

**MINUTES OF THE MEETING OF THE
VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS**

November 10, 2022

A meeting of the River Forest Zoning Board of Appeals was held at 7:30 pm on Thursday, November 10, 2022, in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

Chairman Martin called the meeting to order. Meeting started by calling roll.

Upon roll call the following persons were:

Present: Members Dombrowski, Plywacz, Shoemaker, Smetana, and Chairman Martin.

Absent: Member Davis and Lucchesi.

Also present at the meeting:

Matthew Walsh, Assistant Village Administrator,
John Houseal, Village Planning Consultant,
Anne Skrodzki, Village Attorney,
Clifford Radatz, Secretary.

II. APPROVAL OF THE MINTUES FROM THE MEETING OF THE ZONING BOARD OF APPEALS ON OCTOBER 20, 2022

A MOTION was made by Member Dombrowski and seconded by Member Shoemaker to approve the minutes from the October 20, 2022, meeting.

Ayes: Members Dombrowski, Shoemaker, Smetana, and Chairman Martin

Nays: None.

Motion passed.

III. APPROVAL OF FINDINGS OF FACT FOR THE ZONING VARIATION REQUEST FOR 935 FRANKLIN AVENUE

A MOTION was made by Member Dombrowski to approve the findings of fact for 105 Thatcher Avenue, seconded by Member Shoemaker.

Ayes: Members Dombrowski, Shoemaker, Smetana, and Chairman Martin.

Nays: None

Motion passed.

IV. APPROVAL OF FINDINGS OF FACT FOR THE ZONING VARIATION REQUESTS FOR 1037 BONNIE BRAE PLACE

A MOTION was made by Member Dombrowski to approve the findings of fact for 1037 Bonnie Brae Place, seconded by Member Shoemaker.

Ayes: Members Dombrowski, Shoemaker, Smetana, and Chairman Martin.

Nays: None

Motion passed.

V. APPROVAL OF FINDINGS OF FACT FOR THE FENCE AND ZONING VARIATION REQUESTS FOR 7227 THOMAS STREET

A MOTION was made by Member Dombrowski to approve the findings of fact for 7227 Thomas Street, seconded by Member Shoemaker.

Ayes: Members Dombrowski, Shoemaker, Smetana, and Chairman Martin.

Nays: None

VI. CONTINUATION OF THE PUBLIC HEARING OF OCTOBER 20, 2022, REGARDING TEXT AMENDMENT REQUEST - ACCESSORY DWELLING UNITS

Chairman Martin announced the reopening of the Public Hearing of October 20, 2022, in regard to the proposed Text Amendments to provide standards when considering the regulation of accessory dwelling units.

John Houseal reported on his research of the questions and considerations that the Zoning Board had raised at the previous meeting.

Mr. Houseal noted that two items were added to the list of assumptions for an ADU ordinance, including:

11. ADUs should meet all applicable standards of the zoning district in which it is proposed (R1 or R2 Districts) and no variations should be granted to accommodate an ADU.
12. A variation should not be granted for a property if an ADU on the property is the rationale given for the hardship or the condition driving the request for variation.

Mr. Houseal noted that the list of the Draft ADU Standards had been amended to include these items.

Mr. Houseal reported that he had research which upscale mature communities had ordinances allowing ADU's. From a list of 12 communities, he noted that 4 communities allowed ADU's: Evanston, Oak Park, Wilmette, and Winnetka.

Mr. Houseal reviewed the comparative analysis table of the code provisions of those four communities with adopted codes, comparing with the proposed features of the Text Amendment.

Mr. Walsh reported that the Department of Public Works did not expect the additional ADU's to have a significant impact on the Village's infrastructure. Additional plumbing fixtures would be reviewed during the Building Permit process. He also noted that his analysis of the effect that imposing School Impact fees on the [process might have. He noted that the School Impact fee provisions are located in section 10-23 of the ordinance, which was not included in the legal notice. If the provisions for School Impact fees are to be included, a new notice would need to be given.

Mr. Radatz commented that under the Building Code adopted by the Village, an ADU would be considered to be a separate dwelling unit, and therefore fire rated construction would be required to separate the units.

Mr. Houseal followed up on how many ADU's were actually being created in the communities which have an ordinance. In Evanston, where the ordinance has been in place for 2 years, they have had 23 ADU's located in garages, and 2 in the primary structure.

Wilmette adopted their ordinance in 2019 and have had 2 ADU's constructed.

Oak Park had adopted their ordinance in January 2022, and have approved 5 ADU's.

Attorney Skrodzki raised concerns about restricting the rights of an applicant to apply for a variation, as noted in the proposed ADU Standards.

Mr. Houseal commented on the possibility of adding a requirement to note that the property should be served by a common driveway.

Chairman Martin closed the public portion of the hearing.

A MOTION was made by Chairman Martin, seconded by Member Dombrowski, to NOT recommend the proposed changes to sections 10-3, 10-7, and 10-21 of the Zoning Ordinance concerning the regulation of Accessory Dwelling Units as a Special Use in certain residential Zoning Districts.

Ayes: Members Dombrowski, Plywacz, Shoemaker, Smetana, and Chairman Martin.

Nays: None.

VII. NEXT MEETING

Next meeting is scheduled for December 8, 2022.

VIII. ADJOURNMENT

A Motion was made by Chairman Martin, seconded by Member Dombrowski to Adjourn.

Ayes: Chairman Martin, Members Dombrowski, Plywacz, Shoemaker, and Smetana.

Nays: None.

Motion Passed.

Meeting Adjourned at 8:15 p.m.

Respectfully Submitted:

Clifford E. Radatz, Secretary

_____ Date: _____

Frank Martin, Chairman
Zoning Board of Appeals