



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

Village Hall Council Chamber
675 Village Court
Monday, April 9, 2018 - 7:30 PM

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 Chair, at 7:35 p.m. on the 9th day of April, 2018, in the Village Hall Council Chamber.

Attendee Name	Title	Status
Fence Board of Appeals		
Howard Roin	Chair	Present
Deborah Carlson	Member	Absent
Sara Elsasser	Member	Present
David Friedman	Member	Present
Alex Kaplan	Member	Present
Scott Novack	Member	Present
John Satter	Member	Present
Village Staff		
Nathan Parch	Community Development Administrator	Present
Stewart Weiss	Village Attorney	Present

2. APPROVE PIERRE APPEAL ON BEHALF OF NORTH SHORE CONGREGATION ISRAEL AT 1185 SHERIDAN ROAD

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Robert Pierre on behalf of North Shore Congregation Israel from a decision by the Community Development Administrator in denying a permit for the construction of a deer fence surrounding the congregation's community garden located within the southeast portion of the property. The appeal requests that approval be granted to increase the maximum fence height from 6 feet to 10.64 feet at its tallest point. There are no percentage limits on requested variations for fences.

The Chair reported that notice of the public hearing was published in the March 19, 2018 issue of the Glencoe Anchor and six neighboring properties were notified by mail. Mr. Parch stated that he spoke to several abutting property owners on Aspen Lane who had questions, but no letters objecting to the appeal had been received.

Staff swore in those in attendance expecting to provide testimony on this matter.

SUMMARY OF TESTIMONY

Robert Pierre of Boy Scout Troop #162 introduced himself and explained his plans to construct the deer fence as an Eagle Scout project. The proposed fence will surround an area that is approximately 31 feet by 23 feet containing raised garden plots where members grow vegetables that are donated to local food pantries and shelters. The height of the fence ranges due to changes in ground elevation from 8.33 feet up to 10.64 feet. The fence is not proposed to be a solid wood fence. Instead, it will have vertical and horizontal wood posts/supports with netting in between.

A letter from the congregation dated March 1, 2018 supporting Mr. Pierre's efforts was provided in advance of the meeting.

Mr. Pierre explained the following in favor of his request:

1. The garden has suffered considerable loss of produce grown to deer that feed on the garden bounty.
2. Deer can easily jump over the current fence height of 42 inches. A 10-foot perimeter fence is recommended, which is taller than the Village's maximum fence height of 6 feet.
3. The structure and netting that comprise the proposed fence will be located behind the temple building and will not be seen from Sheridan Road. It will be hundreds of feet from the street and will be between the synagogue buildings and the shoreline of Lake Michigan.
4. The property line to the south is sufficiently distant and has ample old growth vegetation to prevent views of the fence from the south.
5. The northern view of the garden is shielded by additional synagogue building structures.
6. The fence design will be attractive, comprised of cedar wood and lightweight plastic deer netting fabric.

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.

Member Kaplan asked what the budget was for construction of the fence. Member Kaplan also questioned what alternatives, aside from constructing a deer fence, have been attempted or considered.

Mr. Pierre responded that the construction budget was \$4,000-\$5,000.

Robert Levy, congregant and overseer of the community garden for the last 3-4 years, explained various initiatives he attempted over the years to deter deer, but with little to no success.

Member Friedman inquired about the heights of the deer fences installed by the Botanic Garden and Am Shalom for its community garden.

Mr. Parch responded that he did not recall the specific heights for either without reviewing the Village's records.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for a variance be granted to increase the maximum fence height from 6 feet to 10.64 feet, at its tallest point, for the construction of a deer fence surrounding the congregation's community garden located within the southeast portion of the property 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:
 - a. Alter the essential character of the locality;
 - b. Be out of harmony with the general purpose and intent of the fence ordinance;
 - c. Set an unfavorable precedent whether to the immediate neighborhood or to the Village as a whole; and
 - d. Affect public safety.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request to increase the maximum fence height from 6 feet to 10.64 feet, at its tallest point, for the construction of a deer fence surrounding the congregation's community garden be granted for the property at 1185 Sheridan Road as shown in the drawings or plans submitted by the applicant and made part of the record;

BE IT FURTHER RESOLVED that the decision of the Community Development 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 Fence Board of Appeals and shall become a public record.

Adopted by the following vote:

RESULT:	APPROVED
AYES:	Elsasser, Friedman, Novack, Roin, & Satter (5)
NAYS:	Kaplan (1)
ABSENT:	Carlson (1)

3. ADJOURN

There being no further business to come before the Fence Board of Appeals the meeting was adjourned at 8:45 p.m.