

VILLAGE OF GLENCOE
FENCE BOARD OF APPEALS

REGULAR MEETING
OCTOBER 1, 2012

1. CALL TO ORDER.

A meeting of the Fence Board of Appeals of the Village of Glencoe was called to order at 7:45 p.m. Monday, October 1, 2012 in the Council Chamber of the Village Hall, Glencoe, Illinois.

2. ROLL CALL.

The following were present:

Barbara Miller, Chair

Members: Deborah Carlson, David Friedman, Ed Goodale, Jim Nyeste,

The following were absent:

Howard Roin and Steve Ross

The following Village Staff were also present:

John Houde, Building & Zoning Administrator

3. APPROVE MINUTES OF SEPTEMBER 10, 2012 MEETING.

4. APPROVE WINTER APPEAL AT 560 WESTLEY

The Chairman stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Carolyn Winter of a permit denial by the Building & Zoning Administrator to replace an existing 5 foot fence at the northwest corner of the property at 560 Westley. The proposed fence requires an increase in the allowable fence height from the 4 feet to 5 feet. There are no percentage limits on variations the Fence Board of Appeals can grant.

The Chairman reported that notice of the public hearing was published in the September 13, 2012 GLENCOE NEWS and 6 neighbors were notified of the public hearing by mail and that no letters or verbal inquiries had been received. The Chairman then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chairman read the following items which the applicant previously submitted. That person noted:

1. Currently, there is an existing 5 foot fence situated exactly where the homeowner is requesting variance. The fence is in general disrepair and not attractive to passers-by. The fence has been on the property since before the owners purchased the home in 1976.

A 5 foot fence has been situated on the lot since before Glencoe enacted a fence code. One other home on Westley Road that has a similar configuration with the backyard abutting the golf course, also a corner lot, has a 6 foot fence that rises approximately 8 feet in height due to Westley Road being 2 feet below the ground where the fence is placed.

2. It is the owner's understanding that the purpose and intent of the fence ordinance is to regulate the height and unsightliness of fences in the community. If the variance is granted, it would actually improve the streetscape by providing for a contemporary fence in good condition that is compatible with the home and area.

It is the homeowner's understanding that the Village has granted fence variations to screen a home from parking areas.

The backyard area of the Winter home is situated along Westley Road (north end of the property) in the westernmost 40 feet of the property. This area faces the golf course parking lot and the practice area/driving range of the golf course. As a result, the "backyard area" of the lot has substantial vehicular traffic and is the target of golf balls from the practice area.

A fence is appropriate to screen the backyard from the golf course parking lot/driving range to:

- a. Provide for privacy to the backyard area;
- b. Screen the backyard area from the well-traveled roadway during the golf season; and
- c. Screen the backyard during the winter from the large mounds of soiled snow removed from the business areas of the Village and stored on the pavement of the golf course parking lot which is visible from the owner's kitchen window.

3. There are no other properties that front on Westley Road that could request a similar variation. Additionally the Village has granted variances previously to screen the private areas of a homeowner's property from parking lots (behind the former Wienecke's and next to the AME Church) and from the golf course driving range (Westley and Hohlfelder)
4. Because the portion of the lot where the replacement fence would be situated is 80 feet west of the east end of the lot and almost 100 feet from Fairfield Road, no corner sightlines are impacted by the fence.

Mrs. Perlberg, 568 Westley, spoke in favor of the fence variation.

The Chair made part of the record, as additional testimony the Agenda Supplement, which the Secretary was directed to preserve as part of the record in this matter.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for a variance in the allowed fence height to 5-feet be granted per the drawings presented, 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 finds that it has been established that the request meets the standards necessary to permit the granting of a variation in that it would not:
 1. Alter the essential character of the locality;
 2. Be out of harmony with the general purpose and intent of the fence ordinance;
 3. Set an unfavorable precedent whether to the immediate neighborhood or to the Village as a whole; and
 4. Affect public safety.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request, for an increase in the allowed fence height at the northwest corner of the property, be granted as shown in the drawings and site plan submitted by the owner and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Building & Zoning Administrator 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.

Adopted by the following vote:

AYES: Carlson, Friedman, Goodale, Nyeste, and Miller (5)

NAYS: None (0)

ABSENT: Roin and Ross (2)

There being no further business to come before the Fence Board of Appeals, the meeting adjourned at 8:00 p.m.

Secretary