

RIVER FOREST ZONING BOARD OF APPEALS

MEETING AGENDA

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, June 13, 2019 at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

- I. Call to Order
- II. Approval of the Minutes from the meeting of the Zoning Board of Appeals on May 9, 2019.
- III. Approval of the Findings of Fact for the proposed Zoning Variation for 910 Forest Avenue from the meeting of the Zoning Board of Appeals on May 9, 2019.
- IV. Approval of the Findings of Fact for the proposed Fence Variation for 910 Park Avenue from the meeting of the Zoning Board of Appeals on May 9, 2019.
- V. Variation Request for 7628 Washington Boulevard Front, Rear, and Side Yard Setbacks for an Accessory Building
- VI. Public Comment
- VII. Adjournment

VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS MEETING MINUTES May 9, 2019

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, May 9, 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, Assistant Village Administrator Lisa Scheiner, Village Attorney Carmen P. Forte, Jr.

II. APPROVAL OF APRIL 11, 2019 ZONING BOARD OF APPEALS MEETING MINUTES

A MOTION was made by Member Berni and SECONDED by Member Schubkegel to approve the minutes of the April 11, 2019 Zoning Board of Appeals meeting.

Ayes:Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, MartinNays:None.Motion passed.

III. APPROVAL OF FINDINGS OF FACT FOR THE PROPOSED ZONING VARIATIONS FOR 755 WILLIAM STREET FROM THE MEETING OF THE ZONING BOARD OF APPEALS OF APRIL 11, 2019

A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to approve the Findings of Fact and recommendation for the proposed Zoning Variations for 755 William Street from the meeting of the Zoning Board of Appeals on April 11, 2019.

Ayes:Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and MartinNays:None.Motion passed.

IV. VARIATION REQUEST FOR 910 FOREST AVENUE – SIDE YARD SETBACK

Chairman Martin stated that the next item on the agenda was a Variation Request for the property at 910 Forest Avenue. All those present at the meeting who planned to testify

were sworn in. Chairman Martin invited the applicant and/or their representatives to present their application for the Variation Request.

William Piper, 910 Forest, spoke first regarding his application for a variation from the side yard setback requirement. Mr. Piper is seeking to build a new garage on the same footprint as the garage currently existing on the property. He would like to maintain a setback of 4.45 feet from the side yard lot line, which is less than the five-foot setback minimum for this zoning district. There is a large crack in the middle of the existing garage pad, and he believes it needs to be replaced. Mr. Piper noted that his proposal would not cause any harm to anyone, as it would stand in the same footprint as the existing garage. Mr. Piper explained that he is unable to situate the garage elsewhere on the property, largely due to water accumulation in the backyard. He noted that his neighbor was pleased to hear that his new garage would stand in the same footprint, so as not to create additional water issues. He noted that he brought copies of written correspondence from neighbors expressing that they had no opposition to his proposed plan. He also brought photographs of the existing garage door's positioning relative to his concrete driveway.

Chairman Martin requested copies of the correspondence from the neighbors to add to the record when the Zoning Board of Appeals makes its recommendation to the Village Board.

Member Berni confirmed with Mr. Piper that he was planning to install an entirely new concrete pad for his garage, along with a new garage on the same footprint as the existing garage. Mr. Piper confirmed the same, and also explained that the new garage might actually be smaller than the current garage. Mr. Piper explained that the new garage would be the same height; a standard Danley's garage with a gable roof.

Member Lucchesi confirmed that the proposed garage would rest on the existing footprint. Mr. Radatz confirmed the same.

Public Comment in regard to the Variation Request

Chairman Martin asked if any members of the public wished to comment on the proposed variation. Since no one came forward to speak, Chairman Martin closed the public portion of the hearing.

Discussion and Deliberation of the Variation Request

Chairman Martin stated he supports the variation given that the garage is being replaced on the same footprint with the same size. He observed that if it were not for the crack in the floor of the existing garage, the applicant would not be here, and further noted that the variation does not seek to move the proposed garage any closer to the lot line than the existing garage and the proposed garage will not be any larger than the existing garage.

A MOTION was made by Member Lucchesi and SECONDED by Member Berni to recommend to the Village Board of Trustees that the requested variation be granted.

Ayes:Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and MartinNays:None.Motion passed

Motion passed.

Chairman Martin stated that the recommendation of the Zoning Board of Appeals to the Village Board will be 6-0 that the variation be granted. He stated that Village staff would let the applicant know when this matter will be on the schedule of the Board of Trustees and that anyone is welcome to appear before the Board.

V. VARIATION REQUEST FOR 910 PARK AVENUE – FENCE VARIATION REQUEST

Chairman Martin stated that the next item on the agenda was a Variation Request for the property at 910 Park Avenue. All those present at the meeting who planned to testify were sworn in. Chairman Martin invited the applicant and/or their representatives to present their application for the Variation Request.

Chairman Martin noted that he has a close and longstanding friendship with the applicant, but that he nonetheless feels he can conduct the meeting impartially and make an appropriate recommendation on the merits of the application. Hearing no objection from the members, the meeting proceeded with Chairman Martin presiding over the public hearing.

Michael Hartmann, Jr., son of the applicants, presented the request for a variation to construct a new chain link fence in the rear yard of his family's home. The family was seeking to replace its existing four-foot tall fence with a new fence that is 8½ feet tall. The Village Code permits fences up to seven feet in height. Mr. Hartmann advised that the fence would be discrete; a black chain-link fence that would run from the end of the house to the rear lot line, and across the back of the lot. The fence would not be visible from the street, and would blend in with the surrounding vegetation. Mr. Hartmann noted that his brother Patrick's only means of egress from the home that doesn't involve stairs is in the rear of the home. His parents frequently have to sweep the area due to the abundance of deer droppings left by the large amount of deer that wander onto the property, and wish to build a fence to keep the deer away from the property.

Member Berni asked about the height and size of the existing and proposed fence. Mr. Hartmann confirmed that the fence would be constructed on the same location as the current fence, but would be 8½ feet tall instead of the current 4-foot-tall fence. Member Berni asked how they arrived at the proposed height of 8½ feet. Mr. Hartmann explained that, according to his family's research, deer could jump up to eight feet. It would be a chain-link fence.

Chairman Martin invited Mr. Hartmann to explain for the record his brother Patrick's circumstances. Mr. Hartmann explained that Patrick uses a wheelchair, and needs to use the rear door to enter and exit the house. The deer congregate near this door and leave large amounts of droppings nearby, creating difficulties for Patrick and his parents.

Member Berni asked whether screening material would be installed on the fence. Mr. Hartmann explained that the fence would be entirely see-through, and no screening would be installed.

Chairman Martin clarified that it would be an open chain link fence and the applicants agree that they will not block it off or shield it in any way.

Chairman Martin asked the applicant whether any deer are larger than his brother. Mr. Hartmann confirmed that the deer could be very large.

Member Dombrowski asked whether any neighbors opposed the application. Mr. Hartmann stated that there was no opposition from their neighbors of which they were aware.

Public Comment in regard to the Variation Request

Deborah Hill, 908 Park, whose home is directly west of the house and whose lot will abut the new fence in two locations, noted the deer problem. She indicated that she does not have a specific objection to the application, but asked that the zoning code be applied in the right way.

With no further comment from the public, the public portion of the hearing was closed.

Discussion and Deliberation of the Variation Request

Chairman Martin asked Mr. Radatz about fence heights elsewhere in the Village. Mr. Radatz stated that there were no 8½ foot fences in the Village, but some eight-foot fences, all of which were allowed by ordinance, based on their location in and proximity to Commercial zoning districts.

Member Berni did not object to the fence, so long as light passes through. He noted the deer problem, and feels this could be a proper solution.

Member O'Brien noted that the Hartmann's have an especially deep backyard. She noted the deer problem, and agreed with Member Berni that the chain-link fence was desirable relative to screened fences.

Member Lucchesi agreed that the deer are a plague, and wondered if 8½ was tall enough.

Member Schubkegel suggested that the fence might cause the deer to find other yards.

Chairman Martin acknowledged that the deer problem is not unique to the property, but the occupant of the home is in a wheelchair and the only way he can get to his car is to traverse the back yard and the current condition of the yard makes it difficult to access his vehicle. For this reason, he finds the application satisfies the "uniqueness" requirement. A MOTION was made by Member O'Brien and SECONDED by Member Schubkegel to recommend to the Village Board of Trustees that the requested variation from the Fence code be granted provided they leave the fence open to view.

Ayes:Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and MartinNays:None.Motion passed.

Chairman Martin stated that the recommendation of the Zoning Board of Appeals to the Village Board will be 6-0 that the variation be granted.

There was no additional new business on the agenda.

VI. PUBLIC COMMENT

None.

VII. ADJOURNMENT

A MOTION was made by Member Schubkegel and SECONDED by Member Berni to adjourn the meeting at 7:57 p.m.

Ayes:Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and MartinNays:None.Motion passed.

Respectfully Submitted:

Clifford Radatz, Secretary

Date:_____

Frank Martin, Chairman Zoning Board of Appeals

VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS FINDINGS OF FACT AND RECOMMENDATION REGARDING A SIDE YARD SETBACK VARIATION RELATED TO THE CONSTRUCTION OF A NEW GARAGE AT 910 FOREST AVENUE

WHEREAS, petitioner William Piper ("Petitioner"), owner of the property located at 910 Forest Avenue in the Village of River Forest ("Property"), requested a variation from the Village of River Forest's side yard setback requirements in Section 10-9-7 of the Village of River Forest Zoning Ordinance ("Zoning Ordinance"), to allow the construction of a two-car garage with a wall-line setback of four and 45/100 feet (4'-5½"), where the required setback is ten percent (10%) of the lot width or five feet (5'), whichever is greater ("Variation"). The Property is located in the R-2 Single-Family (Detached) Residential Zoning District ("R-2 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 Variation should be granted on May 9, 2019, and the hearing was held as in accordance with Section 10-5-4(E) of the 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 the 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 May 9, 2019, the Petitioner provided information regarding the requested Variation, testifying, among other things, that the current garage at the Property was located on the same footprint as the proposed new garage, the current concrete slab was in significant disrepair, and constructing the new garage with a further setback from the side yard lot line would make it very difficult to navigate a vehicle into the garage and would negatively affect the currently existing drainage concerns on the Property; and

WHEREAS, at the public hearing on May 9, 2019, no residents or other members of the public testified with regard to the proposed Variation, and letters from neighbors of the Petitioner were accepted which were all in support of the Petitioner's request; and

WHEREAS, six (6) members of the Board were present for the public hearing, which constituted a quorum of the entire Board that is required to convene a meeting of the Board, and allow for the public hearing to proceed; and

WHEREAS, after the close of public comment, the ZBA discussed and deliberated the application for these Variation; and

WHEREAS, following discussion, the Board, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, on May 9, 2019, voted 6-0 to recommend approval of the Variation;

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 Board found that this standard has been met. The Property contains a two-car garage on essentially the same footprint as the proposed garage. If the new garage were to be constructed with a further setback from that of the existing garage, it would be difficult to navigate a vehicle down the driveway and around the existing home, into the garage.

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 found that this standard has been met. Petitioner purchased the home in its current state, with the pre-existing garage on the current footprint. The previous owners of the Property were allowed at the time of construction of the existing garage to maintain the presently nonconforming side yard setback.

3. The conditions of the Property upon which the petition for Variation is based may not be applicable generally to other property within the same zoning classification. The Board found that this standard has been met. Other properties in nearby area have sufficient available lot area to accommodate a garage that maintains the required side yard setback. The Property is unique in that if the required setback was maintained, the new garage would encroach into a currently existing and permitted drainage system in the rear of the yard.

4. **The purpose of the Variation is not based predominately upon a desire for economic gain.** The Board found that this standard has been met. The Petitioner indicated that he desires to reconstruct the garage at the Property and continue to reside at the Property for the foreseeable future, with no desire for economic gain or resale of the Property.

5. The granting of the Variation 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 Board found this standard has been met. Neighbors of the Petitioner indicated by letter that they were in support of the project. The new garage would comply with all other requirements of the Village of River Forest Village Code. The location of the garage would allow for an open view out of the neighbor's rear yard window, without being obstructed by the garage, which the Petitioner stated was preferable to both him and his neighbor.

6. The granting of the 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. The Board found that this standard has been met. The location of the garage would allow for an open view out of the neighbor's rear yard window, without being obstructed by the garage, which the Petitioner stated was preferable to both him and his neighbor.

7. The granting of the Variation will not unduly tax public utilities and facilities in the area of the Property. The Board found that this standard has been met. The new garage will not utilize any additional utilities than the present garage, which only utilizes electricity for its operation.

8. There are no means other than the requested Variation by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property. The Board found that this standard has been met. The Petitioner would not be able to reconstruct the garage at the present location without the requested Variation. Constructing the garage with a greater side yard setback may cause the Petitioner to only utilize half of the two-car garage's capacity, due to the inability to navigate two vehicles into the garage at the same time.

RECOMMENDATION

The Board, by a vote of 6-0, found that the standards for granting of the Variation were met. Therefore, the Board recommends to the Village President and Board of Trustees that the Variation to allow the construction of two-car garage on the Property with a wall-line setback of 4 and 45/100 feet (4'-5½") where the required setback is ten percent (10%) of the lot width or five feet (5'), whichever is greater, in a R-2 Zoning District be GRANTED.

Frank Martin Chairman

Date

VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS FINDINGS OF FACT AND RECOMMENDATION REGARDING A FENCE HEIGHT VARIATION RELATED TO THE CONSTRUCTION OF A NEW FENCE AT 910 PARK AVENUE

WHEREAS, petitioner H. Michael Hartmann ("Petitioner"), owner of the property located at 910 Park Avenue in the Village of River Forest ("Property"), requested a variation from the Village of River Forest's fence height and construction requirements in Sections 4-8-3(C) and 4-8-4(C)(2) of the Village of River Forest Village Code ("Village Code"), to allow the construction of an eight-and-a-half foot tall chain-link fence (8 $\frac{1}{2}$), where the maximum height allowed is seven feet in height (7') ("Variation"). The Property is located in the R-2 Single-Family (Detached) Residential Zoning District ("R-2 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 Variation should be granted on May 9, 2019, and the hearing was held as in accordance with Section 4-8-5 of the Village Code and 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 the 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 May 9, 2019, Michael Hartmann, Jr., son of the Petitioner, provided information regarding the requested Variation, testifying, among other things, that his parents were seeking to replace an existing four-foot-tall fence with a new eight-and-a-half-foot tall fence that would be a discrete black chain-link fence that would run from the end of the house to the back of the lot line, and across the back of the lot. The fence would not be visible from the street, and would blend in with the surrounding vegetation. Mr. Hartmann noted that his brother Patrick's only means of egress from the home that doesn't involve stairs is in the rear of the home. He stated that his brother is disabled and utilizes a wheelchair. He stated that his parents frequently have to sweep the area due to the abundance of deer droppings left by the large amount of deer that wander onto the property, and wish to build a fence to keep the deer away from the property. The deer are often intimidating, large and sometimes aggressive. He stated that the fence would be completely free from any screening material, and would remain as an open chain-link fence at all times; and

WHEREAS, at the public hearing on May 9, 2019, Deborah Hill, owner of 908 Park Avenue, whose home is directly west of the house and whose lot will abut the new fence in two locations, noted the deer problem. She indicated that she does not have a specific objection to the application; and **WHEREAS**, six (6) members of the Board were present for the public hearing, which constituted a quorum of the entire Board that is required to convene a meeting of the Board, and allow for the public hearing to proceed; and

WHEREAS, after the close of public comment, the ZBA discussed and deliberated the application for these Variation; and

WHEREAS, following discussion, the Board, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, on May 9, 2019, voted 6-0 to recommend approval of the Variation;

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 Board found that this standard has been met. The Property is home to a disabled resident who must traverse the backyard to get to his vehicle. The current condition of the backyard makes this process difficult and oftentimes dangerous, due the abundance of large and sometimes aggressive deer.

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 found that this standard has been met. The home is located on a natural migration path for deer that inhabit the nearby forest preserve and enter the Village, and the Property, to feed on regular occasion.

3. The conditions of the Property upon which the petition for Variation is based may not be applicable generally to other property within the same zoning classification. The Board found that this standard has been met. Other properties in the nearby area are not as directly affected by the presence of deer with regard to the safety of a disabled resident as is the Property.

4. The purpose of the Variation is not based predominately upon a desire for economic gain. The Board found that this standard has been met. The Petitioner's son indicated that his parents desire to construct the fence at the Property to benefit their continued use of the Property and to protect their son's safety. They intend to continue to reside at the Property for the foreseeable future, with no desire for economic gain or resale of the Property.

5. The granting of the Variation 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 Board found this standard has been met. The neighbor of the Petitioner at 908 Park Avenue indicated that she did not have a specific objection to the requested Variation. The new fence would not be viewable from the front of the Property, and would not obstruct any adjoining property's view as it would remain a mostly transparent chain-link fence.

6. The granting of the 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. The Board found that this standard has been met. The new fence would not be viewable from the front of the Property, and would not obstruct any adjoining property's view as it would remain a mostly transparent chain-link fence. The fence would allow for light and air to flow through it, as it would not contain any type of screening material.

7. The granting of the Variation will not unduly tax public utilities and facilities in the area of the Property. The Board found that this standard has been met. The new fence will not utilize any public utilities or facilities in the areas of the Property.

8. There are no means other than the requested Variation by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property. The Board found that this standard has been met. The Petitioner will not be able to prevent deer from entering the backyard at the Property unless a fence with the requested height is constructed. The use of the Petitioner's backyard by their disabled son is limited, and cannot safely traverse the backyard at times due to the presence of deer on the Property.

RECOMMENDATION

The Board, by a vote of 6-0, found that the standards for granting of the Variation were met. Therefore, the Board recommends to the Village President and Board of Trustees that the Variation to allow the construction of an eight-and-a-half-foot tall chain-link fence ($8 \frac{1}{2}$), where the maximum height allowed is seven feet in height (7), in a R-2 Zoning District be GRANTED.

Frank Martin Chairman

Date



MEMORANDUM

DATE: June 5, 2019

TO: Zoning Board of Appeals

FROM: Clifford E. Radatz *CER* Building Official

SUBJECT: Variation Request – 7628 Washington Boulevard

John and Elizabeth Hosty, owners of the property at 7628 Washington Boulevard have submitted the attached application for several variations to setback regulations (Section 10-9-7) of the Zoning Code. The applicants propose to construct a new detached garage on the property in the yard north of the existing residence.

The subject property is located at the northeast corner of Washington Boulevard and Ashland Avenue. For corner lots, Section 10-8-7-A-2 provides the means for defining which frontage is to be treated as the primary frontage and which is the secondary frontage: the lot "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." As the distance on Ashland between Washington and Linden is about 533 feet, and the distance on Washington between Lathrop and Ashland is about 376 feet, Ashland is determined to be the primary frontage for this lot. Therefore, this lot has a "width" of 149 feet and a "depth" of only 37.5 feet.

The required front yard setback, as calculated per the formula provided in Section 10-8-7 of the Zoning Ordinance, for the east side of the 200 block of Ashland Avenue is approximately 25.249 feet. The rear yard setback requirement per Section 10-8-7-B is "15 percent of percent of the depth of the lot or twenty-six feet two inches, whichever is greater". The minimum required front yard and rear yard setbacks actually overlap in the 37.5 foot depth of this lot.

As the proposed accessory building is not located entirely in the rear 30 percent of the lot, the exception of Section 10-8-7-C-2-c for the Side Yard setback does not apply. Therefore, the standard side yard setback requirements apply: a minimum setback of 10% of the lot width for the setback from the property line to the wall of the structure, and a minimum setback of 3 feet from the property line to the fascia board of the roof eave.

The summary of the requested variations is as follows:

Yard	Required Setback	Proposed Setback
Front Yard (measured to the roof eave)	25.249 feet	14'-0"
West frontage at Ashland Avenue	(about 25'-3")	
Rear Yard (measured to the roof eave)	26'-2"	2'-6"
East Property line		
Side Yard, to the wall	14.9 feet	3'-0"
North Property line	(about 14'-10¾")	
Side Yard, to the roof eave	3'-0"	2'-6"
North Property line		

There is one additional setback requirement, which is a complementary requirement to the Front Yard Setback requirement, which should be acknowledged. From the paragraph pertaining to corner lots, Section 10-8-7-A-2 concludes with "...and provided further that no accessory building on a corner lot shall project beyond that front yard line established for each street." This phrase applies to the corner lot which maintains a Front Yard setback less than the average of the block. In the case, the house on the property maintains a setback of 8.24 feet and the established Front Yard setback for Ashland Avenue is about 25'-3".

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 Section 10-9-7 of the Zoning Code at 7628 Washington Boulevard.

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

200 Ashland East Odds Setbacks.2019.xls

Village of River Forest Setbacks 200 Ashland (odds - east side)

Calculation for Front Yard setback for new garage at 7628 Washinngton

5/15/2019

				Estimated			Best		
Address	Street	P/L to Fndn	Survey dated	Eave Length	Setback	Comments	Estimate		-
243	Ashland	26.2600	12/14/1979	1.6667	24.59	NWC	24.59	24.59	
239	Ashland	28.7600	12/6/2017	1.6667	27.09	Center	27.09		High
235	Ashland	26.3500	fragment	1.6667	24.68	SWC	24.68	24.68	
229	Ashland	26.3958	4/15/1980	1.8333	24.56	NWC	24.56	24.56	
225	Ashland	26.4000	5/12/2003	1.0000	25.40	SWC	25.40	25.40	
223	Ashland	26.4000	-	0.5000	25.90		25.90	25.90	
219	Ashland	26.6500	7/26/1993	1.0000	25.65	SWC	25.65	25.65	
217	Ashland	26.6500	fragment	1.2500	25.40	SWC, 34.78' to behind enclosed porch	25.40	25.40	
213	Ashland	26.8000	8/8/2012	1.0000	25.80		25.80	25.80	
7628	Washington	9.2389	3/28/2019	1.0000	8.24	At bay	8.24		Low

201.99 25.24864



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, June 13, 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 John and Elizabeth Hosty, owners of the property at 7628 Washington Boulevard, who wish to replace an existing detached two-car garage. The applicants are requesting variations from section 10-9-7 of the Zoning Code for the Front Yard, Side Yard, and Rear Yard setback requirements.

The legal description of the property at 7628 Washington Boulevard is as follows:

LOT 20 IN BLOCK 3 IN THE SUBDIVISION OF BLOCKS 3 AND 6 AND THE NORTH 450 FEET OF BLOCK 7 IN HENRY FIELD'S SUBDIVISION OF THE EAST HALF OF THE SOUTHWEST QUARTER 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

CHECKLIST OF STANDARDS FOR MAJOR VARIATIONS

Name of Commissioner: _____

Date of Public Hearing: _____

Application: _____

Address _____

Standards:

Met? ¹	Sta	indard
	1.	The physical surroundings, shape, or topographical conditions of the specific property involved will
Yes		bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out;
No		of the regulations were to be carried out,
		Notes:
	2.	The aforesaid unique physical condition did not result from any action of any person having an
Yes		interest in the property, but was created by natural forces or was the result of governmental action,
		other than the adoption of this Zoning Title, for which no compensation was paid;
No		Notes:
		Notes
	2	
Yes	3.	The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;
100		
No		Notes:
	4.	The purpose of the variation is not based predominantly upon a desire for economic gain;
Yes		
No		Notes:
NO		
	5.	The granting of the variation shall not be detrimental to the public welfare or unduly injurious to
Yes		the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located; or
No		in which the property is located, of
-		Notes:

¹ If a standard has not been met, indicate the reasons why in the notes section for that standard.

CHECKLIST OF STANDARDS FOR MAJOR VARIATIONS

Yes No	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; Notes:
Yes No	7.	That the granting of the variation would not unduly tax public utilities and facilities in the area; Notes:
Yes No	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; Notes:

If any of the standards have not been met, what changes could be made to the application so it meets all the standards?

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

ress of Subject Property:	628 WASHING	tow BLUD
Name	bsty Elizi	ABETH M HOSTY
7628 WASHIN Address	you BLVD	
708-466-2509 Phone (Daytime)	Fax	E-Mail
DWNALS Relationship of Applicant to	Property (owner, contrac	ct purchaser, legal counsel, etc.)
itect/Contractor:		
Address		
Phone (Daytime)	Fax	E-Mail
of Application: <u>5-15</u>	-2019	

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 requested, that all statements herein and on all related attachments are true and that all work herein mention be done in accordance with the ordinances of the Village of River Forest and the laws of the State of Illinois Owner Applicant (if other than Owner): Date:	ned will

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.

Address of Subject Prop	erty: 7628 WASHing	ION BLUD
Zoning District of Prope	erty (circle one): R1 (R)	R3 R4 C1 C2 C3 PRI ORIC
Please check the type(s)	of variation(s) being reques	ted:
Zoning Code	Building C	Code (fence variations only)
Summary of Requested	Variation(s):	1
Applicable Code Section (Title, Chapter, Section) Example: 10-8-5, lot coverage	<u>Code Requirement(s)</u> Example: no more than 30% of a lot	Proposed Variation(s) Example: 33.8% of the lot (detailed calculations an a separate sheet are required)
10-9-7 AUD 10-8-7 A-2 FRONT YARD SETBACK	25.3"	14-0"
10-9-7 AND 10-8-7 B REAR YAND SETBACK	26.2"	2'-6"
10-9-7 AND 10-8-7 C SIDE YARD SETBACK TO WALL	14.9"	3-0"
10-9-7 AND 10-8-7 C SIDE HAND SETBACK FOR ROOF ETNE	3-0	2'-6"

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. John F. Hosty

7628 Washington

Application for Variation to replace garage

General Requirements-

E. This project is to replace the existing garage built in 1905 that is no longer functional. The current structure cannot accommodate 2 modern vehicles leaving us with no option but to leave our cars on the pad in front of the garage in view of the street.

Major Variation Standards

 This is a corner lot 37.5' wide and 149' depth, no garage could be built under the current code. Instead of 37.5 wide and 149 feet deep, our lot is 37.5 deep and 149 wide, and without a variance in the Front Yard and Rear Yard setback requirements, no garage (or house) can be built on the lot. The unique situation is that the depth of the lot is so short that the required front yard and rear yard setbacks actually overlap. This applies to very few houses in the R-2 district.

The shape of the lot is unique and without any variance it would not be possible to replace the current structure and stay within the current zoning requirements.

- 2. Our home, that we have owned and lived in since 1987, was the first home on the block, and has a unique footprint. The house faces Washington Boulevard and is aligned with the other houses on the block that also face Washington. The original and existing garage built to the rear of our property is one of the few on the block without alley access. We are now in a positon to require variances to the setback requirements to be able to replace the garage in the same area. The current structure faces Ashland and does not align with the other homes, but due to zoning, it would not be possible to construct a two-car garage and remain within the 4 setback requirements.
- 3. As noted above, this condition applies to very few corner lots in the R-2 district.
- 4. We have no intention of selling our home at the current time. We are only seeking to make this improvement to our property as we are getting older and prefer to park our cars in a garage out of the elements. We also see an overall benefit to the neighborhood, and eyesore will be eliminated and our cars will now be out of sight in a new structure.

- 5. The new structure will be closer to the property line to and 13 feet in front of the property to the north, but do not expect this will not cause any detriment to the surrounding properties and is the only viable garage placement. Current zoning calls for a setback of 15 feet which would mean bisecting our backyard into two pieces that would decrease the property's value and appearance, and have a negative impact to the surrounding properties.
- 6. The impact of building the garage closer to the property line to the north would be minimal to the home at 213 Ashland. The new structure will be safer, more sound and attractive. It will increase and enhance the overall appearance of both the property and the neighborhood. More importantly, the plans have been reviewed and approved by the property owner at 213 Ashland, as well as the other adjacent neighbors.
- 7. The new garage will have no impact to utilities or public services. A topographical survey has also been completed showing now impact to the land.
- 8. Without allowing for variations to the zoning as identified, there is no other recourse or option for the replacement of the existing structure. There is no other place on our property where a garage could be built.

The garage replacement will remove an eyesore from Ashland Ave, and replace it with a modern and more useful structure that will accommodate two cars, and will make the street more attractive.

Differential P. Barle of ILINOIS Traite of ILINOIS and service conforms to the current illinois minimum standards for a boundary survey of D35-003250 STATE OF ILINOIS STATE OF ILINOIS STATE OF ILINOIS STATE OF The property described books and the plat hereon drawn is a correct representation in LLINOIS of State survey. 2411 Hawthorne Avenue Westchester, Illinois 60154 (708) 562-2652 Fax (708) 562-7314 emoil: kabol-surveying@compony.com Repistration No. 184-003061 Illinois Professional Land Surveyor No. 035-003250 My license expires on November 30, 2020 fence on line 1" pipe (found) 0.12 West & on line Frame fence 0.23 South & 0.07 West curb 0.36 West 2.35 West 0.10 East Cross (set) 2.00 South & on line Walk 0.49 South Lot 20 in Block 3 in the subdivision of Blocks 3 and 6 and the North 450 feet of Block 7 in Henry Field's subdivision of the East half of th Southwest quarter of Section 12, Township 39 North, Range 12 East of the Third Principal Meridian in Cook County, Illinois. I A curb Building Frame Metal Boulevard 149.00 :0 :9 q COMPANY 5 --- 97'7 -- 92.4 Address: 7628 Washington Boulevard, River Forest 5.50 25.04 \$4.24 16.72 1 I M \$5.73 SI /2 Story pch couc , P - 12.45 Land Surveying Services Frame Stucco #7628. 5 C S C 56 open Washington (125' R.O.W) Gor 22 Frame Fence 0.40 West ORIGINAL SEAL IN RED N / Sum KABAL SURVEYING 13.45 Ja st 33.75 15 pricks 149.00. 19 P 4 . 9 West & 0.03 South + + 4 Walk 0.65 West . 9 9 . 9 y 9 q * Walk 0.78 West ε Cross (found) 2.00' West & 2.00 South 90°-40'-07" Š 44 19 ənuəvA Papidand o 19 (.W.O.R '08) fence Please check Legal Description with Deed and report any discrepancy immediately. Area of property is approximately 5,588 square feet 20 20 "X" in box indicates that hereon drawn plat was ordered as a non-monumented survey ť Frame = LEGEND R.O.W. = right-of-way, E = East rec = record, N = North, W = West meas = measured, S = South pch = porch, rad = radius prc = point of reverse curve conc = concrete, pc = point of curve March 28 March 28 190301 Owner 20 inch Building Located (assumed) Ordered By: -Order No.

Scale:

Surveyed



This professional service conforms to the current	₽ ~	COUNTY OF COOK S **	I, MILUTELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of sald survey.	Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.	Illinois Professional Land Surveyor No. 035-003250 My license expires on November 30, 2020	
	in the P. B. C.	035-003250	LAND SURVEYOR STATE OF	And Chester, 111-00	ORIGINAL SEAL IN RED	
Area of property is approximately 5,588 square feet	"X" in box indicates that hereon drawn plat was ordered as a non-monumented survey	Please check Legal Description with Deed and report any discrepancy immediately.	Surveyed <u>March 28</u> 20 19 Building Located <u>March 28</u> 20 19	h = 20 190301	Ordered By: Owner	





5	/02/2019
ER FORES	T, IL
H. 630-99	93-0476
SCALE	SHEET
3/16"=1'-0"	2 OF 5



5	/02/2019
ER FORES	T, IL
H. 630-99	3-0476
SCALE	SHEET
3/16"=1'-0"	3 OF 5



5	/02/2019
ER FORES	T, IL
H. 630-99	93-0476
SCALE	SHEET
T TO SCALE	4 OF 5



FII. 030-993-04/0 SHEET 5 OF 5	WALL SECTION / PLAN
PH. 630-993-0476	ADDIOSON, IL 60101
	17W 486 LAKE ST.
	REGENCY GARAGES
RIVER FOREST, IL	7628 WASHINGTON ST. RIVER FOREST, IL
107/70/0	



FOR NUMBERS SHOWN AS X.XX ADD 620.00

DIRECTION OF SURFACE FLOW ~

-**- SILT FENCING

IMPERVIOUS SUMMARY

AS PROPOSED 2,199 SF EXISTING 2,044 SF INCREASE 155 SF

IT IS HEREBY CERTIFIED THAT IF THIS PROPOSED PROJECT IS CONSTRUCTED IN COMPLIANCE WITH THE PLANS HEREIN DESCRIBED, THE COMPLETED PROJECT WILLNOT UNREASONABLY RESULT IN PROJECT WILLNOT UNREASONABLY RESULT IN DRAINAGE, EROSION OR RUNOFF, WHICH WOULD ADVERSELY IMPACT ADJACENT PROPERTIES OR THE PUBLIC RIGHTS OF WAY.

ROBERT P. SCHLAF, P.E. MAY 6, 2019

EXPIRES NOVEMBER 30, 2019

Robert P. Schlaf, P.E. 335 Ventura Club Drive Roselle, Illinois 60172-1471

(630) 561-7338





This professional service conforms to the current Illinois minimum standards for a boundary survey	STATE OF ILLINOIS }	I, MITCHELL P. BALEK, on Illinois Professional Land Surveyor,	hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.	Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.	Mitch 1. Calin	Illinois Professional Land Surveyor No. 035–003250 My license expires on November 30, 2020		
	Martichell P. Balour	035-003250	LAND SURVEYOR	SIONITI WINNING	10111111111111111111111111111111111111	ORIGINAL SEAL IN RED		
Area of property is approximately 5,588 square feet	"X" in box indicates that hereon drawn plat was ordered as a non-monumented survey	Please check Legai Description with Deed and report any discrepancy immediately.		Building Located March 28 20 18	Scale: 1 Inch = 20	Ordered By:		

Zoning Review Checklist

Address: 7628 Washington Boulevard						
Date of Review:	5/15/2019	Date o	f Submission:	5/10/2019		
Contact:			Telephone #:			
Zoning District :		R2				
Use:[[Detached G	arage for Sing	gle Family Resid	ence		
Accessory Structure		Permitted U				
Lot Area		Lot Width	Lot Depth	Lot Area		
		149.00	37.5000	5587.50		
				•		
Lot Coverage		Allowed	Proposed			
30% allowed for the R2 District		1676.25	1659.87	\checkmark		
		LI	29.71%			
Floor Area Ratio		Allowed	Proposed			
40% allowed for the R2 District		2235.00	1971.89	\checkmark		
			35.29%	—		
			00.2070			
Setbacks		Required	Proposed			
Accessory structure		·	·			
Rear 30% of Lot Depth		11.2500	23.0000	$\square \not \ll$		
Is the Accessory Structure located in th	e rear 30% of		No			
(If not, must comply with setbacks for th						
Front Yard						
Average of block, see 10-8-7 A	Nest		14.5000			
Eave Length			0.5000			
-		05.0400				
Setback to Eave		25.2486	14.0000	×		
Side Yard		1				
10% of Lot Width for the R2 District	North	14.9000	3.0000	×		
Eave Length			0.5000			
-		2 0000		×		
Setback to Eave		3.0000	2.5000			
Rear Yard						
15% of Lot Depth or 26'-2" minimum	East		3.0000			
Eave Length			0.5000			

Zoning Review Checklist

Setback to Eave	26.1667	2.5000	×
Building Height Ridge	Allowed	Proposed	
Height above grade in feet	18'	15'	V
Story Height	1.5	1	
Off-Street Parking	Required	Proposed	V
Garage spaces	2	2	

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

Not Applicable

7628 Washington Boulevard Area Calculations

garage allowance

Lot Area		149.0000	37.5000	5587.5000
Allowed Coverage Allowed FAR		0.3000 0.4000		1676.2500 2235.0000
Lot Coverage - Existi First Floor Area Detached Garage Open Porch	ng Existing Existing Existing Total		1012.9755 312.3296 206.8917 0.0000 1532.1967	
Lot Coverage - New First Floor Area Detached Garage Open Porch	Existing Proposed Existing Total		1012.9755 440.0000 206.8917 0.0000 1659.8671	
Floor Area - Existing Floor Area - existing Detached Garage garage allowance (up t			1012.9755 958.9147 0.0000 312.3296 -312.3296 1971.8902	
Floor Area - Proposed Floor Area - Proposed Detached Garage	d 1st floor 2nd floor Attic Proposed		1012.9755 958.9147 0.0000 440.0000	

-440.0000 1971.8902

House - 1st floor - Existing to remain						
	A B Bay C	22.5600 12.4500 3.2811	40.5300 5.1500 10.5150	914.3568 64.1175 34.5012 0.0000 1012.9755		
House - 1st floor - P Existing to rem	ain			1012.9755 0.0000 1012.9755		
House - 2nd floor - E	Existing to rema a c'	in 22.5600 3.2811	40.5300 13.5800	914.3568 44.5579 0.0000 958.9147		
House - 2nd floor - F Existing to rem	-			958.9147 0.0000 958.9147		
Detached Garage -	Existing eg	18.6800	16.7200	312.3296 0.0000 312.3296		
Detached Garage -	Proposed pg	20.0000	22.0000	440.0000 0.0000 440.0000		
Open Porch - Existi	ng op	20.3500	10.1667	206.8917 0.0000 206.8917		



7628 WASHINJAN



FACING AST ON WASHINGOV BIND



FALLY EAST ASKLMD



GARAJE PRONL ASHLAND AV



FACING NORTH ASHLAND



FALING EAST ASHLAND AV







UIEN OF BALK YALD AND GARADE