayes: Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and Chairman Martin (citing the testimony of Mr. Lauber in regard to the hardship).
Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend the variations be granted by the Village Board.

V. TEXT AMENDMENTS TO THE ZONING ORDINANCE

Chairman Martin announced that the next matter on the Agenda was the Text Amendments which had been proposed by the Village Board. He asked that the case for all of the amendments be presented together and that the Zoning Board would discuss and vote on the proposed amendments separately.

Village Administrator Eric Palm presented an overview of the proposed text amendments.

The first text amendment presented was for an addition of language to the standard for Planned Development in section 10-19-3 (K) which will add accessibility for persons with disabilities as a consideration for approval. The proposed amendment stems from the concern of the Village Board that in a recent application for an amendment to the Planned Development at Concordia University Chicago, the applicant did not take an additional step to make the improvement more accommodating for individuals with disabilities. Rather than increase the requirements of Federal and State disability codes, the Board believes that this addition to the standards for review is a more expedient approach.

The second text amendment is to add Child Daycare Center to the Land Use Chart of section 10-21-3, Appendix A, and to designate Child Daycare Center as a Special Use in the PRI Zoning District. Mosaic Montessori School, which operates out of a leased space at the River Forest United Methodist Church, has approached the Village about expanding their operation to operate a Daycare facility within their present school. Currently, the Zoning ordinance defines Child Daycare Center, but does not allow the use. After discussions with the Village Attorney and the Village Board, it was suggested that Child Daycare Center should be allowed as a Special Use, but not as a Permitted Use. There is a concern with the implications for traffic during pick-up and drop-off times that warrants additional review of a proposed facility. Further, the use should be focused, and only allowed for consideration in the PRI District.

The final proposed text amendment concerns Side Yard setbacks, and the allowance for additions to walls of existing buildings which maintain non-conforming side yard setbacks. Mr. Palm summarized the history of side yard requirements in the Village and the last time the matter was reviewed in 2012. The current regulation allows walls maintaining a non-conforming side yard to be extended horizontally for 20 feet, but does not allow that wall to be increased in height. Since the last review, requests for variations to increase the height of non-conforming walls continue to be filed; therefore, the Village Board has asked for the matter to be revisited. Additionally, there is a proposed change to allow the continuation of a non-conforming roof eave as of right. For the record, Mr. Palm read the proposed changes to the text. Chairman Martin clarified that this proposed change would allow a wall with a non-conforming setback to be increased in height to the maximum building height allowed in the Zoning District, as of right, and without any notice. Mr. Palm concurred with the Chairman's assessment.

Mr. John Houseal, resident and Planning Consultant for the Village, reviewed the proposed text amendments.

Mr. Houseal agrees with the Village Board's approach for the modification of the standard for Planned Development to address concerns about accessibility. This approach allows the Development Review Board and the Village Board to ask the applicant questions regarding accessibility, and the applicant will need to answer carefully and thoughtfully in order to gain approval.

Mr. Houseal stated that he also supports the change to the Land Use Chart to allow Child Daycare Center as a Special Use in the PRI Zoning District. He noted that although this change is for the propose of allowing one user to apply for this use in one location, it will allow anyone to apply for this use in any other location in the PRI District. He noted that there are a variety of activities which occur in the PRI District, and that Child Daycare Center is compatible as an accessory to other uses within that district. Further, the additional review required by for a Special Use permit is right approach.

Mr. Houseal noted that this is the third time that the requirements for side yard setbacks have been reviewed in the 20 years that he has been a resident of the Village. He reviewed the various iterations of this requirement. Currently the ordinance allows a wall maintaining a non-conforming setback to be extended horizontally for 20 feet, but does not allow the wall to be increased in height. Mr. Houseal indicated that he had reviewed the requirements for similar Villages. He found the following:

- Oak Park allows non-conforming walls to be extended horizontally and vertically.
- Riverside allows non-conforming walls to be extended vertically, but not horizontally.
- Evanston and Glen Ellyn do not allow non-conforming walls to be extended either horizontally or vertically without a Zoning Variation.

Next, Mr. Houseal reviewed the history of the variations requested in River Forest. In the last 10 years, 12 variations had been requested to increase the height of a wall with a non-conforming side yard setback. Mr. Houseal did not feel that this number of requests was a burden to the Village. Of those 12 variations requested, 11 had been approved. It seems that the applicants have been able to make a compelling case in most instances to obtain the requested variation.

Mr. Houseal explored the concept of "fair certainty", where a resident has a fair idea of what can be done with his property, and also what can be done with a neighboring property. Mr. Houseal notes that variety of ways that this issue is regulated in other communities lends credence to the idea that there is no right or wrong way to do it. The relatively low frequency of requests is not a burden to the variation process and it provides an important safeguard to the neighbors. For the above reasons, Mr. Houseal does not support the proposed change to the side yard setback requirement.

Member Berni expressed his opposition to the proposed change to the side yard setback regulation.

Dan Lauber, 7215 Oak Avenue, addressed the Board as a professional Planner. He noted that one of the purposes of the Zoning Ordinance is to protect the neighbors. He does not think it is remotely fair that the extension of a wall with a non-conforming setback should

be inflicted on a neighbor without a review process. Mr. Lauber then quoted extensively from the Findings of Fact from the review of this regulation in 2012, noting that there was no contradicting testimony. He concluded that just as there was no evidence was presented 7 years ago to justify this change, and no evidence has been supported now. He further recommended “fact-based zoning”, where the neighbors adjacent to properties which are granted a variation are surveyed after construction is completed to determine what the impact of the variation has been. Mr. Lauber also commented that the number of variation requests was not burdensome. Mr. Lauber does not favor a change to the side yard setback regulations.

Tim Beckman, 550 Thatcher Avenue, stated his support for the proposed change to the Land Use Chart to include Child Daycare Center as a Special Use in the PRI District.

Susan Veazie, 517 Keystone Avenue, stated her support for the proposed change to the Land Use Chart to include Child Daycare Center as a Special Use in the PRI District.

Maria Carandang-Ramos, director of Mosaic Montessori school, expressed her support for the proposed change to the Land Use Chart to include Child Daycare Center as a Special Use in the PRI District.

Shaun Krueger, 346 Park Avenue, indicated that he was in favor of protecting the interest of the neighbors. Mr. Krueger suggested that the regulation should allow either a vertical extension of a non-conforming wall, or a horizontal extension, but not both. Also, he disputes the contention that prospective residents actually consider the Zoning regulations when they move into a community.

Mr. Palm commented that the change in the setback requirement from 3 feet to 5 feet is not much of a concern when a new home is being built, but the challenges faced when adding onto an existing home are considerable. Further, he noted that 12 variation requests in the last 10 years may not be a high frequency in an absolute sense, but it is a large percentage of the requests in River Forest, which does not have a high frequency of requests in total.

Chairman Martin asked Mr. Palm if he thinks that the zoning variation process was “overly time consuming”. Mr. Palm stated that it was not “overly time consuming”, but that it is time consuming and that there is an expense to it. Chairman Martin asked if the \$650 application fee was a big expense compared to the cost of construction for a second floor addition. Chairman Martin noted that the cost is probably less than 1% of the cost of the typical project.

Mr. Houseal reviewed the history of the change in the setback requirement from 3 feet to 5 feet, noting at in that time house sizes were growing unrestrained. Also, the previous 3-foot setback was measured at the closest point of the building to the property line, typically the roof eave; therefore, the walls of the house needed to move further away from the property line to achieve the desired architectural style. He opined that it is impossible to write a zoning ordinance that works for 100% of the properties. The writes of zoning ordinances assume that the standard will work for 90% to 95% of the properties. The

Zoning variation process is available for the 5% to 10% of the properties where the zoning standards don't work, and relief is granted where it is appropriate.

Member Berni asked Mr. Houseal if the regulation in Riverside, which allowed vertical extension of the non-conforming wall but not horizontal extension, worked better than the current regulation in River Forest. Mr. Houseal stated that it was a matter of personal preference, but he believes that River Forest's regulation is better.

Chairman Martin asked Mr. Houseal if he thought that the Zoning Variation process discourages re-investment in properties. Mr. Houseal stated that he did not think so.

The public portion of the hearing was closed.

Member O'Brien expressed support for the proposed change to section 10-19-3 (K).

Chairman Martin expressed concern that the term "disabilities" is not defined and it may result in delays to the Planned Development process.

Village Attorney Marrs stated that there were various definitions of disability in state and federal law which could be referenced if the issue is ever raised.

A MOTION was made by Member O'Brien and SECONDED by Member Schubkegel to recommend to the Village Board of Trustees that the section 10-19-3 (K) be amended to read "The design of the proposed use or combination of uses promotes a safe and comfortable environment for pedestrians and individuals with disabilities".

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

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend that the Village Board adopt of the proposed text amendment to section 10-19-3 (K).

A MOTION was made by Member Lucchesi and SECONDED by Member Berni to recommend to the Village Board of Trustees that the section 10-21-3, Appendix A be amended to add Child Daycare Center and to establish it as a Special Use in the PRI Zoning District.

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend that the Village Board amend the Land Use Chart by adding Child Daycare Center and to establish it as a Special Use in the PRI Zoning District.

A MOTION was made by Member Berni and SECONDED by Member Lucchesi to recommend to the Village Board of Trustees that the section 10-8-7 (C) (2) (a) be amended to read: "Eaves: The eaves of a structure shall be required to maintain a minimum three-foot side yard setback. The eave of an addition, where the eave of the existing structure does not meet this standard, may be constructed with a side yard equal to the existing nonconforming side yard of that eave."

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend that the Village Board adopt of the proposed text amendment to section 10-8-7 (C) (2) (a).

A MOTION was made by Member O'Brien and SECONDED by Member Lucchesi to recommend to the Village Board of Trustees that the proposed amendment to section 10-8-7 (C) (2) (b), to allow the wall of a building which maintains a non-conforming side yard setback to be increased in height, should NOT be adopted.

Chairman Martin called the motion.

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

Nays: None.

Chairman Martin announced that the Zoning Board has voted 6 to 0 in favor of the motion to recommend to the Village Board that the proposed text amendment to section 10-8-7 (C) (2) (b) should NOT be adopted.

VI. PUBLIC COMMENT

None.

VII. ADJOURNMENT

A MOTION was made by Member Berni and SECONDED by Member O'Brien to adjourn the meeting at 9:05 p.m.


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

Nays: None.

Motion passed.

Respectfully Submitted:


Clifford Radatz, Secretary


Frank Martin, Chairman
Zoning Board of Appeals

Date: 4/11/2019



Village of River Forest

Village Administrator's Office

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

MEMORANDUM

Date: February 22, 2019

To: Chairman Martin and Zoning Board of Appeals

From: Lisa Scheiner, Assistant Village Administrator

Subj: Proposed Zoning Code Text Amendments

Issue:

At its February 11, 2019 meeting, the Village Board of Trustees approved a motion to petition the Zoning Board of Appeals to conduct a public hearing and report its findings back to the Village Board on possible text amendments to sections 10-8-7, 10-19-3(K) and 10-21-3: Appendix A of the River Forest Zoning Ordinance.

Analysis:

Side Yard Setback Requirements

Amendments to the Zoning Ordinance over the years which require a five-foot side yard setback for single family residences have made a number of homes legally non-conforming with the setback requirement. In 2012 the Village Board amended the code to allow a wall with a nonconforming side yard setback to be extended horizontally an additional 20 feet into the nonconforming side yard, however, the height of the wall that maintains a nonconforming side yard setback cannot be increased. As a result, residents have had to seek zoning variations in order to construct additions to their homes and improve their projects. Applying for a variation delays projects and subjects residents to additional costs associated with the application. Should the Village Board wish to allow a wall with a nonconforming side yard setback to be extended vertically the following amendment to Section 10-8-7(C)(2) would be required:

- a. Eaves: The eaves of a structure shall be required to maintain a minimum three-foot side yard setback. The eave of an addition, where the eave of the existing structure does not meet this standard, may be constructed with a side yard equal to the existing nonconforming side yard of that eave.
- b. Additions: An addition to an existing structure that does not meet this standard must maintain either a three-foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional twenty feet as of right into the nonconforming side yard, and the height of a wall that maintains a nonconforming side yard setback may ~~not~~

be increased with a side yard setback equal to the existing nonconforming side yard of that wall. The addition shall conform to the applicable front and rear yard setback requirements.

Daycare as Accessory Use in PRI

In order to classify, regulate and restrict the location of businesses and industries, and the location of buildings designed for specified uses, the Village is divided into nine zoning districts, including the Public, Recreational and Institutional (PRI) zoning district. Within each district the Village has identified which uses are expressly permitted, non-permitted, and subject to special use approvals. These designations are outlined in the Land Use Chart in Section 10-21-3: Appendix A. When a use is not specifically listed or cannot reasonably be included in any category shown in the Land Use Chart, it is considered Special Use and may only be approved through the Special Use or Planned Development processes, which allow the Village to impose conditions of approval.

In the case of child daycare, Child Daycare Center is defined in the Zoning Ordinance as follows, but it is not listed in the Land Use Chart:

CHILD DAYCARE CENTER: A childcare facility which regularly provides daycare for less than fourteen hours per day in a facility other than a dwelling.

Mosaic Montessori, which operates out of a portion of the River Forest United Methodist Church (7970 Lake Street), would like to offer its services to infants and young children. While Mosaic Montessori considers this a private educational facility, the State of Illinois and Village classify this use as "Child Daycare Center". The Village proposes amending the Land Use Chart to add Child Daycare Center and to establish it as a Special Use in the PRI Zoning District. This would require an amendment to Section 10-21-3: Appendix A as follows:

LAND USES	R1 And R2 Low Density Residential	R3 Medium Density Residential	R4 High Density Residen- tial	C1 Commer- cial	C2 Commer- cial	C3 Central Com- mercial	ORIC Office/ Research/ Industrial/ Commercial	PRI Public/Private Recreational Institutional
ACCESSORY USES								
<u>Child Daycare Center</u>	N	N	N	N	N	N	N	S

It should be noted that Mosaic Montessori may simultaneously petition the Zoning Board of Appeals for a Special Use in the PRI.

Accessibility Considerations in Planned Developments

During the Village Board's consideration of the Concordia University Planned Development application there was some discussion regarding a desire by the Village Board of Trustees to evaluate the Village's codes as it related to building accessibility for persons with disabilities. Currently, the Americans with Disabilities Act Accessibility Guidelines and Illinois Accessibility

Code ensures access to the built environment for disabled persons and establish design requirements and enforceable standards for the construction and alteration of facilities. Village Staff review all construction projects to ensure that these standards are met and does not recommend creating additional regulations, however, the Village may wish to incorporate this as a standard of review when evaluating proposed planned developments or amendments to existing planned developments. Should the Village Board wish to do so, one approach would be to amend the Planned Development Ordinance and establish accessibility as one of the standards of review. This would require an amendment to Section 10-19-3(K) to read as follows:

The design of the proposed use or combination of uses promotes a safe and comfortable ~~pedestrian~~ environment for pedestrians and individuals with disabilities;

Next Steps

The Village Board has asked the Zoning Board of Appeals to conduct a public hearing on the proposed text amendments. The hearing has been scheduled for March 14, 2019 at 7:30 p.m. At the conclusion of the hearing, the Zoning Board of Appeals will make a recommendation and report its findings to the Village Board of Trustees.

Attachments

1. Zoning Variations from 2012 to present



Village of River Forest
Village Administrator's Office

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

MEMORANDUM

Date: October 4, 2012

To: Eric Palm, Village Administrator

From: Michael Braiman, Assistant Village Administrator

Subj: Zoning Text Amendment- Non-Conforming Setbacks

Issue: In February, the Village Board petitioned the Zoning Board of Appeals to hold a public hearing regarding amendments to Section 10-8-7 of the Village Code to allow for the continuation of preexisting nonconforming front, rear and side yard setbacks. The proposed amendment would have also deleted the regulation that prohibits the increase of the height of a wall with a nonconforming setback.

Analysis: Since February, the Zoning Board of Appeals has held numerous meetings to consider the proposed amendment. On May 10th, the ZBA voted 5-0 against recommending the proposed text amendment. Following discussion at a subsequent Village Board meeting, the Zoning Board requested that the matter be remanded to them for further review.

The Zoning Board again met on July 12th, August 9th and September 13th to continue discussions on the text amendment (a memo from John Houseal is attached explaining the impact of the proposed amendment in greater detail).

On September 13th, the ZBA voted to recommend the following:

- 1) A nonconforming wall built along a nonconforming side yard may be extended an additional 20 feet as of right (current regulation allows a 12 foot extension as of right)
- 2) The height of a wall that maintains a non-conforming side yard setback may not be increased

Village Board Options:

Accept ZBA Proposal

Motion to delete Section 10-8-7(C)(2)(b) of the Village's Zoning Ordinance and replace it with the following:

An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional 20 feet as of right, however the height of a wall that maintains a nonconforming side yard setback shall not be increased.

Accept ZBA Proposal, but Allow Vertical Extension in Nonconforming Side Yard

Motion to delete Section 10-8-7(C)(2)(b) of the Village's Zoning Ordinance and replace it with the following:

An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional 20 feet as of right into the nonconforming side yard, and the height of such nonconforming wall may be increased to the height allowed in the District.

Accept ZBA Proposal, but Allow Further Horizontal and Vertical Extension in Nonconforming Side Yard

Motion to delete Section 10-8-7(C)(2)(b) of the Village's Zoning Ordinance and replace it with the following:

An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional ____ feet as of right into the nonconforming side yard, and the height of such nonconforming wall may be increased to the height allowed in the District.

Attachments:

- 1) Zoning Board of Appeals Findings of Fact
- 2) Zoning Board of Appeals Draft Minutes- 7/12, 8/9 (not yet approved), 9/13 (not yet approved)
- 3) Memorandum from Planning Consultant John Houseal
- 4) Survey of non-conforming setbacks
- 5) Comparison of setback regulations in comparable communities
- 6) Ordinance

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT & RECOMMENDATION -
PROPOSED AMENDMENT TO SIDEYARD SETBACKS**

WHEREAS, Petitioner the Village of River Forest ("Village"), based upon direction from the Village President and Board of Trustees, has requested consideration of, and a public hearing on, the proposed amendment of Section 10-8-7 (Setback Regulations) of the River Forest Zoning Ordinance (the "Zoning Code"); and

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on the question of whether the requested amendment to the text of the Zoning Code should be granted on March 8, 2012, April 12, 2012, July 12, 2012, August 9, 2012, and September 13, 2012, as required by Section 10-5-5 of the Zoning Code, at which time all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the ZBA; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in a newspaper of general circulation in the Village; and

WHEREAS, at the March 8, 2012 public hearing, Assistant Village Administrator Michael Braiman, on behalf of Petitioner the Village of River Forest, explained that the regulations as set forth in Section 10-8-7 of the Zoning Code currently prohibits the continuation of non-conforming uses on side yard setbacks. The Village President and Board of Trustees, at its February 8, 2012 Regular Meeting, determined that prohibiting the continuance of non-conforming uses on side yard setbacks may have deterred property improvements in the Village, may have caused construction that is not consistent with the home or neighborhood in order to conform with the requirements of Zoning Code, and imposes an undue burden on property owners who are required to request a variation for the continuance of a non-conforming side yard setback. The President and Board then directed the ZBA to hold a public hearing on amendments to the Zoning Code to allow for the continuance of non-conforming side yard setbacks.

NOW THEREFORE, based upon the evidence presented in writing and orally at public hearings the Zoning Board of Appeals makes the following findings of fact related to the proposed amendment to Section 10-8-7 of the *River Forest Zoning Ordinance*:

1. Over the past four years, a total of 8 requests for variances to continue or expand nonconforming side yard setbacks have been submitted to the Zoning Board of Appeals.
2. No factual evidence was introduced to demonstrate that the current zoning provisions restricting the expansion of nonconforming side yard setbacks have deterred property maintenance plans.
3. No factual evidence was presented to show that Section 10-8-7 has caused construction inconsistent with a home or neighborhood in order to conform to the zoning code.
4. No factual evidence was introduced that demonstrated that Section 10-8-7 has caused any undue burden on property owners required to request this variation to continue a nonconforming side yard setback.

5. At least 74 percent of additions to the rear of homes in River Forest were for 20 feet or less from 2008 through August 2012.
6. River Forest's planning consultant presented uncontradicted factual evidence that amending Section 10-8-7 as proposed would create the potential for extremely large structures to be built that are incompatible and incongruous with the surrounding neighborhood.
7. Proposals for variances to continue nonconforming side yard setbacks have been made to the Zoning Board of Appeals that would generate adverse impacts to adjacent properties.
8. Neighbors of a home for which the owners wish to expand a nonconforming side yard setback need and deserve an opportunity to voice their concerns and introduce evidence in case the proposed expansion of the nonconformity would generate adverse impacts on their adjacent properties.
9. The heightened scrutiny of a variance requirement enables citizens to present factual evidence that helps identify potential adverse impacts that a proposed variance may generate, negative impacts that allowing unfettered expansion into a nonconforming side yard would not be able to prevent.
10. Adding additional stories to a building that intrudes into a nonconforming side yard poses a great potential to generate adverse impacts on the adjacent properties.

The Zoning Board of Appeals makes the following conclusions based upon the evidence presented at its public hearings and makes the following recommendation pursuant to Section 10-5-5(B)(2):

A. Based on these findings of fact, the majority of the Zoning Board of Appeals concludes:

- (1) Continuing or extending a side yard setback of 20 feet or less have not produced insurmountable adverse impacts on the neighboring properties.
- (2) However, proposals that seek to expand a nonconforming side yard setback more than 20 feet can generate adverse impacts on adjacent properties and should be subject to a public hearing where evidence can be introduced that will help the Zoning Board of Appeals determine whether the proposal will generate adverse impacts and allow the Zoning Board of Appeals to craft solutions that can prevent these adverse impacts.
- (3) The public interest is best served by examining proposals to continue or expand a nonconforming side yard setback by more than 20 feet on a case by case basis.
- (4) Allowing nonconforming side yard setbacks to expanded up to 20 feet as of right and requiring a variation for longer extensions of the nonconforming side yard helps achieve these goals and objectives of the River Forest Zoning Ordinance:
 - 10-2-1 H. Establish a basis for development and preservation of an attractive physical environment which enhances the image of the community;
 - 10-2-1 I. Control the impact a development will have on the surrounding area by regulating the bulk and height of buildings;
 - 10-2-1 M. Ensure adequate natural light, clean air, privacy, and convenience of access to property through a combination of regulatory controls and incentives;

10-2-1 N. Control the accumulation or runoff of storm or flood waters through the use of site development standards to protect persons and property;

B. Based on these findings of fact, the minority of the Zoning Board of Appeals concludes:

(1) Proposals that seek to expand a nonconforming side yard setback more than the currently permitted 12 feet can generate adverse impacts on adjacent properties and should be subject to a public hearing where evidence can be introduced that will help the Zoning Board of Appeals determine whether the proposal will generate adverse impacts and allow the Zoning Board of Appeals to craft solutions that can prevent these adverse impacts.

(2) The public interest is best served by examining proposals to continue or expand a nonconforming side yard setback by more than 12 feet on a case by case basis.

(3) The proposed amendment to the current Zoning Code, which current provision was suggested by a committee of residents after numerous meetings, should not be based on hearsay and anecdotal stories.

(4) No evidence was presented that the current provision has created any problems for or deterred application by a specific applicant.

C. The Zoning Board of Appeals recommends by a vote of 4 to 1 that the River Forest Village Board adopt the following amendment to Section 10-8-7 of the River Forest Zoning Ordinance.

Delete Section 10-8-7-C-2-b from the Zoning Ordinance and replace with "An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional 20 feet as of right."

D. Based on these findings of fact, the majority of the Zoning Board of Appeals concludes:

(1) Permitting the height of a wall of a non-conforming side yard use to be built higher (extended vertically) can generate adverse impacts on adjacent properties. Such proposals should be subject to the heightened scrutiny of a variance and public hearing where factual evidence can be introduced that will enable the Zoning Board of Appeals determine whether the proposal will generate adverse impacts and allow the Zoning Board of Appeals to craft solutions that can prevent these adverse impacts.

(2) The public interest is best served by examining proposals to vertically expand a non-conforming side yard use on a case by case basis through a public hearing.

E. Based on these findings of fact, the minority of the Zoning Board of Appeals concludes:

(1) Permitting the vertical extension of a non-conforming side yard setback will not produce adverse impacts on the neighboring properties.

F. The Zoning Board of Appeals recommends by a vote of 4 to 1 that the River Forest Village Board adopt the revision of Section 10-8-7-C-2-b of the River Forest Zoning Ordinance as noted in Paragraph "C" above, with the following amendment.

"The height of a wall that maintains a non-conforming side yard setback may not be increased."

Frank Martin
Chairman

**VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS
MEETING OF JULY 12, 2012**

A meeting of the Zoning Board of Appeals of the Village of River Forest was held on Thursday July 12, 2012 at 7:30 pm in the Community Room of the Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER/ROLL CALL

Upon a roll call, the following members were:

Present: Chairman Frank Martin, Daniel Lauber, Tagger O'Brien and Frederick Heiss

Not Present: David Berni, Charles Lucchese and John Griffin

Also Present: Clifford Radatz, Secretary; Michael Braiman, Assistant Village Administrator; John Houseal, Village Planner

Chairman Frank Martin requested that any persons wishing to address the Zoning Board sign in and be sworn in by the Secretary. Secretary Radatz administered the oath.

II. VARIATION REQUEST – 11 ASHLAND AVENUE

Chairman Frank Martin asked for a motion to waive the reading of the Public Notice. A motion was made by Mr. Heiss, seconded by Ms. O'Brien, to waive the reading of the legal notice and to include it in the record.

Voice Vote:

Ayes: 4

Nays: 0

Motion passed

**LEGAL NOTICE
ZONING BOARD OF APPEALS
RIVER FOREST, ILLINOIS**

Public Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals of the Village of River Forest, County of Cook, State of Illinois, on Thursday, July 12, 2012 at 7:30 p.m. at the Community Room of the Municipal Complex, 400 Park Avenue, River Forest, Illinois on the following matter:

The Zoning Board of Appeals will consider a zoning variation application submitted by Robert and Maureen Gorman, owners of the property at 11 Ashland Avenue, who wish to construct a detached two-car garage.

Section 10-9-5 of the Zoning Code limits the area which can be covered with buildings and accessory buildings to 30% of the area of the lot. The applicants propose to cover 34.4% of the lot with buildings.

The legal description of the property at 11 Ashland Avenue is as follows:

LOT 20 IN NEEBES AND PETTON'S RESUBDIVISION OF THE NORTH 450 FEET OF BLOCK 7 IN HENRY FIELDS SUBDIVISION OF THE EAST ½ OF the SOUTHWEST ¼ of SECTION 12, TOWNSHIP 39 NORTH, RANGE 12, east of the Third Principal Meridian, In Cook County, Illinois.

All interested persons will be given the opportunity to be heard at the public hearing. A copy of the meeting agenda will be available to the public at the Village Hall.

Clifford Radatz
Secretary
Zoning Board of Appeals

Robert and Maureen Gorman, owners of the property at 11 Ashland Avenue, wish to construct a two car garage. Mr. Gorman addressed the Board and presented the request for a variance. The area of a two car garage will increase their lot coverage in excess of the limit of 30% of the lot area. Mr. Gorman noted that the area of their lot is sub-standard, being only about 5,300 square feet whereas the standard lot is 8,712 square feet. Being about 40% smaller than the standard lot, their situation is not common in the R-2 Zoning District.

Mr. Gorman informed the Board that they have encountered hardship in not having a garage, as they have been victims of the theft of personal property, including 4 bicycles and a CD player. They also have some flooding on the current parking area.

Mr. Gorman stated that the new construction would not have any impact on the neighbors, because the proposed garage is at the back of lot and their neighbor's house is at the front of the lot.

Mr. Lauber asked Mr. Gorman how many cars they owned. Mr. Gorman replied that he owned two cars.

Mr. Lauber asked Mr. Gorman what kind of flooding he was having. Mr. Gorman noted that there was always some flooding, but the amount of flooding increased after the alley was paved about 5 years ago. Mr. Lauber asked Mr. Gorman if they would be

would be amenable to using a porous paving material for the parking pad adjacent to the proposed garage rather than non-porous concrete, to minimize flooding and to allow greater drainage. Mr. Gorman stated they had not priced the cost of a permeable surface, but that it was possible. Mr. Gorman noted that the building is a two-flat, and that the objective is to have a total of 4 parking spaces, (2 enclosed garage spaces and 2 spaces on the parking pad).

Mr. Lauber observed that parking is not allowed on street overnight in the Village of River Forest. Mr. Gorman replied that that was correct.

Ms. O'Brien asked Mr. Gorman how the cars were currently being parked on the site. Mr. Gorman stated they are squeezing four cars on the existing parking pad.

Chairman Martin asked Secretary Radatz if the size of the garage shown on the application for variation was a standard size garage. Secretary Radatz responded that it was.

With no one else wishing to address the Board, Chairman Martin closed the public portion of the meeting, and the Board proceeded to discuss the requested variance.

Mr. Lauber stated that he thinks the application meets standards for granting a major variation due to the fact the owners have a sub-standard lot and the Village has created hardship because it does not allow overnight parking on the street. Mr. Lauber stated he would be willing to support the application if the owners were willing to use a permeable surface for the exterior parking pad, rather than concrete.

Mr. Lauber made a motion to recommend that the Village Board approve the requested Zoning Variation for 11 Ashland Avenue with the condition that the exterior parking pad be made with a porous surface instead of non-porous concrete. Mr. Heiss seconded the motion.

The roll was called for the motion to recommend approval of the variation as amended.

Ms. O'Brien voted in favor of the variation stating that all eight standards have been met.

Mr. Lauber voted in favor of the variation.

Mr. Heiss voted in favor of the variation.

Chairman Martin voted in favor of the variation.

Chairman Martin announced that the recommendation of the Zoning Board of Appeals to the Village Board is 4 to 0 in favor of granting the variation with the condition that the exterior parking pad be made with a porous surface.

III. REVIEW OF VILLAGE BOARD ACTION ON PROPOSED ZONING CODE AMENDMENTS

Chairman Martin announced that the next item on the agenda was a continued discussion of the proposed text amendment to the Zoning Code.

Planning Consultant John Houseal summarized the discussion at the last Village Board meeting, noting that the Village Board was narrowly focused in what it was seeking to address. Mr. Houseal stated that the Village Board appeared to agree with the Zoning Board that the initial text amendment as proposed was too liberal. The Village Board has requested that the ZBA utilize its expertise to identify potential middle ground solutions to allow greater flexibility so that homeowners can build additions without requiring a variance. Mr. Houseal suggested, based on his conversation with architect Mark Zinni, that the ZBA consider amending the length by which a structure with a non-conforming setback could be expanded by right, from 12 feet to 20 feet. He noted that Mr. Zinni remembered that 12 feet was a minimum length in which a sensitive addition could be made to a house, but that a greater length would provide greater flexibility. Mr. Houseal also suggested that the ZBA consider permitting non-conforming structures to be expanded upward, as long as the addition is within the existing building footprint.

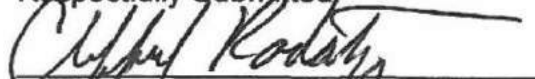
Mr. Heiss noted that the Zoning Code was previously changed based on the evidence provided by the ad hoc committee and that new evidence should be provided for any further changes. Mr. Heiss noted that the discussion seems to be focused on the rights of the individual seeking to expand their property, but there is no concern for the rights of the neighbor of that property.

The Zoning Board asked Mr. Houseal to research options and include evidence that would help justify any proposed changes to the zoning code.

IV. ADJOURNMENT

Mr. Heiss made a motion to adjourn the meeting, which was seconded by Ms O'Brien. It was the consensus of the Zoning Board to adjourn at 8:16pm.

Respectfully Submitted:


Clifford Radatz, Secretary



Frank Martin, Chairman
Zoning Board of Appeals

Date: 7-31-2012

**VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS
MEETING OF AUGUST 9, 2012**

A meeting of the Zoning Board of Appeals of the Village of River Forest was held on Thursday, August 9, 2012 at 7:30 p.m. in the Community Room of the Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER/ROLL CALL

Upon a roll call, the following members were:

Present: Chairman Frank Martin, Daniel Lauber, John Griffin, Tagger O'Brien, Frederick Heiss and David Berni

Absent: Charles Lucchese

Also Present: Michael Braiman, Assistant Village Administrator; John Houseal, Village Planner; Clifford Radatz, Secretary; Mark Zinni, Architect

Chairman Frank Martin requested that any persons wishing to address the Zoning Board sign in and be sworn in by the Secretary. Secretary Radatz administered the oath to Mr. Houseal and Mr. Zinni.

II. CONSIDERATION OF PROPOSED ZONING CODE AMENDMENTS

Mr. Houseal summarized the memorandum he prepared for the Zoning Board which recommended that the Board increase the allowed "as of right" extension of a non-conforming wall from 12 feet to 20 feet and allow the extension of the height of walls that have an existing non-conforming setback, provided the existing building footprint/foundation dimensions are not enlarged or altered; under both circumstances a minimum three yard setback would be required. Mr. Houseal stated that these changes would accommodate nearly 90% of rear additions based on a review of permits since 2008.

Commissioner Berni stated that the Village Board's concern with the zoning amendments was the length of time it takes to complete the variation process.

Chair Martin responded that the length of the process is not the Zoning Board's problem. In the past two years, the ZBA has never postponed an applicant because the ZBA was too busy. The process takes 60 days and Chair Martin asked Mr. Zinni if a 60 day period is burdensome or unusually long.

Mr. Zinni answered that the 60 days is not typically long as long as the consultant informs the client at the outset of the process and adjusts the timetable accordingly.

Mr. Zinni added that there are a fair amount of drawings to be paid for and submitted before the zoning hearing and then those plans have to sit for 60 days not knowing if the project will be approved. Applicants have to decide if they will spend the money to draft plans without knowing if it will be approved. Some clients are also scared to present for a variation and thus do not proceed with the request.

Mr. Houseal stated that 60 days is not a lot of time and the Village's process is as streamlined as any he has seen.

Chair Martin stated the variation process is for the benefit of the neighbors and to ensure there is adequate notice. When building up a story, notice should be required as these changes can have a significant adverse impact on the neighbors.

Commissioner Berni stated that the Village Board does not really know what the Code should be and thus the Village Board wants the ZBA to determine what changes are appropriate.

Chair Martin asked what weight the ZBA could give to anecdotal evidence that the Village Board has cited regarding projects that have not been constructed due to the zoning requirements. Mr. Houseal responded that this is a ghost argument.

Chair Martin stated that the last time the Code was amended to address these issues, the ZBA and Village Board relied on a committee of experts to determine what changes were appropriate. At the time, the ZBA was relying on the study by the architects and builders on the committee who said the changes would work.

Mr. Zinni stated he was on the zoning review committee and the 12 feet was agreed upon even though it was not optimal because an architect could beat his head against the wall and probably make it work as a minimum size for a room. Mr. Zinni added that a difficult change was the 25% setback rule which made additions more difficult. The biggest change was the measurement of the setback from the lot line to the foundation line thereby eliminating the impact of the eave in the setback.

Commissioner Lauber stated that Mr. Houseal's proposal achieves the goal of balancing the interests of a homeowner and their neighbors.

Chair Martin stated the variation process is for the benefit of the neighbors so they have some notice of what is going on. The Code does not just benefit the property owner, it benefits the Village and protects neighbors by giving notice. Providing notice is especially important when going up on a house. The difference between 12 feet and 16 or 20 feet in the rear yard is not as critical as going up in terms of providing notice.

Commissioner Heiss said the Code appears to be working and it does not make sense to change the Code to accommodate a small percentage of variation projects.

Chair Martin stated that the Village Board is upset because the last Code amendment made a lot of homes non-conforming.

Commissioner Lauber said most communities do not allow homeowners to expand non-conforming structures. The Village is already lenient in allowing non-conforming structures to be extended back 12 feet.

Commissioner Berni said that the setback changes made it more difficult to do things because a home is suddenly non-conforming.

Chair Martin said the Zoning Board will meet in September to finalize their recommendation and findings of fact. At this time, Chair Martin would recommend that there be no change to the zoning code as the data presented does not justify that the process is burdensome. Chair Martin added that he is adamantly opposed to any height increases as a manner of right.

Commissioner Heiss agreed with Chair Martin.

Commissioner Berni felt some change in the distance that a non-conforming wall could be extended into the rear yard would be appropriate as Mr. Zinni noted that the currently allowed 12 feet is the absolute minimum workable space.

Chair Martin asked Mr. Zinni how much space would be preferable for a typical River Forest addition.

Mr. Zinni stated that for an average River Forest addition, 20 feet would be ideal which would allow for a kitchen, eating area and family room. The current 12 feet is very restrictive and even 16 feet would be much better than the current regulation.

Commissioner Lauber stated that he agreed with Chair Martin that extending the height of a structure is not appropriate given its impact on the neighbors. Mr. Lauber added that a 16 or 20 foot extension into the rear yard would be appropriate.

Chair Martin asked if the \$650 variation filing fee was high.

Mr. Zinni stated that the Village's fees across the board are running high compared to other communities, including zoning and permit fees.

Commissioner O'Brien agreed that allowing a second story to be built on a non-conforming structure should not be changed and that she could support allowing a rear yard extension up to 16 feet.

Chair Martin stated that a Public Hearing will be held at the September ZBA meeting and his goal is to provide a formal recommendation by September per the direction of the Village Board.

III. ADJOURNMENT

Mr. Griffin made a motion, seconded by Mr. Lauber to adjourn. It was the consensus of the Zoning Board to adjourn at 8:50pm.

Respectfully Submitted:

Clifford Radatz, Secretary

Frank Martin, Chairman
Zoning Board of Appeals

Date: _____

**VILLAGE OF RIVERFOREST
ZONING BOARD OF APPEALS
MEETING OF SEPTEMBER 13, 2012**

A meeting of the Zoning Board of Appeals of the Village of River Forest was held on Thursday, September 13, 2012 at 7:30 p.m. in the Community Room of the Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER/ROLL CALL

Upon a roll call, the following members were:

Present: Chairman Frank Martin, David Berni, Frederick Heiss, Dan Lauber, Tagger O'Brien

Not Present: Charles Lucchese, John Griffin

Also Present: Clifford Radatz, Secretary, Michael Braiman, Assistant Village Administrator, Village President John Rigas, Planning Consultant John Houseal, Architect Mark Zinni

II. PUBLIC HEARING-ZONING TEXT AMENDMENT

Chairman Frank Martin asked for a motion to waive the reading of the Public Notice. A motion was made by Ms. O'Brien, seconded by Mr. Lauber, to waive the reading of the legal notice and to include it in the record.

Voice Vote:

Ayes: 5

Nays: 0

Motion passed

**LEGAL NOTICE
ZONING BOARD OF APPEALS
RIVER FOREST, ILLINOIS**

Public Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals of the Village of River Forest, County of Cook, State of Illinois, on Thursday, September 13, 2012 at 7:30 p.m. at the Community Room of the Municipal Complex, 400 Park Avenue, River Forest, Illinois on the following matter:

The Zoning Board of Appeals will consider proposed amendments, which are generally applicable throughout the Village, to Section 10-8-7 (Setback Regulations) among other titles, chapters, sections, and/or subsections, of the Village of River Forest's Zoning Ordinance regarding the increase in height of and the extension of non-conforming structures into side yard, front yard, or rear yard setbacks.

The purpose of the proposed amendments is to: (1) Provide for more creativity and flexibility in the design of homes; (2) Encourage the rehabilitation and expansion of existing homes rather than the demolition and replacement of existing homes; (3) Encourage additions that are respectful of and more in character with the established River Forest neighborhoods.

All interested persons will be given the opportunity to be heard at the public hearing. A copy of the meeting agenda will be available to the public at the Village Hall.

Clifford Radatz
Secretary
Zoning Board of Appeals

Chairman Frank Martin requested that any persons wishing to address the Zoning Board sign in and be sworn in by the Secretary. Secretary Radatz administered the oath.

John Houseal summarized the memorandum which he presented to the Zoning Board of Appeals, noting that of the 44 additions since 2008 pertaining to rear yard additions, 27 additions had a length of 12 feet or less, and 17 additions had a length greater than 12 feet. Mr. Houseal stated that if the Village increases the allowed extension of walls with non-conforming side yard setbacks to 20 foot, as he recommends, this would capture 77% of all rear yard additions. The current limit of 12 feet accommodates only 61% of all additions, while a 16 foot limit would capture 70% of the additions.

Mr. Houseal further recommended allowing a second story addition for buildings with a non-conforming side yard setback, so long as the footprint of the building is not enlarged. Mr. Houseal noted that the Village has not denied any variation request for an increase in height of a home with a non-conforming side yard setback.

Chairman Martin requested a clarification from Mr. Houseal, if his recommendation was to allow the increase in length and height of a wall with a non-conforming side yard setback at the same time. Mr. Houseal noted that his recommendation was to allow an increase in height, or an increase in length, but not both at the same time.

President John Rigas stated that it is important to have a zoning code that encourages people to maintain and enhance their homes. To maintain a vibrant Village, the next

group of home buyers must find the houses to be desirable. President Rigas stated that the Village's housing stock does not meet modern standards and that the zoning code should not discourage people from investing in or enhancing their home, while maintaining the character of the community. Nearly every home in town was built to a standard that was less stringent than the standard we have today. As a result, when someone wants to put on an addition they are told it is not in keeping with the character of the community.

President Rigas noted that the question is why the code was changed in the first place. Based on his research, none of the changes in the zoning code were motivated by complaints regarding additions to existing homes. Zoning changes have been initiated to address concerns with the construction of new single-family homes, and have failed to take into account their impact on the existing housing stock. There was no outcry about non-conforming additions that showed there was a problem to change the code in the first place. The zoning code is designed to steer people towards a type of construction that is consistent with what the Village wants, but the zoning code as written requires additions to existing homes which are inconsistent with the architecture of the existing homes, which are not the best type of construction, and are not in the best interests of the community.

A general discussion followed between President Rigas and several Board members in regard to the purposes and practical effects of the zoning ordinance and the variation process.

Chairman Martin directed the Board's attention to the proposed Findings of Fact drafted by Mr. Lauber.

Mr. Lauber stated the expansion from 12 to 20 feet is an appropriate compromise as it will accommodate the additions that are commonly desired.

Chairman Martin suggested that there are two issues, the increase of the allowed extension of the length of a wall with a non-conforming side yard setback and allowing the increase in the height of a wall with a non-conforming side yard setback, and that the two issues could be considered separately by the Board.

Mr. Lauber made a motion to recommend deleting Section 10-8-7-C-2-b from the Zoning Ordinance and replace it with "An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional 20 feet as of right." The motion was seconded by Mr. Heiss.

Roll Call Vote:

Aye: Lauber, Berni, Heiss, O'Brien

No: Martin
The Motion passes.

Mr. Lauber moved to add to the recommendation to amend Section 10-8-7-C-2-b of the Zoning Code to include "The height of such a wall that maintains a nonconforming side yard setback may be enlarged only when the extension would not enlarge or alter the dimensions of the existing building's foundation or footprint."

The motion failed for lack of a second.

Chairman Martin moved to recommend that Section 10-8-7-C-2-b of the Zoning Code be amended such that the height of a wall that maintains a non-conforming side yard setback may not be increased. The motion was seconded by Mr. Heiss.

Roll Call Vote:
Aye: Berni, Heiss, O'Brien, Martin
No: Lauber
The Motion passes.

Chairman Martin asked Board members to send their comments regarding the Findings of Fact to Mr. Radatz by September 24th and that he would then synthesize the comments for presentation to the Village Board.

Mr. Zinni asked if the variation process could be streamlined so that if a variation request was approved by the ZBA with a super-majority, that the variation would be approved without further action by the Village Board of Trustees. Mr. Lauber responded the Village would have to be Home Rule community to do so.

III. ADJOURNMENT

Mr. Berni made a motion, seconded by Mr. Lauber, to adjourn. It was the consensus of the Zoning Board to adjourn at 8:35 PM.

Respectfully Submitted:

Clifford Radatz, Secretary

Date: _____

Frank Martin, Chairman
Zoning Board of Appeals



Memorandum

To: Michael Braiman, Assistant Village Administrator
From: John Houseal, AICP
Principal
Date: September 7, 2012
Re: S. F. Residential Zoning
Non-Conforming Side Yard Setbacks

As a follow up to the July and August ZBA meetings and discussions regarding possible ways to address non-conforming side yard setbacks, we have undertaken the following : 1) a review of River Forest variation applications over the past five years; 2) a zoning review of several other communities with similar neighborhoods types and housing stock; and 3) an examination of building permit activity in River Forest within the past five years.

The intent of this examination is to better understand conditions related to the issue of non-conforming side yard setbacks and how best to accommodate additions to existing structures. The challenge is to balance a property owner's ability to construct a non-conforming addition while at the same time protecting the neighboring property owner from having a new addition/structure constructed too close to the property line and the existing adjacent home.

The current zoning ordinance attempts to strike this balance and allows some flexibility by permitting "as of right" additions to structures with non-conforming setbacks as follows:

10-8-7 Setback Regulations C.2.b Exceptions

An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a side yard equal to the existing side yard, or three feet, whichever is greater. Such an extension of a nonconforming wall shall be allowed to maintain the nonconforming side yard setback for a total length of up to thirty percent of the lot depth, or be extended an additional twelve feet, whichever is a lesser total distance. The height of a wall that maintains a nonconforming side yard setback shall not be increased.

Based on discussions with the Village Board and based on discussion with the ZBA at their July and August meetings, two likely approaches to providing increased flexibility to this section of the code were preliminarily identified for further consideration. Although there seemed to be general agreement to further examine these approaches, there has been no consensus or agreement regarding how best to move forward and no agreement on specific changes to the existing ordinance.

The two considerations outlined in this memorandum include: 1) allowing additions to extend more than an additional 12 feet; and 2) allowing the height of the wall that maintains the non-conforming setback to be increased to accommodate the addition of upper floor(s). Both of these considerations seemed to be generally supported by the Board of Trustees. However, based on previous discussions, it is not the case that these options are necessarily supported by the ZBA. Professionally, both of these are potentially viable solutions, provided there is a basis for their consideration.

Other Communities

An examination of other communities suggests that River Forest's current code already provides more "as of right" flexibility to extend an existing non-conforming wall/side yard setback (*See Attachment A*). River Forest allows up to a 12' extension of a non-conforming wall, whereas most other communities do not allow any "as of right" extension of a non-conforming wall/side yard setback. Most comparable communities require all additions to non-conforming structures to obtain a variation. Based on information provided by the communities contacted, only Oak Park does not require a variation for such an addition involving the extension of a non-conforming wall. Although this comparison to other communities is an indication that our existing code is already more accommodating and flexible than most, every community is different and should consider addressing zoning matters in a manner specific to its unique conditions and community values. Attached to this memo is a table of how other communities accommodate additions involving non-conforming side yard setbacks.

River Forest Variations 2008-2012

To further examine the matter, in a more River Forest specific way, we reviewed the variation cases in River Forest for the past five years (*see Attachment B-Variations from 2008-2011*). What we found is that the ZBA has seldom met a variation request it didn't like and the Village Board has yet to see a variation request it didn't like. Although we state this in an anecdotal manner, the bottom line is almost every variation request in River Forest that makes its way to the Village Board gets approved. This is relevant because it can be an indication of what is acceptable building practice in the Village and can be used as an indication to amend the code.

The thinking is, if almost every request for variation is ultimately approved, amend the code so residents don't need the variation in the first place. The other way to look at it is that residents work with architects and builders to minimize or eliminate the need for variations and only cases where a variation is needed make their way to the ZBA and Village Board. Based on this way of viewing the code, the existing code is working.

However, assuming there is a desire for increased code flexibility and assuming that the track record of approving variations is an indication of a need to amend the code, we need to examine the history of variation cases to better determine an acceptable standard that reflects the current practice of variation approvals. For this we examined only the cases directly involving non-conforming side yard setbacks.

Some facts (2008-2012):

- Every variation request involving a side yard setback has been approved by the Village Board
- The range of "non-conforming" addition extensions beyond 12 feet was 15' – 20' 1.25"
- Every variation request for increased height of a non-conforming wall has been approved

Building Permits and Additions 2008-2012

Based on building permit data provided by the Village in August 2012 (*see Attachment C-Building Permit Data provided August 2012*), we were able to examine the total number of building permits issued for additions/remodels between 2008-2012, and whether or not the construction included a rear addition. Based on this data, a total of 96 building permits were reviewed with a total of 44 that involved a rear addition that resulted in a reduction of the rear yard setback.

In September 2012, the Village provided updated numbers for additions between 2008 and 2012. According to this revised data, there were 84 building permits for additions with a total of 57 involving rear yard additions (see Attachment D-Rear Extension Data provided September 2012).

A review was undertaken of both sets of data to determine how additions were extending the length of homes by adding on to the rear of the structures. We looked at all additions and not just additions involving variations. Our intent was to determine if the 12' allowed extension "as of right" was appropriate, given the data from the 44 permits reviewed examining the types of additions being constructed in the Village. The following is the breakdown of rear extensions resulting from additions to existing structures.

Breakdown of the 44 rear addition permits from 2008-2011 (based on August 2012 Data)

Length of rear addition (extension of building from existing footprint to new footprint)

27 - Addition 12' or less

4 - Addition greater than 12', but not more than 16'

3 - Addition greater than 16', but not more than 20'

4 - Addition greater than 20', but not more than 30'

5 - Addition greater than 30', but not more than 40'

1 - Addition greater than 40'

Based on this August information from the last 5 years:

Approximately 61% of all rear additions extended back 12' or less;

Approximately 70% of all rear additions extended back 16' or less; and

Approximately 77% of all rear additions extended back 20' or less.

Breakdown of the 57 rear addition lengths from 2008-2011 (based on September 2012 Data)

Length of rear addition (extension of building from existing footprint to new footprint)

27 - Addition 12' or less

11 - Addition greater than 12', but not more than 16'

5 - Addition greater than 16', but not more than 20'

7 - Addition greater than 20', but not more than 30'

5 - Addition greater than 30', but not more than 40'

2 - Addition greater than 40'

Based on this September information from the last 5 years:

Approximately 47% of all rear additions extended back 12' or less;

Approximately 67% of all rear additions extended back 16' or less; and

Approximately 75% of all rear additions extended back 20' or less.

Additionally, a review of additions between 2008-2012 indicates that there were fifteen 2nd floor additions (3 of which involved variations).

Conclusions and Considerations

Based on our review of variation cases, building permits/additions, and zoning procedures and regulations from comparable communities, there is evidence to indicate that the existing code can be considered appropriate. However, in an attempt to provide increased flexibility for homeowners while balancing the need to safeguard the character of the neighborhoods and the impact on adjacent properties, consideration should be given to amending the existing code.

Amendments for consideration include:

- 1) increasing the allowed “as of right” extension of a non-conforming wall from 12 feet to 20 feet; and
- 2) allowing the extension of the height of walls that have an existing non-conforming setback, provided the existing building footprint/foundation dimensions are not enlarged or altered.

These changes are consistent with the variation approval practices of the Village and would accommodate approximately 75-77 % of the rear additions, based on a review of additions that have been permitted/constructed in the Village since 2008. These changes are reflective of the direction the Village Board has indicated a preference for and continues to provide balance of accommodating additions while safeguarding neighbors’ interests.

Proposed Amendment to Section 10-8-7.C.2.b Side Yards/Exceptions/Additions

Existing Language

b. Additions: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a side yard equal to the existing side yard, or three feet, whichever is greater. Such an extension of a nonconforming wall shall be allowed to maintain the nonconforming side yard setback for a total length of up to thirty percent of the lot depth, or be extended an additional twelve feet, whichever is a lesser total distance. The height of a wall that maintains a nonconforming side yard setback shall not be increased.

Proposed Language

b. Additions: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a side yard equal to the existing side yard, or three feet, whichever is greater. Such an extension of a nonconforming wall shall be allowed to be extended an additional twenty feet. The height of a wall that maintains a nonconforming side yard setback shall not be increased if extended, as referenced above. The height of a wall that maintains a nonconforming side yard setback can be increased in height consistent with the height regulations of the district, provided the length or location of the existing foundation and exterior wall are not altered in a manner that changes the footprint of the structure within the required side yard setback.

Attachment A

Attachment A

Non-Conforming Side Yard Setback Analysis: Comparable Communities

Municipality*	Variation Required	Comments
Glen Ellyn	Yes	
Riverside	Dependent upon proposed expansion	Vertical expansion allowed by right as long as it maintains existing encroachment line, horizontal expansion to the rear requires variation (depth of permitted expansion would vary on case-by-case basis and be subject to other regulations (i.e. lot coverage))
Oak Park	No	A recent text amendment (circa 2008) allows owners to build to existing encroachment for full depth of lot and up to permitted height by right, so long as a foundation and exterior wall are already in place to establish the legal non-conforming setback.
Glencoe	Yes	Requires variation to build vertical addition to the existing building line over non-conforming portion, and requires variation to allow 20% reduction of required side yard, but rear addition could not be built to existing wall plane if it encroaches on the reduced yard.
Hinsdale		Awaiting call back from Village staff.
Wilmette	Yes	Requires variation for any modification within a required setback. However, 2 instances require only an administrative variation: 1) a vertical addition to an existing first floor when the addition matches the existing footprint, and 2) addition that is built to the minimum required setback in the side yard that would require a larger setback based on aggregate setback between side yards.
Winnetka	Yes	Requires variation for additions and size of permitted addition is determined on a case-by-case basis.
Lake Forest	Yes	Most likely to grant variation where City ordinances changed rules to make structures non-conforming, though will typically not grant variation if it requires variations from other regulations (i.e. FAR, lot coverage, etc.). Granting of variation depends on a number of factors assessed on a case-by-case basis, such as size of improvement, buffering from adjacent property, portion of the adjacent lot and structures impacted, etc.
Clarendon Hills	Yes	Requires variation for additions and size of permitted addition is determined on a case-by-case basis.
Highland Park	Yes	Requires variation for additions and size of permitted addition is determined on a case-by-case basis.

* Analysis included on-line research of adopted zoning regulations and conversations with municipal staff responsible for zoning review and enforcement.

Attachment B-Variations from 2008-2011

Attachment B. Variation from 2008-2001

ZBA Hearing Date	Address	Code Section	Requested Variation	ZBA vote	VBOT Date	VBOT vote	Final Action	Notes
3/13/2008	735 Monroe	10-9-5	Increase Lot Coverage from .309 to .319	0 - 6	?		Application Withdrawn?	
4/10/2008	1448 Keystone	10-9-7	Decrease Side Yard setback from 5'-4 13/16" to 3'-9 5/8"	5 - 0	?		Application Withdrawn?	
4/10/2008	710 William	10-9-5	Increase FAR from .56 to .57	5 - 0	?		Application Withdrawn?	FAR included the Basement
	710 William	10-9-7	Decrease Side Yard setback from 5'-0" to 4'-0"	5 - 0	?		Application Withdrawn?	
4/10/2008	1044 Park	10-9-7	Decrease Secondary Front Yard setback from 25' to 14'-2 3/4"	5 - 0	5/12/2008	6 - 0	Approved	
			Ordinance 3235 adopted on 4/28/2008					
5/8/2008	507 William	10-11-8	Construct parking space in Front Yard	3 - 1	6/23/2008		Sent Back to ZBA - Withdrawn?	
6/12/2008	216 Franklin	10-9-7	Decrease the Side Yard setback to the Roof Eave from 3' to 1'-9 7/8"	6 - 0	7/28/2008	6 - 0	Approved	
6/12/2008	515 Jackson	10-9-7	Decrease Side Yard setback from 7'-6" to 4'-0"	5 - 1	7/28/2008	6 - 0	Approved	for Garage not located in the rear 30% of the Lot
6/12/2008	1133 Jackson	10-9-7	Decrease Side Yard setback from 7' to 5'-4 13/16"	2 - 4			Application Withdrawn	for Garage not located in the rear 30% of the Lot
6/12/2008	919 Park	10-9-7	Increase height of wall with a non-conforming Side Yard setback	Continued				Variance not required per Village Attorney's remarks
	919 Park	10-9-7	Enclose a portion of the Front Porch	Continued				Approved through Minor Variation process
	919 Park	10-9-7	Project Bay and Eave into the Required Front Yard setback	Continued				Approved through Minor Variation process
7/10/2008	1100 Lathrop	4-8-3	Increase height of fence from 6' to 8'	6 - 0	8/25/2008	6 - 0	Approved	
7/10/2008	1045 Jackson	10-9-7	Construct Pergola and Oven in the Secondary Front Yard setback	0 - 6	8/25/2008	5 - 0	Approved	
	1045 Jackson	4-8-3	Increase height of masonry fence from 4' to 5'-10" in Secondary Front Yard setback	0 - 6	8/25/2008	5 - 0	Approved	
8/14/2008	915 Franklin	10-9-5	Increase Lot Coverage from .338 to .345	2 - 2	9/22/2008		Sent Back to ZBA	Shed re-constructed and enlarged without Building Permit
	915 Franklin	10-9-5	Increase FAR from .52 to .53	2 - 2	9/22/2008		Sent Back to ZBA	
	915 Franklin	10-9-7	Decrease Rear Yard setback from 3' to 0' for accessory building	2 - 2	9/22/2008		Sent Back to ZBA	
11/13/2008	915 Franklin (#2)	10-9-5	Increase Lot Coverage from .3382 to .3436	6 - 0	12/8/2008	5 - 0	Approved	
	915 Franklin (#2)	10-9-5	Increase FAR from .5186 to .5240	6 - 0	12/8/2008	5 - 0	Approved	
5/14/2009	1408 Keystone	10-9-6	Increase height of an accessory structure from 18' to 24'-5"	4 - 2	6/22/2009	4 - 1	Approved	
1/14/2010	1347 Lathrop	10-9-5	Increase FAR from .40 to .44	3 - 3	2/22/2010	5 - 0	Approved	
	1347 Lathrop	10-9-7	Decrease Secondary Front Yard setback from 13' to 10.7'	6 - 0	2/22/2010	5 - 0	Approved	
2/11/2010	918 Jackson	10-9-7	Decrease Side Yard setback from 5'-0" to 3'-1"	6 - 0	3/8/2010	6 - 0	Approved	
3/11/2010	7841 Greenfield	10-9-7	Increase height of wall with a non-conforming Side Yard setback	6 - 0	4/12/2010	6 - 0	Approved	
4/8/2010	939 Forest	10-9-5	Increase FAR from .40 to .42	2 - 3			Application Withdrawn?	

ZBA Hearing Date	Address	Code Section	Requested Variation	ZBA vote	VBOT Date	VBOT vote	Final Action	Notes
Attachment B (continued). Variation from 2008-2001								
5/13/2010	1006 Forest	4-8-4	Increase height of fence from 4' to 5' in Secondary Front Yard	3 - 2	6/14/2010	4 - 1	Approved	
9/23/2010	1523 Clinton	10-9-7	Decrease Front Yard Setback from 47'-1" to 41'-10"	4 - 3	11/8/2010	5 - 1	Approved	Varianco expired without issuance of a Building Permit.
12/9/2010	1207 Jackson	10-9-5	Increase FAR from .4136 to .4218	4 - 2	1/24/2011	6 - 0	Approved	
1/13/2011	232 Lathrop	10-9-7	Increase height of wall with a non-conforming Side Yard setback	5 - 2	2/28/2011	5 - 1	Approved	
1/13/2011	1442 William	10-9-7	Decrease the Side Yard setback to the Roof Eave from 3' to 0'-10"	5 - 2	2/28/2011	4 - 0	Approved	
2/10/2011	231 Keystone	10-9-5	Increase FAR from .40 to .442	0 - 5	Application withdrawn			
4/14/2011	718 Park	10-9-7	Decrease Side Yard setback from 5'-0" to 3'-0"	5 - 0	5/23/2011	6 - 0	Approved	for Garage not located in the rear 30% of the Lot
5/12/2011	710 William	10-9-7	Decrease the Combined Side Yard setback from 25% to 20%	1 - 5	8/15/2011	6 - 0	Approved	
6/9/2011	632 Bonnie Brae	10-9-7	Decrease Secondary Front Yard setback from 13'-0" to 1'-10 5/8"	7 - 0	8/15/2011	6 - 0	Approved	
8/11/2011	633 Monroe	10-9-5	Increase Lot Coverage from .30 to .326	6 - 0	9/12/2011	6 - 0	Approved	
	633 Monroe	10-9-7	Decrease Secondary Front Yard setback from 13'-0" to 7'-0"	6 - 0	9/12/2011	6 - 0	Approved	
11/10/2011	1034 Forest	10-9-7	Decrease the Side Yard setback to the Roof Eave from 3'-0" to 0'-8 3/8"	6 - 0	12/12/2011	6 - 0	Approved	
12/8/2011	242 Ashland	10-9-7	Increase height of wall with a non-conforming Side Yard setback	5 - 0	1/23/2012	6 - 0	Approved	
12/8/2011	633 Park	10-9-7	Decrease the Side Yard setback to the Roof Eave from 3'-0" to 0'-8 1/8"	5 - 0	1/23/2012	6 - 0	Approved	
	633 Park	10-9-7	Decrease Secondary Front Yard setback from 13'-0" to 10'-11"	5 - 0	1/23/2012	6 - 0	Approved	
1/12/2012	1043 Lathrop	10-9-7	Extend garage with non-conforming Secondary Front Yard setback of 13'-6" for an additional 10'-0"	4 - 1	2/13/2012	6 - 0	Approved	
1/12/2012	1434 Forest	10-9-7	Increase height of two walls with a non-conforming Side Yard setbacks	5 - 0	2/13/2012	6 - 0	Approved	
3/8/2012	1402 Clinton Place	10-9-7	Increase permitted extension of non-conforming side yard setback from 12'-0" to 20'-1 1/4"	1 - 4	4/9/2012	6 - 0	Approved	
4/12/2012	1130 Keystone	10-9-7	Decrease Side Yard setback from 7'-6" to 4'-0"	4 - 1	6/18/2012	6 - 0	Approved	4/12/12 ZBA hearing continued to 5/10/12
	1130 Keystone	10-9-7	Decrease the Combined Side Yard setback from 25% to 13 20%	4 - 1	6/18/2012	6 - 0	Approved	4/12/12 ZBA hearing continued to 5/10/12
5/10/2012	300 Park	10-9-7	Decrease Side Yard setback for Detached Garage, not in the rear 30% of the lot, from 5'-0" to 3'-3" (match setback of existing non-conforming garage)	4 - 1	6/18/2012	6 - 0	Approved	
5/10/2012	300 Park	10-9-7	Decrease the Combined Side Yard setback from 25% to 14 24%	4 - 1	6/18/2012	6 - 0	Approved	
6/14/2012	1137 Franklin	10-9-7	Decrease Side Yard setback for Pergola Structure from 10'-0" to 8'-6"	4 - 1 - 1	7/12/2012	6 - 0	Approved	1 abstention at ZBA
	1137 Franklin	10-9-7	Decrease the Combined Side Yard setback from 25% to 23%	4 - 1 - 1	7/12/2012	6 - 0	Approved	1 abstention at ZBA
7/12/2012	11 Ashland	10-9-5	Increase Lot Coverage to 34.4%	4 - 0	8/7/2012	5 - 0	Approved	

Attachment C-Building Permit Data provided August 2012

Add'ns

Reduction in rear yard setback	Address	Street	Permit Description	Project Cost	Permit Cost	Permit No.	Permit Issued
	Open Permits						
2.97	712	Lathrop Av	Addition & Deck	\$50,470.00	\$885.40	11287	3/28/2012
0.00	242	Ashland Av	Addition/Remodeling	\$187,800.00	\$3,431.00	11268	2/3/2012
11.32	343	Franklin Av	Addition/Remodel	\$182,250.00	\$3,355.00	11261	12/19/2011
-	730	Forest Av	Addition/Remodeling	\$99,350.00	\$1,535.00	11259	12/13/2011
8.59	633	Park Av	Addition/Remodel	\$156,000.00	\$2,720.00	11258	12/9/2011
40.27	831	Keystone Av	Addition & Garage	\$305,000.00	\$5,460.00	11257	12/14/2011
9.83	632	Bonnie Brae	Addition & Remodeling	\$165,100.00	\$2,658.00	11250	11/21/2011
16.35	846	Jackson Av	Addition & Remodeling	\$399,500.00	\$6,678.50	11249	11/21/2011
20.50	706	Park Av	Addition/Remodel	\$105,911.00	\$2,118.23	11235	11/4/2011
17.23	711	Franklin Av	Addition/Remodel	\$210,000.00	\$3,476.00	11216	10/18/2011
35.62	122	Gale Av	Addition & Remodeling	\$87,500.00	\$1,530.00	11179	9/1/2011
0.00	1526	Lathrop Av	Addition/Remodel	\$62,000.00	\$918.00	11159	7/28/2011
4.75	1207	Jackson Av	Addition/Remodel	\$50,000.00	\$900.00	11127	6/14/2011
36.92	737	Keystone Av	Addition/Remodeling	\$456,000.00	\$15,600.00	11088	7/6/2011
28.46	202	Ashland Av	Addition & Remodeling	\$117,675.00	\$2,202.72	11075	3/18/2011
9.75	718	Franklin Av	Addition/Remodel	\$164,800.00	\$2,694.00	11065	3/4/2011
2.94	823	Franklin Av	Addition	\$56,001.00	\$988.02	11053	1/14/2011
0.00	1127	Forest Av	One Story Addition	\$73,375.00	\$1,397.90	11039	12/3/2010
5.00	840	Lathrop Av	Addition & Renovation	\$502,900.00	\$8,328.00	11018	11/4/2010
4.37	7416	Oak Av	Addition	\$20,000.00	\$334.00	11017	11/2/2010
0.00	25	Ashland Av	Addition	\$100,000.00	\$1,800.00	10967	8/24/2010
14.71	1347	Lathrop Av	Addition/Remodel	\$274,000.00	\$4,760.00	10934	6/28/2010
0.00	620	Lathrop Av	Addition	\$22,000.00	\$440.00	10904	5/14/2010
	Closed Permits						
0.00	243	Forest Av	First Floor Addition	\$88,900.00	\$1,661.64	11282	3/9/2012
	1106	Monroe Av	Garage Addition	\$44,470.00	\$819.60	11190	9/14/2011
0.00	1114	Ashland Av	Addition	\$200,275.00	\$3,354.22	11145	7/13/2011
5.00	608	Clinton Pl	Addition/Remodel	\$127,524.00	\$2,184.78	11140	7/1/2011
0.00	232	Lathrop Av	Addition/Remodel	\$226,958.00	\$4,539.16	11139	7/1/2011
0.00	110	Forest Av	Addition/Remodel	\$165,788.00	\$2,684.96	11117	5/31/2011
24.57	702	Forest Av	Addition	\$236,214.00	\$3,964.28	11104	5/17/2011
20.00	1442	William St	Screen Room Addition	\$12,000.00	\$230.00	11086	4/5/2011
0.00	1045	Forest Av	Addition/Remodel	\$438,854.00	\$7,414.44	11059	2/8/2011
3.50	1420	Lathrop Av	Pizza Oven Addition	\$3,800.00	\$100.00	11049	1/5/2011

Attachment C. Building Permit Data (provided August 2012)

Add'ns

	555	Monroe Av	Addition/Remodel	\$48,246.00	\$852.02	11037	11/30/2010
12.28	820	William St	Addition	\$145,000.00	\$2,446.00	11008	10/20/2010
0.00	534	William St	Addition & Remodeling	\$161,321.00	\$2,557.12	11001	10/7/2010
0.00	1035	Park Av	Addition & Remodeling	\$300,000.00	\$5,690.00	10981	9/13/2010
0.00	1523	Ashland Av	Addition	\$49,280.00	\$853.60	10959	8/12/2010
0.00	1116	Keystone Av	Addition	\$92,354.00	\$1,683.09	10941	7/20/2010
6.67	547	Monroe Av	Addition/Remodel	\$105,945.00	\$1,746.40	10919	6/4/2010
	842	Keystone Av	Garage Addition	\$8,500.00	\$200.00	10916	6/1/2010
2.00	750	Park Av	Addition	\$72,263.00	\$1,305.26	10915	6/1/2010
2.50	840	Lathrop Av	Two Story Addition	\$502,900.00	\$8,328.00	10914	5/28/2010
-	627	Bonnie Brae	Mudroom Addition, Deck	\$20,000.00	\$400.00	10902	5/12/2010
0.00	522	Edgewood Pl	Addition	\$70,807.00	\$1,379.10	10899	5/10/2010
	618	Thatcher Av	Addition, Patio, Deck	\$170,000.00	\$2,960.00	10887	4/28/2010
	1335	Park Av	Addition	\$104,000.00	\$2,032.00	10883	4/23/2010
0.00	747	Ashland Av	Addition to Garage	\$8,150.00	\$163.00	10879	4/20/2010
0.00	101	Park Av	Addition	\$74,800.00	\$1,192.00	10863	2/24/2010
	1226	William St	Addition	\$292,600.00	\$4,756.00	10848	12/21/2009
	1301	Park Av	Addition & Renovation	\$324,785.00	\$5,578.84	10834	11/20/2009
34.00	826	Monroe Av	1 Story Addition & Garage	\$151,000.00	\$2,820.00	10822	11/6/2009
0.00	239	Forest Av	Addition & Remodeling	\$53,000.00	\$620.00	10807	10/14/2009
	311	Park Av	Addition & Renovation	\$84,800.00	\$1,372.00	10805	10/7/2009
0.00	7965	Chicago Av	Addition	\$91,000.00	\$1,384.80	10794	9/18/2009
	731	William St	Two Story Addition	\$165,000.00	\$2,780.00	10786	9/1/2009
12.00	734	Monroe Av	Screened Porch Addition	\$19,700.00	\$394.00	10780	8/20/2009
	1015	Thatcher Av	One Story Addition & Renovation	\$182,952.00	\$2,966.44	10779	8/18/2009
	237	Park Av	Addition	\$57,327.00	\$461.30	10755	7/2/2009
	1424	Park Av	Addition	\$167,389.00	\$2,967.38	10754	7/1/2009
0.00	919	Monroe Av	Addition	\$13,000.00	\$122.50	10725	5/29/2009
10.11	604	Ashland Av	Addition	\$137,000.00	\$1,105.00	10711	5/14/2009
	1407	Lathrop Av	Addition/Remodel	\$151,605.00	\$1,291.25	10691	4/16/2009
0.00	604	Clinton Pl	Addition/Remodel	\$47,000.00	\$380.00	10682	4/2/2009
0.00	1131	Forest Av	Addition/Remdel	\$164,000.00	\$1,310.00	10679	3/31/2009
0.00	919	Park Av	Addition/Remodel	\$208,175.00	\$1,621.75	10675	3/31/2009
0.00	1031	Keystone Av	Addition/Remodel	\$383,770.00	\$3,237.70	10669	3/6/2009
12.00	739	Jackson Av	Addition/Remodel	\$270,655.00	\$2,249.79	10666	2/27/2009
	1105	Park Av	Addition/Remodel	\$348,832.00	\$3,188.32	10663	4/4/2009
4.00	621	Franklin Av	Addition/Remodel	\$221,000.00	\$1,710.00	10648	12/15/2008
6.00	915	Bonnie Brae	Addition/Remodel	\$518,872.15	\$4,477.83	10643	12/9/2008
0.00	504	William St	Addition/Remodel	\$210,000.00	\$1,880.00	10638	12/2/2008
0.00	126	Ashland Av	Addition/Remodel	\$218,000.00	\$1,970.00	10634	11/24/2008

Attachment C (continued) . Building Permit Data (provided August 2012)

Add'ns

33.00	1044	Park Av	Addition/Remodel	\$387,900.00	\$3,531.00	10632	11/21/2008
15.00	620	Franklin Av	Addition/Remodel	\$135,536.00	\$1,156.36	10626	11/5/2008
10.92	1020	Monroe Av	Addition/Remodel	\$140,000.00	\$1,050.00	10612	10/21/2008
	1120	Park Av	Addition/Remodel	\$960,928.70	\$8,931.29	10600	9/18/2008
36.00	919	Monroe Av	Addition/Garage	\$127,922.00	\$1,186.42	10597	9/9/2008
	904	William St	Addition/Remodel	\$425,820.00	\$3,915.58	10582	8/11/2008
6.50	530	Jackson Av	Addition/Remodel	\$625,000.00	\$5,650.00	10557	7/15/2008
	1342	Lathrop Av	Sunroom Addition	\$61,800.00	\$568.00	10555	7/14/2008
12.00	542	Franklin Av	Addition/Remodel	\$69,300.00	\$554.00	10543	7/2/2008
	8205	Lake St	Sunroom Addition	\$23,924.00	\$239.24	10542	6/30/2008
0.00	318	Forest Av	Addition/Remodel	\$64,284.00	\$638.59	10523	5/29/2008
	726	Keystone Av	Addition/Remodel	\$278,800.00	\$2,299.00	10518	5/20/2008
13.43	613	Franklin Av	Addition/Remodel	\$130,000.00	\$1,268.00	10514	5/15/2008
23.99	216	Franklin Av	Addition/Remodel	\$225,864.00	\$1,834.64	10513	5/15/2008
9.79	625	Clinton Pl	Addition/Remodel	\$412,810.00	\$3,646.10	10508	5/7/2008
6.20	838	Franklin Av	Addition/Remodel	\$184,700.00	\$1,584.00	10503	4/28/2008
5.00	7980	Chicago Av	Addition/Remodel	\$312,000.00	\$2,710.00	10497	4/14/2008
0.00	1434	Ashland Av	Addition/Remodel	\$435,000.00	\$3,790.00	10481	3/17/2008
-	16	Franklin Av	Addition/Remodel	\$130,000.00	\$960.00	10478	3/6/2008
10.54	143	Gale Av	Addition/Remodel	\$252,700.00	\$2,127.00	10466	2/14/2008
1.27	623	Jackson Av	Addition/Remodel	\$140,000.00	\$1,340.00	10464	2/11/2008
	927	Monroe Av	Addition/Remodel	\$220,000.00	\$1,870.00	10461	2/4/2008
	1333	Monroe Av	Addition/Remodel	\$200,000.00	\$1,270.00	10455	1/23/2008
	7223	Oak Av	Addition/Remodel	\$90,000.00	\$660.00	10453	1/18/2008

Attachment C (continued). Building Permit Data (provided August 2012)

Attachment D-Rear Extension Data provided September 2012

Attachment D: Rear Extension Data (provided in September 2012)

1.27
2.07
2.50
2.94
2.97
4.00
4.37
4.54
4.75
5.00
5.00
5.00
6.00
6.20
6.20
6.50
6.67
8.59
9.00
9.75
9.79
9.83
10.11
10.54
10.92
11.32
12.00
12.16
12.22
12.28
12.56
13.00
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13.43
14.00
14.71
15.00
15.50
16.25
16.35
17.00
17.23
20.00
20.50
20.50
23.99
24.57
25.38
25.50
28.46
31.42
33.00
34.00
35.62
36.92
40.27
50.29

Survey of Non-Conforming Setbacks in River Forest (Random Sampling)

Block	Street	# Non-Conforming	Total on Block w/ Plats of Survey	Total on Block w/out Plats	Percent Non-Conforming
200	Gale	5	14	2	36%
300	Keystone	8	14	5	57%
700	Jackson	6	8	3	75%
900	Park	14	15	6	93%
1300	Monroe	10	10	12	100%
Total		43	61	28	70%



Village of River Forest
Village Administrator's Office

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

MEMORANDUM

Date: September 4, 2012

To: Zoning Board of Appeals

From: Michael Braiman, Assistant Village Administrator

Subj: Zoning Review- Comparable Communities

During the last ZBA meeting, there was discussion regarding comparable communities (Glen Ellyn, Wilmette, and Winnetka) and how their setback requirements and non-conforming regulations compared to the Village's zoning code.

To provide additional background to the ZBA, the setback requirements in the comparable communities are as follows:

Municipality	Minimum Lot Width	Setbacks
Glen Ellyn	66 feet	6.5 ft. or 10%
Wilmette	60 feet	12.5 ft. combined or 25%
Winnetka	60 feet	6 ft.
River Forest	50 feet	5 ft. or 10% + 25% combined

The ability to expand non-conformities in the comparable communities is as follows:

Municipality	Rear Extension	2 nd Floor Addition
Glen Ellyn	Prohibited	Permitted
Wilmette	Prohibited	Permitted
Winnetka	Prohibited	Prohibited
River Forest	Permitted up to 12 feet	Prohibited

NO. _____

**AN ORDINANCE AMENDING THE RIVER FOREST
ZONING ORDINANCE RELATIVE TO NON-
CONFORMING SETBACKS**

WHEREAS, the Board of Trustees desires to amend the Zoning Regulations to allow for the continuation of preexisting nonconforming front, rear and side yard setbacks and to allow the increase of the height of a wall with a nonconforming setback;

WHEREAS, the Board of Trustees petitioned the Zoning Board of Appeals to hold a public hearing to consider amendments to the Village of River Forest Zoning Regulations;

WHEREAS, the Zoning Board of Appeals held a public hearing on September 13, 2012 and has submitted its Findings of Fact to the Board of Trustees;

NOW, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

Section 1: That Title 8, Chapter 10, section 8-7, entitled "Setback Regulations" of the Village Code is hereby amended as follows:

10-8-7: SETBACK REGULATIONS:

In an R1 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection 10-20-2A of this title.

A. Front Yard: The required front yard setback shall be calculated as the average of the existing front yard setbacks as measured from the front lot line to the principal structure along the same side of the street and on the same block. The shortest and longest setbacks along the same side of the same block shall be eliminated in the making of the computation.

1. Through Lots: Shall provide the required front yard on both streets.
2. Corner Lots: Shall have its required front yard on the lot's primary street; such street being the street which has the greatest distance between the two cross streets forming the block frontage. On the secondary street the front yard shall be a minimum of thirteen feet for a fifty foot wide lot, however the secondary street's front yard shall be increased by two feet for each five foot increase in lot width (or portion thereof) to a maximum secondary front yard depth of twenty five feet, and provided further that no accessory building on a corner lot shall project beyond that front yard line established for each street.
3. Front Porches: All front porches built or modified after the effective date of this section shall comply with the following standards:

- a. **Maximum Encroachment Into Setbacks:** A front porch shall not extend into a front yard more than eleven feet for a building having a front yard deeper than fifty feet. Where the front yard is fifty feet or less in depth, such front porch shall not extend into the front yard more than ten feet or twenty percent of the depth of the front yard, whichever is less.
 - b. **Size Of Porch:** A front porch that encroaches into a front yard shall have a minimum surface deck area of fifty square feet. The total area of any encroachment of the porch into a front yard shall not exceed three hundred square feet. In the case of a porch intended to wrap around to the side of a residence (including a porch that would encroach into the required setback of a secondary front yard), the side portion of the porch shall not exceed one hundred twenty five square feet and shall conform to all other requirements of this section.
 - c. **Depth Of Porch:** The minimum depth of the porch shall not be less than five feet and the maximum depth of the porch shall not exceed twelve and one-half feet.
 - d. **Enclosure Prohibited:** Other than by a roof, the front porch shall be open and shall not be enclosed by any materials, including, without limitation, glass or screens.
 - e. **Railings:** A railing not exceeding forty two inches in height measured from the floor of the porch may be provided on the periphery of the front porch.
 - f. **Noninhabitable Space:** A front porch shall not have any deck, flooring, or inhabitable space above the first floor level.
 - g. **Modification Of Existing Porches:** An existing front porch that encroaches into a front yard or a secondary front yard may be modified in compliance with the standards in this section.
 - h. **Previously Enclosed Porches:** Dwelling units with existing porches that have previously been enclosed and which encroach into a front yard or a secondary front yard shall not be eligible for porches permitted by this subsection.
 - i. **Front Porch Shall Not Affect The Average Allowable Setback:** Front porches shall not be included in calculating the average front yard setback.
- B. Rear Yard:** A rear yard shall have a depth of not less than fifteen percent of the depth of the lot or twenty six feet two inches, whichever is greater. Provided, however, that accessory buildings may be constructed within the rear yard but no closer than three feet from any lot line. (Ord. 3105, 3-28-2005)
- C. Side Yards:**
- 1. **Requirements:** The required minimum side yard setback shall be ten percent of the lot width or five feet, whichever is greater, and the minimum required combined side yard setback shall be twenty five percent of the lot width, or ten feet, whichever is greater as measured to the exterior wall of the structure.

2. Exceptions:

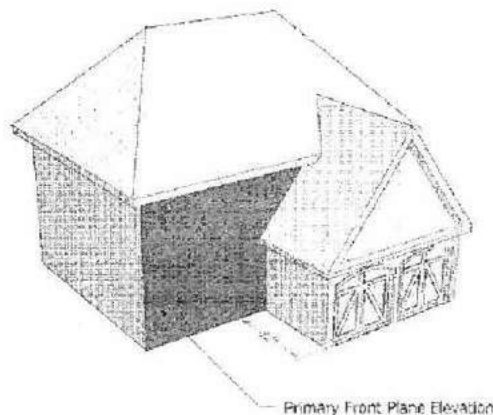
- a. Eaves: The eaves of a structure shall be required to maintain a minimum three foot side yard setback.
- b. ~~Additions: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a side yard equal to the existing side yard, or three feet, whichever is greater. Such an extension of a nonconforming wall shall be allowed to maintain the nonconforming side yard setback for a total length of up to thirty percent of the lot depth, or be extended an additional twelve feet, whichever is a lesser total distance. The height of a wall that maintains a nonconforming side yard setback shall not be increased.~~

Additions: An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional ____ feet as of right into the nonconforming side yard, *and the height of a wall that maintains a nonconforming side yard setback may not be increased OR the height of such nonconforming wall may be increased to the height allowed in the District.*

c. Accessory Structures: An accessory structure may be constructed with a side yard of no less than three feet, provided that the entire accessory structure is within the rear thirty percent of the subject lot (as measured from the front property line to the rear property line). The eaves of a detached accessory structure shall be permitted to encroach a maximum of one foot into a required yard setback.

d. Standards: The standards set forth in this section shall be applied separately to each side yard of an existing or proposed structure or addition.

- D. Attached Front Garage Projection: Attached front garages can project a maximum of twelve feet in front of the primary front plane elevation (as illustrated below) on lots with a width of sixty feet or less.



Section 2: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed;

Section 3: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the River Forest Village Code, as amended, shall remain in full force and effect.

Sections 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

Section 5: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Ayes:

Nays:

Absent:

APPROVED by me this 8th day of October, 2012.

John P. Rigas, Village President

ATTEST:

Roma Colwell-Steinke, Village Clerk

**VILLAGE OF RIVER FOREST
REGULAR MEETING OF THE BOARD OF TRUSTEES MINUTES
October 8, 2012**

A regular meeting of the Village of River Forest Board of Trustees was held on Monday, October 8, 2012, at 7:00 p.m. in the Community Room of Village Hall, 400 Park Avenue, River Forest, Illinois.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:00 p.m. Upon roll call, the following persons were:

Present: President Rigas, Trustees Corsini, Winikates, Adduci, Gibbs and Horrigan

Absent: Trustee Conti

Also Present: Village Clerk Roma Colwell-Steinke, Village Administrator Eric Palm, Assistant Village Administrator Michael Braiman, Public Works Director Phil Cotter, Police Chief Greg Weiss, Finance Director Joan Rock, Fire Chief Jim Eggert, Village Attorney Lance Molina, Village Attorney Greg Smith, Administrative Intern Jon Whiting

2. PLEDGE OF ALLEGIANCE

President Rigas led the pledge of allegiance.

3. CITIZENS COMMENTS

Carla Graham-White, 743 Park, addressed the Village Board regarding the home rule educational materials. Ms. White asked if the Village had checked to see if any Illinois municipalities impose a head tax on not-for-profits. Ms. White asked if the Village has communicated with either university regarding the tax. President Rigas responded that the Village has had numerous discussions with the universities regarding payments in lieu of tax and the universities have not been willing to make such payments.

Ms. White asked about the Cook County vacant property ordinance for unincorporated areas. Mr. Palm responded that the Village is considering an ordinance modeled on the city of Chicago ordinance which would allow the Village to hold mortgage lenders responsible for the maintenance of vacant properties.

Ms. White asked if the Village objects to any laws passed by Springfield. President Rigas stated that unfunded mandates are placed on the Village on a regular basis and the State has taken away Village revenue such as the personal property replacement tax and is considering additional revenue deductions.

4. ELECTED OFFICIAL COMMENTS & ANNOUNCEMENTS

Trustee Gibbs congratulated Chief Eggert on a successful Open House.

-
- a. Recognition Girls Softball Team State Championship

President Rigas recognized the 12-U River Forest Girls Softball Team for winning the State Championship.

5. CONSENT AGENDA

- a. Regular Meeting Minutes – September 10, 2012
- b. Public Works Committee Meeting – September 10, 2012
- c. Proclamation – National Fire Prevention Week
- d. Amend Title 8 of the Village Code – Liquor License Fees – Ordinance
- e. Amend Title 9 of the Village Code – Antique Vehicle Licenses – Ordinance
- f. Amend Title 9 of the Village Code – Handicap Parking on Lathrop – Ordinance
- g. Approval of Purchase of Road Salt
- h. Agreement with Vanguard Health for Water Payment Refund
- i. Monthly Department Reports
- j. Monthly Performance Measurement Report
- k. Village Administrator's Report

Trustee Gibbs informed the Board that he has two antique vehicles that would be subject to the reduced license fees. He has been informed by the Village Attorney that he does not have a conflict of interest and does not have to recuse himself from the Consent Agenda vote.

Trustee Winikates made a motion seconded by Trustee Adduci to approve the consent agenda.

Roll call:

Ayes: Trustees Corsini, Winikates, Adduci, Gibbs, and Horrigan

Nays: None

Motion Passes.

6. RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEE

- a. Amend Title 4 of the Village Code – Grading – Ordinance

Assistant Village Administrator Braiman presented updated data as requested by Trustee Conti regarding the number of projects and the total cost of each project that would have been impacted by the grading ordinance over the past year. The review found 57 projects that may have been impacted by the grading ordinance, 15 of which were additions and 18 garages that were enlarged. The average cost for a garage was \$25,000 and the potential cost of the grading ordinance could be \$4,000. Mr. Braiman stated that the majority of the cost associated with the grading ordinance is for the applicant to hire a private engineer as well as pass through costs to review the engineering plan. The only fee of the grading ordinance that would go directly to the Village is the \$50 application fee.

President Rigas stated that the purpose of the ordinance is to prevent flooding on neighboring properties as well as to protect the homeowner of the project such that water does not end up in their basement.

Trustee Adduci stated that she is confident some projects are causing flooding to neighboring properties and the Village needs this ordinance.

Trustee Gibbs made a motion seconded by Trustee Winikates to approve an ordinance amending Title 4 of the Village Code implementing grading permit regulations.

Trustee Corsini asked how the proof of notice requirement for adjacent properties will work. Mr. Braiman stated that the notice will allow neighbors to contact the Village if they have questions or concerns about the project.

Roll call:

Ayes: Trustees Winikates, Adduci, Gibbs, Horrigan, and Corsini

Nays: None

Motion Passes.

b. Amend Title 10 of the Village Code – Setback Regulations - Ordinance

Dan Lauber, Zoning Board member of 7215 Oak, addressed the Board regarding the ZBA's recommendation concerning the extension of side yard setbacks. Mr. Lauber stated that the ZBA's recommendation to allow the extension of non-conforming side yard structures 20 feet into the rear yard would address 75% of projects. Mr. Lauber stated that the ZBA's recommendation would enable neighbors to have the opportunity to present factual evidence to the ZBA for projects greater than 20 feet and to build vertically.

Trustee Winikates made a motion seconded by Trustee Horrigan to delete Section 10-8-7(C)(2)(b) of the Village's Zoning Ordinance and replace it with the following:

An addition to an existing structure that does not meet this standard must maintain either a three foot side yard or a side yard that is the same width as the current side yard, whichever is wider. A nonconforming wall built along a nonconforming side yard may be extended an additional 20 feet as of right, however the height of a wall that maintains a nonconforming side yard setback shall not be increased.

Trustee Corsini asked if there would be notification to neighbors for an extension into the rear yard of up to 20 feet. Mr. Palm stated that the grading ordinance notice requirements would most likely be triggered by this type of addition.

Roll call:

Ayes: Trustees Adduci, Gibbs, Horrigan, Corsini, and Winikates

Nays: None
Motion Passes.

c. Approval of FY 2012 Comprehensive Annual Financial Report

Trustee Winikates stated that the Finance and Administration Committee met with the auditors prior to the Village Board meeting. After reviewing the report and meeting with the auditors, the Committee moved to recommend approval of the comprehensive annual financial report.

Trustee Winikates made a motion seconded by Trustee Corsini to approve the Village's Comprehensive Annual Financial Report for the Fiscal Year Ended April 30, 2012.

Roll call:

Ayes: Trustees Gibbs, Horrigan, Corsini, Winikates, and Adduci
Nays: None
Motion Passes.

Trustee Winikates informed the Board that the Finance and Administration Committee also discussed a credit card rewards policy for future presentation to the Village Board.

Trustee Adduci suggested that Staff review with American Express the abolishment of the rewards program in exchange for a better deal with the credit card company.

Trustee Winikates informed the Board that the Library approached the Village about renewing the portion of the Village's debt capacity they are utilizing when it is paid off in 2017. The Committee determined that this should be a decision made by the Village Board at the time in 2017.

7. UNFINISHED BUSINESS

There was no unfinished business to come before the Village Board.

8. NEW BUSINESS

a. Agreement with the City of Chicago - Water

Village Administrator Palm stated that every 10 years the Village's water agreement with Chicago expires. Communities that have tried to make changes to the Chicago agreement have not been successful and thus Staff recommends approval of the 10-year agreement.

Trustee Corsini asked what happened with the West Central water rate efforts.

Village Administrator Palm stated that the process did not go far and West Central was the only council of government to attempt to address the Chicago rate increase.

Trustee Gibbs made a motion seconded by Trustee Winikates to renew the Water Supply Agreement with the City of Chicago and authorize the President to execute the same.

Roll call:

Ayes: Trustees Gibbs, Horrigan, Corsini, Winikates, and Adduci

Nays: None

Motion Passes.

9. EXECUTIVE SESSION

Trustee Winikates made a motion seconded by Trustee Gibbs to recess to Executive Session to discuss collective bargaining and real property acquisition at 8:06 p.m. Roll call:

Ayes: Trustees Corsini, Winikates, Adduci, Gibbs, and Horrigan

Nays: None

Motion Passes.

Call To Order/Roll Call Return to Regular Session

The Board returned to Regular Session at 9:10 p.m. Upon roll call, the following persons were:

Present: President Rigas, Trustees Gibbs, Horrigan, Corsini, Winikates, Adduci

Absent: Trustee Conti

Also Present: Village Administrator Palm, Assistant Village Administrator Braiman, Village Attorney Malina and Attorney Smith

10. ACTION ON EXECUTIVE SESSION ITEMS

There was no action on executive session items.

11. ADJOURNMENT

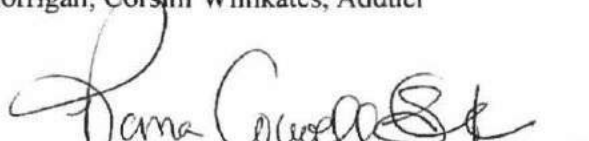
Trustee Winikates made a motion seconded by Trustee Horrigan to adjourn the regular Village Board of Trustee Meeting at 9:11 p.m.

Roll call:

Ayes: Trustees Gibbs, Horrigan, Corsini Winikates, Adduci

Nays: None

Motion Passes.



Village Clerk

**VILLAGE OF RIVER FOREST
SPECIAL MEETING OF THE BOARD OF TRUSTEES
AMENDED MINUTES
June 18, 2012**

A special meeting of the Village of River Forest Board of Trustees was held on Monday, June 18, 2012, at 7:00 p.m. in the Community Room of Village Hall, 400 Park Avenue, River Forest, Illinois.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:00 p.m. Upon roll call, the following persons were:

Present: President Rigas, Trustees Corsini, Winikates, Adduci, Conti, Gibbs and Horrigan

Absent: None

Also Present: Village Clerk Roma Coldwell-Steinke, Village Administrator Eric Palm, Assistant Village Administrator Michael Braiman, Village Attorney Gregory Smith, Fire Chief James Eggert, Police Chief Gregory Weiss, Finance Director Joan Rock, and Public Works Director Philip Cotter

2. PLEDGE OF ALLEGIANCE

President Rigas led the Pledge of Allegiance.

3. CITIZEN COMMENTS

There were no citizen comments.

4. ELECTED OFFICIAL COMMENTS & ANNOUNCEMENTS

Trustee Gibbs recognized Public Works Superintendent Mark Janopoulos for his assistance in apprehending a police suspect during an accident last week on Lake Avenue.

a. Recognition – OPRF High School Baseball Team, and Track & Field Team

Trustee Gibbs recognized Carl Heinz for winning State Championship in the High Jump and Malachy Schrobilgen for winning the State Championship in the 3200 meter run.

President Gibbs-Rigas recognized-introduced the Oak Park River Forest baseball team who was present to be recognized for winning the State Championship.

President Rigas and Trustees Adduci, Winikates, Corsini, Horrigan, Gibbs, and Conti congratulated the Oak Park River Forest baseball team for winning the State Championship.

b. Recognition – Detective Sgt. Martin Grill – Rising Shield Award

Police Chief Weiss recognized Detective Sergeant Grill for receiving the Rising Shield Award.

5. PUBLIC HEARING – SPECIAL SERVICE AREA # 9 (*Edgewood/Lake alley*)

Trustee Adduci made a motion seconded by Trustee Winikates to open the Public Hearing.

Roll call:

Ayes: Trustees Corsini, Winikates, Adduci, Conti, Gibbs, and Horrigan

Nays: None

Motion Passes

Village Administrator Palm stated this is a Public Hearing for Special Service Area #9 for repairs to the alley south of Lake Street and west of Edgewood.

Johann Buis, owner of one of the homes in the affected area, stated that the homes were developed in the 1950s, giving more than 60 years of taxes to the Village. Taking his assessments for the alley on an annual basis, the Village has received \$15,000 in taxes from the homes on the alley this past year for the 37 homes with garages on the alley. The amount paid in taxes far outweighs how much would be levied on the residents in the special service area according to Mr. Buis.

President Rigas stated the Village only receives 10% of the taxes paid by the homeowners. The monies received in taxes pay for annual maintenance such as snow plowing and pothole repair.

Trustee Winikates stated that tax dollars are used for a lot of purposes, including police and fire taxes and taxes are not paid for a specific service or alley but for all services.

Trustee Corsini made a motion seconded by Trustee Winikates to close the Public Hearing regarding the Special Service Area # 9.

Roll call: Trustees Winikates, Adduci, Conti, Gibbs, Horrigan, and Corsini

Ayes: 6

Nays: 0

Motion Passes.

6. CONSENT AGENDA

Trustee Adduci requested that Item D, Special Meeting Minutes of June 11, 2012, be removed from the Consent Agenda.

Trustee Adduci requested that the minutes be amended to revise her statement regarding electrical aggregation to clarify that she would have abstained from a discussion due to an appearance of a conflict of interest.

Trustee Gibbs made a motion, seconded by Trustee Horrigan to approve the June 11, 2012 Special Meeting Minutes as amended.

Roll call:

Ayes: Trustees Adduci, Conti, Gibbs, Horrigan, Corsini, and Winikates

Nays: None

Motion Passes.

Trustee Corsini requested that Item G, Amend Title 6 of the Village Code – Construction Work on Sundays – Ordinance, be removed from the Consent Agenda.

Trustee Corsini asked if the proposed change would permit contractors to work on Sunday. Assistant Administrator Braiman clarified that the proposal would prohibit any such work on Sunday.

Trustee Adduci made a motion seconded by Trustee Gibbs to amend Title 6 of the Village Code regarding construction work on Sundays.

Roll call:

Ayes: Trustees Adduci, Conti, Gibbs, Horrigan, Corsini, and Winikates

Nays: None

Motion Passes.

Trustee Winikates made a motion seconded by Trustee Adduci to approve the Consent Agenda as follows.

- a. Regular Meeting Minutes – 5/14/12
- b. Executive Session Minutes – 5/14/12
- c. Special Meeting Minutes – 5/21/12
- d. Removed from Consent Agenda
- e. Village Attorney Invoices – April & May 2012
- f. Amend Title 9 of the Village Code – Handicap Parking on Lathrop Avenue – Ordinance
- g. Removed from Consent Agenda
- h. Amend Title 2 of the Village Code – DRB Membership – Ordinance
- i. Agreement for Springbrook Version 7 Upgrade
- j. Approval of Purchase – Two Police Squads
- k. Authorize Sale of Seized Vehicles (Surplus Property) – Ordinance
- l. Authorized Donation of Used Fire Equipment – Ordinance
- m. Adoption of Annual Prevailing Wage Rates – Ordinance
- n. Amendment to Village's Financial Policies – GASB 54
- o. Monthly Department Reports

-
- p. Monthly Performance Measurement Report
 - q. Village Administrator's Report

Roll call:

Ayes: Trustees Adduci, Conti, Gibbs, Horrigan, Corsini, and Winikates

Nays: None

Motion Passes.

Trustee Conti asked if the two parking spaces in front of the library are temporary or permanent. Chief Weiss stated that the current spaces are temporary due to the construction.

7. RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEE

a. Zoning Variation – 300 Park – Ordinance

Architect Mark Zinni summarized the project at 300 Park. The site is unusually long, 190 feet, and has an existing non-conforming detached garage that is closer to the house than is permitted by the zoning ordinance. All of the houses but one on the block have the same condition as the subject property and the proposal would make the garage a two car garage. The proposal would keep the garage in line with the adjacent properties and maintain a view to a registered bird habitat, minimize impervious surface, and keep the garage away from the railroad embankment which causes trees to fall.

Trustee Gibbs made a motion seconded by Trustee Horrigan to approve the requested variation to Section 10-9-7 of the Zoning Code at 300 Park Avenue.

Roll call:

Ayes: Trustees Conti, Gibbs, Horrigan, Corsini, Winikates, and Adduci

Nays: None

Motion Passes.

b. Zoning Variation – 1130 Keystone – Ordinance

John Hague, architect for the project, stated that the applicants are seeking two variances on the side yard setback for the proposed garage. The back yard has a severe drainage problem and thus the garage is proposed to be located on the side of the home. The location sits on the high point of the lot which will allow the water to be managed and pushed to the east and west.

President Rigas asked how the water would flow from the garage to the street. Mr. Hague responded that the water will be captured and run underground to the driveway.

Tom Breney, attorney representing Fredia Freudman, stated the Ms. Freudman would like the garage located in a place where it does not violate the setbacks. Mr. Breney said the applicant

stated that the lot is 75 feet and thus is a hardship, in his opinion, this is not a hardship. The project will impact Ms. Freudman's backyard view, her study and the landscaping along the property line that is on the petitioner's property. There are stormwater management methods available if the garage is located where it is allowed by right. Mr. Breney presented photos of Ms. Freudman's current views. Mr. Breney asked that Village Board members recuse themselves if they cannot separate the application from their potential relationship with the applicant's family member.

President Rigas stated that when Ms. Freudman purchased the property, the setback requirement was three feet.

Trustee Winikates asked if Ms. Freudman has windows facing the west. Mr. Breney replied yes, there are windows facing west.

The homeowner at 1120 Keystone, two doors south of the subject property, suggested that the Village Board should focus on what effect the construction will have on the ponding of water and how close the construction will be to the adjacent property. If the garage were to be built in the back of the lot, it would be raised high enough so it does not flood and all of the water would go to the neighbors. The proposal is located as close to the house as possible which will have the least amount of impact on flooding. The argument regarding the impact of the view is negated in that even if the garage were located at the required setback, the neighbor would still see the garage. The homeowner recommended that the Village Board approve the variance request.

Ms. Freudman stated the same petition was unanimously denied by the Village Board several years ago. An architect she hired indicates that an attached garage could still be constructed where the residents currently park. The proposed garage will be oversized and block sunlight from the patio, library room and only kitchen window in the home. Ms. Freudman is concerned regarding the detriment on the foundation of her home. Mr. Freudman stated she is pleading for her rights and urges that the Village Board deny the project as it would be a great detriment to the value of her house and enjoyment.

Trustee Winikates stated there are two issues, flooding which has been addressed based on the engineering material presented and light. Trustee Winikates asked if there has been a study to determine whether the sunlight will be impacted to Ms. Freudman's property.

President Rigas stated that when something is constructed on the north end of a lot, it will put a shadow on the adjacent lot.

Trustee Gibbs asked how far the adjacent property's structure is from the property line. Mr. Hague stated the neighbor's structure is 4.9 feet from the property line.

Mr. Breyer asked if anyone has told the applicant that a garage could not be built in the rear lot because the stormwater could not be managed effectively. Mr. Cohen stated an engineer recommended that the garage be located at the high point on the property. Mr. Hague stated there is always a way to spend money to manage the water; the process considered many different plans and locations and the solution provides the best situation for both neighbors.

Trustee Conti stated that change is very difficult. The letter Ms. Freudman wrote in 2005 states that flooding was her main concern. Ms. Freudman stated that the concern was to her yard, now she is concerned about water to her home as she has installed three sump pumps. Trustee Conti continued that today, the flooding issue is resolved and now Ms. Freudman's primary concern is the sunlight. The majority of homes on the street are non-conforming with three foot setbacks. Trustee Conti stated it is a very thoughtful addition and when one home improves in the value, neighboring properties generally improve in value as well.

Trustee Gibbs stated he attended one of the two Zoning Board meetings. The first meeting ended with the Zoning Board directing the applicant to have an engineer complete an analysis regarding the flooding impact of the proposal. At the second meeting, the applicant presented findings from the engineer that indicated the proposed location was the best possible location to prevent flooding.

Trustee Adduci stated that the Village Board relies on the Zoning Board of Appeals for their expertise and advice. Upon review of the Zoning Board meeting minutes, the ZBA did the appropriate due diligence and the matter boils down to the flooding, the view of the garage and the lighting from the sun. Trustee Adduci stated that the applicant has done what is necessary in regards to engineering reports and supporting documents regarding flooding. Trustee Adduci is also comfortable with the matter as it pertains to the view as regardless of the location of the garage, there potentially could be a wall near Ms. Freudman's home which would impact light her view and light.

Trustee Gibbs made a motion seconded by Trustee Winikates to approve the requested variation to Section 10-9-7 of the Zoning Code at 1130 Keystone Avenue.

Roll call:

Ayes: Trustees Gibbs, Horrigan, Corsini, Winikates, Adduci, and Conti

Nays: None

Motion Passes.

c. Historic Preservation Property Tax Assessments

Assistant Village Administrator summarized the Illinois Historic Preservation Agency's request that the Village formally ask for certification of its historic preservation ordinance to allow local landmarked homes to participate in the State's Property Tax Assessment Freeze Program. Mr. Braiman stated that the Historic Preservation Commission reviewed this request and unanimously recommends approval.

Trustee Corsini made a motion seconded by Trustee Winikates to request certification of the Village's local historic preservation ordinance by the Illinois Historic Preservation Agency.

Roll call:

Ayes: Trustees Horrigan, Corsini, Winikates, Adduci, Conti, and Gibbs

Nays: None
Motion Passes.

d. 125th Anniversary Ad-Hoc Committee Recommendation

Fire Chief Eggert summarized the Committee's meetings and ideas that were considered for use of the Cummings Memorial Funds. The Committee is recommending installation of a clock on the Park District property at the northeast corner of Lake and Lathrop.

Trustee Conti made a motion seconded by Trustee Adduci to approve the recommendation of the Ad Hoc Committee to install the 125th Anniversary Clock.

Roll call:

Ayes: Trustees Corsini, Winikates, Adduci, Conti, Gibbs, and Horrigan
Nays: None
Motion Passes.

e. Appointments to Traffic & Safety Commission and Fire Pension Board

Trustee Gibbs made a motion seconded by Trustee Winikates to approve Thomas Dwyer to the Traffic and Safety Commission and Kevin Hanley to the Fire Pension Board.

Roll call: Trustees Adduci, Conti, Gibbs, Corsini, Horrigan, and Winikates
Ayes: 6
Nays: 0
Motion Passes.

8. UNFINISHED BUSINESS

a. Zoning Text Amendment – Non Conforming Setbacks - Ordinance

Dave Berni, member of the Zoning Board of Appeals, stated he is present to request that the Village Board maintain the current regulations. The possible consequences of the proposal seem rather extreme.

Tagger O'Brien, member of the Zoning Board of Appeals, stated that the current regulation is good. If the Village opens the floodgates, people will want even bigger and closer buildings. Ms. O'Brien does not feel that the zoning requirements have prevented people from moving to the community.

President Rigas provided a PowerPoint presentation summarizing the Village's goals regarding zoning, the history of zoning code amendments, the impact of the proposed amendments, and reviewed the Findings of Fact as presented by the Zoning Board of Appeals.

President Rigas asked what spurred the most recent changes to the setback regulations.

John Houseal, Village Planning Consultant, stated that prior to 2005, setbacks were always measured to the eave. In 2005, setbacks were changed to be measured to the house. Because eaves are two to three feet, the setback from the house was essentially the same. Three foot setback measures to the eaves compared to five foot measured to the house is no different, this made it easier for architects to measure. The changes arose because of larger structures that were being built in the Village.

Andy Gagliardo stated that the Village loses potential residents because of the variation process.

President Rigas asked why 12 feet was identified as the maximum for extending a non-conforming use. Mark Zinni stated the Committee's task was to respond to an outcry of variation requests due to changes in the side yard setback. The minimum usable space of an addition would be 12 feet, this was a minimum and not an ideal amount of space as it is very restrictive architecturally.

Following discussion, there was consensus to remand the matter to the Zoning Board of Appeals for further review. The Zoning Board of Appeals was asked to submit a recommendation to the Village Board by the end of September.

b. Follow-Up – IT Study & Recommendations

Assistant Village Administrator Braiman stated that the Fiscal Year 2013 Budget contains \$25,000 for miscellaneous IT improvements based on the results of the IT study. Per the study, it is recommended that the Village purchase a new server, institute a disaster recovery plan with back-up tapes stored at Public Works, complete Office 2010 Training and install memory upgrades in some computers at a cost of \$27,310.

The Board concurred with the recommendation and instructed Staff to proceed with the proposed projects.

9. NEW BUSINESS

a. Nicor Natural Gas Franchise – Ordinance

Village Administrator Palm introduced Jim Tansor of Nicor. The Village's franchise agreement with Nicor expired in 2010 and Staff recommends approval of extending the current franchise agreement with Nicor for 50 years.

Trustee Winikates made a motion seconded by Trustee Adduci to authorize the Northern Illinois Gas Company its successors and assigns, to construct, operate and maintain a gas distribution system in and through the Village of River Forest, Illinois.

Roll call:

Ayes: Trustees Gibbs, Horrigan, Corsini, Winikates, Adduci, and Conti

Nays: None

Motion Passes.

b. Discussion: Creation of Ordinances for Donation Boxes, Storage Pods, Littering and Contractor Signage

Administrative Intern Jon Whiting presented potential regulations for donation boxes and storage pods. The Board agreed that both items should be regulated and instructed Staff to prepare an ordinance for the next Village Board meeting.

Assistant Village Administrator Braiman informed the Board that Trustee Corsini asked Staff to research potential regulations that would address free newspaper companies that litter on the public right-of-way. Following discussion, including the potential legal challenges from newspapers in regards to their regulation, the Board agreed that Staff should continue to monitor the situation.

Assistant Village Administrator Braiman recommended that the Village Board amend the Village Code to prohibit contractors from placing signage in front of homes when performing work. The Board agreed that such a Code amendment was appropriate and directed Staff to prepare an ordinance for the next Village Board meeting.

c. Introduction: Home Rule Materials

Village Administrator Palm stated that one of the Village Board's goals in Fiscal Year 2013 is to consider a referendum for home rule status. At a previous Board meeting, the Board asked Staff to provide an update on home rule as it pertains to what additional authority is given to the municipality in the event home rule status were to be approved.

Village Administrator Palm presented a memorandum from the Village Attorney regarding home rule authority and informed the Board that an attorney from Klein Thorpe and Jenkins will be present at the July Board meeting to answer any questions.

d. July/August Board Meeting Schedule

The Village Board scheduled meetings for July 9, 2012 and August 20, 2012.

10. EXECUTIVE SESSION

Trustee Winikates made a motion seconded by Trustee Conti to recess to Executive Session to review the recordings of executive session minutes, consideration of a labor attorney, to discuss probable litigation, and personnel at 11:12 p.m. Roll call:

Ayes: Trustees Corsini, Winikates, Adduci, Conti, Gibbs, and Horrigan

Nays: None

Motion Passes.

Call To Order/Roll Call Return to Regular Session

The Board returned to Regular Session at 11:40 p.m. Upon roll call, the following persons were:

Present: President Rigas, Trustees Corsini, Winikates, Adduci, Conti, Gibbs, and Horrigan
 Absent: None

11. ACTION ON EXECUTIVE SESSION ITEMS
a. Destruction of Executive Session Recordings

Trustee Corsini made a motion seconded by Trustee Horrigan to destroy the following executive session recordings:

2007	2008	2009	2010
March 26	January 14	February 9	January 11
April 23	February 11	February 23	January 19
July 9	February 15	March 5	January 25
July 19	February 25	March 9	February 22
September 24	March 10	March 23	March 8
October 9	April 14	April 13	March 22
October 22	April 28	May 11 (2)	April 19 (COW)
October 23	May 12	May 14	May 14
December 10	May 27	June 8	May 17
December 11	June 23	June 9	May 24
	July 28	June 22	June 14
	August 6	July 13 (2)	June 21
	August 27	August 17	July 12
	September 8	March 12	July 19 (COW)
		September 14	July 26
		October 5	August 5
		October 13	August 6
		October 19	August 9 (2)
		October 26	August 16
		November 23	August 23
			September 13
			September 20 (COW)
			September 27
			October 12
			October 18 (COW)
			October 21
			October 25 (2)
			November 13

			November 22
			November 9
			December 13

Roll call:

Ayes: Trustees Winikates, Adduci, ~~Conti~~, Gibbs Horrigan, and Corsini

Nays: ~~None~~ Trustee Conti

Motion Passes.

b. Selection of Labor/Employment Attorney

Trustee Gibbs made a motion seconded by Trustee Adduci to appoint Jill O'Brien of Laner Muchin Dombrow Becker Levin and Tominberg, Ltd. as the Village's Labor Attorney.

Roll call:

Ayes: Trustees Adduci, Conti, Gibbs, Horrigan, Corsini, and Winikates

Nays: None

Motion Passes.

12. ADJOURNMENT

Trustee Conti made a motion seconded by Trustee Winikates to adjourn the regular Village Board of Trustee Meeting at 11:45 p.m.

Roll call:

Ayes: Trustees Conti, Gibbs, Horrigan, Corsini, Winikates, and Adduci

Nays: None

Motion Passes.

Village Clerk



Village of River Forest
Village Administrator's Office

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

MEMORANDUM

Date: June 14, 2012

To: John Rigas, Village President
Village Board of Trustees

From: Eric J. Palm, Village Administrator

Subj: Zoning Text Amendment – Non-Conforming Setbacks

We will continue our discussion regarding the zoning text amendment on non-conforming setbacks at the June 18, 2012 Village Board Meeting. Planning Consultant John Houseal will be in attendance to answer any questions. In addition, the ZBA has been notified and invited to attend this meeting.

In the event the Village wishes to adopt the proposed changes, the ordinance is attached for your review.

Please contact me with any questions or concerns.

Thank you.

Attachment
Ordinance



Village of River Forest
Village Administrator's Office

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

MEMORANDUM

Date: May 11, 2012

To: Eric Palm, Village Administrator

From: Michael Braiman, Assistant Village Administrator

Subj: Zoning Text Amendment- Non-Conforming Setbacks

Issue: In February, the Village Board petitioned the Zoning Board of Appeals to hold a public hearing regarding amendments to Section 10-8-7 of the Village Code to allow for the continuation of preexisting nonconforming front, rear and side yard setbacks. The proposed amendment would also delete the regulation that prohibits the increase of the height of a wall with a nonconforming setback.

Analysis: Per President Rigas's request, staff conducted a random survey of five blocks in the Village to determine how many structures have non-conforming setbacks. While detailed survey results are attached, a summary is presented below:

Block	Street	# Non-Conforming	Total on Block with a Plat of Survey	Total on Block without Plat of Survey	Percent Non-Conforming
200	Gale	5	14	2	36%
300	Keystone	8	14	5	57%
700	Jackson	6	8	3	75%
900	Park	14	15	6	93%
1300	Monroe	10	10	12	100%
Totals		43	61	28	70%

Staff also prepared an analysis regarding the number of variations requested since the Zoning Code was amended in April 2008. This analysis found that of the 40 variation requests, 12 regarded non-conforming setbacks, all of which were approved by the Village Board. These 12 variations would not have been required under the proposed amendment.

Zoning Board of Appeals Review

The Zoning Board of Appeals held public hearings, as required by the Village Code, on Thursday, March 8th and April 12th to consider the proposed amendment.

On Thursday, May 10th the ZBA voted 5-0 against recommending the proposed text amendment for the reasons as stated in the attached Findings of Fact.

Recommendation: Should the Board wish to proceed with this text amendment, the following motion should be considered:

Motion to adopt an ordinance amending Section 10-8-7 of the Village Code relative to non-conforming setbacks.

Attachments:

- 1) Zoning Board of Appeals Findings of Fact
 - 1a) Exhibit- Houseal Lavigne Rendering
- 2) Survey of non-conforming setbacks
- 3) Ordinance

Findings of fact

Based upon the evidence presented in writing and orally at public hearings conducted on March 8, 2012 and April 12, 2012, the Zoning Board of Appeals makes the following findings of fact related to the proposed amendment to Section 10-8-7 of the *River Forest Zoning Ordinance*:

1. Over the past four years, a total of five to ten requests for variances to continue or expand nonconforming side yard setbacks have been submitted to the Zoning Board of Appeals.
2. No factual evidence was introduced to demonstrate that the current zoning provisions restricting the expansion of nonconforming side yard setbacks have deterred property maintenance plans.
3. No factual evidence was presented to show that Section 10-8-7 has caused construction inconsistent with a home or neighborhood in order to conform to the zoning code.
4. No factual evidence was introduced that demonstrated that Section 10-8-7 has caused any undue burden on property owners required to request this variation to continue a nonconforming side yard setback.
5. The one expert witness who testified at the hearings, River Forest's planning consultant, presented "An Analysis of Existing and Proposed Regulations Related to Legal Nonconforming Residential Additions," uncontradicted factual evidence demonstrating that this amendment would allow homes to be expanded as of right even when the expansion could block light and air from adjacent homes, block views, or cause flooding to an adjacent property.
6. River Forest's planning consultant presented uncontradicted factual evidence that amending Section 10-8-7 as proposed would create the potential for extremely large structures to be built that are incompatible and incongruous with the surround neighborhood.
7. Proposals for variances to continue nonconforming side yard setbacks have been made to the Zoning Board of Appeals that would generate adverse impacts to adjacent properties.

NOW THEREFORE, the Zoning Board of Appeals makes the following conclusions based upon the evidence presented at its public hearings and makes the following recommendation pursuant to Section 10-5-5(B)(2):

A. Based on these findings of fact, the Zoning Board of Appeals concludes:

- (1) The public interest is best served by examining proposals to continue a nonconforming side yard setback on a case by case basis.
- (2) There is no basis in fact for eliminating these provisions of Section 10-8-7 and that the public interest would not be served by allowing all nonconforming side yard setbacks to be continued or expanded.
- (3) The proposed amendment is contrary to the following purposes of the River Forest Zoning Ordinance:
 - 10-2-1 H. Establish a basis for development and preservation of an attractive physical environment which enhances the image of the community;

10-2-1 I. Control the impact a development will have on the surrounding area by regulating the bulk and height of buildings;







10-2-1 M. Ensure adequate natural light, clean air, privacy, and convenience of access to property through a combination of regulatory controls and incentives;

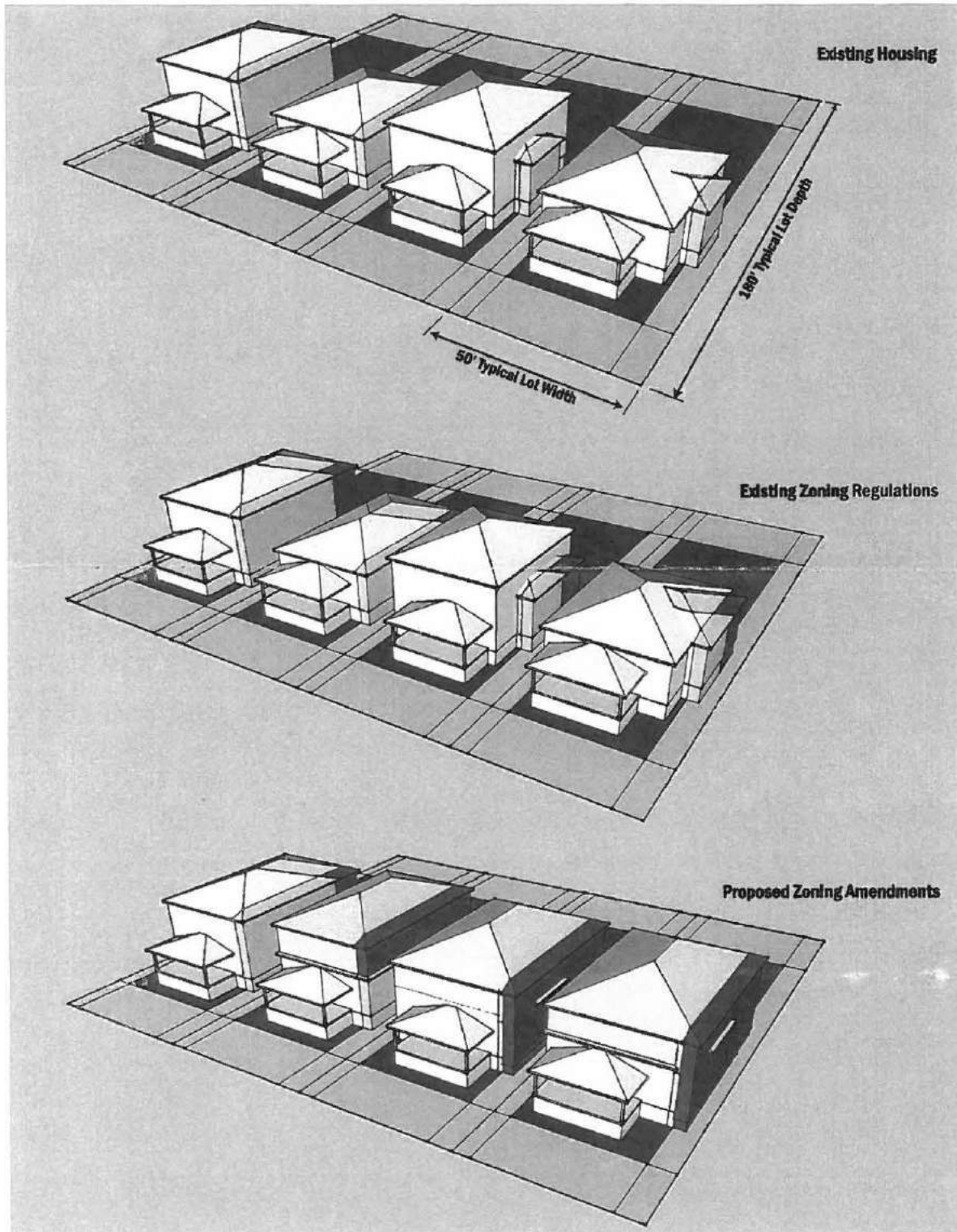
10-2-1 N. Control the accumulation or runoff of storm or flood waters through the use of site development standards to protect persons and property;

B. The Zoning Board of Appeals recommends by a vote of 5 to 0 that the River Forest Village Board reject the proposed amendments to Section 10-8-7 of the River Forest Zoning Ordinance.

Analysis of Existing and Proposed Regulations Related to Legal Non-conforming Residential Additions

River Forest, IL
April 2012

-  Buildable Lot Area
-  Required Yard Area
-  Existing Conforming Structure
-  Existing Non-conforming Structure
-  Permitted Conforming Addition
-  Permitted Non-conforming Addition



200 Block

3/21/2012

[illegible]

Village of River Forest
Side Yard Setbacks
Park Avenue
West Side

900 Block

3/22/2012

Address	Street	Survey ?	Survey dated	Lot Width	North Setback	Complies?	South Setback	Complies ?	Combined SB	Complies ?
946	Park	Yes	unknown	75.00	15.71	No (SFYSB)	20.71	Yes	36.42	Yes
942	Park	Yes	3/5/1999	75.00	no setback information					
934	Park	Yes	unknown	52.90	10.78	Yes	8.31	Yes	19.09	Yes
930	Park	Yes	10/30/1996	50.00	5.00	Yes	6.00	Yes	11.00	No
926	Park	Yes	unknown	75.00	15.10	Yes	6.20	No	21.30	Yes
918	Park	No				No				
910	Park	Yes	unknown	109.00	24.50	Yes	8.75	No	33.25	Yes
908	Park	Yes	5/19/1976	104.10	3.89	No	12.55	Yes	16.44 (+)	No
906	Park	Yes	unknown	50.00	3.95	No	5.13	Yes	9.08	No
902	Park	Yes	3/28/1990	45.90	4.17	No	4.46	No (SFYSB)	8.62	No
East Side										
949	Park	No								
943	Park	No								
939	Park	Yes	7/6/1994	50.00	5.85	Yes	5.00	Yes	10.85	No
937	Park	Yes	11/6/1992	50.00	3.93	No	3.01	No	6.94	No
929	Park	Yes	5/31/1996	60.00	12.46	Yes	2.88	No	15.34	Yes
923	Park	No								
919	Park	Yes	4/8/2002	51.40	3.86	No	2.69	No	6.55	No
915	Park	Yes	unknown	60.00	9.14	Yes	3.37	No	12.51	No
909	Park	Yes	11/1/1985	50.00	10.89	Yes	3.21	No	14.09	Yes
905	Park	No								
901	Park	Yes	10/30/1984	50.00	4.00	Yes	14.83	No (SFYSB)	18.83	Yes

Village of River Forest
Monroe Avenue
West Side

1300 Block

Side Yard Setbacks

3/22/2012

Address	Street	Survey ?	Survey dated	Lot Width	North Setback	Complies?	South Setback	Complies ?	Combined SB	Complies ?
1344	Monroe	Yes	3/22/1996	50.00	15.00	Yes	3.25	No	18.25	Yes
1342	Monroe	No								
1338	Monroe	No								
1334	Monroe	Yes	6/14/1999	50.00	2.97	No	7.77	Yes	10.74	No
1330	Monroe	No								
1326	Monroe	No								
1322	Monroe	Yes	12/9/2002	50.00	2.97	No	7.96	Yes	10.93	No
1318	Monroe	Yes	6/18/2007	50.00	8.40	Yes	3.06	No	11.46	No
1316	Monroe	Yes	unknown	68.00	10.29	Yes	5.42	No	15.71	No
1310	Monroe	No								
1304	Monroe	Yes	unknown	67.59	3.09	No	27.25	Yes	30.34	Yes
East Side										
1347	Monroe	Yes	unknown	50.00	11.96	No (SFYSB)	4.67	No	16.62	Yes
1343	Monroe	No								
1339	Monroe	Yes	7/29/1997	50.00	3.03	No	8.88	Yes	11.91	No
1333	Monroe	No								
1331	Monroe	No								
1327	Monroe	Yes	10/26/2004	50.00	3.91	No	8.19	Yes	12.10	No
1321	Monroe	No								
1317	Monroe	No								
1315	Monroe	Yes	10/12/1990	50.00	2.94	No	2.48	No	5.42	No
1311	Monroe	No								
1307	Monroe	Yes	12/3/2002	50.00	8.84	Yes	4.85	No	13.69	Yes
1303	Monroe	No								

Village of River Forest
Side Yard Setbacks
Keystone Avenue
West Side

300 Block

3/22/2012

Address	Street	Survey ?	Survey dated	Lot Width	North Setback	Complies?	South Setback	Complies ?	Combined SB	Complies ?
344	Keystone	Yes	6/13/1987	92.67	50.09	Yes	59.90	Yes	109.99	Yes
336	Keystone	Yes	12/9/1985	75.00	13.04	Yes	5.98	No	19.02	Yes
332	Keystone	No								
330	Keystone	Yes	2/11/1992	99.95	16.20	Yes	51.61	Yes	67.81	Yes
320	Keystone	Yes	plat is illegible							
314	Keystone	Yes	8/4/2009	50.00	3.01	No	15.72 (+)	Yes	18.73 (+)	Yes
310	Keystone	No								
306	Keystone	Yes	unknown	100.00	9.19	No	49.50	Yes	58.69	Yes
East Side										
347	Keystone	Yes	6/10/1997	63.75	18.50	No (SFYSB)	21.25	Yes	39.75	Yes
343	Keystone	Yes	plat is illegible							
339	Keystone	Yes	6/29/1988	50.00	10.99	Yes	9.32	Yes	24.40	Yes
335	Keystone	Yes	unknown	60.00	9.56	Yes	7.79	Yes	17.35	Yes
331	Keystone	No								
327	Keystone	No								
323	Keystone	Yes	2/22/1994	50.00	3.70	No	10.67	No	14.37	Yes
319	Keystone	Yes	unknown	50.00	4.99	No	12.88	Yes	17.87	Yes
315	Keystone	Yes	4/30/1947	53.00	13.77	Yes	3.66	No	17.43	Yes
311	Keystone	Yes	3/15/1993	47.00	7.05	Yes	3.90	No	10.95	No
307	Keystone	Yes	3/3/1993	100.00	30.84 (+)	Yes	35.84	Yes	66.68 (+)	Yes

700 Block

3/21/2012

[illegible]

NO. _____

**AN ORDINANCE AMENDING THE RIVER FOREST
ZONING ORDINANCE RELATIVE TO NON-
CONFORMING SETBACKS**

WHEREAS, the Board of Trustees desires to amend the Zoning Regulations to allow for the continuation of preexisting nonconforming front, rear and side yard setbacks and to allow the increase of the height of a wall with a nonconforming setback;

WHEREAS, the Board of Trustees petitioned the Zoning Board of Appeals to hold a public hearing to consider amendments to the Village of River Forest Zoning Regulations;

WHEREAS, the Zoning Board of Appeals held a public hearing on March 8, 2012 and has submitted its Findings of Fact to the Board of Trustees;

NOW, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

Section 1: That Title 8, Chapter 10, section 8-7, entitled "Setback Regulations" of the Village Code is hereby amended as follows:

10-8-7: SETBACK REGULATIONS:

In an R1 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection 10-20-2A of this title.

A. Front Yard: The required front yard setback shall be calculated as the average of the existing front yard setbacks as measured from the front lot line to the principal structure along the same side of the street and on the same block. The shortest and longest setbacks along the same side of the same block shall be eliminated in the making of the computation.

1. Through Lots: Shall provide the required front yard on both streets.
2. Corner Lots: Shall have its required front yard on the lot's primary street; such street being the street which has the greatest distance between the two cross streets forming the block frontage. On the secondary street the front yard shall be a minimum of thirteen feet for a fifty foot wide lot, however the secondary street's front yard shall be increased by two feet for each five foot increase in lot width (or portion thereof) to a maximum secondary front yard depth of twenty five feet, and provided further that no accessory building on a corner lot shall project beyond that front yard line established for each street.
3. Front Porches: All front porches built or modified after the effective date of this section shall comply with the following standards:

- a. **Maximum Encroachment Into Setbacks:** A front porch shall not extend into a front yard more than eleven feet for a building having a front yard deeper than fifty feet. Where the front yard is fifty feet or less in depth, such front porch shall not extend into the front yard more than ten feet or twenty percent of the depth of the front yard, whichever is less.
- b. **Size Of Porch:** A front porch that encroaches into a front yard shall have a minimum surface deck area of fifty square feet. The total area of any encroachment of the porch into a front yard shall not exceed three hundred square feet. In the case of a porch intended to wrap around to the side of a residence (including a porch that would encroach into the required setback of a secondary front yard), the side portion of the porch shall not exceed one hundred twenty five square feet and shall conform to all other requirements of this section.
- c. **Depth Of Porch:** The minimum depth of the porch shall not be less than five feet and the maximum depth of the porch shall not exceed twelve and one-half feet.
- d. **Enclosure Prohibited:** Other than by a roof, the front porch shall be open and shall not be enclosed by any materials, including, without limitation, glass or screens.
- e. **Railings:** A railing not exceeding forty two inches in height measured from the floor of the porch may be provided on the periphery of the front porch.
- f. **Noninhabitable Space:** A front porch shall not have any deck, flooring, or inhabitable space above the first floor level.
- g. **Modification Of Existing Porches:** An existing front porch that encroaches into a front yard or a secondary front yard may be modified in compliance with the standards in this section.
- h. **Previously Enclosed Porches:** Dwelling units with existing porches that have previously been enclosed and which encroach into a front yard or a secondary front yard shall not be eligible for porches permitted by this subsection.
- i. **Front Porch Shall Not Affect The Average Allowable Setback:** Front porches shall not be included in calculating the average front yard setback.

4. Exceptions:

a. Additions in the Front Yard: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a front yard equal to the existing nonconforming yard. The addition shall conform to the applicable side yard and secondary front yard setback requirements.

a. Additions in the Secondary Front Yard: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a secondary front yard equal to the existing nonconforming yard. The addition shall conform to the applicable front and rear yard setback requirements.

B. Rear Yard: A rear yard shall have a depth of not less than fifteen percent of the depth of the lot or twenty six feet two inches, whichever is greater. Provided, however, that accessory buildings may be constructed within the rear yard but no closer than three feet from any lot line. (Ord. 3105, 3-28-2005)

1. Exceptions:

a. Additions: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a rear yard equal to the existing nonconforming yard. The addition shall conform to the applicable side yard and secondary front yard setback requirements.

C. Side Yards:

1. Requirements:

a. Structures: The required minimum side yard setback to the exterior wall or other vertical supporting members of a structure shall be ten percent of the lot width or five feet, whichever is greater, and the minimum required combined side yard setback shall be twenty five percent of the lot width, or ten feet, whichever is greater as measured to the exterior wall or other vertical supporting member of the structure.

b. Eaves: The eaves of a structure shall be required to maintain a minimum three foot side yard setback.

2. Exceptions:

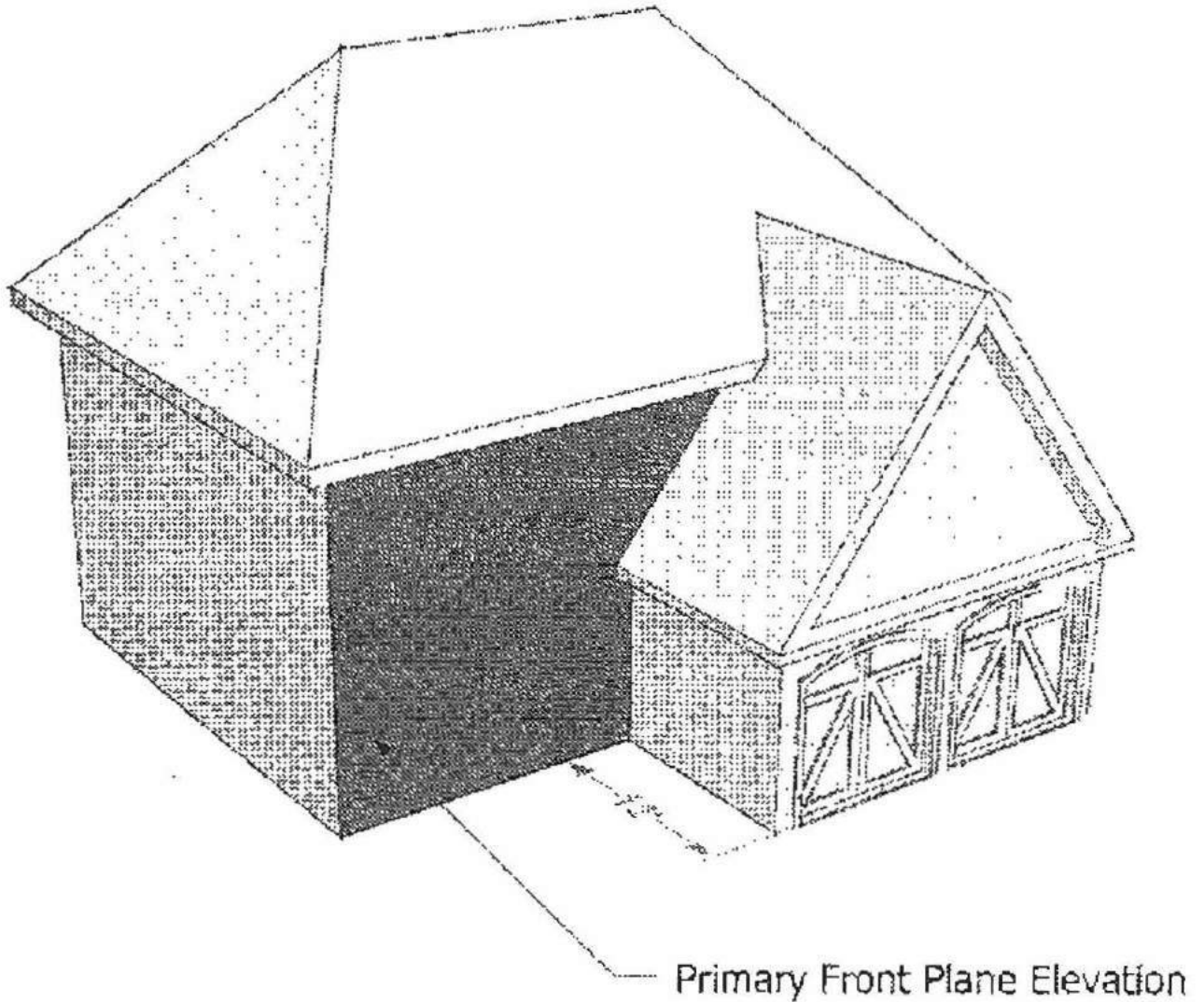
a. ~~Eaves: The eaves of a structure shall be required to maintain a minimum three foot side yard setback.~~

ab. Additions: An addition to an existing structure, which existing structure does not meet this standard, may be constructed with a side yard equal to the existing nonconforming side yard, or three feet, whichever is greater. The addition shall conform to the applicable front and rear yard setback requirements. Such an extension of a noneonforming wall shall be allowed to maintain the nonconforming side yard setback for a total length of up to thirty percent of the lot depth, or be extended an additional twelve feet, whichever is a lesser total distance. The height of a wall that maintains a noneonforming side yard setback shall not be increased. The eave of an addition, where the eave of the existing structure does not meet this standard, may be constructed with a side yard equal to the existing nonconforming side yard of that eave.

be. Accessory Structures: An accessory structure may be constructed with a side yard of no less than three feet, provided that the entire accessory structure is within the rear thirty percent of the subject lot (as measured from the front property line to the rear property line). The eaves of a detached accessory structure shall be permitted to encroach a maximum of one foot into a required yard setback.

d. Standards: The standards set forth in this section shall be applied separately to each side yard of an existing or proposed structure or addition.

- D. Attached Front Garage Projection: Attached front garages can project a maximum of twelve feet in front of the primary front plane elevation (as illustrated below) on lots with a width of sixty feet or less.



Section 2: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed;

Section 3: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the River Forest Village Code, as amended, shall remain in full force and effect.

Sections 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

Section 5: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Ayes:

Nays:

Absent:

APPROVED by me this 14th day of May, 2012.

John P. Rigas, Village President

ATTEST:

Roma Colwell-Steinke, Village Clerk



Village of River Forest
Village Administrator's Office
400 Park Avenue
River Forest, IL 60305
Tel: 708-366-8500

MEMORANDUM

Date: April 17, 2019

To: Eric Palm, Village Administrator

From: Lisa Scheiner, Assistant Village Administrator

Subj: Amendments to Liquor Code to Expand Availability of Class 5 – Temporary Special Event Liquor Licenses

Issue:

Entities other than not-for-profit organizations may have occasion to obtain a temporary special event liquor license, however, the current Liquor Code does not permit this. Amendments to the code are proposed to allow the Village the ability to grant these licenses and establish the maximum number of licenses that can be issued annually, as well as the application requirements and application fee.

Analysis:

Currently the Village's Liquor Code allows the Village to issue up to 15 special event liquor licenses to not-for-profit organizations at a fee of \$100 per license. Entities other than not-for-profit organizations may also desire to obtain a special event liquor license for events such as a grand opening. The proposed Ordinance would amend the Liquor Code to:

- Establish a nonrefundable fee of \$100 for organizations other than not-for-profit; and
- Establish the application criteria for organizations other than not-for-profit; and
- Limit the number of special event licenses that can be granted to 15 per calendar year (which is the same for not-for-profit organizations).

Request for Board Action:

If the Village Board of Trustees wishes to approve this Ordinance, the following motion would be appropriate: Motion to Approve an Ordinance Amending Chapter 8-5 of the River Forest Village Code with Regard to Liquor Licenses for Special Events.

Documents Attached:

Ordinance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 8-5 OF THE RIVER FOREST VILLAGE CODE
WITH REGARD TO LIQUOR LICENSES FOR SPECIAL EVENTS**

WHEREAS, the Village of River Forest ("Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, Section 1-2-1 of the Illinois Municipal Code, 65 ILCS 5/1-2-1, grants the Village the authority to "pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities;" and

WHEREAS, Section 4-1 of the Illinois Liquor Control Act, 235 ILCS 5/4-1, grants the Village the authority to "to determine the number, kind and classification of licenses, for sale at retail of alcoholic liquor;" and

WHEREAS, the Village desires to amend the Village of River Forest Village Code ("Village Code") with respect to the liquor licenses available for special events in the Village; and

WHEREAS, the Village finds it in the best interest of the Village, Village residents, Village employees, and the public's health, safety and welfare, to amend the Village Code as set forth below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: That Village Code is hereby amended as follows:

Amendment 1:

Section, 8-5-8.A. of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

"A person wishing to file an application for a local liquor license (other than a not for profit organization applying for a class 5 license) may obtain an application form from the village as prepared by the Village Administrator for the purpose of providing reasonable information about the applicant. Such application shall be filed with the local liquor commissioner, together with a document outlining the applicant's program for training its employees to properly handle the sale of alcoholic liquor, and with an initial nonrefundable application fee of five hundred dollars, except for class 5 license applications filed by an applicant other than a not for profit organization.

which shall have a nonrefundable application fee of \$100.00 dollars, and there shall be no application fee for a class 5 license filed by a not for profit organization. The application shall be signed by: 1) the applicant, if the applicant is an individual, 2) the president and secretary, if the applicant is a corporation, 3) a general partner, if the applicant is a partnership, or 4) two duly authorized officers, if the applicant is a not for profit organization.”

Amendment 2:

Section, 8-5-8.C. of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

“Each application for a class 5 license, which application must be filed with the local liquor commissioner no less than fourteen days prior to the special event for which such license is sought and verified by oath or affidavit, need contain only the following information:

1. The name of the applicant ~~not for profit organization~~ and its address and phone number.
2. The premises for which the license is applicable, a description of the approximate area of the premises, and whether or not it is indoors or both indoors and outside.
3. The date of the special event, hours of operation of the event, the name of the property owner and a written statement of consent from the property owner (if other than the applicant ~~not for profit organization~~).
4. The names, phone numbers and addresses of those persons who are responsible for conducting the event, which persons shall remain on the event's premises during the actual event.
5. Signature of the applicant ~~not for profit organization~~.
6. A copy of a certificate of liquor liability insurance, naming the Village as certificate holder for the period which liquor will be sold. This coverage shall be in an amount sufficient to cover the maximum amount of liability under the Illinois Liquor Control Act and provided by a company satisfactory to the Village.
7. If applicable, proof of a State-issued liquor license for the special event.
8. The information required in Subsection 8-5-8.B.1-3,5,11-15,18-25, except if the applicant is a not for profit organization.”

Amendment 3:

Section, 8-5-8.D. of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

“No license shall be issued until the applicant(s) shall have been investigated by the local liquor commissioner and a report filed in the records of said commissioner approving the new applicant(s). New applicant(s) (other than for a not for profit organization applying for a class 5 licenses) shall not be licensed until said new applicant(s) and managers, if any, have been fingerprinted and photographed by the village police department and record searches made of the files of the sheriff of Cook County, the Illinois state police, the federal bureau of investigation, and any other agency that the local liquor commissioner, the chief of police, or his/her designee, shall deem necessary. A copy of the fingerprints and photographs shall be retained in the files of the chief of police and a sworn affidavit from the chief of police clearing the applicant(s) shall be filed with the local liquor commissioner.”

Amendment 4:

Section, 8-5-10.A. of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

“As directed by the local liquor commissioner and upon receipt of an application for any local liquor license authorized to be issued pursuant to this chapter, other than class 5 licenses requested by not for profit organizations, the Village Administrator shall determine whether all requirements for the application have been met. The Village Administrator shall bring deficiencies in the application to the attention of the applicant. Once a completed application is on file, copies shall be provided to the chief of police and the local liquor commissioner. The Village Administrator, or his/her designee(s), shall then complete a review of the application and provide findings, in writing, including a sworn affidavit from the chief of police concerning the investigation of the applicants, to the local liquor commissioner. Following the review of the application, materials and written reports prepared by staff, the local liquor commissioner shall render in writing a decision denying or granting such license.”

Amendment 5:

Section, 8-5-11.G. of the Village Code, entitled “Class 5 - Temporary Special Event Alcoholic Liquor,” is hereby amended to read as follows, with additions underlined and deletions struck through:

“A Class 5 local liquor license ("temporary license") shall authorize the sale of alcoholic liquor at a special event sponsored by an applicant ~~not for profit organization~~. A temporary license shall be limited to: (i) no more than fifteen special events within any one calendar year by of any such applicant that is a not for profit organization, and (ii) no more than fifteen special events within any one calendar year by any applicant other than a not for profit organization. A separate temporary

license shall be required for each day of each special event, as each day of an event shall be considered a separate special event. The license shall authorize the sale of alcoholic liquor only between the hours of eleven o'clock A.M. and one thirty o'clock A.M., and the extension beyond twelve o'clock midnight to one thirty o'clock A.M. shall not constitute a new day. Such sales shall take place only in enclosed structures (including tents), but consumption may take place in the open air on property owned or leased by the applicant ~~not for profit organization~~ holding the temporary license."

Amendment 6:

Section, 8-5-12.B. of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

The fee for the various classes of local liquor licenses shall be as follows:

License	Fee
Class 1	\$2,000.00 annually
Class 2	1,000.00 annually
Class 3	4,000.00 annually
Class 4	4,000.00 annually
Class 4A	4,000.00 annually
Class 4B	4,000.00 annually
Class 4B, if issued in combination with a Class 1 or 2	500.00 annually
Class 5	100.00 per event <u>(not for profit)</u> <u>100.00 per event (other than not for profit)</u>
Class 6	1,000.00 annually

SECTION 3: That all ordinances, or parts of ordinances in conflict with this Ordinance, are hereby expressly repealed.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this 22nd day of April, 2019 by the Village President and Board of Trustees, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 22nd day of April, 2019.

Catherine Adduci, Village President

ATTEST:

Kathleen Brand-White, Village Clerk