



**Meeting of the Village of Buffalo Grove
Planning and Zoning Commission
Regular Meeting
September 16, 2020 at 7:30 PM**

Fifty Raupp Blvd
Buffalo Grove, IL 60089-2100
Phone: 847-459-2500

I. Call to Order

2. Open Meetings Act Compliance

Pursuant to orders issued in response to the COVID-19 pandemic, this Public Hearing is closed to in-person, public attendance. The hearing is being held via Zoom web conference meeting, which permits the public to fully participate in the virtual Public Hearing via Zoom on a computer, tablet or phone. Details on how to access and participate in this online virtual hearing are available below. More information pertaining to the meeting information and links to the virtual meeting can be found at:

[<https://us02web.zoom.us/j/85026686050>](https://us02web.zoom.us/j/85026686050)

You are invited to a Zoom webinar.

When: Sep 16, 2020 07:30 PM Central Time (US and Canada)

Topic: PZC

Please click the link below to join the webinar:

[<https://us02web.zoom.us/j/85026686050>](https://us02web.zoom.us/j/85026686050)

Or iPhone one-tap :

US: +13126266799,,85026686050# or +13017158592,,85026686050#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 301 715 8592 or +1 929 436 2866 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 850 2668 6050

International numbers available: [<https://us02web.zoom.us/j/85026686050>](https://us02web.zoom.us/j/85026686050)

II. Public Hearings/Items For Consideration

1. Consider a Variation for the Proposed Sunroom Addition Which Will Encroach into the Rear Yard Setback at 67 W Fabish Drive. (Trustee Johnson) (Staff Contact: Nicole Woods)

III. Regular Meeting

A. Other Matters for Discussion

1. Discuss Potential Fence Code Amendments, Which Reflect Two Types of Variations that Have Been Consistently Sought and Approved Over the Past Five Years. (Trustee Weidenfeld) (Staff Contact: Nicole Woods)

B. Approval of Minutes

1. Planning and Zoning Commission - Regular Meeting - Aug 19, 2020 7:30 PM

C. Chairman's Report

D. Committee and Liaison Reports

E. Staff Report/Future Agenda Schedule

F. Public Comments and Questions

IV. Adjournment

The Planning and Zoning Commission will make every effort to accommodate all items on the agenda by 10:30 p.m. The Board, does, however, reserve the right to defer consideration of matters to another meeting should the discussion run past 10:30 p.m.

The Village of Buffalo Grove, in compliance with the Americans with Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the ADA Coordinator at 459-2525 to allow the Village to make reasonable accommodations for those persons.



Action Item : Consider a Variation for the Proposed Sunroom Addition Which Will Encroach into the Rear Yard Setback at 67 W Fabish Drive.

Recommendation of Action

Staff recommends approval, subject to the conditions in the attached staff report.

The Petitioner is requesting a variation for the purpose of constructing the proposed sunroom addition which will encroach 5 feet 4 inches into the required 30 foot rear yard setback.

ATTACHMENTS:

- Staff Report_67 W Fabish (DOCX)
- Plan Set (PDF)

Trustee Liaison
Johnson

Staff Contact
Nicole Woods, Community Development

Wednesday, September 16, 2020	
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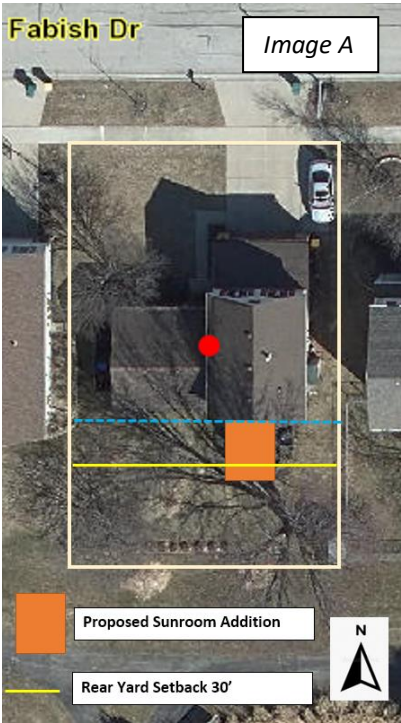
MEETING DATE:	September 16, 2020
SUBJECT PROPERTY LOCATION:	67 W Fabish Drive
PETITIONER:	Michael Constantini
PREPARED BY:	Rati Akash, Village Planner
REQUEST:	A variation for the proposed sunroom addition which encroaches into the rear yard setback of the subject property.
EXSITING LAND USE AND ZONING:	The property is improved with a single-family home currently zoned R6-A.
COMPREHENSIVE PLAN:	The approved Village Comprehensive Plan calls for this property and the immediate neighborhood to be single-family detached.

PROJECT BACKGROUND

The Petitioner is requesting a variation for the purpose of constructing the proposed sunroom addition which encroaches into the rear yard setback of the subject property. The R6-A Zoning Code requires a 30’ rear yard setback, and hence a variation is required to install the sunroom addition.

PLANNING & ZONING ANALYSIS

- The subject property has an existing patio in the rear yard which will be replaced by the sunroom addition.
- The proposed sunroom addition will be located in the rear yard of the subject property as shown in *Image A*.
- This proposed sunroom addition measures 15’ in length and 12’-6” in width, with an approximate total area of 187.5 square feet.
- This expanded sunroom addition will encroach 5’-4” into the required 30’ rear yard setback.
- The proposed sunroom addition will be located approximately 24’-8” from the rear property line.
- This proposed sunroom opens out into a proposed patio to the west. This proposed patio meets Code.



- The Planning and Zoning Commission is allowed to grant sunroom additions which encroach up to 33% into the rear yard setback. In this case, the proposed sunroom rear yard encroachment of 5'-4" constitutes 18% of the required 30' rear yard setback and meets the requirement.

Variations requested

A rear yard variation from Section 17.40.020 from the Buffalo Grove Zoning Code to allow the encroachment of a sunroom addition.

The following is a recently approved setback variations for corner side yard fences:

Address	Sunroom addition encroachment	Percentage encroachment
425 Mayfair	13'-4"	33%
860 Holly Stone Lane	10'	33%
958 Parker Lane	5'-6"	17%
2324 Acorn Place	12'	30%

DEPARTMENTAL REVIEWS

Village Department	Comments
Engineering	The Village Engineer has reviewed the proposed sunroom addition, and does not have any engineering concerns with the location of the proposed sunroom.

SURROUNDING PROPERTY OWNERS

Pursuant to Village Code, the contiguous property owners were notified and a public hearing sign was posted on the subject property. The posting of the public hearing sign and the mailed notifications were completed within the prescribed timeframe as required. As of the date of this Staff Report, the Village has received one call inquiring about the proposed fence variation, however no objections were expressed.

STANDARDS

The Planning & Zoning Commission is authorized to grant variations of the Fence Code based on the following criteria:

1. The plight of the owner is due to unique circumstances;
2. The proposed variation will not alter the essential character of the neighborhood;
3. The proposed variation will not be detrimental to the public health safety and welfare.

The petitioner has provided a written response to the standards for a variation which are included in this packet.

STAFF RECOMMENDATION

Village staff recommends approval for the purpose of constructing a sunroom addition that would encroach 5'-4" into the rear yard setback:

- 1) The proposed sunroom addition shall be installed in accordance with the documents and plans submitted as part of this petition.

ACTION REQUESTED

The Planning & Zoning Commission (PZC) shall open the public hearing and take public testimony concerning the variation. The PZC shall make a final decision on whether or not to approve the variation.

Suggested PZC Motion

PZC moves to grant a variation to Section 17.40 of the Buffalo Grove Zoning Code to allow for a proposed sunroom addition in the rear yard which encroaches 5'-4" into the required rear yard setback on the subject property. The sunroom shall be constructed in accordance with the documents and plans submitted as part of this petition.

Michael and Robyn Costantini

67 West Fabish Drive

Buffalo Grove IL 60089

Variance letter request:

To the Village of Buffalo Grove:

We are planning to build an addition to our home. Because of the required rear yard setback this cannot be accomplished. We have hired an architect and we believe our plans will be a beautiful addition to our home and our neighborhood.

Please grant our variance to title 17.40.020 B.

Thank you,

Mike and Robyn Costantini

July 31, 2020

List of neighbors:

Jeri Laureano

71 W. Fabish Drive

Laura Kushner Gammons

63 W. Fabish Drive.

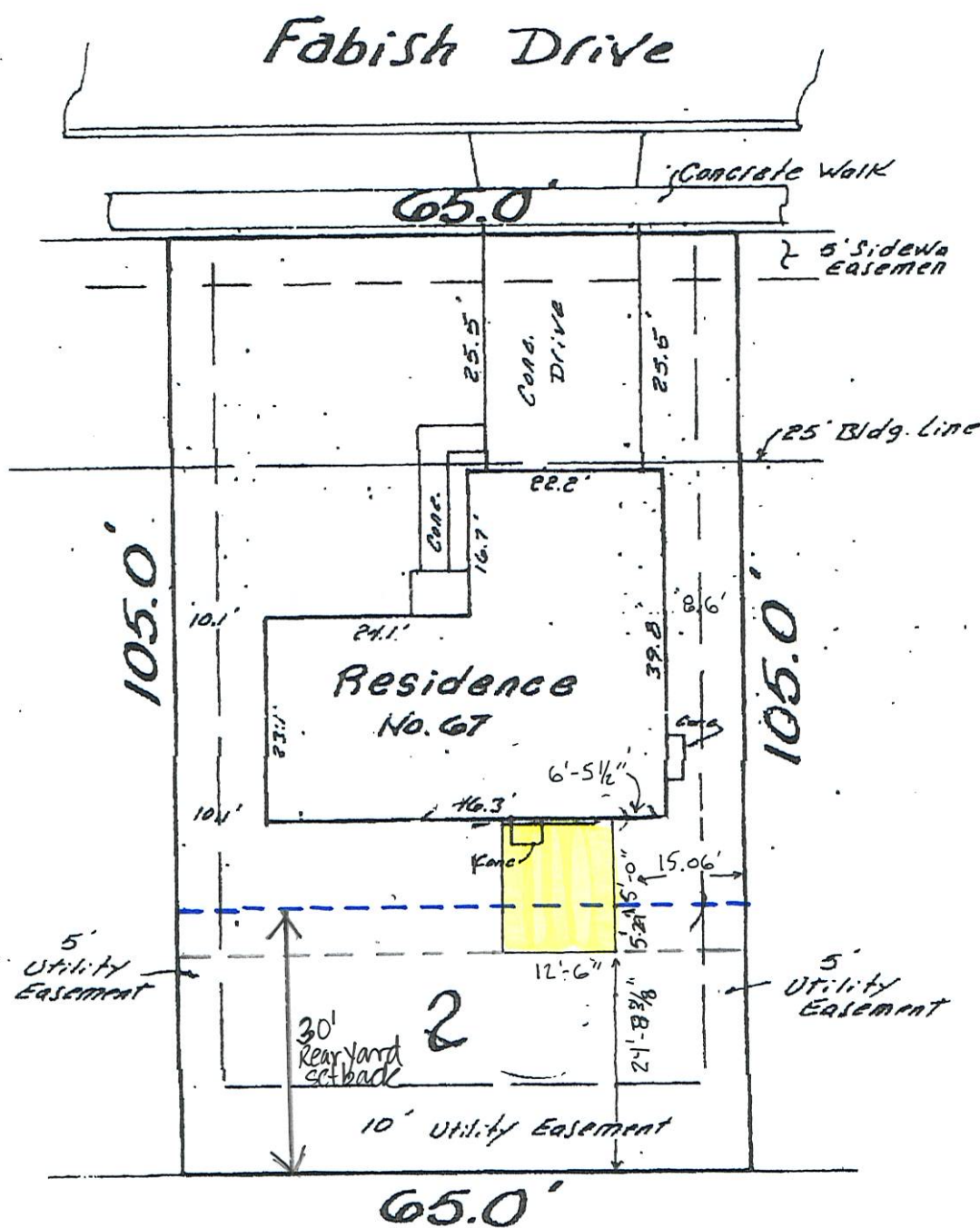
Attachment: Plan Set (Consider a Variation for the Proposed Sunroom Addition Which Will Encroach into the Rear Yard Setback)

190 LAKE STREET, MANOVER PARK, ILLINOIS 60103

PHONE: 800-800-8000
FAX: 800-800-8000

PLAT

LOT 2 IN BLOCK 5 IN HIGHLAND GROVE UNIT NO. 4, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, ALL IN TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 19, 1984 AS DOCUMENT NUMBER 2328776, IN THE VILLAGE OF BUFFALO GROVE, LAKE COUNTY, ILLINOIS.



APPROVED	
PURPOSE:	
ZONING REVIEW	DATE
BY	
ENGINEERING REVIEW	DATE
BY TGS	7/16/20

520 ALLOWED

NOT VALID WITHOUT EMBOSSED SEAL

Ordered by Republic Title
 Owner Biermack / O'Rourke
 Survey No. 1125-92
 Scale: 1" = 20' Book _____ Page _____

State of Illinois }
 County of DuPage } s.s.
 I, RALPH J. MARUGG, an Illinois Professional Land Surveyor, do hereby certify that this Mortgage Loan Inspection was made on the _____ day of _____, 20____, at _____, Illinois, and that this plat correctly represents the facts found on the ground at the time of said inspection, and that this professional service was performed in accordance with the current applicable Illinois Professional Land Surveyor Association Standards.

Response to Standards: Costantini-67 W. Fabish Drive.

September 4, 2020

1. The plight of the owner is due to unique circumstances;

Your Evidentiary Statement: *Our unique circumstances are that Robyn Costantini is disabled due to Major Neurocognitive Disorder DSM5 with a compromised immune system. One of the consequences of this disability is that she has frequent bouts of imbalance walking and vertigo and is a fall risk. Our current deck has a step down and then a step up and Robyn needs assistance to perform this movement. The addition will have a flat floor with the same elevation as our family room. If and when we need wheelchair access the addition will be easy to access. Robyn also is allergic to bees and bug bites; having such an addition will allow her to enjoy the outdoors without any reaction issues.*

2. The proposed variation will not alter the essential character of the neighborhood;

Your Evidentiary Statement: *The addition will be structurally smaller than our current deck and canopy and therefore visually there should be no change. Anecdotally, our back yard gets daily compliments from our neighbors and the addition will not alter that. The architect has tastefully created a design that blends beautifully with our home that was built in 1985.*

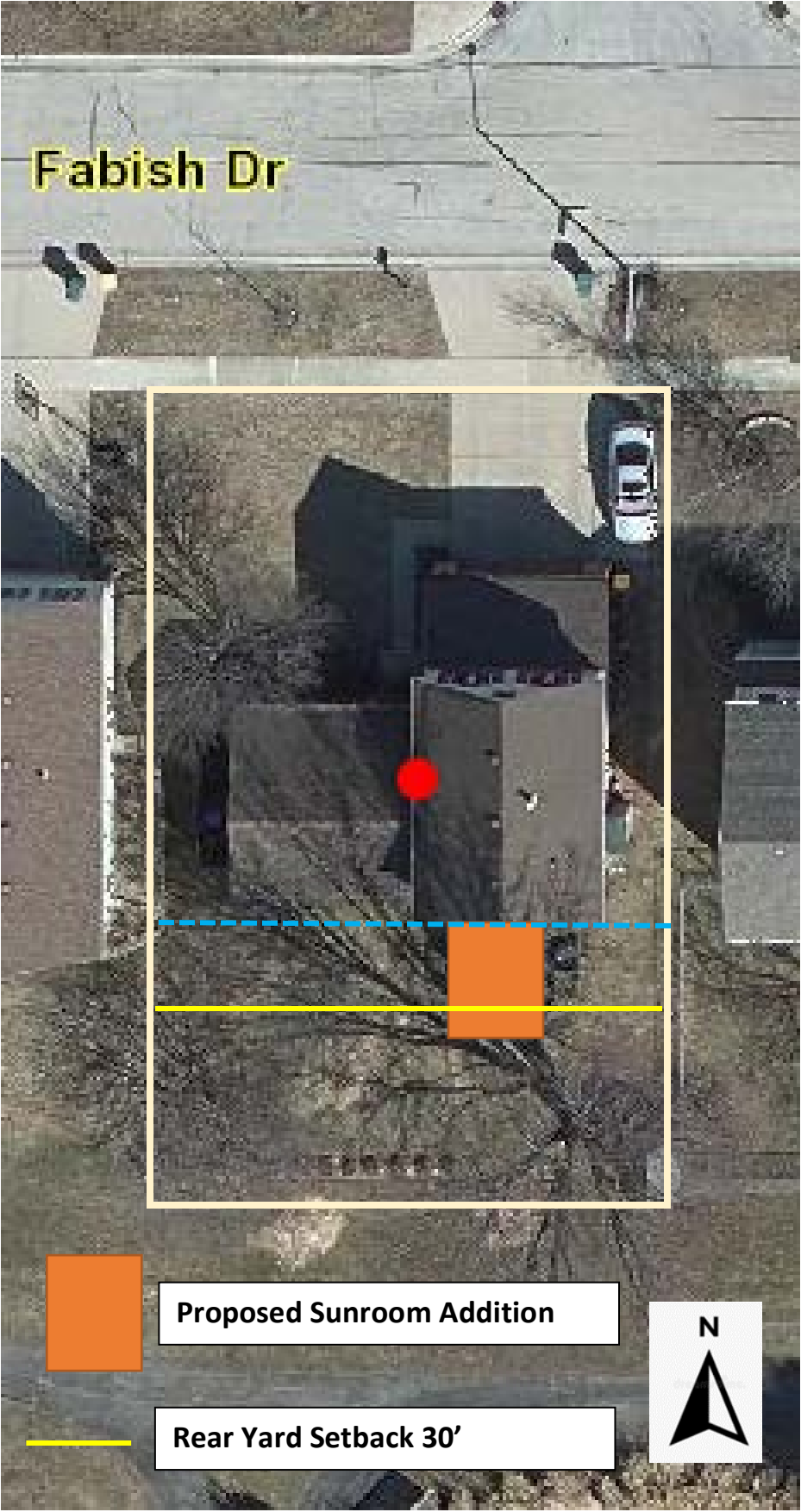
3. There are practical difficulties or particular hardships in carrying out the strict letter of this Chapter which difficulties or hardships have not been created by the person presently having an interest in the property; and,

Your Evidentiary Statement: *The current permit only allows for a few feet of addition beyond our current floor plan. We are 58 and 55 years old and plan on retiring in this current home. With both our parents in their 80s, our home has become the central meeting point of our families and children. We need more space than our current home allows and this addition will help tremendously. It is these issues along with Robyn's disability that has given us the incentive to build the addition.*

4. The proposed variation will not be detrimental to the public health safety and welfare.

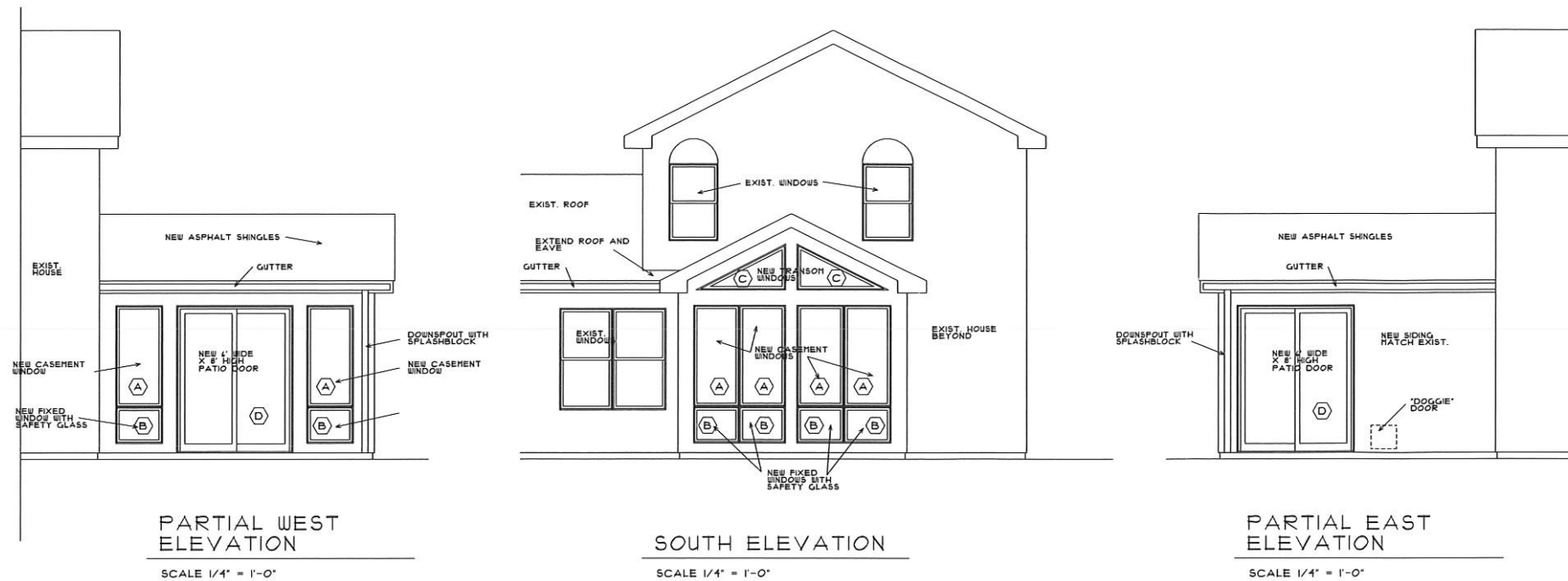
Your Evidentiary Statement: *This addition will not negatively affect public safety nor welfare. It will enhance safety by having a floor level with our family room; this will reduce the fall risk inherent to Robyn's disability.*

Attachment: Plan Set (Consider a Variation for the Proposed Sunroom Addition Which Will Encroach into the Rear Yard Setback)



Attachment: Plan Set (Consider a Variation for the Proposed Sunroom Addition Which Will Encroach into the Rear Yard Setbac)

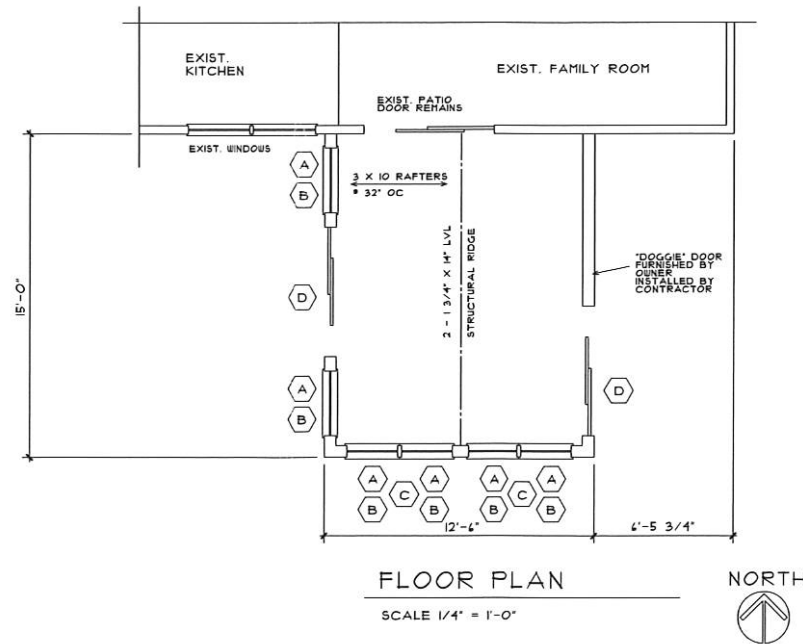




WINDOW & DOOR SCHEDULE (VERIFY WINDOW ROUGH OPENINGS WITH MANUFACTURER)						
#	WINDOW TYPE	U-VALUE	APPROX. FRAME	GLASS OPNG.	VENT OPNG.	REMARKS
(A)	CASEMENT	0.30 (MIN.)	30" X 12"			
(B)	FIXED	0.30 (MIN.)	30" X 24"			SAFETY GLASS
(C)	FIXED TRANSOM	0.30 (MIN.)	FIELD VERIFY			TRIANGULAR
(D)	PATIO DOOR	0.32 (MIN.)	4' WIDE X 8' TALL			
1. VERIFY WINDOW ROUGH OPENINGS WITH MANUFACTURER						

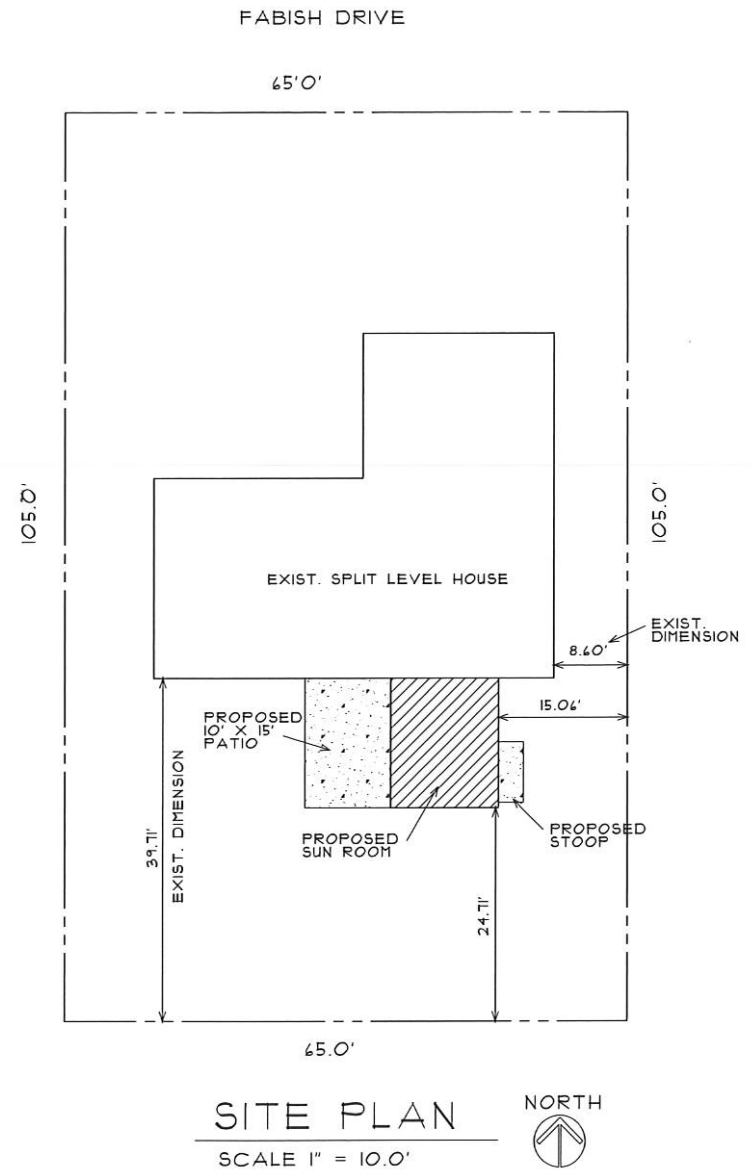
The Village of Buffalo Grove has adopted the following codes:

- International Building Code, 2018 Edition (with amendments)
- International Residential Code, 2018 Edition (with amendments)
- International Property Maintenance Code, 2018 Edition (with amendments)
- International Fire Code, 2018 Edition (with amendments)
- NFPA National Electric Code, 2017 Edition (with amendments)
- International Mechanical Code, 2018 Edition (with amendments)
- International Existing Building Code, 2018 Edition (with amendments)
- International Fuel Gas Code, 2018 Edition (with amendments)
- Illinois Plumbing Code, current Edition
- International Energy Conservation Code, 2018 Edition
- Illinois Accessibility Code, Latest Edition



REVIEWED	NOT APPLICABLE	APPROVED
BY/DATE	BY/DATE	BY/DATE
ZONING	BLDG. <u>1W7-20-20</u>	
PLMBG.	ELECT. <u>RA7-21-20</u>	
MECH.	HEALTH	

NEW FRAME WALL (thick solid line)
EXISTING WALLS TO REMAIN (thin solid line)
EXISTING WALLS TO BE REMOVED (dashed line)



INDEX OF DRAWINGS	
A-1	SITE PLAN, FLOOR PLAN AND ELEVATIONS
A-2	WALL SECTIONS AND NOTES

STATE OF ILLINOIS
THOMAS W. BUCKLEY
1-8721
LICENSED ARCHITECT

PROPOSED SUN ROOM ADDITION

1-11-20 RELEASED FOR BUILDING PERMIT SUBMITTAL

COSTANTINI RESIDENCE

67 FABISH DRIVE
BUFFALO GROVE, IL

2020-035
JF TB

4-25-20

ARCHITECT'S CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY DIRECTION AND THAT TO THE BEST OF MY KNOWLEDGE, THEY COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.

Thomas Buckley

CERT. NO. 00000121
EXP. 8-30-30

DATE 7-11-20

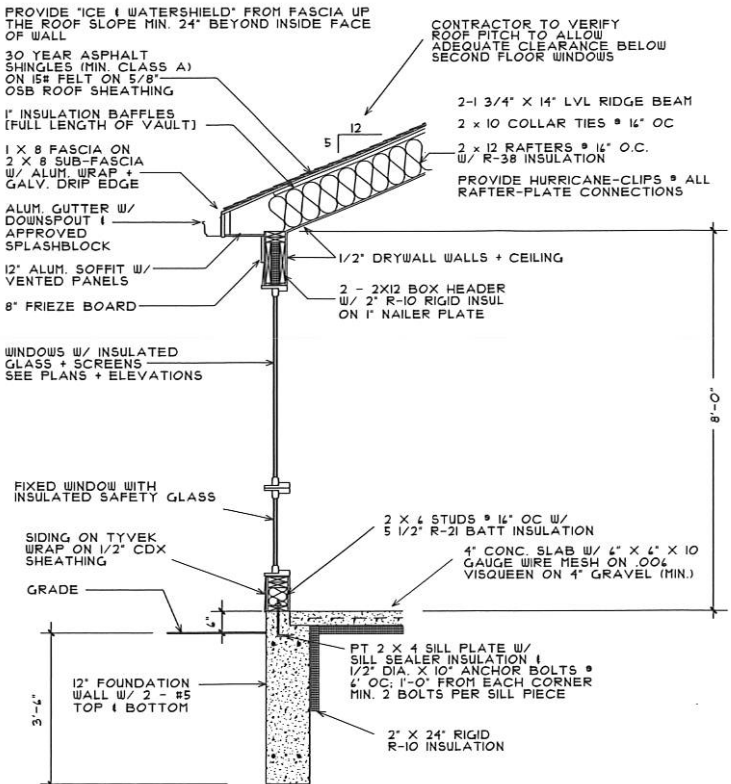
Packet Pg. 12

CONSTRUCTION NOTES

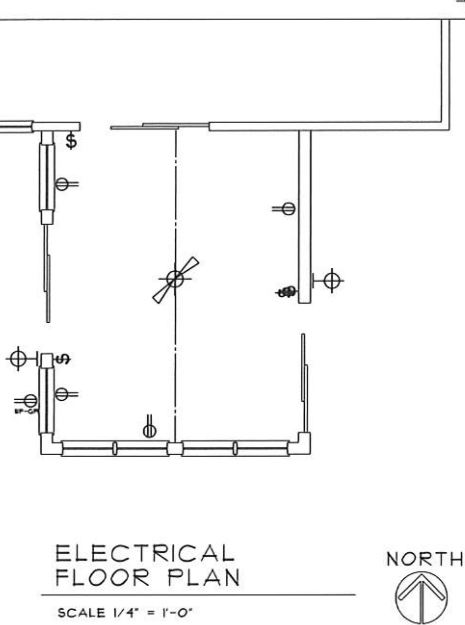
1. NOTCHING - ANY STUD IN AN EXTERIOR WALL OR BEARING PARTITION MAY BE CUT OR NOTCHED TO A DEPTH NOT EXCEEDING 25% OF ITS WIDTH. STUDS IN NON-BEARING PARTITIONS MAY BE NOTCHED TO A DEPTH NOT EXCEEDING 40% OF A SINGLE STUD WIDTH.
2. DRILLING - ANY STUD MAY BE BORED OR DRILLED, PROVIDED THAT THE DIAMETER OF THE RESULTING HOLE IS NO MORE THAN 40% OF THE STUD WIDTH. THE EDGE OF THE HOLE IS NO MORE THAN 5/8" TO THE EDGE OF THE STUD AND THE HOLE IS NOT LOCATED IN THE SAME SECTION AS A CUT OR NOTCH. STUDS LOCATED IN EXTERIOR WALLS OR BEARING PARTITIONS DRILLED OVER 40% AND UP TO 10% SHALL ALSO BE DOUBLED WITH NO MORE THAN TWO SUCCESSIVE DOUBLED STUDS BORED.
3. GLAZING IN DOORS AND ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS AND SHOWERS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION. GLAZING IN ANY PART OF A BUILDING WALL ENCLOSING THESE COMPARTMENTS WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 40" MEASURED VERTICALLY ABOVE AND STANDING OR WALKING SURFACE SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.
4. ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS UNDER STAIR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2" GYPSUM BOARD.
5. FIBER-CEMENT OR GLASS MAT GYPSUM BACKERS SHALL BE INSTALLED AS BACKERS FOR WALL TILE IN TUB/SHOWER AREAS AND WALL PANELS IN SHOWER AREAS WHICH ARE IN DIRECT CONTACT WITH WATER OR HIGH HUMIDITY.
6. WOODWORK OR OTHER COMBUSTIBLE MATERIALS SHALL NOT BE PLACED WITHIN 6" OF THE FIREPLACE OPENING. COMBUSTIBLE MATERIAL WITHIN 12" OF THE FIREPLACE OPENING SHALL NOT PROJECT MORE THAN 1/8" FOR EVERY 1" DISTANCE FROM SUCH OPENING.
7. FACTORY-BUILT OR MASONRY FIREPLACES COVERED IN THIS CHAPTER SHALL BE EQUIPPED WITH AN EXTERIOR AIR SUPPLY TO ASSURE PROPER FUEL COMBUSTION UNLESS THE ROOM IS MECHANICALLY VENTILATED AND CONTROLLED SO THAT THE INDOOR PRESSURE IS NEUTRAL OR POSITIVE.
8. FIREBLOCKING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS (BOTH HORIZONTAL AND VERTICAL) AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES AND BETWEEN A TOP STORY AND THE ROOF SPACE. FIREBLOCKING SHALL BE PROVIDED IN WOOD FRAME CONSTRUCTION IN THE FOLLOWING LOCATIONS:
A. IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES AND PARALLEL ROVS OF STUDS AS FOLLOWS:
VERTICALLY AT THE CEILING AND FLOOR LEVELS, AND
HORIZONTALLY AT INTERVALS NOT EXCEEDING 10'.
B. AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILINGS, AND COVE CEILINGS.
C. IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN.
D. AT OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES AND WIRES AT CEILING AND FLOOR LEVEL.
E. FOR THE FIREBLOCKING OF CHIMNEYS AND FIREPLACES, SEE SECTION R1003.19.
F. FIREBLOCKING OF CORNICES OF A TWO-FAMILY DWELLING IS REQUIRED AT THE LINE OF THE DWELLING UNIT SEPARATION.
9. RECEPTACLE OUTLETS SHALL BE INSTALLED AT EACH WALL COUNTERTOP SPACE THAT IS 12" OR WIDER. RECEPTACLE OUTLETS SHALL BE INSTALLED SO THAT NO POINT ALONG THE WALL LINE IS MORE THAN 24" MEASURED HORIZONTALLY FROM A RECEPTACLE OUTLET IN THAT SPACE.
10. AT LEAST ONE RECEPTACLE SHALL BE INSTALLED AT EACH ISLAND COUNTER SPACE WITH A LONG DIMENSION OF 24" OR GREATER AND A SHORT DIMENSION OF 12" OR GREATER. WHERE A RANGETOP OR SINK IS INSTALLED IN AN ISLAND COUNTER AND THE WIDTH OF THE COUNTER BEHIND THE RANGETOP OR SINK IS LESS THAN 12", THE RANGETOP OR SINK IS CONSIDERED TO DIVIDE THE ISLAND INTO TWO SEPARATE COUNTERTOP SPACES.
11. MAXIMUM U-FACTOR FOR GLAZING IS 0.30.

SITE NOTES:

1. CONSTRUCTION DEBRIS AND REFUSE CONTAINMENT SHALL BE REQUIRED FOR ALL JOB SITES. CONTAINMENT SHALL OCCUR ON THE PROPERTY THAT IS THE SUBJECT OF THE PERMIT. IT SHALL BE WITHIN A DUMPSTER, STRUCTURE, OR CONTAINER THAT CAN BE COVERED TO PREVENT WINDBLOWN DEBRIS. ALL SUCH DUMPSTERS, STRUCTURES, OR CONTAINERS SHALL BE COVERED AT ALL TIMES WHEN NO WORK IS BEING PERFORMED ON THE PROPERTY THAT IS THE SUBJECT OF THE PERMIT.
2. ALL DISTURBED PARKWAY LAWN AREAS WILL BE RESTORED WITH NEW SOD ON 6" OF TOPSOIL. ALL SOD SHALL BE WATERED AS REQ'D TO SUSTAIN GROWTH.
3. ALL PARKWAY TREES SHALL HAVE A SNOW FENCE THAT EXTENDS TO THE DRIP LINE. NO TRAFFIC SHALL GO OVER THE ROOT SYSTEM.
4. SURFACE DRAINAGE TO BE DIVERTED FROM STRUCTURE SO AS NOT TO CREATE A HAZARD ON THIS OR ADJACENT PROPERTY. GRADE FROM FOUNDATION TO DROP A MINIMUM OF 4" IN 10'. PROVIDE SWALES OR DRAINS TO ENSURE DRAINAGE FROM STRUCTURE AND ADJACENT PROPERTY.
5. TOILET FACILITIES SHALL BE PROVIDED AT ALL JOB SITES PER ILLINOIS PLUMBING CODE. THIS WILL BE A CONDITION OF THE PERMIT.



1 WALL SECTION
SCALE 1/2" = 1'-0"



ELECTRICAL LEGEND	
SYMBOL	DESCRIPTION
	CEILING FAN W/ FAN-APPROVED JUNCTION BOX FOR FANS IN EXCESS OF 35#
	WALL-MOUNTED LIGHT FIXTURE
	SINGLE POLE SWITCH
	DUPLEX RECEPTACLE
	DUPLEX RECEPTACLE GROUND-FAULT CIRCUIT INTERRUPTED
	DUPLEX RECEPTACLE WEATHERPROOF + GROUND-FAULT CIRCUIT INTERRUPTED
	110V SMOKE DETECTOR INTERCONNECTED W/ BATTERY BACK-UP
	110V COMBO C.O. + SMOKE DETECTOR INTERCONNECTED W/ BATTERY BACK-UP

PROPOSED SUN ROOM ADDITION

7-11-20 RELEASED FOR BUILDING PERMIT SUBMITTAL

COSTANTINI RESIDENCE

67 FABISH DRIVE
BUFFALO GROVE, IL

2020-035
JF TB

4-25-20

OF TWO

THOMAS BUCKLEY ARCHITECT

P.O. BOX 15424
HOFFMAN ESTATES, IL 60115
TEL. 847-310-1530 e-mail: tom@thomasbuckleyarchitect.com



Action Item : Discuss Potential Fence Code Amendments, Which Reflect Two Types of Variations that Have Been Consistently Sought and Approved Over the Past Five Years.

Recommendation of Action

Staff recommends discussion on the potential amendments.

The Buffalo Grove Fence Code was last amended in August, 2011. In recent years, two types of variations have been consistently sought and approved: fences in the corner yard setback and fences that are six feet and solid. Staff is seeking to modify the fence code so to align with these variation approvals.

ATTACHMENTS:

- Fence Code Amendment Memo (DOCX)

Trustee Liaison
Weidenfeld

Staff Contact
Nicole Woods, Community Development

Wednesday, September 16, 2020	
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VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: September 1, 2020

TO: Planning and Zoning Commission

FROM: Rati Akash, Village Planner SUBJECT:

Proposed Fence Code Amendments

BACKGROUND

The Buffalo Grove Fence Code was last amended in August, 2011 and has served the Village in providing regulations for the height, style, type, and placement of fences in the community. In recent years, a pattern has emerged where two types of variations have been consistently sought and approved:

1. Fences in the corner yard setback, and
2. Fences that are six feet and solid.

These two types of requests have accounted for approximately 35 variations in the past five years. As a result of the volume of fence variations, staff is seeking to modify the fence code so to align with these variation approvals.

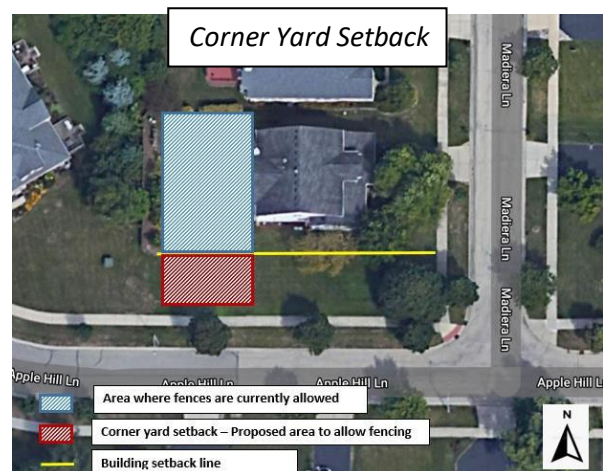
PROPOSED FENCE CODE CHANGES

The following provides more detail for each of the proposed Fence Code modifications:

1. Allow for open fence and semi-open fence up to 5 feet in height in the corner yard setbacks.

Current Code: The Code does not allow for 5 foot open and semi-open fences in the corner yard setbacks.

Proposed Modification: Allow for open and semi-open fences up to 5 foot tall fence in the corner yard setbacks which will be setback 4' from the property line.



Rationale:

- This has been a common variation requested to the PZC which has historically been approved.
- In the last 5 years, the PZC has approved 29 corner yard fence variations for both open and semi-open fences at least 4' from the property line.
- The modification aligns the majority of the surrounding communities, and best practices.
- There are presently 7 proposed corner yard setback variations requests that are pending approval

**2. Allow for 6' solid fences**

Current Code: The current Fence Code does not allow for 6 foot solid fences. The Code only allows for solid fences up to 5 feet in height which are within the building setback line.

Proposed Modification: Allow for 6 foot solid fences in the rear yard and side yard which are within the building setback line.

Rationale:

- This has been a common variation requested to the PZC which has historically been approved.
- In the last 5 years, there have 6 variation requests which have been approved.
- The modification aligns with the fence code in about half of the surrounding communities and best practices.
- There are presently 4 proposed six foot solid variations requests that are pending approval

SURROUNDING COMMUNITIES

Staff has reached out to surrounding Communities including Palatine, Schaumburg, Arlington Heights, Lombard, Wheeling, Lincolnshire, Mount Prospect and Rolling Meadows with a list of the questions regarding the type of the fences that are permitted.

After analyzing the responses and the adjoining Communities Fence Code, Staff has found that:

- Majority of the adjoining communities allow for fences up to 5 feet in height which are open and semi-open style fences in the corner yard setback at least 5 feet from the sidewalk.
- Approximately half of the adjoining communities allow for 6 foot tall fences in the rear yard.

IMPLICATIONS

Modifying the Fence Code will ultimately help the Village's achieve its goal of modernizing the code. Moreover, it will reduce the number of fence variation requests which can be time consuming for the PZC, Residents and staff. This is particularly true given this year's influx of fence variations and fence permits. To date, the PZC has approved 11 fence variances this year and staff has 11 more fence variance requests in the pipeline for both corner yard setback fences and 6 foot solid fences.

NEXT STEPS:

Staff will discuss the proposed changes of the Fence Code with the PZC. Following the PZC's feedback, staff will develop an amendment to the Village Code for a public hearing.

08/19/2020

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE
VILLAGE OF BUFFALO GROVE HELD IN THE COUNCIL CHAMBERS, 50 RAUPP BOULEVARD,
BUFFALO GROVE, ILLINOIS ON WEDNESDAY, AUGUST 19, 2020**

Call to Order

The meeting was called to order at 7:34 PM by Chairman Frank Cesario

2. **Motion To:** Open Meetings Act Compliance

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Au, Richards, Worlikar
ABSENT:	Zill Khan, Mitchell Weinstein

Public Hearings/Items For Consideration

1. Consider a Variation for an Accessory Structure at 1551 Rachel Lane (Trustee Johnson)
(Staff Contact: Chris Stilling)

Mr. and Ms. Swirsley described their petition for a swimming pool which exceeds the permissible rear yard coverage for an accessory structure.

Chairperson Cesario asked the petitioners for some additional information.

Ms. Swirsley said because of COVID-19 a swimming pool gives her the ability to stay home and enjoy the summer and exercise.

Com. Au asked staff if the proposed swimming pool was 18' in diameter or 15'.

Ms. Swirsley said the pool she was purchasing was 18' in diameter.

Com. Au told staff that there was a discrepancy in the packet for the petitioner. Noting that the packet page 4 says the pool is 18' in diameter, but on packet page 10 for the response to standards it says 15' in diameter.

Village planner, Akash verified the petitioner's pool was 18' in diameter and that the wrong response to standards was pulled into the packet and is a copy of the next petitioner's response to standards for their swimming pool.

Com. Moodhe asked the Village Attorney if the petitioner should read their response to standards for the record.

Village Attorney, Brankin said the petitioner could read their response to standards or if we could pull up the response to standards would help.

Deputy Community Development Director, Woods brought up the correct response to standards for the commissioners to review.

Com. Goldspiel asked the commissioners what they would do with the pool in the winter time.

Mr. Swirsley said they would winterize the pool.

Com. Moodhe noted that he went by and there is plenty of space in the back yard for the pool.

Chairperson Cesario entered the staff report as exhibit one.

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The petitioners thanked the commissioners for their time.

The public hearing was closed at 7:57

Chairperson Cesario spoke in favor of the petitioners request for an 18' pool given the limitations to COVID.

Com. Moodhe made a motion to approve the request for a variation for a swimming pool which exceeds the permissible year yard coverage and shall be installed in accordance with the documents and plans submitted as part of the petition.

Com. Richards seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Au, Richards, Worlikar
ABSENT:	Zill Khan, Mitchell Weinstein

2. Consider a Variation for an Accessory Structure at 692 Hickory (Trustee Weidenfeld) (Staff Contact: Chris Stilling)

Mr. Kaput described his petition to keep their 15' in diameter swimming pool. The petitioners noted that they installed the pool without a permit and was notified by the Village that it was a violation and needed a permit.

Ms. Kaput commented on the necessity of the pool for her children to remain active during quarantine.

Chairperson Cesario thanked them for their description.

Com. Moodhe asked staff that they would not need a variation if their garage was attached to their home.

Village Planner, Akash confirmed that was correct.

Com. Moodhe commented that he understands the difficulty the detached garage can cause in cases such as this one.

Com. Au asked what the divider was in the backyard behind the pool and detached garage.

Ms. Kaput responded that it was a retaining wall that divides the upper part of the backyard and the lower half of the back yard. She noted that it was there when they moved in.

Com. Goldspiel asked if the yard was fenced in.

Mr. Kaput said yes the yard was fenced in and they are in the process of fixing the fence.

Com. Goldspiel asked staff if the yard had to be fenced with an above ground pool.

Village Planner, Akash said above ground pools do not require a fence, but in-ground pools do.

Com. Moodhe commented on the fence issue noting he believes the missing fence is a life safety issue.

Mr. Kaput understands the life safety issue as it pertains to other community members and not his children and plans to complete the fence project very soon. He noted that the stairs are up and locked when not in use.

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Chairperson Goldspiel asked staff review the requirements for above ground pools and potentially add a required fence.

Com. Moodhe agrees, but thanked the petitioner for the information on both the fence and the stairs to the pool.

Com. Goldspiel asked the petitioners how they would care for the pool in the winter.

Mr. Kaput described how he would winterize the pool.

Chairperson Cesario entered the staff report as exhibit one.

The petitioners thanked the commissioners for their time.

The public hearing closed at 8:13 pm.

Com. Moodhe made a motion to approve the existing swimming pool in the rear yard which will exceed 3.37% of the required rear yard coverage provided. The swimming pool shall be installed in accordance with the documents and plans submitted as part of this petition.

Com. seconded the motion.

Chairperson Cesario thanked the petitioners for their time.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Au, Richards, Worlikar
ABSENT:	Zill Khan, Mitchell Weinstein

3. Consider a Variation for a Fence at 3 Crestview Terrace (Trustee Johnson) (Staff Contact: Chris Stilling)

Ms. Patel described their petition to install a 6' solid wood fence in her rear year. The petitioner told the commissioners that the fence was originally permitted for a 6' shadow-box fence, but there was some confusion with company that installed the fence. She would like to keep her 6' solid wood fence.

Chairperson Cesario thanked the petitioner for her description of the fence.

Com. Moodhe spoke in favor of the fence for several reasons specifically due to the multi-family residential development behind her home.

Com. Worlikar also spoke in favor of the fence.

Com. Au asked staff if the fence variation was for the whole yard as shown on packet page 69 or if it was just the rear yard.

Com. Goldspiel asked if the chain link fence was her fence.

Ms. Patel responded that the chain link fence is not hers.

Village Planner, Akash replied that the variation is only for the rear yard.

Chairperson Cesario asked if there were any complains made.

Village Planner, Akash said none that were a complaint.

Chairperson Cesario entered the staff report as exhibit one.

The public hearing was closed at 8:27 pm

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Chairperson Cesario commented on the common miss understandings of the different types of fence.

Deputy Community Development Director, Woods commented that staff has begun to put together new forms and information with pictures to help make it easier for residents when applying for permits and filling out forms.

Chairperson Cesario noted that would be helpful as well as the new forms.

Com. Moodhe made a motion to approve the variation to allow for the existing solid wood fence installed on the subject property.

Com. Spunt seconded the motion.

Chairperson Cesario thanked the petitioner for her time.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Au, Richards, Worlikar
ABSENT:	Zill Khan, Mitchell Weinstein

4. Consider a Variation for a Fence at 741 Shady Grove (Trustee Weidenfeld) (Staff Contact: Chris Stilling)

Mr. Park explained his petition for a variation for a 6' solid wood fence that was originally permitted for a 6' shadow box fence. Mr. Park explained that he would like to keep the existing fence.

Chairperson Cesario thanked the petitioner for his explanation.

Com. Moodhe commented on the fence. He noted that he drove past the property and the solid fence actually looks more open than their neighbor's fence.

Com. Au asked if what kind of fence the neighbors had.

Village Planner Akash said they have a solid wood fence.

Com. Moodhe commented on the gaps in the petitioner's fence and spoke in favor of the proposed variation.

Com. Worlikar also spoke in favor of the variation due to the gaps in the solid fence and is in line with other fences in the neighborhood.

Chairperson Cesario asked if there were any complaints

Village Planner, Akash replied no.

The commissioner spoke again about the

Chairperson Cesario entered the Village staff report as exhibit one.

The public hearing was closed at 8:41 pm

Chairperson Cesario thanked the petitioner for their time and that the fence looks very nice.

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RESULT:	APPROVED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Au, Richards, Worlikar
ABSENT:	Zill Khan, Mitchell Weinstein

Regular Meeting

Other Matters for Discussion

None.

Approval of Minutes

1. Planning and Zoning Commission - Regular Meeting - Aug 5, 2020 7:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Au, Richards, Worlikar
ABSENT:	Zill Khan, Mitchell Weinstein

Chairman's Report

None.

Committee and Liaison Reports

Staff Report/Future Agenda Schedule

Deputy Community Development Director spoke about the next meeting and upcoming agenda items and workshops ahead.

Public Comments and Questions

None.

Adjournment

The meeting was adjourned at 9:00 PM

Chris Stilling

APPROVED BY ME THIS 19th DAY OF August, 2020

Minutes Acceptance: Minutes of Aug 19, 2020 7:30 PM (Approval of Minutes)