



Village of Bartlett
Zoning Board of Appeals Minutes
July 1, 2019

M. Werden called the meeting to order at 7:00 pm.

Roll Call

Present: M. Werden, G. Koziol, J. Rasmussen, B. Bucaro and J. Banno

Absent: L. Hanson

Also Present: Kristy Stone, Assistant Planner, Nick Arquette, Intern



Approval of Minutes

B. Bucaro had a change to page 3 of the June 6, 2019 meeting minutes. The name should be B. Bucaro, not J. Banno.

A motion was made to approve the minutes, as amended, of the June 6, 2019 meeting.

Motioned by: B. Bucaro

Seconded by: G. Koziol

Roll Call

Ayes: M. Werden, G. Koziol, B. Bucaro and J. Banno

Nays: None

Abstain: J. Rasmussen

The motion carried.



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Case (#19-10) 114 Lamont Parkway

Variations:

- a) to allow a six (6) foot high fence where a 4-foot high fence is permitted
- b) 1.71 ft. reduction from the 35-ft. required corner side yard (S. Bartlett Road)
- c) 0.52 ft. reduction from the 35-ft. required front yard (Lamont Parkway)

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Signs (3)

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Petitioner, **Brian Frank**, was sworn in by **M. Werden**.

B. Frank stated his family has been residents for 20 years. His family just moved in January from Herron's Landing to Lamont Parkway. The house has been rehabbed. While trying to replace the fence he was told the fence was nonconforming. **B. Frank** stated he would like to replace the current wooden fence with vinyl. There is a pool in the back yard and he worries about security being his home is on a corner lot and to make the home look esthetically pleasing. The current fence could fall over.

M. Werden asked if staff received any comments by phone or mail. **K. Stone** stated she has not spoken to anyone nor received any phone calls or emails regarding this petition. **M. Werden** stated he lives in the neighborhood and received a mailing for a six foot fence. He stated that normally he would be against a six foot fence. However, **Mrs. Frank** allowed **M. Werden** to look around the property. **M. Werden** stated that after looking at the property he was very impressed. The back yard has such a high berm you cannot even see the traffic at the intersection of Main and Devon. If anyone would have an objection it would be the neighbor to the west. **M. Werden** stated this is a practical solution being the current fence is in such bad condition. A vinyl fence looks nicer and is very low maintenance. With the berms and the setting so close to the main road it is a very practical solution. People walking along the sidewalk wouldn't even know there was a pool in the backyard. **M. Werden** stated it's very rare for him to make this kind of statement. **B. Frank** stated his previous home had an in ground pool, and when he built it, it was built with an automatic cover. This cannot be done with this pool. Solar covers can be dangerous if someone were to fall into the pool, they could drown. He and his wife worry about the safety.

M. Werden asked if there were any other comments from the board. **G. Koziol** stated that the memo states the proposed fence will replace the 6 foot high wooden fence that is in disrepair. **G. Koziol** stated he didn't understand, the permit was issued in 1989, why isn't it still in effect. **K. Stone** stated the permit was issued in error, the fence didn't meet the setbacks at the time, and this is now being corrected. They are putting the fence in the exact location as it is now. The previous owner should have gone through this process. **G. Koziol** stated that makes perfect sense. **K. Stone** stated it's the same situation as the nonconformity with the house. The house is slightly encroaching into the front and corner side yard, this will clean everything up so if the owners wanted to do something else to the property they would be conforming. **G. Koziol** stated the fence issue had him slightly confused. He agreed the current fence needs to go. He asked if the **Franks** were planning on planting anything on the outside of the fence. **B. Frank** stated whatever is there will stay, along with adding mulch and landscape beds. **G. Koziol** stated he isn't a fan of fences but this is a logical solution and with the vinyl fence it will look so much better for so much longer.



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G. Koziol asked Staff how far back from the sidewalk is the fence. **K. Stone** stated at the closest point is 28 feet. **B. Frank** stated his main concern is if the fence fell, kids may be inclined to swim when no one is home; it's a safety issue. **M. Werden** stated it would be impractical for the Village to ask the Franks to take out the pool, because the permit was issued in error. **B. Frank** stated a special lock will be installed on the gate to deter someone from entering the pool area.

M. Werden asked if there were any comments or questions from the board.

M. Werden opened the Public Hearing portion of the meeting.

Bradley Baker, 151 Lamont Parkway, stated since the Franks moved back in January, they have done one thing consistently, and that is to improve their property. They have worked on the house outside and in, worked on the landscaping, lawn, and leveled the garage floor that was sinking. **B. Baker** stated he was there to cheer them on and the Village should as well.

Mary Gawler, 134 Lamont Parkway, stated her home is to the west of the **Franks** and she will be the one to see the fence on her side. The fence will be a big improvement. She questioned if the fence will be 6 feet all the way around or will it be 4 feet in some places. **K. Stone** stated it will be 6 feet all the way around. **M. Werden** stated he is glad she spoke up, it makes a difference when the people who have to look at the change are in favor of it. **G. Koziol** stated it's nice to hear when the old neighbors compliment the new neighbors.

M. Werden asked if there were any other questions, motions or discussion from the board. **J. Banno** stated there seems to be a discrepancy in the case number on the memo. **K. Stone** stated both projects were submitted on the same day. 114 Lamont Parkway case number should be #19-10 and not #19-09. This will be corrected.

J. Banno made a motion to pass along a positive recommendation to the Village Board for #19-10.

Motioned by: J. Banno

Seconded by: J. Rasmussen

M. Werden closed the Public Hearing portion of the meeting.

Roll Call

Ayes: M. Werden, G. Koziol, J. Rasmussen, B. Bucaro and J. Banno

Nays: None

The motion carried.



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Case (#19-09) 1355 Windgate Court

Variation:

16-foot reduction from the 45 foot required rear yard

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Attorney for Petitioner, **Scott G. Richmond** was sworn in by **M. Werden**.

S. Richmond stated he represents petitioners, **Grant and Michelle Carlson**. The Carlsons are asking for a variance of 16 feet on a 45 feet setback, or building line that effects their lot. The property backs up to a park and they do not feel this will have any adverse effect to any of the neighbors. The plan is to build a four season room which is why this variance is needed.

M. Werden asked by calling it a four season room, will this be heated? **S. Richmond** stated yes. **M. Werden** stated from the looks of the picture provided, the exterior will blend in with the house. **S. Richmond** stated yes, which is the intent, the siding will match the existing siding.

M. Werden asked if there were any questions from the Board. **B. Bucaro** had a question for Staff. The application states this property is different and has a 45 foot setback requirement while many of the other lots in the subdivision do not. **K. Stone** stated Woodland Hills has 12 different units, each unit in Woodland Hills has different setbacks. When someone calls, Staff needs to refer to a chart to check what unit they are in, and what the setback requirements are. It varies throughout the entire subdivision. **B. Bucaro** asked if 45 feet was the maximum. **K. Stone** stated 45 foot is the largest for a lot this size. There are larger lots that have a larger rear yard setbacks. This lot has a larger setback and also backs up to open space. **M. Werden** stated the fact that this lot backs up to open space has nothing to do with this size of setback. **K. Stone** stated because this property backs up to open space typically the builder would have asked for a reduction in setback, but did not in this case. **G. Koziol** asked if the property behind this one was a dry retention area. **K. Stone** stated it's a park site, owned by the Park District. **J. Banno** asked Staff if any neighbors have complained about this project. **K. Stone** stated not at all.

S. Richmond stated **G. Carlson** spoke with his adjoining neighbors and both has no problem with the addition. **G. Koziol** stated having an open space behind makes it easier for the Board to review and come up with a positive recommendation. **M. Werden** stated being no one is here to object it makes a difference when the addition will blend with the house it will look as though it has always been part of the home. **B. Bucaro** agreed it's a very nice addition.

M. Werden asked if there were any comments or questions from the board. No one came forward.

M. Werden opened the Public Hearing portion of the meeting. No one came forward.

G. Koziol made a motion to pass along a positive recommendation to the Village Board for #19-09.

Motioned by: G. Koziol



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Seconded by: J. Banno

M. Werden closed the Public Hearing portion of the meeting.

Roll Call

Ayes: M. Werden, G. Koziol, J. Rasmussen, B. Bucaro and J. Banno

Nays: None

The motion carried.



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Old Business/ New Business

K. Stone introduced intern **Nick Arquette**. **N. Arquette** stated he just graduated in May from U of I in Planning, and is excited to be here.

K. Stone stated there is currently nothing on the agenda for next month however, the deadline is not for a couple of weeks.

M. Werden asked if there was a motion to adjourn.

Motioned by: G. Koziol

Seconded by: J. Rasmussen

All in favor.

Motion Carried.

The meeting was adjourned at 7:24 P.M.