



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

Village Hall Council Chamber  
675 Village Court  
Monday, June 4, 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 7:39 p.m. on the 4<sup>th</sup> day of June, 2018, in the Village Hall Council Chamber.

| Attendee Name                 | Title                               | Status  |
|-------------------------------|-------------------------------------|---------|
| <b>Fence Board of Appeals</b> |                                     |         |
| Howard Roin                   | Chair                               | Present |
| Deborah Carlson               | Member                              | Present |
| Sara Elsasser                 | Member                              | Present |
| David Friedman                | Member                              | Absent  |
| Alex Kaplan                   | Member                              | Present |
| Scott Novack                  | Member                              | Present |
| John Satter                   | Member                              | Present |
| <b>Village Staff</b>          |                                     |         |
| Nathan Parch                  | Community Development Administrator | Present |

**2. CONSIDER MINUTES OF THE AUGUST 7, 2017 FENCE BOARD OF APPEALS MEETING AS AMENDED**

|                |   |
|----------------|---|
| <b>RESULT:</b> | <b>APPROVED</b>                                       |
| <b>AYES:</b>   | Carlson, Elsasser, Kaplan, Novack, Roin, & Satter (6) |
| <b>NAYS:</b>   | None (0)  |
| <b>ABSENT:</b> | Friedman (1)  |

**3. CONSIDER MINUTES OF THE APRIL 9, 2018 FENCE BOARD OF APPEALS MEETING**

|                |   |
|----------------|---|
| <b>RESULT:</b> | <b>APPROVED</b>                                       |
| <b>AYES:</b>   | Carlson, Elsasser, Kaplan, Novack, Roin, & Satter (6) |
| <b>NAYS:</b>   | None (0)  |
| <b>ABSENT:</b> | Friedman (1)  |

**4. APPROVE MIKOLAJCZYK/IKBAL APPEAL AT 705 IVY LANE**

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Rachel Mikolajczyk and Ikbal Nehme from a decision by the Community Development Administrator in denying a permit to rebuild an existing 5-foot tall brick privacy wall and extend it to the east 13 additional feet within the front yard setback of their property at 705 Ivy Lane. The current brick wall is 44 feet in length with an additional 13 feet of wooden fencing at 6 feet in height. In keeping with the original design of the house, the owners propose to rebuild the wall at a length of 57 feet and a height of 5 feet. The maximum fence/wall height within the front yard setback is 4 feet. There are no percentage limits on requested variations for privacy walls and fences.

The Chair reported that notice of the public hearing was published in the May 14, 2018 issue of the Glencoe Anchor. Staff noted that no letters and no verbal inquiries had been received. Staff then swore in those in attendance expecting to provide testimony on this matter.

**SUMMARY OF TESTIMONY**

Rachel Mikolajczyk introduced herself and explained her plans to rebuild an existing 5-foot tall brick privacy wall and extend it to the east 13 additional feet within the front yard setback. Ms. Mikolajczyk explained the following in favor of her request:

1. The original intent at 705 Ivy Lane was to repair the existing brick wall. After several masonry companies reviewed the wall, all companies came to the same conclusion that the brick wall needs to be rebuilt due to its deteriorated condition. The limestone cap and some of the bricks can be reused in rebuilding of the brick wall.
2. The variation of the brick wall will be in harmony as it was before. We are not altering location or height, just matching existing. We believe in historic preservation and this wall is part of the home's history, uniqueness, and design aesthetic.
3. The variation of the brick wall will set no unfavorable precedent either to the immediate neighbor or to the Village. While the location of the brick wall is within the 40-foot front yard setback, it is located 30+ feet back from the front property line. Additionally, this block of Ivy Lane includes only three homes. There are no front-facing neighbors on the south side of Ivy Lane.
4. The variation of the brick wall will not affect public safety. The wall does act as a fence for the pool on the property.

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 be granted to increase the maximum fence height from 4 feet to 5 feet in order to rebuild an existing 5-foot tall brick privacy wall and extend it to the east 13 additional feet within the front yard setback per the drawings presented, with the condition that no additional fence variations be approved for the property, 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 4 feet to 5 feet in order to rebuild an existing 5-foot tall brick privacy wall and extend it to the east 13 additional feet within the front yard setback, with the condition that no additional fence variations be approved, be granted for the property at 705 Ivy Lane 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:

|                |   |
|----------------|---|
| <b>RESULT:</b> | <b>APPROVED</b>                                       |
| <b>AYES:</b>   | Carlson, Elsasser, Kaplan, Novack, Roin, & Satter (6) |
| <b>NAYS:</b>   | None (0)  |
| <b>ABSENT:</b> | Friedman (1)  |

**3. ADJOURN**

There being no further business to come before the Fence Board of Appeals the meeting was adjourned at 7:47 p.m.