

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, MAY 19, 2021

Call to Order

The meeting was called to order at 7:30 PM by Chairman Frank Cesario

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/86907623465>>

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Public Hearings/Items For Consideration

1. Consider a Variation to Allow a Proposed Sunroom Addition to Encroach into the Rear Yard Setback at 1566 Countryside Dr. (Trustee Johnson) (Staff Contact: Nicole Woods)

Village Planner Akash provided details on the variation at 1566 Countryside Dr. regarding the proposed sunroom addition which encroaches into the rear yard setback of the subject property.

Mr. Kingen, from Envy Home Services on behalf of the homeowner, noted they have been before the Commissioners for a similar request which were approved.

Mr. Kingen noted the sunroom is not going to be taking up any additional green space, as the sunroom is going to be placed on the homeowners existing concrete pad.

Com. Richards referenced packet page 4 and asked what was located directly behind the home.

Chairperson Cesario commented that it is a jogging path.

Com. Khan provided additional detail pertaining to the area where the subject property located.

Com. Moodhe asked if staff had received any calls.

Village Planner Akash said they received one call inquiring about the sign, but not issues were raised.

Com. Worlikar asked if the sunroom would be in the same style as the neighborhood.

Mr. Kingen said it is floor to ceiling is glass.

Chairperson Cesario entered the staff report as exhibit 1.

The public hearing was closed at 7:43 PM.

Com. Weinstein made a motion 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 11'-6" into the required rear yard setback on the subject property. The sunroom shall be constructed in accordance with the documents and plan submitted as part of this petition.

Com. Richards seconded the motion

Chairperson Cesario spoke in favor of the motion.

Com. Moodhe spoke in favor of the motion.

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

2. Consider a Variation for a 6 Foot Solid Fence that was Installed in the Rear Yard at 754 Carriageway (Trustee Weidenfeld) (Staff Contact: Nicole Woods)

Village Planner Akash provided background on the variation to keep an existing 6 foot solid fence at 754 Carriageway Dr. which was installed without a permit in 2020. Ms. Akash noted the 6 foot solid fence was replacing a 5 foot solid fence that was in poor condition and was then reported to the Village via a complaint.

Village Planner Akash noted the Village did receive 3 phone calls on the subject property regarding the 6 foot solid fence of which one caller had an issue with 6' solid fences in general.

Mr. Maddox provided background on the installment of the 6 foot solid fence. Mr. Maddox said that he tried to get a permit for the work, but was told the Village was not issuing them due to COVID-19.

Com. Weinstein reference packet page 16.

Com. Weinstein asked if the blue section was 5' solid fence

Mr. Maddox said the blue line to the east is his neighbor's fence and the blue line in the rear yard is his fence.

Com. Weinstein asked if he replaced only half of the rear yard part of the fence.

Mr. Maddox said the whole fence in the rear yard was replaced with a 6' solid fence.

Com. Weinstein confirmed with the homeowner that the rear yard and the fence to the west was replaced with a 6' solid fence and then tapers to a 5' solid fence on the front west side of the home.

Mr. Maddox said yes.

Com. Weinstein reviewed with the homeowner their unique circumstances.

Com. Weinstein asked if the homeowner received any complaints when speaking to his neighbors in the rear yard regarding the installment of the 6' solid fence.

Mr. Maddox said the rear yard neighbors had no complaints

Com. Weinstein asked if the homeowner to the west of the subject property had any complaints when he talked to them.

Mr. Maddox said no.

Com. Weinstein asked if he was aware of the Village's requirements when he was told the Village was not issuing permits.

Mr. Maddox said he went on the website and saw a 6' solid fence was permitted, but did not realize that it had to be shadow box.

Com. Weinstein confirmed with Mr. Maddox that he did fail to see that a 6' solid fence was not permitted.

Com. Au asked staff if they provided communication on what to do when the Village was not issuing permits.

Village Planner Akash said she talked with staff and confirmed the Village was continuing to issue permits.

Deputy Community Development Director Woods commented that the Village never stopped issuing permits, however, the process for obtaining one was altered and communicated on the website.

Com. Au asked the homeowner what happened.

Mr. Maddox said he called Village Hall and was told over the phone the Village was not issuing permits.

Chairperson Cesario asked staff to explain the recommended approval motion in the staff report.

Village Planner Akash explained the history on single family residences and the number of 6' solid fences in that specific area.

Com. Au commented on the homeowner's hardship. Noting the hardships for those other approved variances were true hardships not self-created hardships.

Chairperson Cesario asked the homeowner if they put up the fence themselves or if they hired a contractor.

Mr. Maddox said they did it themselves.

Com. Worlikar asked staff for clarification on the calls they received.

Village Planner Akash said two phone calls were just inquires on the sign that was posted. The other phone call was about the sign as well, but also objected to 6' solid fences in general.

Chairperson Cesario asked staff if there was anything in the original complaint that would be helpful to the hearing.

Village Planner Akash said no.

Com. Khan said he is concern that there may be no end at giving out these variances.

Chairperson Cesario entered the Village staff report as exhibit 1. He noted the correction to the red and blue lines to show the red line across the entire backyard.

Mr. Maddox thanked the Commissioners for their time.

Com. Weinstein asked staff to bring up the street view of 1375 Mill Creek Dr.

Com. Weinstein commented you can only really see the fence from that road, but that a neighbors shed is blocking most of it.

Mr. Maddox concurred.

The public hearing closed 8:12 PM

Com Weinstein made a motion to grant a variation to Section 15.20 of the Buffalo Grove Zoning Code to allow for an existing 6' solid fence at 754 Carriageway Dr. The fence shall be in conformance with the documents and plans submitted as part of this petition.

Com. Spunt seconded the motion.

Chairperson Cesario commented on what would have happened if the homeowner would have come to Village Hall. Chairperson Cesario noted that the homeowner claims to have been confused on the requirements and what was occurring at Village Hall during COVID-19 and supports the petitioner and his comments.

Com. Khan spoke against the applicant's request.

Com. Moodhe reviewed this thoughts on the petitioner's request, but ultimately spoke in favor of the motion.

Com. Worlikar noted his struggle with the petitioner's request, but spoke in favor of the motion.

Com. Weinstein noted his struggles with the petitioner's request, but spoke in favor of the motion.

Com. Au noted her struggles with the petitioner's request, but spoke against the petitioner's request.

Com. Goldspiel spoke against the petitioner's request.

Com. Spunt spoke in favor of the motion.

RESULT:	APPROVED [6 TO 3]
AYES:	Moodhe, Spunt, Cesario, Weinstein, Richards, Worlikar
NAYS:	Stephen Goldspiel, Zill Khan, Amy Au

Regular Meeting

Other Matters for Discussion

Approval of Minutes

1. Planning and Zoning Commission - Regular Meeting - Apr 21, 2021 7:30 PM

RESULT:	ACCEPTED [8 TO 0]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Weinstein, Au, Richards, Worlikar
ABSTAIN:	Zill Khan

Chairman's Report

Committee and Liaison Reports

Com. Au discussed the last Village Board Meeting.

Staff Report/Future Agenda Schedule

Deputy Community Development Director spoke about the new in-person meeting format beginning June 7, 2021.

Deputy Community Development Director spoke about the work that is coming on the comprehensive plan.

Public Comments and Questions

President Beverly Sussman thanked the Commissioners for their hard work.

Adjournment

The meeting was adjourned at 9:10 PM

Information Items

Chris Stilling

APPROVED BY ME THIS 19th DAY OF May, 2021