



## **RIVER FOREST ZONING BOARD OF APPEALS**

### **MEETING AGENDA**

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, May 9, 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 April 11, 2019.
- III. Approval of the Findings of Fact for the proposed Zoning Variations for 755 William Street from the meeting of the Zoning Board of Appeals on April 11, 2019.
- IV. Variation Request for 910 Forest Avenue – Side Yard Setback
- V. Fence Variation Request – 910 Park Avenue
- VI. Public Comment
- VII. Adjournment

**VILLAGE OF RIVER FOREST**  
**ZONING BOARD OF APPEALS MEETING MINUTES**  
April 11, 2019

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, April 11, 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, Joanna Schubkegel, and Michael Smetana

Absent: None

Also Present: Secretary Clifford Radatz, Assistant Village Administrator Lisa Scheiner, Village Attorney Carmen P. Forte, Jr.

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

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

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

Nays: None.

Abstain: Member Smetana

Motion passed.

**III. APPROVAL OF FINDINGS OF FACT FOR THE PROPOSED ZONING VARIATIONS FOR 559 ASHLAND FROM THE MEETING OF THE ZONING BOARD OF APPEALS OF MARCH 14, 2019**

A MOTION was made by Member O'Brien and SECONDED by Member Lucchesi to approve the Findings of Fact and recommendation for the proposed Zoning Variations for 559 Ashland Avenue from the meeting of the Zoning Board of Appeals on March 14, 2019.

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

Nays: None.

Abstain: Member Smetana

Motion passed.

**IV. APPROVAL OF FINDINGS OF FACT FOR THE PROPOSED TEXT AMENDMENTS TO THE ZONING ORDINANCE FROM THE MEETING OF THE ZONING BOARD OF APPEALS ON MARCH 14, 2019**

A MOTION was made by Member O'Brien and SECONDED by Member Berni to approve the Findings of Fact and recommendation regarding the proposed Text Amendments to the Zoning Ordinance from the meeting of the Zoning Board of Appeals on March 14, 2019.

Ayes: Members Berni, Dombrowski, Lucchesi, O'Brien, Schubkegel, and Martin  
Nays: None.  
Abstain: Member Smetana  
Motion passed.

**V. VARIATION REQUEST FOR 755 WILLIAM STREET – SECONDARY FRONT YARD SETBACK**

Chairman Martin stated that the next item on the agenda is a Variation Request for the property at 755 William Street. 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.

Daniel Lauber, the applicant's planner and attorney, spoke first on behalf of the applicant. He has lived in River Forest for 32 years. The applicant is Dr. Lydia Manning, seeking two variations from Zoning Code Section 10-9-7: one is a variation from the 13-foot side yard requirement, so that she can build a proposed addition continuing the current setback in the secondary front yard on Chicago Avenue. The other is a variation to maintain the current roofline for the proposed addition, continuing on the second floor of the nonconforming 5-foot setback of the existing roof overhang on the first floor level. The property is on the southeast corner of Chicago and William, in the R-2 district, which means it technically has two "front" yards under the Zoning Code. Mr. Lauber noted that one of the yards is essentially a side yard, bearing no resemblance to a front yard. Mr. Lauber showed images of the house as it currently appears. He then turned the presentation over to the applicant's architect.

The architect, Pat Magner, advised that he was retained by Dr. Manning to design an addition to her home on its William Street side. Mr. Magner noted that the houses adjoining 755 William property were designed in concert to lend some continuity to the block. The corner lots in the area, such as 755 William, were all designed such that their side yards do not in any way resemble front yards.

Mr. Magner advised that, in designing the addition, he aspired to maintain the architectural character of the block. If required to maintain a 13-foot setback off of Chicago Avenue, he feels that an addition would not allow for the right roof lines. He also noted that, with a 5-foot setback on one side and a 13-foot setback on the other, 755 William affords less buildable space than other 50-foot lots in the area. Mr. Magner noted that the layout of the

lot virtually precluded the addition from being built on the south side of the lot. Mr. Wagner noted that the proposed addition would not encroach further on any neighbors.

Mr. Wagner then noted the zoning code standards applicable to the application:

Standard 1: The physical surrounding shape or topographical conditions of the property involved will bring a specific hardship on the owner, as opposed to an inconvenience, if the strict letter of the regulations were to be carried out. There are no other means to alleviate the hardship. Mr. Wagner noted that the 13-foot setback renders the rear of the house largely unusable, and would create an oddly-shaped house that is not in keeping with the surrounding structures. Dr. Manning desires to build the addition to make the home more accommodating and accessible for her parents, who are advanced in age.

Standard 2: The physical condition did not result from any action by a person who has an interest in the property, but was created by natural forces or was the result of governmental action (other than the adoption of the zoning ordinance). Mr. Wagner noted that the house was built approximately 100 years ago, long before Dr. Manning purchased it. This house is one of a group of houses that sits on a 50-foot lot and only faces William Street, reflecting a pattern imposed by a designer approximately 100 years ago.

Standard 3: The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification. Mr. Wagner noted that this standard is easily met for this property. Only one in twelve of the 50-foot lots in this block are similarly situated, and those other than 755 William do not face Chicago Avenue.

Standard 4: The purpose of the variation is not based predominantly upon a desire for economic gain. Dr. Manning seeks the addition in order to help her parents; she has no interest in economic gain.

Standard 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. Mr. Wagner noted that there is no neighbor on the north side of the property; therefore, the addition will not affect a nearby resident on that end. Dr. Manning would maintain the existing set back on the south side of the property, so as not to further encroach on that neighbor.

Standard 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. Mr. Wagner noted that Dr. Manning's neighbor to the south will testify that he is not opposed to the addition. The addition would not impinge on any air or light to the neighboring property. Mr. Wagner also noted that the current layout of the property is obsolete, and in need of an update.



Standard 7: That the granting of the variation would not unduly tax public utilities and facilities in the area. The number of residents that would be in the house at any one time is proportionate to the homes in the area. The home would not place an undue burden on nearby utilities and facilities.

Mr. Magner did not discuss Standard 8, that 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.

Mr. Magner then invited Mr. Lauber to speak. Mr. Lauber reiterated that the purpose of the addition is to accommodate Dr. Manning's aging family members. Maintaining the current setback would not permit Dr. Manning's family members to use a wheelchair in the home. Granting these variations would amount to a reasonable accommodation to persons with disabilities. Mr. Lauber noted the distance between the property and the nearest home to the north. On this basis, the addition would have a minimal impact.

Mr. Lauber noted various hardships caused by the narrow width of the corner lot. Conforming to the 13-foot setback would render the addition virtually unusable. Conforming to the Zoning requirements would also result in an oddly-shaped house that is out of character with the surrounding homes.

Mr. Lauber then presented his observations in regard to the effects of variations which the Zoning Board of Appeals had previously recommended for other corner lots in River Forest which sought to extend similar non-conformities. He noted that the Board's granting of such variations have not had any adverse impact on the community.

Next, Dr. Lydia Manning spoke regarding several of the standards applicable to her application. She reiterated that the project has nothing to do with economic gain. She bought the house, and is interested in building the addition, with the intention of investing in the community. Dr. Manning hopes that her parents will come live with her someday, and hopes to make the home more accessible and visitable.

Dr. Manning reiterated that the addition, as planned, would not encroach on any neighboring property; however, if forced to conform to the existing setback, her addition would likely encroach on her neighbors to the south. She noted that the house will not house an excessive number of people.

Dr. Manning stated that she seeks variations that will amount to reasonable accommodations allowing her parents to stay with her. She was excited to purchase the property knowing that an elderly-living facility was entering the community nearby.

Dr. Manning argued that if the variation is not granted, the property would become obsolete and would not accommodate older guests. She noted that, if forced to build an addition without the variation, the building would not conform to nearby homes. Dr. Manning

concluded by noting that every other proposed change to the property meets all applicable zoning standards.

Mr. Lauber then distributed a summary of the evidence presented, and provided a recap of the same. Mr. Lauber stated that it was unlikely the addition could have an adverse impact on the community in any way. Mr. Lauber reiterated that an addition without the variation would likely have a negative impact on a neighboring home. This concluded the applicant's presentation.

#### Public Comment in regard to the Variation Request

Tom Bierzychudek, resident of 754 William Street, began by welcoming Dr. Manning to the community. Tom is excited that Dr. Manning seeks to preserve the home. Tom noted that his home has had a similar addition that does not impose on anyone in the community. He is in favor of the addition as proposed, because it preserves the original look of the house. He has no objections to the variation.

Jan Saeger, resident of 435 William Street, began by thanking the Zoning Board. She stated that Dr. Manning should be commended for seeking to accommodate the elderly. She noted that she is normally not in favor variation requests, but this application presents an exception. She lauded the trend in the community favoring accessibility.

Joe Bobak, resident of 751 William Street, lives immediately south of 755 William Street. He feels that the owner of a piece of property should be able to do what they want with it, within reason. He said he prefers Dr. Manning's plan to build the addition to the north of the home. He has no problem with the plans.

#### Discussion and Deliberation of the Variation Request

Chairman Martin asked the architect to clarify that the addition would line up with the existing sun room, and not with the wall closest to Chicago Avenue, which Mr. Magner confirmed. He asked whether there is working going on at the house now. Dr. Manning detailed some of the work she has done thus far.

Commissioner Berni asked for clarification about a measurement on the final floor plan, which Mr. Magner provided.

Upon Chairman Martin's request, Secretary Radatz clarified that no other variations would be needed to authorize construction of the addition as presented.

Commissioner Berni agreed with the testimony regarding the Village's recent failure to preserve some historic structures. He would be in favor of this addition, insofar as it protected a historically significant home.

A MOTION was made by Member Schubkegel and SECONDED by Member Smetana to recommend to the Village Board of Trustees that the requested variations be granted.

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

Nays: None.

Motion passed.

Chairman Martin stated that the recommendation of the Zoning Board of Appeals to the Village Board will be 7-0 that the variations be granted. He stated that Village staff would let anyone know when this will be on the schedule of the Board of Trustees and that anyone is welcome to appear before them. 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 8:17 p.m.

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

Nays: None.

Motion passed.

Respectfully Submitted:

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Clifford Radatz, Secretary

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Frank Martin, Chairman  
Zoning Board of Appeals

Date: \_\_\_\_\_

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS  
FINDINGS OF FACT AND RECOMMENDATION REGARDING  
SECONDARY FRONT YARD SETBACK VARIATIONS FOR A CORNER LOT  
RELATED TO A PROPOSED ADDITION  
AT 755 WILLIAM STREET**

**WHEREAS**, petitioner Lydia Manning ("Petitioner"), owner of the property located at 755 William Street in the Village of River Forest ("Property"), requested variations from the Village of River Forest's secondary front yard setback requirements for a corner lot in Sections 10-9-7 and 10-8-7(A)(2) of the Village of River Forest Zoning Code ("Zoning Ordinance"), to allow the construction of a two-story addition to a home on the Property with a wall-line setback of seven and 67/100 feet (7.67') and an overhang setback of five feet (5'), where the required setback is thirteen feet (13') ("Variations"). 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 Variations should be granted on April 11, 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 April 11, 2019, the Petitioner, through testimony by Petitioner's attorney, architect and Petitioner herself, provided information regarding the requested Variations, testifying, among other things, that the current home at the Property was very small in size, and that the Petitioner desired to increase the size of the home to accommodate her aging parents who would live with her, and to make the home compatible with larger entryways and room sizes for persons with mobility challenges; and

**WHEREAS**, at the public hearing on April 11, 2019, resident Tom Bierzychudek, residing at 754 William Street, which is across the street from the Property, testified that he is in support of the Petitioner's project and desire to refurbish a historically significant home; and

**WHEREAS**, at the public hearing on April 11, 2019, resident Jan Saeger, residing at 435 William Street, also testified that she is in support of the Petitioner's project and the goals to accommodate residents with accessibility needs; and

**WHEREAS**, at the public hearing on April 11, 2019, resident Joe Bobak, residing at 751 William Street, which is next door to the Property, testified that he is in support of the Petitioner's project, and that the proposed addition would not infringe on his use of his own property; and

**WHEREAS**, seven (7) 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 Variations; and

**WHEREAS**, following discussion, the Board, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, on April 11, 2019, voted 7-0 to recommend approval of the Variations;

**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 very small home in the R-2 Zoning District. The Petitioner intends to reside at the home with her aging parents, and would like to make the home more accessible to individuals who are restricted to the use of a wheelchair. If she did not receive the requested Variations, this reasonable use of the Property would not be available to her.
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, and the home has a very small footprint, given its orientation on a corner lot. The house on the Property is one of a group of houses that sits on a fifty foot (50') lot and only faces William Street, reflecting a pattern imposed by its designer approximately 100 years ago.
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 this standard has been met. Other properties in nearby area have sufficient available lot area to accommodate an addition that maintains the required setback. The Property is unique in that if the required setback was maintained, any addition to the home on it would be very narrow and not contain significantly usable rooms within it.
4. **The purpose of the Variations is not based predominately upon a desire for economic gain.** The Board found that this standard has been met. The Petitioner indicated that she desires to refurbish the home on the Property and reside in it herself for the foreseeable future, with no desire for economic gain or resale of the Property.

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 Board found this standard has been met. Neighbors of the Petitioner testified that they were in support of the project, and the next-door neighbor specifically noted that the addition would not infringe on the use of his property. The addition would maintain the existing set back on the south side of the Property. Also, the current home already has a setback that is one foot closer to the northern lot line than the proposed addition.

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 Board found that this standard has been met. Neighbors of the Petitioner testified that they were in support of the project, and the next-door neighbor specifically noted that the addition would not infringe on the use of his property. Also, the addition would maintain the existing set back on the south side of the Property.

7. **The granting of the Variations will not unduly tax public utilities and facilities in the area of the Property.** The Board found that this standard has been met. There will only be a maximum of three to four persons living in the home, which is characteristic of the surrounding residential properties and the home in its present condition.

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 Board found that this standard has been met. The Petitioner noted that she would not build the addition on the Property if the Variations were not granted, and this would not allow her to refurbish the home.

### **RECOMMENDATION**

The Board, by a vote of 7-0, found that the standards for granting of the Variations were met. Therefore, the Board recommends to the Village President and Board of Trustees that the Variations to allow the construction of a two-story addition to the home on the Property with a wall-line setback of seven and 67/100 feet (7.67') and an overhang setback of five feet (5'), where the required setback is thirteen feet (13') in a R-2 Zoning District be GRANTED.

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Frank Martin  
Chairman

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Date



## MEMORANDUM

**DATE:** May 3, 2019

**TO:** Zoning Board of Appeals

**FROM:** Clifford E. Radatz  
Building & Zoning Code Inspector

**SUBJECT:** Variation Request – 910 Forest Avenue

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William and Debra Piper, owners of the property at 910 Forest Avenue, have submitted the attached application for a variation to the side yard setback regulation (Section 10-9-7) of the Zoning Code. The applicants propose to remove an existing detached garage which currently has a non-complying side yard setback, and construct a new detached two-car garage in the same location on the property which will result in a non-complying side yard setback.

Because the proposed garage, or accessory structure, is not located within the rear 30 percent of the subject property, it is subject to the standard side yard setback requirement for the R-2 Zoning District (10% of the lot width or 5 feet, whichever is greater). The applicant proposes to construct the exterior wall of the new garage 4.45 feet (4' -5½") from the south property line. (The roof overhang is proposed to be 6 inches, so the side yard setback of the eave is proposed to be 3' -11½", which complies with the Zoning Code requirement for a minimum setback of 3 feet to the roof eave.)

If the Zoning Board wishes to recommend the approval of this variation to the Village Board of Trustees, the following motion should be made: *Motion to recommend to the Village Board of Trustees the approval of a variation to Section 10-9-7 of the Zoning Code at 910 Forest Avenue.*

If you have any questions regarding this application, please don't 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, May 9, 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 William and Debra Piper, owners of the property at 910 Forest Avenue, who wish to replace an existing detached two-car garage. Section 10-9-7 of the Zoning Code requires a five foot side yard setback. The applicant proposes to construct the new garage with a setback of 4.52 feet (4'-6¼") from the south property line.

The legal description of the property at 910 Forest Avenue is as follows:

LOT 5 IN HENRY S. PETERON'S SUBDIVISION OF BLOCK 6  
(EXCEPT THE NORTH 400 FEET MEASURED ON KEYSTONE  
AVENUE) OF SNOW AND DICKINSON'S ADDITION TO RIVER  
FOREST A SUBDIVISION OF THE WEST 1/2 OF THE SOUTH WEST  
1/4 OF SECTION 1 AND THE EAST 17 ACRES OF THE SOUTH EAST  
1/4 OF SECTION 2, 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





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

*Resubmitted  
4/29/19*

Address of Subject Property: 910 Forest Ave. Date of Application: April 15, 2019

Applicant		Architect / Contractor	
Name: William & Debra Piper		Name: Danley's Garage	
Address: 910 Forest Ave.		Address: 1438 S. Elmhurst Rd	
City/State/Zip: River Forest, IL 60305		City/State/Zip: Elk Grove Village, IL 60007	
Phone: 708-610-1738	Fax:	Phone: 847-562-9390	Fax: Ext 5443
Email: williampiper@att.net		Email: mrodriguez@danleys.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 15<sup>th</sup> 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:

*William Piper Debra M. Piper* Date: 4/15/19

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: **910 Forest Ave.**Date of Application: April 15, 2019*Resubmitted 4/29/19*

## Summary of Requested Variation(s):

<b>Applicable Code Section (Title, Chapter, Section)</b> <i>Example:</i> 10-8-5, lot coverage	<b>Code Requirement(s)</b> <i>Example:</i> no more than 30% of a lot	<b>Proposed Variation(s)</b> <i>Example:</i> 33.8% of the lot (detailed calculations on a separate sheet are required)
10-8-7-C-1	The required minimum side yard setback shall be ten percent of the lot width or five feet, whichever is greater	Allow a side yard setback of 4.45 for the entire length of the proposed replacement of the existing garage along the south property line that encroaches the 5' set back requirement.

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.

Applicant:

William and Debra Piper (Property owner)  
910 Forest Ave.  
River Forest, IL 60305

Date: April 15, 2019 (Amended April 29, 2019 to address comments by Cliff Radatz)

Property: 910 Forest Ave. River Forest IL.

The Variance Application supports a revised permit application for the demolition of the current garage and construction of a new garage on the same footprint.

Nature of proposed variation. Reduce side setback requirement of 5 feet to 4.45 feet to allow removal of existing garage and replacement with a new garage on substantially the same footprint. The variance request supports a revised permit application for removal and replacement of an existing garage based upon a revised plan dated April 25, 2019 reducing the size to 20' x 22 ft. A copy of the revised specification sheet/contract addendum is attached. Exhibit A.

Existing survey attached. The lot is 50' x 174'. Exhibit B

A marked survey showing landscape is attached as Exhibit C.

Photos are attached as Exhibit D.

Calculations reflecting the amendment to the original permit application is attached as Exhibit E.

There is no structure to the immediate south of the garage on the adjacent property at 906 Forest. The variance would not impact any structure on 906 Forest. See Exhibit C.

The house immediately to the west of the lot is 915 Keystone (the original home built in the 19<sup>th</sup> century before the block was subdivided.) and which sits approximately 15 feet west of the rear lot line of 910 Forest. If the garage were placed in the rear 30% and within 3 feet of the rear lot line, it would block the view from the large window in the breakfast room of 915 Keystone resulting in an adverse situation. The current garage was likely placed in its current location to avoid obscuring the view from that window.

#### **Response to Standards for Major Variations (Section 10-5-4F)**

1. The physical surroundings, shape or topographical 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;

Response: Reconfiguration will make it difficult to enter the garage. Currently, the garage is situated so the garage door is in line with the existing concrete drive way. The house, concrete drive way and garage were built in the 1940's after subdivision of the property where the home at 915 Keystone exists. Moving the garage further from lot line would cause the garage door to shifted to the north and out of line with the drive way. Changing the driveway would create conflicts with the house and existing deck, aside from the undue expense of changing the concrete driveway to accommodate a relocated door. Specifically, moving the garage footprint to the north in order to create a 5 foot set back

is not feasible because it would increase the angle in which the car has to maneuver to enter the garage. It is already difficult for my wife to maneuver into and out the north side of the existing garage space without hitting the house. A further shifting of the garage to the north would render that space unusable by her.

Relocation will exacerbate a serious flooding condition. Relocating the footprint of the proposed garage to the rear 30% (or within 52 feet of rear lot line) of the 174 ft long lot will significantly exacerbate an already significant flooding problem in the yard by covering even more permeable soil and forcing the water to drain toward the property to the north (914 Forest). Currently as a result of the village allowing the higher grading of the lot to the south in 2004, about 80% of the back yard experiences severe flooding 5 to 6 times a year or at least 4-6 inches of standing water, resulting in the need to pump the yard. A dry well behind the garage to accommodate some excess water would have to be relocated. The neighbor to the north (914 Forest) also experiences severe flooding and relocation would only exacerbate the neighbor's problems by forcing more run off onto 914 Forest. Extending the drive way an additional 10 -15 feet and covering more soil in the back of the yard with a garage will only reduce the amount of soil able to absorb this flooding.

Relocation will reduce recreational green space. Since the lot is only 175 feet long, moving the garage farther back would also reduce the use and enjoyment of the area behind the garage. Many lots in River Forest are longer.

Relocation to the rear will obscure the view from 915 Keystone. In addition, the original mansion on Keystone behind us sits within 10-15 feet of the rear lot line. It was built in the center of the square block well back in the 19 century before the block was subdivided. The dining room looks east over our yard. Placing the garage farther towards the rear lot line would only obscure the view out their large dining room window and may hinder air and light for the neighbor to the west.

Replacing the garage on the current footprint does not create any new problems and is the most economical.

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;

Response: The flooding conditions described above were exacerbated when the village allowed the grade of the lot to the south (906 Forest) when the home was being built to be elevated during construction in 2004. Prior to that, there was minor ponding once a year that quickly dissipated. According to village topographical maps at that time and shown to this owner, the lot to the south went from the lowest lot to one of the highest lots, thereby preventing natural runoff. This issue was brought to the Village's attention during construction and even afterwards, when the flooding increased, but was never rectified. Applicant has never received compensation for the problems created by allowing construction without taking into account the grading of the adjacent lot.

Also the current location of the house and garage and driveway was determined in the 1940's following the subdivision of the block and not created by the current owner. For whatever reason, the house was built with over a 7 foot set back on the north side. Had the house been built with a 5 foot set

back on the north side, the driveway and garage could have been placed differently. The necessity of using the existing footprint is a result of what was allowed or required in 1947 when the house was built.

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

Response: Flooding within the square block is only an issue for 3 lots. 910, 914 and 920 Forest. Each lot has its own unique configuration that contributes to the flooding. Otherwise, the basis of the request would appear to be unique to this property and not generally applicable to other lots within the zoning classification.

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

Response: We expect no economic gain as a result of the variation. We expect the avoidance of economic damage or diminished use and enjoyment by using the same footprint.

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;

Response: The granting of a variance should not create any detriment to public welfare or be unduly injurious to the enjoyment, use or development of other property. Placement of the new garage should be substantially within the same footprint with no adverse impact upon adjacent property. There is no building immediately adjacent on the opposite side of the lot line, but only an open yard. The current garage is currently obscured by a tall fence. Whether the set back is 4 feet or 5 feet would have no visual difference. The distance to the lot line cannot be observed because of the fence. Although there is no run off onto the adjacent property since its elevation on the adjacent property is now higher, we plan to install gutters with rain barrels to help manage rain water in our back yard. Given the volume of water, this may have a minimal effect.

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;

Response: The height of the proposed garage is substantially the same as the existing garage with a similar gable roof sloping down to the property line so as to maintain light and air. There is a fence on the lot line that blocks view of the garage so there is no difference in appearance. The proposed garage is more than 15 feet from the existing dwelling and should pose no danger to public safety.

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

Response: The location will not interfere with public utilities. There are utility lines along the back lot line and underground electrical and cable service to the dwelling was installed down the middle of the backyard. Hence there are no overhead lines.

The new garage will use the same level of electricity. There is no plumbing or sewer. It poses to additional or unreasonable risk to property. A fire detection system is being added to the new garage.

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.

Response: Relocation of the garage cannot be achieved without exacerbating the flooding condition on the property or making it more difficult to enter the garage from the existing driveway for reasons indicated in Response 1 above. Flooding could be avoided if a storm sewer was installed in the rear yard, but that is not practical and additional run off into the storm sewers is not permitted by the Metropolitan Sanitary District of Greater Chicago. And it is not practical to relocate the house and driveway to improve access to the garage.

Pictures of the existing garage are attached which illustrate the location of the garage to the fence and toward the deck.



## RE: 910 Forest Zoning Variance Application

---

From: Cliff Radatz (CRadatz@vrf.us)

To: williampiper@att.net

Date: Monday, April 29, 2019, 12:04 PM CDT

---

Mr. Piper,

In regard to setback, from your email from Friday:

The Plat of Survey identifies the southwest corner of the garage as being 4.27 feet (4'-3¼") off of the south property line, and the southeast corner as 4.45 feet (4'-5 13/32") away from the line, hence why Danley is showing 4.45' Side yard. If you are granted a variation for a side yard setback of 4.5 feet, then the permit drawings will need to show a setback of 4.5 feet. "Deminimus" might come into play once it is constructed in the field, but the permit drawings need to match the variation.

If you want 4.45 foot setback instead of 4.5 feet, you have to make that change on your application now before you send in the revisions and be prepared to explain to the ZBA that you are trying to match the existing condition.

Regards,

**Clifford Radatz**

Village of River Forest

Building Official

Phone (708) 366-8500 Ext. 357

Direct (708) 714-3557

Fax (708) 366-3702

[cradatz@vrf.us](mailto:cradatz@vrf.us)

---

**From:** William/Debra Piper [mailto:williampiper@att.net]

**Sent:** Monday, April 29, 2019 11:34 AM

**To:** Cliff Radatz <CRadatz@vrf.us>

**Cc:** William Piper <williampiper@att.net>

**Subject:** 910 Forest Zoning Variance Application

Cliff

I will be dropping of 9 copies of the revised Zoning Variance Application with 9 copies of 11 x 17 surveys later this afternoon.

I went thru your comments and made the revisions to the information and formatting you suggested.

Just to clarify:

This application now reflects a request for a 4.5 ft setback variance as shown on the 4.25.19 plans. It also reflects that the permit application will include the fire detection system from Forest. I took your calculations and hand wrote in the 4.5' setback and circled it as an amendment. These are attached as Exhibit E.

I am attaching a full electronic copy of the application and the prints.

Again, thanks for your help in reviewing the application.

Bill Piper



## Exhibit A

## ADDENDUM

DANLEY'S GARAGES  
1438 S Elmhurst Road  
Elk Grove Village, IL 60007  
(877) DANLEYS

Contract # G-19 SG0015

Owner Name: <u>WILLIAM PIPER</u>	Date of Addendum <u>4-4</u> , 20 <u>19</u>
Jobsite Address: <u>910 Forest Ave</u>	City/State/Zip: <u>River Forest IL 60305</u>
Phone: <u>708 401738</u>	Phone: <u>708 771-3229</u> Email: <u>william.piper@ATT.net</u>

We hereby agree to make the change(s) specified below:

change size of GARAGE From 21x22 to 20x22.  
GARAGE will go in same Location as OLD garage. Owner applying  
For Variance to do so. This will result in no fire detection  
system needed.

Reduce total cost of contract By <sup>\$</sup>500.

This addendum becomes part of and in conformance with the existing contract.

New Payment Schedule:

We hereby agree to make the change(s) specified above at this price.

Received with Addendum	\$ <u>—</u> .00
On Start of Concrete	\$ <u>—</u> .00
On Start of Electrical	\$ <u>—</u> .00
Amount Financed	\$ <u>20,200</u> .00

	\$ <u>-500</u> .00
Previous Contract Price	\$ <u>23,000</u> .00
Revised Contract Price	\$ <u>22,500</u> .00

The above prices and specifications of this addendum are satisfactory and are hereby accepted.

All work to be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

Contractor/Seller Danlev's Garages

By John DiFatta

Owner William Piper

Owner: \_\_\_\_\_

# Danley's Concrete & Obstruction Specification Sheet

1438 S Elmhurst Road Elk Grove Village IL 60007 - Ph: 877-DANLEYS

Date

Contract # G19SC0015

Customer Name William Piper

Rep Cell 708 296-6055

Job Address 910 Forest Ave

Rep John DiFatta

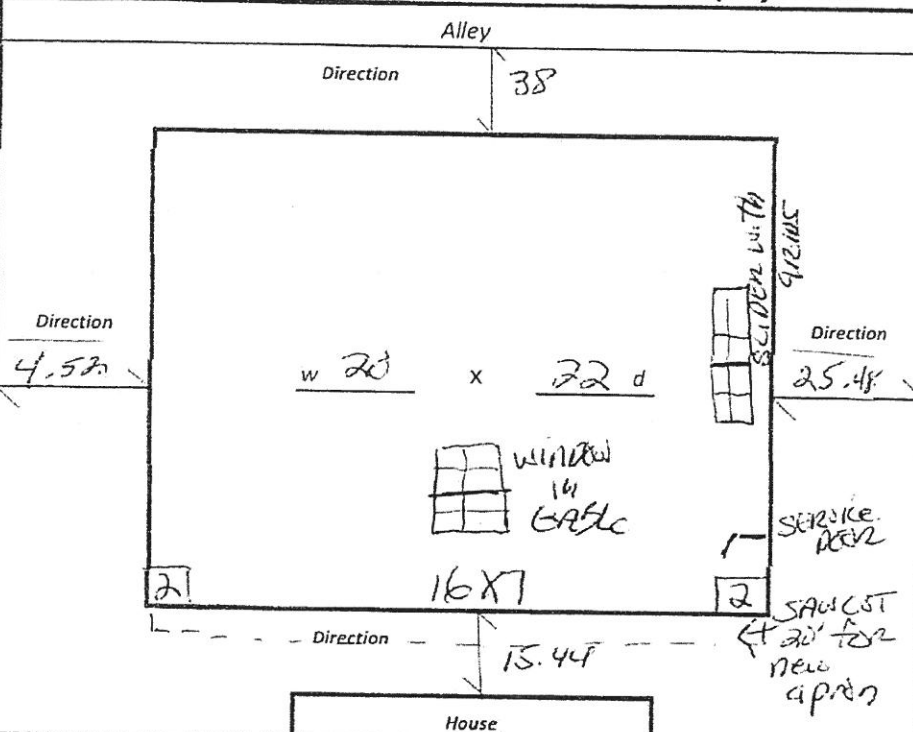
C/S/Zip River Forest IL 60305

Phone # 708 610-1738

Email williampiper@att.net

Phone # 708 771-3229

## Concrete Specifications



	Width		Depth
Slab Size	<u>20</u>	x	<u>22</u>
Apron Size	<u>20</u>	x	<u>3</u>
Footing	<u>10"</u>	x	<u>12"</u>
Stoop			

42" Trench	Yes	No
Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Full Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# of Loads	Yes	No
Dirt Haul	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gravel	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wheel In	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Retaining Wall # of Inches (Height) Encl. "

Reverse Wall # of Inches (Height) — "

Water Walls 4" or 6"

Sidewalk — Sq.Ft.

Driveway — Sq.Ft.

Patio — Sq.Ft.

Alley Access	<input type="checkbox"/>	Driveway Access	<input checked="" type="checkbox"/>
--------------	--------------------------	-----------------	-------------------------------------

## Obstruction Specifications

Existing Garage Size	Width <u>20</u> x Depth <u>22</u> x Apron <u>—</u>
Existing Garage Type	Wood <input checked="" type="checkbox"/> Brick <input type="checkbox"/> Other <input type="checkbox"/>
Existing Floor Type	Width x Depth
Slab Size	<u>20</u> x <u>22</u>
Apron Size	<u>—</u> x <u>—</u>
Footings	<u>—</u> x <u>—</u>

Sidewalk	<u>—</u> Sq.Ft.
Driveway	<u>—</u> Sq.Ft.
Bushes/Stumps	<u>—</u> Qty.
Trees/Stumps	<u>—</u> Qty.
Fence/Posts	<u>—</u> LF/Qty
Saw Cut	<u>20'</u> Ln.Ft.
Contents Included	Yes or No

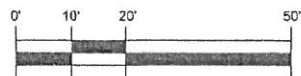
Notes #4 REBAR in concrete  
Apron 6" Thick

Additional Obstructions

Customer's Signature:

*[Signature]*

## Exhibit B



CONSTRUCTION AND LAND SURVEYORS  
7710 CENTRAL AVENUE, RIVER FOREST, ILLINOIS, 60305  
TEL.: (847) 299-1010 FAX: (847) 299-5887  
E-MAIL: USURVEY@USANDCS.COM

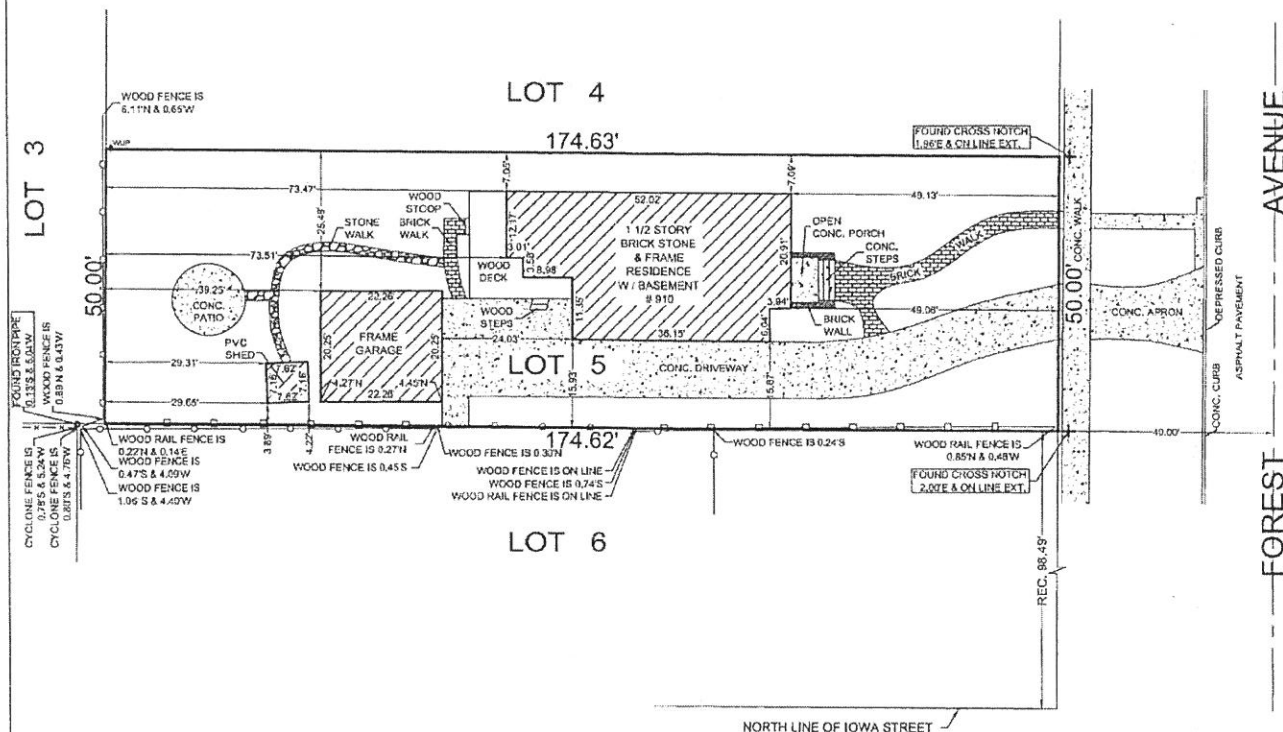
LOT 5 IN HENRY S. PETERSON'S SUBDIVISION OF BLOCK 6 ( EXCEPT THE NORTH 400 FEET MEASURED ON KEYSTONE AVENUE) OF SNOW AND DICKINSON'S ADDITION TO RIVER FOREST A SUBDIVISION OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 1 AND THE EAST 17 ACRES OF THE SOUTH EAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.


KNOWN AS: 910 FOREST AVENUE, RIVER FOREST, ILLINOIS

PERMANENT INDEX NUMBERS:  
15 - 01 - 313 - 009 - 0000

AREA= 8,731 SQ.FT. OR 0.200 ACRE

BY R.O.W. HERETOFORE DEDICATED  
AS FOR PUBLIC STREET PURPOSES.



LEGEND	ABBREVIATIONS
	WOOD UTILITY POLE

ORDERED BY: WILLIAM PIPER
SCALE : 1" = 15'
DATE : MARCH 1, 2019
FILE No.: 2019 - 26594

DATE	REVISION

STATE OF ILLINOIS )  
 ) S.S.  
COUNTY OF COOK )

I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

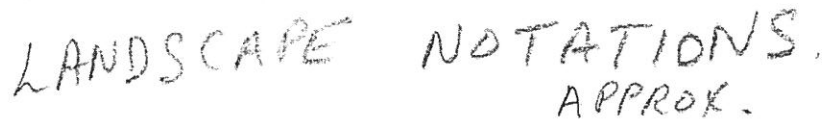
DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT.

RIVER FOREST, ILLINOIS, MARCH 1, A.D. 2019

BY: Ray H. Lamey  
 ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290  
 LICENSE EXPIRES: NOVEMBER 30, 2020  
 PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576  
 LICENSE EXPIRES: APRIL 30, 2021



## Exhibit C



CONSTRUCTION AND LAND SURVEYORS  
7710 CENTRAL AVENUE, RIVER FOREST, ILLINOIS, 60305  
TEL.: (847) 299-1010 FAX: (847) 299-5887  
E-MAIL: USURVEY@USANDCS.COM

LOT 5 IN HENRY S. PETERSON'S SUBDIVISION OF BLOCK 6 ( EXCEPT THE NORTH 400 FEET MEASURED ON KEYSTONE AVENUE) OF SNOW AND DICKINSON'S ADDITION TO RIVER FOREST A SUBDIVISION OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 1 AND THE EAST 17 ACRES OF THE SOUTH EAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: 910 FOREST AVENUE, RIVER FOREST, ILLINOIS

PERMANENT INDEX NUMBERS:  
15 - 01 - 313 - 009 - 0000

AREA= 0,731 SQ.FT. OR 0.200 ACRE

30' R.O.W. HERETOFORE DEDICATED  
AS FOR PUBLIC STREET PURPOSES

STATE OF ILLINOIS )  
 ) S.S.  
COUNTY OF COOK )

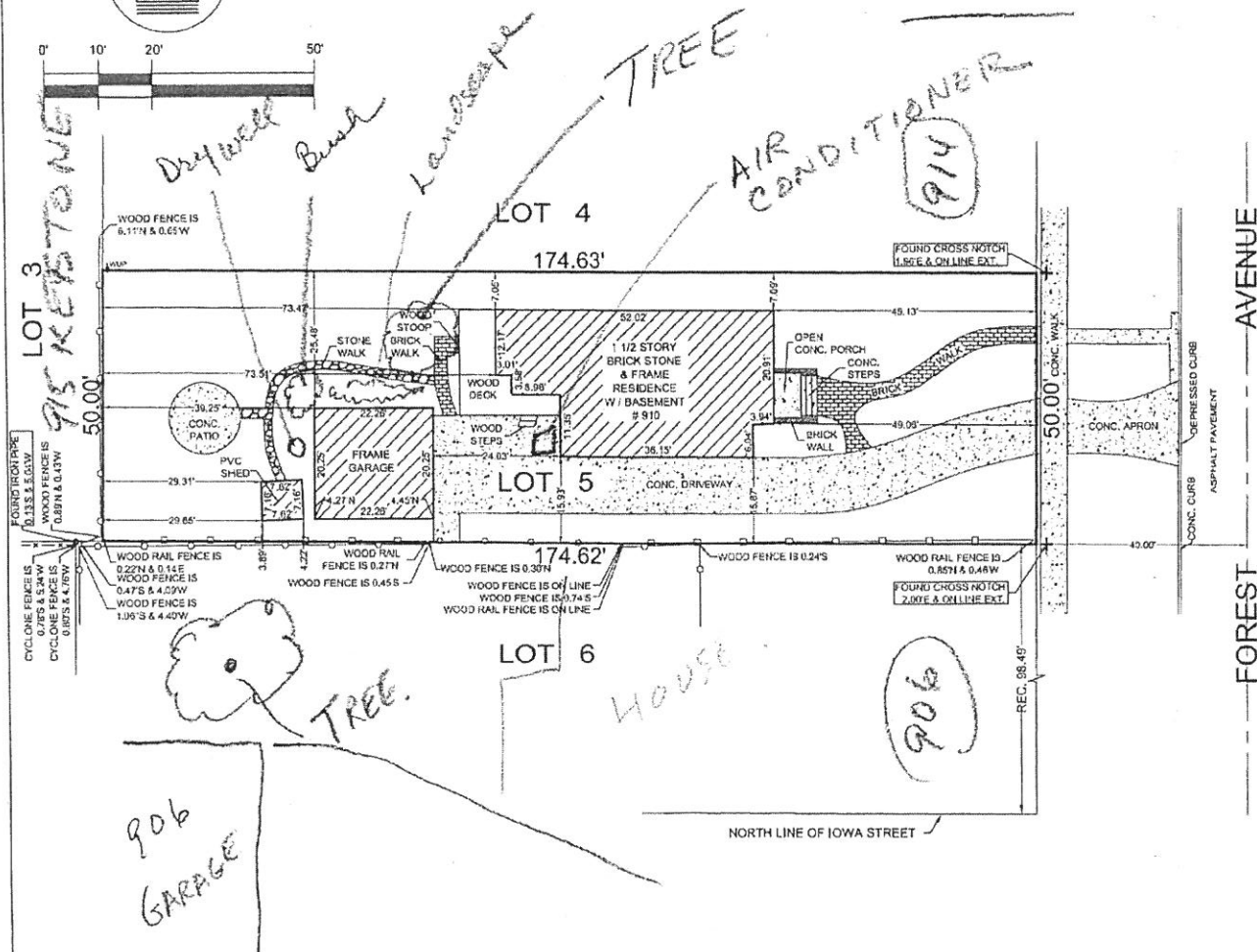
I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT  
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT.

RIVER FOREST, ILLINOIS, MARCH 1, A.D. 2019

BY: Ray H. Larnoyek  
 ROY G. LAWNCIAZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290  
 LICENSE EXPIRES: NOVEMBER 30, 2020  
 PROFESSIONAL DESIGN FIRM LICENSE NO.: 104-004576  
 LICENSE EXPIRES: APRIL 30, 2021

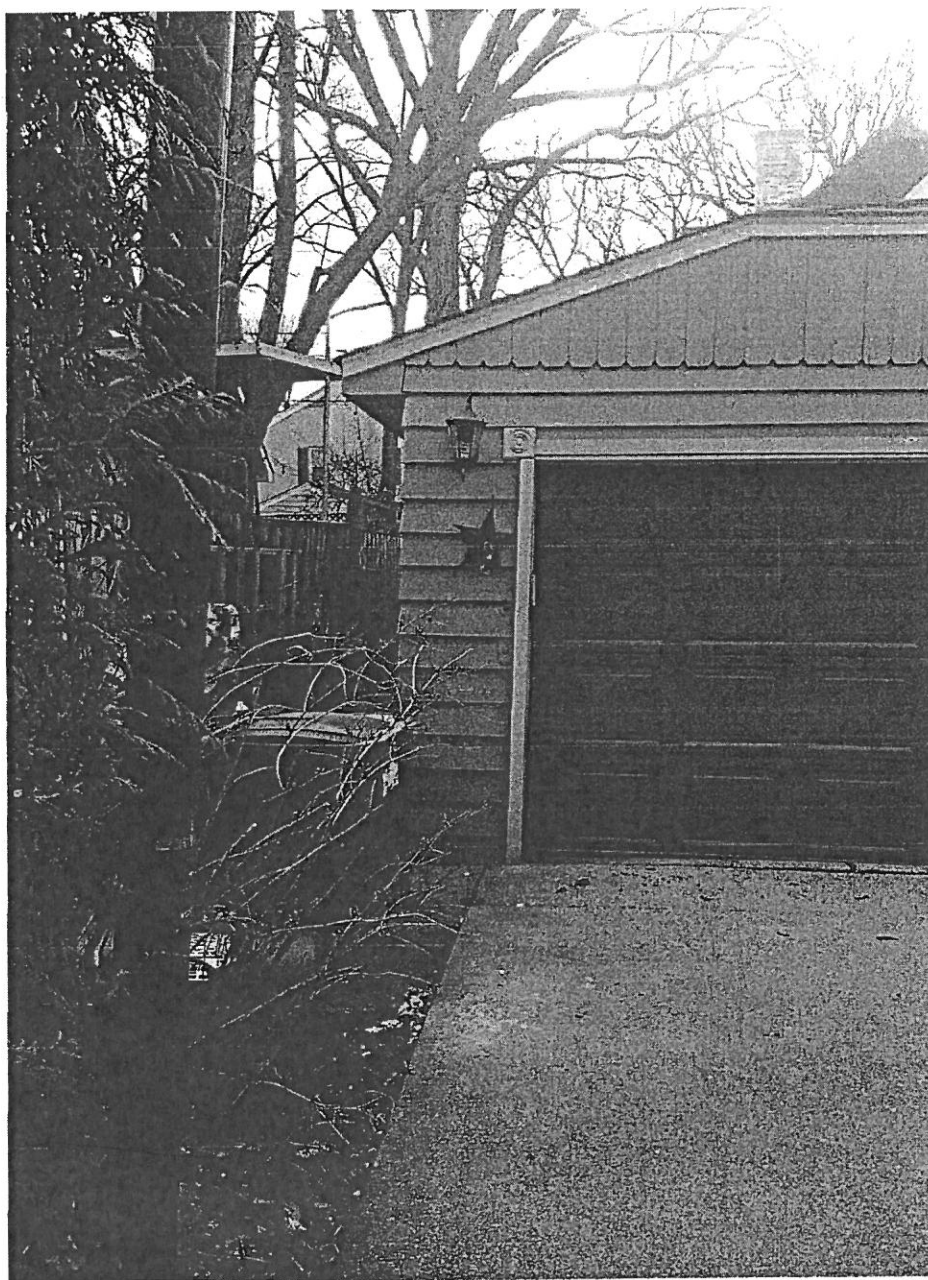


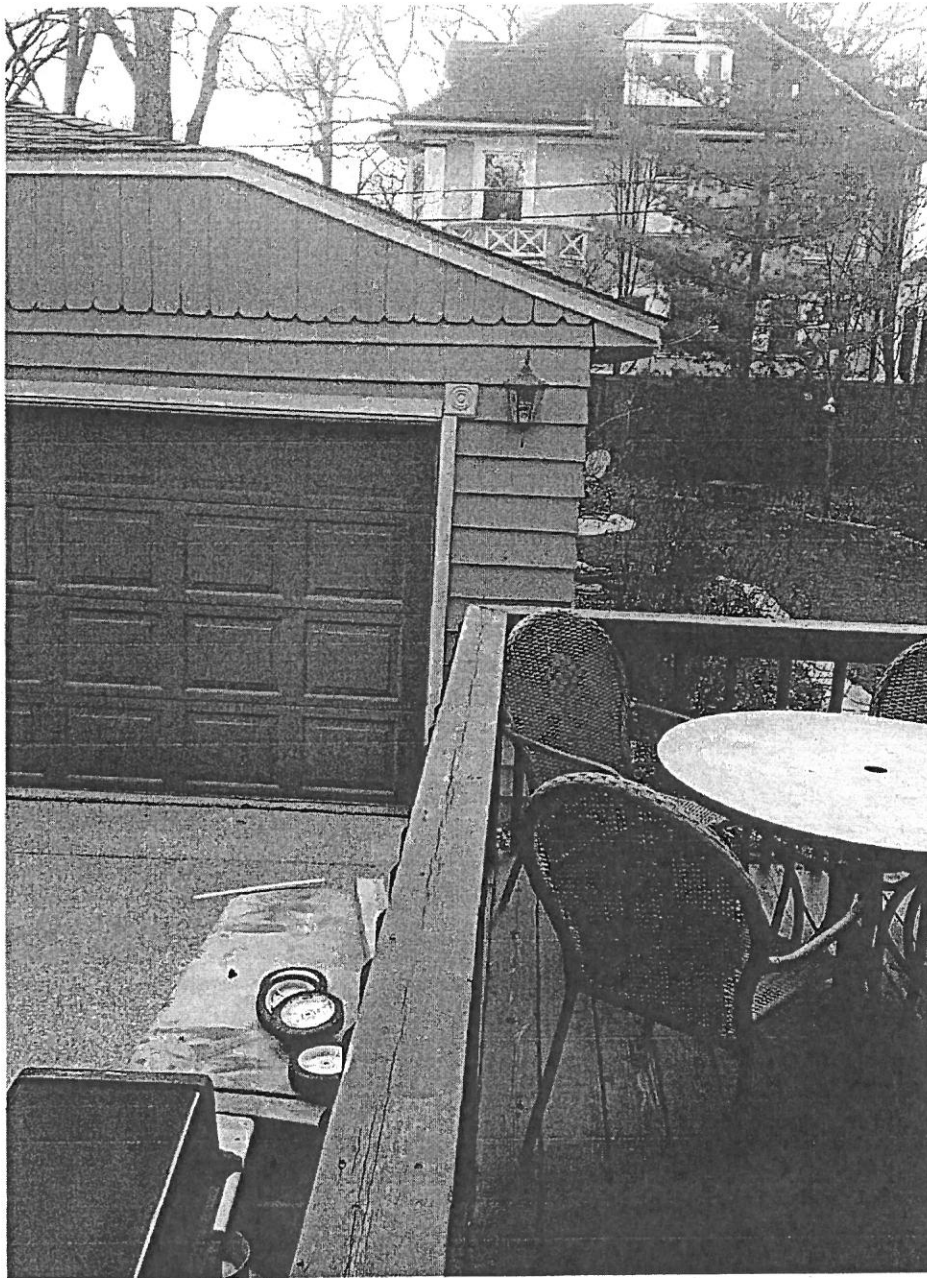
ORDERED BY: WILLIAM PIPER		
SCALE : 1" = 15'		
DATE : MARCH 1, 2019		
FILE No.:		
2019 - 26594	DATE	REVISION

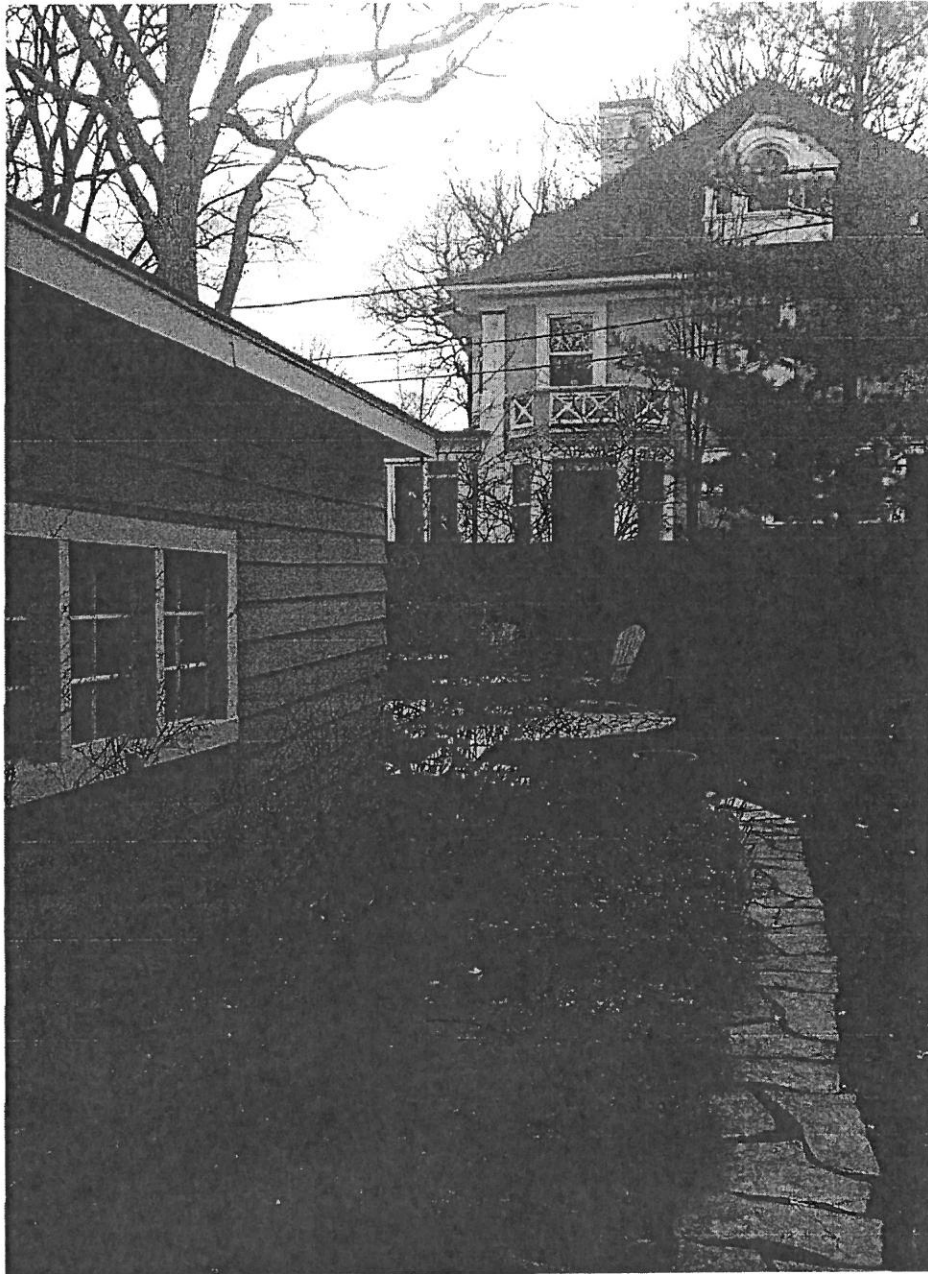
## Exhibit D











# Exhibit E



# Zoning Review Checklist

Address: 910 Forest Avenue  
 Date of Review: 4/1/2019      Date of Submission: 3/13/2019  
 Contact:      Telephone #:

Zoning District : R2

**Use:** Detached Garage for Single Family Residence

Accessory Structure

## Permitted Use

### Lot Area

Lot Width	Lot Depth	Lot Area
<span style="border: 1px solid black; padding: 2px 10px;">50.00</span>	<span style="border: 1px solid black; padding: 2px 10px;">174.6250</span>	<span style="border: 1px solid black; padding: 2px 10px;">8731.25</span>

### Lot Coverage

30% allowed for the R2 District

Allowed	Proposed	
<span style="border: 1px solid black; padding: 2px 10px;">2619.38</span>	<span style="border: 1px solid black; padding: 2px 10px;">1750.58</span>	<input checked="" type="checkbox"/>
	20.05%	

### Floor Area Ratio

40% allowed for the R2 District

Allowed	Proposed	
<span style="border: 1px solid black; padding: 2px 10px;">3492.50</span>	<span style="border: 1px solid black; padding: 2px 10px;">1964.70</span>	<input checked="" type="checkbox"/>
	22.50%	

### Setbacks

Accessory structure

Rear 30% of Lot Depth

Required	Proposed	
<span style="border: 1px solid black; padding: 2px 10px;">52.3875</span>	<span style="border: 1px solid black; padding: 2px 10px;">60.5000</span>	<input type="checkbox"/> <i>✗</i>

Is the Accessory Structure located in the rear 30% of the lot?  
 (If not, must comply with setbacks for the main building.)

**No**

### Side Yard

10% of Lot Width or 5' whichever <b>North</b>	<span style="border: 1px solid black; padding: 2px 10px;">5.0000</span>	<span style="border: 1px solid black; padding: 2px 10px;">25.5000</span>	<input checked="" type="checkbox"/>
		0.5000	

Eave	<span style="border: 1px solid black; padding: 2px 10px;">3.0000</span>	<span style="border: 1px solid black; padding: 2px 10px;">25.0000</span>	<input checked="" type="checkbox"/>
------	---	--	-------------------------------------

### Side Yard

10% of Lot Width or 5' whichever <b>South</b>	<span style="border: 1px solid black; padding: 2px 10px;">5.0000</span>	<span style="border: 1px solid black; padding: 2px 10px;">3.5000</span>	<input checked="" type="checkbox"/>
		0.5000	

Eave	<span style="border: 1px solid black; padding: 2px 10px;">3.0000</span>	<span style="border: 1px solid black; padding: 2px 10px;">3.0000</span>	<input checked="" type="checkbox"/>
------	---	---	-------------------------------------

### Rear Yard

10-8-7 C 2 c 3' to bldg <b>East</b>	<span style="border: 1px solid black; padding: 2px 10px;">3.0000</span>	<span style="border: 1px solid black; padding: 2px 10px;">38.5000</span>	<input checked="" type="checkbox"/>
		0.5000	

10-8-7 C 2 c 2' to eave	<span style="border: 1px solid black; padding: 2px 10px;">2.0000</span>	<span style="border: 1px solid black; padding: 2px 10px;">38.0000</span>	<input checked="" type="checkbox"/>
-------------------------	---	--	-------------------------------------

5'-0" Clear required where adjacent to ComEd power lines      5'      **OK**

Accessory Structure

*Amended*  
*(if 25')*  
**4.45**

## Zoning Review Checklist

### Building Height Ridge

Allowed

Proposed

Height above grade in feet

18'

14.41



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 73.48

Lot Width at Rear Yard 50.00

Area of Rear Yard 3674.00

x 30% 0.30

Allowable Area of Acc. Bldg. 1102.20

**910 Forest Avenue**  
Area Calculations

4/1/2019

Lot Area	50.0000	174.6250	<b>8731.2500</b>
Allowed Coverage	0.3000		<b>2619.3750</b>
Allowed FAR	0.4000		<b>3492.5000</b>

**Lot Coverage - Existing**

First Floor Area	Existing	1234.0211
Detached Garage	Existing	450.7650
PVC Shed	Existing	54.5592
		0.0000
Total		<b>1739.3453</b>

**Lot Coverage - New**

First Floor Area	Existing	1234.0211
Detached Garage	Proposed	462.0000
PVC Shed	Existing	54.5592
		0.0000
Total		<b>1750.5803</b>

**Floor Area - Existing**

Floor Area - existing	1st floor	1234.0211
	2nd floor	730.6819
	Attic	0.0000
Detached Garage	Existing	450.7650
garage allowance (up to 500 s.f)		-450.7650
		<b>1964.7030</b>

**Floor Area - Proposed**

Floor Area - Proposed	1st floor	1234.0211
	2nd floor	730.6819
	Attic	0.0000
Detached Garage	Proposed	462.0000
garage allowance		-462.0000
		<b>1964.7030</b>



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

A	12.1700	3.0100	36.6317
B	15.6750	8.9800	140.7615
C	26.9500	36.1500	974.2425
D	20.9100	3.9400	82.3854
			0.0000
			<b>1234.0211</b>

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

1234.0211  
0.0000  
**1234.0211**

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

			0.0000
0.75	c	26.9500	36.1500
			730.6819
			<b>730.6819</b>

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

730.6819  
0.0000  
**730.6819**

Detached Garage - **Existing**

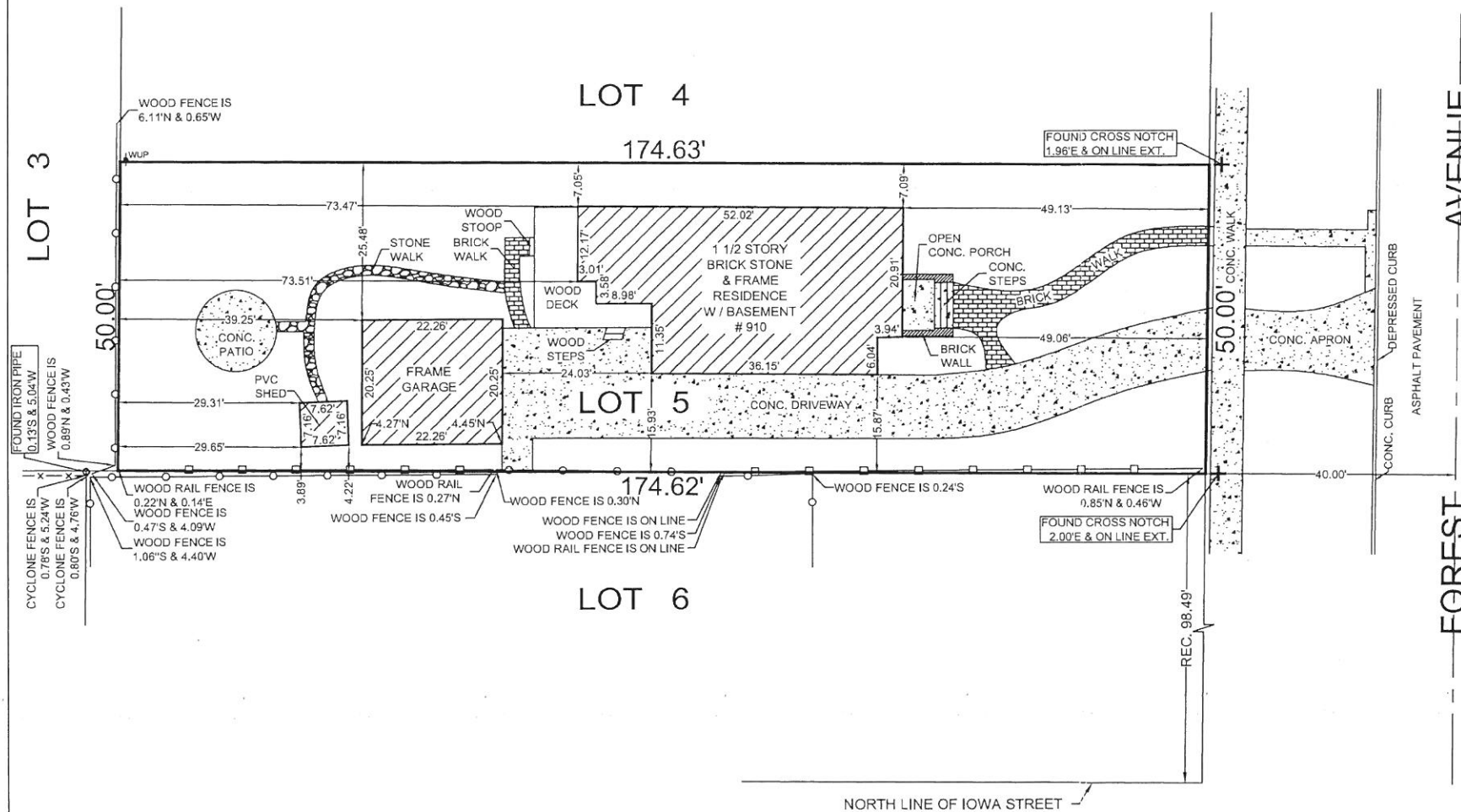
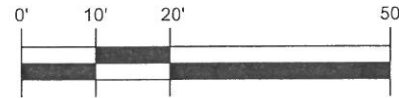
x	20.2500	22.2600	450.7650
			0.0000
			<b>450.7650</b>

Detached Garage - **Proposed**

G	21.0000	22.0000	462.0000
			0.0000
			<b>462.0000</b>

PVC Shed - **Existing**

s	7.1600	7.6200	54.5592
			0.0000
			<b>54.5592</b>



# UNITED SURVEY SERVICE, LLC

CONSTRUCTION AND LAND SURVEYORS  
7710 CENTRAL AVENUE, RIVER FOREST, ILLINOIS, 60305  
TEL.: (847) 299 - 1010 FAX: (847) 299 - 5887  
E-MAIL: USURVEY@USANDCS.COM

## PLAT OF SURVEY OF

LOT 5 IN HENRY S. PETERSON'S SUBDIVISION OF BLOCK 6 ( EXCEPT THE NORTH 400 FEET MEASURED ON KEYSTONE AVENUE) OF SNOW AND DICKINSON'S ADDITION TO RIVER FOREST A SUBDIVISION OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 1 AND THE EAST 17 ACRES OF THE SOUTH EAST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: 910 FOREST AVENUE, RIVER FOREST, ILLINOIS

PERMANENT INDEX NUMBERS:  
15 - 01 - 313 - 009 - 0000

AREA= 8,731 SQ.FT. OR 0.200 ACRE

80' R.O.W. HERETOFORE DEDICATED  
AS FOR PUBLIC STREET PURPOSES

FOREST AVENUE

STATE OF ILLINOIS )  
COUNTY OF COOK ) S.S.

I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT.

RIVER FOREST, ILLINOIS, MARCH 1, A.D. 2019

BY:

*Roy G. Lawniczak*

ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290  
LICENSE EXPIRES: NOVEMBER 30, 2020  
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576  
LICENSE EXPIRES: APRIL 30, 2021



LEGEND	ABBREVIATIONS
	WOOD UTILITY POLE

ORDERED BY:		
WILLIAM PIPER		
SCALE : 1" = 15'		
DATE : MARCH 1, 2019		
FILE No.:		
2019 - 26594	DATE	REVISION

LOT 3



ORDERED BY: WILLIAM PIPER
SCALE : 1" = 15'
DATE : MARCH 1, 2019
FILE No.: <b>2019 - 26594</b>

AVENUE

# FOREST

380' R.O.W. HERETOFORE DEDICATED

LOT 3



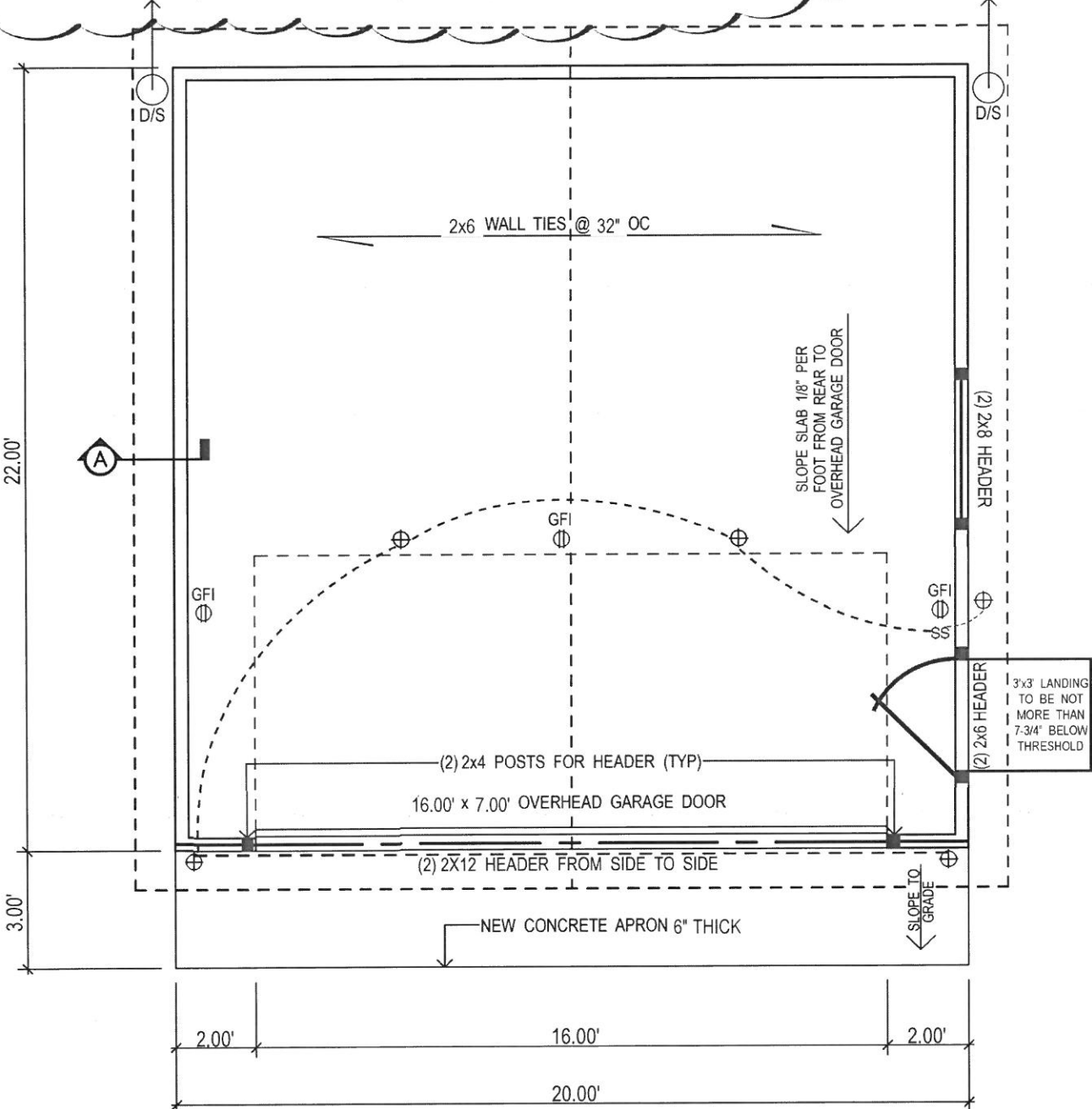
80' R.O.W. HERE TO FORE DEDICATED  
AS FOR PUBLIC STREET PURPOSES

# FOREST

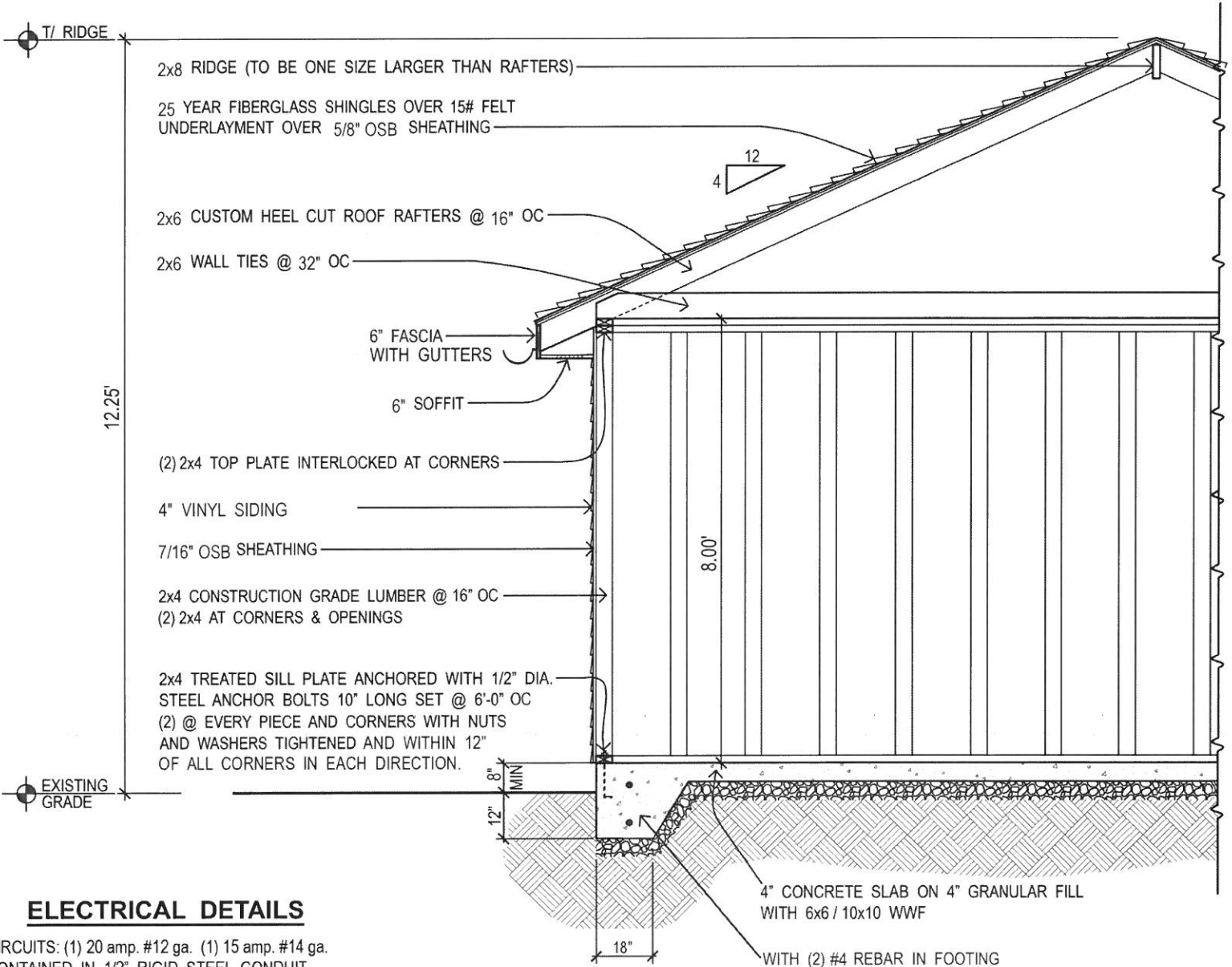
ORDERED BY: WILLIAM PIPER
SCALE : 1" = 15'
DATE : MARCH 1, 2019
FILE No.: <b>2019 - 26594</b>

**Per VoRF Amendment to IRC R302.1:**

The fire separation distance from a detached garage and the dwelling it is accessory to shall not be less than 15' unless the garage is equipped with an approved heat detection system, in which case the separation distance may be reduced to 10' minimum. BUILDING TO BE SUPPLIED WITH FIRE DETECTION SYSTEM (installed by Forest Security); SEPARATION REDUCED TO 13.50' (which the the existing setback).



**FLOOR PLAN**



**ELECTRICAL DETAILS**

- CIRCUITS: (1) 20 amp. #12 ga. (1) 15 amp. #14 ga.
- CONTAINED IN 1/2" RIGID STEEL CONDUIT
- BURIAL DEPTH: 18 INCHES
- WIRING: SEPARATE CIRCUITS TO SERVICE PANEL

**BUILDING SECTION**

NOTE: DRAWINGS ARE NOT TO SCALE



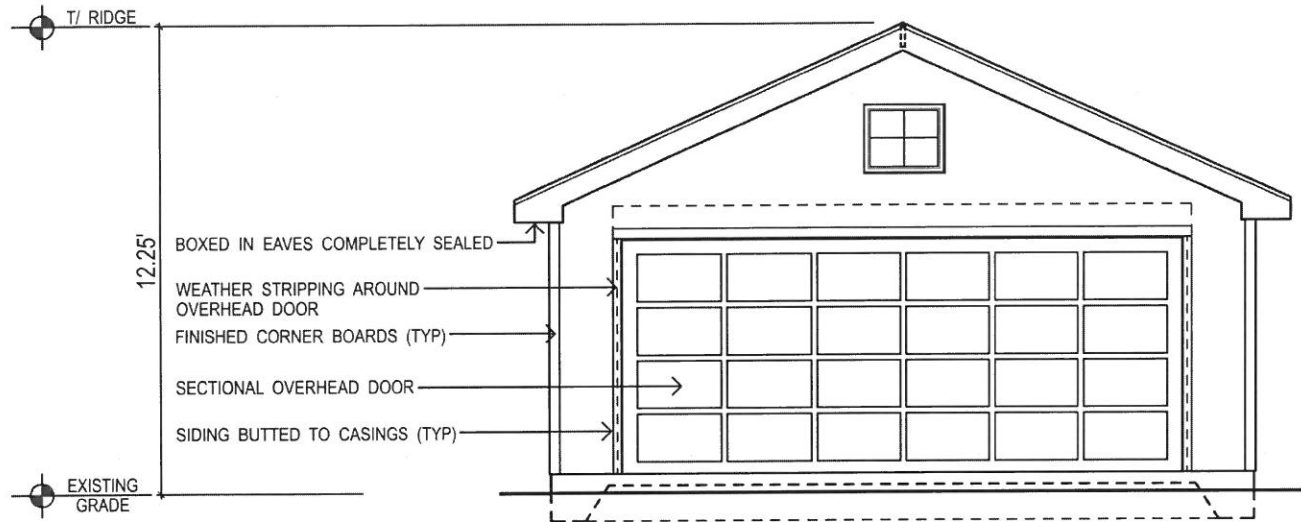
**DETACHED GARAGE - GABLE ROOF**  
**910 FOREST AVENUE - RIVER FOREST - WILLIAM & DEBRA PIPER**

CONTRACTOR:  
**DANLEY'S GARAGE WORLD**  
1438 ELMHURST ROAD  
ELK GROVE VILLAGE, IL. 60007  
PHONE: (847) 849-5436  
EMAIL: permits@danleys.com

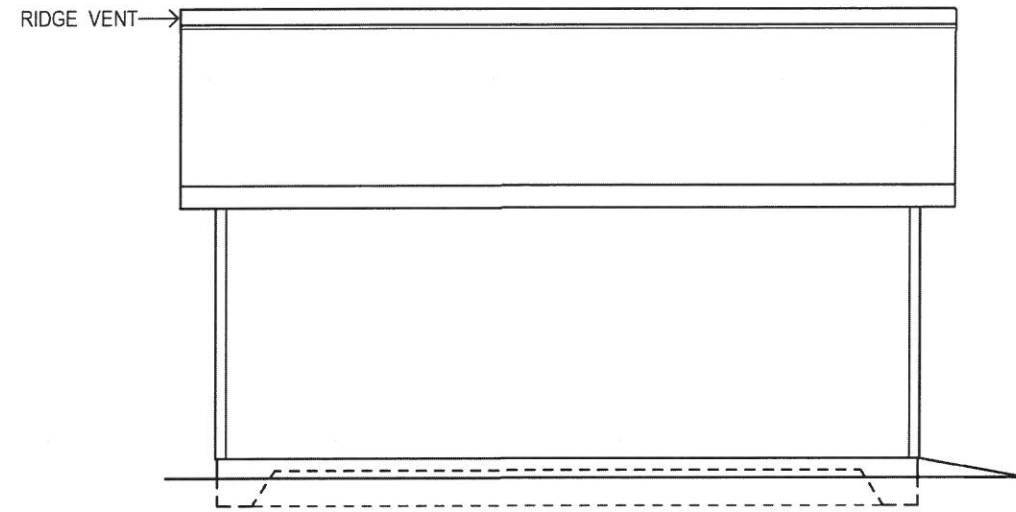
SHEET NAME:  
**FLOOR PLAN & BUILDING SECTION**  
SHEET NUMBER:  
**1 OF 2**



SPECIFIC WINDOW AND DOOR STYLES SHOWN  
ON PLANS ARE REPRESENTATIVE ONLY

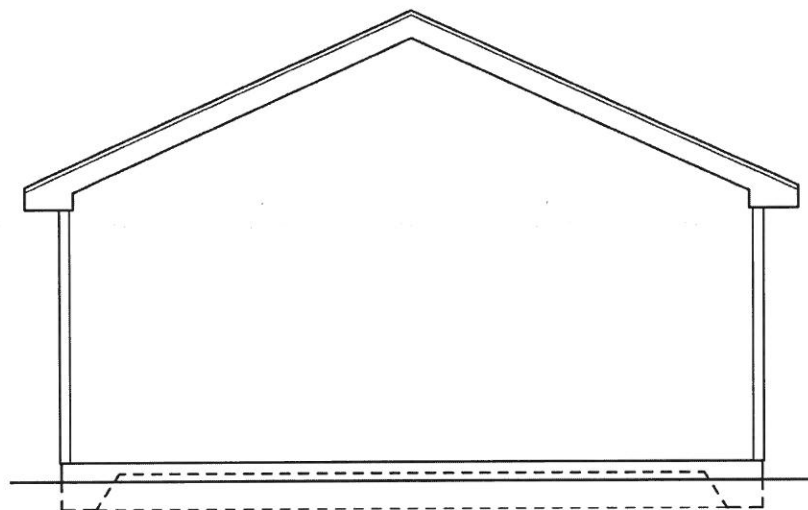


EAST ELEVATION

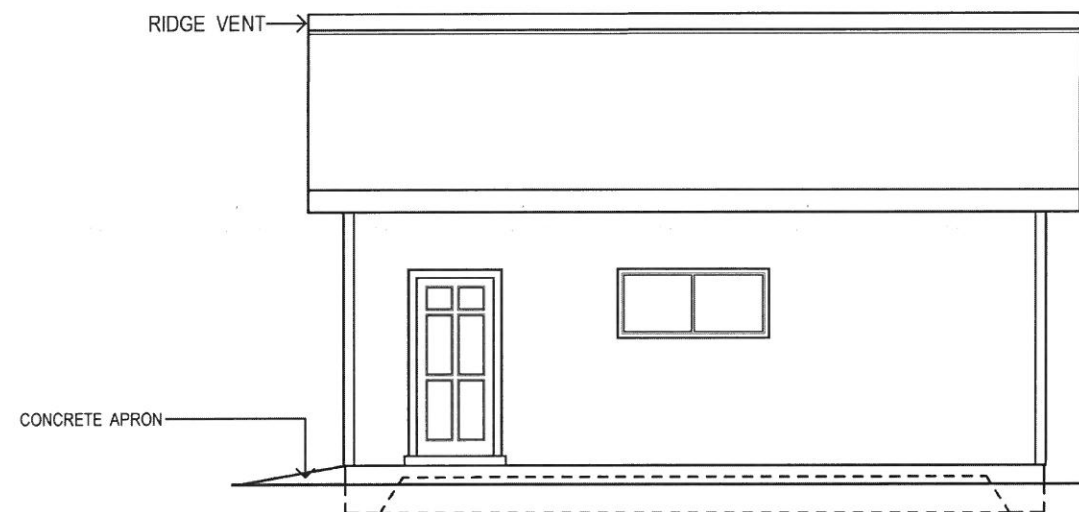


SOUTH ELEVATION

ELECTRICAL SERVICE DROP SHALL  
HAVE A MINIMUM CLEARANCE OF  
3'0" ABOVE GARAGE ROOF



WEST ELEVATION



NORTH ELEVATION

NOTE: DRAWINGS ARE NOT TO SCALE



**DETACHED GARAGE - GABLE ROOF**  
**910 FOREST AVENUE - RIVER FOREST - WILLIAM & DEBRA PIPER**

THESE PLANS REMAIN THE PROPERTY OF MACH 1, INC. AND THEIR REPRODUCTION IS EXPRESSLY FORBIDDEN

CONTRACTOR:  
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1438 ELMHURST ROAD  
ELK GROVE VILLAGE, IL. 60007  
PHONE: (847) 849-5436  
EMAIL: permits@danleys.com

SHEET NAME:  
**ELEVATIONS**  
SHEET NUMBER:  
**2 OF 2**



## MEMORANDUM

**DATE:** May 3, 2019  
**TO:** Zoning Board of Appeals  
**FROM:** Clifford E. Radatz *CER*  
Building Official  
**SUBJECT:** Fence Variation Request – 910 Park Avenue

---

H. Michael Hartmann, owner of the property at 910 Park Avenue, has submitted the attached application for a variation to the fence regulations (Section 4-8-4) of the Village Code. The applicant proposes to construct a fence in the side yards and rear yard of the property.

Section 4-8-5 of the Village Code provides the Zoning Board of Appeals jurisdiction to hold public hearings and offer recommendations to the Village Board concerning variations to the fence code.

The applicant seeks a variation to Sections 4-8-4-C-2 and 4-8-3-C of the Village Code. Section 4-8-4-C-2 requires fences in the side yard and rear yard are required to meet the requirements of a “type 3” fence. A “type 3” fence is defined in section 4-8-3-C of the Village Code as a fence conforming to specific construction, openness, and height requirements; being that the fence shall be of any approved type of fence construction, and shall be limited to a maximum of 7 feet in height. The applicant proposes to construct a fence with a height of 8’-6”.

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 variation to Section 4-8-4 of the Zoning Code at 910 Park 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, May 9, 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 H. Michael Hartmann, owner of the property at 910 Park Avenue. The applicant wishes to construct a fence to enclose the rear yard along the south, west, and north property lines. Section 4-8-5 of the Village Code provides the Zoning Board jurisdiction to hold public hearings and offer recommendations to the Village Board concerning variations to the fence code.

The applicant seeks a variation to Sections 4-8-4-C-2 and 4-8-3-C of the Village Code which limits the height of fences located in the side yard and rear yard to 7 feet. The applicant proposes to construct a fence with a height of 8'-6".

The legal description of the property at 910 Park Avenue is as follows:

PARCEL 1: LOT 3 (EXCEPT THE SOUTH 16.0 FEET THEREOF), ALL OF LOTS 4 AND 5 (EXCEPT THE NORTH 25 FEET) IN SKILLIN'S SUBDIVISION OF BLOCK 11 IN SNOW AND DICKINSON'S ADDITION TO RIVER FOREST IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.  
PARCEL 2: THE EAST 1/2 OF THE NORTH AND SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT 3 (EXCEPT THE SOUTH 16.0 FEET THEREOF), ALL OF LOTS 4 AND 5 (EXCEPT THE NORTH 25.0 FEET) IN SKILLIN'S SUBDIVISION AFORESAID, IN COOK COUNTY, ILLINOIS.

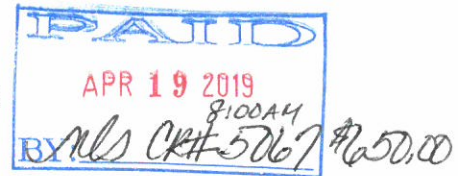
All interested persons will be given the opportunity to be heard at the public hearing. A copy of the meeting agenda will be available to the public at the Village Hall.

Clifford E. Radatz  
Secretary  
Zoning Board of Appeals





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



Address of Subject Property: 910 Park Ave, River Forest Date of Application: 4/15/2019

Applicant		Architect / Contractor	
Name: <u>H. MICHAEL HARTMANN</u>		Name: <u>A &amp; M FENCE CORPORATION</u>	
Address: <u>910 PARK AVE</u>		Address: <u>3114 S. 61<sup>ST</sup> AVE</u>	
City/State/Zip: <u>RIVER FOREST, IL 60305</u>		City/State/Zip: <u>CICERO, IL 60804</u>	
Phone: <u>(708) 771-5090</u>	Fax: _____	Phone: <u>(708) 780-0500</u>	Fax: <u>(708) 780-0600</u>
Email: <u>MHARTMANN@HARTFITZ.COM</u>		Email: <u>SALES@AMFENCECORP.COM</u>	

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 15<sup>th</sup> 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: \_\_\_\_\_

Date: 4/18/2019

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: 910 PARK AVE, RIVER FOREST Date of Application: 4/15/2019

Summary of Requested Variation(s):

<b>Applicable Code Section (Title, Chapter, Section)</b> <i>Example:</i> 10-8-5, lot coverage	<b>Code Requirement(s)</b> <i>Example:</i> no more than 30% of a lot	<b>Proposed Variation(s)</b> <i>Example:</i> 33.8% of the lot (detailed calculations on a separate sheet are required)
4-8-3 4-8-4 C2	FENCE HEIGHT LIMITED TO 7 FEET	FENCE HEIGHT OF 8 1/2 FEET

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.

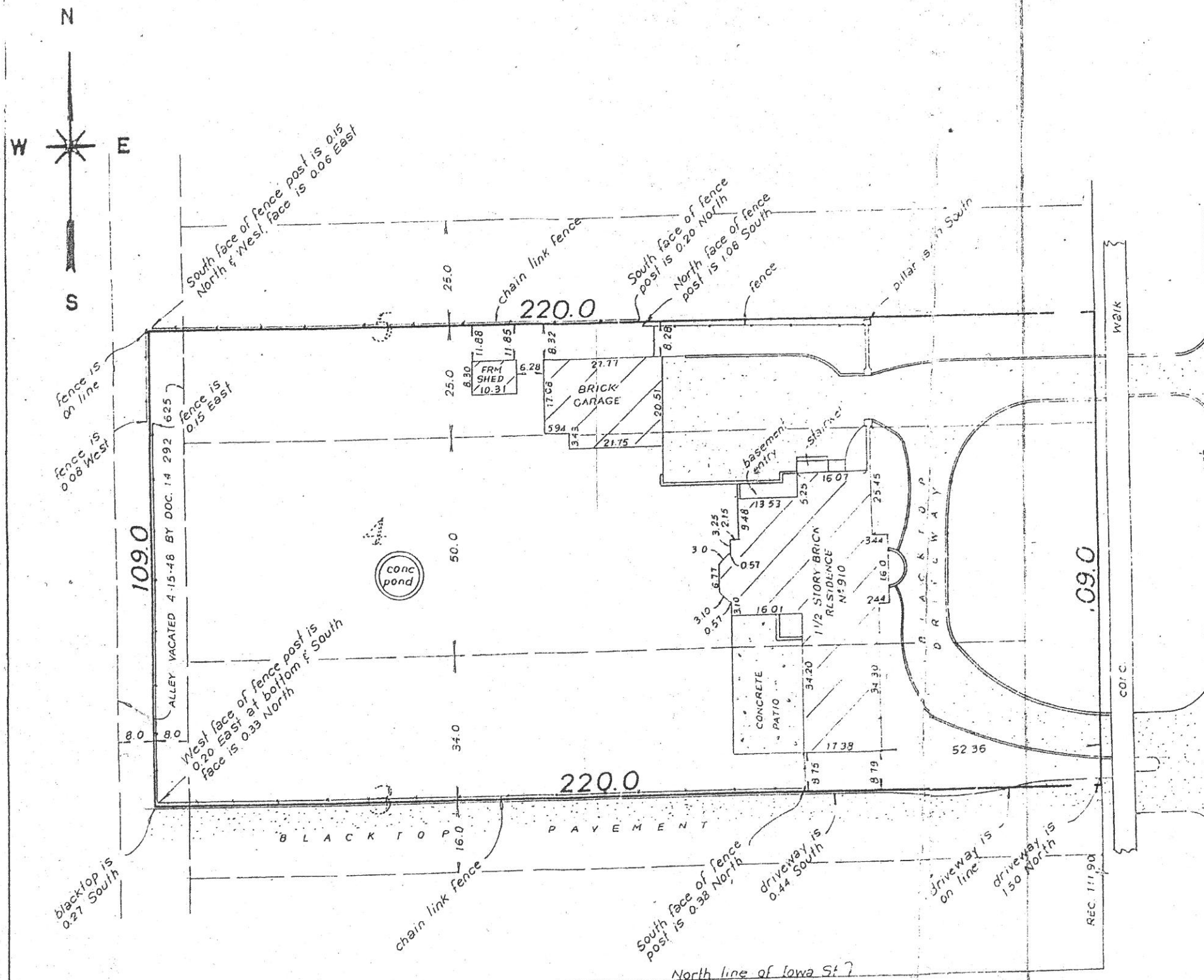
We submit herewith our application for a zoning variation that would permit us to install a chain link fence around our back yard with a height of 8-½ feet.

Such height is required to prevent deer from intruding into the yard and contaminating it with deer feces and otherwise making it difficult for my handicapped son to roll in his wheelchair out of the house and to generally enjoy the yard.

#### Description of the Nature of the Proposed Variation

We wish to replace the present 4 feet high chain link fence around our backyard with an 8-½ feet high chain link fence. Under Chapter 4-8-3 and 4-8-4 C2 of the Zoning Code, the fence height for my backyard is limited to 7 feet. That height is insufficient to prevent a severe deer intrusion problem. The intimidation of groups of up to nine or ten deer - some rather large - and the amount of feces spread everywhere make it difficult for my son in a wheelchair to exit and enter the house (he uses the back door and walkway into the side yard because of the absence of steps). At times the yard is rendered virtually unenjoyable because of the deer dirt spread all over the grass and walkways. In addition, the deer have fed on landscaping and caused damage well in excess of \$10,000.

We enclose a number of pictures demonstrating the problem. Also enclosed is a picture of the entire back yard. Note the size and number of the animals, the aggressive nature of them, the destruction they cause by feeding on plantings in the yard and the feces they leave everywhere. This problem has gone on for at least five years.



# CERTIFIED SURVEY CO. PLAT OF SURVEY

5740 N. ELSTON AVE. CHICAGO, ILLINOIS 60646 PHONE 775-7755

PARCEL 1: LOT 3 (EXCEPT THE SOUTH 16.0 THEREOF) ALL OF LOTS 4 AND 5 (EXCEPT THE NORTH 25 FEET) IN SKILLIN'S SUBDIVISION OF BLOCK 11 IN SNOW AND DICKINSON'S ADDITION TO RIVER FOREST IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.  
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AVENUE

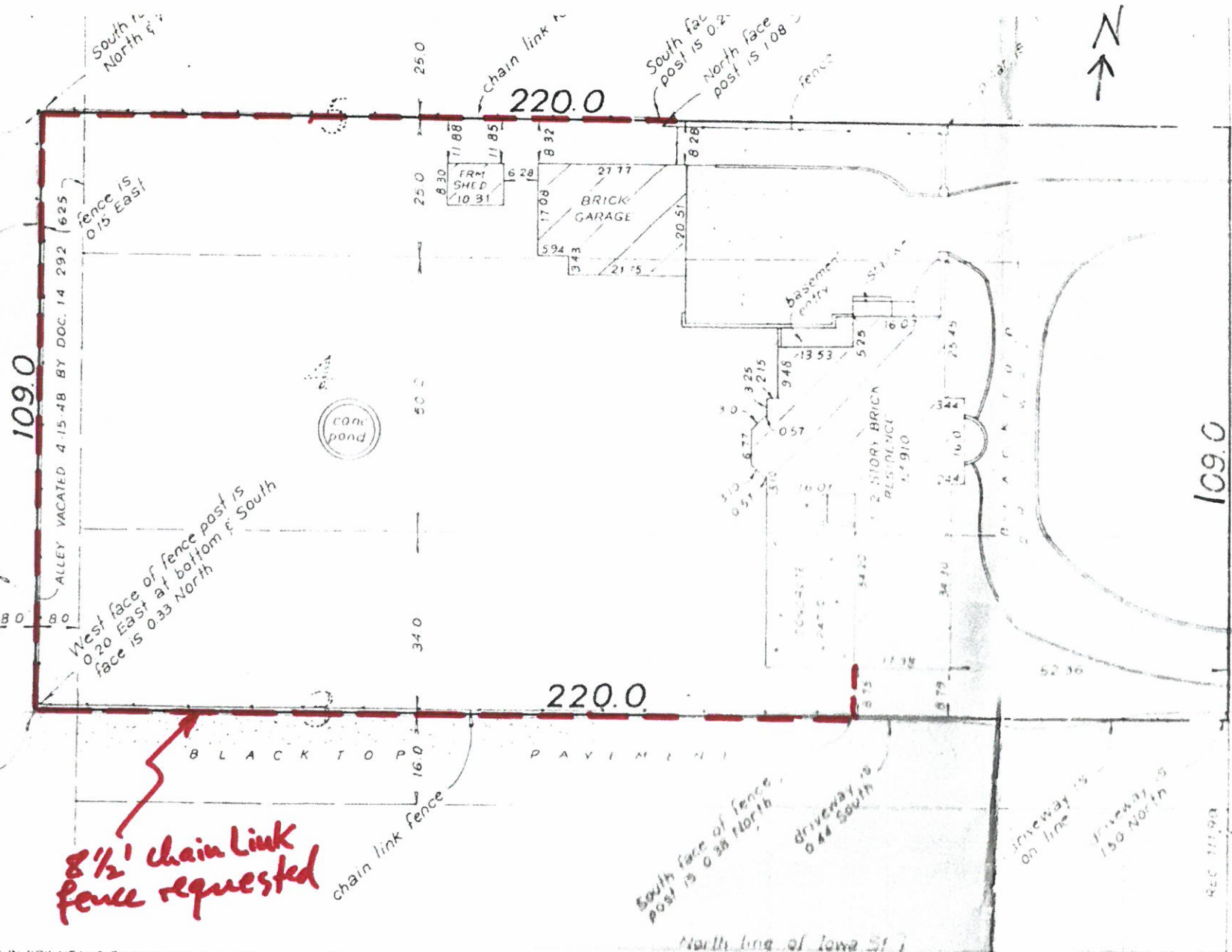
PARK

STATE OF ILLINOIS)  
COUNTY OF COOK )SS

I, PAUL F. MISTURAK, A REGISTERED ILLINOIS LAND SURVEYOR DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE FOR THE USES AND PURPOSES THEREIN SET FORTH. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECT AT A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

Paul F. Misturak  
PAUL F. MISTURAK  
REGISTERED ILLINOIS LAND SURVEYOR





8 1/2' chain link fence requested

910 Park Ave  
River Forest

2. CHECK [ ] IN BOX MEANS THIS SURVEY HAS BEEN MADE FOR USE IN CONNECTION WITH A REAL ESTATE OR MORTGAGE LOAN TRANSACTION AND IS NOT TO BE USED FOR CONSTRUCTION. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING

Order No. 85847  
Scale 0' 20' 40' feet  
Date May 31 1985

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS. OTHERWISE REFER TO YOUR DEED OR ABSTRACT

Decimals of a foot and their equivalent in inches and fractions thereof

01 = 1/8"	07 = 7/8"	12 = 6"
02 = 1/4"	08 = 1"	13 = 7"
03 = 3/8"	17 = 2"	17 = 1"
04 = 1/2"	25 = 3"	25 = 2"

H. Michael Hartmann  
Attorney-at-Law  
910 Park Avenue  
River Forest, IL 60305

(708) 771-5090 (Home)  
(630) 399-9000 (Cell)

mhartmann@hartfitz.com

April 30, 2019

Village of River Forest  
Attn: Clifford Raditz, Zoning Administrator  
400 Park Avenue  
River Forest, IL 60305

Dear Mr. Raditz,

Further to our zoning variance application submitted on April 18, 2019 and your response provided via email on April 22, 2019, we here provide the additionally requested information and comments. The items are addressed in the order in which you listed them in your email.

I. Requested Variation

A separate page attached hereto contains a written description of the Requested Variation.

II. Plat of Survey

We have attached a large, legible copy of the Plat of Survey available to us at this time.

III. Drawings

We attached a copy of the Plat of Survey indicating the location of the proposed fence in the original application. A further copy is enclosed here.

There is nothing special about the type of fence. It is simply a black chain-link fence of a height not exceeding 8 ½ feet. A picture of a fence sample is shown on the page next following:



IV. Response to the “8 Standards for Zoning Variation:”

1. *The physical surroundings, shape or topographical conditions of the specific property*

The property is close to a forest preserve and occasionally used railroad tracks that serve as a ready pathway for deer from the forest preserve into the neighborhood. The back of our property is only perhaps 100-150 feet distant from the railroad tracks. The deer use our property to reach Park Avenue and points beyond.

2. *The aforesaid unique physical condition did not result from an action of any person having an interest in the property*

Obviously, the location of our property along a deer migration path as described above was created by natural forces and/or was the result of governmental action, namely the dividing of property into various parcels almost 100 years ago.

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

The present problem giving rise to this application stems from the needs of a handicapped person clashing with a deer migration path across the property. We are unaware of any property in the Village that is similarly impacted.

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

There will be no economic gain from the proposed fence height a foot or so taller than what is permitted under the zoning code. Indeed, we are only incurring a substantial additional expense were we permitted to install the higher fence.

5. *The granting of the variation will 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*

We do not believe a slightly higher fence than permitted under the zoning code would have any impact on public welfare, other property or the neighborhood. Indeed, it will be virtually impossible to even see the fence from Park Avenue.



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*

We are unaware of any negative impact the higher fence would have on light or air to other properties, or how it could increase any hazards or impair property values in the neighborhood. The chain link fence we would install is open to air and light. If anything, a new fence may make this property – and hence the neighborhood – more valuable.

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

We are not aware of any impact on public utilities or other facilities in the area that would be occasioned by a higher fence. Access to poles along the west property line that carrying power, telephone and internet cables will remain unaffected.

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*

We have attempted several other ways to stop the migration of the deer across our property. We keep our gates to the back yard closed. We have put up plastic mesh deer fencing, only to see it torn apart by the animals. We have installed motion activated lights. And we have spread supposed deer repellant substances across our back yard and deployed ultra-high pitch noise generation devices. Nothing has alleviated the problem. The only option left to us is the higher fence.

#### V. Letters from neighbors

We own the property to the north, 918 Park Avenue, so that a letter would appear to be superfluous.

The property to the south is presently unoccupied, we believe, as the former occupant passed away a year or so ago.

We have been unable to reach our neighbor to the west. As there are frequent basketball games in that neighbor's yard near our fence, it seems that a higher fence would only be welcome.

Village of River Forest

April 30, 2019

Page 5

We trust this additional information is responsive to your request and look forward to favorable action on our application.

Sincerely,

A handwritten signature in blue ink that reads "H. Michael Hartmann". The signature is written in a cursive style with a horizontal line at the end.

HMH/

Encls.: as stated.



910 PARK Ave, R.F.

BACKYARD (April 2019)

OVERVIEW





910 PARK AVE, R.F.





910 PARK AVE, R.F.





910 PARK AVE, R.F.





910 PARK AVE, R.F.





910 PARK AVE, R.F.

