



APPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, October 8, 2013, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Kalina, Van de Kerckhove, and Leider.

ALSO PRESENT: Steve McNellis, Director of Community Development and Stephen Robles, Planner.

ABSENT: Trustee Liaison Brandt.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:08 p.m.

1.0 ROLL CALL

The roll was called by **Planner Robles** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held Tuesday, September 10, 2013.

Member Kalina moved and **Member Leider** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board held Tuesday, September 10, 2013, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

3.1 PUBLIC HEARING and Consideration and Discussion to consider a text amendment to include Meeting and Events Center as a Special Use, zoning variations, and a Special Use related to a proposed meeting and events center (Noah Corporation/Guggenheim Retail Real Estate Partners, Inc.)

Planner Robles noted the Petitioner requested the Zoning Board open and continue the Public Hearing to the November 12, 2013 meeting, to allow additional time in preparing the required documents for consideration by the Zoning Board. He also noted that a full Staff analysis and a recommendation will be provided prior to the November 12th meeting.

Member Kalina moved and Member Leider seconded a motion to open and continue the Public Hearing to the November 12, 2013 Zoning Board meeting as requested by the Petitioner.

The motion passed unanimously by voice vote.

- 3.2 CONTINUED WORKSHOP to discuss proposed Text Amendments to Sections 6-2-2, 6-3-5, and 6-3-7 of the Zoning Code to update requirements for Accessory Structures & Uses, incorporate new regulations for Temporary Structures and Uses, and revise limitations for Obstructions in Yards (Village of Lincolnshire).

Planner Robles presented the Staff memorandum and explained at last month's workshop, Staff introduced the Accessory Structures and Uses code and the Permitted Obstructions code sections for Zoning Board feedback. He noted that he would be highlighting the items discussed previously, and the incorporated revisions that resulted.

Planner Robles continued with the first item regarding the quantity of accessory structures and stated Staff felt it was appropriate to allow more than one accessory structure, if all other requirements were met. However, he noted the Zoning Board had previously expressed concerns in increasing the number of detached structures. As a result, the proposed code language included the one accessory structure limitation, along with the exception for a Play Structure to be permitted in addition. **Planner Robles** clarified the change to Play Structures included a play house, jungle gym, trampoline, swing set, etc. **Director McNellis** requested the Zoning Board reconsider permitting more than one accessory structure, but not more than two structures, since such was not unusual in residential neighborhoods and would not disrupt the residential character of the Village. **Member Leider** expressed his support for the current single accessory structure limitation on the basis it would force residents to remove unused structures if they desired an additional structure.

Following discussion on what types of accessory structures would be permitted if increased to two, the Zoning Board unanimously agreed to increase the current quantity of accessory structures to a maximum of two, provided no two structures would be the same, with the exception of play structures, which residents would be allowed to have two play structures.

Planner Robles moved to the second item of restrictions on storage structures. He summarized the maximum 6" separation currently required for storage sheds was minimal and created problems in maintaining the area between the home and shed. With the Zoning Board not wishing to increase the separation allowed for storage sheds, no change had occurred in the draft code language. However, **Planner Robles** noted Staff continued to encourage increasing the maximum distance for accessory structures to allow more flexibility in locating a shed and increasing the ease in maintaining the area between the two structures. **Director McNellis** explained when the Village permitted storage structures, it was done so under very tight restrictions. Experience had shown that we had not had problems with proliferation of these structures since the code was revised. The 6" requirement was an arbitrary number at the time, as is the 5' increase proposed by Staff. However, Staff felt residents should have greater flexibility in placing storage sheds to allow continued upkeep of home facades and ground between a home and storage structure. **Member Van de Kerckhove** noted his agreement that the current 6" separation did not provide sufficient space for maintenance. **Member Leider** expressed his concern over the proposed 5' separation and felt 1'-2' would be acceptable. **Member Kalina** commented that he felt the proposed 5' separation was acceptable and would give people enough latitude.

After limited discussion, the Zoning Board agreed to permit a 5' separation for storage structures located to the rear of the home, and maintain the 6" separation if sheds are one in the side of the home.

Planner Robles continued his presentation with Item 3 and noted the graphic design examples for gazebos have been removed, but the requirement for traditional/classical architectural design and detailing had been retained. He also noted the maximum permitted height of gazebos had been reduced from 16' to 15' for consistency with a code change to limit all accessory structures to a 15' height.

There was a consensus amongst the Zoning Board of the Staff proposed revisions.

Planner Robles moved on to Item 4 to redefine recreational structures and recreation equipment and facilities to reduce confusion. He summarized the change in terminology amongst the two structure types proposed to provide clear identification. Also proposed was a newly created term, *personal recreation facility*, which was to be used to identify basketball courts, tennis courts, volley ball courts, etc. This was proposed to fill a void in the Zoning Code regarding the identification of such improvements.

There was a consensus amongst the Zoning Board of the Staff proposed revisions.

Planner Robles continued with Item 5 and explained that seasonal structures had been added as a permitted temporary structure, along with regulations on proper placement and use.

There was a consensus amongst the Zoning Board of the Staff proposed revisions.

Planner Robles moved to the sixth item regarding the Staff proposed new Temporary Structures & Uses section to provide more appropriate regulations based on individual temporary impacts. He explained that as part of the new section, simplified review procedures through a newly created Temporary Use Permit were established, which would involve Staff level review of such uses and structures, rather than the current formal zoning approval process. **Planner Robles** presented a list of proposed temporary uses and structures along with their proposed regulations for the Zoning Board's feedback.

There was a consensus amongst the Zoning Board of the Staff proposed revisions.

Planner Robles continued with Item 7 regarding Staff's request to establish a maximum flag pole height, which was absent from the current Zoning Code. He presented that a maximum 25 ft. flag pole height was proposed for all Single-Family residential zoning districts and permitted in any yard setback. For all other zoning districts, flag poles would not be permitted to encroach into the front yard and must meet all setbacks and the height would be regulated separately. Staff also added a statement that display of the United States flag must comply with the US Flag Code.

Following discussion on the Zoning Board's concerns regarding a fixed flag pole height, Staff was requested to explore a ratio that could be used based on the height of the building. Also, the Zoning Board requested that flagpoles be subject to all yard setbacks, and further regulated based on the height of the flagpole to ensure they would not fall onto neighboring properties.

Planner Robles moved on to Item 8 and noted Staff had retained the code-permissibility for certain accessory structures in the required rear yard, however, Staff included a minimum 10' setback from the rear property line to create reasonable separation from adjoining lots.

There was a consensus amongst the Zoning Board of the Staff proposed revisions.

Planner Robles continued his presentation with the ninth item and explained that additional code language had been established to clarify fences were not allowed to extend into recorded conservancy areas/easements, regardless of where property lines fall. A graphic of the code language was presented to the Zoning Board for their input.

There was a consensus amongst the Zoning Board of the Staff proposed revisions.

At the conclusion of his presentation, **Planner Robles** sought direction from the Zoning Board if a public hearing should be scheduled for the next meeting in November to discuss proposed code language. It was the consensus of the Zoning Board for Staff to schedule the public hearing for the November 12, 2013 meeting to present draft code language.

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS (None)

6.0 CITIZENS COMMENTS (None)

7.0 ADJOURNMENT

There being no further business, **Chairman Manion** adjourned the meeting at 8:20 p.m.

Minutes Submitted by Stephen Robles, Planner