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**Village of Gurnee  
Planning and Zoning Board  
Minutes  
September 12, 2018**

**1. Call to Order and Roll Call**

The meeting was called to order at 7:30 p.m.

Planning and Zoning Board Members Present: Chairman James Sula, Brian Baugh, Tim Garrity, Richard McFarlane, David Nordentoft, and Edwin Paff

Planning and Zoning Members Absent: Josh Pejsach

Other Officials Present: Tracy Velkover, Planning Manager; Clara Schopf, Associate Planner; and Joseph Menges, Acting Village Attorney

**2. Pledge of Allegiance**

**3. Public Hearing: Variance (1135 Vineyard Drive)**

*Raymond and Linda Carrier are seeking a variance to allow a patio that extends approximately 20' into the 40' rear yard setback, approximately 10' more than allowed by code. The subject property is zoned R-2 PUD and is located at 1135 Vineyard Drive.*

Ms. Schopf stated that Raymond and Linda Carrier are seeking a variance to allow a patio that extends approximately 20' into the 40' rear yard setback, approximately 10' more than allowed by code. She noted that the subject property is zoned R-2 PUD and is located at 1135 Vineyard Drive. As with all Variance petitions, the Planning and Zoning Board will make a recommendation that will be forwarded to the Village Board for their determination. Ms. Schopf stated that the petitioner is in attendance to present his plans and answer any questions the board may have.

As this was a Public Hearing, Mr. Sula asked that anyone wishing to speak on this matter be sworn in. Mr. Menges conducted the swearing-in.

Raymond Carrier, 1135 Vineyard Drive, stated that he is requesting a variance to allow a patio to extend approximately 20 feet into the required 40 foot rear yard setback, which is 10 feet more than allowed by code. Code allows a patio to encroach 10 feet into a rear yard setback. He provided a power point presentation (attached) that summarizes the unique circumstances surrounding his property including the following:

- The house is setback 52 feet from the front property line, which is substantially further than the required 30 foot front setback and further than any other home in the area.
- The home appears to have been setback 52 feet from the front lot line in order to preserve 3 large trees.
- Bittersweet Woods had a review board that reviewed setback requirements for home sites in the community to ensure a pleasing appearance from the street, which could have contributed to the homes substantial front setback.
- Subsequently, these three trees died or their roots created sewer issues and were removed.

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- Because of the home's substantial front setback, the rear of the home is built approximately 1.5 feet over the 40 foot rear setback line.
- Decks and patios are allowed to encroach 10 feet into a required rear yard. Given the home encroaches 1.5 feet into the required rear yard setback, a deck or patio would be limited to a width of 8.5 feet.
- That there is a 3 foot bay window that would encroach into a portion of this 8.5 area allowed by right for a deck or patio.
- The home was purchased, the documents provided at closing (Chain of Title) reflects a 25 foot rear setback, not 30 feet.
- That the rear yard of the house is at the low point of the surrounding area. The grade elevation from just below foundation to the rear property line is almost 60 inches.
- To address the grade change a retaining wall will be placed on the backside (east) of the patio.

Mr. Garrity asked if there is any documentation of the Petitioner's neighbors support for his plans; Ms. Schopf responded, stating that neighbors were sent notice of this hearing, and that there are no complaints from them on record.

Mr. Sula stated that he is struggling with the petition, specifically as the site appeared to have some drainage issues (the ground was spongy in the area of the patio) and he expressed a concern about the additional impervious surface created with this request. He asked if the setbacks were in place as a mechanism to control impervious surface ratio of a lot.

Ms. Velkover stated that the setbacks help regulate the impervious surface ratio, but also exist to ensure light and air between structures. She noted that there are impervious surface ratio standards in each zoning district and the R-2 district's ISR is 45%. The subject site's ISR is far less than 45%, even with the proposed patio.

Mr. Sula then opened the floor to the public. As there was no one from the public present to speak in regards to this petition, Mr. Sula closed the floor.

Mr. Nordentoft motioned, seconded by Mr. Garrity, to forward a favorable recommendation on the petition of Raymond and Linda Carrier for a variance to allow a patio to extend approximately 20' into the 40' rear yard setback, approximately 10' more than allowed by code.

Roll Call Vote:

Ayes: Baugh, McFarlane, Nordentoft, Paff, Sula

Nays: Garrity

Abstain: none

Motion carried: 5-1-0

#### **4. Next Meeting Date: October 3, 2018**

Ms. Schopf stated that, at this time, there are no items on the agenda.

#### **5. Public Comment**

There were no public comments made at this meeting.

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**6. Adjournment**

Mr. Nordentoft motioned, seconded by Mr. Garrity, to adjourn the meeting.

Voice vote:

All "Ayes," no "Nays," none abstaining

Motion carried: 6-0-0

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Joann Metzger  
Recording Secretary, Planning and Zoning Board