

APPROVED
REGULAR REMOTE MEETING Minutes
NORTHBROOK ZONING BOARD OF APPEALS
MONDAY, FEBRUARY 22, 2021
7:00 PM

Call to Order

Chairman Decker called the remote meeting (via Webex) to order at 7:07 p.m. Members Buehler, Len, Schofield, Howard Wolfmark, and Chairman Decker were present. A quorum was present.

Members Absent: Craig & Gorenberg

Village of Northbrook Staff Present:

Remotely: Michaela Kohlstedt, Director of Development & Planning Services
On-Site: Jennifer Maisch, Zoning Administrator; Chan Yu, Deputy Director; & Gale Cerabona, Recorder

Review of January 25, 2021 Minutes

The minutes of the January 25, 2021, meeting will be presented at the April meeting.

General Public Comments - Items Not Otherwise on the Agenda

None presented.

Public Hearing and Consideration of the Following Petitions:

Chairman Decker announced that each docket would first be heard in the public hearing portion of the meeting. ZBA deliberation and decisions regarding the dockets would occur immediately following the hearing, during the regular meeting. It was announced that if members of the audience are not able to stay for the regular meeting, they can contact the Zoning Administrator for the results. Petitioners will be sworn in and should address the Board. Neighbors within 250 ft. were notified of each new petition. As required by state statute, the hearing notice for Docket ZBA 21-0001 was properly published in the Northbrook Star on or before December 31, 2020. Chairman Decker asked any audience members to raise their hands if they wish to speak before the close of the public hearing.

- a) **DOCKET NO. ZBA21-0002 (2272 BELLEVUE PLACE – ADDITION)**. Petition by Lindsay and David Pasternak for: A) A variation to reduce the required front yard from **30' to 28'-4"**; B) A variation to reduce the required corner side yard from **30' to 16'-7½"**; and C) A variation to reduce the required rear yard from **40' to 33.45'** on a property located in the R-4, Single Family District. The Property is commonly known as 2272 Bellevue Place (PREI Nos 04-16-210-018-0000). The variations have been requested to construct a 2nd floor addition and new covered porch.

Chairman Decker swore in Lindsay and David Pasternak who introduced themselves. Floor plans were illustrated.

Chairman Decker asked if notice was given to the neighbors. Ms. Pasternak advised it was on January 30, 2021. She noted there are three variances to build an addition to have more bedrooms and more children. A front porch will be added to accommodate package deliveries. Ms. Pasternak said they are building up on the existing foundation which is currently not to code. They introduced their children, Taylor & Tiffany.

Chairman Decker asked:

- for comparisons of other houses on the street. Ms. Pasternak said homes are being torn down and two-story houses added. She noted they don't have the funds to tear down their home. Mr. Pasternak commented that they love their neighbors and embrace what they have, as they wish to stay in this home forever.
- about the height and if their roof would be higher than other houses. Ms. Pasternak said it would not.
- if the Pasternak's built their shed. Mr. Pasternak advised it was there when they purchased the home. Ms. Pasternak shared they painted it. She noted they are not interested in flipping the property and stressed with the variance in the back, it would reduce living space or infringe on the deck; they would lose space in the yard where they play with their dogs.

Member Buehler asked if the applicant is going up on the existing footprint. Ms. Pasternak said it was.

Administrator Maisch advised there are two other people waiting to speak (a caller and the neighbor who sent a letter).

Chairman Decker asked if there are any other comments from the Board. There were none.

Chairman Decker asked:

- if the shed can go to the utility easement. Administrator Maisch stated this is up to the ZBA. She noted the shed is up to the easement which is not normally allowed. This could be corrected.
- if this is within the ZBA's purview. Administrator Maisch advised it is.
- how – by relocating it?

Chairman Decker swore in a neighbor who lives directly next door on the west side:

- Laura Anne Jacobs 2284 Bellevue Place

A site plan was shown. Ms. Jacobs shared she is a 47-year resident of Northbrook. She advised the concerns are not intended to be taken personally as they enjoy the Pasternak's and their children. Ms. Jacobs noted the height of the applicant's house affects them on many levels. She provided a history on previous undisputed variances and explained where the shed was in the 80s. Ms. Jacobs complimented the Pasternak's on upgrades; a fence, a deck, hot tub, cement pad, lighting under eaves, etc.

The Jacobs' concerns/requests are:

- new housing and new additions have caused extreme flooding in their yard. The corner of their yard floods 80% of the time.
- remove the northwest structure so that their flooding may properly go in the retention area
- install a gate at the northwest area of the fence as their back yard is the only entry for utility workers. She stressed *each* homeowner should have an entrance for utility workers.
- roofing materials to include a guard rail due to ice, etc.
- lighting is drastically affected. This has gone from 8 ft. to 20-30 ft. Ms. Jacobs expounded on their neighbor's increased height and lights under the eaves. She stated they do not even need to turn on their own lights at night. Proposed lighting is on the northwest and south side of the new addition where the Jacobs' bedrooms are.
- Noise – would like the air conditioning unit moved to the south or east sides
- all roofing – wood or cloth coverings – a three-season room, etc. be prohibited

Ms. Jacobs suggested the Board review earlier permit requests, and limit the amount of variance requests as these affect streets and yards.

Chairman Decker said he appreciates the comments however these requests are not within the ZBA's purview. He noted the location of the shed could be a condition of a motion.

Chairman Decker reminded this ZBA has had a long history with accommodating variances within the footprint. He addressed water, etc.

Ms. Jacobs stated she is requesting the shed be moved so the water could flow properly. She would like her comments forwarded to the proper channels. Chairman Decker noted there are lighting standards that must be followed. He advised Administrator Maisch can assist. Administrator Maisch stated she will inform Ms. Jacobs as to where she can forward her comments.

Chairman Decker asked if anyone has feedback based on the neighbor's comments.

Mr. Pasternak stated there is no water in the back yard and no restriction of any flow. He noted everything is dry. The shed would have to be torn down, and a new shed would not create a wall.

Chairman Decker reminded the shed is in the way of utility traffic. Ms. Pasternak said there is no objection.

Ms. Jacobs said she reported the water to the Village for the past five years.

Chairman Decker stated this is not a factor. If the house was torn down, water may still be there.

Member Buehler moved to close the public hearing and begin the regular meeting. Member Len seconded the motion, and by unanimous voice vote, the motion was approved.

Chairman Decker stated the ZBA approves construction over footprints. He noted the shed must be addressed. Administrator Maisch said because it's in the easement, it presents issues. She said the owner cannot move it.

Member Schofield asked:

- if it is a drainage easement. Director Kohlstedt advised it's a utility easement.
- if this is within the footprint. Administrator Maisch concurred.

Chairman Decker reiterated that building on footprints has been a long-standing issue in favor of the Board. He noted he is in favor of this petition.

Member Len shared he is in favor and noted the applicant did a good job with the footprint.

Administrator Maisch advised the applicant is getting a permit for the hot tub.

Member Buehler asked if the shed was permitted. Administrator Maisch said there is no record on this. She reminded a shed 80 sq. ft. or less doesn't need a permit.

Member Schofield raised the neighbor's other concerns regarding lighting, drainage and would like these issues to be addressed with the Village. He shared Northbrook was built on a swamp.

Member Buehler asked if there are storm water projects in this area. Director Kohlstedt will review same. Member Len said an underwater vault was added at Westcott School. Director Kohlstedt said this project would have impacted this area.

Deputy Director Yu shared an incident of a swimming pool on the northwest side by a neighbor. He noted this was corrected by the Village.

Deputy Director Yu will follow up on the Jacobs' flooding issue. Chairman Decker expressed his appreciation.

Member Schofield moved to accept the request from the Pasternak's with the plans dated November 7, 2020, for A) A variation to reduce the required front yard from **30' to 28'-4"**; B) A variation to reduce the required

corner side yard from **30' to 16'-7½"**; and C) A variation to reduce the required rear yard from **40' to 33.45'** on a property located in the R-4, Single Family District along with the removal of the shed from the utility easement by June 15, 2021. Member Buehler seconded the motion, and by unanimous voice vote, the motion was approved.

Old Business

None presented.

New Business

Administrator Maisch shared the public notice to residents will be modified to include additional information with Webex directions, etc. Director Kohlstedt advised she is happy to assist with Webex or inquire about Webex training.

Administrator Maisch advised there is no ZBA Meeting in March due to spring break.

Chairman Decker asked and Administrator Maisch said the agenda, etc. will be on the cover page of the packet.

Adjourn

Member Buehler moved to adjourn the meeting at 8:01 p.m. Member Schofield seconded the motion, and by unanimous voice vote, the meeting was adjourned.

Respectfully Submitted,

Gale Cerabona

The decisions of the Northbrook Zoning Board of Appeals are final. Any appeal of this final administrative decision of the Village of Northbrook's Zoning Board of Appeals must be in compliance with the Administrative Review Law, 735 ILCS 5/3-101 et seq and filed within 35 days from the date of the ZBA's decision.

The Village of Northbrook 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 this meeting or the facilities, are requested to contact Greg Van Dahm or Debra Ford (847-664-4010) promptly to allow the Village of Northbrook to make reasonable accommodations for those persons. Hearing impaired individuals may call the TDD number, 847-564-8645, for more information.