



**RIVER FOREST  
ZONING BOARD OF APPEALS  
MEETING AGENDA**

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, January 13, 2022 at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

Physical attendance at this public meeting may be limited due to the COVID-19 pandemic with Zoning Board of Appeals officials, staff and consultants having priority over members of the public. Public comments and any responses will be read into the public meeting record. You may submit your public comments via email in advance of the meeting to: Clifford Radatz at [cradatz@vrf.us](mailto:cradatz@vrf.us). You may listen to the meeting by clicking here <https://us02web.zoom.us/j/81789088961> or participating in a telephone conference call as follows, dial-in number: 1-312-626-6799 with meeting id: **817 8908 8961**. If you would like to participate over the phone, please contact Clifford Radatz by telephone at (708) 714-3557 or by email at [cradatz@vrf.us](mailto:cradatz@vrf.us) by 12:00 pm on Thursday, October 14, 2021.

- I. Call to Order
- II. Approval of the Minutes from the meeting of the Zoning Board of Appeals on November 11, 2021
- III. Approval of Findings of Fact for the Proposed Variation Requests at 1111 Bonnie Brae Place – Off-Street Parking.
- IV. Confirmation of Next Regularly Scheduled Meeting –February 10, 2022
- V. Public Comment
- VI. Adjournment

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

November 11, 2021

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, November 11, 2021 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.

Upon roll call, the following persons were:

Present: Members Davis, Lucchesi, Plywacz, Schubekegel, Smetana (via Zoom) and Chairman Martin.

Member Dombrowski arrived at 7:34 p.m.

Absent: None.

Also Present: Secretary Clifford Radatz, Interim Village Administrator Lisa Scheiner (via Zoom), Village Attorney Carmen Forte, Jr.

**II. APPROVAL OF OCTOBER 14, 2021 ZONING BOARD OF APPEALS MEETING MINUTES**

A MOTION was made by Member Plywacz and SECONDED by Member Lucchesi to approve the minutes of the October 14, 2021 Zoning Board of Appeals meeting.

Ayes: Martin, Davis, Lucchesi, Plywacz, Smetana,

Nays: None

Motion Passed.

**III. REQUEST FOR A ZONING VARIATION AT THE PROPERTY 1111 BONNIE BRAE PLACE – OFF-STREET PARKING**

Secretary Radatz swore in all parties wishing to speak.

Shantanu Kamra, owner of 1111 Bonnie Brae, explained that he is requesting a parking zoning variation, in order to demolish an existing frame car garage at the property, because it can only accommodate four cars. He is requesting to build an open parking pad that can accommodate seven cars. The property is a six-flat residential property, and Mr. Kamra

wishes to have six tenants fill the building. However, the existing garage cannot accommodate the parking demands for the property.

Mr. Kamra detailed that the first variance he is requesting is related to the Village's off-street parking requirement, in which each of the 6 apartment units must have 2.5 parking spots. The proposed parking pad will only accommodate 7 spaces for the 6 units, so Mr. Kamra is requesting a variance from the required 15.5 spaces.

Mr. Kamra noted that the second variance he is requesting is to the requirement that 75% of the parking spaces be enclosed. The open parking pad proposed will have no enclosed parking spaces. Each of the six apartments in the building will be assigned a parking space and the seventh spot would be a visitor's parking space. To ensure better privacy for the neighbors, Mr. Kamra stated that he is planning to install a five-foot privacy fence on the northeast side of the parking pad.

Member Plywacz asked what will become of the excess rain water should the green space be removed from the property. He asked if the parking pad would be sloped toward the alley, which Mr. Kamra confirmed. He also asked whether the pad would be asphalt or concrete, and Mr. Kamra noted that it will be an asphalt parking pad.

Member Smetana asked whether any new units are being added to the building. Mr. Kamra noted that he is not adding any additional units nor is he any changing any floorplans in the existing units. Member Smetana asked about the dimensions of the parking spaces. Mr. Kamra noted that the proposed parking spaces conform with the Village Building Code and Zoning Ordinance's requirements for a standard parking space.

Member Plywacz asked where the garbage receptacles will be located. Mr. Kamra noted that the garbage receptacles would be on the southeast side building just south of the electrical pole. The location of the electrical pole requires that the seventh spot only accommodate a compact car. He will have one dumpster and two recycling cans.

Chairman Martin asked when Mr. Kamra first became aware of the potential parking shortage at the property. Mr. Kamra stated that he became aware of the shortage after he closed on the property. Chairman Martin asked how the parking shortage was handled prior to purchase of the building. Mr. Kamra responded that the previous owner owned two adjoining lots to the south that were used for parking by the general public and the residents of the property. He noted that there is no available parking on Bonnie Brae. Chairman Martin asked if Mr. Kamra investigated any alternative sites for parking, including the Concordia University parking garage across the street and the Priory parking lot on the north side of Division. Mr. Kamra noted that Concordia University was unable to provide him any parking for the property. He was unaware of the Priory parking lot.

Chairman Martin asked Mr. Kamra how many of the units will meet the Village standards for affordable housing after the rehabilitation is completed, and if Mr. Kamra was willing to commit that any of the units be affordable as defined by the Village. Mr. Kamra said he did not know, but that he would look into it, if it would help.

Chairman Martin asked Mr. Kamra if he had given any thought to constructing the parking lot out of a permeable material rather than asphalt. Mr. Kamra responded that he is open to a permeable construction and that he would be working with a civil engineer to review this option, if he was awarded the variances.

Chairman Martin asked if the rental units would be marketed as having only one parking space. Mr. Kamra confirmed that he would list the rental units with one parking space.

Chairman Martin commented to the members that it seems that the Board is being asked to bail out the owner after he bought the property because he was unaware of the parking requirements when he bought the building. He considered that the approval should be conditioned upon the parking lot being permeable due to the Village's recent investment in the nearby permeable alley. He also believes that offering the zoning relief should be conditioned on the owner committing that two of the units be affordable housing units, to help with Village's affordable housing goals.

Member Dombrowski asked Secretary Radatz for clarification that the owner is not actually required to make changes to the existing parking garage, and that he could simply keep the garage. Mr. Radatz confirmed that because Mr. Kamra is not increasing the number of units on the property, he does not have to make changes to the number of currently available parking spots if he were to keep the existing parking structure.

Member Dombrowski commented that the proposal would still be a considerable improvement to the existing parking arrangement at the building, as Mr. Kamra is not required to change the existing four-car garage as part of his renovation of the property. He agreed with requiring a permeable surface on the parking lot, but expressed concern with setting other restrictions on the approval, such as requiring a certain number of affordable rental units.

Member Plywacz agreed that the proposal is a net benefit, despite the continued lack of parking.

Member Lucchesi agreed that there is no feasible way that the owner would be able to fit 15 spots anywhere on the property, and that the alternative is that the owner keeps the existing 4 spaces.

Member Smetana noted that he was in favor of requiring the owner to list the rental units as only having one parking space per unit.

Attorney Forte gave a brief description of the interaction between the Village's Affordable Housing Plan and the discussion of conditions that the members were having with regard to the requested variances. He noted that he believes the affordable housing rate for a two-bedroom, low-rise, multi-family unit was approximately \$1200 to \$1300 per month. He noted that the other conditions that were discussed by the members would be considered fair conditions, including the type of surface of the parking lot and the indication that the potential renters would be notified that one parking space was available per unit.

Mr. Kamra noted that the parking pad would be lit.

Member Smetana noted that the Village supports an objective for all vehicles to be screened away from other properties. This reflects the condition discussed about requiring a wooden privacy fence.

Mr. Radatz noted that the Village has not received any comments from nearby property owners, for review by the members. Mr. Kamra noted that neighbors are in support of this open parking pad. He met with Ms. Pam Kende, the property owner to the north, and that she has indicated her support for the parking lot, as long as a wooden privacy fence was constructed between the parking lot and her property. He also added that the wooden privacy fence would screen all parking spaces from the lot to the building.

Member Plywacz asked if the owner would consider using permeable paver bricks as part of the parking lot surface. Mr. Kamra confirmed that he is willing to construct the parking lot out of concrete with permeable pavers in the middle.

Chairman Martin suggested that that the following conditions be added to the recommendation: 1) that the parking lot is ADA compliant; 2) that the parking lot is made from a permeable surface to match the adjacent alley; 3) that a five-foot high wooden fence along the north boundary of the alley to a point past the last parking space be constructed; and 4) that two of the units in the building meet the Village's standard for affordable housing units.

Attorney Forte expressed concern about the last condition. He noted that because the application is not seeking a variance on the use of the residential units, he does not feel it would be appropriate to include a condition on the use of the building, such as the requirement that a certain number of the units be considered affordable housing units. However, he noted that he believed it would be appropriate to include as a recommendation in the findings that it the ZBA would encourage that two of the units be affordable, and that the owner and the ZBA members had an open discussion with the members on this issue, and that the owner indicated on the record that he was open to this use of the property.

Chairman Martin noted that he would rather have the requirement that two of the units be considered affordable housing units as a condition of approval. He noted that Mr. Kamra is asking the Board to approve a variance of the required 15 parking spaces to 6. He agreed that the previous owners have used the lot to the south for parking and suspects it could still be used for parking as it is currently for sale. He believed that the owner was asking the Village for a big favor, and that it is an opportunity for the Village to work toward its affordable housing goal.

Attorney Forte noted that the Village's Zoning Ordinance section on conditions related to variances may not be interpreted to include working towards an affordable housing goal as a proper condition of a variance on a parking space count, because this condition does not specifically relate to the purpose and objectives of the specific zoning title for variations. While it is notable that here, the owner appears willing to commit to the affordable housing unit restriction, if the owner objected to the condition, it may later be viewed as improper.

Mr. Kamra noted that he is more than willing to make two units in the building affordable, and asks for clarification on how the Village defines affordable housing.

Attorney Forte explains that an affordable housing unit is defined by the Department of Housing and Urban Development, and it is a federal standard based on a percentage of rent paid against a tenant's monthly income. He reiterated his description of the approximate rental rate for a two-bedroom unit. This rate is below market rate for the Chicago area, of which River Forest would be included, and it does not require that a tenant receive any kind of income assistance or have a certain income level.

Chairman Martin asked if Mr. Kamra would be willing to amend his application to state that two of the units will be reserved as affordable housing. Mr. Kamra agreed.

Attorney Forte noted that it will show in the findings and the minutes for the meeting that the applicant had a discussion with the Board regarding affordable housing standards and his committal to two affordable housing units at the property. He noted that the Village can provide more information regarding affordable housing standards to Mr. Kamra, and that the information is also publicly available.

A MOTION was made by Member Dombrowski and SECONDED by Member Plywacz to approve the variances with three conditions: 1) that one parking space be ADA compliant; 2) that the parking lot is constructed from concrete and permeable materials to match the adjacent alley; and 3) that a five-foot high wooden fence along the north boundary of the alley to a point past the last parking space shall be constructed.

Attorney Forte asked for clarification as to whether the ADA requirement condition reflects that one ADA compliant space be required or that the entire parking lot must be ADA

compliant. Mr. Radatz explained that only one ADA compliant space will be required on a lot of that size, and that the elimination of the compact car parking space will free up additional space for the ADA compliant parking space.

Chairman Martin reiterated the three conditions on the recommendation, and noted that the applicant has agreed to amend his application to indicate that two of the residential units would be considered affordable housing units.

Ayes: Smetana, Schubekegel, Plywacz, Dombrowski, Davis, Martin

Nays: Lucchesi

Motion passed.

**IV. CONFIRMATION OF NEXT MEETING – DECEMBER 9, 2021**

Mr. Radatz noted that there are currently no applications for the December meeting.

**VII. ADJOURNMENT**

MOTION to adjourn was made by Member Lucchesi and SECONDED by Member Plywacz.

Ayes: Martin, Davis, Lucchesi, Plywacz, Smetana, Dombrowski, Schubekegel

Nays: None.

Motion Passed.

Meeting Adjourned at 8:10 p.m.

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS  
FINDINGS OF FACT AND RECOMMENDATION REGARDING  
VARIATIONS RELATED TO THE CONSTRUCTION OF  
AN OFF-STREET PARKING LOT AT 1111 BONNIE BRAE PLACE**

**WHEREAS**, petitioner Shanatnu Kamra (the “Petitioner”), owner of the property located at 1111 Bonnie Brae Place in the Village of River Forest (“Property”), requested certain variations from the Village of River Forest’s off-street parking requirements pursuant to Section 10-11-8 of the Village of River Forest Zoning Code (“Zoning Ordinance”) related to the construction of a parking lot at the Property that would reduce the number of required parking spaces at the Property from 15.5 to 7, and provide for no enclosed parking spaces at the Property, when 75% of the parking spaces at the Property (10 out of the 15.5 required spaces) are required to be enclosed (together the “Variations”). The Property is located in the R-4 Multi-Family Residential Zoning District; and

**WHEREAS**, the Village of River Forest Zoning Board of Appeals (“Board”) held a public hearing on the question of whether the requested Variations should be granted on November 11, 2021, and was held as required by Section 10-5-4(E) of the Village of River Forest Zoning Ordinance (“Zoning Ordinance”). At the public hearing, 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 mailed to surrounding property owners; and

**WHEREAS**, at the public hearing on November 11, 2021, the Petitioner provided information and testimony regarding the requested Variations, testifying, among other things, that the proposed parking lot would increase the amount of available parking for the Property, and alleviate parking congestion for the neighboring properties

**WHEREAS**, the Board asked the Petitioner if he would consider amending his application to indicate that two of the six residential units at the Property would meet the standards for an affordable housing unit, as defined by the standards set by the Illinois Housing Development Authority, and the Petitioner agreed; and

**WHEREAS**, the Board is in support of this addition of two affordable housing units, because it provides a benefit to the Village and its residents, and furthers the Village’s goal of increasing the amount of affordable housing units available within the Village; and

**WHEREAS**, the Board, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, by a vote of 6-1, with Member Lucchesi voting against,



recommends to the Village President and Board of Trustees that the requested Variations for the Property be APPROVED.

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

### FINDINGS OF FACT

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 evidence presented at the public hearing established the unique characteristic of the Property that constitutes a specific hardship on the Petitioner, as the existing parking garage on the Property only accommodates 4 vehicles, and a parking structure or lot to accommodate the required 15.5 parking spots is not feasible at the Property. The Board agreed that the Petitioner could not meet the Zoning Ordinance standards related to the required number of parking spots, due to the physical constraints at the Property. The Board finds 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 Board finds this standard has been met, as the number of residential units (6) was established before the Petitioner purchased the Property. The Petitioner has indicated that when he purchased the Property, the residents of the Property were allowed to park in a neighboring parking lot to the south of the Property. The Board finds 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 Board found that the conditions on the Property are unique, and atypical for the area, in that most of the neighboring properties have parking available to them on-site or at alternate locations, and the owners of these properties are not seeking to increase parking on their sites by demolishing a pre-existing parking structure. The majority of the Board finds this standard has been met. The minority of the Board finds that the condition of the property on which the petition for Variations is based is applicable to other properties in the same zoning classification.

4. **The purpose of the Variations is not based predominately upon a desire for economic gain.** The Petitioner noted that his desire for the Variations is not predominantly for economic gain, but instead to allow for increased parking for the residents of the building, and to alleviate nearby parking concerns. The Board finds 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 proposed parking would increase the on-site parking for the Property, would include a privacy fence that would shield the parking lot from the nearby properties and would remove an aging parking garage structure from the Property, which would be beneficial to the value of those surrounding properties. The Board finds 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 parking lot would be built at ground level, and would not impair an adequate supply of light to the adjacent properties. The proposed fence would provide a buffer between the parked vehicles and the neighboring properties. The parking lot would be required to be built to all applicable building and fire codes of the Village. The Board finds 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.** If granted, the Variations would not unduly burden public utilities or facilities in the area of the Property. The parking lot would be built with a permeable surface, similar to the adjacent alley to the east, and would help to alleviate flooding concerns in the area. The Board finds 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.** The testimony and evidence presented at the public hearing showed that construction of a parking facility that meets the Zoning Ordinance's requirement of 15.5 parking spaces is not feasible at the Property, given its dimensions. The Board finds this standard has been met.

## RECOMMENDATION

The Board, by a vote of 6-1, with Member Lucchesi voting against, for the reasons stated above, recommended to the Village President and Board of Trustees that the proposed Variations for construction to build a parking lot on the Property in the R-4 Single-Family (Detached) Residential Zoning District be APPROVED, along with the following conditions:

- 1) That one parking space shall be ADA compliant;
- 2) That the parking lot shall be constructed from concrete and permeable materials to match the adjacent alley to the east; and
- 3) That the Petitioner shall construct a five-foot high wooden fence along the north boundary of the alley to a point past the last parking space.
- 4) To ensure that the Petitioner abides by the commitment in the amended Application to rent two of the six two-bedroom residential units at the Property at an affordable rental

rate, the Petitioner shall not rent these two residential units for more than the most recently available “Affordable Rent Limit” for a “2 Bedroom” unit in the Chicago Metro Area as published by the Illinois Housing Development Authority, which, as of the effective date of this Recommendation, is One Thousand Two Hundred and Fifty Eight and 00/100 Dollars (\$1,258.00) per month. The Petitioner shall submit an annual affidavit of compliance with this condition to the Zoning Administrator on January 15 of each year after the Property receives a final certificate of occupancy from the Village, and the Petitioner shall provide information and materials as may be requested by the Zoning Administrator to confirm compliance with this condition.

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**Frank Martin**  
**Chairman**

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**Date**