

**MINUTES OF THE ZONING BOARD OF APPEALS**  
**July 9, 2012**

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:00 p.m. at the Village Hall.

Members present: Chairman William Cotey, Scott Adams, Walter Oakley, David Semmelman, and Kurt Schultz.

Members absent: Dan Donahue and Mark Moore.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; and David Smith, Senior Planner.

Board Member Oakley moved, seconded by Board Member Schultz, to approve the June 11, 2012, Zoning Board of Appeals meeting minutes.

Motion carried 5 - 0.

**OLD BUSINESS:**

**ZBA 12-14    Mary Cramer, Applicant**  
**939 Sherborne Court**

**Request is for variations to: 1) allow a fence in the corner side yard that extends beyond the rear building line of the principal structure; and 2) allow a fence in the corner side yard so that the fence line is located closer to the street than the front yard established for the abutting lot for property in an R-3, Single Family Residential District.**

Mr. David Smith, Senior Planner, stated that the petitioner, Mary Cramer, was before the Zoning Board of Appeals at their June 11, 2012, meeting requesting variations for the location of a fence in order to allow a six (6) foot tall treated wood fence in the corner side yard in an R-3, Single Family Residential District located at 939 Sherborne Court. Mr. Smith stated that the property is located at the southwest corner of Sherborne Court and Winchester Road in the Sherborne Subdivision.

Mr. Smith stated that during the course of the public hearing, the Zoning Board of Appeals heard testimony and continued the request to the July 9, 2012, meeting in order to provide the petitioner an opportunity to submit a written response to the Standards for Variation and any revisions to the fence plans deemed appropriate.

Ms. Mary Cramer, petitioner, stated that she has identified up to seven (7) other residential properties with fences installed in a similar fashion as she is requesting approval to do.

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Board Member Adams stated that he is concerned about the adjacent bus stop along Winchester Road and admits that the proposed fence location will function as a buffer along Winchester Road.

Board Member Semmelman stated that the fence line will still have a substantial separation from the public sidewalk.

Board Member Schultz stated that he does not believe that there is a valid security concern to support the fence variation.

Ms. Cramer stated that people still walked through the yard without the fence.

Board Member Schultz stated that it would be better to show off the architectural aesthetics of the home and not hide it with a fence.

Ms. Cramer stated that she did drive through Gregg's Landing in Vernon Hills as suggested to her, but indicated that the Gregg's Landing area is a different situation.

Chairman Cotey stated that he appreciates the written response to the Standards for Variation submitted by the petitioner, but still believes that the hardship is self-created. He asked the petitioner what she would like for the Zoning Board of Appeals to do tonight. Ms. Cramer requested that the Zoning Board of Appeals render their recommendation to the Village Board of Trustees.

*In the matter of ZBA 12-14.1), Board Member Oakley moved, seconded by Board Member Adams, to recommend the Village Board of Trustees approve a variation to allow a fence in the corner side yard that extends beyond the rear building line of the principal structure for property in an R-3, Single Family Residential District, in accordance with the plans submitted.*

*Motion carried 4 - 1.*

*Ayes: Adams, Oakley, Semmelman, Schultz*  
*Nays: Cotey*  
*Absent: Donahue, Moore*

*In the matter of ZBA 12-14.2), Board Member Semmelman moved, seconded by Board Member Adams, to recommend the Village Board of Trustees approve a variation to allow a fence in the corner side yard so that the fence line is located closer to the street than the front yard established for the abutting lot for property in an R-3, Single Family Residential District, in accordance with the plans submitted.*

*Motion carried 4 - 1.*

*Ayes: Adams, Oakley, Semmelman, Schultz*  
*Nays: Cotey*  
*Absent: Donahue, Moore*

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**NEW BUSINESS:** None.

**COMMUNICATIONS AND DISCUSSION:**

Board Member Semmelman moved, seconded by Board Member Adams, to adjourn the Zoning Board of Appeals meeting.

Motion carried 5 - 0.

Meeting adjourned at 7:15 p.m.