

**VILLAGE OF LAKE BLUFF
JOINT PLAN COMMISSION & ZONING BOARD OF APPEALS
MEETING**

**Wednesday, September 21, 2016
Village Hall Board Room
40 East Center Avenue
7:00 P.M.**

A G E N D A

- 1. Call to Order and Roll Call**
- 2. Non-Agenda Items and Visitors (Public Comment Time)**
The Joint Plan Commission & Zoning Board of Appeals Chair and Board Members allocate fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Board on any matter not listed on the agenda. Each person addressing the Joint Plan Commission & Zoning Board of Appeals is asked to limit their comments to a maximum of three (3) minutes.
- 3. Consideration of the July 20 and August 19, 2016 PCZBA Regular Meeting Minutes**
- 4. Continuation of a Public Hearing for 311 E. Center Avenue to Consider: (i) a Variation From the Maximum Gross Floor Area Regulations of Section 10-5-6 of the Zoning Code; and (ii) a Variation From the Minimum Accessory Structure Side Yard and Rear Yard Setback Requirements of Section 10-5-9 of the Zoning Code; and (iii) Any Other Zoning Relief as Required to Construct a Detached Garage in the Rear Yard**
- 5. Application Withdrawn and the Public Hearing Cancelled in Consideration of the Following: (i) a Special Use Permit for a Planned Mixed-Use Development to Permit the Construction and Maintenance of a 16 Unit Multi-Family Structure and Related Improvements (Development) at 120 E. Scranton Avenue (former PNC Bank Property); and (ii) Any Other Zoning Relief as Required to Construct and Maintain the Development at the Property**
- 6. A Discussion Concerning Updates to the Lake Bluff Comprehensive Plan and Planning Elements**
- 7. Staff Report** - Update on Institutional Zoning Districts
- 8. Commissioner's Report** - Regular PCZBA Meeting Scheduled for October 19, 2016
- 9. Adjournment**

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact R. Drew Irvin, Village Administrator, at (847) 234-0774 or TDD number (847) 234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.

**VILLAGE OF LAKE BLUFF
JOINT PLAN COMMISSION & ZONING BOARD OF APPEALS
REGULAR MEETING**

JULY 20, 2016

DRAFT MINUTES

1. Call to Order & Roll Call

Chair Kraus called to order the regular meeting of the Joint Plan Commission and Zoning Board of Appeals (PCZBA) of the Village of Lake Bluff on Wednesday, July 20, 2016, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: Leslie Bishop
 David Burns
 Mary Collins
 Elliot Miller
 Gary Peters
 Steven Kraus, Chair

Absent: Sam Badger

Also Present: Village Attorney Benjamin Schuster
 Drew Irvin, Village Administrator
 Jeff Hansen, Village Engineer
 Brandon Stanick, Assistant to the Village Administrator (A to VA)

2. Non-Agenda Items and Visitors

Chair Kraus stated the PCZBA allocates 15 minutes for those individuals who would like the opportunity to address the PCZBA on any matter not listed on the agenda.

There were no requests to address the PCZBA.

3. Approval of the June 8, 2016 PCZBA Special Meeting Minutes

Member Collins moved to approve the June 8, 2016 PCZBA Special Meeting Minutes as presented. Member Burns seconded the motion. The motion passed on a unanimous voice vote.

3. Approval of the June 15, 2016 PCZBA Regular Meeting Minutes

Member Bishop moved to approve the June 15, 2016 PCZBA Regular Meeting Minutes with corrections to typographical errors. Member Burns seconded the motion. The motion passed on a unanimous voice vote.

4. Continuation of a Public Hearing to Consider the Following: i) a Special Use Permit for a Planned Mixed-Use Development to Permit the Construction and Maintenance of a 16 Unit Multi-Family Structure and Related Improvements (Development) at 120 E. Scranton Avenue (former PNC Bank Property); and ii) Any Other Zoning Relief as Required to Construct and Maintain the Development at the Property

Chair Kraus introduced the agenda item and noted this evening The Roanoke Group will provide updated information in relation to the previous presentation. The PCZBA will take additional testimony, but will not vote on a recommendation to the Village Board regarding the proposed development. Additionally, the PCZBA will discuss the specific regulations proposed as part of the PMD ordinance.

Chair Kraus then commented on the content of an email that was sent before the meeting that he felt was offensive and encouraged all to tone down the rhetoric being used concerning this proposed development.

A to VA Brandon Stanick provided a brief update regarding the petition to redevelop 120 E Scranton Avenue (Block Three of the Central Business District) with a 16-unit multi-family building submitted by The Roanoke Group (Development). The petition also includes a text amendment to create planned mixed-use development regulations (Text Amendment). At its meeting on June 15, 2016 the PCZBA commenced with the public hearing to consider the proposed draft PMD ordinance and the proposed Conceptual Development Plan. This included a presentation from the Developer, comments from the public and a discussion among the Members of the PCZBA. At tonight's meeting the PCZBA will: i) receive a presentation from the Petitioner, take additional testimony, but will not vote on a recommendation to the Village Board regarding the proposed Development; and ii) take additional testimony and anticipates voting on a recommendation to the Village Board regarding the proposed Text Amendment.

Chair Kraus administered the oath to those in attendance and opened the public hearing.

Mr. Peter Kyte, representative of The Roanoke Group, presented a picture of the current conditions of the site and expressed his belief the proposal for the redevelopment of Block Three submitted previously by Uppercross Development did not fit in with Lake Bluff. Mr. Kyte showed several pictures of the proposal by The Roanoke Group in comparison with what the Zoning Code would allow as of right. He stated they are currently addressing the feedback received from the PCZBA from last meeting and will present revisions at the next meeting.

Chair Kraus opened the floor for comments from the Commissioners.

Member Collins expressed her concern the setbacks used with the example shown by the Petitioner may be incorrect. A discussion followed and A to VA Stanick advised the existing zoning for the property that was presented by the Petitioner will be reevaluated by Staff and Legal Counsel.

Mr. Kyte stated a more formal presentation will be presented at the August 2016 meeting.

As there were no further comments from the PCZBA, Chair Kraus opened the floor for public comment.

Mr. Charles Potter (resident) commented on housing trends in the surrounding area and noted Lake Bluff has a great mix of housing product with the exception of condominiums. He stated the proposal has beautiful architectural features that will blend in well with the community. He asked everyone to provide positive constructive feedback for redevelopment of the property because a commercial building at this location could negatively impact the community.

Mr. Peter McGuire (resident) expressed his opinion that the Village is asking the developer to build this proposal and the Village hasn't provided sufficient information for the property to be redeveloped. He inquired of the desire for higher density and stated the existing condominiums do not fit in the community. He stated this is a bedroom community and there should be three homes built on the property.

Chair Kraus stated the Village has not asked any developer to present a proposal to redevelop Block Three. The proposal to redevelop the block is made by the developer. He stated the revised Comprehensive Plan Downtown Future Land Use Plan classifies Block Three as multi-family and the north side of Block Two as multi-family.

Ms. Jean Niemi (resident) stated she lives behind the bank parking lot and expressed her confusion with the zoning process because the proposal is for a three-story building that doesn't transition well to the residential neighborhood. Ms. Niemi stated the proposed development does not accommodate transitional housing. She suggested the PCZBA wait until after August to vote because many residents are on vacation in August. She expressed her support for maintaining the green space on the east side of the property. She also inquired how a development of this side would affect the real estate market.

Ms. Kathryn Briand (resident) expressed her concern with the housing units not being quickly absorbed in the market. She also inquired what happens if the property fails and goes back to the lender. She asked if this was the right development for the Village and expressed her opinion it does not fit the desire to downsize or address a transitional housing need in the Village.

Ms. Karen Royer (resident) expressed her concern with the price points of the units noting that residents from this community won't be able to move into the development.

Ms. Julie Capp (resident) stated she has chosen to stay in the community because she loves the character of Lake Bluff. ~~The~~She stated she does not support the proposed development because it is inconsistent with the character of Lake Bluff. She asked if the developer could revise the proposal to meet the desired housing needs and not compromise the character of downtown.

Mr. Porter Vargas (resident) stated he conducted an analysis of single-family home sales over the last eight years in the price range of \$925,000 to \$1.2 million in Lake Bluff. There have been approximately nine homes sold in that price range since 2008 and there are currently 21 listed in the real estate market. He stated the additional 16 units will take approximately 21 months to sell and will add significant inventory to the Village.

Member Collins inquired how the developer concluded this was the right development for Block Three. Mr. Kyte explained the concept for the proposed development and why it would be a good fit with the existing area.

Member Collins asked why it has to be three stories. Mr. Kyte stated for us to make this work there needs to be 16 units with two parking spaces for each unit; parking for the property is driving the design. Mr. Kyte stated the owner went through a process with other potential developers and The Roanoke Group was selected. He stated it is expensive to construct a quality building and stated that without high density you cannot offer affordable pricing. Mr. Kyte

responded to comments regarding the Stonebridge Development and showed pictures of some of the improvements on the property.

Ms. Niemi (resident) stated she is more confused than before and inquired why Member Collins' questions weren't being addressed. She asked the PCZBA not to vote on the matter in August as this is a slippery slope and makes the process appear shady.

Mr. Kyte stated the architectural features will be softened but there will be no dramatic changes to the proposed development which will be presented at the August meeting.

Member Peters inquired about the width of the northern driveway. Mr. Kyte stated the rear alley is 20 ft. from curb to curb and noted it does exceed the 18 ft. minimum rear yard setback requirement. In response to a question from Member Peters, Mr. Kyte presented a graphic showing an example of a building that can be built currently on the CBD side of the property. He expressed his opinion the proposed development would be less intrusive as opposed to a 30 ft. commercial building.

A discussion regarding Downtown Design Guidelines ensued.

Member Burns moved to continue the public hearing regarding a special use permit or a planned mixed-use development at 120 E. Scranton Avenue to the August 17th PCZBA meeting. Member Miller seconded the motion. The passed on a unanimous voice vote.

5. **Continuation of a Public Hearing to Consider a Test Text Amendment to the Village's Zoning Regulations Establishing Regulations for Planned Mixed-Use, Developments as a Special Use in the B Residence District (R-4), C Residence District (R-5) and Central Business District (CBD) (Text Amendment)**

Chair Kraus introduced the agenda item and requested an update from Staff.

A to VA Stanick reported a draft text amendment to the Zoning Code establishing PMDs as a special use in the R-4, R-5 and CBD Zoning Districts was included in the PCZBA's packet for its discussion this evening.

Village Attorney Benjamin Schuster stated the PMD Ordinance creates a procedure and process for which someone can propose a PMD and pursuant to the process they would come before the Village Advisory Boards for approval. The purpose of the proposed PMD would provide flexibility to the Village Board and PCZBA to evaluate projects and have certain control over the development that may not take place under the current as of right regulations. Village Attorney Schuster reviewed the standards and conditions described in the proposed PMD Ordinance.

At the request of Member Collins, Village Attorney Schuster explained what happens to the existing zoning classification. He stated the underlying zoning will remain in the event a petitioner selected the PMD process. A petitioner may also chose not to undergo the PMD process and undergo review using the standards for review allowed by the existing zoning classification.

Chair Kraus stated the triggering of this PMD Ordinance for a mixed-use development would be at the request of a developer and/or property owner and will apply to all portions of Blocks Two

and Three. He asked if there were any other areas within the Village that this could apply. Village Attorney Schuster stated the application would be pursuant to an amendment to the zoning use table and the applicant would have to be in the CBD, R-4 District on lots adjacent to the CBD, which is the eastern portion of Block Three.

A discussion regarding where a PMD can be used ensued.

Member Miller asked about the advantage of a PMD. Village Attorney Schuster stated it allows a developer to construct something pursuant to an approved plan that could not be done as of right. He stated the PMD gives the Village control to review individual projects to ensure it is the most approximately appropriate use of Village resources.

Village Attorney Schuster reviewed the PMD review process noting PMD petitions are considered by the PCZBA during a public hearing, after which time the PCZBA will make a recommendation to the Village Board. A discussion ensued.

Member Collins expressed interest in applicants conducting a preliminary review with the PCZBA. Village Attorney Schuster stated the preliminary review could occur before the development conceptual plan and noted the preliminary workshop could be extended to all petitioners. Chair Kraus asked that at the ordinance allow, at the petitioner's discretion, a preliminary workshop meeting prior to the formal public hearing process.

The PCZBA discussed the draft PMD Ordinance further and reached consensus to: i) require that PMD developments must go through the review process if construction does not occur within one year of approval; ii) remove the provision allowing the simultaneous review of Conceptual and Final Plans, and iii) remove the provision that provides the ABR the opportunity to review the proposed PMD independently of the PCZBA.

Member Peters expressed his preference to formally address height limitations in the PMD ordinance. A discussion followed.

Following the conclusion of the PCZBA's discussion, Chair Kraus opened the floor for public comments regarding the Text Amendment.

Mr. Rick Lesser (resident) expressed his agreement with keeping the discussion civil. There is confusion because the text amendment and proposal are being considered simultaneously. Mr. Lesser stated the Letter of Credit (LOC) is a key safeguard in the process but the Village's history with a LOC has been insecure. Mr. Lesser commented on the Stonebridge LOC and noted an LOC used for security is only as good as the Village's willingness to enforce it. Mr. Lesser stated a nine page memorandum was submitted to the Village showing the differences between the Village's existing PCD Ordinance and the proposed PMD Ordinance. He asked the PCZBA not to approve the proposed PMD. He expressed his preference to have the Village Board approve an ordinance before the PCZBA applies the standards to any development.

Comments regarding the status of the Stonebridge LOC ensued.

Mr. Mark Stolzenburg (resident) showed a redline version of the proposed PMD Ordinance showing how it differs from the existing PCD regulations. Mr. Stolzenburg stated he has identified and outlined the differences between the two regulations.

Chair Kraus stated this is the memorandum to which he referred earlier and stated there will be a response to this prepared by the Village Attorney.

Following a discussion, Village Attorney Schuster stated the memorandum will be transmitted as part of the record to the Village Board.

Mr. Stolzenburg reviewed the differences between the existing PCD regulations and the proposed PMD regulations.

Ms. Briand expressed her concern regarding the removal of language from the proposed PMD Ordinance regarding impact to surrounding property. She stated while there is some subjectivity if a development would impact neighboring properties it is not impossible to conclude. Ms. Briand stated residents are asking for transparency in this process and asked the PCZBA to consider the residents' recommendations and slow down the process.

Mr. Tom Zarse (resident) expressed his concern regarding the animosity displayed this evening. He inquired if the proposed regulations could provide some kind of remedy or a right to those property owners that are most affected by the proposed development. Village Attorney Schuster stated Illinois State law requires processes that afford neighbors and other residents to opportunity to be heard without giving them a direct veto to any type of proposal. Mr. Zarse stated removal of certain provision of the PMD Ordinance lessens the mechanisms in place to protect surrounding neighbors.

Village Administrator Drew Irvin responded to a comment regarding transparency and reviewed the application process and how the draft PMD Ordinance was drafted.

In response to a question from Member Miller, Village Attorney Schuster stated there was communication between the Village Attorney and the attorney for the Petitioner throughout the process to provide comments on the proposed PMD Ordinance. He stated there was never any communication with the developer to rig the PMD Ordinance in favor of the developer, but to improve provisions by giving the Village more protection.

In response to a request from Member Bishop, Village Attorney Schuster read the provision (paragraph 16) which was removed from the PCD Ordinance. Chair Kraus read the standard provision in the PMD Ordinance which relates to the removed paragraph.

Chair Kraus reviewed the decisions before the PCZBA, and following a brief discussion, Member Bishop moved to continue the public hearing to consider a text amendment to the Zoning Code establishing regulations for planned mixed-use developments as a special use in the B Residence District (R-4), C Residence District (R-5) and Central Business District (CBD). Member Miller seconded the motion.

6. A Public Hearing to Consider: i) a Variation From the R-3 Residence District Minimum Front Yard Setback Regulations of Section 10-5-3 of the Zoning Code; ii) a Variation From the Required Front Yard Setback Impervious Surface Limitation Regulations of Section 10-5-7 of the Zoning Code; and iii) Any Other Zoning Relief as Required to Construct an Attached Garage by Enclosing the Existing Car Port Located at 225 W. Center Avenue

Chair Kraus introduced the agenda item and then requested an update from Staff.

A to VA Stanick reported on July 8, 2016 the Village received a zoning application from SB-WRA, LLC (Petitioner), property owner of 225 W. Center Avenue (Property), to convert an existing open walled carport on the west side of the residence into a fully enclosed two car garage (Project). The support posts of the existing carport are located 18.5 feet off of the westerly lot line. The minimum required front yard setback for a residence in the R-3 Zoning District in which the subject property is 30 feet. Therefore the westerly limits of the carport are located 11.5 feet into the required front yard setback and is considered to be an existing legal nonconforming condition. As such a front yard setback zoning variation is required because the conversion of the open carport to a fully enclosed garage is considered to increase the degree of the existing non-conformity. A front yard setback variation of 38.30% will be required.

Chair Kraus administered the oath to those in attendance and opened the public hearing.

Mr. Dave Block, Architect for the project, stated the request is to convert the existing open walled carport without enlarging the space and noted the two existing trees will remain.

As there were no comments from the PCZBA, Chair Kraus closed the public hearing.

Member Miller moved to recommend the Village Board approve a 38.30% variation from the R-3 Residence District minimum front yard setback regulations of Section 10-5-3 of the Zoning Code to allow a garage to encroach 11.5 ft. into the front yard. Member Burns seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Collins, Miller, Peters, Bishop, Burns and Chair Kraus
Nays: (0)
Absent: (1) Badger

7. A Public Hearing to Consider the Following Zoning Relief From the Following D Residence District (R-6) Regulations; i) Maximum Floor Area Regulations of Section 10-5I-6 of the Zoning Code; ii) Maximum Impervious Surface Coverage Regulations of Section 10-5I-7 of the Zoning Code; iii) Maximum Building Coverage Regulations of Section 10-5I-8 of the Zoning Code; and iv) any Other Zoning Relief as Required to Build a One-Story Addition on the Rear of the House at 29721 N. Environ Circle

Chair Kraus introduced the agenda item and then requested an update from Staff.

A to VA Stanick stated the lot is located in the R-6 Zoning District in the Sanctuary Subdivision which is the only area in the Village with the R-6 classification. The petitioner, submitted by Rick and Vicki Santos (Petitioner) requests zoning relief from the maximum floor area coverage and the maximum building coverage regulations in the R-6 Zoning District to construct a one-story addition to the rear of the house to serve as a first-floor bedroom (Project). The Project is 145 sq.

ft. in size and located in the southwest corner of the Property. He noted the R-6 District is intended to apply only to the lots in the Sanctuary Subdivision.

A to VA Stanick stated the maximum gross floor area permitted on the Property is 2,504.80 sq. ft. (0.4 x 6,412) and the existing floor area is 3,479.40 sq. ft. (gross floor area at time of construction in 1994). Pursuant to Section 10-5I-6, any lot existing as of December 11, 2000 that exceeds the maximum floor area required shall not be deemed non-conforming and the maximum floor area for any such lot shall be the floor area of the lot as of December 11, 2000. The Project is 145 sq. ft., but will create a total of 174 sq. ft. of adjusted gross floor area. The adjustment is because of the requirement that any space (from floor to ceiling) more than 10 ft. in height is increased by 10% for each foot (or fraction thereof) over 10 ft. Also, the existing deck does not count toward floor area because: i) it is located in the side or rear yard; ii) has a floor elevation of less than 30"; iii) has no railings; and iv) has an area (233 sq. ft.) of less than 3.5% of the total area of the lot. Additionally, the maximum building coverage permitted in the R-6 District is the same as that permitted in the R-4 Zoning District (typical east side lot) which is 1,923.60 sq. ft. The existing building coverage complies and is 1,854 sq. ft. The proposed addition will create an additional 145 sq. ft. of building coverage and exceed the maximum building coverage by 75.40 sq. ft.

A to VA Stanick stated the total floor area variation is 174 sq. ft. or 5.00% and total building coverage variation is 145 sq. ft. or 7.82%.

Mr. Lance Chelsey (Airoom Architects), representing the property owners, stated the proposed modification will be done in the future and includes extending the dining room in anticipation of converting a portion of the dining area into a first floor bedroom. All other bedrooms in the house are on the second floor and the ability to have a first floor bedroom in the future would allow the Petitioner to age in place and remain in the community.

Member Collins stated the petition is an example of a personal hardship and not a zoning hardship.

Mr. Santos stated the proposed addition does not extend beyond the back deck and will not impact existing open space on the property. He stated the neighbors adjacent his property have been informed and did not express a concern with the Project.

Member Bishop expressed her concern with the PCZBA allowing this because the plans do not show any walls for a bedroom. All that is provided are plans for an extension of the dining room. Member Bishop expressed concern for approving plans for the future without seeing the final plan.

Mr. Santos stated when the time comes to use the space as a bedroom he will put in some type of separation to allow egress and ingress.

Member Miller stated the proposal is for an extension to the dining room and not a bedroom because closet space is not being provided. He also inquire if there was a full bath on the first floor.

Ms. Santos stated there is space near the first floor bathroom that could be converted to a shower in the future.

In response to a question from Member Miller, Mr. Santos noted the neighbors on both sides of his house do not have an issue with the proposal.

Member Collins stated the PCZBA received a letter from a nearby neighbor expressing concern for the proposed Project. A copy of the letter was shared with Petitioner. Member Collins inquired expressed her opinion if allowing the Project would set a precedent for future projects.

Member Burns stated he does not see any particular physical characteristic of the property that necessitates building additional square footage.

Chair Kraus asked if the house could be modified without expanding the existing footprint.

A discussion followed.

Chair Kraus offered to continue the public hearing to allow the Petitioner time to work with Staff to explore other options.

Member Burns moved to continue the public hearing to the August 17, 2016 PCZBA Meeting. Member Collins seconded the motion. The motion passed on a unanimous voice vote.

8. A Public Hearing to Consider: i) a Variation From the Maximum Height Regulations of Section 10-9-4 of the Zoning Code for Fences on Residential Properties; and ii) any Other Zoning Relief as Required to Replace an Existing Wall Located Around Portions of the Perimeter of the Property at 733 Ravine Avenue

A to VA Stanick stated the Petitioner has requested the PCZBA continue the public hearing to the August 17th meeting.

Member Bishop moved to continue the public hearing to the August 17, 2016 PCZBA Meeting. Member Collins seconded the motion. The motion passed on a unanimous voice vote.

9. A Public Hearing to Consider: i) a Variation from the Maximum Gross Floor Area Regulations of Section 10-5-6 of the Zoning Code; and ii) a Variation from the Minimum Accessory Structure Side Yard and Rear Yard Setback Requirements of Section 10-5-9 of the Zoning Code; and iii) any Other Zoning Relief as Required to Construct a Detached Garage in the Rear Yard of the Property at 311 E. Center Avenue

Chair Kraus introduced the agenda item and then requested an update from Staff.

A to VA Stanick stated the Village received a zoning application from the property owner of 311 E. Center Avenue (Property), to build a 440 sq. ft. detached two car garage, at a height of 16'8", in the rear and side yards of the property (Project). The Project is located 2' from the easterly interior side yard lot line and 3' from the rear yard lot line. According to the Petitioner the proposed detached garage encroaches into the side and rear yard setbacks to provide for a much more navigable entry into both garage stalls.

A to VA Stanick stated pursuant to Section 10-5-9C of the Zoning Code the minimum accessory structure setback from the interior lot line and the rear lot line is 5'. The existing shed (133 sq. ft.) will be removed and a detached two car garage will be constructed in the southeast corner of the

Property. As proposed, the construction of the garage (440 sq. ft.) will encroach into the easterly interior side yard setback by 3' and encroach into the rear yard setback by 2'. The floor area of the garage will not count toward the total gross floor area if the requested zoning relief from the minimum accessory structure setback regulations is granted. By granting the requested zoning relief the garage would be classified as conforming.

A to VA Stanick stated pursuant to Section 10-5-6 the maximum gross floor area permitted on the Property is 2,483.20 sq. ft. (0.4 x 6,208) and the existing floor area is 2,982 sq. ft. The Property is classified as legal nonconforming as it was built prior to the adoption of the Zoning Code. The floor area on the Property is comprised of the two story principal structure, stoops, deck and steps, as well as the shed. The Petitioner proposes to demolish the existing deck and steps (463.50 sq. ft.), as well as the shed (133 sq. ft.). A to VA Stanick stated should the PCZBA vote to recommend granting the zoning relief from the minimum accessory structure setback regulations, Staff recommends the PCZBA also consider a condition requiring the Petitioner to remove the existing deck/steps in addition to the planned demolition of the shed. By requiring this condition the zoning relief from the maximum gross floor area regulations would not be required.

A discussion ensued regarding the existing tree on the easterly lot line, as well as the neighboring detached garage in the rear yard.

Member Peters inquired of the impact to any drainage on the site. Neal Gerdes, architect for the project, expressed his belief there will be no impact to drainage on the property.

Following a request from Mr. Gerdes to poll the PCZBA, the commissioner's expressed their desire that more thought be given to the application and contact made with the south and east neighbors regarding the project.

Member Bishop moved to continue the public hearing to the August 17, 2016 PCZBA Meeting. Member Collins seconded the motion. The motion passed on a unanimous voice vote.

10. A Public Hearing to Consider: i) a Special Use Permit to Allow the Operation of a Physical Fitness Facility (SIC 7991) at 960 North Shore Drive, Unit #6; and ii) any Other Zoning Relief as Required to Operate the Physical Fitness Facility

Chair Kraus introduced the agenda item and then requested an update from Staff.

A to VA Stanick stated the Village received a zoning application from Lyft Health and Fitness, LLC requesting a Special Use Permit (SUP) to allow the operation of a physical fitness facility at 960 North Shore Drive, Unit #6. He stated earlier this year a request from Vlad's Gym, Inc. for a SUP to operate a physical fitness facility at 910 Sherwood Drive, Unit #23. The Petitioner will operate a physical fitness facility in a multi-tenant building mainly comprised of office and service uses. According to the Petitioner, the physical fitness services are provided in small groups (10 to 15 people). Also, in addition to small group training, the Petitioner provides personal training, specialty training, sport specific training and youth athletic training. The Petitioner states as part of the submittal the 2,000 sq. ft. of space will be used for gym equipment and 3,300 sq. ft. for an indoor turf field. The remaining space will be used as a reception area, athlete lounge and offices.

A to VA Stanick stated it was unclear from the application materials when the fitness facility closes Monday through Friday and on Saturday. He stated required parking in the L-1 Zoning

District for production, assembly and office uses is 1 space per 600 sq. ft. of floor area (or 54 spaces) and there are 55 spaces available. Parking requirements related to the requested use are currently not available in the Zoning Code.

Member Burns asked if there are definitive guidelines on noise. A to VA Stanick stated noise is one of many standards identified in the code to regulate the performance of buildings.

In response to a question from Chair Kraus, Petitioner Andrea Brown stated the rear loading dock will not be used. The group classes start at 5:30 a.m. and additional classes are offered throughout the day. The personal training and open gym time will be conducted in between the classes. She stated the evening hours maybe extended due to the youth programs but anticipates the facility will close between 9:00 and 10:00 p.m.

In response to a question from Member Collins regarding parking, Mr. Ted Brown, Property Owners, stated there is sufficient parking spaces at the building.

Member Miller moved to recommend the Village Board approve a special use permit to allow the operation of a physical fitness facility at 960 North Shore Dr., Unit 6. Member Burns seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Miller, Peters, Bishop, Burns, Collins and Chair Kraus
Nays: (0)
Absent: (1) Badger

11. Commissioner's Report

Chair Kraus reported the next regular PCZBA meeting is scheduled for August 17, 2016.

Member Miller expressed his preference to continue the Planned Mixed-Use Development until the September 21, 2016 PCZBA Meeting. A discussion followed.

12. Staff's Report

A to VA Stanick had no report.

13. Adjournment

As there was no further business to come before the PCZBA, Member Miller moved to adjourn the meeting. Member Burns seconded the motion. The meeting adjourned at 12:04 a.m.

Respectfully submitted,

Brandon Stanick
Assistant to the Village Administrator

**VILLAGE OF LAKE BLUFF
JOINT PLAN COMMISSION & ZONING BOARD OF APPEALS
REGULAR MEETING**

AUGUST 17, 2016

DRAFT MINUTES

1. Call to Order & Roll Call

In the absence of Chair Kraus, A to VA Stanick called to order the regular meeting of the Joint Plan Commission and Zoning Board of Appeals (PCZBA) of the Village of Lake Bluff on Wednesday, August 17, 2016, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: Sam Badger
Leslie Bishop
David Burns
Mary Collins
Elliot Miller
Gary Peters
Steven Kraus, Chair (electronic attendance)

Also Present: Peter Friedman, Village Attorney
Drew Irvin, Village Administrator
Brandon Stanick, Assistant to the Village Administrator (A to VA)

Member Badger moved to nominate Member Bishop as Chair Pro Tem for the meeting. Member Burns seconded the motion. The motion passed on a unanimous voice vote.

Chair Pro Tem Bishop reported that a notice was received from Chair Kraus in accordance with the Village's Electronic Attendance at Meetings Policy. Chair Kraus will be deemed authorized to attend the meeting electronically unless a motion objecting to his electronic attendance is made. There were no objections and Chair Kraus was deemed present.

2. Non-Agenda Items and Visitors

Chair Pro Tem Bishop stated the PCZBA allocates 15 minutes for those individuals who would like the opportunity to address the PCZBA on any matter not listed on the agenda.

Ms. Nancy White (resident) stated her purpose tonight is to present an alternative condominium proposal for Block Three. Ms. White stated she currently does not have a contract to purchase the property but if positive feedback is received she is prepared to move forward with the proposal. Ms. White stated the fundamental proposal meets the desire expressed for a two story condominium project while preserving the green space at Evanston/Scranton intersection. Ms. White showed a sketch of a site plan of her proposal for two buildings, both two stories in height with four condominium units each; parking would be underground.

3. Consideration of the July 20, 2016 PCZBA Regular Meeting Minutes

Following several suggestions to change the minutes, Village Attorney Peter Friedman recommended the PCZBA review the revisions to the July 20th Minutes at its next meeting. There were no objections from the PCZBA.

Chair Pro Tem Bishop administered the oath to those in attendance.

4. Continuation of a Public Hearing to Consider: i) a Variation From the Maximum Gross Floor Area Regulations of Section 10-5-6 of the Zoning Code; and ii) a Variation From the Minimum Accessory Structure Side Yard and Rear Yard Setback Requirements of Section 10-5-9 of the Zoning Code; and iii) Any Other Zoning Relief as Required to Construct a Detached Garage in the Rear Yard of the Property at 311 E. Center Avenue

Chair Pro Tem Bishop introduced the agenda item and requested an update from Staff.

A to VA Stanick stated it is requested the PCZBA continue the public hearing to its meeting on September 21st because of an error with the notice requirement.

Member Miller moved to continue the public hearing to the September 21, 2016 PCZBA Meeting. Member Collins seconded the motion. The motion passed on a unanimous voice vote.

5. Continuation of a Public Hearing to Consider the Following Zoning Relief From the Following D Residence District (R-6) Regulations; i) Maximum Floor Area Regulations of Section 10-5I-6 of the Zoning Code; ii) Maximum Impervious Surface Coverage Regulations of Section 10-5I-7 of the Zoning Code; iii) Maximum Building Coverage Regulations of Section 10-5I-8 of the Zoning Code; and iv) any Other Zoning Relief as Required to Build a One-Story Addition on the Rear of the House at 29721 N. Environ Circle

Chair Pro Tem Bishop introduced the agenda item and requested an update from Staff.

A to VA Stanick stated at its meeting on July 20th the PCZBA conducted a public hearing, and following a presentation by the Petitioner's architect, discussed the request for zoning relief. The PCZBA continued the public hearing to allow time for the Petitioner to explore other options to construct the Project. Also provided is a letter dated August 8, 2016 from the Petitioner's architect asking the PCZBA to approve the requested zoning relief as presented last month.

Chair Pro Tem Bishop opened the public hearing and invited the Petitioner to the podium.

Mr. Rich Santos (Petitioner), property owner, stated no changes have been made to the project and his request for zoning relief is still for an additional 174 sq. ft., one-story addition to the rear of the house that will not encroach into the existing forested area. The addition will serve as a first-floor bedroom.

Chair Pro Tem Bishop opened the floor for public comment. There were no comments from the public.

Chair Pro Tem Bishop opened the floor for comments from the Commissioners.

Member Badger noted the Homeowners Association approved the project and had no further comments.

Member Burns stated the current plans reflect an extension to the dining room and not a new bedroom. He stated he does not believe the Petitioner meets the standards for hardship.

Member Collins stated the request for the addition is more of a personal hardship than a zoning hardship. The zoning standards for variation state there has to be a practical difficulty or hardship that would result from the strict application of the zoning ordinance and the desire to construct a bedroom on the first floor is not a reason to grant a zoning variation. Granting one property owner the right to expand is a special privilege unless the intent is to allow all the property owners this type of expansion. Member Collins expressed her opinion the request does not meet the existing zoning standards.

Member Miller stated after reviewing the materials for this project the zoning regulations may need changed to address requests of this nature. He stated given the approval from the HOA he supports the Petitioner's request for zoning relief.

Member Peters expressed his agreement with Members Badger and Miller and stated this is a close call, and if approved, would not necessarily be precedential. He stated in light of the HOA position he is in favor of the proposal.

Chair Kraus expressed his preference to review the actual plans illustrating how the bed and bathrooms fit into the new addition. He expressed interest in having a condition the plans reflect the actual use of the new space.

Chair Pro Tem Bishop expressed her preference to see the actual plans for the new addition. She stated this is a bad precedent for the Village to approve something that may or may not happen in the future.

Chair Pro Tem Bishop stated the PCZBA is authorized to approve or deny the variation because the requested zoning relief is within 25%.

Member Badger moved to approve the request for zoning relief from the: (i) maximum gross floor area regulations; and (ii) maximum building coverage regulations required to build a one-story addition on the rear of the house. Member Miller seconded the motion. The motion failed on the following roll call vote:

Ayes: (3) Peters, Badger and Miller
Nays: (4) Burns, Collins, Chair Kraus and Chair Pro Tem Bishop
Absent: (0)

Member Collins moved to deny the request for zoning relief from the: (i) maximum gross floor area regulations; and (ii) maximum building coverage regulations required to build a one-story addition on the rear of the house. Member Burns seconded the motion. The motion passed on the following roll call vote:

Ayes: (4) Burns, Collins, Chair Kraus and Chair Pro Tem Bishop
Nays: (3) Badger, Miller and Peters
Absent: (0)

6. Continuation of a Public Hearing to Consider a Test Amendment to the Village's Zoning Regulations Establishing Regulations for Planned Mixed-Use, Developments as a Special Use in the B Residence District (R-4), C Residence District (R-5) and Central Business District (CBD) (Text Amendment)

Chair Pro Tem Bishop introduced the agenda item and requested an update from Staff.

A to VA Stanick reported at its meetings on June 15 and July 20, 2016 the PCZBA held public hearings to consider the proposed draft PMD Ordinance and the proposed Conceptual Development Plan. As of today, the public hearing process has included: presentations from the Developer, comments from the public and discussions among the Members of the PCZBA regarding the Text Amendment and the proposed Development. At tonight's meeting the PCZBA will continue its discussion regarding the proposed Text Amendment and anticipates voting on a recommendation to the Village Board. Further, the Petitioner has requested the PCZBA continue the public hearing regarding the Development to its September 21, 2016 meeting.

A to VA Stanick reported the PCZBA was provided with an updated draft ordinance amending the Village's Zoning Code establishing a process and related regulations for the approval of PMDs prepared by Village Legal Counsel that reflects the discussion of the PCZBA on July 20th. Also provided for the PCZBA's information is a memorandum dated August 11, 2016 from Village Attorney Peter Friedman regarding the proposed PMD Text Amendment.

Chair Pro Tem Bishop opened the public hearing and administered the oath to those in attendance.

Chair Pro Tem Bishop reported the Petitioner, The Roanoke Group, did not have any comments at this time.

Chair Pro Tem Bishop opened the floor for public comment.

Mr. Kyle Petersen (resident) expressed concern for the developer's lack of a track record as there are no multi-family zoning projects associated with the developer. He asked that the developer's track record be considered.

Ms. Holli Volkert (resident) asked if the draft PMD Ordinance would circumvent the current zoning regulations because there is no specific zoning for a PMD. Village Attorney Friedman stated the draft PMD Ordinance establishes a process by which a developer can propose a development within that specific area and the development would have to be reviewed by the PCZBA and Village Board for approval. A discussion ensued regarding the draft PMD Ordinance's effect on current zoning.

Mr. Mark Stolzenburg (resident) commented on the various documents he received as a result of a Freedom of Information Act he filed with the Village. He showed an email from the developer to the Village Administrator referring to a meeting that occurred between the Developer, the Village President and the Village Administrator and asked to what extent were the discussions regarding any potential text amendment during the April 25th meeting. Village Administrator Drew Irvin stated at that particular meeting there were discussions concerning a PMD tool. This is a tool that was suggested by Teska Associates in the Village's 1998 CBD Planning Study. The 1998 CBD Planning Study was a result of a recommendation from the Village's 1997 Comprehensive Plan concerning redevelopment tools for the downtown. That development process was suggested to

the developer as a tool to redevelop in the CBD as opposed to using straight zoning. The process and regulations for planned developments, such as planned residential, planned commercial and planned mixed-use developments, are standards used by numerous municipalities. Village Administrator Irvin stated there were drafts of the development presented at this meeting but expressed his uncertainty regarding all the information discussed. Village Administrator Irvin stated when developers approach the community it is not uncommon for them to submit plans before the public hearing process to find out what process they should proceed with to get the project considered by the Village.

Mr. Stolzenburg asked if the draft PMD Ordinance was restricted to Block Three. Village Administrator Irvin stated the draft PMD Ordinance applies to Block Three and other zoning districts adjacent to the Central Business District.

Mr. Peter Kyte (of the Roanoke Group) explained how they became involved in the project and advised of the process the owner used to select the Roanoke Group as the current developer of the property.

Mr. Stolzenburg asked Chair Kraus about the discussion held on April 27th. Chair Kraus stated the discussion involved density, height and building material to be used should the development move forward. Chair Kraus stated a hand written sketch of the proposed project was reviewed, as well as optional methods on how the development could happen.

Mr. Stolzenburg asked about the discussion that occurred at an April 30th meeting that included Peter Kyte, Village Administrator Irvin, Matt Kerouac (ABR), Ed Deegan (ABR), Mickey Collins (PCZBA) and Sam Badger (PCZBA). Member Collins stated she anticipated the meeting would be about goal setting, but drawings were presented and it appeared much further along in the process. Member Badger stated a hand drawn conceptual drawing of a proposed development was reviewed. Peter Kyte also commented on this meeting and noted seeking input is common practice before moving forward with a project.

Mr. Stolzenburg commented on the draft PMD Ordinance and expressed his opinion the process was backwards by reviewing a proposed development and then reviewing an ordinance that will allow the development to be built. He expressed his opinion the draft PMD Ordinance does not provide appropriate safeguards against high density developments. He asked the PCZBA to take a step back and continue reviewing the draft PMD Ordinance to determine what the Village wants in its downtown.

Mr. Nels Leutwiler (resident) stated he owns an investment property at 33 E. North Avenue and is opposed to the increased height and bulk envisioned by the proposed text amendment. He expressed his appreciation for the small town feel of Lake Bluff and asked the Village to avoid overdeveloping the downtown.

Mr. Michael Goldsberry (resident) expressed his understanding planned development tools are used for larger properties and he is concerned with using a PMD for smaller residential areas because it could set a bad precedent. He expressed his concern the proposed text amendment may allow multi-family developments to occur too quickly in the downtown.

Ms. Kathryn Briand (resident) commented on the provisions regarding decreased property size requirements from the planned commercial development regulations. She stated precedence does matter and not following the established guidelines could create a slippery slope the Village will not be able to control. Ms. Briand read a *New York Times* article regarding zoning and expressed her opinion the Village is not planning properly because there are no zoning specifications in the draft PMD Ordinance. She asked the Village to slow down the process and make the PMD Ordinance stricter.

Ms. Terri Bleck (resident) stated the Village Green was visible when she purchased her townhome but now it is obstructed by the Block One Development. She stated Lake Bluff is a small Village and expressed her concern with having three story development in the downtown.

As there were no further public comments, Chair Pro Tem Bishop closed the public hearing.

In response to the public comment shared during the meeting, Village Administrator Irvin reviewed certain portions of the PMD Ordinance regarding the review process, the theory behind having mixed-use buildings near the CBD and the size of the property to qualify to use the PMD approach.

Chair Pro Tem Bishop asked for comments from the Commissioners.

Member Badger asked if the draft PMD Ordinance is adopted can a potential developer continue to use the underlying zoning to develop property. Village Attorney Friedman stated the current zoning is zoned under the district so a developer and/or property owner will still be able to build under the current zoning as of right.

In response to a question from Member Miller, Village Attorney Friedman stated the draft PMD Ordinance applies to the CBD, immediate adjacent properties and property adjacent to or directly across the right of way from a lot in the CBD.

Member Collins stated she is in favor of a planned development tool. Plans that comply with Village Code do not have to go through the public hearing process and it is important that we have this option for complex proposals. She expressed her opinion the draft PMD process would be much better than what can occur today on this particular parcel.

Member Burns stated he prefers any proposal for this area of town be considered by the PCZBA. He expressed his belief there are potentially creative solutions that should be considered. Member Burns expressed his support for the standards and planning principles the Village has to review different kinds of solutions for this area.

Member Badger questioned the underlying zoning and expressed his concern the draft PMD Ordinance does not prevent developers from going back to using the existing zoning.

Member Peters stated he was troubled by the manner of Mr. Stolzenburg's inquisition and implications of unethical behavior by Village Officials. Member Peters stated the proposed draft PMD Ordinance does provide for a number of checks and balances. He stated under current zoning the owner is entitled to construct a 30 ft. high wall and inquired if the residents to the north of the property would want to take that risk.

Village Attorney Friedman reviewed the as of right zoning and zoning standards of variations in relation to the property. The planned development is a zoning tool used to fill the gap between a variation and a text amendment. The two-phase review process of the PMD Ordinance includes optional preliminary public meeting with the PCZBA to obtain feedback on a potential proposal; Development Concept Plan review public hearing with the PCZBA; Optional Development Concept Plan review workshop meeting and review by the ABR; Development Concept Plan consideration by the Village Board; Final Development Plan review public hearings & public meetings with PCZBA and ABR; and Final Development Plan consideration by the Village Board.

Chair Kraus stated the planned development is a planning framework tool for the Village, neighbors and developers establishing specific standards for development in the CBD. Should an actual preliminary development plan be received the PCZBA will apply the standards very strictly to ensure it meets the needs of the Village and residents.

Chair Pro Tem Bishop expressed her agreement with Chair Kraus and her opinion the PMD Ordinance should not be specific to Block Three in the event a developer desires to redevelop other blocks. She stated the Village needs a tool that works for the CBD overall.

Following a brief discussion, it was the consensus of the PCZBA to move forward with finalizing its recommendation regarding the PMD Ordinance.

A discussion followed regarding those properties that would qualify for a PMD. Member Collins expressed her concern with the following phrase concerning those properties that are eligible to use a PMD: “or directly across a right-of-way from a lot in the CBD”. She asked that it be removed.

Member Badger asked if a developer could purchase Block Three and property on North Avenue to build a larger development and expressed his concern with the potential expansion of using the PMD. He also expressed concern with the PMD option as an alternative to the underlying zoning regulations because the PMD draft language did not require the redevelopment of qualifying properties to use a PMD approval process.

Village Attorney Peter Friedman reviewed the changes to the ordinance from the previous PCZBA meeting.

A discussion ensued regarding super majority votes for the Village Board to overturn a recommendation from the PCZBA. Village Attorney Friedman stated currently the standard for variation is the only requirement which triggers a super majority vote. It was a consensus of the PCZBA to convey to the Village Board a requirement that two-thirds of the Village Trustees must vote in favor of a proposed PMD if the PCZBA has recommended that the proposed PMD be denied.

Member Miller moved to recommend the Village Board adopt the draft PMD Ordinance dated August 11, 2016 as amended and also convey the PCZBA’s recommendation that two-thirds of the Village Board must vote in favor of a proposed PMD if the PCZBA has recommended that the proposed PMD be denied. Member Peters seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Burns, Collins, Chair Kraus, Miller, Peters and Chair Pro Tem Bishop
Nays: (1) Badger
Absent: (0)

7. Continuation of a Public Hearing to Consider the Following: i) a Special Use Permit for a Planned Mixed-Use Development to Permit the Construction and Maintenance of a 16 Unit Multi-Family Structure and Related Improvements (Development) at 120 E. Scranton Avenue (former PNC Bank Property); and ii) Any Other Zoning Relief as Required to Construct and Maintain the Development at the Property

Chair Pro Tem Bishop introduced the agenda item and stated the Petitioner, The Roanoke Group, LLC, has requested the public hearing be continued to the September 21, 2016 PCZBA Meeting.

Member Burns moved to continue the public hearing to the September 21, 2016 PCZBA Meeting. Member Miller seconded the motion. The motion passed on a unanimous voice vote.

Member Collins asked if the PCZBA should consider a Petitioner’s track record. She asked if The Roanoke Group could transfer the project to another developer should the PMD Ordinance get approved. Village Attorney Friedman stated zoning relief for special use permits and developments are granted to the applicant and a transfer is not allowed except with the Village Board’s approval.

Member Collins asked if the Petitioner’s financial qualification should be considered by the PCZBA. Village Attorney Friedman stated if there was objective concern about the ability of the developer to comply with zoning it would be relevant. Should the Village Board approve a PMD there are things imposed to protect the Village if the developer cannot complete the project, such as a letter of credit.

In response to a comment from Member Burns, Village Attorney Friedman stated it is with the Village Board authority to consider the overall qualification of a Petitioner.

Village Administrator Irvin stated the Village Board will consider the draft PMD Ordinance at its August 22nd meeting.

8. Commissioner’s Report

Chair Pro Tem Bishop stated the next regular PCZBA meeting is scheduled for September 21, 2016. Member Collins stated she would not be in attendance at the September 21st meeting.

9. Staff’s Report

A to VA Stanick reported the Comprehensive Plan Amendments were adopted by the Village Board and will be incorporated into the official document.

10. Adjournment

As there was no further business to come before the PCZBA, Member Burns moved to adjourn the meeting. Member Miller seconded the motion. The meeting adjourned at 9:37 a.m.

Respectfully submitted,

Joint Plan Commission & Zoning Board of Appeals
Regular Meeting Minutes – August 17, 2016

Brandon Stanick
Asst. to the Village Administrator

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kraus and Members of the Joint Plan Commission & Zoning Board of Appeals

FROM: Brandon Stanick, Assistant to the Village Administrator

DATE: September 16, 2016

SUBJECT: **Agenda Item #4** - 311 E. Center Avenue Request for Zoning Relief

Applicant Information:	Helen F.S. Tunny (Petitioner & Owner)
Location:	311 E. Center Avenue
Existing Zoning:	R-4 Zoning District
Purpose:	To construct a detached garage in the rear yard.
Requested Action:	Seeking a zoning variation from the R-6 maximum gross floor area regulations and the R-6 maximum building coverage regulations.
Public Notice:	<i>Lake County News Sun</i> – July 2, 2016 Neighbors Re-noticed - August 24, 2016
Lot Area:	6,208 sq. ft.
Existing Land Use:	Single-family residential
Surrounding Land Use:	<ul style="list-style-type: none">• North: Single-family residential• East: Single-family residential• South: Single-family residential• West: Single-family residential
Comprehensive Plan Land Use Objectives:	<ul style="list-style-type: none">• Preserve the unique residential character of the area; and• Encourage rehabilitation and control redevelopment of property in an orderly manner compatible with neighboring properties.
Zoning History:	Not applicable
Applicable Land Use Regulations:	<ul style="list-style-type: none">• Section 10-5-6: Maximum Gross Floor Area Regulations; and• Section 10-5-9: Minimum Accessory Structure Side Yard and Rear Yard Setback Regulations.

Background and Summary

On June 22, 2016 the Village received a zoning application from Helen F.S. Tunny (Petitioner), property owner of 311 E. Center Avenue (Property), to build a 440 sq. ft. detached two car garage, at a height of 16'8", in the rear and side yards of the property (Project). Initially, the Project was located 2' from the easterly interior side yard lot line and 3' from the rear yard lot line. According to the Petitioner the initial Project encroached into the side and rear yard setbacks to provide for a much more navigable entry into both garage stalls. The zoning relief requested was to allow a 60% variation from the minimum accessory structure interior lot line setback regulations and a 40% variation from the minimum accessory structure rear lot line setback regulations.

At its meeting on July 20th the Plan Commission and Zoning Board of Appeals (PCZBA) conducted a public hearing to consider the Petitioner's request. Following a presentation by the Petitioner's architect, Neal Gerdes (AKL Architectural Services), the PCZBA discussed the request and continued the public hearing to allow the Petitioner time to solicit feedback from neighbors and to explore setback distances that are comparable to the garage immediately to the east.

Revised Zoning Petition

On August 2, 2016 the Petitioner submitted a revised Project with a 3' setback from the easterly interior side yard lot line and 3'9" from the rear yard lot line. An "auto-drive" diagram is provided by the Petitioner in the revised materials showing a turning area available for a garage without zoning setback relief and for a garage with a 3' setback (or 2' encroachment) from the easterly property line and a setback of 3'9" (or 1.25' encroachment) from the rear lot line illustrating the desired placement of the garage. The revised request for zoning relief results in a request to allow a **40% variation from the minimum accessory structure interior lot line setback regulations** and a **25% variation from the minimum accessory structure rear lot line setback regulations**.

Village Engineer Jeff Hansen has reviewed the "auto-drive" diagram and provided comments (*Attachment B*). An email from the property owner to the south is also provided as *Attachment C*. For the PCZBA's reference a copy of Ordinance #2013-19, an ordinance granting variations from the Village's rear yard setback, side yard setback and maximum gross floor area regulations, allowing the replacement of an existing garage located at 313 E. Center Ave. (neighboring property to the east) is attached as *Attachment D*.

Zoning Analysis

Pursuant to Section 10-5-9C of the Zoning Code the minimum accessory structure setback from the interior lot line and the rear lot line is 5'. The existing shed (133 sq. ft.) will be removed and a detached two car garage will be constructed in the southeast corner of the Property. As revised, the construction of the garage (440 sq. ft.) will encroach into the easterly interior side yard setback by 2' and encroach into the rear yard setback by 1.25'. The floor area of the garage will not count toward the total gross floor area if the requested zoning relief from the minimum accessory structure setback regulations is granted. By granting the requested zoning relief the garage would be classified as conforming.

Additionally, pursuant to Section 10-5-6 the maximum gross floor area permitted on the Property is 2,483.20 sq. ft. (0.4 x 6,208) and the existing floor area is 2,982 sq. ft. The Property is classified as legal nonconforming (pursuant to Section 10-8-2C(9)) as it was built prior to the adoption of the Zoning Code. The floor area on the Property is comprised of the two story principal structure, stoops, deck and

steps, as well as the shed. The Petitioner proposes to demolish the existing deck and steps (463.50 sq. ft.), as well as the shed (133 sq. ft.).

Should the PCZBA vote to recommend granting the zoning relief from the minimum accessory structure setback regulations, Staff recommends the PCZBA also consider a condition requiring the Petitioner to remove the existing deck/steps in addition to the planned demolition of the shed. This condition would not necessitate zoning relief from the maximum gross floor area regulations as shown below:

MAXIMUM FLOOR AREA COVERAGE (in sq. ft.)

Maximum Allowed		Existing		Proposed*		Total*	
Lot Size:	6,208.00	1 st floor:	1,170.25			1 st floor:	1,170.25
Floor Area:	2,483.20	2 nd floor:	1,170.25			2 nd floor:	1,170.25
		Deck/Stoops:	509.00	W/O Deck:	-463.50	Deck/Stoops:	45.50
		Shed:	133.00	W/O Shed:	-133.00	Shed:	0.00
		Garage:	0.00	Garage:	0.00 [^]	Garage:	0.00 [^]
		Total:	2,982.50	Total:	-596.00	Total:	2,386.50

* Shed & deck are excluded from the calculations as Petitioner has advised, pursuant to the application, they will be removed.

[^] New detached garage would not count toward floor area should the requested zoning relief to encroach into the rear and side yard setbacks be granted.

Village Staff has conducted the required zoning analysis and confirms the Project, with the exception of the standards identified below is in compliance with the Zoning Code:

MINIMUM ACCESSORY STRUCTURE SETBACKS (in feet)

Total Interior Side Lot Line Encroachment: 2.00 ft. or 40% variation

Total Rear Lot Line Encroachment: 1.25 ft. or 25% variation

Minimum Required		Existing Encroachment (Shed)		Proposed Encroachment (Garage)	
Interior Side Lot Line Setback:	5.00	Interior Side Lot Line:	3.27	Interior Side Lot Line:	2.00
Rear Lot Line Setback:	5.00	Rear Lot Line:	2.46	Rear Lot Line:	1.25

The Petitioner has provided statements addressing the standards for variation in the attached zoning application. The PCZBA should consider if the Petitioner’s statements and submitted materials satisfy the established standards for variation.

PCZBA Authority

The PCZBA has the authority to:

- Recommend the Village Board approve with conditions or deny the request for:
 - A 40% variation from the **minimum accessory structure interior lot line setback regulations**; and
- Conditionally approve or deny:
 - A 25% variation from the **minimum accessory structure rear lot line setback regulations** to allow for the construction of a two car detached garage (440 sq. ft.) that is 16’8” in height in the southeast corner of the Property.

Note that under Section 10-2-4A1(c) of the Zoning Code, because the Village Board has final authority over the side lot line setback variation, the PCZBA’s decision on the rear yard lot line setback variation is contingent upon, and subject to, the Village Board’s approval of the side lot line setback variation.

Recommendation

Following the public hearing to consider the requested zoning relief, the PCZBA should take one of the following actions:

- If more information is required, continue the public hearing to a date certain to allow the Petitioner to provide additional information; or
- If more information is not required, vote to:
 - Recommend the Village Board approve with conditions or deny the request for:
 - A 40% variation from the **minimum accessory structure interior lot line setback regulations**; and
 - Conditionally approve or deny:
 - A 25% variation from the **minimum accessory structure rear lot line setback regulations** to allow for the construction of a two car detached garage (440 sq. ft.) that is 16'8" in height in the southeast corner of the Property.

Attachments

- A. Petitioner's updated materials and zoning application;
- B. Email Dated August 9, 2016 from Village Engineer Jeff Hansen Concerning the Petitioner's Project;
- C. Email Dated August 10, 2016 from Lynn Twitty (property owner to the south) Concerning the Petitioner's Project; and
- D. Ord. #2013-19 Granting Variations for Construction of a New Garage at 313 E. Center Avenue.

If you should have any questions concerning the information provided in this memorandum please feel free to contact me at 847-283-6889.

FEE PAID:
 RECEIPT NUMBER:

BY VILLAGE CLERK JUN 22 2016 VILLAGE OF LAKE BLUFF

VILLAGE OF LAKE BLUFF
APPLICATION FOR ZONING VARIATION, SPECIAL USE PERMIT, REZONING OR PRO

SUBJECT PROPERTY

Address: 311 E CENTER AVE Zoning District: _____
(Property address for which application is submitted)
Current Use: RESIDENTIAL
(Residential, Commercial, Industrial, Vacant, Etc.)
PIN Number: 12-21-121-002

APPLICANT

Applicant: NEAL GERDES
Address: 1102 WILSHIRE LANE
(Address if different than subject property)
Relationship of Applicant to Property: ARCHITECT
(Owner, Contract Purchaser, Etc.)
Home Telephone: (847) 638-8025 Business Telephone: (847) 356-8025

OWNER

Owner - Title Holder	If Joint Ownership
Name: <u>HELEN F. S. TUNNEY</u>	Joint Owner: _____
Address: <u>311 E CENTER AVE</u>	Address: _____
<u>LAKE BLUFF, IL 60044</u>	_____
Daytime Phone: <u>847.234.5242</u>	Daytime Phone: _____

If ownership is other than individual and/or joint ownership, please check appropriate category and provide all additional ownership information as an attachment.

- Corporation
- Land Trust
- Other: _____
- Partnership
- Trust

Are all real estate taxes, special assessments and other obligations on the subject property paid in full?

Yes No If No, Explain: _____

ACTION REQUESTED

To provide time for legal notification requirements, any application requiring a Public Hearing before the Zoning Board of Appeals must be received at least 25 days prior to the next meeting date.

- Zoning Variation
- Special Use Permit
- Text Amendment
- Rezoning
- Planned Residential Development
- Other: _____

Applicable Section(s) of Zoning Ordinance, if known: _____

Narrative description of request: SEE ATTACHED

STANDARDS FOR VARIATIONS AND SPECIAL USE PERMITS

The Zoning Board is required by the Illinois State Statutes to apply the following standards in reviewing requests for Variations and Special Use Permits. The Board may only grant a variation or recommend that the Village Board grant a variation in cases where there are practical difficulties and particular hardships brought about by the strict application of the Zoning Ordinance and not by any persons, presently or formerly, having an interest in the property. **The applicant has the burden of establishing each of these standards both in writing and at the Public Hearing.** Please attach additional materials if necessary.

STANDARDS FOR VARIATIONS:

1. **Practical Difficulty or Hardship:** Describe the practical difficulty or particular hardship that would result from the strict application of the Zoning Ordinance.

SEE ATTACHED

2. **Unique Physical Condition:** Describe the unique characteristics of the lot or structures on the subject property which are exceptional, such as: a) existing unique structures or uses, b) irregular lot shape, size, or location, c) exceptional topographical features, or d) other extraordinary physical conditions.

SEE ATTACHED

4. **No Traffic Congestion:** Describe how the proposed use will not cause undue traffic and traffic congestion.

~~SEE ATTACHED~~ N/A

5. **No Destruction of Significant Features:** Describe how the proposed use will not destroy or damage natural, scenic or historic features.

~~SEE ATTACHED~~ N/A

STANDARDS FOR TEXT AMENDMENTS

The wisdom of amending the Village Zoning Map or the text of the Zoning Code is a matter committed to the sound legislative discretion of the Village Board of Trustees and is not dictated by any set standard. In determining whether a proposed amendment will be granted or denied the Board of Trustees may be guided by the principle that its power to amend this title should be exercised in the public good.

TEXT AMENDMENT GUIDING PRINCIPLES:

In considering whether the principle is satisfied in amending the text of the Zoning Code, the Board of trustees may weigh, among other factors, the following:

1. **The consistency of the proposed amendment with the purposes of this title:**

2. **The community need for the proposed amendment and any uses or development it would allow:**

3. **The conformity of the proposed amendment with the village's comprehensive plan and zoning map, or the reasons justifying its lack of conformity:**

3. **Special Privilege:** Describe how the request will not simply provide the applicant with a special privilege that other property owners do not enjoy. The request must be for relief from the regulations due to hardship, and not simply to reduce inconvenience or to provide for financial gain.

~~SEE ATTACHED~~

4. **Code Purposes:** Describe how the request does not violate the intentions of the regulations. The applicant must show that the request does not adversely impact surrounding properties or the general welfare.

~~SEE ATTACHED~~

5. **Public Health and Safety:** Describe how the request will not: a) adversely impact the supply of light and air to adjacent properties, b) increase traffic congestion, c) increase the hazard of fire, d) endanger public safety, e) diminish the value of property within the surrounding area, or f) impair the public health, safety, comfort, morals, and welfare of the people.

~~SEE ATTACHED~~

STANDARDS FOR SPECIAL USE PERMITS:

1. **General Standard:** Describe how the proposed use will not adversely impact adjacent properties.

~~SEE ATTACHED~~ N/A

2. **No Interference with Surrounding Development:** Describe how the proposed use will not hinder or interfere with the development or use of surrounding properties.

~~SEE ATTACHED~~ N/A

3. **Adequate Public Facilities:** Describe how the proposed use will be served by streets, public utilities, police and fire service, drainage, refuse disposal, parks, libraries and other public services.

~~SEE ATTACHED~~ N/A

APPLICATION MATERIALS

LEGAL DESCRIPTION - MUST BE PROVIDED

PARCEL 1 LOTS 18 & 19 IN BLOCK 4 IN THE ORIGINAL PLAT OF THE VILLAGE OF LAKE BLUFF, A SUBDIVISION OF THE SOUTHEAST PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MARCH 15, 1877, AS DOCUMENT 16918, IN BOOK "A" OF PLATS, PAGE 95, IN LAKE COUNTY, ILLINOIS AND PARCEL 2 RECORDED SEPTEMBER 1, 1928 AS DOCUMENT 323801 IN LAKE COUNTY, ILLINOIS

Required*

- Plat of survey including legal description.
- Evidence of title to property for which relief is sought or written documentation of contractual lease.
- Scale site plan showing building locations and dimensions.
- Scale site plan showing addition, new construction, modification, etc.
- Schematic drawings showing floor plan, elevations, and exterior mechanical equipment.
- Floor Area Calculation Table (if applicable)
- Other: _____

Optional

- Landscape Plan
- Photographs of subject property and surrounding properties.
- Testimony from neighbors is strongly encouraged.

*15 copies, no larger than 11x17, must be submitted

SIGNATURES

The undersigned hereby represent, upon all of the penalties of the law, for the purpose of inducing the Village of Lake Bluff to take the action herein requested, that all statements herein and on all related attachments are true and that all work here mentioned will be done in accordance with the ordinances of the Village of Lake Bluff and the laws of the State of Illinois. **The owner must sign the application.**

Owner Signature:  Date: 6/8/2016
 Print Name: HELEN TUNNEY

Applicant Signature: NEAL GERBER Date: 6/22/16
 (if other than owner)

Print Name: NEAL GERBER



Lake County

FROM THE OFFICE OF: DAVID B. STOLMAN, LAKE COUNTY COLLECTOR
Make Checks Payable to: LAKE COUNTY COLLECTOR

1st & 2nd Installment
PAYMENT COUPON
RETURN WITH PAYMENT

1

12-21-121-002

12-21-121-002



HELEN F S TUNNEY, TRUSTEE
311 E CENTER AVE
LAKE BLUFF IL 60044-2505



Taxes Due on or before 6/2/2016

\$6,511.73 DUE

122112100200000000651173201518

Tax Bills are mailed to the taxpayer of record,
even if your Lender is responsible for payment.

00009443

Name Change

↓ TEAR HERE ↓



Lake County

FROM THE OFFICE OF: DAVID B. STOLMAN, LAKE COUNTY COLLECTOR
Make Checks Payable to: LAKE COUNTY COLLECTOR

2nd Installment
PAYMENT COUPON
RETURN WITH PAYMENT

2

Tax Year 2015

12-21-121-002

Tax Bills are mailed to the taxpayer of record,
even if your Lender is responsible for payment.

12-21-121-002



Taxes Due on or before 9/2/2016

\$6,511.73 DUE

122112100200000000651173201527

For information on exemptions, contact your local assessor

Name Change

↓ TEAR HERE ↓

Property Location: 311 E CENTER AVE
LAKE BLUFF
Legal Description: VILLAGE OF LAKE BLUFF; LOTS 18 & 19 & VAC 20 FT N
& ADJ BLOCK 4

Pin Number 12-21-121-002
Tax Year 2015
Tax Code 10011
Acres 0.00

Taxing Body	Rate	Current Amount	Change From Prior Year	Land Value	
COUNTY OF LAKE	0.531816	\$1,001.21	115.92		\$72,326
COUNTY OF LAKE PENSION	0.130992	\$246.61	31.59	+ Building Value	\$121,937
VIL OF LAKE BLUFF	0.423269	\$796.85	62.89	x State Multiplier	1
VIL OF LAKE BLUFF LIBRARY	0.169796	\$319.66	25.84	= Equalized Value	\$194,263
VIL OF LAKE BLUFF PENSION	0.191213	\$359.98	30.29	+ Farm Land and Bldg Value	
ROAD AND BRIDGE SHIELDS	0.032154	\$60.53	7.22	+ State Assessed Pollution Ctrl	
LAKE BLUFF PARK DIST	0.441989	\$832.10	75.44	+ State Assessed Railroads	
LAKE BLUFF PARK DIST PENSION	0.062466	\$117.60	10.44	= Total Assessed Value	\$194,263
LAKE BLUFF MOSQUITO ABATEMENT	0.014512	\$27.32	2.60	- Fully Exempt	
LAKE BLUFF SCHOOL DISTRICT #65	2.692468	\$5,068.94	712.71	- Senior Freeze	
LAKE BLUFF SCHOOL DISTRICT #65 PENSION	0.052911	\$99.61	-20.47	- Home Improvement	
COLLEGE OF LAKE COUNTY #532	0.299388	\$563.64	70.20	- General Homestead	\$6,000.00
LAKE FOREST HIGH SCHOOL DISTRICT #115	1.361602	\$2,563.40	312.77	- Senior Homestead	
LAKE FOREST HIGH SCHOOL DISTRICT #115 PENSION	0.047659	\$89.73	5.71	- Disabled / Veterans	
NORTH SHORE WATER RECLAMATION DISTRICT	0.165631	\$311.82	38.72	- Returning Veterans	
FOREST PRESERVE	0.196682	\$370.27	47.13	= Taxable Valuation	\$188,263
FOREST PRESERVE PENSION	0.011242	\$21.16	5.73	x Tax Rate	6,917,695
CEN LK COUNTY JOINT ACTION WATER AGENCY	0.054057	\$101.77	11.64	= Real Estate Tax	\$13,023.46
TOWNSHIP OF SHIELDS	0.035540	\$66.91	7.31	+ Special Service Area	
TOWNSHIP OF SHIELDS PENSION	0.002308	\$4.35	0.48	+ Drainage	
TOTALS				= Total Current Year Tax	\$13,023.46
	6.917695	\$13,023.46	\$1,554.16	+ Omitted Tax	
				+ Forfeited Tax	
				= TOTAL TAX BILLED	\$13,023.46

Fair Market Value \$582,789
1st Installment Due 6/2/2016 \$6,511.73
2nd Installment Due 9/2/2016 \$6,511.73

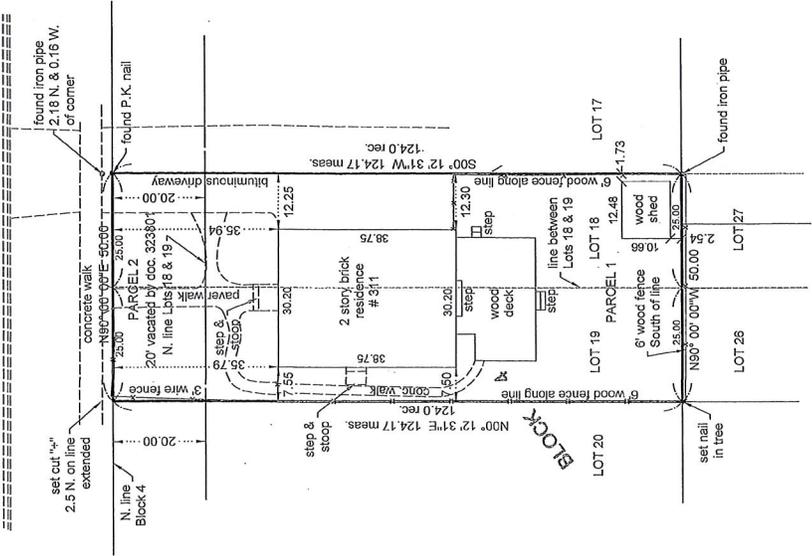
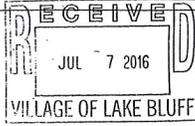
PLAT OF SURVEY

PARCEL 1: LOTS 18 AND 19 IN BLOCK 4 IN THE ORIGINAL PLAT OF THE VILLAGE OF LAKE BLUFF, A SUBDIVISION OF THE SOUTHEAST PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1877, AS DOCUMENT 16918, IN BOOK "A" OF PLATS, PAGE 95, IN LAKE COUNTY, ILLINOIS.

PARCEL 2: THE 20.0 FOOT VACATED STRIP OF LAND LYING NORTH OF AND ADJOINING LOTS 18 AND 19 BLOCK 4 IN THE ORIGINAL PLAT OF THE VILLAGE OF LAKE BLUFF ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "A" OF PLATS AS DOCUMENT 16918 SAID STRIP VACATED BY THE VILLAGE OF LAKE BLUFF ORDINANCE AS RECORDED SEPTEMBER 1, 1928, AS DOCUMENT 323801, IN LAKE COUNTY, ILLINOIS.

TOTAL AREA = 6,208 S.F.

CENTER AVENUE
bituminous pavement



ABBREVIATIONS:
 m. = measured
 r. or rec. = record
 CB = chord bearing
 CH = chord length
 L = arc length
 N = North
 S = South
 E = East
 W = West
 S.F. = square feet



PLAT IS VOID IF IMPRESSED SEAL DOES NOT APPEAR

STATE OF ILLINOIS } s.s.
 COUNTY OF LAKE }

NOTE: ONLY THOSE BUILDING LINES OR EASEMENTS SHOWN ON THE RECORDED SUBDIVISION PLAT ARE SHOWN HEREON. CHECK LOCAL ORDINANCES BEFORE BUILDING. COMPARE YOUR DESCRIPTION AND SITE MARKINGS WITH THIS PLAT AND AT ONCE REPORT ANY DISCREPANCIES WHICH YOU MAY FIND.

ON BEHALF OF BLECK ENGINEERING CO., INC., JACK R. BLECK DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED IN THE ABOVE CAPTION WAS SURVEYED AND STAKED BY ME OR UNDER MY DIRECTION, AND THE PLAT DRAWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. MEASUREMENTS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED AT LAKE FOREST, ILLINOIS, THIS 27TH DAY OF JUNE A.D., 2016.

BY: *J. R. BLECK*
 REGISTERED ILLINOIS LAND SURVEYOR NO. 3891



Project No. 60-276

BLECK
 engineers | surveyors

Bleck Engineering Company, Inc.
 1575 North Lemont Avenue
 Lake Forest, Illinois 60045
 T 847.295.5200 F 847.295.7081
 www.bleckeng.com

8/11/16



311 Center Street Variance Request

Narrative

Previously presented:

Helen Tunney has lived at 311 Center Street in Lake Bluff for 30 years and has been living with the inconvenience of not having a garage. To rectify this situation Helen and Kim are planning to build a new two-car detached garage in the southeast corner of their property.

The location of their current home, curb cut and driveway on their 50' wide lot dictate the location of this new garage. The reason for this variance request stems from the length of their lot (124.07'), distance from the house to the new garage, and the required turning radius into their garage door from their driveway. If current setback codes are enforced for this new garage, it would be very difficult to successfully maneuver a car down their driveway and into the west garage stall. Similarly, a car planning to park in the east stall will need to veer sharply westward to align with this space. See site plan #1.

We ask that the 5'-0" east garage setback line be reduced to 2'-0" and that the rear 5'-0" setback line be reduced to 3'-0" to allow for a much more navigable entry into both garage stalls. See site plan #2.

We feel that our unique circumstances (house size and location, lot width and depth) create a situation where our only choice is to request this variance. If granted, we feel that the area immediately surrounding our residence will not be negatively affected and the potential for future damage to cars and buildings and injuries to people will be minimized.

An existing storage shed will be removed to make room for this garage and the existing 30" high wood deck will be removed as well to allow for a new paver patio.

Additional Narrative:

In our initial meeting with the PCZBA on Wednesday, July 20th, the board asked for several additional pieces of information. In summary these were:

- 1) A letter from the neighbors to the south stating their acceptance of the variance request.
- 2) The location and size of the shared tree growing on the shared property line between this lot and the neighbor's to the east.
- 3) An "auto drive" exhibit showing how a car can maneuver down the driveway and into the garage in both site plan #1 and #2.
- 4) The existing location of the neighbor's garage to the east, since it was allowed to be located closer to the property lines than allowed by code under a previously accepted variance.

Due to vacation schedules, as of the writing of this new narrative we have not been able to meet with and receive an acceptance letter from the neighbors to the south but hope to have the letters written and submitted to the board prior to our meeting date.

The tree between this lot and the east neighbor's lot has been located and measured and is now shown on the submitted site plans. Please note that this tree will have no effect on the driveway or car paths.

The "auto drive" exhibit has been created and submitted with the revised site plan. Please note that the angle of the parked car in exhibit 1 (associated with site plan #1) is greater, leaving little room for the east car to be parked. Also, the front wheel right wheel line and extended hood/bumper of this western car will come perilously close to the west interior garage wall. Exhibit 2 shows a much straighter parking configuration of this west car and a related easier entrance for the east car.

The east neighbor's existing garage has been correctly located on the new site plans and we have found a 3'-1" distance from the shared property line and a 3'-9" distance from the rear property line. In order to come to an agreement and to only ask for what the neighbors have been granted, we now revise our request to ask for our garage setbacks to be reduced to match those of this neighbor's.

1. Practical Difficulty or Hardship

If the Zoning Ordinance was strictly applied, the entrance into this new garage would be hazardous to both the car entering the garage and the southeast corner of residence.

2. Unique Physical Condition

The lot width of 50' along with the lot depth of 124.07' and the location and size of the existing home combine to create a situation where locating a garage within the zoning setbacks is not practically feasible.

3. Special Privilege

We are not asking for any special privilege and only ask that entrance to this garage be safe for everyday use. Any lot of this size with a home located as ours is would have similar concerns and requests.

4. Code purposes

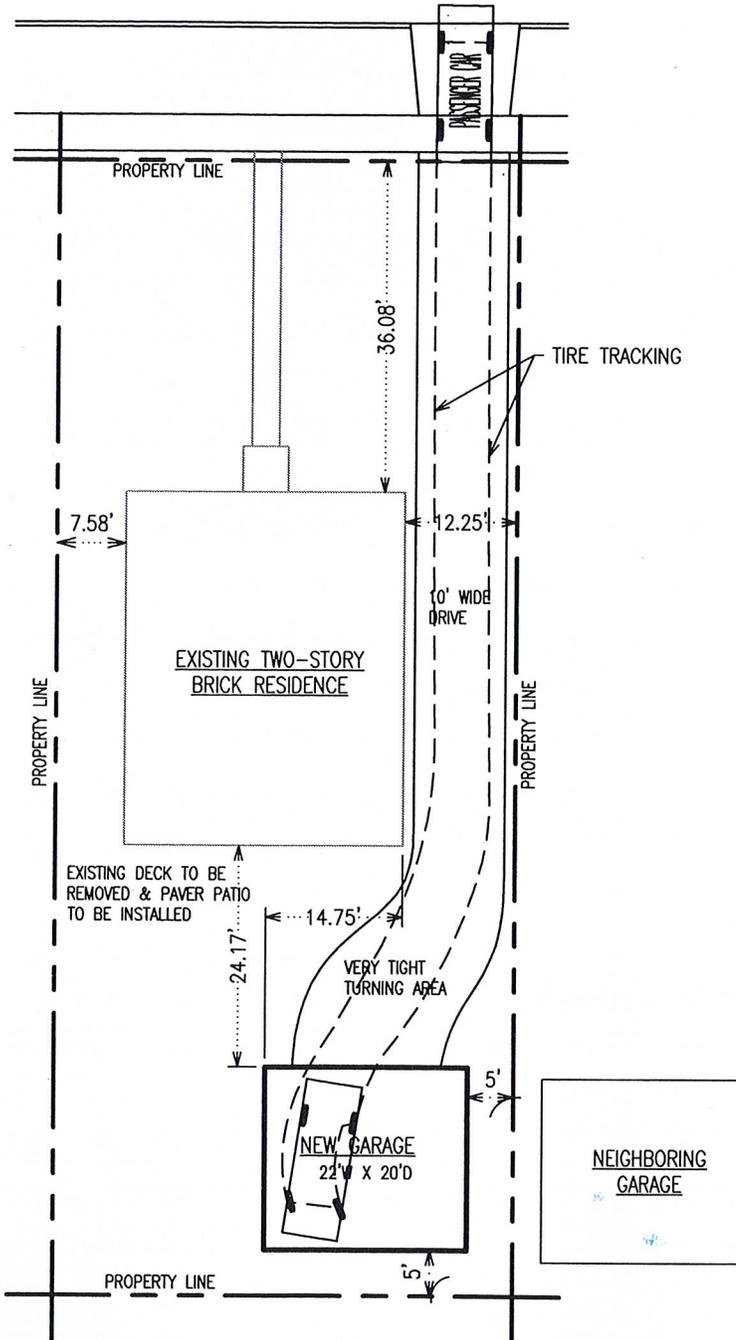
We believe the intent of the code is to prevent garages from creating an imposing presence for neighboring lots. In this case, our garage will be directly adjacent to the neighbor's garage, presenting no real effect on the use of their back yard.

5. Public Health and Safety

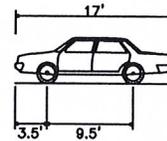
If this variance is allowed, public health and safety will not be negatively affected. In fact potential safety issues will be avoided. The supply of light and air to adjacent properties will not be negatively affected. Traffic congestion will not be affected. Fire hazards will not be increased. Property values in the immediate area will not be affected. Public comfort, morals, and welfare will not be affected.

EXHIBIT 1

CENTER AVENUE



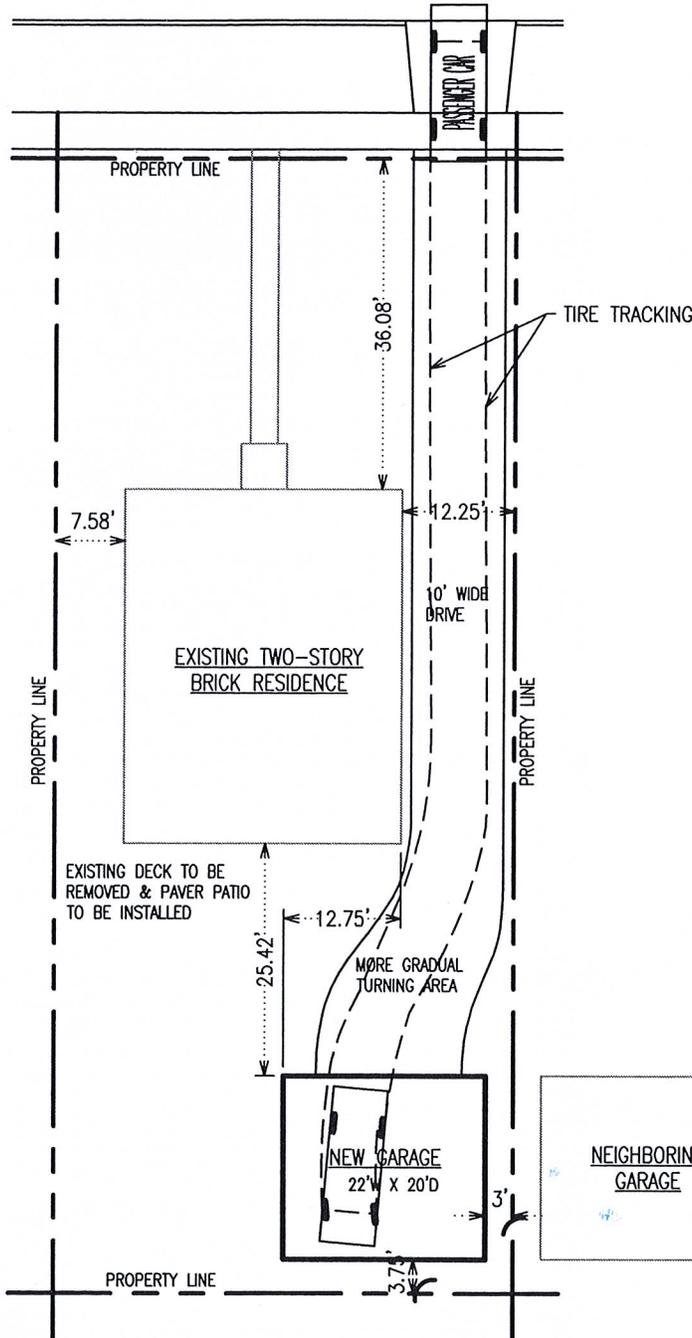
SCALE: 1"=20'



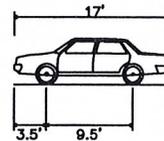
Passenger Car	
Overall Length	17.00'
Overall Width	6.00'
Overall Body Height	5.05'
Min Body Ground Clearance	0.99'
Track Width	6.00'
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	24.00'

EXHIBIT 2

CENTER AVENUE



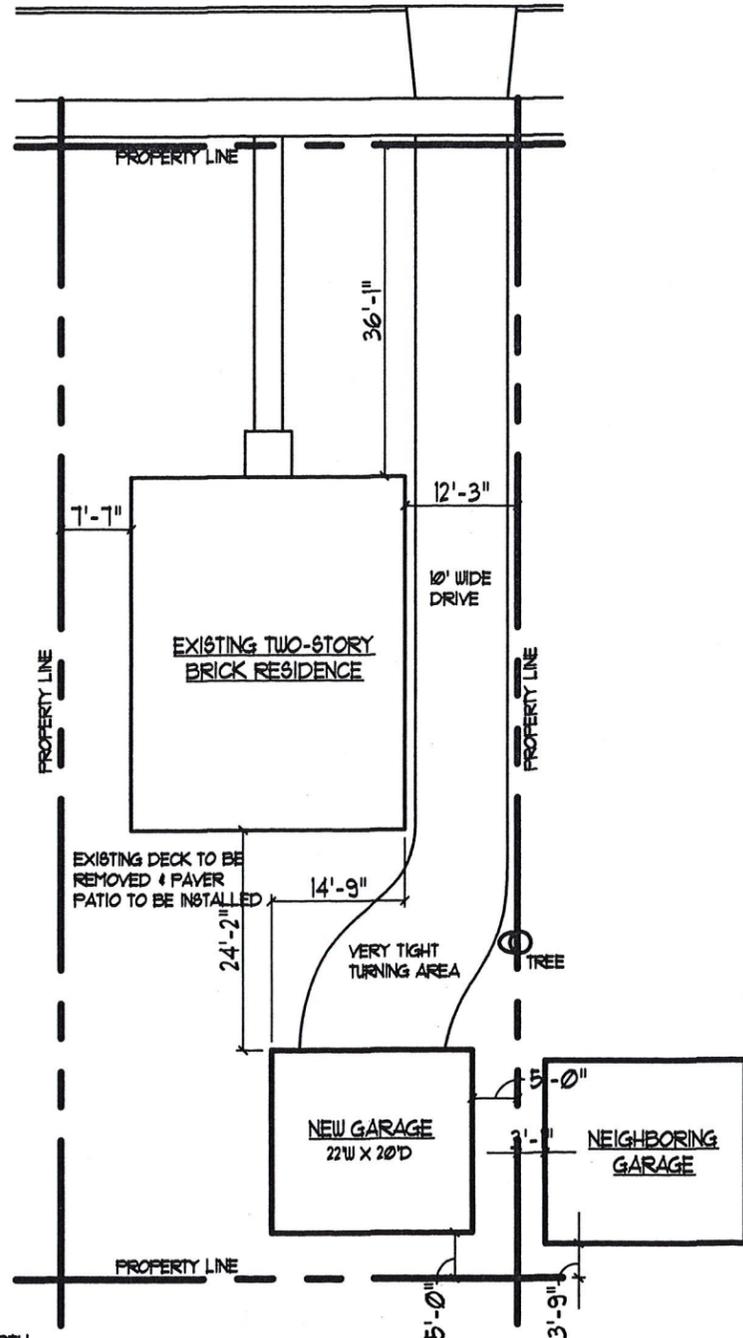
SCALE: 1"=20'



Passenger Car	
Overall Length	17.00'
Overall Width	6.00'
Overall Body Height	5.05'
Min Body Ground Clearance	0.99'
Track Width	6.00'
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	24.00'

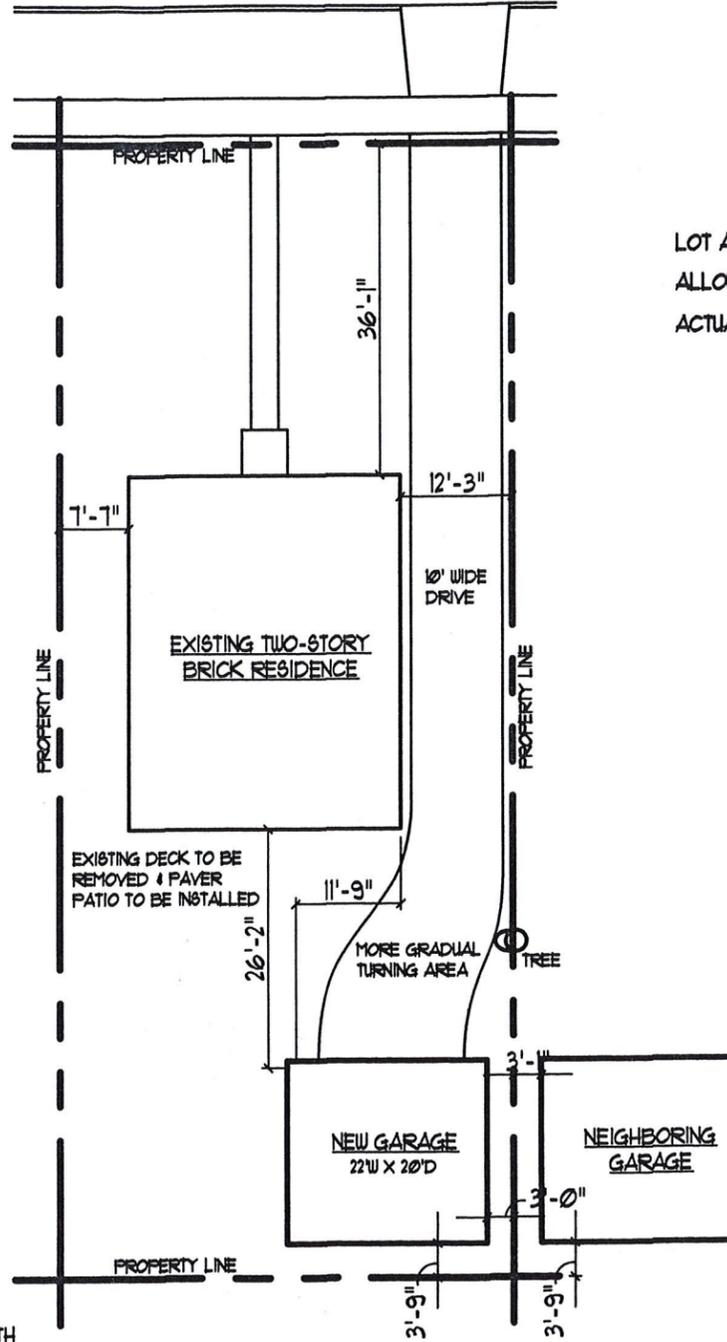


CENTER AVENUE



PROPOSED SITE PLAN #1
SCALE: 1"=20'-0"
DATE: 8/1/16

CENTER AVENUE



PROPOSED SITE PLAN #2
SCALE: 1"=20'-0"
DATE: 8/1/16

LOT AREA: 6,201 SF.
 ALLOWED IMPERVIOUS AREA: 6,201 SF. X 60 = 3,721 SF.
 ACTUAL IMPERVIOUS AREA:
 EXISTING HOME: 1,171 SF.
 DRIVEWAY: 1,072 SF.
 FRONT WALK & STOOP: 118 SF.
 PATIO & STOOPS: 314 SF.
 GARAGE: 440 SF.
 TOTAL: 3,115 SF.

ARCHITECTURAL SERVICES



1102 WILSHIRE LANE
 PHOENIX 647-568-8025
 60046
 LAKE VILLA, ILLINOIS

VARIANCE REQUEST
 TUNNEY/HENNES
 311 CENTER STREET
 LAKE BLUFF, ILLINOIS

SITE PLAN #1 & SITE PLAN #2

SCALE: 1"=20'-0"

NO.	REVISION DESCRIPTION	INITIAL	DATE

DATE: 8/1/16

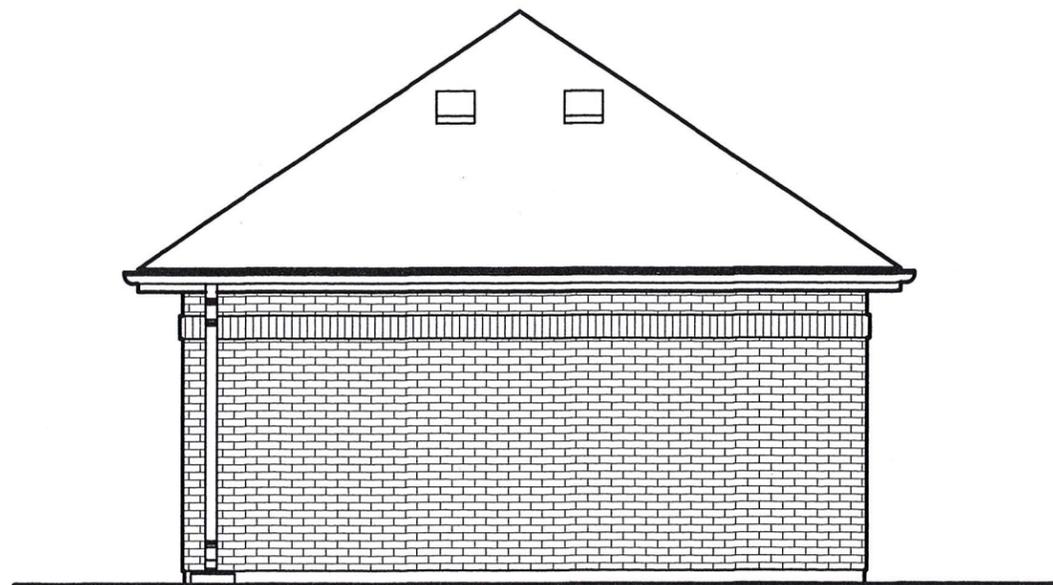
DRAWN: NUG

CHECKED: NUG

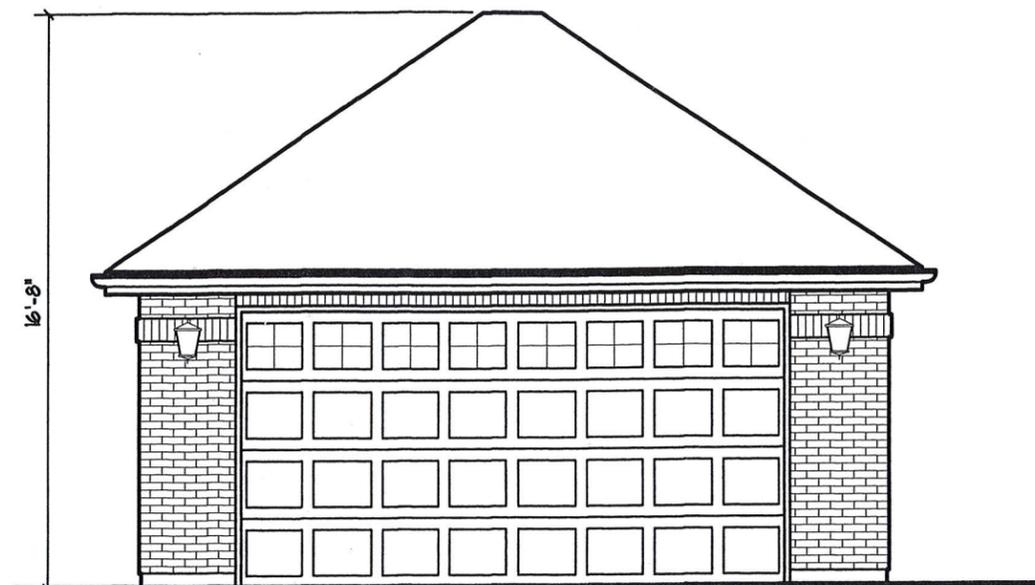
1601
 PROJ. NO.:

S-1

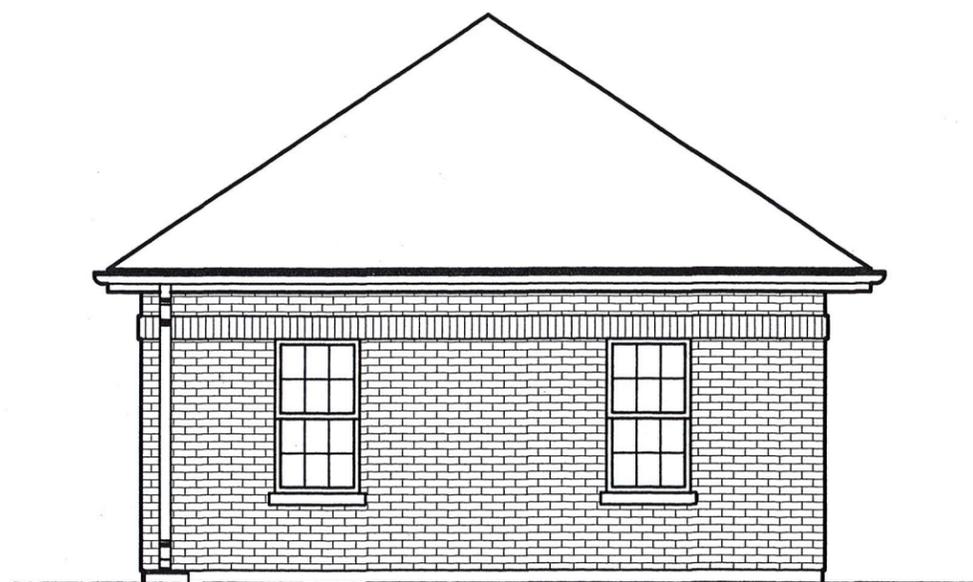
SHEET NO.:



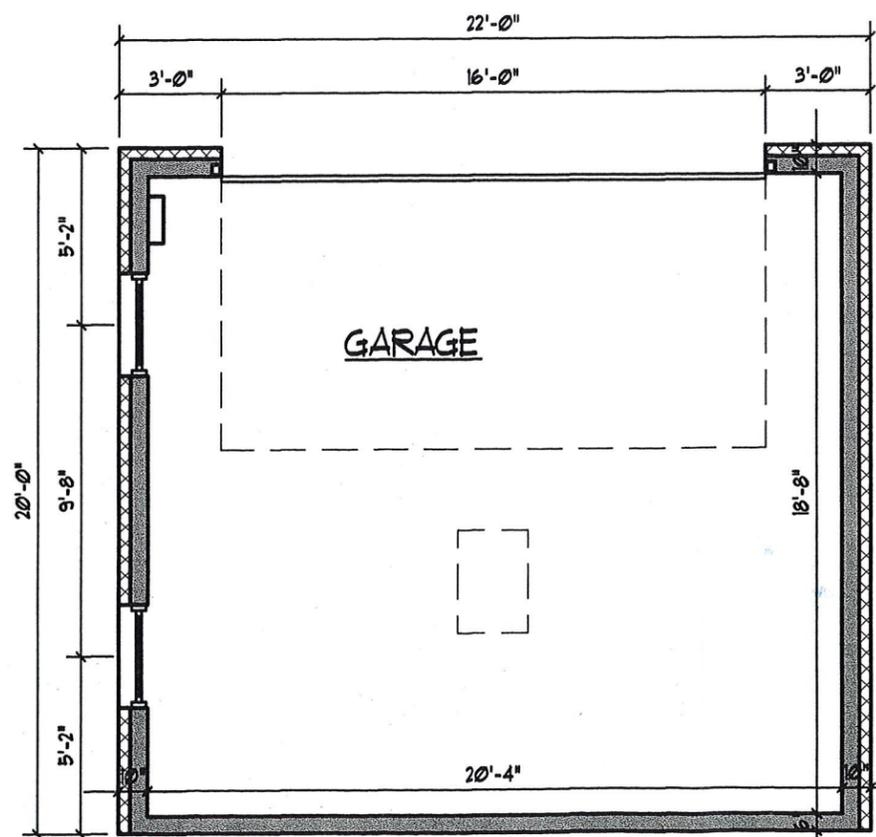
PROPOSED GARAGE EAST ELEV.



PROPOSED GARAGE FRONT ELEV.



PROPOSED GARAGE WEST ELEV.



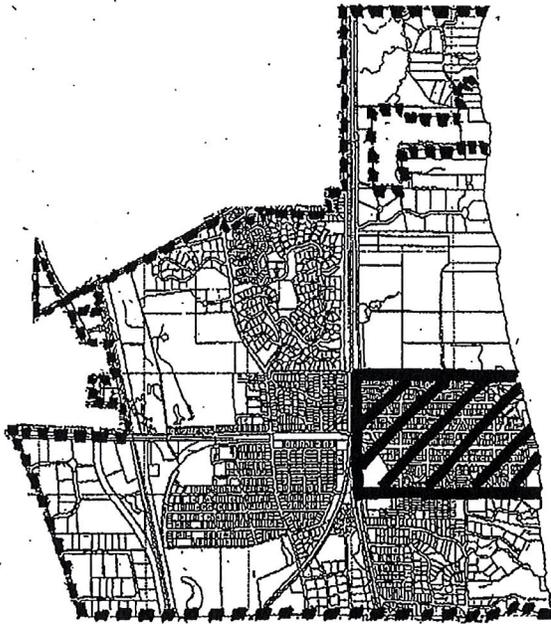
PROPOSED GARAGE PLAN

NO.	REVISION DESCRIPTION	INITIAL	DATE

DATE: 6/22/16
 DRAWN: N/G
 CHECKED: N/G
 PROJ. NO.: 1601

Objectives - Land Use Area 2

- LU2. A) Promote orderly redevelopment of the Central Business District.
- B) Preserve the unique residential character of the area.
- C) Encourage rehabilitation and control redevelopment of property in an orderly manner compatible with neighboring properties.



East of Sheridan Road, north of East Sheridan Place and Ravine Avenue and south of Blodgett Avenue.

Policies - Land Use Area 2

- LU2-1. Pursue a comprehensive review of the Central Business District as a Special Study Area. The future land use map outlines the proposed area. A moratorium on changes in use, or significant alterations to existing structures and/or uses, should be considered as part of a Special Study of the Central Business District. The Study should be completed within one year of the adoption of the Plan. See "Economic Development" for a map of the study area. See policies ED1-1 and H3-2.
- LU2-2. Maintain the existing zoning classifications for the area considering the following special features:
 - a) Develop an ordinance regulating development of properties near or in ravines. See policy PO3-2.
 - b) Inventory and then vacate and dispose of surplus public alleys.
 - c) Consider an ordinance pertaining to architectural preservation/conservation or a historic district designation.
- LU2-3. Review the creation of, and subsequent rezoning to, a public use zoning classification where appropriate.
- LU2-4. Retain, and expand as possible, the open space buffer areas along Sheridan Road, outside of the Central Business District.
- LU2-5. As a general policy, retain existing public rights-of-way throughout the Village. Inventory and categorize existing Village rights-of-way. Develop a process, standards and criteria for identifying rights-of-way which, if vacated, sold or otherwise disposed of, would not adversely impact the character of the Village.

Brandon Stanick

From: lynn twitty <lynn.twitty5477@gmail.com>
Sent: Wednesday, August 10, 2016 9:27 AM
To: Brandon Stanick
Subject: Re: Emailing: 311 E Center Avenue.pdf

Thank you Brandon. I will contact them and tell them I'm ok with this proposal. Lynn

On Aug 9, 2016 12:48 PM, "Brandon Stanick" <bstanick@lakebluff.org> wrote:
Lynn,

Please see attached.

Feel free to contact me with questions.

Brando Stanick
[847-283-6889](tel:847-283-6889)

Your message is ready to be sent with the following file or link attachments:

311 E Center Avenue.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Brandon Stanick

From: Jeff Hansen
Sent: Tuesday, August 09, 2016 5:31 PM
To: Brandon Stanick
Subject: garage variation language

Brandon,

For the garage setback turning question:

I reviewed the applicant's drawings of the proposed garage and read through their claim that meeting the 5' setback would make it difficult to maneuver a car into the eastern stall of the proposed garage and generally agree with their conclusions. If the setback were reduced to 3' it would be easier to park a garage in the eastern stall. It would also allow the owners to keep their vehicles further from the corner of their home and lessen the risk of hitting the corner of the home while backing out of the garage.

Jeff Hansen, P.E.
Village Engineer
Village of Lake Bluff
40 East Center Avenue
Lake Bluff, Illinois 60044
P 847.283.6884
F 847.234.7254
C 224.588.7808
Email jhansen@lakebluff.org

LAKE BLUFF

**NORTH SHORE LIFE
LAKE BLUFF STYLE**

ORDINANCE NO. 2013-19

**AN ORDINANCE GRANTING VARIATIONS
FROM THE VILLAGE'S REAR YARD SETBACK, SIDE YARD SETBACK, AND
MAXIMUM GROSS FLOOR AREA REGULATIONS**

(313 East Center)

Passed by the Board of Trustees, August 26, 2013

Printed and Published, August 27, 2013

Printed and Published in Pamphlet Form
by Authority of the
President and Board of Trustees

VILLAGE OF LAKE BLUFF
LAKE COUNTY, ILLINOIS

I hereby certify that this document
was properly published on the date
stated above.

Barbara Ankenman
Village Clerk

ORDINANCE NO. 2013-19

AN ORDINANCE GRANTING VARIATIONS
FROM THE VILLAGE'S REAR YARD SETBACK, SIDE YARD SETBACK, AND
MAXIMUM GROSS FLOOR AREA REGULATIONS

(313 East Center)

WHEREAS, Todd & Sara Helfrich (collectively, "**Applicant**") are the owners of the property located in the Village's R-4 "B" Residence District ("**R-4 District**") at 313 East Center, Lake Bluff, Illinois, which is legally described on **Exhibit A** attached hereto ("**Property**"); and,

WHEREAS, the Applicant submitted an application attached hereto as Exhibit B (collectively, "**Application**"), requesting variations from: (1) the minimum rear lot line setback requirements of Section 10-5-9C of the Zoning Regulations; (2) the minimum interior side lot line setback requirements of Section 10-5-9C of the Zoning Regulations, and (3) the maximum gross floor area requirements of Section 10-5-6A of the Zoning Regulations to replace the existing garage on the Property with a new garage (collectively, the "**Variations**"); and,

WHEREAS, on August 21, 2013, the Village's Joint Plan Commission and Zoning Board of Appeals ("**PCZBA**") conducted a duly-noticed public hearing to consider the Variations; and,

WHEREAS, the President and Board of Trustees has determined that it would be in the best interest of the Village to grant the Variations in accordance with, and subject to, the conditions, restrictions, and provisions of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals.

The foregoing recitals are incorporated into this Ordinance as the findings of the President and Board of Trustees.

Section 2. Public Hearing.

A public hearing to consider the Applicant's request for the Variations was duly advertised on or before August 6, 2013, in *The News-Sun*, and was held by the PCZBA on August 21, 2013, on which date the PCZBA recommended approval of the requested Variations.

Section 3. Grant of Variations.

Pursuant to the standards and procedures set forth in Section 10-2-4 of the Lake Bluff Zoning Regulations and subject to and contingent upon the conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, the following variations are hereby granted to permit the replacement of the existing garage on the Property with a new garage as depicted in the Application:

- A two foot (40%) variation from the accessory structure rear lot line setback requirements of Section 10-5-9C of the Zoning Regulations to permit the Property to have a rear lot line setback of three feet;
- A two foot (40%) variation from the accessory structure interior side lot line setback requirements of Section 10-5-9C of the Zoning Regulations to permit the Property to have an interior lot line setback of three feet; and
- An 886.4 square foot (35.7%) variation from the maximum gross floor area requirements of Section 10-5-6A of the Zoning Regulations to permit the property to have a maximum gross floor area of 3,366.4 square feet.

Section 4. Conditions of Approval.

The findings in Section 1 and the Variations granted in Section 3 of this Ordinance are hereby expressly subject to and contingent upon each of the conditions set forth in this Section.

A. Compliance with Application. The Property and all operations conducted thereon must be developed, used, maintained, and located in substantial compliance with the provisions set forth in Section 3 of this Ordinance and the Application attached to this Ordinance as *Exhibit B*.

B. Compliance with Applicable Law. In addition to the other specific requirements of this Ordinance, the Property and all operations conducted thereon must comply at all times with all applicable federal, state, and Village statutes, ordinances, resolutions, rules, codes, and regulations, including building, electrical, and fire prevention codes.

Section 5. Failure to Comply with Conditions.

Upon failure or refusal of the Applicant, or any of its officers, employees, or agents, to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, the variation granted in this Ordinance will, at the sole discretion of the Village Board of Trustees, by ordinance duly adopted, be revoked and become null and void.

Section 6. Binding Effect; Non-Transferability.

The privileges, obligations, and provisions of each and every Section of this Ordinance are for and will inure to the benefit of and run with and bind the Property, unless otherwise explicitly set forth in this Ordinance.

Section 7. No Third Party Beneficiaries.

Nothing in this Ordinance creates, or will be construed or interpreted to create, any third party beneficiary rights.

Section 8. Effective Date.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

- i. Passage by the Board of Trustees of the Village of Lake Bluff in the manner required by law;
- ii. Printing and publication of this Ordinance in the manner required by law; and
- iii. The filing by the Applicant with the Village Clerk, for recording in the Office of the Lake County Recorder of Deeds, of an unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance. The unconditional agreement and consent must be executed by the Applicant. The unconditional agreement and consent must be substantially in the form attached hereto and incorporated herein as **Exhibit C**.

B. In the event that the Applicant does not file with the Village Clerk the unconditional agreement and consent required by Paragraph 8.A(iii) of this Ordinance within 60 days after the date of final passage of this Ordinance, the Village Board of Trustees will have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect.

PASSED this 26th day of August, 2013, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

AYES: (6) Christensen, Dewart, Grenier, Josephitis, Meyer and Rener

NAYS: (0)

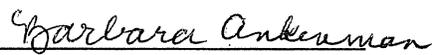
ABSENT: (0)

APPROVED this 26th day of August, 2013.



Village President

ATTEST:



Village Clerk

FIRST READING: August 26, 2013

SECOND READING: Waived

PASSED: August 26, 2013

APPROVED: August 26, 2013

PUBLISHED IN PAMPHLET FORM: August 27, 2013

Exhibit A

Legal Description of the Subject Property

Parcel 1: Lot 16 and 17 in Block 4 in the original Plat of the Village of Lake Bluff, according to the plat thereof recorded March 5, 1877 as document 16918, in Book "A" of plats, page 95, in Lake County Illinois

Parcel 2: That part of a 20-foot strip of land lying north and adjoining Parcel 1 as vacated by ordinance recorded September 1, 1928 as document 323801, in Lake County Illinois

PIN # 12-21-121-003

Commonly known as 313 East Center, Lake Bluff, Illinois

Exhibit B

Zoning Application and Related Documents

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kaltsas and Members of the Joint Plan Commission & Zoning Board of Appeals
FROM: Brandon J. Stanick, Assistant to the Village Administrator
DATE: August 16, 2013
SUBJECT: Agenda Item #4 – 313 E. Center Avenue Request for Zoning Variations

Applicant Information:	Todd & Sarah Helfrich (Petitioners/Owners)
Location:	313 E. Center Avenue
Requested Action:	Request for variations from the accessory structure rear lot line setback requirements, the accessory structure interior side lot line setback requirements, and the maximum gross floor area regulations to allow the construction of a detached garage in the rear yard.
Public Notice:	<i>Lake County News Sun</i> – August 6, 2013
Existing Zoning:	B Residence District (R-4)
Purpose:	Demolition of existing one car old detached garage located in rear yard and construction of a new detached two car garage located in the rear yard.
Lot Area:	6,200 sq ft.
Existing Land Use:	Single-family residential
Surrounding Land Use:	North: Single-family residential East: Single-family residential South: Single-family residential West: Single-family residential
Comprehensive Plan Land Use Objectives:	<ul style="list-style-type: none">• Preserve unique residential character of area; and• Encourage rehabilitation & control redevelopment of property in an orderly manner compatible with neighboring properties.
Zoning History:	<ul style="list-style-type: none">• ZBA Resolution #2003-03 (allows an increase of 547 sq. ft. in gross floor area to allow for addition)

Applicable Land Use Regulations:

- Minimum accessory building side yard setback
 - Minimum accessory building rear yard setback
 - Maximum floor area coverage
-

Background Summary

On July 25, 2013 the Village received a zoning application (Attachment A) from Mr. and Mrs. Todd and Sarah Helfrich (Petitioners) to allow for the removal of an existing old detached one car garage and construction of a new detached two car garage, 440 sq. ft. in size, to be located in the rear yard of the property known as 313 E. Center Avenue. The zoning relief being sought by the Petitioners includes variations from the: (i) minimum accessory building rear lot line setback regulations; (ii) minimum accessory building interior side lot line setback regulations; and (iii) maximum floor area regulations.

The property known as 313 E. Center Avenue is 50-feet in width and 124-feet in depth for a total lot area of 6,200 square feet. For a lot of this size the Zoning Code (Code) permits a total floor area of 2,480 square feet. In 2003, the then Zoning Board of Appeals (ZBA) approved a 547 square foot floor area variation to the previous owners of the subject residence (not the current owners). Please see "Attachment B" which is the approved minutes of the ZBA meeting of November 19, 2003, at which the 313 E. Center Avenue property was reviewed. The variation granted in 2003 allowed for the construction of a one story addition across the rear of the house and modifications to the front of the residence which resulted in improvements on the property totaling 3,027 square feet. As previously indicated this was a floor area variation of 547 square feet (3,027 – 2,480) or 22%. Please see "Attachment C" which is the site plan of the property as it exists today and reflects the footprint of the project that was approved in 2003.

The total floor area calculated for the project in 2003 included 285.4 square feet for the existing rear yard garage. The existing garage is located only 2.2 feet off the rear property line in lieu of the required minimum of 5-feet. Because the garage was non-conforming it did not qualify for the bonus provision allowed by the Code for rear yard detached garages, which allows up to the first 440 square feet of conforming rear yard detached garages to not be included in the floor area calculation.

The total floor area calculation for the project in 2003 also included an additional 265 square feet of first floor square footage above the actual square footage of the first floor because the first floor of the residence was slighter higher than 4-feet above grade. In 2003 the Code provided that additional square footage must be calculated and included in the total floor area calculation for residences with any portion of the first floor higher than 3-feet above grade (the more the first floor of the residence extended higher than 3-feet above grade, the more square footage was added to the overall calculation.)

As the 2003 Zoning Board minutes indicate, because of the circumstances associated with the garage square footage (285.4 square feet) and the additional first floor square footage (265 square feet) being included in the total floor area calculation resulting in an additional 550.4 square feet (285.4 + 265 = 550.4), the variation request of 547 square feet was approved.

Zoning Analysis of Current Proposed Project

As previously indicated, the current owners of 313 E. Center Avenue are now proposing to remove the old wooden frame detached one car garage (circa 1925) and construct a new two car detached garage in same rear southwesterly corner of the property. Because of space constraints in the rear yard (available distance between the rear wall of the residence and the rear lot line), which will make vehicular access to easterly garage by very difficult, the owners are requesting permission to locate the new garage 3-feet off of the rear property line and 3-feet off of the westerly side yard property line. A minimum 5-foot setback off both the rear and side lot lines is required by the Code. In addition to the new garage the applicants are proposing to reorient the rear landing and stairs off the back of their existing residence in order to provide some additional clearance for a vehicle utilizing the easterly bay of the proposed garage. Please refer to the proposed site plan included as "Attachment D", which shows the location of the proposed new garage and re-oriented rear landing and stairs. No other structure modifications are proposed.

It is noted that the front wall of the residence is located approximately 36.5 feet back from the front property line in lieu of the minimum 20-foot front yard setback required by Code. The larger front yard actual setback does limit the distance between the rear wall of the home and rear property line to slightly more than 42 feet.

The new garage is proposed to have a ridge line of 12.5 feet above grade (in lieu of the permitted 17-foot of maximum height) to mitigate the impacts of the locating the garage closer to the property lines.

Village Staff has conducted the required zoning analysis and confirms the proposed plans are in compliance with the Zoning Code with the exception that the variations are needed from the maximum floor area regulations and the rear and side yard minimum setback regulations for the proposed detached two car garage (accessory structure).

The summary of the zoning analysis is as follows:

- Maximum Building Coverage Allowed: 1,860 Square Feet
Building Coverage Proposed: 1,855.9 Square Feet (Complies)
- Impervious Surface Coverage Allowed: 3,720 Square Feet
Impervious Surface Coverage Proposed: 3,330 Square Feet (Complies)
- Minimum Accessory Structure Setback Required off Rear Lot Line: **5.0 Feet**
Proposed Accessory Structure Setback off Rear Lot Line: **3.0 Feet**
Does Not Comply – Variation Required from Section 10-5-9:C
A 2-foot Variation is required (5 feet – 3 feet = 2 feet)
2-feet is a 40% Variation (2 feet / 5 feet = 40%)

Summary of zoning analysis (continued)

- Maximum Floor Area Allowed: **2,480 Square Feet**
Proposed Floor Area: **3,366.4 Square Feet**
Does Not Comply – Variation Required from Section 10-5-6, Floor Area Ratio
An 886.4 Square Foot Floor Area Variation is required ($3,366.4 - 2,480 = 886.4$ Square Feet)
886.4 Square Feet is a 35.7% Variation ($886.4 / 2,480 = 35.7\%$)
- Minimum Accessory Structure Setback Required off Interior Side Lot Line: **5.0 Feet**
Proposed Accessory Structure Setback off Interior Side Lot Line: **3.0 Feet**
Does Not Comply – Variation Required from Section 10-5-9:C
A 2-foot Variation is required ($5 \text{ feet} - 3 \text{ feet} = 2 \text{ feet}$)
2-foot is a 40% Variation ($2 \text{ feet} / 5 \text{ feet} = 40\%$)

It is noted that of the 3,366.4 square feet of calculated total floor area, the following is included:

- 440 square feet for the proposed two car garage – This project does not receive the detached rear yard garage bonus because the garage is proposed to be non-conforming (too close to the lot lines).
- 437.6 square feet of additional floor area because the 1st floor of the rear addition constructed in 2003/2004 is higher than 3-feet above grade. Therefore the first floor footprint of the rear addition is counted twice. Code amendments adopted in 2005 changed the method for calculating 1st floor areas. 1st floor areas for portions of homes constructed before 1950 do not require the calculation of any additional square footage if the first floor is less than 5-feet above grade. However the 1st floor area must be counted twice if the 1st floor is more than 3-feet above grade and constructed after 1950.
- 48 square feet of additional floor area is included for the rear landing and steps to the rear landing because the rear landing is higher than 30-inches above grade. The Code allows for rear stoops and decks less than 30-inches in height above grade to not be included in the floor area if less than 3.5% of the lot area.

Therefore, 925.6 square feet ($440 + 437.6 + 48 = 925.6$ square feet) of the total calculated floor area for the proposed project at 313 E. Center Avenue is due to 100% of the detached garage floor area being counted (no bonus received); the height of the 1st floor rear addition, resulting in that floor area being counted twice; and the height of the rear landing attached to the addition (no bonus received).

The Petitioners have provided statements addressing the standards for variation in the attached application. The PCZBA should consider if the Petitioner's statements and submitted materials satisfy the established standards for variation.

PCZBA Authority

The PCZBA has the authority to:

- Recommend the Village Board grant or deny the Petitioners' request for a 2 foot, or 40% variation from the accessory structure minimum rear lot line setback requirements, Section 10-5-9:C; and
- Recommend the Village Board grant or deny the Petitioners' request for a 2 foot, or 40% variation from the accessory structure minimum interior side lot line setback requirements, Section 10-5-9C; and
- Recommend the Village Board grant or deny the Petitioner's request for an 886.4 square foot variation from the Floor Area Ratio requirements, Section 10-5-6.

Recommendation

Following the public hearing to consider the requested variations, the PCZBA should take one of the following actions:

- If more information is required, continue the public hearing to a date certain to allow the Petitioners to provide additional information; or
- If more information is not required, vote to recommend the Village Board grant or deny the three requested variations as outlined above.

Attachments

- Copy of the Petitioners' zoning application and related material (Attachment A)
- Applicable Portion of Approved ZBA Minutes from November 19,2003 (Attachment B)
- Existing Site Plan for 313 E. Center Avenue (Attachment C)
- Proposed Site Plan for 313 E. Center Avenue (Attachment D)

If you should have any questions concerning the information provided in this memorandum please feel free to contact me at 847-283-6889.

FEE PAID:
 RECEIPT NUMBER:

DATE RECEIVED
 BY VILLAGE:

VILLAGE OF LAKE BLUFF
APPLICATION FOR ZONING VARIATION, SPECIAL USE PERMIT, REZONING, OR PRD

SUBJECT PROPERTY

Address: 313 E. CENTER Zoning District: _____
(Property address for which application is submitted)

Current Use: S.F.R.
(Residential, Commercial, Industrial, Vacant, Etc.)

PIN Number: 12-21-121-003

APPLICANT

Applicant: TODD HELFRICH

Address: 313 E. CENTER
(Address if different than subject property)

Relationship of Applicant to Property: Owner
(Owner, Contract Purchaser, Etc.)

Home Telephone: 847/804-2578 Business Telephone: _____

OWNER

Owner - Title Holder
Name: TODD & SARAH HELFRICH
Address: 313 E. CENTER
Daytime Phone: 847/804-2578

If Joint Ownership
Joint Owner: _____
Address: _____
Daytime Phone: _____

If ownership is other than individual and/or joint ownership, please check appropriate category and provide all additional ownership information as an attachment.

- Corporation Partnership
- Land Trust Trust
- Other: _____

Are all real estate taxes, special assessments and other obligations on the subject property paid in full?

Yes No If No, Explain: _____

ACTION REQUESTED

To provide time for legal notification requirements, any application requiring a Public Hearing before the Zoning Board of Appeals must be received at least 25 days prior to the next meeting date.

- Zoning Variation
- Special Use Permit
- Text Amendment
- Rezoning
- Planned Residential Development
- Other: _____

Applicable Section(s) of Zoning Ordinance, if known: ① 10-5-6 FAR

② 10-5-9 (c) Accessory Bldg Setbacks

Narrative description of request: _____

STANDARDS FOR VARIATIONS AND SPECIAL USE PERMITS

The Zoning Board is required by the Illinois State Statutes to apply the following standards in reviewing requests for Variations and Special Use Permits. The Board may only grant a variation or recommend that the Village Board grant a variation in cases where there are practical difficulties and particular hardships brought about by the strict application of the Zoning Ordinance and not by any persons, presently or formerly, having an interest in the property. The applicant has the burden of establishing each of these standards both in writing and at the Public Hearing. Please attach additional materials if necessary.

STANDARDS FOR VARIATIONS:

1. **Practical Difficulty or Hardship:** Describe the practical difficulty or particular hardship that would result from the strict application of the Zoning Ordinance.

Please see attached

2. **Unique Physical Condition:** Describe the unique characteristics of the lot or structures on the subject property which are exceptional, such as: a) existing unique structures or uses, b) irregular lot shape, size, or location, c) exceptional topographical features, or d) other extraordinary physical conditions.

3. **Special Privilege:** Describe how the request will not simply provide the applicant with a special privilege that other property owners do not enjoy. The request must be for relief from the regulations due to hardship, and not simply to reduce inconvenience or to provide for financial gain.

4. **Code Purposes:** Describe how the request does not violate the intentions of the regulations. The applicant must show that the request does not adversely impact surrounding properties or the general welfare.

5. **Public Health and Safety:** Describe how the request will not: a) adversely impact the supply of light and air to adjacent properties, b) increase traffic congestion, c) increase the hazard of fire, d) endanger public safety, e) diminish the value of property within the surrounding area, or f) impair the public health, safety, comfort, morals, and welfare of the people.

STANDARDS FOR SPECIAL USE PERMITS:

1. **General Standard:** Describe how the proposed use will not adversely impact adjacent properties.

N/A

2. **No Interference with Surrounding Development:** Describe how the proposed use will not hinder or interfere with the development or use of surrounding properties.

N/A

3. **Adequate Public Facilities:** Describe how the proposed use will be served by streets, public utilities, police and fire service, drainage, refuse disposal, parks, libraries and other public services.

N/A

4. No Traffic Congestion: Describe how the proposed use will not cause undue traffic and traffic congestion.

N/A

5. No Destruction of Significant Features: Describe how the proposed use will not destroy or damage natural, scenic or historic features.

N/A

STANDARDS FOR TEXT AMENDMENTS

The wisdom of amending the Village Zoning Map or the text of the Zoning Code is a matter committed to the sound legislative discretion of the Village Board of Trustees and is not dictated by any set standard. In determining whether a proposed amendment will be granted or denied the Board of Trustees may be guided by the principle that its power to amend this title should be exercised in the public good.

TEXT AMENDMENT GUIDING PRINCIPLES:

In considering whether the principle is satisfied in amending the text of the Zoning Code, the Board of trustees may weigh, among other factors, the following:

1. The consistency of the proposed amendment with the purposes of this title:

N/A

2. The community need for the proposed amendment and any uses or development it would allow:

N/A

3. The conformity of the proposed amendment with the village's comprehensive plan and zoning map, or the reasons justifying its lack of conformity:

N/A

APPLICATION MATERIALS

LEGAL DESCRIPTION - MUST BE PROVIDED

Parcel 1: Lot 16 and 17 in Block 4 in the original Plot of the Village of Lake Bluff according to the plat thereof recorded March 5, 1877 as document 16918, in Book "A" of plats, page 95, in Lake County, Illinois.

Parcel 2: That part of a 20 foot strip of land lying north and adjoining Parcel 1 as vacated by ordinance recorded September 1, 1928 as document 323801, in Lake County, Illinois.

Required*

- Plat of survey including legal description.
- Evidence of title to property for which relief is sought or written documentation of contractual lease.
- Scale site plan showing building locations and dimensions.
- Scale site plan showing addition, new construction, modification, etc.
- Schematic drawings showing floor plan, elevations, and exterior mechanical equipment.
- Floor Area Calculation Table (if applicable)
- Other: N/A

Optional

- Landscape Plan
- Photographs of subject property and surrounding properties.
- Testimony from neighbors is strongly encouraged.

*15 copies, no larger than 11x17, must be submitted

SIGNATURES

The undersigned hereby represent, upon all of the penalties of the law, for the purpose of inducing the Village of Lake Bluff to take the action herein requested, that all statements herein and on all related attachments are true and that all work here mentioned will be done in accordance with the ordinances of the Village of Lake Bluff and the laws of the State of Illinois. The owner must sign the application.

Owner Signature: _____ Date: _____

Print Name: _____

Applicant Signature: _____ Date: _____
(if other than owner)

Print Name: _____

**VILLAGE OF LAKE BLUFF
ZONING BOARD OF APPEALS
STANDARDS FOR VARIATIONS**

313 E. Center Road – TODD AND SARAH HELFRICH

1. Practical Difficulty or Hardship: *Describe the practical difficulty or particular hardship that would result from the strict application of the Zoning Ordinance.*

This existing lot currently has a decrepit, 1-car, non-conforming detached garage located in the rear of the property which needs to be replaced. The proposed project seeks to locate a more traditional 2-car garage that will allow the owners to store their vehicles in a protected environment, and off their driveway. Due to the location of the residence on the lot, which is further to the rear than the other homes along this blockface, there is little available space in the rear yard to locate an accessible garage, let alone one that adheres to the require 5.00-foot side and rear yard requirements. By proposing the structure at 3 feet from both property lines the owners will be able to gain access to their garage; something that would be decidedly more problematic if the strict application of the ordinance's setbacks were to be enforced. Additionally, since the garage's location is non-conforming due to the spatial limitations identified above at the rear of the property, the FAR allowance for a garage in the rear quarter of the lot (i.e. a 440.00SF credit towards FAR) cannot be applied. Thus, even with the minimally sized 440.00 SF garage that is proposed, the FAR will be exceeded.

The hardship is related to the location of the original residence and the impact that is having on trying to locate a standard 2-car garage in the rear 25% of the lot.

2. Unique Physical Condition: *Describe the unique characteristics of the lot or structures on the subject property which are exceptional, such as: a) existing unique structures or uses, b) irregular lot shape, size, or location, c) exceptional topographical features, or d) other extraordinary physical conditions.*

The unique conditions associated with this application are related to the existing residence and its location (circa 1925) when personal vehicles did not have the same impact on our way of living as they currently do. There was likely little thought given to locating a practical, 2-car garage when the home was built, which subsequently limits the options of locating this structure in a conforming position. The owners are simply seeking to replace an existing structure with one that is more practical for modern family living.

3. Special Privilege: *Describe how the request will not simply provide the applicant with a special privilege that other property owners do not enjoy. The request must be for relief from the regulations due to hardship, and not simply to reduce inconvenience or to provide for financial gain.*

This request merely seeks to provide what is a standard feature for homes within the Village – the location of a detached garage to store the owner's vehicles. This is not a special privilege, but rather one that will allow this lot to reflect one of the accepted conditions for a single family lot. The hardship, as evidenced above, is the essential aspect of this request; and this request is not simply being made to reduce an inconvenience on the property or to extract additional income from the property.

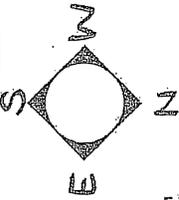
4. Code Purposes: *Describe how the request does not violate the intentions of the regulations. The applicant must show that the request does not adversely impact surrounding properties or the general welfare.*

The intent of the regulations is to allow for the construction of a garage in the rear ¼ of property so as to keep vehicles both off the public way, and hidden from sight. This request will achieve this end, with some small reductions in required yards,

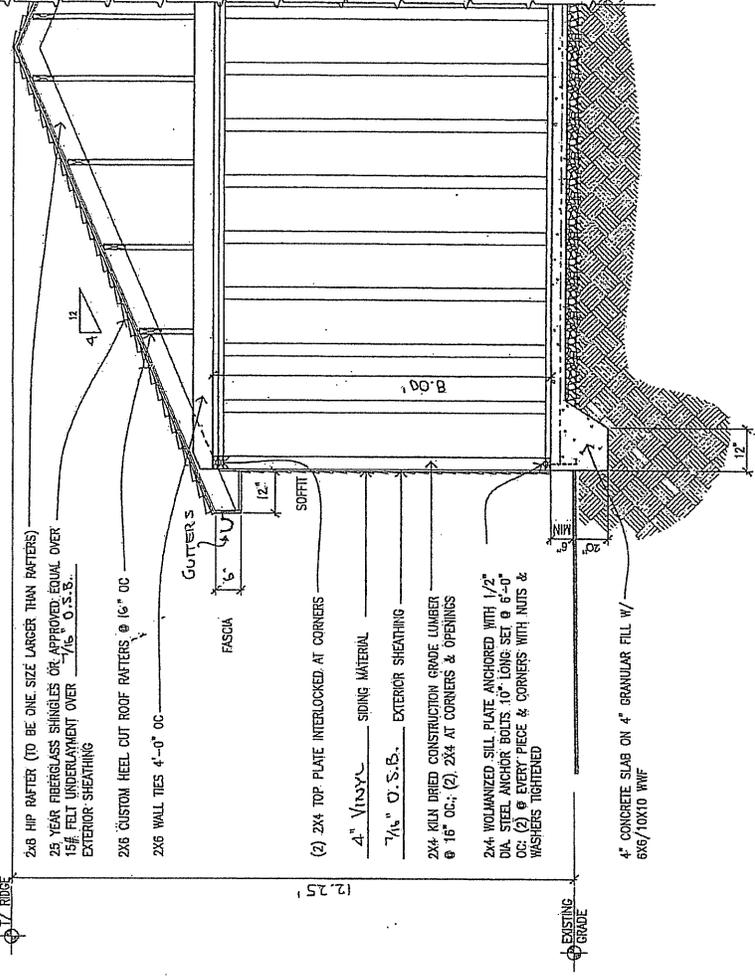
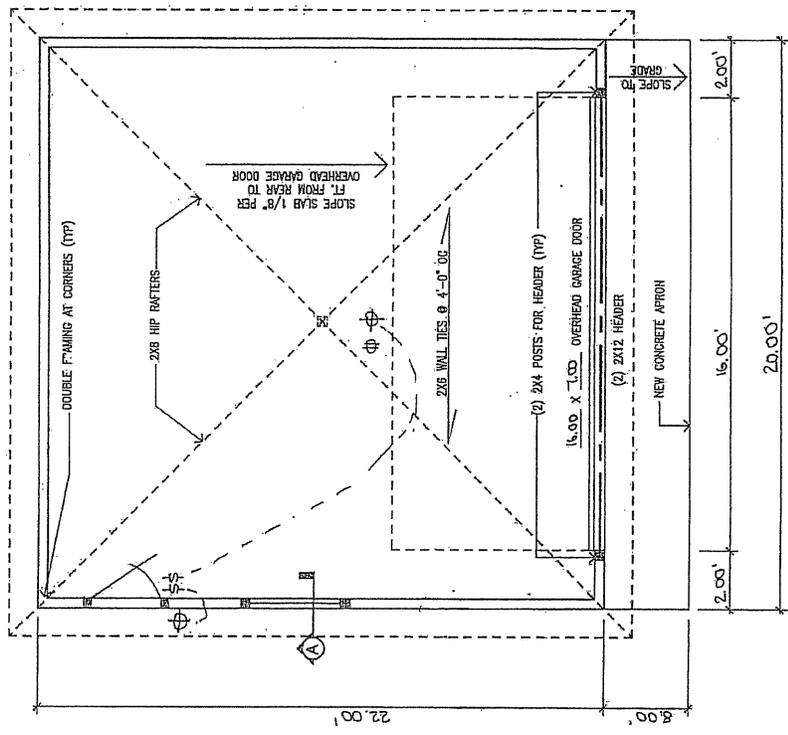
Additionally, the project will reduce an existing non-conforming condition that currently exists – the existing rear yard is only 2.16 feet; bringing it more closely into compliance. Since the proposed garage will replace an existing structure that has stood for many years there will be little impact on the surrounding properties, nor will there be any impact on the general welfare of the neighborhood as a result of this re-construction.

5. Public Health and Safety: *Describe how the request will not: a) adversely impact the supply of light and air to adjacent properties, b) increase traffic congestion, c) increase the hazard of fire, d) endanger public safety, e) diminish the value of property within the surrounding area, or f) impair the public health, safety, comfort, morals, and welfare of the people.*

As the garage is in the rear ¼ of this lot and abuts the rears of the adjacent lots to the south, there will be no detrimental impact on the adjacent properties. Additionally, as a 1-story structure there will be no additional loss of light and air to those properties. This structure will not increase traffic congestion, the hazard of fire or further endanger the public safety. It will also not diminish property values, nor impair the health, safety, comfort or moral of the residents of the village.



ELECTRICAL WORK SHALL COMPLY WITH ALL LOCAL & GOVERNING CODES
 MINIMUM ELECTRICAL REQUIREMENTS FOR GARAGES:
 - 1 EACH SWITCHED ENTRY LIGHT AT SERVICE DOOR
 - 1 EACH SWITCHED INTERIOR LIGHT
 - 1 EACH GFI DUPLEX RECEPTACLE



FLOOR PLAN

BUILDING SECTION

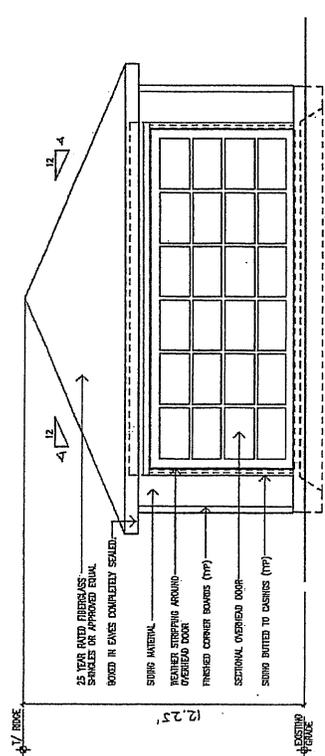


DANLEY'S GARAGE WORLD
 313 CENTER AVE, LAKE BUFF, HELFRICH

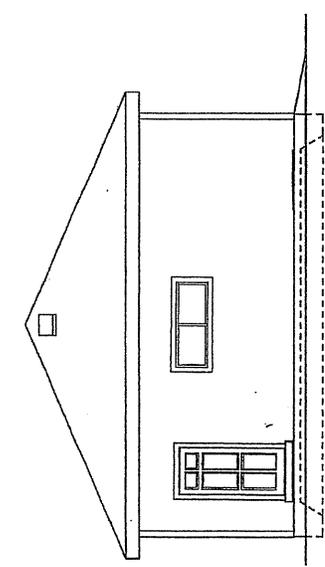
DANLEY'S GARAGE WORLD
 512 ACADEMY DRIVE
 NORTHBROOK, IL 60062
 PHONE: 847 562 7990
 FAX: 847 562 1999

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

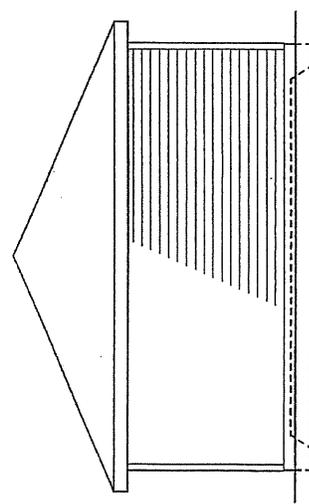
- WINDOW TYPE:**
- FIXED PICTURE JALOUSIE
5'-4" X 2'-0"
 - SLIDING WINDOW WITH SCREEN
5'-4" X 2'-0"
- DOOR TYPE:**
- STEEL DOOR PRIMED
3'-0" X 6'-6"



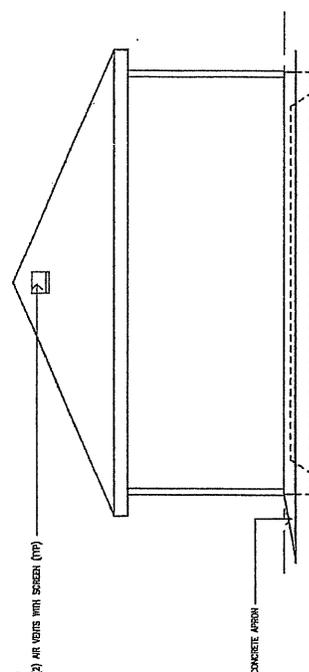
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

NOTE: DRAWINGS ARE NOT TO SCALE.

	DETACHED GARAGE - HIP ROOF 313 CENTER AVE, LAKE BUFF, NEUFRICH	
	THESE PLANS REMAIN THE PROPERTY OF MACH I, INC. AND THEIR REPRODUCTION IS EXPRESSLY FORBIDDEN.	
CONTRACTOR: DANLEY'S GARAGE WORLD 612 ACADEMY DRIVE NORTHBROOK, IL 60062 PHONE: 847.562.9300 FAX: 847.562.1939		
SHEET NAME: ELEVATIONS		SHEET NUMBER: 2 OF 2

VILLAGE OF LAKE BLUFF
Zoning Board of Appeals
Regular Meeting
November 19, 2003

APPROVED MINUTES

SEE PAGES #3 & #4
FOR INFORMATION
ON #313 E. CENTER
AVENUE.

1. Call to Order & Roll Call

The regular meeting of the Zoning Board of Appeals of the Village of Lake Bluff was called to order on Wednesday, November 19, 2003, at 7:07 P.M. in the Village Board Room at the Village Hall.

The following members were present:

Chairperson: Joan Kaltsas

Members: Debbie Chiles

Mary Collins

Mary Francoeur

Christabel Frederick

Doug Nickels

Absent: Gary Peters

Also Present: Julie Tappendorf, Village Attorney

Kristia R.M. Leyendecker, Asst. to the Village Administrator

2. APPROVAL OF THE MINUTES OF THE ZONING BOARD OF APPEALS MEETING OF OCTOBER 22, 2003

Member Chiles moved approval of the minutes of the Zoning Board of Appeals meeting of October 22, 2003. Member Collins seconded the motion. The motion was approved by the following roll call vote:

Ayes: (6) Chiles, Collins, Francoeur, Frederick, Nickels, Kaltsas

3. CONTINUATION OF THE PUBLIC HEARING TO CONSIDER A PARKING VARIATION - 920 NORTH SHORE DRIVE

At the October 22nd meeting, the ZBA continued this matter pending the provision of additional information. The petitioner, Riley Properties LLC, is requesting a variation from the parking requirements to allow parking in the front yard, along North Shore Drive. The parking would be located 40.25 feet from the property line and consist of 9 spaces. The petitioners propose to construct a one-story office building on the vacant lot, of approximately 17,964 square feet. The easterly portion of the proposed building would consist of approximately 4,450 square feet of office space for James Anderson Company, 1,000 square feet of warehouse space for Forest Builders, and 3,550 square feet to be leased for office uses. Pursuant to the L-1 District parking regulations, 13 parking spaces are required for the office uses and one space for the warehouse use. The westerly portion

of the proposed building would consist of approximately 4,200 square feet of office space and 4,800 square feet of warehouse space for Riley Construction. Pursuant to the L-1 District parking regulations, seven spaces are required for the office use and five spaces for the warehouse use. In total, 26 parking spaces are required for the proposed building, and 41 parking spaces have been provided. The proposed building and all other setbacks conform to the L-1 District regulations. The site plan and elevations require approval by the ABR. Chair Kaltsas requested that Mr. Anderson briefly restate their request and review the application.

Member Nickels thanked the petitioner for providing the material but had no questions at that time.

Member Frederick stated this was an improvement over last months' submission; however, she asked for clarification regarding the traffic patterns on the site. Mr. Anderson responded the parking lot, parking spaces and turning radius complied with code.

Member Francoeur had no questions at this time.

Member Collins expressed concern that the front yard consisted entirely of dry detention and a retention wall. The rest of the lot was almost completely paved. She expressed her desire for more green space. In particular, Member Collins wondered why the drive lanes on either side of the building were 20 feet in width. Mr. Anderson responded that 12' was for driveway and the rest for stacked parking along the side of the building.

Asst. to the Village Administrator Leyendecker stated that parking was only allowed in the side yard setback to the rear of the building line. If the petitioner was proposing additional parking along the side of the building, that would require an additional variance. Mr. Anderson stated that they did not realize that and so therefore, would not park along on the building. However, the width was still required for use by semi-trucks.

Member Collins went on to say that she did not see how the hardship standard had been met by this request.

Member Chiles had no questions at this time.

Chair Kaltsas stated she had the same concerns as Member Collins in regards to the amount of impervious surface coverage and lack of green space. Although the ABR does consider landscaping plans, she expressed discomfort with approving variations with such a great deal of impervious surface coverage.

Member Collins then noted that only 26 parking spaces were required by regulation and the petitioner was asking for 41. If the nine spaces in the front yard setback were removed there would still be 32 spaces. Mr.

Anderson responded that his business has 25 employees plus guests. His partners business has 8-10 employees plus guests.

Member Nickels moved to recommend approval of the variation to allow nine parking spaces to be located in the front yard setback, 40.25 feet from the property line. Seconded by Member Frederick. The motion failed on the following roll call vote:

Ayes: (3) Chiles, Frederick, Nickels
Nays: (3) Collins, Francoeur, Kaltsas

5. CONTINUATION OF THE PUBLIC HEARING TO CONSIDER A VARIATION FROM THE SETBACK REQUIREMENTS FOR ACCESSORY STRUCTURES – 517 East Scranton

The petitioner requested that this matter be continued to the December 17th meeting.

Member Chiles moved to continue the petition until the next regularly scheduled meeting. Member Francoeur seconded the motion. The motion passed unanimously on a voice vote.

6. CONTINUATION OF THE PUBLIC HEARING TO CONSIDER A VARIATION FROM THE LOT SIZE REQUIREMENTS – SW Corner of Route 176 and Route 41

The petitioner requested that the matter be continued to the next meeting pending the implementation of a traffic impact analysis.

Member Chiles moved to continue the matter until the next regular meeting. Member Francoeur seconded the motion. The motion passed unanimously on a voice vote.

7. PUBLIC HEARING TO CONSIDER A VARIATION FROM THE MAXIMUM GROSS FLOOR AREA – 417 East Scranton

This matter was withdrawn at the request of the petitioner.

8. PUBLIC HEARING TO CONSIDER A VARIATION FROM THE MAXIMUM GROSS FLOOR AREA – 313 East Center

The petitioners, Martin and Susannah Hill, are seeking a variation from the maximum gross floor area regulations to construct a family room addition to the rear of their existing residence, as well as to construct a master bathroom in lieu of the existing porch. The maximum allowable gross floor area for this property is 2,480 square feet. The petitioners propose to construct a 245 square foot addition to the rear of the structure, a 154 square

←
#313
E. CENTER

foot addition at the front of the residence that will replace the existing porch, and a 55 square foot expansion to the existing basement, increasing the gross floor area from 2,573.42 square feet to 3,027.42 square feet, requiring a 547 square foot, or 22 percent, variation. The gross floor area of the residence includes a portion of the basement as well as a portion of the attic. Because the existing garage is legally nonconforming, as it encroaches into the rear yard setback, it does not qualify for the 440 square foot maximum gross floor area bonus. Mr. Hill was at the meeting to review the application and answer questions.

Member Chiles stated she'd had a difficult time with this request because at first she did not see the hardship. However, based upon the fact that much of the basement is unusable space and that the garage is non-conforming, the hardship becomes apparent. As it is not a huge variation, and the hardships are unique, she would be in favor of the petitioners' request.

Member Collins stated that as the petitioner was being penalized for 268' of basement and 440' of garage, she did not feel the variation was unreasonable.

Member Francoeur wondered if there was another way to reconfigure the first floor in order to utilize the existing space. Mr. Hill responded that the wall where the fireplace is located is a retaining wall. In addition, the house is made of concrete, making it extremely difficult to change the original structure. Member Francoeur stated that considering the alternative would be to tear down the structure, she was in favor of the variation request.

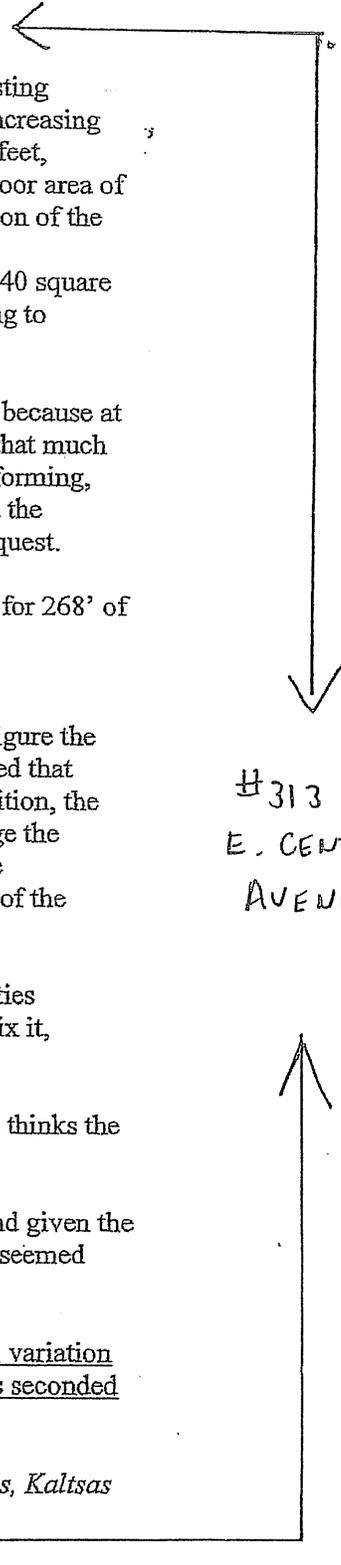
Member Frederick stated that considering the amount of difficulties associated with the structure and the petitioners' willingness to fix it, she feels they have presented a good solution.

Member Nickels expressed agreement with Member Collins and thinks the proposal is very good.

Chair Kaltsas stated that the proposed streetscape is not bulky and given the numbers associated with the basement and garage, the variation seemed reasonable.

Member Frederick moved to approve a 547 square foot, or 22%, variation from the maximum gross floor area regulations. Member Chiles seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Chiles, Collins, Francoeur, Frederick, Nickels, Kaltsas





PLAT OF SURVEY

OF
 PARCEL 1: LOT 16 AND 17 IN BLOCK 4 IN THE ORIGINAL PLAT OF THE VILLAGE OF LAKE BLUFF, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 5, 1877 AS DOCUMENT 16918, IN BOOK "A" OF PLATS, PAGES 55, IN LAKE COUNTY, ILLINOIS.

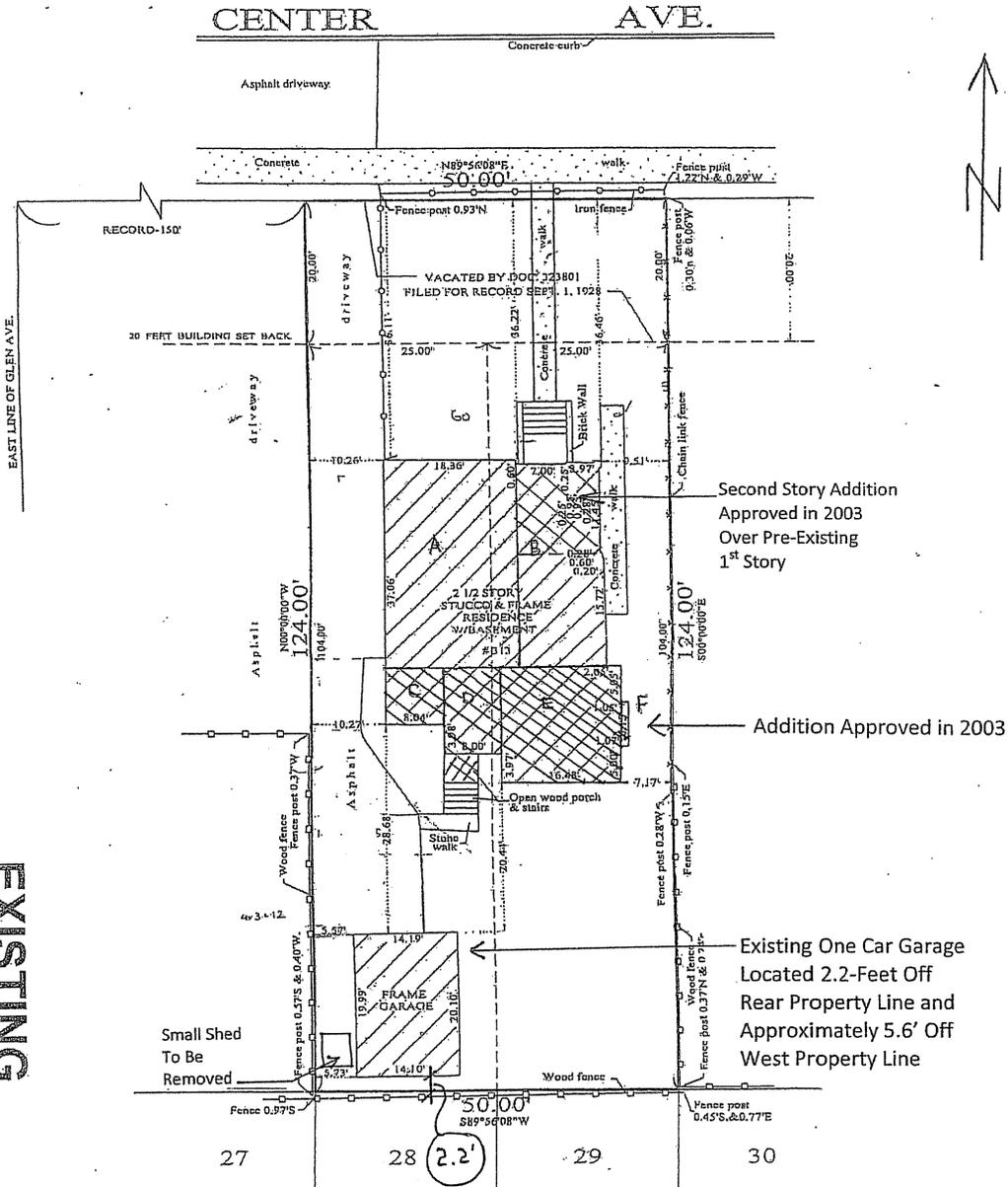
PARCEL 2: THAT PART OF A 20 FOOT STRIP OF LAND LYING NORTH AND ADJOINING PARCEL 1 AS VACATED BY ORDINANCE RECORDED SEPTEMBER 1, 1928 AS DOCUMENT 323801, IN LAKE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 313 EAST CENTER AVENUE, LAKE BLUFF, ILLINOIS.

EXISTING
 SIDE PLAN

ATTACHMENT C

EXISTING SIDE PLAN



EXISTING
 SIDE PLAN

MONUMENTATION OR WITNESS POINTS WERE NOT SET AT THE CLIENT REQUEST, UNLESS OTHERWISE NOTED. HEREON THE BEARING BASIS, ELEVATION DATUM AND COORDINATE DATUM, IF USED IS ASSUMED. I HAVE MADE NO INDEPENDENT SEARCH OF THE RECORDS FOR EASEMENTS, ENCUMBRANCES, OWNERSHIP OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE AS PART OF THIS SURVEY, BUT HAVE RELIED UPON THE INFORMATION SUPPLIED TO ME BY THE OWNER'S REPRESENTATIVE. I ALSO STATE THAT A TITLE COMMITMENT NO. 1409 ST5138591 BNC WAS FURNISHED FOR THIS SURVEY. DIMENSIONS ARE NOT TO BE ASSUMED FOR SCALING.

Order no: 13-4648
 Scale: 1 inch = 10 feet
 Date: May 12, 2013
 Ordered by: SCOTT A. SANDROFF
 ATTORNEY AT LAW

THIS PROFESSIONAL SERVICE CONFIRMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DISTANCES ARE MARKED IN FEET AND DECIMAL PART THEREOF. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT. COMEARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois
 County of Cook ss

We, AP SURVEYING COMPANY, PC, do hereby certify that we have surveyed the above described property and that, to the best of our knowledge the plat hereon drawn is in an accurate representation of said survey.



Hylton E. Donaldson

PROF. LAND SURVEYOR No. 2819
 License Expiration: November 30, 2014.



PLAT OF SURVEY

OF
 PARCEL 1: LOT 16 AND 17 IN BLOCK 4 IN THE ORIGINAL PLAT OF THE VILLAGE OF LAKE BLUFF, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 5, 1877 AS DOCUMENT 16918, IN BOOK "A" OF PLATS, PAGE 95, IN LAKE COUNTY, ILLINOIS.

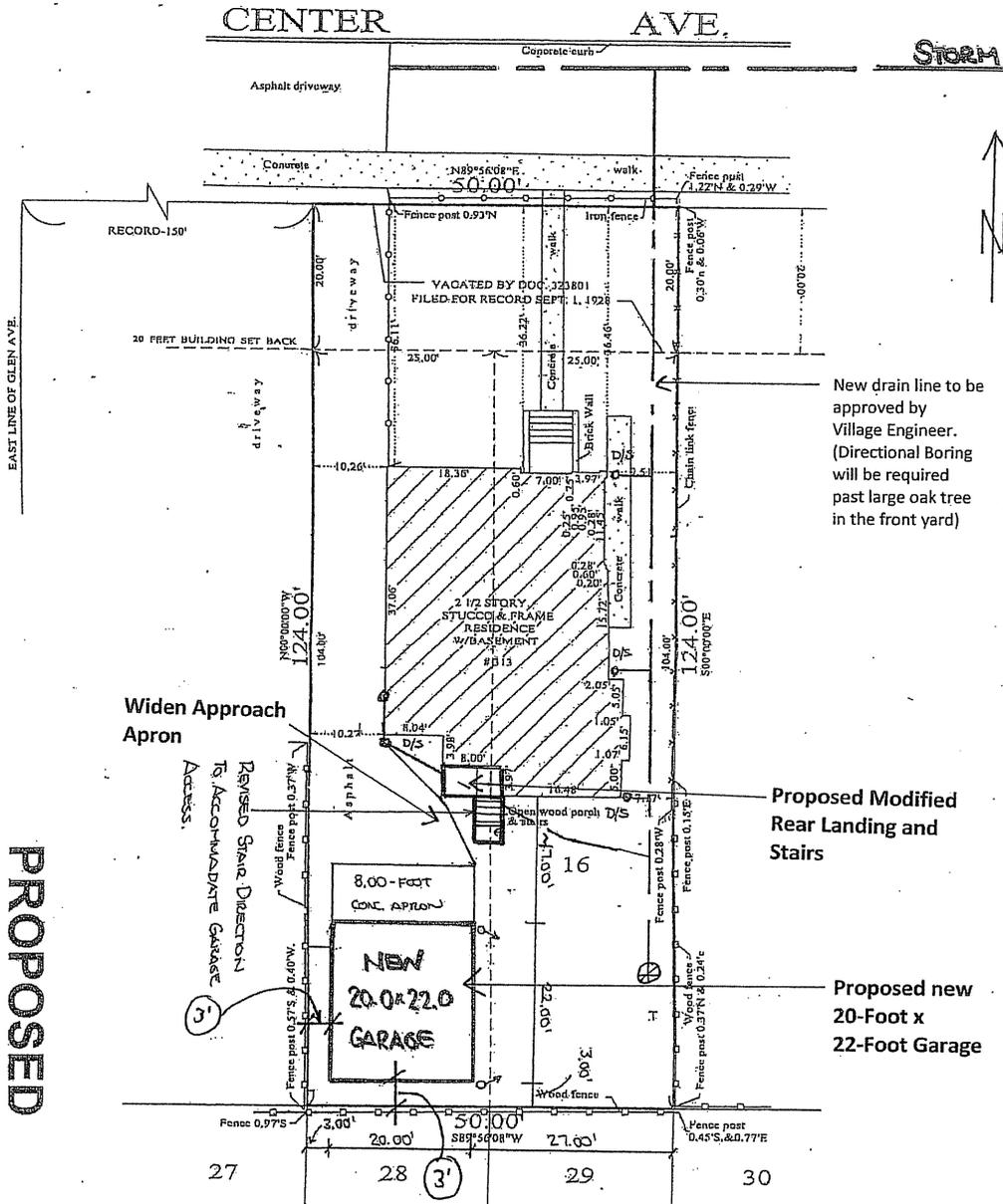
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COMMONLY KNOWN AS: 313 EAST CENTER AVENUE, LAKE BLUFF, ILLINOIS.

PROPOSED SITE
 PLAN

ATTACHMENT D

PROPOSED SITE
 PLAN



New drain line to be approved by Village Engineer. (Directional Boring will be required past large oak tree in the front yard)

Proposed Modified Rear Landing and Stairs

Proposed new 20-Foot x 22-Foot Garage

PROPOSED
 SITE PLAN

MONUMENTATION OR WITNESS POINTS WERE NOT SET AT THE CLIENT REQUEST, UNLESS OTHERWISE NOTED HEREON THE BEARING BASIS, ELEVATION DATUM AND COORDINATE DATUM IF USED IS ASSUMED. I HAVE MADE NO INDEPENDENT SEARCH OF THE RECORDS FOR EASEMENTS, ENCUMBRANCES, OWNERSHIP OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE AS PART OF THIS SURVEY, BUT HAVE RELIED UPON THE INFORMATION SUPPLIED TO ME BY THE OWNER'S REPRESENTATIVE. I ALSO STATE THAT A TITLE COMMITMENT NO.: 1409 ST3138591 BNC WAS FURNISHED FOR THIS SURVEY. DIMENSIONS ARE NOT TO BE ASSUMED FOR SCALING.

THIS PROFESSIONAL SERVICE CONFIRMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DISTANCES ARE MARKED IN FEET AND DECIMAL PART THEREOF. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois
 County of Cook ss

We, AP SURVEYING COMPANY, P.C. do hereby certify that we have surveyed the above described property and that to the best of our knowledge the plat hereon drawn is an accurate representation of said survey.



Hylton E. Donahoe
 PROF. LAND SURVEYOR No. 2818
 License Expiration: November 30, 2014.

Order no: 13-4648
 Scale: 1 inch = 16 feet
 Date: May 12, 2013
 Ordered by: SCOTT A. SANDROFF
 ATTORNEY AT LAW

Exhibit C

Applicants' Unconditional Agreement and Consent

TO: The Village of Lake Bluff, Illinois ("**Village**");

WHEREAS, Todd & Sara Helfrich (collectively, "**Applicant**") are the owners of the property located in the Village's R-4 "B" Residence District ("**R-4 District**") at 313 East Center, Lake Bluff, Illinois, which is legally described on **Exhibit A** attached hereto ("**Property**"); and,

WHEREAS, the Applicant submitted an application attached hereto as Exhibit B (collectively, "**Application**"), requesting variations from: (1) the minimum rear lot line setback requirements of Section 10-5-9C of the Zoning Regulations; (2) the minimum interior side lot line setback requirements of Section 10-5-9C of the Zoning Regulations, and (3) the maximum gross floor area requirements of Section 10-5-6 of the Zoning Regulations to replace the existing garage on the Property with a new garage (collectively, the "**Variations**"); and,

WHEREAS, Ordinance No. 2013-19, adopted by the President and Board of Trustees of the Village of Lake Bluff on August 26, 2013, ("**Ordinance**") approves the requested Variations, subject to certain modifications, conditions, restrictions, and provisions; and,

WHEREAS, Subsection 8.B of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant files with the Village Clerk, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each of the terms, conditions and limitations set forth in said Ordinance.

NOW, THEREFORE, the Applicant hereby agrees and covenants as follows:

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of the Ordinance.
2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's issuance of any permits or approvals for the use of the Property, and that the Village's issuance of any such permits or approvals does not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.
4. The Applicant agrees to and hereby holds harmless and indemnifies the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the operation and use of the Property, or the Village's adoption of the Ordinance approving the Variations.

Dated: Sept. 2, 2013.

ATTEST:

By: 
Its: Sarah Helfrich

TODD HELFRICH

By: 
Its: Todd Helfrich

ATTEST:

By: 
Its: Todd Helfrich

SARAH HELFRICH

By: 
Its: Sarah Helfrich

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kraus and Members of the Joint Plan Commission & Zoning Board of Appeals

FROM: Brandon Stanick, Asst. to the Village Administrator

DATE: September 16, 2016

SUBJECT: **Agenda Item #6** - Updates to the Comprehensive Plan and Planning Elements

At the September 21, 2016 PCZBA Meeting, Chair Kraus will lead a discussion concerning ongoing updates to the Village's Comprehensive Land Use Plan. Please find attached a presentation that will be shared during the meeting.

Attachment

- Comprehensive Land Use Plan General Discussion.

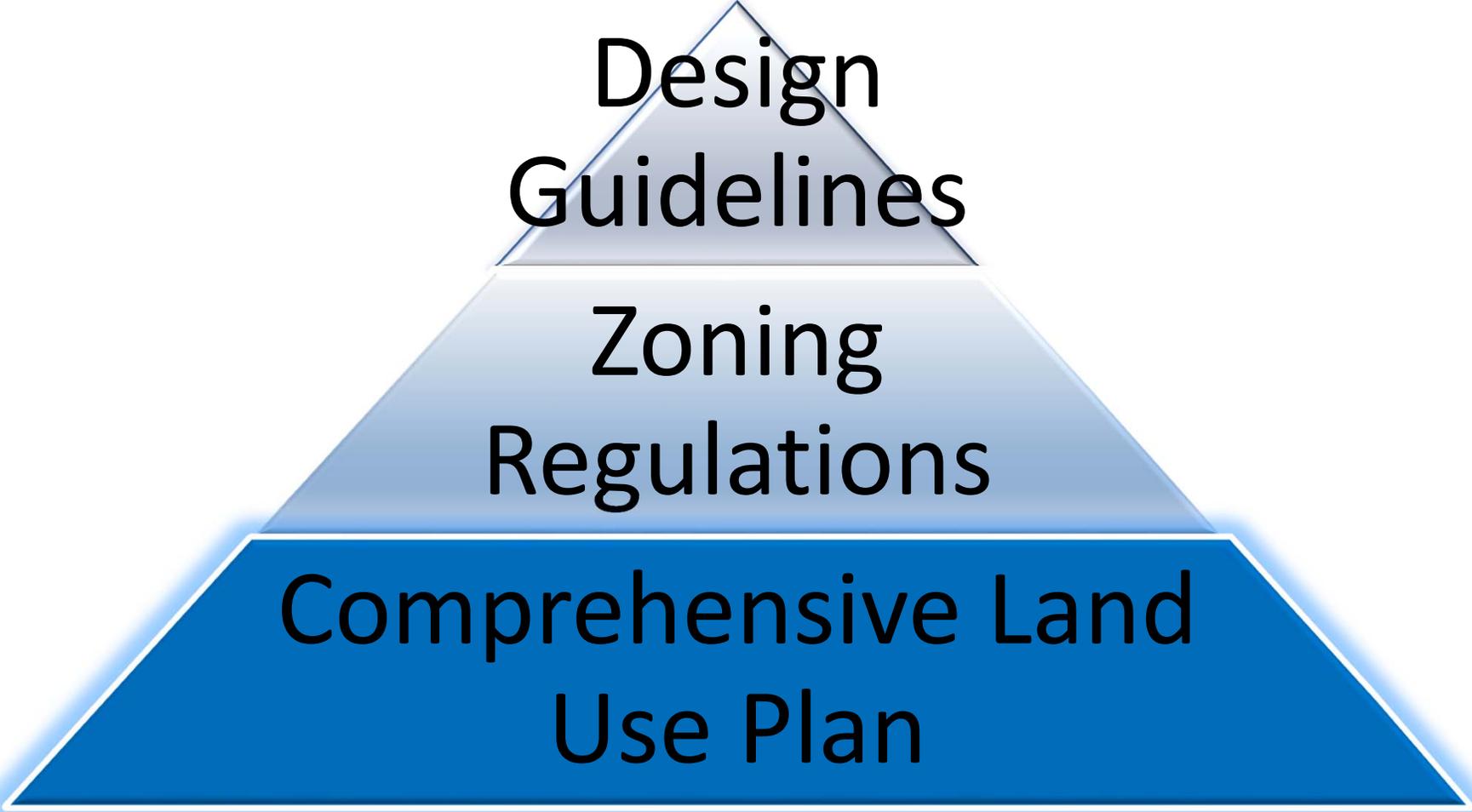
If there are any questions regarding this item, please feel free to contact me at 847-283-6889.

Comprehensive Land Use Plan General Discussion

September 21, 2016

Lake Bluff Joint Plan Commissioner &
Zoning Board of Appeals

Discussion Topics



Design
Guidelines

Zoning
Regulations

Comprehensive Land
Use Plan

Comprehensive Land Use Plan

- What is a Comprehensive Plan?
- Why do communities have Comprehensive Plans?
- When & how is a Comprehensive Plan updated?

Comp Plan Architecture

Plan Elements

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graph TD; A[Plan Elements] --> B[Plan Principles]; B --> C[Site/Area Specific Applications & Tactics];
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Plan Principles

Site/Area Specific
Applications & Tactics

Current & Other Possible Plan Elements



- Land Use
- Annexation and Development
- Economic Development
- Public Services and Infrastructure
- Transportation
- Open Space, Parks and Recreation
- Environmental Resources
- Housing



- Sustainability
- Design/Community Character
- Utilities and Community Facilities
- Historic Preservation
- (Infill) Growth Management
- Intergovernmental Cooperation
- Regional Planning
- Plan Implementation

Resources

- Current Comprehensive Plan
- US Census Bureau Statistics
- Lake County Partners Economic Development Profile Data
- Lake Co. Stormwater Management Comm.
- Village Commissioned Studies
- Chicago Metro Agency for Planning (CMAP)