

MINUTES OF THE ZONING BOARD OF APPEALS
March 10, 2014

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, Mark Moore, Walter Oakley, and Kurt Schultz.

Members absent: Dan Donahue and David Semmelman.

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 February 10, 2014, Zoning Board of Appeals meeting minutes, amended as follows:

Page 1, in the motion to adjourn, change the name "Schultz" to "Semmelman".

Motion carried 5 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 14-04 James and Karen Devine, Applicants
842 Interlake Lane

Request is for a variation to reduce the minimum required front yard setback from 40 feet to approximately 31'1" in order to construct a house addition in an R-3, Single Family Residential District.

Mr. David Smith, Senior Planner, stated that the petitioners are requesting to reduce the minimum required front yard setback in order to construct a house addition in an R-3, Single Family Residential District located at 842 Interlaken Lane. Mr. Smith stated that the petitioners are proposing to construct a third bay to their garage causing a nine (9) foot encroachment into the front yard.

Ms. Karen Devine, petitioner, stated that she has been a 40 year Libertyville resident and has lived in the home located at 842 Interlaken Lane for 32 years. She stated that the lot is unusual due to its location on the curve to the cul-de-sac. She stated that they need to enlarge the garage in order to get the cars into the garage and for more storage.

Mr. Troy Mock, architect for the petitioner, stated that if it was not for the curved front property line due to the cul-de-sac curve, they would not need the front yard setback variation with the same proposed improvements. He stated that most of the other homes along their street are located right up against the front building line. He stated that they have attempted to diminish

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the encroachment by designing the third bay of the garage expansion with only a nine (9) foot wide garage door. He stated that they have removed the window well encroachment that was previously shown on the plans.

Mr. Mock addressed the Zoning Code Standards for the variation. He stated that due to the front property line's orientation on the cul-de-sac, this is not a self-created circumstance. He stated that this is not merely a special privilege being sought. He stated that they are not negatively impacted the essential elements of the neighboring area. He stated that they did consider alternative designs of the garage, but the proposed design works best for the petitioner.

Board Member Oakley stated that he supports the variation request.

Board Member Adams stated that he supports the variation request.

Board Member Schultz stated that the petitioner should be able to design the addition without encroaching into the front yard. He stated that any homeowner would have the same issue. He stated that he is concerned that the proposed improvements would create a line of site obstruction for the neighboring property.

Ms. Devine stated that she approached her neighbor with her proposed home improvements and stated that her neighbor was okay with the plans. She stated that if she went with an alternative design it would force additional storage space to go up above a re-configured garage addition causing a house height that would be out of scale with her neighbor's home and would appear to be too close to the property line that separates her property from the potentially impacted neighbor's property.

Mr. Mock stated that the alternative designs caused a certain amount of incompatible roof lines.

Board Member Schultz asked if the petitioner is willing to mitigate the encroachment. Mr. Mock stated that they might be able to make a minor adjustment, but asked if this can move forward to the Village Board with the adjustment as a condition.

Mr. John Spoden, Director of Community Development, stated that it would be difficult to send this on to the Village Board without both Staff and the Zoning Board of Appeals reviewing the changes first.

Board Member Schultz stated that he does not want to hold up the petition due to his suggested condition.

Chairman Cotey asked the petitioner what they would like for the Zoning Board of Appeals to do tonight. Mr. Mock stated that he would like for the Zoning Board of Appeals to make a recommendation to the Village Board on the proposal as given.

In the matter of ZBA 14-04), Board Member Adams moved, seconded by Board Member Oakley, to recommend the Village Board of Trustees approve a variation to reduce the minimum

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required front yard setback from 40 feet to approximately 31'1" in order to construct a house addition in an R-3, Single Family Residential District, in accordance with the plans submitted.

Motion carried 5 - 0.

Ayes: Cotey, Adams, Moore, Oakley, Schultz
Nays: None
Absent: Donahue, Semmelman

COMMUNICATIONS AND DISCUSSION: None.

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

Motion carried 5 - 0.

Meeting adjourned at 7:35 p.m.