



RIVER FOREST ZONING BOARD OF APPEALS MEETING AGENDA

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, June 10, 2021 at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

Physical attendance at this public meeting is limited to 36 individuals, with Zoning Board of Appeals officials, staff and consultants having priority over members of the public. Public comments and any responses will be read into the public meeting record. You may submit your public comments via email in advance of the meeting to: Clifford Radatz at cradatz@vrf.us. You may listen to the meeting by clicking here <https://us02web.zoom.us/j/84578557570> or participating in a telephone conference call as follows, dial-in number: 1-312-626-6799 with meeting id: **845 7855 7570**. If you would like to participate over the phone, please contact Clifford Radatz by telephone at (708) 714-3557 or by email at cradatz@vrf.us by 12:00 pm on Thursday, June 10, 2021.

- I. Call to Order
- II. Approval of the Minutes from the meeting of the Zoning Board of Appeals on April 8, 2021
- III. Approval of the Minutes from the meeting of the Zoning Board of Appeals on May 20, 2021
- IV. Appeal of the decision of the Zoning Administrator in regard to the requirement to maintain two enclosed parking spaces at 138 Keystone Avenue.
- V. Continued Discussion & Direction: Potential Amendments to the River Forest Zoning Ordinance Regarding Accessory Dwelling Units
- VI. Confirmation of Next Meeting – July 8, 2021
- VII. Public Comment
- VIII. Adjournment

VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS MEETING MINUTES
April 8, 2021

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, April 8, 2021 in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

Chairman Martin called the public hearing to order at 7:30 p.m.

Upon roll call, the following persons were:

Present: Members Berni, Dombrowski, Schubkegel, and Chairman Martin.

Absent: Members Lucchesi, Smetana

Also Present: Lisa Scheiner, Acting Village Administrator, Carmen Forte, Jr., Village Attorney and Cliff Radatz, Zoning Administrator

II. APPROVAL OF March 11, 2021 ZBA MEETING MINUTES

A MOTION was made by Member Dombrowski and SECONDED by Member Schubkegel to approve the minutes of the March 11, 2021 Zoning Board of Appeals meeting.

Ayes: Members Martin, Dombrowski, and Schubkegel

Nays: None

Abstain: Member Berni

Motion passed.

III. PETITION FOR A PROPOSED ZONING VARIATION REQUEST - 7612 VINE ST. - FINDINGS OF FACT

A MOTION was made by Member Dombrowski, and SECONDED by Member Schubkegel to approve findings of fact made on the petition for proposed zoning variation for the property on 7612 Vine Street.

Ayes: Members Martin, Schubkegel, and Dombrowski

Nays: None

Abstain: Member Berni

Motion passed.

III. PETITION FOR A ZONING VARIATION REQUEST - 1018 PARK AVENUE - FINDINGS OF FACT

Chairman Martin stated that the way the findings of fact indicate that in each instance the ZBA found that the standards had not been met, when he believed that the minutes reflected that the majority of the ZBA had felt the standards were met and only a minority thought they had not been met. Attorney Forte suggested changing the final sentence of each of the eight findings of fact indicating that some members of the ZBA found that the standards had been met and others found that the standards had not been met. Chairman Martin felt that change more accurately reflected the ZBA's discussion and the other members agreed, so the findings of fact were to be amended to reflect that.

A MOTION was made by Member Dombrowski and SECONDED by Member Schubkegel that the Zoning Board of Appeals approve the findings of fact as amended.

Ayes: Members Dombrowski, Martin, and Schubkegel
Nays: None
Abstain Member Berni
Motion passed.

IV. TEXT AMENDMENT REQUEST - SECTION 10-19-3(A) OF THE VILLAGE OF RIVER FOREST ZONING ORDINANCE - GOALS AND POLICIES OF THE AFFORDABLE HOUDING PLAN

Chairman Martin introduced Acting Village Administrator Lisa Scheiner to present a petition for a text amendment to the Zoning Ordinance from the Village of River Forest.

Lisa Scheiner, Acting Village Administrator for the Village of River Forest, stated that there were members of the public on the call who wanted to address the ZBA regarding the petition for proposed text amendments regarding the Village's affordable housing plan. Chairman Martin stated that it was his understanding that the text amendment proposal was going to be withdrawn and presented at a later date. He stated that he thought it was best if the Village withdrew the proposal, and members of the public who wanted to address them still would be able to do so at this time, though the ZBA would not be taking any action on the petition at this meeting. He also stated that anyone who wanted to comment would have an opportunity to do so when the Village submits another proposal.

Administrator Scheiner stated that based on the discussion at the last meeting it was her impression that the ZBA did not agree with the proposed language proposed in the text amendment, and that they needed to have another public hearing so the ZBA can consider alternative language.

Administrator Scheiner withdrew the proposal for a text amendment on behalf of the Village of River Forest. Chairman Martin invited members of the public who wanted to comment on the text amendment proposal to do so, and mentioned that they would also have an opportunity to do so if the Village submits another text amendment proposal at a later time.

Dan Lauber stated that the purpose of zoning is to implement the comprehensive plan. He stated that what the Village proposed accomplishes that goal called for by the comprehensive plan, and that he believed it was the obligation of the ZBA to adopt the language as presented. He stated that the plan does not call for consideration of the Americans with Disabilities Act, other laws, or other ordinances when looking at developments, and only calls for considering affordable units as a part of future developments. Accordingly, he stated that the language the Village proposed should be adopted, that it accomplishes the goals of the plan, and that he thought the plan was clear and that he didn't understand why there were objections or hesitations to adopt what the Village proposed.

Margie Cekander stated her approval of the Village's proposed text amendment. She stated she did not understand the continuation of this matter when it had already been postponed twice and the Village Board approved it, Administrator Scheiner drafted it, and that it was simple, clean, and met the goals of the comprehensive plan which required a minimum 10% affordable housing. She stated that she supported affordable housing in River Forest because it allowed people to be attracted to River Forest, seniors who need to downsize to stay in River Forest, and that it creates a richer social fabric and diversity which her children enjoyed at OPRF High School. To conclude, she asked that the ZBA approve the Village's proposed text amendment.

Susanne Haraburd asked the ZBA to recommend approval of the proposed text amendment. She stated that approval of the amendment was necessary to allow the Development Review Board to implement the Village's Comprehensive Plan. She also stated that her support was for the same reasons mentioned by Ms. Cekander, and that she has benefited from living in affordable housing in River Forest, that she has six children whom she would like to be able to live in River Forest, and that when her and her husband have to eventually downsize she would like to continue to live in River Forest. She concluded by stating that she strongly supports the amendment as originally drafted.

Phyllis Rubin stated her support for passing the proposed amendment now instead of delaying again. She stated that she supports the affordable housing plan and lives in affordable housing in a River Forest condominium now and would like to continue to live there. She described an incident she encountered on voting day where another woman said "there is plenty of affordable housing around River Forest", and emphasized the word *around*, stating that there wasn't any *in* River Forest. She stated that the Affordable Housing Plan obligates the Village to provide affordable housing *in* River Forest, and that for that reason she supports the passage of the proposed zoning amendment.

Chairman Martin asked if any other wished to address the ZBA, and none came forward. He stated that there is nothing for the ZBA to vote on tonight since the Village withdrew the proposed text amendment. He stated that notice will go out if and when the amendment is resubmitted at a later date and members of the public will have an opportunity to comment at that time.

A member of the public asked how the notice will be distributed, and Chairman Martin stated that it would be posted on the Village website. When the member of the public asked if she would have to check the website every day, Chairman Martin said she could but that the ZBA normally meets on the second Thursday of each month and that she could check closer to that date.

Chairman Martin then closed the public comment portion of the meeting.

V. SCHEDULE FOR NEXT MEETING

Chairman Martin stated that the normal date for the next meeting of the ZBA would be May 13th, but that it was suggested by Administrator Scheiner to accelerate the meeting forward to May 6th. Administrator Scheiner stated that in keeping with the implementation of the recommendations of the Affordable Housing Plan, the next item on the agenda to discuss was Accessory Dwelling Units (ADUs). The Village has partnered with the Chicago Metropolitan Agency for Planning (CMAP) to provide technical expertise and information about zoning regulations relative to ADUs. The ZBA will start with an ADU 101 workshop with CMAP and members of the public who wish to attend to talk about the technical issues related to ADUs. The ZBA can then provide Village staff and CMAP staff with direction about how to proceed so the Village can begin preparing the text amendments that would be necessary for the zoning ordinance before the matter proceeds to public hearing.

Based on the members' availability, Chairman Martin, other Members of the Board, and Administrator Scheiner agreed to a meeting on May 20th.

Ms. Cekander wanted to confirm that the next meeting was scheduled for May 20th, and if it was the Chairman's intention in the continual postponements to wait until the new Village Board was seated. Chairman Martin directed the resident to consult with the Village Board why they withdrew the matter on the agenda tonight, and that there was nothing for the ZBA to consider at the meeting.

Ms. Cekander then stated that the petition was withdrawn at the Chairman's request because on January 14th he stated he was not supportive of the amendment, and he corrected her that he actually said that on March 11th. She asked if it was coincidental that the May 20th meeting was scheduled for after the new board was seated rather than the mentioned May 6th date. Chairman Martin replied that the 20th was the day all members said they would be present. He stated that members of the new board would be welcome to attend and that Board members often did attend meetings. He also stated that the Affordable Housing Plan was already adopted and that they would not debate that issue.

Ms. Cekander ended by stating that June 8th would be the one year anniversary of the Board passing the Affordable Housing Plan

VI. ADJOURNMENT

MOTION to adjourn was made by Member Dombrowski and SECONDED by Member Berni.

Ayes: Members Berni, Dombrowski, Schubkegel, and Martin

Nays: None.

Motion passed.

Respectfully Submitted:

Cliff Radatz, Secretary

Frank Martin, Chairman
Zoning Board of Appeals

Date: _____

VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS MEETING MINUTES
May 20, 2021

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, May 20, 2021 in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

Chairman Martin called the public hearing to order.

Upon roll call, the following persons were:

Present: Members Dombrowski, Schubkegel, and Chairman Martin.

Absent: Members Lucchesi, Smetana, Berni

Also Present: Lisa Scheiner, Acting Village Administrator
Greg Smith, Village Attorney
Jacob Seid, AICP, Senior Planner, and Jaemi Jackson, AICP, Senior Planner for the Chicago Metropolitan Agency for Planning
David Schwartz, Founder, Chicago Granny Flats
Craig Failor, Village Planner, Village of Oak Park
Sarah Flax, Housing & Grants Manager, City of Evanston

Chairman Martin indicated that there was no quorum present, so no official action could be taken by the Board at the meeting. The Board consulted with Attorney Smith, and decided to proceed with the planned presentation by Chicago Metropolitan Agency for Planning ("CMAP"), without taking any official action.

II. APPROVAL OF APRIL 8, 2021 ZBA MEETING MINUTES

Due to the lack of a quorum of Board members present at the meeting, the Board did not take action on this agenda item.

III. DISCUSSION & DIRECTION: POTENTIAL AMENDMENTS TO THE RIVER FOREST ZONING ORDINANCE REGARDING ACCESSORY DWELLING UNITS

Acting Administrator Scheiner introduced CMAP representatives Jacob Seid and Jamie Jackson, as hosts for the presentation on Accessory Dwelling Units ("ADUs"). Jacob Seid, senior planner at CMAP, stated that there were members of the public on the call who wanted to address the Board regarding the petition for potential amendments to the Village's Zoning Ordinance regarding ADUs. He described the function of CMAP, and how partnering with the Village would help its economy and sustainability. He further noted that an ADU is a

secondary dwelling unit on a single family residential lot with a full kitchen and bath, which can take many forms such as detached, attached and internal.

Jacob Seid showed examples of the different examples of ADU's such as garages, basements, and garden units. He noted that the Village has recently adopted an Affordable Housing Plan and the use of ADUs would help explore more ways to expand affordable housing in the Village. Additionally, he noted, ADUs can be conditional in R1 or R2 zoning districts.

Senior Planner Jamie Jackson introduced why ADUs are important. She said that ADUs add housing units but maintain single family use character. Additionally, ADUs are very familiar and have been around for centuries. They are also adaptable to rent out, can be taken over or downsized and can offer an opportunity for multigenerational housing. ADUs can be more affordable than a single family home on its own and can allow for additional revenue to a property owner in the form of rent. She displayed photographs of examples of typical ADUs. She noted that just because ADUs may be permitted, not everyone will take up the opportunity to create one on their property. For example, Evanston had about 10 ADUs currently, since allowing them in 2019.

Ms. Jackson introduced panelists for a further discussion on ADU concepts: David Schwartz, who founded Chicago Granny Flats; Craig Failor, Village Planner for the Village Oak Park; and Sarah Flax, who has worked in housing policy and program development for over 20 years.

Craig Failor noted that Oak Park chose to adopt ADUs when the Village was looking to revise its zoning code. He proceeded to mention that coach houses were being used for storage, illegally or underutilized, and this was a good opportunity to establish the legal use of ADUs. He described the process that Oak Park took to authorize ADUs in the Village.

Sarah Flax noted that Evanston wanted to be able to provide rentals and smaller units in a single family home, and the City was looking to provide a legal non-conforming property that could be rented out legally. Many ADUs were already built in the City, but they could not be legally rented to a non-family member. She described the City's amnesty program where property owners could register coach houses and "fess up" to owning them, while being able to further rent them and control them for primary usage.

The panelists discussed the average cost for constructing an ADU. The average cost for a basement ADU was noted to be \$75,000. The most common ADU that David Schwartz encounters is a detached unit above a garage, that usually cost \$170,000 but could be closer to \$200,000. However, the long term benefits of this up-front cost can help people afford to stay in their home for decades, through additional rental income to offset the financing of the initial construction.

The panelists continued to discuss the benefits of ADUs, and concerns with density, real estate tax assessments, permit fee waivers for ADUs and parking requirements. The panelists provided their experience with these issues, and their recommendations on facing these common issues and concerns.

Member Dombrowski asked a question regarding the limitations of ADUs in other municipalities. Examples were given regarding other municipalities that currently allow ADUs, including Park Forest and Oak Park.

The Board members agreed that when they are asked to provide a formal recommendation to the Village Board on ADUs, they would like to review zoning code changes that other communities in the area have made related to ADUs.

Resident Dan Lauber expresses his concern that this process was dangerously fast tracking the issue. He recommended urging the Village and CMAP to look at cities that have mature ADU ordinances that go back 20 or 30 years, such as Santa Cruz, California, Oregon, and Washington, to determine if any negative effects from ADUs have occurred. He emphasized slowing down the process to consider and approve ADUs, so as to address potential negative concerns associated with them.

Acting Administrator Scheiner explained that CMAP and the Village would have to mutually agree to adjust certain dates in the ADU consideration process, due to the current contract between them, but this could be further discussed.

Chairman Martin noted that the Village should undertake an education campaign to let residents know the full scope of what is being considered related to ADUs. He noted that it would be a disservice if the process were not publicized. He believed that it was not a good time to start this public hearing process during the months of the year where people typically travel the most for vacation.

Member Schubkegel noted that she does not know how many affordable housing units would actually be gained from the creation of ADUs.

Acting Administrator Scheiner explained that the consideration of ADUs has been up for discussion for some time, and it was also the subject of discussion on the Affordable Housing Plan, by both the Plan Commission and the Village Board. See noted that both of these bodies indicated that they were in favor of considering ADUs in the Village.

III. CONFIRMATION OF NEXT MEETING – JUNE 10, 2021

Chairman Martin stated that the normal date for the next meeting of the ZBA would be June 10, 2021. Mr. Lauber noted that the ad hoc Aging Committee members should be invited to these meetings on ADUs, since the issue directly affects people of advanced age. Acting Administrator Scheiner emphasized that for the next meeting, the Village should encourage the community to watch the presentation from tonight's meeting or listen to the audio recording. She noted that to prepare for the next meeting, the Village would work with CMAP

to obtain and review other ordinances on ADUs, from Illinois and beyond, and provide additional reading materials to the Board members on ADUs.

IV. PUBLIC COMMENT

No member of the public made a public comment.

Member Schubkegel noted that she would like to find data on how many ADUs already exist. Acting Administrator Scheiner explained how the Village could utilize mapping and property information resources to provide the most complete data set possible to Board members.

V. ADJOURNMENT

MOTION to adjourn was made by Member Schubkegel and SECONDED by Member Dombrowski.

Ayes: Dombrowski, Schubkegel, and Martin

Nays: None.

Motion passed.

Respectfully Submitted:

Clifford E. Radatz, Secretary

Frank Martin, Chairman
Zoning Board of Appeals

Date: _____



MEMORANDUM

DATE: June 3, 2021

TO: Zoning Board of Appeals

FROM: Clifford E. Radatz *ceR*
Building Official

SUBJECT: Appeal of the decision of the Zoning Administrator – 138 Keystone Avenue

Mr. Stewart Weiner, owner of the property at 138 Keystone Avenue, has appealed the decision of the Zoning Administrator to reject his application to demolish the existing two car detached garage on the property without a plan to replace the two enclosed parking spaces.

Mr. Weiner owns the adjacent properties at 138 and 142 Keystone Avenue. Each of these properties are lots of record, each lot is occupied by a single family residence and an accessory detached 2 car garage. The owner proposes to demolish both of the existing garage structures and replace them with one 3 car garage located entirely on the 142 Keystone property.

Section 10-9-8 of the Zoning Code, entitled OFF STREET PARKING: for the R2 Zoning District, references the parallel section 10-8-8, which reads, "In an R1 District, no building may be erected unless there shall be provided two enclosed parking spaces for passenger automobiles which are not in any of the required open yards unless such enclosure is a detached garage, which may occupy no more than thirty percent of the rear yard."

The Village Staff reads this section as requiring the enclosed parking spaces to be maintained on the property as long as the dwelling unit stands on the property. Thus, the demolition of an existing garage is not approved unless there is a permit in place for a new garage to replace it.

Section 10-5-6-A allows the Zoning Board of Appeals to hear and decide appeals from any order, requirement, decision or determination made by the Zoning Administrator. The Zoning Board of Appeals may reverse or affirm or may amend the determination made by the Zoning Administrator which is being appealed, to the extent the Zoning Board of Appeals deems appropriate.

If the Zoning Board wishes to overturn the decision of the Zoning Administrator, the following motion should be made:

Motion to overturn the decision of the Zoning Administrator not to approve the proposed demolition of the existing detached garage structure at 138 Keystone Avenue based on the reason of non-compliance with the Zoning Ordinance.

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

Attachments:

separate Plats of Survey for 138 Keystone and 142 Keystone from the Village records

Email to the Village from Mr. Weiner on March 10, 2021

Proposed Garage Concept Plan

Email to Mr. Weiner from the Village of River Forest on March 15, 2021

Mr. Weiner's Appeal of the decision of the Zoning Administrator, email of May 4, 2021



• BOUNDARY • TOPOGRAPHICAL • SUBDIVISIONS • ALTA/ACSM • CONDOMINIUMS • SITE PLANS • CONSTRUCTION • FEMA CERTIFICATES •

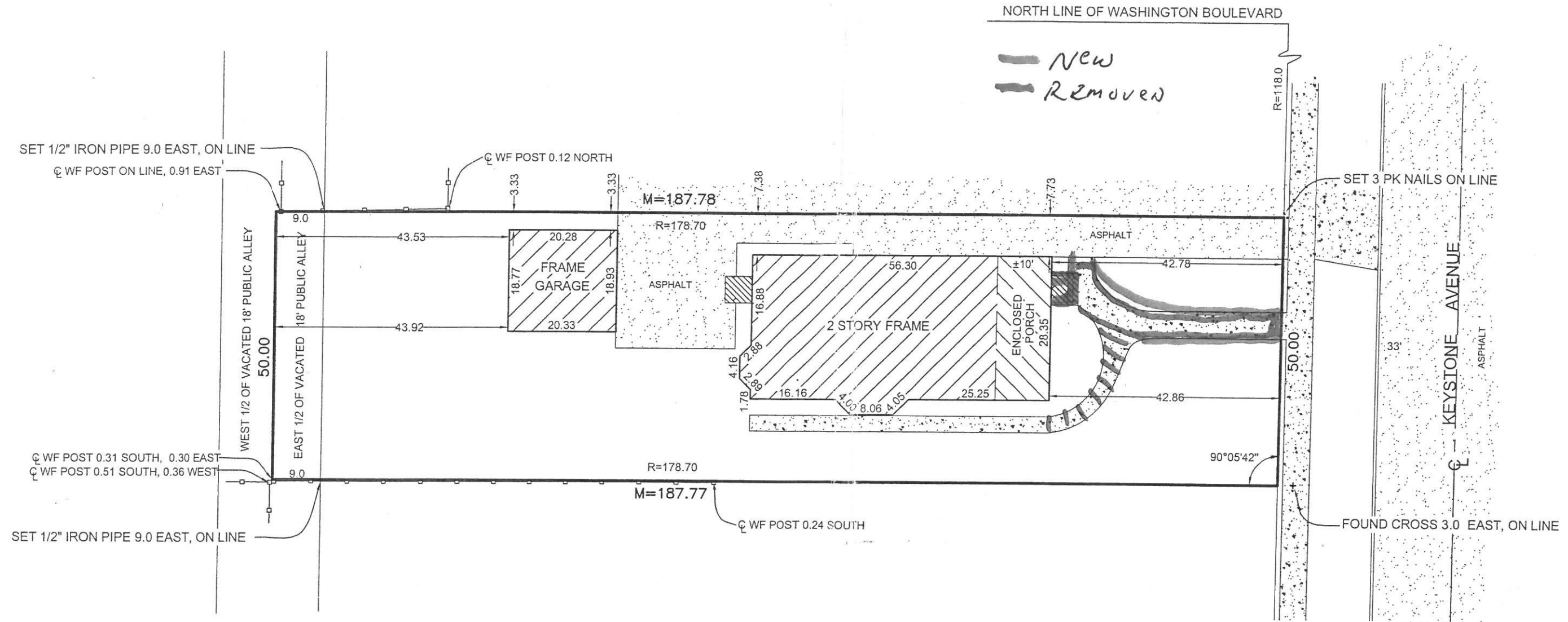
SCHOMIG LAND SURVEYORS, LTD.

PLAT OF SURVEY

909 EAST 31ST STREET
LA GRANGE PARK, ILLINOIS 60626
SCHOMIG-SURVEY@SBCGLOBAL.NET
WWW.LAND-SURVEY-NOW.COM
PHONE: 708-352-1452
FAX: 708-352-1454

THE NORTH 50 FEET OF LOT 2 AND THE EAST 1/2 OF VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT IN BLOCK 6 IN GALE AND BLOCK'S SUBDIVISION OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 138 KEYSTONE AVENUE, RIVER FOREST.



THE CUSTOMER LISTED BELOW PROVIDED THE LEGAL DESCRIPTION SHOWN HEREON. WE DO NOT GUARANTEE THAT THIS IS THE CORRECT LEGAL DESCRIPTION FOR THE TRANSACTION INTENDED.

IMPORTANT: COMPARE LEGAL DESCRIPTION TO DEED OR TITLE POLICY AND REPORT ANY DISCREPANCY FOR CLARIFICATION OR CORRECTION IMMEDIATELY. UNLESS OTHERWISE NOTED, THIS PLAT DOES NOT SHOW BUILDING LINES OR OTHER RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES.

DO NOT SCALE DIMENSIONS FROM THIS PLAT; THE LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO EXTRAPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN WITHOUT THE WRITTEN PERMISSION OF SCHOMIG LAND SURVEYORS, LTD. ONLY PLATS WITH AN EMBOSSED SEAL ARE OFFICIAL DOCUMENTS. FIELD WORK WAS COMPLETED PER SURVEY DATE LISTED BELOW.

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SURVEY DATE: JULY 11TH, 2012.

BUILDING LOCATED: JULY 11TH, 2012.

ORDERED BY: CRAIG W. LUSTHOFF ATTORNEY

PLAT NUMBER: 121403

SCALE: 1" = 20'



LEGEND	
B.L.	= BUILDING LINES
P.U.E.	= PUBLIC UTILITY EASEMENT
R.	= RECORDED DIMENSION
C.L.	= CENTER LINE
C.L.F.	= CHAIN LINK FENCE
W.F.	= WOOD FENCE



STATE OF ILLINOIS } ss. LOT AREA: 9,388 Sq. Ft.
COUNTY OF COOK }

WE, SCHOMIG LAND SURVEYORS, LTD. AS AN ILLINOIS PROFESSIONAL DESIGN FIRM, LAND SURVEYOR CORPORATION, DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION AFFIXED TO THIS PLAT.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT. DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS. THE BASIS OF BEARINGS, IF SHOWN AND UNLESS OTHERWISE NOTED, ARE ASSUMED, AND SHOWN TO INDICATE ANGULAR RELATIONSHIP OF LOT LINES.

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

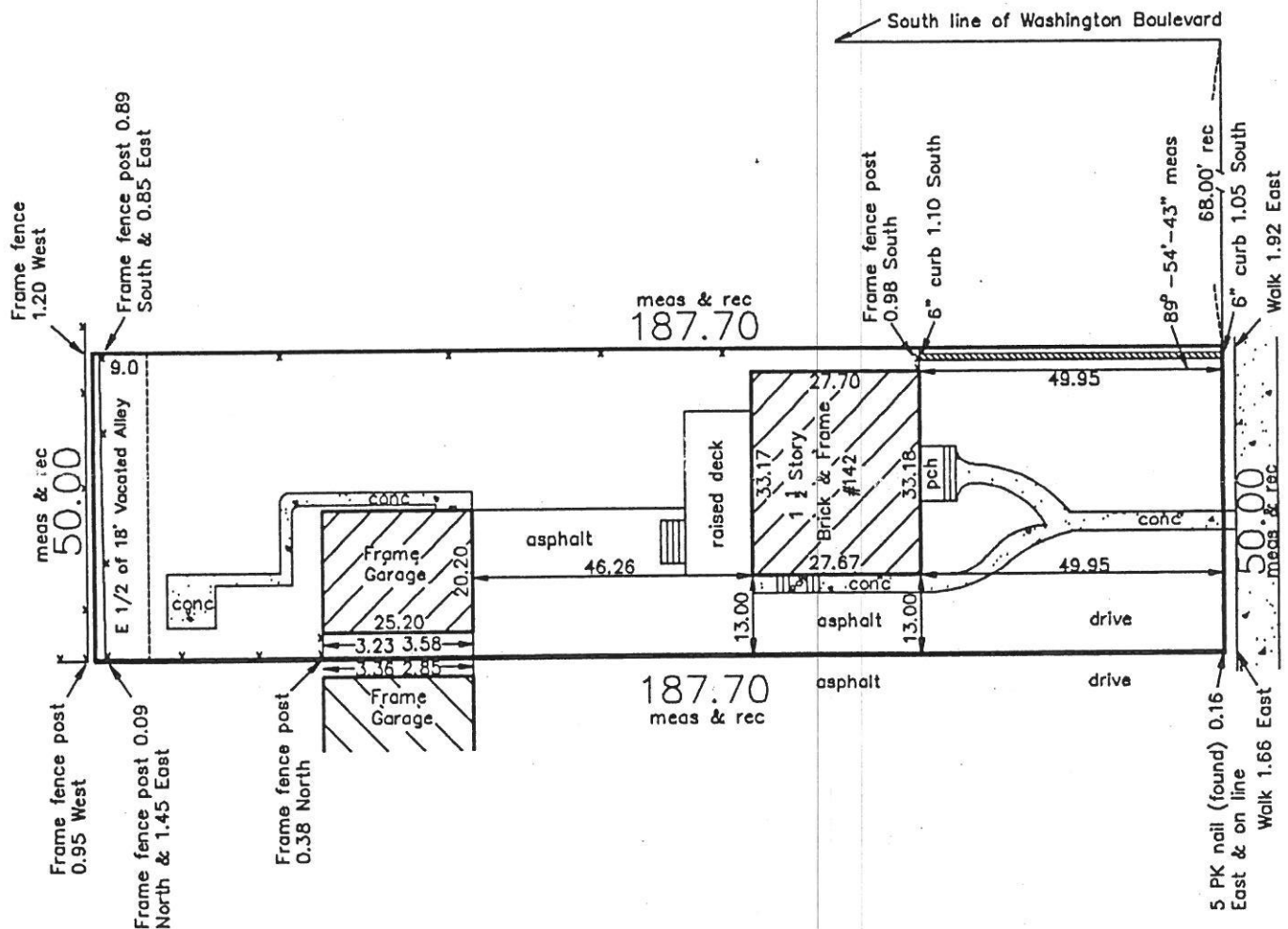
BY: Russell W. Schomig
PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002446



(assumed)

KABAL SURVEYING COMPANY
Land Surveying Services
Plat of Survey

2411 Hawthorne Avenue
Westchester, Illinois 60154
(708) 562-2852
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061



Avenue

(66' R. O. W.)

Keystone

142 KEYSTONE AVENUE

PLAT OF SURVEY

PAGE 4 OF 6

LEGEND

conc = concrete, N = North
pch = porch, S = South, E = East
meas = measured, W = West
rec = record, pc = point of curve
R.O.W. = right-of-way, rad = radius
prc = point of reverse curve

Area of property is approximately 9,385 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 August 18, 2017

Building Located August 18, 2017

Scale: 1 inch = 30 ft.

Order No. 170906

Ordered By: Amy Muran Felton, Attorney

ORIGINAL SEAL IN RED

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK }

I, STEPHEN J. 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 said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Illinois Professional Land Surveyor No. 035-001712
My license expires on November 30, 2018

From: [Stewart Weiner](#)
To: [Jeff Loster](#); [Cliff Radatz](#)
Subject: Re: Off Street Parking requirements and Grading Plan
Date: Wednesday, March 10, 2021 3:13:40 PM
Attachments: [Proposed Garage Concept Site Plan \(3\).pdf](#)

Thank you both.

My plan is to get an engineering/grading plan for the whole project prior to the demo, so I think I'm okay there.

Secondarily, Cliff, per our conversation, can I get an official word on acceptance of my plan to demo 2 adjacent 2-car garages at 138 and 142 and build a single 3 car garage on the property of 142. I've attached a draft plan for review.

Thanks
Stu

On Wed, Mar 10, 2021 at 2:43 PM Jeff Loster <jloster@vrf.us> wrote:

Mr. Weiner,
Cliff's response below is pretty comprehensive. The only thing I would reiterate is that Village requires a grading plan for this type of work. If a submittal for the new garages has been made to the Village (with a proposed grading plan) the demolition can proceed and we can work out the grading issues on the "new" garage permits. If, however, the work is split and the demolition permit is submitted and we've *not* yet received any grading work associated with the new garages, we require a separate grading plan associated with the demolition work.

Jeff Loster, PE, CFM, CPESC

Village Engineer

Village of River Forest

400 Park Avenue

River Forest, IL 60305

P: 708.714.3551

F: 708.366.3702

jloster@vrf.us

From: Cliff Radatz

Sent: Wednesday, March 10, 2021 2:15 PM

To: Stewart Weiner <weiner.stewart@gmail.com>

Cc: Jeff Loster <jloster@vrf.us>; Tracie Liebig <tliebig@vrf.us>; Robert Kryder <rkryder@vrf.us>

Subject: Off Street Parking requirements and Grading Plan

Mr. Weiner,

The noted properties are located in the R2 Single Family Zoning District. The requirements for the R2 District are given in Chapter 10-9 of the Village Code.

The requirement for off street parking is provided in Section 10-9-8, which reads as follows:

10-9-8: OFF STREET PARKING:

The off street parking regulations of the R1 district contained in section [10-8-8](#) of this title shall apply. (Ord. 2640, 5-23-1995)

OK, back to 10-8-8, which reads in part as follows:

10-8-8: OFF STREET PARKING:

In an R1 District, no building may be erected unless there shall be provided two enclosed parking spaces for passenger automobiles which are not in any of the required open yards unless such enclosure is a detached garage, which may occupy no more than thirty percent of the rear yard.

So the house on each of the lots requires 2 enclosed parking spaces.

My predecessors at the Village did not think it to be a big stretch that since enclosed parking spaces are a requirement for the construction of a new house, then enclosed parking spaces are required to be maintained as long as that dwelling unit exists on the property. So, it has been the policy that an existing garage cannot be demolished unless there is a plan in place to replace it. So it is not permissible to tear down the garages on 2 lots and replace only one of them.

Chapter 4-17 of the Village Code, regarding Grading Permits, requires:

4-17-2: APPLICATION OF REGULATIONS:

Projects that require a grading permit include, but are not limited to:

...

J. Demolition of any building or structure;

Demolition of any building requires a Grading Permit (and therefore a Grading Plan). Generally, if there is a plan to replace the building imminently, the practice has been to allow the Grading Plan to represent the final condition after the building has been replaced, instead of requiring an additional separate plan to be submitted for the interim state after demolition and before the new construction. This saves costs on the Civil engineering fees, but of course, the engineer needs to know where the new building is going and how large it is.

If an applicant wishes to contract separately for the demolition of the old garages and the construction of the new garages, the Village has no objection.

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

From: Stewart Weiner [<mailto:weiner.stewart@gmail.com>]

Sent: Wednesday, March 10, 2021 1:02 PM

To: Jeff Loster <jloster@vrf.us>; Cliff Radatz <CRadatz@vrf.us>

Subject: Re: Civil Engineer

Hi Jeff, Cliff,

Can I get clarification on a couple of points:

1) Is there some rule that I can't take down a garage without replacing it?

The reason I ask is because I'm taking down the garages at 138 and 142 keystone and only replacing the garage at 142 keystone and want to make sure this is permissible

2) If I do request a permit to take down a garage, for the permit process, is it required to provide the entire set of plans including grading, build, etc?

The reason I ask is because I want to use a separate demo company to demo the garages than build and don't think that the two can't be mutually exclusive projects

Thanks

Stu

On Tue, Dec 29, 2020 at 3:05 PM Jeff Loster <jloster@vrf.us> wrote:

No worries, happy to help.

Jeff Loster, PE, CFM, CPESC

Village Engineer

Village of River Forest

400 Park Avenue

River Forest, IL 60305

P: 708.714.3551

F: 708.366.3702

jloster@vrf.us

From: Stewart Weiner [mailto:weiner.stewart@gmail.com]

Sent: Tuesday, December 29, 2020 2:52 PM

To: Jeff Loster <jloster@vrf.us>

Subject: Re: Civil Engineer

Sorry Jeff, thought it was Cliff responding.

Thanks for your help and apologies for not catching it sooner.

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jloster@vrf.us

From: Stewart Weiner [<mailto:weiner.stewart@gmail.com>]

Sent: Tuesday, December 29, 2020 2:29 PM

To: Jeff Loster <jloster@vrf.us>

Subject: Re: Civil Engineer

Thanks Cliff!

Please see attached.

Green is asphalt becoming green space, blue is new concrete for new garage, brown is existing asphalt staying.

Removing adjacent garages at 142 and 138 and putting 3 car on 142 property.

<image001.jpg>

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>
> Jeff Loster, PE, CFM, CPESC
> Village Engineer
> Village of River Forest
> 400 Park Avenue
> River Forest, IL 60305
> P: 708.714.3551
> F: 708.366.3702
> jloster@vrf.us
>
>
> -----Original Message-----
> From: Cliff Radatz
> Sent: Tuesday, December 29, 2020 1:03 PM
> To: Stewart Weiner <weiner.stewart@gmail.com>
> Cc: Jeff Loster <jloster@vrf.us>
> Subject: RE: Civil Engineer
>
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> 4-17-2: SPECIFIC PROJECTS REQUIRING A PERMIT:
> A. Projects that require a grading permit include, but are not limited to:
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>
> Pdf copies of the ordinance and the Permit Materials are attached for your use.
>
>
> If a Grading Plan is required, it needs to be prepared by a Civil Engineer.
>
>
> 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

>
> -----Original Message-----
> From: Stewart Weiner [<mailto:weiner.stewart@gmail.com>]
> Sent: Tuesday, December 29, 2020 9:21 AM
> To: Cliff Radatz <CRadatz@vrf.us>
> Subject: Civil Engineer
>
> Hi Cliff,
>
> How do I know if my project will require a Civil Engineer to deal with grading?
>
> Stu
> 138 Keystone

<Capture.png>

From: Cliff Radatz
To: ["Stewart Weiner"; Jeff Loster](#)
Cc: [Jeff Loster](#); [Lisa Scheiner](#)
Subject: RE: Off Street Parking requirements and Grading Plan - 138 and 142 Keystone Avenue
Date: Monday, March 15, 2021 4:47:00 PM

Mr. Weiner,

Mr. Weiner,

The plan as submitted shows 2 houses, each on separate lot of record, showing the removal of 2 separate detached garages, one from each lot, and the proposal for one new detached 3-car garage in the rear yard of 142 Keystone.

As we have previously discussed, two enclosed parking spaces are required to be maintained for each dwelling.

First, there is a shortage of one enclosed parking space for the 2 dwelling units on the 2 properties.

Second, even if the new garage was increase to 4 enclosed parking spaces, there would have to be some sort of agreement in place (recorded against the titles of both properties) assuring that the home at 138 Keystone has rights to two parking spaces in the new garage structure.

Another item; the proposed garage as shown, is not located entirely in the rear 30 percent of the lot. (Actually, it's mostly not in the rear 30 percent of the lot.) The exception to the side yard setback requirement from section 10-8-7-C-2-c (10-9-7 refers back to 10-8-7) reads as follows:

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

When the garage is not located entirely in the rear thirty percent of the subject lot, then the typical side yard setback requirement from 10-8-7-C-1 applies:

1. Requirements: The required minimum side yard setback shall be ten percent of the lot width or five feet, whichever is greater, and the minimum required combined side yard setback shall be twenty five percent of the lot width, or ten feet, whichever is greater as measured to the exterior wall of the structure. (Ord. 3460, 10-8-2012)

So the setback of the garage from the north property line will need to increase to 5'-0".

I have reviewed the above requirements with Lisa Scheiner, Acting Village Administrator, and she has concurred with this reading of the Zoning ordinance.

The submitted plan is not acceptable.

Lisa noted that there are a number of other options, but the Zoning implications of the various options can get complicated.

For instance, if the second house is demolished (assuming that 142 Keystone is to be demolished), there is still the issue of the garage being located on a different lot of record from the house.

And if the lots are consolidated, then the garage would need to move west to be behind the rear line of the house at 138 Keystone so that it is in the rear yard as required by section 10-8-8:

In an R1 District, no building may be erected unless there shall be provided two enclosed parking spaces for passenger automobiles **which are not in any of the required open yards unless such enclosure is a detached garage, which may occupy no more than thirty percent of the rear yard.**

And when the lots are consolidated, the lot width increases to 100 feet, and the required side yard setback from the north property line increases to 10 feet.

Please contact me with any questions you may have.

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

From: Stewart Weiner [mailto:weiner.stewart@gmail.com]
Sent: Monday, March 15, 2021 2:53 PM
To: Jeff Loster <jloster@vrf.us>; Cliff Radatz <CRadatz@vrf.us>
Subject: Re: Off Street Parking requirements and Grading Plan

Hi Cliff,

Not in a huge rush, but wanted to follow up with you to maybe get an ETA on when I can expect a formal answer.

Hoping to get clarity so that I can notify all the architect, engineer, etc sooner rather than later.

If it makes sense to meet in person or via zoom meeting or something to chat, I'm happy to do that.

Thanks so much, appreciate your help!
Stu

On Mar 10, 2021, at 3:13 PM, Stewart Weiner <weiner.stewart@gmail.com> wrote:

Thank you both.

My plan is to get an engineering/grading plan for the whole project prior to the demo, so I think I'm okay there.

Secondarily, Cliff, per our conversation, can I get an official word on acceptance of my plan to demo 2 adjacent 2-car garages at 138 and 142 and build a single 3 car garage on the property of 142. I've attached a draft plan for review.

Thanks
Stu

On Wed, Mar 10, 2021 at 2:43 PM Jeff Loster <jloster@vrf.us> wrote:

Mr. Weiner,
Cliff's response below is pretty comprehensive. The only thing I would reiterate is that Village requires a grading plan for this type of work. If a submittal for the new garages has been made to the Village (with a proposed grading plan) the demolition can proceed and we can work out the grading issues on the "new" garage permits. If, however, the work is split and the demolition permit is submitted and we've *not* yet received any grading work associated with the new garages, we require a separate grading plan associated with the demolition work.

Jeff Loster, PE, CFM, CPESC

Village Engineer

Village of River Forest

400 Park Avenue

River Forest, IL 60305

P: 708.714.3551

F: 708.366.3702

jloster@vrf.us

From: Cliff Radatz

Sent: Wednesday, March 10, 2021 2:15 PM

To: Stewart Weiner <weiner.stewart@gmail.com>

Cc: Jeff Loster <jloster@vrf.us>; Tracie Liebig <tliebig@vrf.us>; Robert Kryder <rkryder@vrf.us>

Subject: Off Street Parking requirements and Grading Plan

Mr. Weiner,

The noted properties are located in the R2 Single Family Zoning District. The requirements for the R2 District are given in Chapter 10-9 of the Village Code.

The requirement for off street parking is provided in Section 10-9-8, which reads as follows:

10-9-8: OFF STREET PARKING:

The off street parking regulations of the R1 district contained in section [10-8-8](#) of this title shall apply. (Ord. 2640, 5-23-1995)

OK, back to 10-8-8, which reads in part as follows:

10-8-8: OFF STREET PARKING:

In an R1 District, no building may be erected unless there shall be provided two enclosed parking spaces for passenger automobiles which are not in any of the required open yards unless such enclosure is a detached garage, which may occupy no more than thirty percent of the rear yard.

So the house on each of the lots requires 2 enclosed parking spaces.

My predecessors at the Village did not think it to be a big stretch that since enclosed parking spaces are a requirement for the construction of a new house, then enclosed parking spaces are required to be maintained as long as that dwelling unit exists on the property. So, it has been the policy that an existing garage cannot be demolished unless there is a plan in place to replace it. So it is not permissible to tear down the garages on 2 lots and replace only one of them.

Chapter 4-17 of the Village Code, regarding Grading Permits, requires:

4-17-2: APPLICATION OF REGULATIONS:

Projects that require a grading permit include, but are not limited to:

...

J. Demolition of any building or structure;

Demolition of any building requires a Grading Permit (and therefore a Grading Plan). Generally, if there is a plan to replace the building imminently, the practice has been to allow the Grading Plan to represent the final condition after the building has been replaced, instead of requiring an additional separate plan to be submitted for the interim state after demolition and before the new construction. This saves costs on the Civil engineering fees, but of course, the engineer needs to know where the new building is going and how large it is.

If an applicant wishes to contract separately for the demolition of the old garages and the construction of the new garages, the Village has no objection.

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

From: Stewart Weiner [<mailto:weiner.stewart@gmail.com>]

Sent: Wednesday, March 10, 2021 1:02 PM

To: Jeff Loster <jloster@vrf.us>; Cliff Radatz <CRadatz@vrf.us>

Subject: Re: Civil Engineer

Hi Jeff, Cliff,

Can I get clarification on a couple of points:

1) Is there some rule that I can't take down a garage without replacing it?

The reason I ask is because I'm taking down the garages at 138 and 142 keystone and only replacing the garage at 142 keystone and want to make sure this is permissible

2) If I do request a permit to take down a garage, for the permit process, is it required to provide the entire set of plans including grading, build, etc?

The reason I ask is because I want to use a separate demo company to demo the garages than build and don't think that the two can't be mutually exclusive projects

Thanks
Stu

On Tue, Dec 29, 2020 at 3:05 PM Jeff Loster <jloster@vrf.us> wrote:

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Jeff Loster, PE, CFM, CPESC

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Village of River Forest

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> 138 Keystone
> <Capture.png>

<Proposed Garage Concept Site Plan (3).pdf>

From: [Stewart Weiner](#)
To: [Cliff Radatz](#)
Cc: [Betsy Kvam](#)
Subject: 138 Keystone Permit Appeal
Date: Tuesday, May 4, 2021 8:26:44 AM

Dear Mr. Radatz,

Please accept this email as our formal request for appeal of our permit request for the demolition of my garage at 138 Keystone without replacement on the same property.

As you have stated both in writing and in conversations, the zoning rule 10-8-8 makes clear that no building in Zone R1 may be erected unless there is a 2-car garage provided. You further state that this requirement should be interpreted to include existing buildings having to maintain a 2 garage if one exists and thus cannot be demolished without replacement.

We are appealing your decision in this matter on the following grounds:

- The zoning rule as written specifically calls out the erection of a building and makes no mention of maintaining existing structures.
- While this interpretation may have been made in the past, we are in a very unique situation where we own the property next door and have plans to build a garage on that property that we will use for our car.

In general, we understand the purpose of this rule is likely to keep residents from parking cars on the street as well as keeping them from view if left in a driveway at the front of the house. We fully intend to keep our cars from view and park in the garage on our other property or otherwise on the parking pad/driveway behind the house.

Further, we have no intention of demolishing or leaving our other property (142 Keystone) empty. We intend to continue to rent it out as we have made a significant investment in the property.

Finally, please find the attached signed letters from our neighbors immediately to the sides of both properties and behind who have no objection to our plans and, in fact, support our overall plan due to our unique situation.

Thank you

Sincerely,

Stewart Weiner Betsy Kvam

To Whom It May Concern:

I, Paul Ahlrich, living at 139 Gale, have reviewed and understand the plans below for removal of the garage at 138 Keystone (without replacement on the property) along with the construction of a 3 car garage facing south on the adjacent property at 142 Keystone.

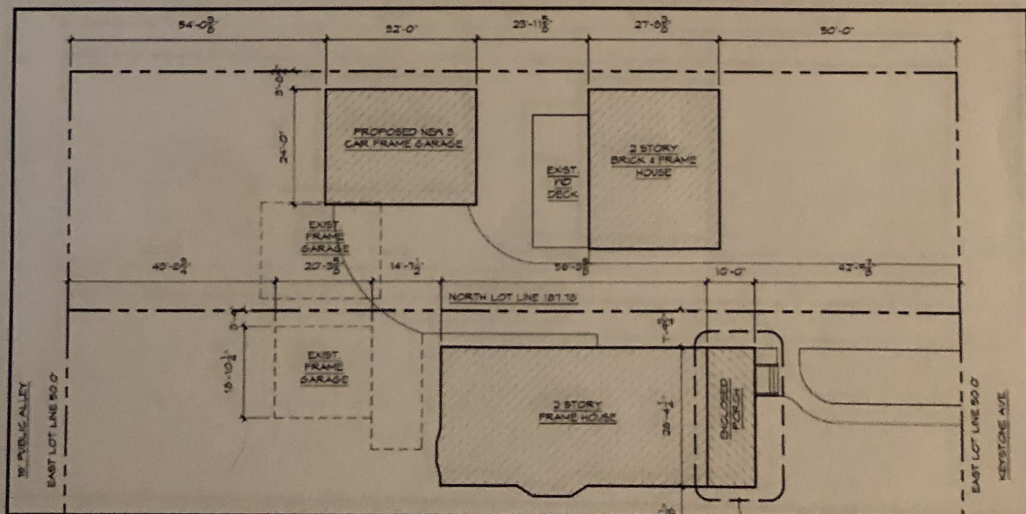
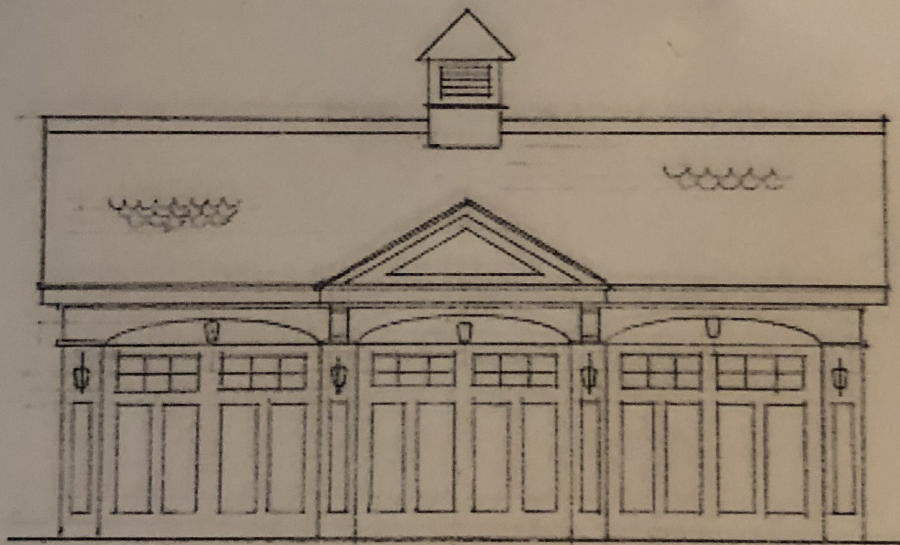
I have no reservations about, or objections to this plan.

Additional Comments:

Thank you,

Paul Ahlrich
Signature

5/1/21
Date



To Whom It May Concern:

I, Willard Konfazy, living at 134 Keystone, have reviewed and understand the plans below for removal of the garage at 138 Keystone (without replacement on the property) along with the construction of a 3 car garage facing south on the adjacent property at 142 Keystone.

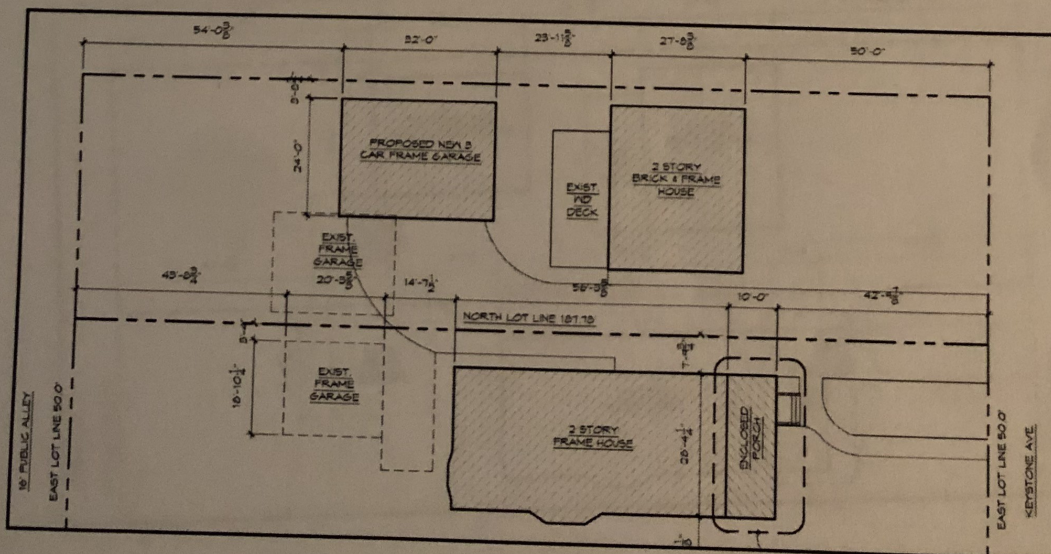
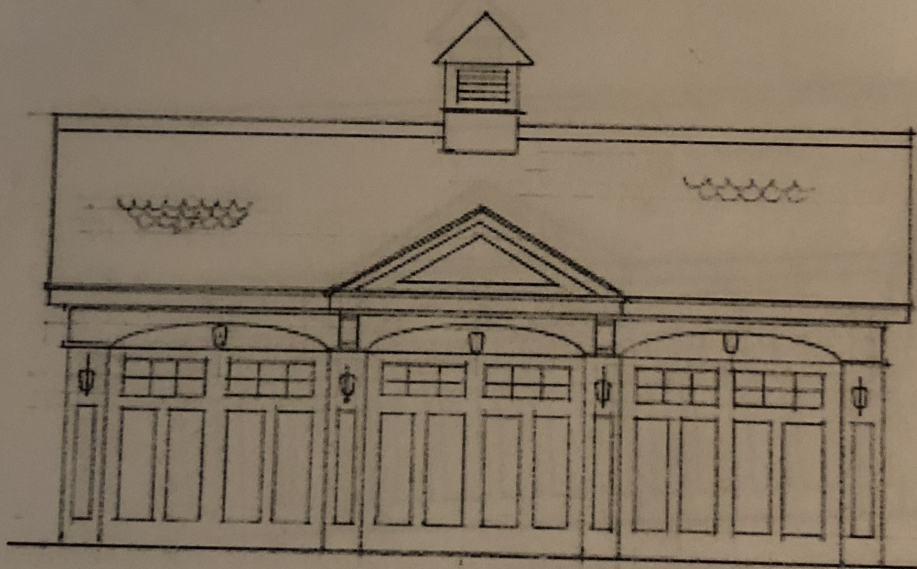
I have no reservations about, or objections to this plan.

Additional Comments:

Thank you,

[Signature]
Signature

5/1/2021
Date

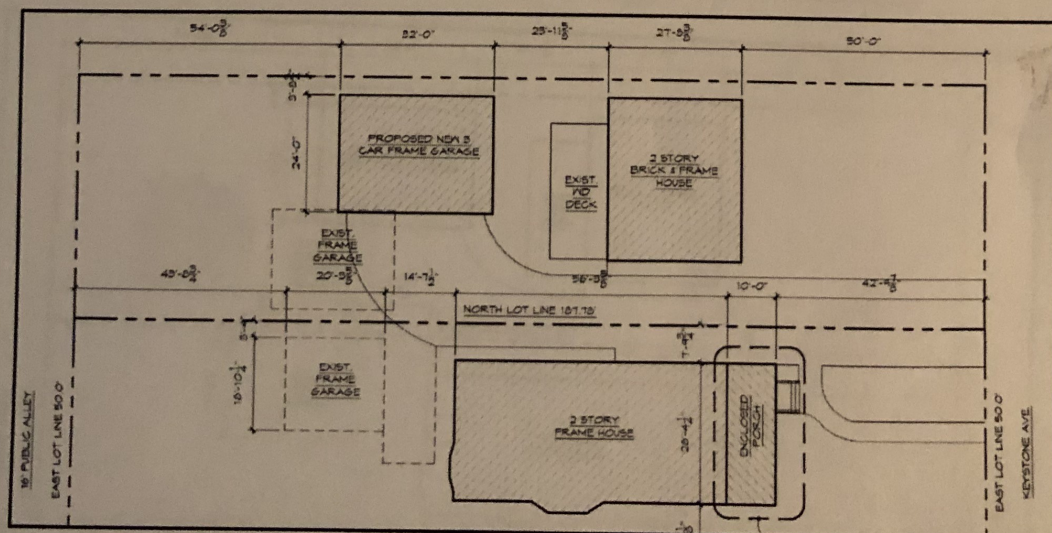
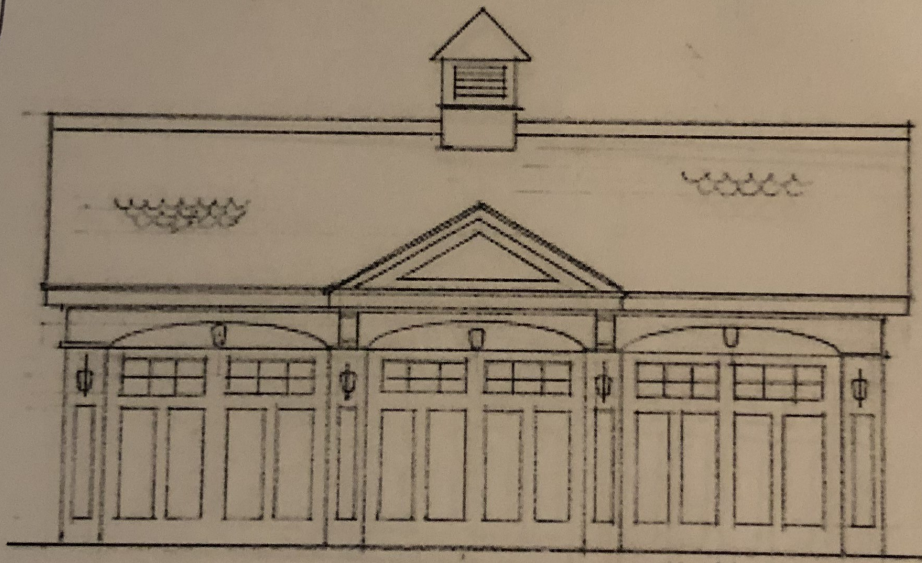


I, John Sullivan, living at 143 Gale Ave, have reviewed and understand the plans below for removal of the garage at 138 Keystone (without replacement on the property) along with the construction of a 3 car garage facing south on the adjacent property at 142 Keystone.

Additional Comments:

Signature

Date _____



To Whom It May Concern:

I, HEIDI SCHMID WHITING, living at 146 Keystone Ave, have reviewed and understand the plans below for removal of the garage at 138 Keystone (without replacement on the property) along with the construction of a 3 car garage facing south on the adjacent property at 142 Keystone.

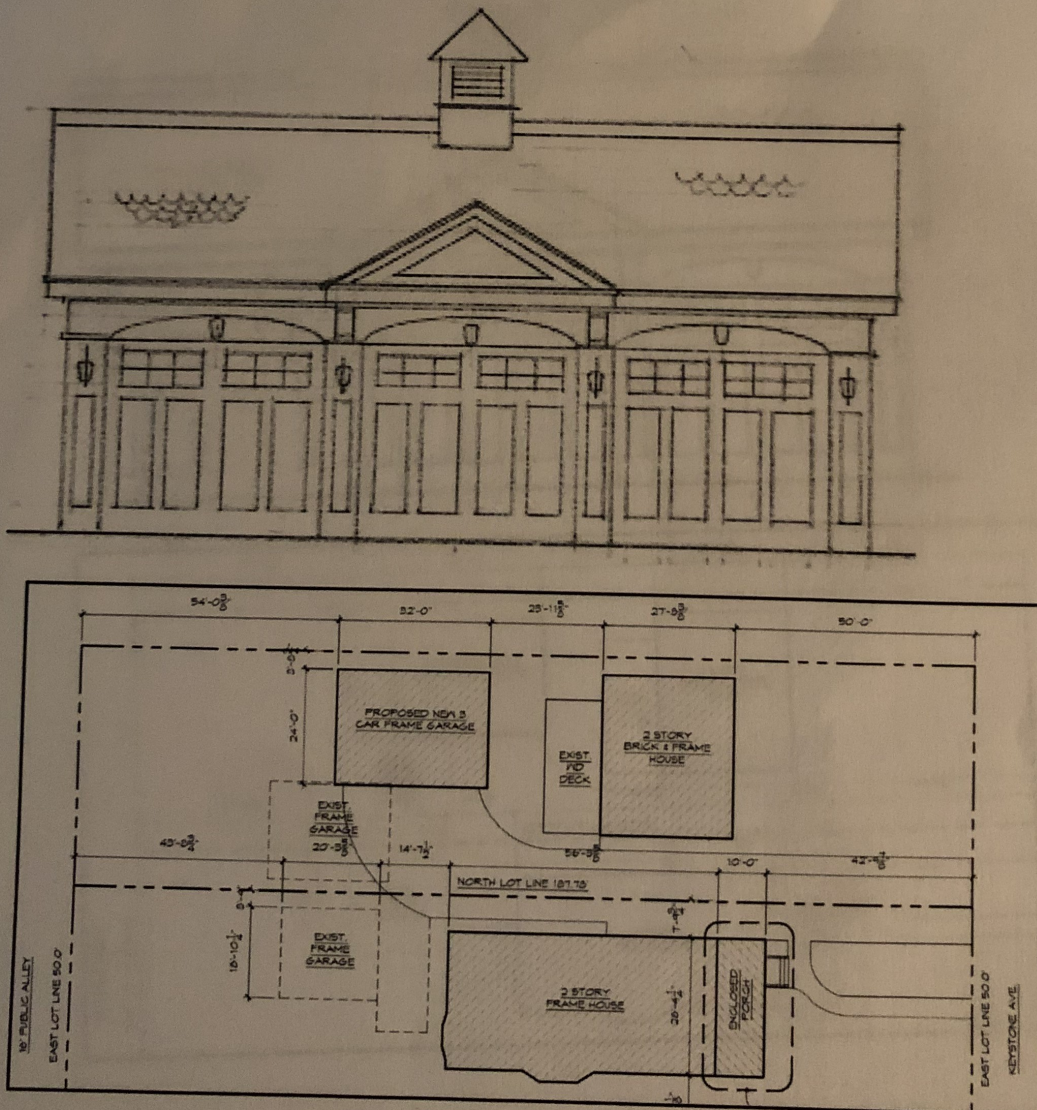
I have no reservations about, or objections to this plan.

Additional Comments:

Thank you,

Heidi Schmid Whiting
Signature

5/2/21
Date





Village of River Forest
Village Administrator's Office

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

MEMORANDUM

Date: June 3, 2021

To: Chairman Frank Martin
Zoning Board of Appeals

From: Lisa Scheiner, Acting Village Administrator

Subj: Accessory Dwelling Units

At the May 20, 2021 meeting of the Zoning Board of Appeals, a workshop and panel discussion was held with the Village's consultant, CMAP, regarding Accessory Dwelling Units (ADUs). Because there was not a quorum of the Zoning Board of Appeals present, no official direction could be given regarding this matter.

On June 10, 2021, CMAP will again be present to pick up where the May 20th discussion left off and to obtain initial direction from the Zoning Board of Appeals regarding ADUs. Specifically:

1. Location – In which Zoning District(s) should ADUs be allowed?
2. Type – Should the Village restrict the type of ADUs (attached or detached) that would be allowed?
3. Occupancy – Should the principle dwelling unit or ADU be required to be owner-occupied or should there be no restrictions on the occupancy on the unit(s)?
4. Parking – Should the Village waive parking requirements for ADUs or require that off-street parking be required?
5. Administration – Should ADUs only be permitted as a Special (a.k.a. conditional) Use or should they be allowed by right?

Staff has been asked to provide additional information on ADUs. Below please find a summary of the most immediate matters related to the five factors above that Staff has been asked to address:

What is the purpose of the Village's efforts to explore allowing ADUs? The Village adopted a new Comprehensive Plan in 2019 that called for the creation of an Affordable Housing Plan that complied with state law. The Affordable Housing Plan that was adopted by the Village of River Forest in 2020 and accepted by the Illinois Housing Development Authority as compliant with State law. The Affordable Housing Plan includes additional recommendations including that

the Village consider allowing ADUs in the R1 and R2 detached single family zoning districts. Plan Commission Chairman David Crosby will attend the June 10, 2021 Zoning Board of Appeals meeting to provide information about the Plan Commission's recommendation within the Affordable Housing Plan regarding ADUs.

How many ADUs could be created in the VORF? The Affordable Housing Plan recommends that the Village consider allowing ADUs in the R1 and R2 detached single family zoning districts. There are approximately 19 lots of record located in the R1 zoning district and approximately 2,800 located in the R2 zoning district, many of which are not buildable lots. The Village is unable to identify precisely the number of ADUs that would be created if the Zoning Ordinance is amended to permit this use. However, based on the information provided by CMAP, the expert panel, and other research, the Village does not anticipate a large number of ADUs in the community due to the following variables:

- Expense: The panel members indicated that the cost to construct an ADU is approximately \$75,000 within the principle dwelling structure and \$150,000 for a detached structure.
- Demand: Not all property owners will desire to construct an ADU. As noted during the May 20, 2021 panel discussion, communities like Evanston and Oak Park have not experienced a large demand.
- Space: Many homes in River Forest have been expanded and altered over the years. While the Village is unable to quantify the exact number of homes that are already at the limit of height, floor area ratio, and lot coverage, these existing bulk zoning regulations will naturally limit the number of properties where ADUs can be constructed. Enforcing or relaxing existing zoning regulations will also impact the number of ADUs that can be constructed.
- Regulatory environment: A restrictive regulatory environment may dissuade property owners from constructing ADUs. For example:
 - o Location: Restricting ADUs to certain zoning districts and/or, for example, properties where a single family detached residential structure already exists will limit the number of properties on which an ADU can exist. Further limiting the number of ADUs per lot will also limit the number of ADUs that may exist.
 - o Parking: Requiring that off-street parking be provided for ADUs will limit the number of locations where ADUs can be constructed. Further limiting parking to covered parking and/or parking that does not impede ingress/egress of other vehicles will further limit the existence of ADUs. The Village's current off-street parking requirements in residential zoning districts are as follows:
 - R1 & R2 Single Family Detached: 2 enclosed parking spaces
 - R3 Single Family Attached: 2 enclosed parking spaces and 1 one guest parking space which may be on the dwelling unit's private driveway
 - R4 Multi-Family: 1 and 2 bedroom units require two parking spaces per unit. 3 or more bedroom units require 2.5 parking spaces per unit. A minimum of 75% of all required parking spaces must be enclosed.
 - o Type: ADUs can be attached (either through a building addition or located within the principle dwelling structure) or detached (either as a freestanding unit or as part of an accessory structure). Regulating the type of ADUs that are allowed will limit the number of ADUs that are created.

- Administration: ADUs can be allowed as a permitted use (subject to regular permitting and zoning regulations) or special use. Regulating ADUs as a special use will allow the Zoning Board of Appeals and Village Board of Trustees to assess the impact of a proposed ADU on surrounding property owners before an ADU may be created.

How can the Village prevent ADUs from being used for short term rentals on platforms such as Airbnb? The Village's current zoning regulations prohibit any property in River Forest from being used as a short term rental. Properties must be rented for a minimum of 30 days to comply with the Village's Zoning Ordinance. Short term rental regulations have been enforced by the Village's Building Department.

Can the Village hear from groups that oppose ADUs? Neither the Village nor CMAP Staff are aware of any locally, regionally or nationally organized groups that advocate for the prohibition of ADUs.

Can the Village obtain regulatory information from communities that allow ADUs? Attached please find information regarding ADU regulations from Evanston and Wilmette. Below is a table summarizing ADU regulations in five Illinois communities, including information that was previously presented by CMAP.

Municipality	Bull Valley	Evanston	Park Forest	South Elgin	Wilmette
Type	Attached & detached	Attached & detached	Attached	Attached & detached	Attached
Maximum # Per Lot	1 ADU per single-family home	1ADU per single-family home	1ADU per single-family home	Same as the number of principal dwellings permitted	1 per lot
Location	Subject to side & rear setback requirements	Subject to side & rear setback requirements	Subject to side & rear setback requirements	Subject to rear setback requirement if ADU is detached	Subject to side & rear setback requirements
Maximum Size	Not more than 30% of the net floor area of the principal dwelling; 2 bedrooms	1,000 SF (detached) 1 full floor (attached)	Not more than 40% of gross floor area of the principal structure; or 800 SF	900 SF	Not more than 25% of the total area of the principle dwelling
Occupancy	Property owner must live in principal dwelling or ADU	None required	Property owner must live in principal dwelling or ADU	None required	Property owner must live in principle dwelling at least half the year
Parking	1 space per ADU	None required	1 space per ADU	1 space per ADU	1 space per ADU

Design Requirement	Yes	Yes	None required	Yes	None required
Administration	By right	By right	By right	Special Use	Special Use

Can the Village take additional steps to help educate residents on the subject of ADUs? Yes. The Village's June e-newsletter (sent June 4, 2021), and future e-newsletters, as well as social media channels will be utilized to alert the community that this matter is under discussion.

Direction from the Zoning Board of Appeals is requested regarding the five issues raised below and any additional research that is needed to provide direction regarding this matters.

A·D·You

Evanston's Guide to Accessory Dwelling Units

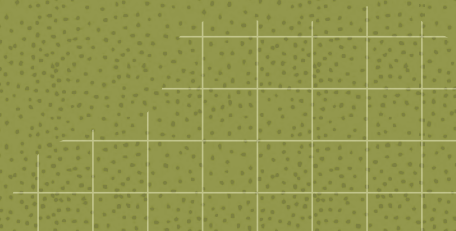


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Introduction

To keep up with our community's changing needs, Evanston has embraced a flexible type of housing: the **Accessory Dwelling Unit (ADU)**.

WHAT IS AN ADU?

ADUs are small independent housing units on the same lot as a standard sized residence with a kitchen, bathroom, and areas for living and sleeping. ADUs can be attached or detached from your primary residence, and can be either converted within an existing structure or new construction.

ADUs can be a home for family members, a space to downsize, a home business, or a source of rental income. These are just a few of many uses! This guide highlights the many ways ADUs can stay in touch with your living needs over time.

THINKING ABOUT AN ADU?

In September 2020, Evanston passed more flexible zoning regulations that make it easier than ever to build an ADU. This guide serves as a first step in figuring out if you should move forward with the investment to build an ADU, and covers zoning rules, building codes, and utility requirements. It also explains the different types of ADUs, helping you determine which option is right for you.



“The great thing about building more ADUs in Evanston is that we can increase the density and income diversity of the housing stock without changing the character of Evanston’s neighborhoods.”

- D.H. | EVANSTON ADU RESIDENT

Why Would I Consider an ADU?

ADUs are versatile and able to serve you and your family in different ways over time. By building an ADU on your property, you are also helping your community address its housing shortage. Win-win!

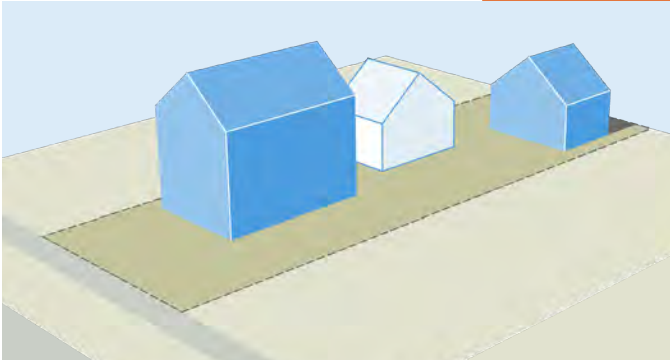
This graphic shows how, over the course of 30 years, an ADU can be a space for a new family, entrepreneurship, aging parents, and more.



Types of ADUs

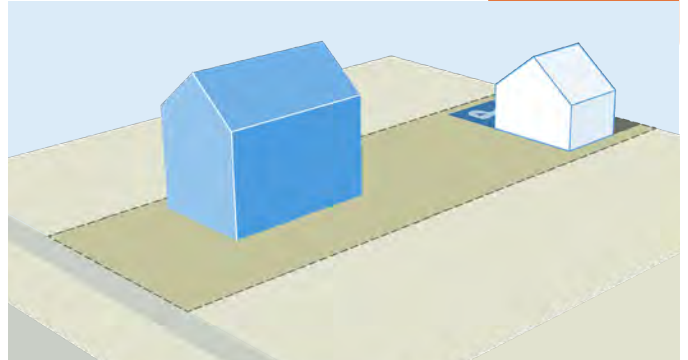
There is a wide range of ADU options in Evanston. Use this section to figure out which type of unit would best meet your living needs!

SEE PAGE 6



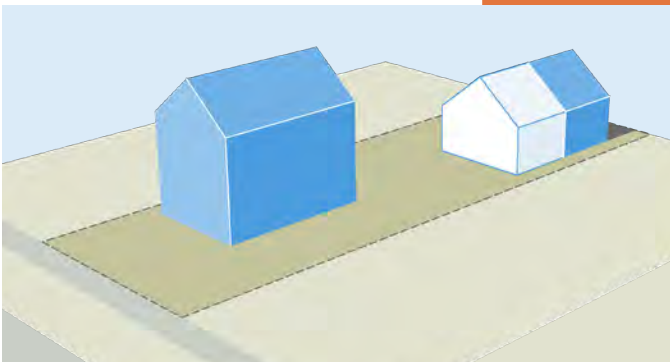
DETACHED ADU

SEE PAGE 7



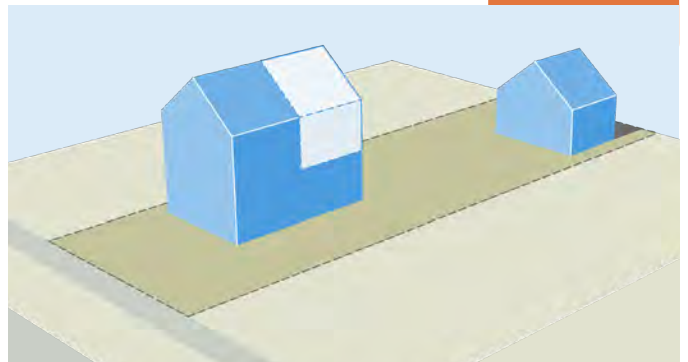
GARAGE CONVERSION

SEE PAGE 8



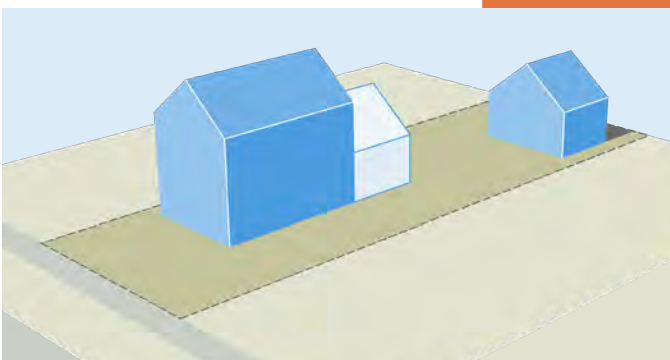
ATTACHED TO GARAGE

SEE PAGE 9



INTERIOR ADU

SEE PAGE 10



ATTACHED TO MAIN HOUSE



SINGLE FAMILY HOME



EXISTING GARAGE

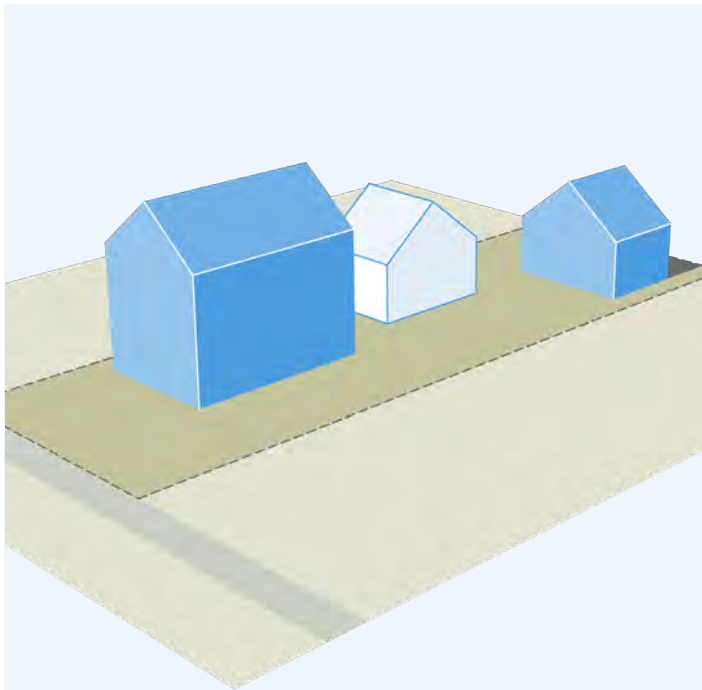


ADU



PARKING SPACES

Detached ADU



OFTEN USED FOR:

- Aging Parents
- Downsizing

BEST IF YOU:

- Want privacy/separation from main residence
- Have space in your backyard

A Detached ADU is an independent unit from your primary residence. It is a separate structure without parking.

KEY REGULATIONS

Size

A Detached ADU must be less than 1,000 square feet of livable space, and smaller than the primary residence.

Height

A Detached ADU can be two stories tall, up to 28 feet in height for sloped roofs, and up to 20 feet for flat and mansard roofs.

Building Lot Coverage

A Detached ADU must meet the building lot coverage requirement of the underlying zoning district.

Parking

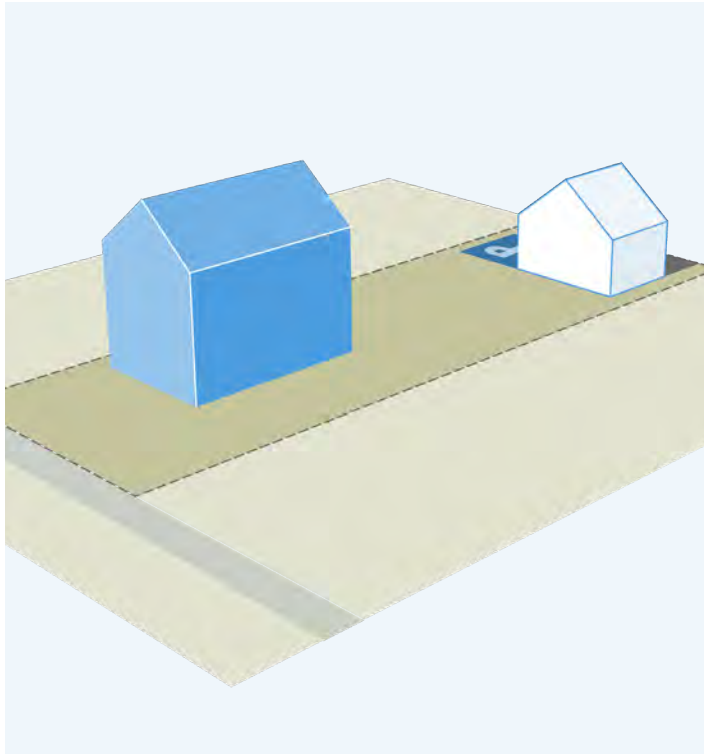
You need to maintain or replace the existing parking on your property. There is no additional parking required for an ADU.

▶▶ *To learn more about ADU regulations, see Page 11-12.*

“Building an ADU with a certified commercial kitchen is allowing me to expand my business opportunities, while also keeping our options open to convert it into a future living space for family.”

– C.W. | HOMEOWNER & SMALL BUSINESS OWNER

Garage Conversion



A Garage Conversion is a rehab of your existing garage into a livable space.

KEY REGULATIONS

Parking

You need to maintain or replace the existing parking on your property. There is no additional parking required for an ADU.

ADDITIONAL KEY REGULATIONS

Building Code

The new dwelling unit needs to have at least one exterior door that meets egress requirements. Additionally, it must meet all building, energy, and fire code requirements, such as minimum insulation standards.

OFTEN USED FOR:

- Home Business

BEST IF YOU:

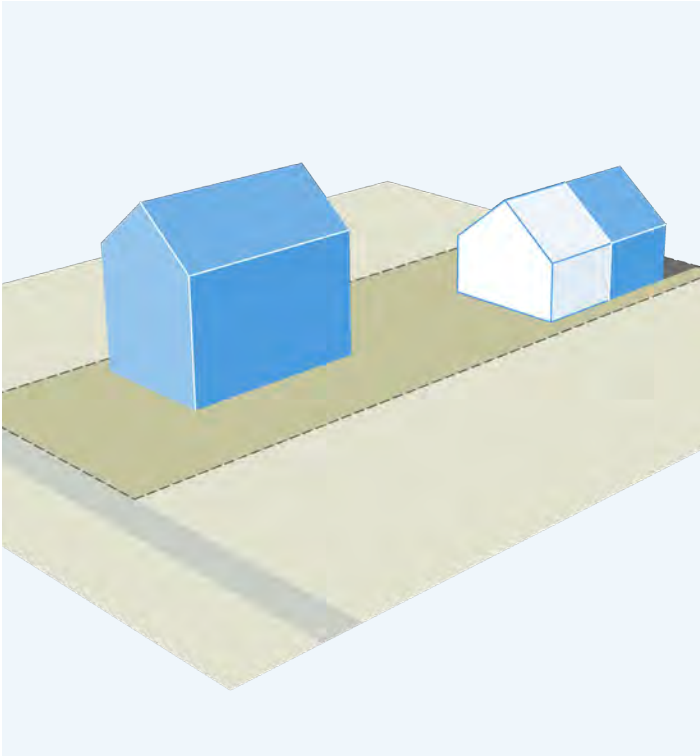
- Don't want an additional structure
- Can fit parking elsewhere on your property
- Are on a budget

DID You KNOW?

"Affordable housing advocates promote ADUs as a way to modestly increase housing stock without drastically altering the neighborhoods that surround them, and a steady stream of new city, county and state regulations is making them easier to build."

– *The Washington Post* | Excerpt from an article that highlighted Evanston for changing regulations to make ADUs accessible to all residents

Attached to Garage



OFTEN USED FOR:

- Aging Parents
- Downsizing

BEST IF YOU:

- Want privacy/separation from main residence
- Don't want to tear down your existing garage
- Have space next to your existing garage
- Want to preserve backyard space by building above your garage

A Garage-Attached ADU is an addition to your existing garage. The addition can be one or two stories, and it can be adjacent to or on top of the existing garage.

KEY REGULATIONS

Size

A Garage-Attached ADU must be less than 1,000 square feet of livable space, not including the existing garage.

Height

A Garage-Attached ADU can be up to two stories tall, up to 28 feet in height for sloped roofs, and up to 20 feet for flat and mansard roofs.

Building Lot Coverage

A Garage-Attached ADU must meet the building lot coverage requirement of the underlying zoning district.

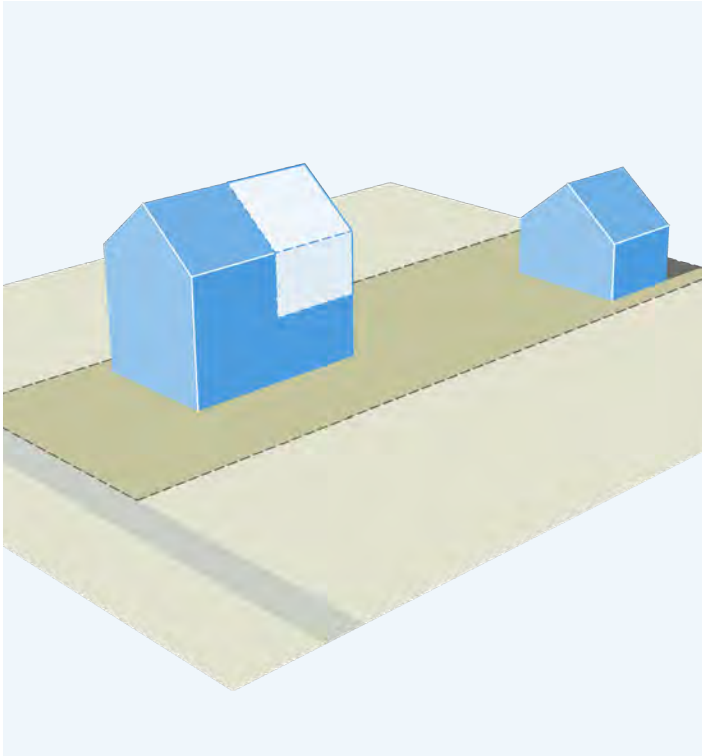
Parking

You need to maintain or replace the existing parking on your property. There is no additional parking required for an ADU.

PRO TIP:

If you are considering an ADU over your garage, it's worth speaking with a professional about your existing concrete foundation. Based on the structural strength of the foundation and garage, you may need to tear down your garage and build a new two-story structure.

Interior ADU



OFTEN USED FOR:

- Rental Income

BEST IF YOU:

- Have unused space in your residence
- Are on a budget
- Can't build more based on your lot coverage
- Want to preserve yard space

An Interior ADU is a conversion of part of your existing residence into a dwelling unit.

It could be a basement, on an upper floor, or any other space in your residence with its own kitchen and bathroom facilities.

KEY REGULATIONS

Size

An Interior ADU must be smaller than the floor area of the primary residence. If it is on more than one story, then it cannot be over 1,000 square feet. If it is on the same floor, then there is no square footage limit.

Parking

You need to maintain or replace the existing parking on your property. There is no additional parking required for an ADU.

ADDITIONAL REGULATIONS

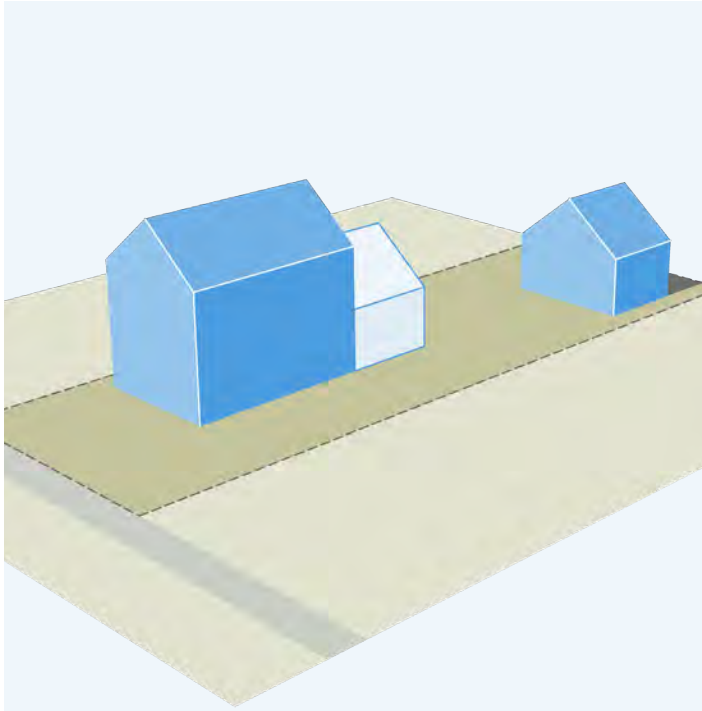
Entrances

There can only be one entrance on the front-facing side of the property, and there must be a separate entrance for the ADU. Any exterior stairs must be on the rear or side of the property.

DID YOU KNOW?

In addition to Evanston, the following cities in our region allow for ADUs to some degree (as of this publication): Chicago, Park Forest, Bull Valley, Oak Park, South Elgin, and Wilmette.

Attached to House



OFTEN USED FOR:

- Adult Children
- Home Business

BEST IF YOU:

- Don't want to alter or tear down your existing garage
- Don't have a space to convert inside your main residence

An Attached ADU is an addition to your existing residence. It could be a one or two-story addition to your main residence.

KEY REGULATIONS

Size

An Attached ADU must be less than 1,000 square feet of livable space and smaller than the primary residence.

Height

An Attached ADU cannot exceed the height allowed in your underlying zoning district.

Building Lot Coverage

An Attached ADU must meet the building lot coverage requirement of the underlying zoning district.

Parking

You need to maintain or replace the existing parking on your property. There is no additional parking required for an ADU.

ADDITIONAL REGULATIONS

Entrances

There can only be one entrance on the front-facing side of the property, and there must be a separate entrance for the ADU. Any exterior stairs must be on the rear or side of the property.

ADU Regulations to Know About

SETBACKS

A setback is the distance that an ADU must be from a street, alley, adjacent property, or your primary residence.

Interior and attached ADUs follow the setback requirements for principal structures in each zoning district. Detached ADUs, garage conversions, and garage attachments follow accessory structure setbacks for rear yards.

LOCATION OF STRUCTURE		R1	R2	R3	R4	R4a	R5	R6
Front Yard	Principal	27 feet *			27 feet			
	Accessory	27 feet **			27 feet **			
Street Side Yard	Principal	15 feet *			15 feet			
	Accessory	15 feet **			15 feet **			
Interior Side Yard	Principal	5 feet			5 feet		3 feet	
	Accessory	5 feet			5 feet **			
Rear Yard	Principal	30 feet			25 feet			
	Accessory	3 feet			3 feet			
* Parking Prohibited ** Garages Only		No accessory building shall be closer to a front or street side property line than the principal structure.						

BUILDING LOT COVERAGE

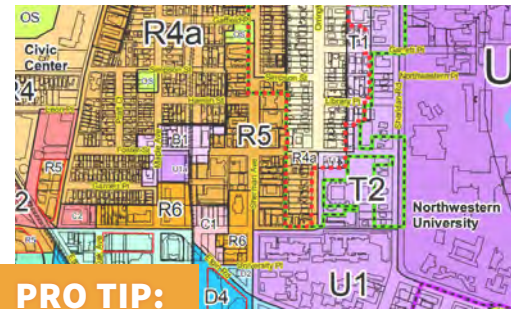
Building lot coverage is the amount of your property covered by a building. It is measured as a percentage. The amount of allowable building lot coverage depends on your zoning district.

	R1	R2	R3	R4	R4a	R5	R6
Maximum Building Lot Coverage	30%	40%	45%	40%		45%	50%

IMPERVIOUS SURFACE COVERAGE

Impervious surfaces are hard areas that prevent water from entering the soil, such as rooftops, driveways, patios, and concrete or asphalt paving. Impervious surface coverage is the percentage of your property covered by these hard surfaces, and meeting this requirement is especially important to manage stormwater.

	R1	R2	R3	R4	R4a	R5	R6
Maximum Impervious Coverage	45%	55%	60%	55%		60%	65%



PRO TIP:

Your zoning district is the primary factor that affects the shape and size of your ADU. Most Evanston homeowners live in “residential” districts, which start with the capital letter “R”. R3 allows for greater density on a property when compared to R2, and the same applies to the difference between R2 and R1.

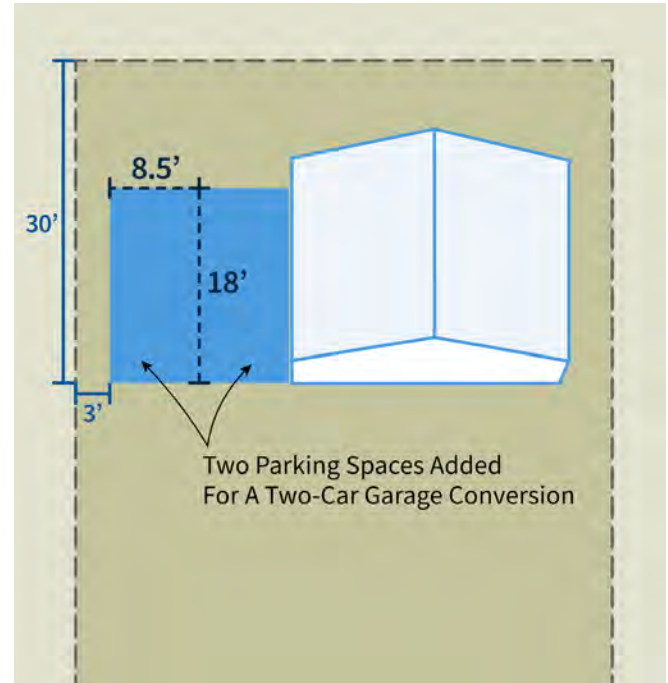
ADU Regulations to Know About

PARKING

When building an ADU, you have to keep the parking spaces you have, but you do not need to add an additional parking space to your property for the ADU.

A single family home requires two parking spaces (whether covered or open). If an existing single family home has less than two existing parking spaces, there is no need to add more parking.

If you decide to add open parking spaces, each parking space must be 8.5 ft. x 18 ft., be located within 30 feet of the rear lot line, and be at least three feet from all interior and rear property lines. These spaces count towards impervious surface coverage, but not building lot coverage.



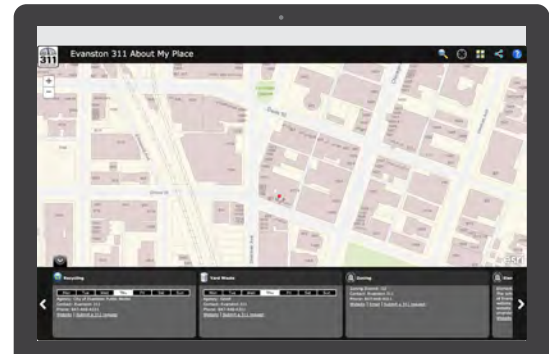
PRO TIP:

If you want an accessible ADU to support living with a disability, non-covered parking spaces can provide the flexibility on your property to design a ground-level home.

HISTORIC DISTRICTS & LANDMARK PROPERTIES

If you are in a Historic District or have a Landmark Property, you will need a certificate of appropriateness from the City's Preservation Commission. This could add design and approval time or materials costs to an ADU project.

To receive a certificate of appropriateness, the ADU should fit in with the context and architectural styles of the existing residence and the surrounding neighborhood.



PRO TIP:

Most relevant City regulations, including your zoning district and whether you are in a Historic District, can be found by looking up your property on "Evanston 311 About My Place."

You can access this free City of Evanston tool through this link:

<https://maps.cityofevanston.org/apps/311AboutMyPlace/>

ADU Costs & Financing

An ADU can range in cost from under **\$100,000 to \$300,000**, depending on the type of unit. It's important to think about your budget and communicate it to design and construction professionals early-on, as it can affect your ADU options.

Typically, a conversion of your existing residence or garage will be in the less expensive half of this range. New construction, such as a detached ADU, tends to be more costly. The size of your ADU will also affect the cost.

PRO TIP:

An existing plat of survey may be acceptable if it accurately reflects property conditions.

ADU COST CHECKLIST: WHAT SHOULD YOU BUDGET FOR?

In most cases, ADU costs include the following:

- Architectural renderings
- Construction labor and materials
- Upgraded/upsized underground utilities
- City and County fees (such as Zoning Analysis, Certificate of Appropriateness Application, Building Permit, and Demolition Permit)
- Plat of survey
- General contractor general conditions and cost
- Increased property taxes
- Maintenance costs

In some cases, construction costs may also include the following:

- Fire sprinkler system (new dwelling structure)
- Relocation of overhead utility lines or utility poles (new construction)
- Removal and replacement of mature trees (new construction)
- Spot survey during construction (new construction)
- Structural engineering
- Design work and construction materials required on historic properties (any ADU in a Historic District or on a Landmark Property)



ADU Costs & Financing

WAYS TO FINANCE YOUR ADU

The best way to finance your ADU will depend on the cost of your project and your financial position.

In addition to the scope of your unit, your credit score, debt, income, property value, and amount of equity will affect your financing options. There is no “right” choice on how to finance your ADU. To start, it can be best to talk with your banker, mortgage holder, or another financial advisor.

These are the most common financing methods:

■ Home Equity Line of Credit (HELOC)

If you have enough equity in your property, you may be able to use a HELOC to build your ADU. A HELOC is a revolving source of funds which you can access as you choose, and it is a second mortgage on your property.

■ Cash-Out Refinance Mortgage

With a cash-out refinance, you turn a portion of your equity into cash, and start a new first mortgage with a higher principal amount.

■ Renovation Mortgage

Similarly, you can use the loan proceeds from a Renovation Mortgage to finance your ADU. Different from a cash-out refinance, these loan products consider the “as-completed” value of your property, including the ADU, to determine how much you can borrow. The FannieMae Homestyle Renovation loan and the Freddie Mac CHOICERenovation loan are two common renovation mortgages that can finance ADUs.

PRO TIP:

It is important to work with a recognized lender when exploring your ADU financing options. Predatory lenders, who often provide “subprime” loans, may offer terms that seem too good to be true, and these loans can end up eventually harming borrowers.

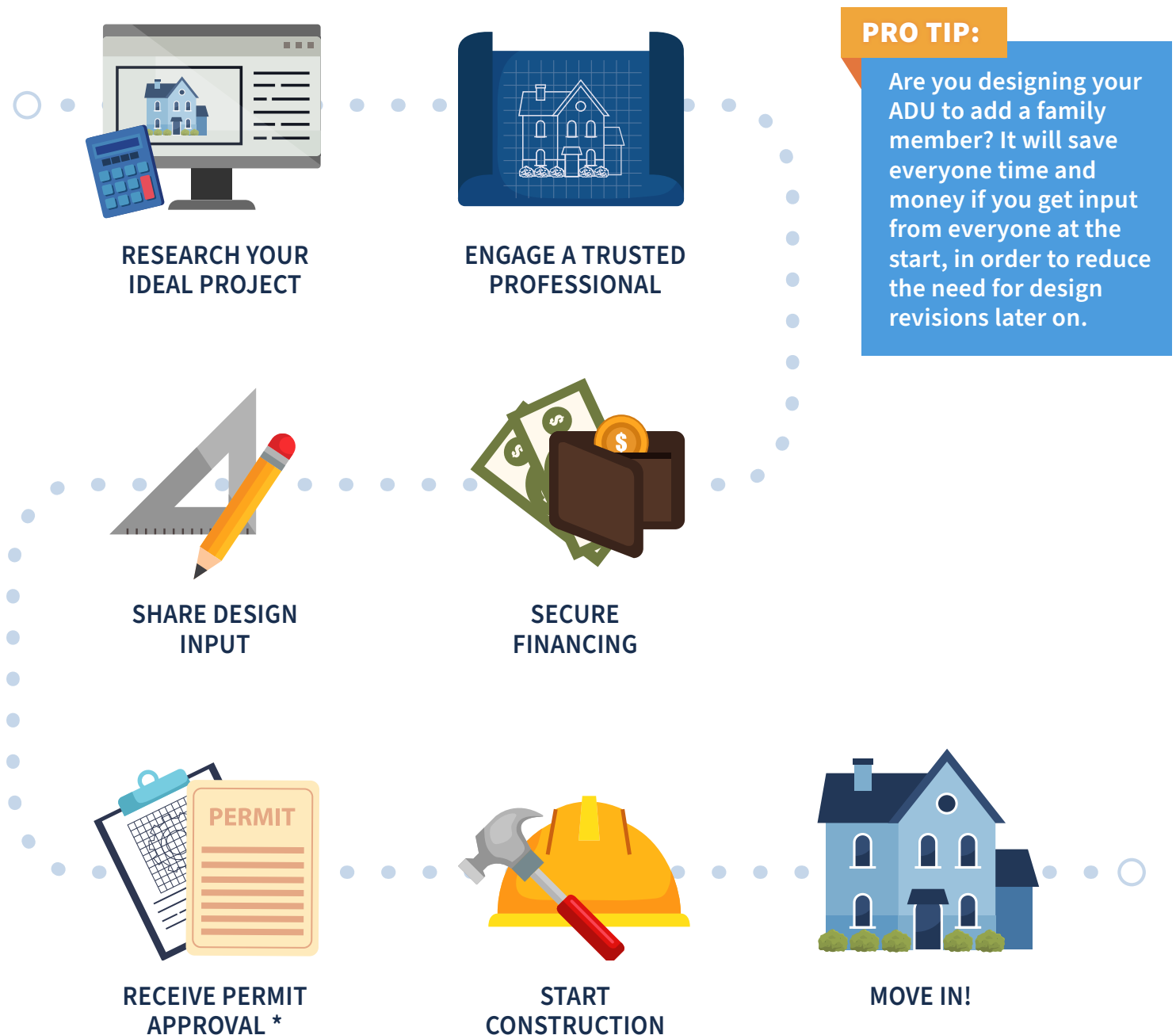
PRO TIP:

When seeking to build your ADU, home loan products for a single-family home are different from the loans available for duplexes. If you have a duplex, or two flat, It is important to communicate this to your lender up-front.

An ADU Project Step-By-Step

HOMEOWNER KEY STEPS

Building an ADU is a major project that involves professionals such as an architect and a general contractor. Keep your eye on the goal and embrace this as your project! Here's a flowchart that explains your roles and responsibilities.

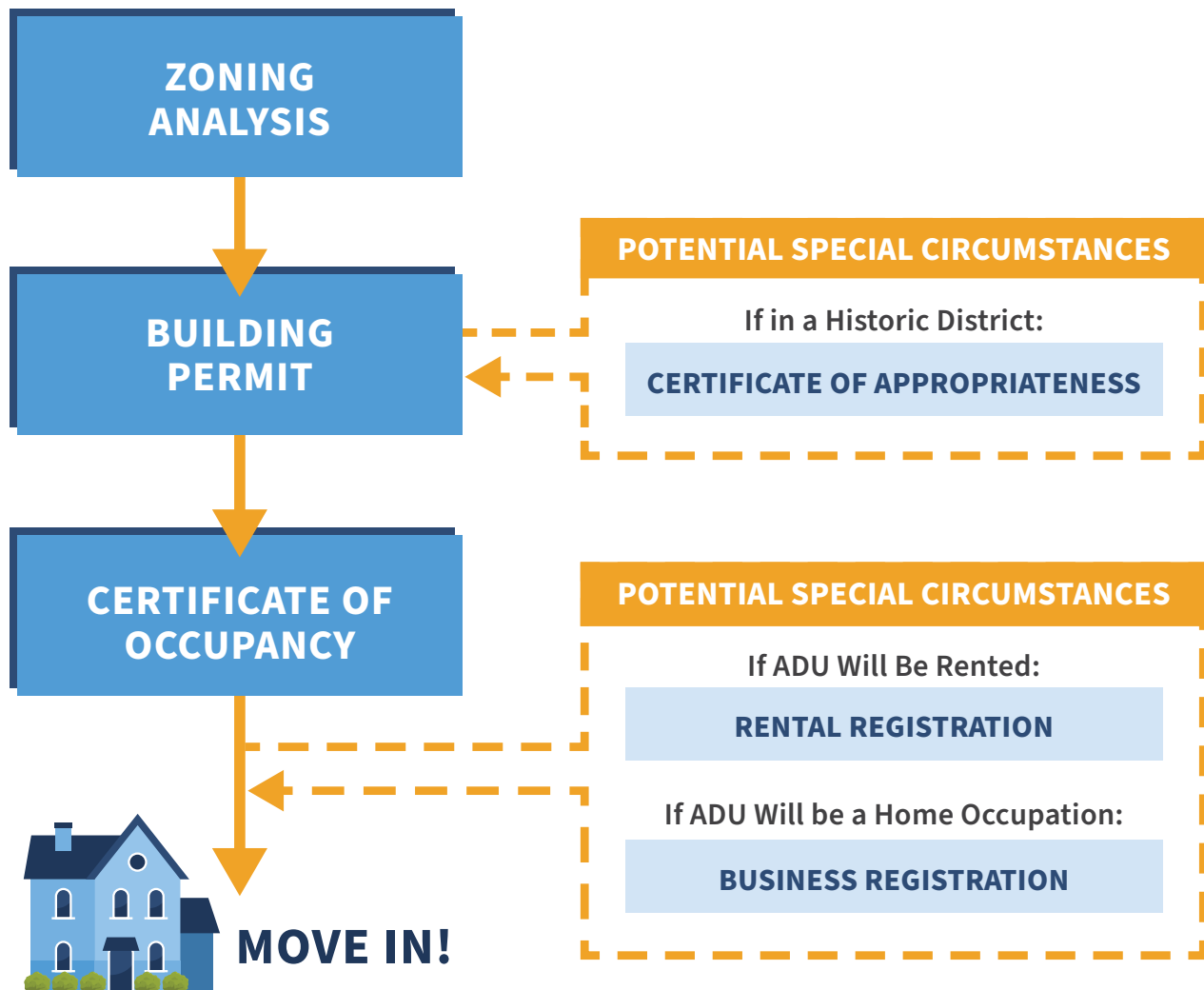


* See page 16 for more information about the City of Evanston's process for reviewing and approving ADUs.

An ADU Project Step-By-Step

CITY OF EVANSTON PROCESS

In Evanston, most ADUs are considered permitted use, meaning that you do not typically need a zoning variance if your project follows the City of Evanston's regulations. These are the steps we take to make sure your ADU is safe, compliant, and ready to be part of our community.



“We decided to build an ADU to add one more needed affordable unit and help a hard-working, low-income family. Our big backyard was not being used and we even created additional off-street parking.”

- R. K. | AFFORDABLE HOUSING BUILDER

ADU Frequently Asked Questions

■ Does the homeowner need to live on the property?

No, the owner does not need to live on the property.

■ How do I register a new address for my ADU?

Submit a plan to Public Works showing the main access door along with a letter requesting the address. The City will generate an address considering the properties in similar blocks and the new address will be sent for review to multiple divisions. After review and approval, the City will generate a new address letter that will be circulated to all the concerned parties including the post office and various City departments.

■ If I want to rent out my ADU, what do I need to know about being a landlord and property management?

To rent out your ADU, you will need to [register](#) your new rental unit with the City of Evanston. Visit the City's [Landlord & Tenant Resources page](#) for more information.

If you want your tenant to pay their own electricity bill, then the ADU will need to have its own meter.

■ Can I run my home business out of my ADU?

Yes. ADUs are considered part of the principal dwelling unit for home-based business purposes and follow the same regulations (home occupation regulations can be found [here](#)). Find out how to register your business [here](#).

■ Will my property taxes go up?

Yes, but the original home on your property will not be reassessed immediately, which means the property taxes on your principal residence will stay the same until the next scheduled reassessment. Learn more about your property taxes on the [Cook County Assessor's website](#).

■ What are the requirements for water and sewer service for a detached ADU?

The ADU water service must be connected to your main residence, and it cannot connect directly to the street. An upgrade is required if the main residence does not have sufficient capacity for your new attached or detached ADU. This can be an additional cost.

ADU Frequently Asked Questions

■ Are there building or fire code issues I should know about?

If you are building a new structure, fire sprinklers are required. These typically require you to upgrade your water service to your main home and extend it to your detached ADU.

If your ADU project is a conversion of an existing structure, no new fire sprinklers are required. Egress windows with direct exits, minimum ceiling heights, and the wall separating the ADU and main house must meet fire code requirements.

■ There's a pole with power lines near my property that might be near a 2-story ADU. How does this affect my project?

Depending on your project, one common option is to work with an electrician and the utility company to relocate the utility pole or bury the power lines. ADUs need to meet certain clearance requirements from overhead electric lines, so an alternative is to design a structure that meets these requirements. Reach out to the City of Evanston or ComEd to figure out what you can build on your property in these cases.

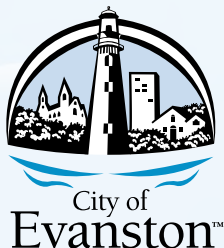
You will also want to look for “easements” on your property, which can be found in your deed, and by contacting the relevant utility company. These are agreements that can allow utility companies or neighboring property owners to take up certain parts of your property, for electric lines or water pipes. If you need to move a power line, you may need to engage a local real estate attorney to determine the best path forward.

“I have lived in Evanston for over 40 years and am a happy owner of an ADU. It was ideal for the years when my mother-in-law lived here, and we have also used it for family caregivers.”

– B.Z. | LONGTIME EVANSTON HOMEOWNER

About This Guide

This guide was developed through a partnership between the City of Evanston and the Evanston Development Cooperative (EDC).



CITY OF EVANSTON

www.cityofevanston.org

Evanston is home to approximately 75,000 residents and is located just north of Chicago. Bordering Lake Michigan and home to Northwestern University and Rotary International, Evanston's unique beauty and character delights visitors and residents of all ages. With a vision to create the most livable city in America, Evanston celebrates the diversity of its opportunities and residents.



EVANSTON DEVELOPMENT COOPERATIVE

www.evanston.coop

The Evanston Development Cooperative (EDC) designs and builds energy-efficient ADUs for Evanston homeowners and residents. As a community-owned worker cooperative, EDC pursues initiatives focused on housing affordability, racial equity, and climate resiliency. Its work on ADUs has been covered by Crain's Chicago Business, the Evanston RoundTable, and Evanston Now.



AARP

www.aarp.org

This guidebook was made possible due to generous support from AARP.

FOR MORE INFORMATION ABOUT ACCESSORY DWELLING UNITS:
www.cityofevanston.org/adu



<p style="text-align: center;">VILLAGE OF WILMETTE ACCESSORY LIVING UNITS</p>

An Accessory Living Unit (ALU) is defined as a dwelling unit within and subordinate to a single-family residence that provides separate accommodations for living, eating, and sleeping while maintaining the exterior appearance of a single-family home. The ALU is intended to provide another housing option for those 62 years of age or older and the disabled. The ALU ordinance is applicable to single-family homes in the R, R1, and R2 zoning districts.

To protect the single-family character of the Village, the creation of ALUs within existing single-family homes is carefully defined by the ordinance and will be enforced through the Community Development Department. This will allow the creation of accessory living units as a special use in the three single-family and townhouse zoning districts. A special use is one that must be reviewed by the Zoning Board of Appeals (ZBA) and approved by the Village Board before it may commence. The ZBA process requires all property owners and occupants within 250 feet of the property to be notified of the application and hearing date before the Zoning Board.

Requirements for Accessory Living Units

1. The principal dwelling or the accessory living unit must be occupied by the owner(s) of the subject property as the owner(s) principal place of residence for at least six (6) months of the year.
2. The resident of the principal dwelling or the accessory living unit must be fifty five (55) years of age or older, or disabled.
3. The maximum size of the accessory living unit is limited to twenty-five percent (25%) of the total area of the principal structure. The minimum size of the accessory living unit shall not be less than six-hundred (600) square feet.
4. Only one (1) accessory living unit is permitted on any lot.
5. An accessory living unit must be located wholly within the principal structure on the lot. No accessory living unit is permitted in any accessory structure.
6. The principal structure on the lot must maintain a single-family appearance with a single, common front entrance on the principal structure shared by the principal dwelling and the accessory living unit.
7. Any second entrance for the accessory living unit may be located at the rear or side of the principal structure.
8. Only the owner(s) of the subject property may apply for a special use for an accessory living unit.
9. An accessory living unit is illegal if it is established without an approved special use permit.

10. If granted by the Village Board, a special use for an accessory living unit automatically expires when the Zoning Administrator determines that one (1) or more of the requirements of this section have not been met. When a detached single-family dwelling that includes an accessory living unit is sold, the special use associated with the accessory living unit continues provided that the requirements of this section are met by the new owner(s).
11. The owner(s) granted a special use to establish an accessory living unit must file an affidavit with the Village annually, no later than ten (10) days after the date of the anniversary on which the Village Board granted the special use, stating that the accessory living unit complies with all the provisions of this Ordinance.

Process

Approval of ALUs is through the special use process. Please see the ZBA handbook for information and a ZBA application.

For more information, please contact the Community Development Department at (847) 853-7550 or comdev@wilmette.com.