

Sec. 9-87.

BUILDING SCALE AND ENVIRONMENT.

- A. FEES.** Any required fees shall be in accordance with the most recent fee schedule, approved by the City Council and on file in the Community Development Department.
- B. PURPOSE.** The City of Lake Forest is one of the oldest planned communities in the State of Illinois and it has grown in essential accord with its Comprehensive Plan. In order to preserve and protect the existing developed properties in the City, to maintain the Comprehensive Plan of the City to regulate development and to preserve and protect the public health, safety and well-being, it is necessary to regulate building scale and environment.

The City of Lake Forest is experiencing unprecedented real estate development pressures. As a result, there is real concern with the scale of some of the new residences, additions to existing residences, and accessory structures within the City. In addition, there is concern about the loss of existing affordable housing stock and the impacts of infill development on the character and infrastructure in establishing neighborhoods.

It has been determined that the construction of large residences and accessory buildings that may be appropriate in estate settings are now being constructed on subdivision lots of inadequate area. The residences are often out of scale with the surrounding environment.

It is in the public interest of The City of Lake Forest to maintain an appropriate balance between building scale and the local environmental setting.

The City of Lake Forest is dedicated to maintaining the existing character and ambiance of the community. In the past, the City has encouraged a development pattern characterized as suburban estate wherein the landscape is generally dominant over the improvements. Now there is a significant trend to increase the size of residences in relation to the size of the lot. In addition, many sites under development are located in open spaces. The balance between landscaping and building scale in relation to space available is causing a noticeable change in the character of the community.

It is the intent of The City of Lake Forest to develop reasonable performance standards wherein the essential residential character of the City is maintained and fostered.

C. DEVELOPMENT REQUIREMENTS.

1. Maximum Building Size.

The maximum building size is calculated based on the methodology established in Section 9-87D of this chapter. The Building Scale regulations apply to all single family homes and duplexes.

The maximum allowable square footage may be disapproved if the Board finds that the proposed residence or addition(s) violate Section 9-86 of the Building Code.

a. Maximum Square Footage Allowance

i. For lots of 18,900 square feet in area or smaller --

The maximum square footage of all structures on a zoning lot is determined by the following formula:

Single Family and Duplex Dwelling
(Lot area x .14) + 1,300 sq. ft.

ii. For lots of 18,901 square feet to 40,000 square feet --

The maximum square footage of all structures on a zoning lot is determined by the following formula:

Single Family Dwelling
(Lot area x .05) + 3,000 sq. ft.

Duplex Dwelling
(Lot area x .125) + 2,500 sq. ft.

iii. For lots larger than 40,000 square feet --

The maximum square footage of all structures on a zoning lot is determined by the following formula:

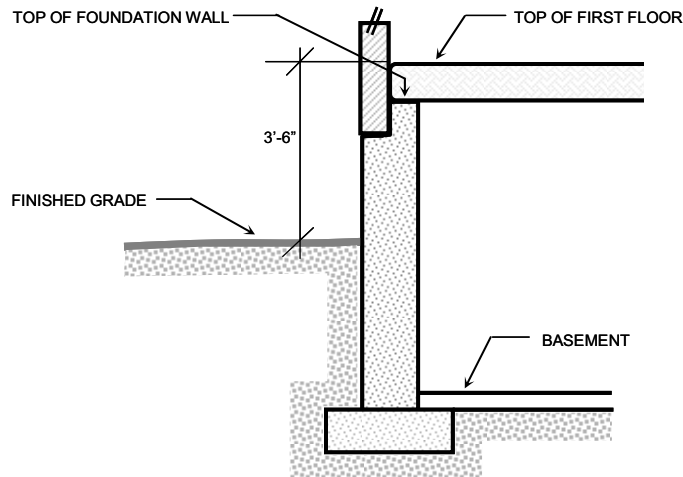
Single Family Dwelling
(Lot area x .08) + 1,800 sq. ft.

Duplex Dwelling
(Lot area x .125) + 2,500 sq. ft.

b. **Basement Area Calculation**

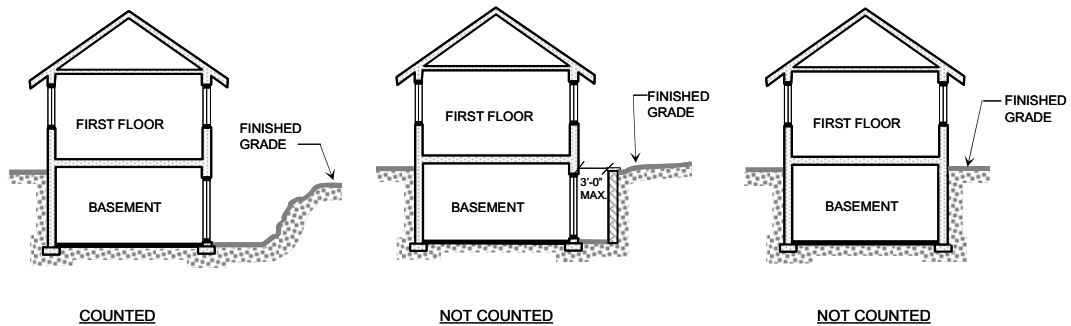
- i. Basements or portions of basements that extend above the adjacent ground area to a height of three and a half (3.5) feet or greater as measured from the top of the finished first floor to the lowest finished grade of the ground adjacent to the building, are included in the building scale calculation; provided, however, that such basement in dwellings constructed prior to January 9, 1989 shall be excluded from the building scale calculation.

EXHIBIT A



- ii. Basements located wholly below grade and traditional window wells with a maximum width of 3 feet (3) are not included in the building scale calculation.

EXHIBIT B



- iii. The portion of the basement included in the calculation shall be based on the extent of the basement above grade and shall be calculated as follows:

[TOTAL SQUARE FOOTAGE OF BASEMENT]

X

**{[PERIMETER OF EXPOSED BASEMENT] /
[PERIMETER OF ENTIRE BASEMENT]}**

c. **Second Floor and Attic Area Calculations**

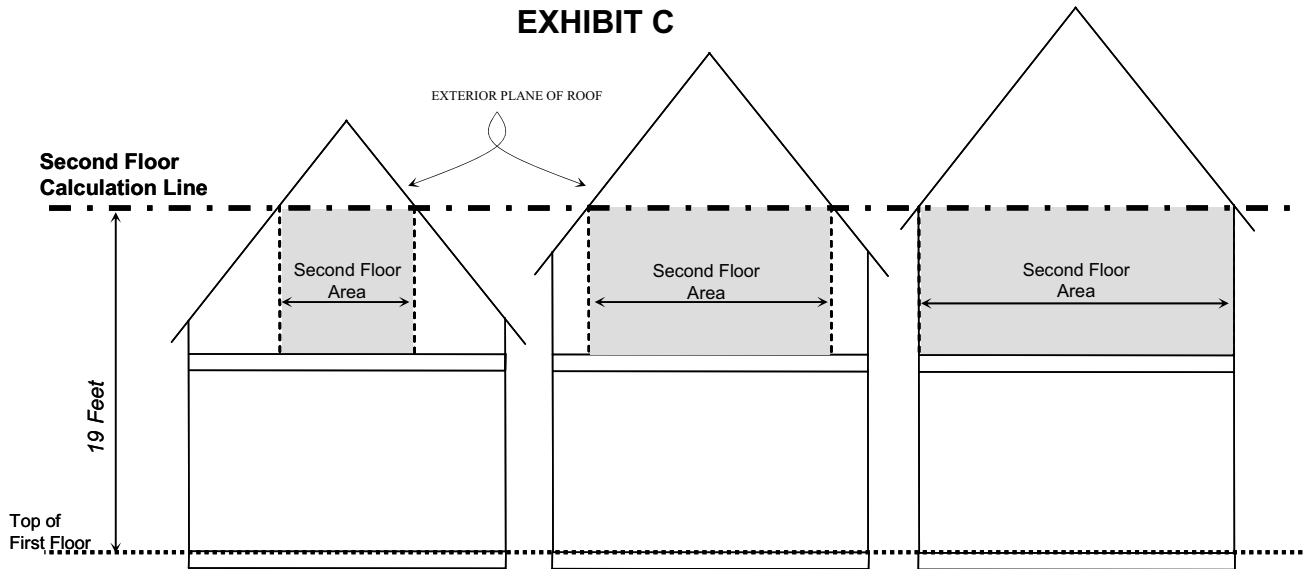
The amount of second floor and third floor attic square footage included in the building scale calculation is determined by the second floor plate height and overall height of the residence. Attic space may be factored into the calculations whether or not truss construction is used.

i. Second Floor Calculation

Second floor area is included in the building scale calculations for any selection of the second floor lying beneath the plane formed by the Second Floor Calculation Line and its intersection with any exterior portions of the building (see illustration Exhibit C). The Second Floor Calculation Line is measured from the top of first floor in accordance with the following:

For all lot sizes, the Second Floor Calculation Line is 19 feet above the top of the first floor.

EXHIBIT C

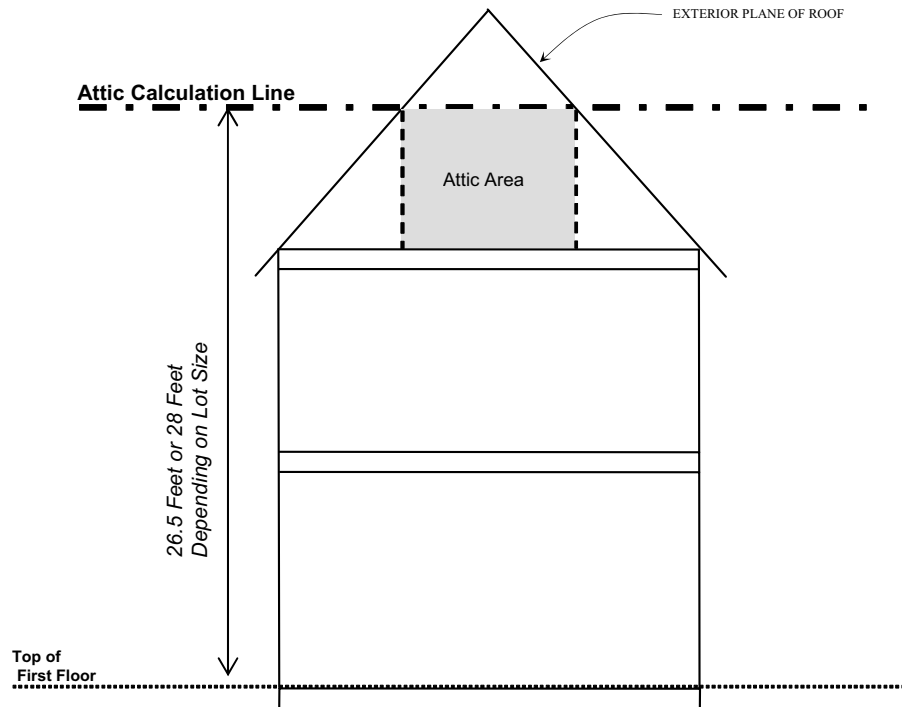


ii. Third Floor Attic Calculation

Third floor attic area is included in the building scale calculations for any selection of the attic lying beneath the plane formed by the Attic Calculation Line and its intersection with any exterior portion of the building (see illustration Exhibit D). The Attic Calculation Line is measured from the top of first floor in accordance with the following:

- 1.1 For Lots 40,000 square feet or smaller, the Attic Calculation Line is 26.5 feet above the top of the first floor.
- 1.2 For Lots 40,001 square feet or larger, the Attic Calculation Line is 28 feet above the top of the first floor.

EXHIBIT D



- d. **Elements Exempted from the Above Calculations**
- i. Garages. In addition to the square footage permitted by the formulas in Section 9-87C1a above, each zoning lot shall be entitled to square footage for a garage in accordance with the following formulas.
- 1.1 For lots of 18,900 sq. ft. in area or smaller --
Garage Allowances: 576 square feet with a maximum of width of 24 feet.
 - 1.2 For lots of 18,901 to 40,000 square feet --
Garage Allowances: 600 square feet
 - 1.3 For lots larger than 40,000 square feet --
Garage Allowances: 800 square feet
 - 1.4 Garages that exceed the allowable square footages may be constructed, but the square footage in excess of that allowed under Section 9-87C1a(i) (1.1-1.3) shall be deducted from the maximum square footage permitted for the

residence. Prior to approval of a garage in excess of the allowable size, the project must be found to be conformance with Section 9-86 of the City Code.

- ii. Other Exemptions. The following elements shall be exempted from the Building Scale calculation if the project is in conformance with Section 9-86 of the City Code and if the total square footage of these elements does not exceed 10% above the maximum allowable square footage for the residence.
 - Front or Side Porch
 - Covered Entry
 - Portico
 - Rear or Side Screen Porch
 - Breezeways
 - Individual Dormers
 - Bay Windows

The Director of Community Development shall be authorized to develop regulations to define further the foregoing elements, which regulations shall be set forth in a "Building Scale Methodology Document" that shall be available to the public from the Community Development Department.

- iii. Storage Sheds. Storage sheds up to a maximum size of 100 square feet may be permitted if all other applicable provisions of the City Code are satisfied. Storage sheds shall not count toward 10% overage allowed for the elements listed in Section 9-89C1d(ii) above.

2. **Lot Area Calculation.**

a. **Lot Area**

Lot area shall be determined by calculating the total square footage within the boundaries of the property lines based on as up-to-date official plat of survey. The plat survey must be prepared or updated by an Illinois registered land surveyor and contain, at a minimum, the following information:

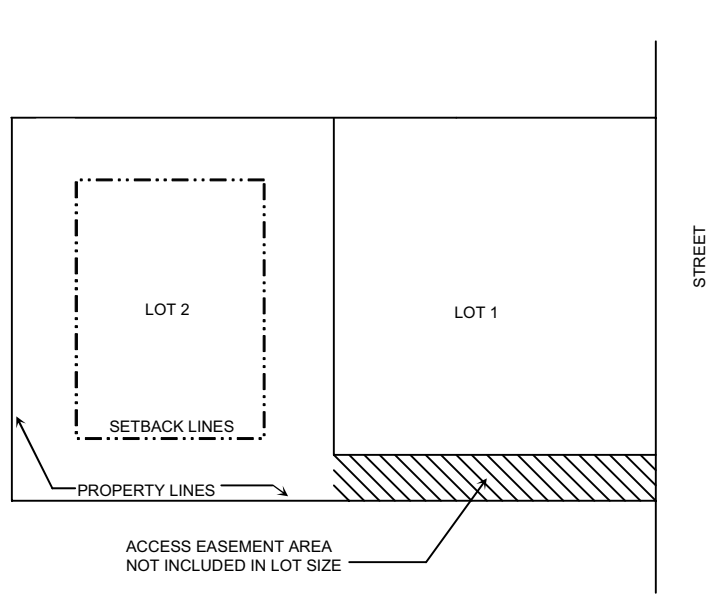
- i. Any lot which is not rectangular or which has easements for ingress and egress, natural and man made storm water retention ponds, or wetlands, shall have the lot area certified by the surveyor, including a detailed breakdown of square footage of lot area with, and without such easements, ponds, or wetlands.
- ii. Full exterior dimensions of all existing structures on the property.

b. **Building Scale Calculation**

For purposes of calculating building scale, the following areas are not included in determining total lot square footage.

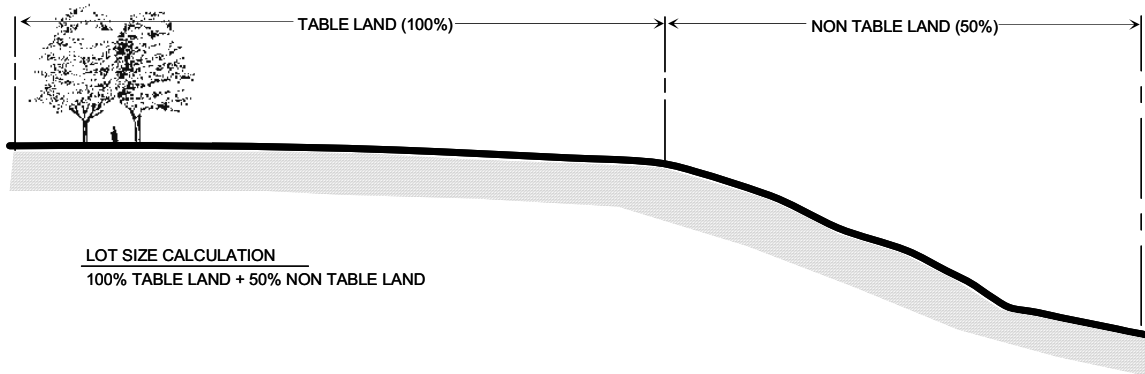
- i. The access easement for lots-in-depth shall not be included in the square footage for either the front or rear lot.

EXHIBIT E



- ii. 50% of any non-table land on the property as defined in Section 46-15 of the City Code. Certification of the total square footage by a Registered Land Surveyor may be required by the Director of Community Development.

EXHIBIT F



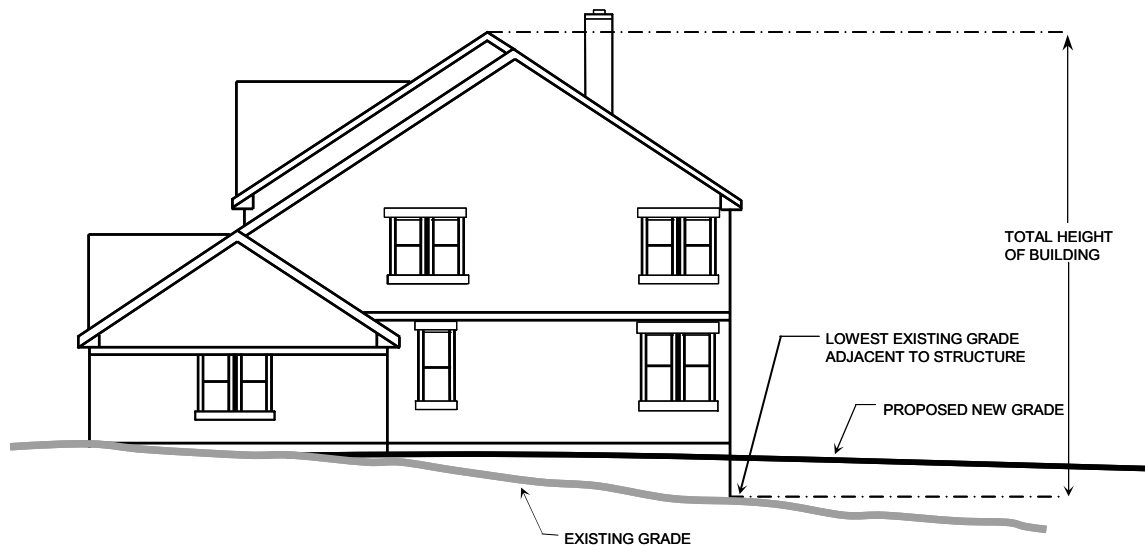
- 3. **Building Height.**
The maximum height of a single-family dwelling or two-family dwelling shall not exceed the following:

Lot Size	Maximum Height, Measured to the Ridge Line
18,900 square feet or less	30 feet
18,901 to 40,000 sq. ft.	35 feet
40,001 sq. ft. or greater	40 feet

For new construction, the top of first floor shall not be more than 1'-6" above the average finished grade adjacent to the building unless required under the provisions of the Lake County Watershed Development Ordinance.

Maximum height will be measured from the lowest grade immediately adjacent to the proposed structure, prior to construction, to the highest roof ridge line.

EXHIBIT G



4. **Planned Residential Development Provisions.** In any subdivision involving a nonstandard single family development, including, but not limited to, a Planned Development, as permitted under Section 46-24 of the Zoning Code, or a Residential Open Space Subdivision, as permitted under Section 46-46 of the Zoning Code, the City shall, during the subdivision review process, establish a maximum floor area per lot for such development, consistent with the intent of this section and reflective of the uniqueness of the particular subdivision.

- D. **EXCEPTIONS GRANTED BY BUILDING REVIEW BOARD.** The Building Review Board shall have the authority to grant exceptions to the maximum floor area requirements set forth in Section 9-87C, for a new residence or an addition to an existing residence if Standard 1 below is satisfied and at least one of the other Standards set forth in this Section 9-87D is met.

Standard 1 -- The project is consistent with the design standards in Section 9-86 of the City of Lake Forest Code.

Standard 2 -- Mature trees and other vegetation on the property effectively mitigate the appearance of excessive height and mass of the structure and as a result, the proposed development is in keeping with the streetscape and overall neighborhood.

Standard 3 -- New structures or additions are sited in a manner that minimizes the appearance of mass from the streetscape. In addition, the proposed structures or additions will not have a significant negative impact on the light to and views from neighboring homes.

Standard 4 -- The height and mass of the residence, garage, and accessory structures will generally be compatible with the height and mass of structures on adjacent lots, buildings on the street and on adjacent streets, and other residences and garages in the same subdivision.

Standard 5 – The property is located in a local historic district or is designated as a Local Landmark and the addition is consistent with the standards in the Historic Preservation Ordinance and approval of a variance would further the purpose of the ordinance.

Standard 6 – The property is adjacent to land used and zoned as permanent open space, a Conservation Easement, or a detention pond and the structures are sited in a manner that allows the open area to mitigate the appearance of mass of the buildings from the streetscape and from neighboring properties.

E. APPLICATION FOR DEMOLITION PERMIT. To permit adequate time for consideration of alternatives to demolition of an existing building(s), and to ensure development consistent with the goals of the City, a demolition permit shall be issued only after two years following an application for demolition unless one of the following exceptions shall cause said permit to be issued earlier:

1. Fire or other casualty damage or structural deterioration shall have rendered the structure and/or remains, in the opinion of the Director of Community Development of The City of Lake Forest, an immediate health or safety hazard. (Nothing in this section shall be deemed to limit the power of such official to condemn, and order the demolition of, any structure which is hazardous or unsafe.)
2. It is determined upon proper application for an exception, and following a public hearing by the Building Review Board, in consideration of the criteria and purpose of this section and Section 46-27 (Historic Residential and Open Space Preservation) of the Zoning Code, that a delay in demolition would not further the purpose of this section and Section 46-27 of the Zoning Code, because;
 - a. The structure itself, or in relation to its environs, has no significant historical, architectural, aesthetic or cultural value in its present or restored condition; or
 - b. Realistic alternatives (including adaptive uses) are not likely because of the nature or cost of work necessary to preserve such structure or realize any appreciable part of such value; or

- c. The structure in its present or restored condition is unsuitable for residential, or a residentially compatible use; or
 - d. The demolition is consistent with, or materially furthers, the criteria and purpose of this section and Section 46-27 of the Zoning Code.
3. It is determined by the City Manager that the issuance of a demolition permit is clearly consistent with the criteria of this section and Section 46-27 of the Zoning Code.

In cases where the applicant for demolition permit intends to construct a replacement building(s), neither the Building Review Board nor the City Manager shall have authority under paragraphs E(2) or E(3), immediately above, to exempt any applicant from the two year waiting period imposed by this sub-section, unless the applicant shall have first obtained approval by the Building Review Board of any such replacement building(s), in accordance with the criteria set forth in Section 9-86 above. Additionally, any new building sought to be constructed as a replacement building after demolition, as permitted under this section, shall require advance approval by the Building Review Board in accordance with Section 9-86 above, prior to the issuance of a building permit.

F. **DEMOLITION PERMIT RULING.** The City Manager may render an opinion that a demolition permit would be issued for a particular residence, if he or she finds that such demolition would be clearly consistent with the purpose and criteria of this section and Section 46-27 of the Zoning Code.

- 1. The City Manager may refer any or all requests for such decision to the Building Review Board to allow the Board to make such ruling.
- 2. Any petitioner who receives a decision from the City Manager that a residence may not be demolished, may appeal such decision to the Building Review Board and then to the City Council.
- 3. The final determination in any such ruling either by the City Manager or the Building Review Board shall be valid for two years from the date of such ruling.
- 4. Regardless of the outcome of a ruling request, no demolition permit shall be issued, except in accordance with the provisions of sub-section (E) above.

G. Notwithstanding anything to the contrary in this Section 9-87, any matters affecting a Landmark or a District as designated under the Lake Forest Historic Preservation Ordinance shall be subject to the jurisdiction of the Lake Forest Historic Preservation Commission, and the Building Review Board shall conduct no proceedings relating to such Landmark or District.