



**MINUTES  
VILLAGE OF GLENCOE  
FENCE BOARD OF APPEALS  
REGULAR MEETING**

Village Hall Council Chambers  
675 Village Court  
Monday, December 5, 2022 - 7:00 p.m.

**1. CALL TO ORDER AND ROLL CALL**

The Regular Meeting of the Fence Board of Appeals of the Village of Glencoe was called to order by the Chairman, at 7:18 p.m. on December 5, 2022, held at Glencoe Village Hall in the Council Chambers.

Attendee Name	Title	Status
<b>Fence Board of Appeals</b>		
Scott Novack	FBA Chairman	Present
Sara Elsasser	Member	Present
Alex Kaplan	Member	Present
Michael Koppersmith	Member	Present
Debbie Ruderman	Member	Present
Jake Holzman	Member	Absent
Dena Fox	Member	Present
<b>Village Staff</b>		
Taylor Baxter	Development Services Manager	Present
Rich McGowan	Planner	Present

**2. CONSIDERATION OF THE JUNE 6, 2022 MINUTES**

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Koppersmith, Ruderman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	Holzman

**3. CONSIDER VARIATION REQUEST AT 840 VERNON AVENUE**

Richard McGowan gave a brief overview of the case, explaining that the applicant (Am Shalom), is requesting one variation from the following section of the Buildings and Construction Code:

1. *Section 9-75(a)(3): To increase the maximum allowable fence height from four feet to six feet.*

Mr. McGowan noted that the primary reason for the requested variation is to improved security for those who attend Am Shalom, as the six-foot-tall fence and gate would restrict access to the staff parking lot, located in the southwest corner of the property. Mr. McGowan added that the fence would be a black, wrought-iron fence with small spikes on the top, it would have a pedestrian access gate, and intercom speak for access. Chairman Novack thanked staff and noted that there are several Fence Board of Appeals (FBA) Members that regularly attend worship at Am Shalom, so it is very important that the FBA Members evaluate the request based on the merit of the proposal, not based on a relationship with the applicant. Furthermore, Chairman Novack added that if the involved FBA Members were to recuse themselves, their votes would be counted as a “no” or “nay” vote, and since the community is not very large, it is very difficult to review a case where a Member does not have some connection to the applicant.

Taylor Baxter then swore in the applicant, Michael Blum, who is a representative of Am Shalom. Mr. Blum stated that Am Shalom has hired security advisors to analyze the current conditions of the property and this was one of their recommendations to improve public safety and mitigate opportunities for an armed intruder. Mr. Blum added that Am Shalom intends on implementing other security measures such as bulletproof glass and an access gate intercom.

Chairman Novack thanked Mr. Blum and asked about noise regarding the intercom speaker and gate mechanisms. Mr. Blum stated that the intercom would be relocated to the east side of the gate (whereas the proposal rendering depicted the intercom speaker on the west side of the gate), so that it would be further away from the adjacent neighbor at 385 Lincoln Avenue. Mr. Blum added that he is unsure about any noise from the gate opening and closing, but it should not make very much noise. Mr. Blum reiterated Mr. McGowan’s comments regarding safety and added that this would help Am Shalom address some of their existing safety concerns. Chairman Novack then invited members of the public to provide any comments.

#### **PUBLIC COMMENT**

Chairman Novack then asked if there were any public comments. Mary Cascino of 385 Lincoln Avenue was then sworn in by Mr. Baxter. Ms. Cascino stated that she lives directly west of Am Shalom and will be closest to the proposed fence, gate, and intercom speaker. Ms. Cascino stated that she is concerned about the noise the gate will make if it opens and closes multiple times a day with deliveries and garbage disposal services, but her primary concern was the height and aesthetics of the fence – she mentioned that the tall, black, wrought-iron fence would make it look like a jail. Ms. Cascino stated that she did not like the speaker intercom on the fence as she will be able to hear everything, but if they can locate it to the other side, then so be it. Ms. Cascino said that she would prefer her four-foot-tall wood fence to continue to the front lot line rather than the proposed fence.

Mr. Blum stated that the intercom speaker can be moved to the other side of the access gate, further away from her property, but does not anticipate it being frequently used for services such as garbage disposal, and they intend to provide Lakeshore Recycling Services (LRS) with a remote control device to open and close the access gate. Mr. Blum stated that he wants to make

sure that Ms. Cascino's concerns are addressed and added that he has spoken with neighbors prior to tonight's meeting.

Board Member Debbie Ruderman added that she thinks the applicants chose a wrought iron fence so that it would not create any safety issues for visibility, such as Ms. Cascino backing out of her driveway. Board Member Sara Elsasser asked if the applicants are allowed a four-foot-tall fence in the location that they're proposing a six-foot-tall fence and staff confirmed that they can. Board Member Dena Fox suggested perhaps landscape screening would help address Ms. Cascino's concerns with aesthetics and the existing parking lot. Chairman Novack asked Ms. Cascino about how much space she has between her driveway and the lot line and Ms. Cascino said not much, but perhaps if the applicants shrubbed (landscaped) the area. Chairman Novack asked if a six-foot-tall wood fence be preferred and Ms. Cascino said not really. Chairman Novack stated that Ms. Cascino's concerns are valid and important, but she does share a lot line with a different use, so the FBA also needs to evaluate the safety aspect. Chairman Novack asked if a wood fence that covered the wrought-iron fence on her side would help satisfy her concerns and Ms. Cascino stated that she didn't think it would. Board Member Elsasser asked for clarification on Ms. Cascino's existing fence – after staff shared a Google Street View, it appeared that Ms. Cascino actually has a six-foot-tall wood fence, not a four-foot-tall wood fence.

Ms. Cascino noted that if Am Shalom planted bushes on their side of the fence, that might be a solution to help screen the vehicles in the parking lot that the fence will surround. Mr. Blum stated that the current landscaping will be preserved to the extent possible, but he does not think that a four-foot-tall fence would be as secure for the concerns they are trying to address. Mr. Baxter shared a plat of survey for 385 Lincoln Avenue which provided context for the lot line between Ms. Cascino and Am Shalom. After further review, the plat of survey depicted Ms. Cascino's wood fence to be on Am Shalom's property. Chairman Novack added that it's very important that everyone looks at the lot lines closely, and that Ms. Cascino's "flocks" (plants) may actually be encroaching into Am Shalom's property, so it's important to look at this for a hypothetical fence installation. Mr. Blum stated that Am Shalom is happy to keep the existing flocks and Ms. Cascino noted that she would be in favor of that. Board Member Alex Kaplan stated that based on the plat of survey, there may be enough room for landscape alterations in the future if desired. Board Member Fox asked about the gate noise and Mr. Blum stated that Am Shalom is unsure about the noise of the gate, but they anticipate it being quiet. Chairman Novack asked Ms. Cascino if she would be satisfied with the flocks remaining in place and Ms. Cascino appeared to be in favor of the request variation with certain conditions.

Following consideration of the testimony and discussion, the motion seconded, that the variance request be granted per the drawings presented, with the conditions that the fence is east of the walnut tree between 840 Vernon Avenue and 385 Lincoln Avenue for the portion near the walnut tree; that the fence runs roughly parallel to the property line until it makes a 90-degree turn to connect with the existing fence; and that the pedestrian gate and intercom speaker are relocated to the east side of the access gate, further away from 385 Lincoln Avenue, making findings, and resolving as follows:

## FINDINGS

1. The requested variation is within the jurisdiction of the Fence Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Fence Board determines that:
  - a) The variation if granted will not alter the essential character of the locality;
  - b) The variation will be in harmony with the general purpose and intent of the fence ordinance;
  - c) The variation will set no unfavorable precedent either to the immediate neighborhood or to the village as a whole; and
  - d) The variation will not affect public safety.

## RESOLUTION

NOW THEREFORE BE IT RESOLVED that the requests to increase the maximum allowable fence height from four feet to six feet in a front yard at 840 Vernon Avenue be granted as shown in the drawings or plans submitted by the owner and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

BE IT FURTHER RESOLVED that this variation shall expire and be of no further force or effect at the end of twelve (12) months unless during said twelve-month period a building permit is issued, and construction begun and diligently pursued to completion; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the records of the Board and shall become a public record.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Koppersmith, Ruderman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	Holzman

#### 4. CONSIDER VARIATION REQUEST AT 1087 BLUFF ROAD

Richard McGowan gave a brief overview of the case, explaining that the applicant is requesting one variation from the following section of the Buildings and Construction Code:

2. *Section 9-75(a)(3): To increase the maximum allowable fence height from four feet to six feet.*

Mr. McGowan explained that this property is a corner lot and a through lot with an existing six-foot-tall fence in the location they are proposing to replace with a new six-foot-tall fence. Since it is a through lot, Mr. McGowan noted that it technically has two “front” yards per the zoning code, which means that the maximum fence height for both frontages is four feet. Mr. McGowan clarified that the applicant has stated that she will be replacing the existing wood fence that is in disrepair with a similar style wood fence (abutting Green Bay Road) as the area functions as her backyard.

Mr. McGowan concluded that five adjacent properties southeast of 1087 Bluff Road are also through lots and have all been approved for six-foot-tall fence variations on separate occasions:

1. *1065 Eastwood Road*
2. *1057 Eastwood Road*
3. *1049 Eastwood Road*
4. *1039 Eastwood Road*
5. *1029 Eastwood Road*

#### **PUBLIC COMMENT**

Chairman Novack then asked if there were any public comments. Taraneh Firoozi of 1049 Eastwood Road was then sworn in for comment. Ms. Firoozi noted that she will need to replace her six-foot-tall fence as well and appeared to be under the impression that this was where she could request that. The FBA explained that she too would need to go through the Fence Board of Appeals process when she is ready to replace her six-foot-tall fence.

After public comments were received, Board Member Alex Kaplan stated that this proposal makes sense for a six-foot-tall fence as it functions as the applicant’s backyard and Green Bay Road is a heavily traveled road. Chairman Novack agreed and stated that it makes sense, especially along Green Bay Road.

#### **FINDINGS**

1. The requested variation is within the jurisdiction of the Fence Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Fence Board determines that:
  - a) The variation if granted will not alter the essential character of the locality;
  - b) The variation will be in harmony with the general purpose and intent of the fence ordinance;
  - c) The variation will set no unfavorable precedent either to the immediate neighborhood or to the village as a whole; and
  - d) The variation will not affect public safety.

**RESOLUTION**

NOW THEREFORE BE IT RESOLVED that the requests to increase the maximum allowable fence height from four feet to six feet in a front yard at 1087 Bluff Road be granted as shown in the drawings or plans submitted by the owner and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

BE IT FURTHER RESOLVED that this variation shall expire and be of no further force or effect at the end of twelve (12) months unless during said twelve-month period a building permit is issued, and construction begun and diligently pursued to completion; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the records of the Board and shall become a public record.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Koppersmith, Ruderman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	Holzman

**5. ADJOURN**

The meeting was adjourned at 8:28 p.m.