MEMORANDUM

TO:	Village President and Village Board
FROM:	James M. Hogue, Village Planner
DATE:	February 18, 2016
RE:	Board & Commissions Report for 2/23/16

This memo is intended to update the Village Board as to the status of projects and activities of the Long Grove Plan Commission & Zoning Board of Appeals (PCZBA), Conservancy & Scenic Corridor Committee (CSCC) and the Architectural Commission (AC).

PCZBA (Rescheduled); - 2.16.16 Meeting (2 Actions Item)

PUBLIC HEARING: Consideration of a request for amendment to the Village Code for the Village of Long Grove, Title 5, Zoning Regulations, including Section 5-11-5 (E) "Authorized Variations" and Section 5-3-12 "Bulk, Space and Yard Requirements" including footnote C and other regulations within the Village of Long Grove, Illinois to allow residences of greater than 13,000 square feet on property with a minimum lot size of 8 acres or greater within the Village of Long Grove, Illinois.

Chairman Phillips read the request into the record and swore in the witnesses to provide testimony.

Planner Hogue summarized his staff report noting historically the "bulk" discussions of the zoning code focused on the large house - small lot scenario. The concern is the impact of this "bulkiness" on the "rural character" of the village and the openness associated with that character.

The 2007 revisions to the code have addressed this issue well. Little concern was given to the large house on large lot scenario as the character concerns are not as apparent under this scenario.

One option for consideration therefore is the maintenance of "status quo" and not recommending any changes to the "bulk" regulations of the zoning code.

As a second option, consideration could be given to creating additional standards for this type of authorized variation which address the issues of scale, intensity and community character. In addition to the greater setbacks (already anticipated in the zoning code for front yards), landscaping (existing and/or proposed or required) may be considered. A Floor Area Ratio, in concert with other "bulk" regulations, may be a useful regulation as well. Architectural Commission Review may also be a consideration. A cap on maximum square footage for a residence would presumably exist, or at least be considered, under this scenario.

Finally, the simplest solution is to remove the 13,000 square foot cap from the current code but keep all other "bulk" regulations (including the greater setbacks for larger structures). A minimum lot size, of eight (8) acres or greater would be required for such a variation to even be considered. Under this scenario lot coverage (.40) would be the principal limiting factor in house size on lot of 8 acres or more. Architectural Commission Review may also be a consideration under this scenario to address, scale, intensity and community character concerns.

Attorney Gates clarified the purpose of the two Public Hearings at this meeting. This first public hearing is to address the request for a text amendment to permit the zoning variation, and if that passes, the second public hearing is for a variation pertaining to the residence at 3111 Old McHenry Road. Should text amendment request fail the second public hearing may be held for discussion purposes but would likely end in a negative recommendation in light of the result of the public hearing on the text amendment.

Paul Psenka, architect for the petitioner, emphasized that this is a unique situation in Long Grove. The existing code allows for the construction of a detached structure/garage without a variation request. However, the detached structure would create the appearance of even more mass than an attached garage.

Marsha Forsythe, petitioner, 3111 Old McHenry Road, emphasized that there are very few lots in Long Grove, which would be affected by the text amendment. One single structure is more aesthetically pleasing than two separate structures and a detached garage would diminish open space and require removal of very valuable trees. Ms. Forsythe further noted that the calculation of square footage in Long Grove is unusual and unfair in that it includes any enclosed space as calculated floor area including a garage, an attic, and a porch with an overhang. These should not be considered as livable space. Long Grove's method of calculating square footage should be changed and creates a hardship unique to Long Grove.

Mike Demar, 4965 Astor, stated that the village needs to consider particular circumstances that apply to unique lots and that builders would like that option for larger structures on larger lots.

David Gayton, 1124 Robert Parker Coffin Road, stated that common sense needs to prevail and that he would like an aesthetically pleasing single structure home to versus two separate structures.

Rita O'Connor, Oak Hill, noted that the emphasis in Long Grove is on smaller homes.

Lisa Schultz, 336 Country Lane, referred to the letter she sent to the commissioners for review. In particular the letter emphasizes community character, the comprehensive plan, the pastoral/rural feel of Long Grove, and the respect due to current residents where home size is an issue. She also emphasized, in her opinion, the lack of hardship in this instance.

Chairman Phillips then closed the public hearing and asked for discussion from the PCZBA. In general the Commission noted this issue had been previously discussed and been recommended for denial by the Commission. The Commission noted that nothing had changed to alter that previous recommendation on this issue.

A motion was made by Commissioner Dvorak, Seconded by Commissioner Kazmer, to recommend denial of a request for text amendments to the Long Grove Zoning Code to allow for residences of greater than 13,000 sq. ft. on lots that are 8 acres or more in size. On a voice vote, three ayes. Commissioner Phillips abstains. Motion passes; request denied.

PUBLIC HEARING: Consideration of a request for a variation to permit a residence of greater than 13,000 sq. ft. on property containing ten (10) acres +/- and zoned within the R-1 Residential District and located at 3111 Old McHenry Road within the Village of Long Grove, Illinois.

Chairman Phillips read the request into the record and swore in witnesses who are to give testimony in this matter. Planner Hogue summarized his staff report and noted that the house at issue is currently at 12,905 square feet and the proposal brings the square footage up to approximately 17,000 square feet. The property is on 10 acres of land. The request is predicated on approval of the text amendment, which was just voted down.

Planner Hogue did add that this attached garage does appear to be the minimum amount of relief requested for this type of structure. Paul Psenka, architect for the petitioner spoke on behalf of the petitioner and noted that he is very

concerned about the character of the house. From an aesthetic standpoint, an attached garage actually gives the appearance of less bulk. It also has the least amount of impact on the property.

Marsha Forsythe, petitioner, 3111 Old McHenry Road, further emphasized the positive aspects of having an attached garage and its aesthetic value.

A motion was made by Commissioner Kazmer, Seconded by Commissioner Dvorak, to recommend denial of the applicant's request for a variation from the maximum floor area requirements for the property located at 3111 Old McHenry Road. On a voice vote, three ayes. Chairman Phillips abstains. Motion passes; request denied.

PUBLIC HEARING (Continued): Consideration of an update and proposed amendments to the Village of Long Grove Comprehensive Plan submitted by the Village of Long Grove

Planner Hogue and Chairman Phillips summarized the status of the comprehensive plan update. Last week the first stakeholder interviews were conducted to give consultants an idea of the issues in the community. Stakeholders included community leaders, public agencies and others involved in economic development. The next step is the formation of a steering committee to make recommendations to the plan commission. Two more evening stakeholder sessions will take place in the near future. The calendar will be updated and the website is in process.

Lisa Schultz objected to the composition of the stakeholder meeting and believes it does not accurately represent the community. Planner Hogue replied that the idea of the stakeholder meetings is not political but geographical and included key community players and are targeted to specific interests. Further discussion ensued among board members, trustees and Ms. Schultz regarding participation in the process and the stakeholder meetings. Residents will have the ability to comment on the website.

Commissioner Rubin made a motion to continue the public hearing regarding updates and proposed amendments to the Village of Long Grove Comprehensive Plan until April 5, 2016 at 7:00 p.m. Seconded by Commissioner Dvorak. On a voice vote, all ayes. Motion passes.

PCZBA; Next Regular Meeting 3.1.16; AC; Next Regular Meeting 3.21.16

CSCC; - Next Regular Meeting; 3.2.16

PSENKA ARCHITECTS Inc.
40 Landover Parkway (Suite 4)
Hawthorn Woods, IL
(847) 756 4700

Text Amendment Synopsis

The Village of Long Grove

12-21-15

Regarding:
3111 Old McHenry Road
"Attached Garage"

(a) The specific feature or features of the proposed use, construction, or development that require a variation.

-The addition of an attached garage would put the existing home over the allowable F.A.R.

(b) The specific provision of this code from which a variation is sought and the precise variation there from being sought.

-Amendments to the Village Code for the Village of Long Grove, Title 5, Zoning Regulations, including Section 5-11-5 (E) "Authorized Variations" and Section 5-3-12 "Bulk, Space and Yard Requirements" including footnote C and other regulations within the Village of Long Grove, Illinois to allow residences of greater than 13,000 square feet on property with a minimum lot size of 8 acres or greater.

(c) A statement of the characteristics of the lot that prevent compliance with the provisions of this code.

-The location of existing residence limits the ability to attach a garage.

(d) A statement of the minimum variation of the provisions of this code that would be necessary to permit the proposed use, construction, or development.

-See proposed text amendment.

(e) A statement of how the variation sought satisfies the standards set forth in section 5-11-15 of this code.

-N/A

(f) A survey, certified by a registered land surveyor, showing existing lot lines and dimensions, lot area, all easements, all public and private rights-of-way, and all streets across and adjacent to the lot.

-Attached to submission

(g) A statement concerning the conformity or lack of conformity of the approval being requested to the official comprehensive plan and the official map of the village. When the approval being requested does not conform to the official comprehensive plan or the official map, reasons justifying the approval despite such lack of conformance.

-See proposed text amendment.

Sincerely,

Paul A. Psenka

PSENKA ARCHITECTS Inc.
40 Landover Parkway (Suite 4)
Hawthorn Woods, IL
(847) 756 4700

Variation Synopsis

The Village of Long Grove 12-21-15

Regarding:
3111 Old McHenry Road
"Attached Garage"

A request for a variation to permit a residence of greater than 13,000 sq. ft. on property containing ten (10) acres +/- and zoned within the R-1 Residential District

1. That the particular physical surroundings, shape or topographical conditions other specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

-Not enough land to expand existing garage , house is to close to property line building setback
-Location based on flat lower exiting topography.
-Location based on limiting the number of trees requiring removal.
-Location required for direct attachment to existing home from nanny's quarters.

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;

-This property is larger than most other parcels in this zoning classification.
-The location of the existing residence is specific to this lot.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

-The proposed garage is for the personal use of the owner, and is not being developed for sale.

4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;

-The present condition is inherent to how the original house was developed.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

-The proposed improvement will not impact neighboring properties and or impact how they could be developed in the future.

6. That the proposed variation wilt not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.
The board of appeals may also recommend such conditions and restrictions as may be necessary to comply with the standards set forth in the Village Code to reduce or minimize the injurious effect of such variation upon other property in the neighborhood.

-The requested alteration is specific to the residence in question and will not impair adjacent properties supply of light and air and does not present a safety issue for public safety.

-The addition is being located on the low side of the property to minimize the size impact on the overall property configuration.

Sincerely,

Paul A. Psenka

CUSTOM RESIDENTIAL
GARAGE ADDITION
3111 OLD McHENRY ROAD
LONG GROVE, ILLINOIS 60047

BUILDING INFORMATION

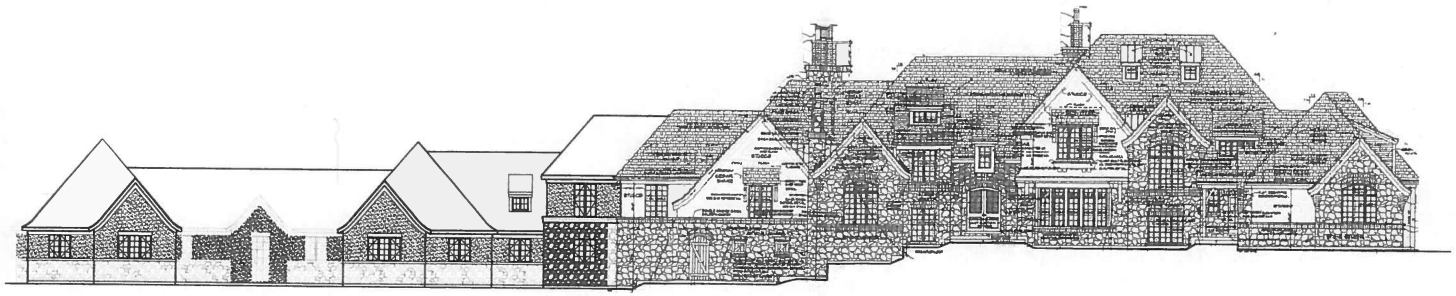
ZONING = R1
LOT AREA = 442,191 S.F.

MAXIMUM BUILDING HEIGHT = 35'-0"
EXISTING BUILDING HEIGHT = 35'-0"
PROPOSED BUILDING HEIGHT = 35'-0" (UNCHANGED)

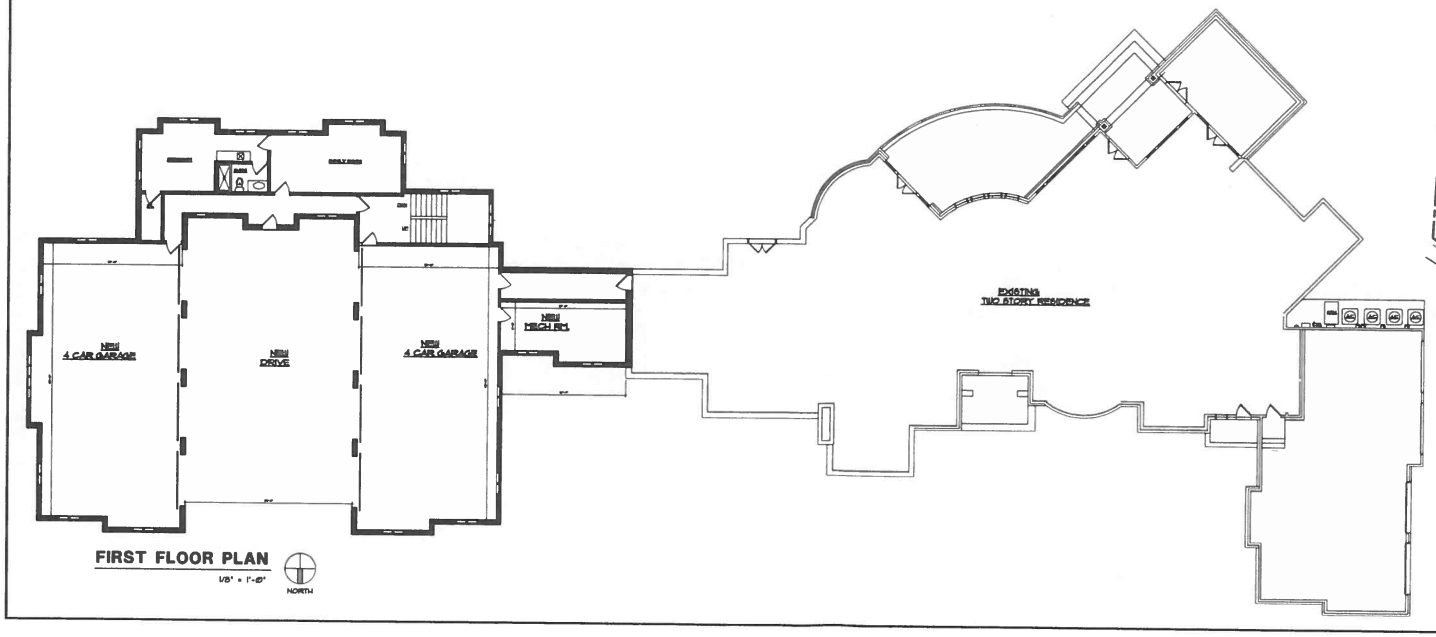
MAXIMUM IMPERVIOUS ALLOWABLE 40% = 176,800 S.F.
EXISTING IMPERVIOUS = 27,025 S.F.
NEW ADDITION IMPERVIOUS = 8,150 S.F.
TOTAL PROPOSED IMPERVIOUS = 35,175 S.F. (UNDER BY 141,625 S.F.)

MAXIMUM BUILDING LOT COVERAGE 40% = 176,800 S.F.
EXISTING BUILDING LOT COVERAGE = 7,315 S.F.
NEW ADDITION BUILDING LOT COVERAGE = 4,000 S.F.
TOTAL PROPOSED BUILDING LOT COVERAGE = 11,315 S.F. (UNDER BY 165,485 S.F.)

MAXIMUM FLOOR AREA RATIO = 11,000 + ((442,191 - 130,680) X 0.022)) = 17,853 S.F. (or max. 13,000)
EXISTING FLOOR AREA = 12,905 S.F.
NEW ATTACHED GARAGE AREA = 4,000 S.F. FIRST FLOOR + 1,400 S.F. 7'-0" ATTIC AREA = 5,400 S.F.
TOTAL PROPOSED AREA = ~~16,482~~ 16,905 S.F. (OVER BY ~~3,482~~ 3,905 S.F.) -- NOT TO EXCEED 17,000 S.F.



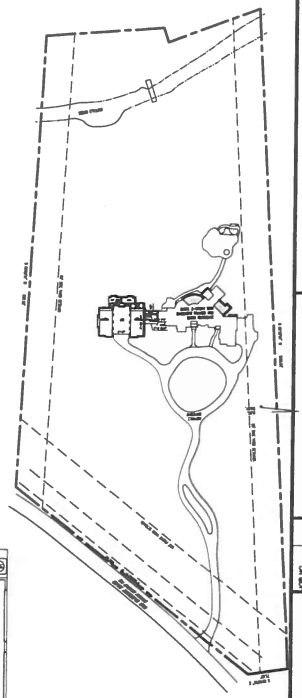
FRONT ELEVATION



FIRST FLOOR PLAN

1/8" = 1'-0"

NORTH



SITE PLAN

NORTH

PSENKA ARCHITECTS Inc.

FIRST FLOOR PLAN

SHEET NO.

P-3

January 25, 2016

Dear Chairman Phillips and Commissioners,

As we may have a conflict with attending your meeting on February 2, 2016, we are writing to you now regarding both New Business items on your agenda for that evening.

The issues on which we wish to present testimony are the requests to allow variances so that the square footage of a residence may exceed 13,000 sq ft on a property greater than 8 acres, and to allow one resident a variation to increase the square footage of a home already at the limit. We are against this idea for the following reasons:

1) You all considered this issue in May/June, 2015. You are aware that you and the Board said "no". Prior to that when I (Lisa) was on the Commission with many of you, we considered this same issue for maybe the 6th time. I recall that based on our consideration of the Comprehensive Plan calling for a "pastoral nature", the danger of what becomes of such properties when the owner moves on (unsalable/commercial use), and based on being responsible about increases in impervious surface in our Village which is largely wetland, we voted no - as did our Village Board. **That *6th time*, we SPECIFICALLY discussed and agreed to use language *purposefully disallowing* any variation to this ordinance to avoid precedent setting and "getting around" this law. Opening this door will change the nature of our Village in way that doesn't support The Plan or what residents just told us via survey.** Our Comprehensive Plan pretty much spells out that we do not want to be South Barrington, and our residents just confirmed it.

2) Setting an "8 acre" parcel limit is putting a burden on specific neighborhoods - not the entire Village. We are selecting certain residents for being affected by this. How many parcels are left and whom will they affect when these monster structures are built? And what is magic about 8 acres?

Our neighborhood has such a 10 acre parcel backing up to it and a home of that size would be completely out of character there and not appreciated by the neighbors. We all bought in the woods and in a neighborhood of all unique, not huge, homes because we like that look. There were rules to protect us from a huge monolith going there and we knew it. Whether you find such a structure attractive or not, please don't impose that on others - the Comprehensive Plan says "pastoral" not "big box".

We are very familiar with the topography and hydrology there and even with water management, we can be sure that such an impervious surface increase would further exacerbate substantial water flow issues and that homes would likely be damaged. The water balance is already extremely precarious and difficult to manage in any water event. Our water issues have been discussed for years and years and we know with certainty that they cannot be easily mitigated via engineering. We ask that you please go out and look at each parcel left in the Village and determine whether such a structure on each would be in keeping with each neighborhood that would be subjected to both the structure and the impervious surface increases (if you aren't comfortable already with saying "no").

3) Hardship. The Board just approved a variance for a family in Towner subdivision based on moving an aging parent into their home. That seems a reasonable hardship. Is it truly a hardship not to have an 8 car garage - especially given that one could build a free standing carriage house that would possibly be more attractive and save us all from the "monolithic" look? Our home has a 6 car garage that was accomplished by taking from living space and our total floor area is less than half the 13,000 square foot area - but we manage. It would be sad to me that we would be the Village that is in the news having called the need for a home larger than 13,000 square feet and an 8 car garage a "hardship".

4) Lastly, please review the survey results. This is not being requested by residents. It is being asked for by a single resident without hardship and a single Trustee, who, without more said, should recuse himself from this discussion. Another Trustee, immediately upon the Board's vote to approve this reasonable ordinance capping homes at 13000 sq ft, looked up and said to a particular audience member something to the effect of "don't worry, we can get around this"... out loud! And here were are again. Long Grove just voted in three Trustees by a landslide because they promised transparency and representation of the *majority of residents.* This is not in the best interest of the majority or Long Grove.

Please consider what you call "hardship". Please consider our home and the others that will be devalued by allowing a variance on just a few properties in our Village. It's just not the right thing to do and outrageously unnecessary. All of our LG neighbors bought their homes knowing the rules - please don't change them mid-game.

Thanks for your consideration and for representing the majority,

David Phillips and Lisa Schultz
3316 RFD

From: chiqui32@comcast.net
To: fred@fredphillips.com
Cc: michaeldvorak@comcast.net, kazmerj@hotmail.com, isoparr@aol.com, BPeltin@rptrust.com, szr5182@aol.com
Sent: Thursday, January 28, 2016 5:47:44 PM
Subject: RE: Public Hearing - Home Size Floor Area Ratio

Dear Zoning Board Members;

RE: Public Hearing - Home Size-Floor Area Ratio

Does the Village know how many developers, prospective buyers and local residents, have officially inquired directly to the Village office staff about wanting to build or making an existing home bigger than 13,000 sq. ft. on the past 15 years?

Does the Village know for a fact if, increasing a home size floor area ratio is going to bring many developers to want to build very large homes in the Village; and or, if local residents are going to want to expand their current home? Or, is this just a supposition?

And, how many people have actually build homes bigger than 13,000 sq. ft. in Long Grove or the surrounding Villages on the last 15 years?

Does the Village know for a fact –"if" there is a "high demand" from local residents wanting to add from 16,000 to 20,000 sq. ft. (where lot size allows) to their existing homes? If so, what is the percentage of that demand?

Does the Village know for fact if, the next generation of LG prospective buyers would actually want to buy 8 acres or a bigger lot and build a 16,000-20,000 sq. ft. home?

Does the Village know for a fact if, the decision to substantially increase the sq. ft. to an existing home located on an 8 acres or larger lot, is not going to "hinder" the real estate value of adjoining homes?

Does the Village know if, there is a reasonable concern that adding a substantially large accessory building or, adding a substantial addition to an existing home, could adversely impact the storm water drainage system to adjacent properties? If so, who is going to be financially responsible for any future unforeseeable drainage problems?

And, could a "financial responsibility" be designated to a property owner or our local government", in able to protect the abutting properties resale value and their peace of mind?

IF-- the Zoning Plan Commission were to make a positive recommendation to the Village Board to increase the current home size floor area ratio; and IF, the Village Board votes to accept the recommendation; shouldn't't there be some consideration given to add some additional wording to the amendment to protect abutting residents from future unforeseeable drainage problems and expenses?

What will happen with any 16,000 or 20, 000 sq. ft. home structure once the owners are no longer living? *Needless to add here, abutting neighbors can only hope that the heirs pay the taxes and keep the property from deterioration until a buyer is found; and that, the property is not sold for any other purpose, other than for one (1) family residence.*

Has the Village investigated if, a 16,000-20,000 sq. ft. residential home has a "higher potential"; than say, the average Long Grove size homes; of being foreclosed on and or abandoned due to a shortage of buyers on the higher price bracket and that they could also keep up with the tax bill on these properties?

Does the Village know for a fact if, a 16,000-20,000 sq. ft. home would sell at the same time rate as other LG average size homes and if it takes much longer to sell a much larger home?

Furthermore---even if the members of the Zoning Board were to give the Village Board a recommendation to not change the "home size floor area ratio on 8 acres or more"-- just based on the discussion at the recent Village Board Meeting (January 12, 2016) and the voting results that took place, it seems this issue has been decided already. The results of the voting will be once again a tie. There is no secret where the Village Board Officers stands on this issue. So, why waste the Zoning Board member's valuable time to go thru the pretense of following the protocol, when the final decision seems so predictable?

Wanting to change the home size over what is stated in the Comprehensive Plan is just doesn't seem to have a "strong fact benefits", ---for except to help the "hardship" of one resident. And fair enough, even one resident inquiry is of value. But hard not to speculate if, any "unknown" local resident would had come forward to ask for a massive home expansion, had the Village gone thru the trouble to push this change thru with the same interest?

On other thoughts but still interconnected…

Recently the Village hired a "Consultant" to help with the Comprehensive Plan revisions and updates…

Was this Consultant hired only to address the "commercial" potential of the Comprehensive Plan but was he not hired to address the home size floor area ratio for lots of 8 acres or larger, too?

If so, why not allow the Consultant to do his job, instead to trying to move this one item ahead of others more important issues?

Hard not to be concerned--- and wonder if, this one item would very well followed the same fate as the $40 thousand dollar resident's opinion

Survey; where the cost of the survey and the results of "one" of the survey questions was disregard because when the information was needed, it did not help with the agenda at hand.

I had given this item a great deal of thought, wanting to be fair to any party that wants to invest on our community; including current residents that have the need to improve or expand the sq. ft. on their homes where the lot size allows it…

But, just can't see a justification for the Village wanting to change the current "home size floor area ratio" on 8 acres or more, unless there is a high demand that merits this change at this time.

At the long run it is only the County that stands to gain the most from the tax assessment on overly larger homes; while our Village only gets to collect a % from the building permits fees; with little gain after that, if any. That is, unless, there is another plan in mind to change our local "free tax" base on the near future.

Regarding the second item on the Zoning Board Agenda...

Does the Village know what the petitioner's intent for the property is?

Maybe --the petitioner with this "hardship" (as it was repeatedly stated at the January 12, 2016 Village Board meeting) could explain if, the intent to add more sq. footage to the exiting property is to use the property as a private residence… or, are there other "special business" reasons?

Such as:

>the intent to convert an existing house building into a B&B or studio apartments,

>or, add a maid's quarters or a guest house to the existing home,

> or, add more storage and more garage space to the home?

And since the word “hardship” was used repeatedly at the last meeting...

What constitutes a "hardship for our Village Officials?

And --how many mature trees will have to be removed in able to make room for a substantial home expansion or building addition on the property in question?

Going off the tangent here but this is relevant...

But would have thought that there are greater pressing issues at this time than a home size floor area ratio on 8 acres or more --just to meet with a petitioner who might be the only interested party at this time...

There continues to be concerns regarding the commercial developments of the Village Historic downtown….

How many store space still vacant in the Historical District…. and on the annexation on Sunset Grove Mall?

How is the 53/120 going to impact the prosperity of the Historic District and Sunset Grove businesses(?)

Have the Stakeholders considered the option to temporarily lower the “rent fees” in able to attract tenants (?)

Why keep waiting before the projected 53/120 Extension takes away any potential of commercial business opportunities that “might” be out there, if any are out there?

There are other unknowns lurking…

Are the home values and the quality of the well water of homes located closer to 53/120 corridor going to be negatively impacted "when and if" the 53/120 becomes a reality?

Now that the citizens across this nation have a better picture about how trustworthy the EPA has been on recent months—Flint, Michigan lead! Let us hope that this poor performance of the EPA does not apply to the Illinois agency too!

The Comprehensive Plan has a few good lines that are good to keep on mind; such as:

"In general, a community may have occasional buildings that are out of - scale with the remainder of the community, but **they should be buildings of importance to the general public so that their difference has a symbolic meaning** (1991) "…

"Low buildings in natural colors that are placed and vegetated, so as **to disappear into the landscape, shall be the rule rather than the exception"**…

Under – "Action Program" on the CP document it also reads:

"This strategy requires '**setting limits on buildings size'** which the Village set by ordinance, relative to residential structures, in 1990".

The 13,000 sq. ft. max - home size floor area ratio - has been part of the Village character for a number of years (1990) to remind us of its "pastoral" look—why change it?

BTW ~ Simple Definitions of *hardship:* *something that causes or entails suffering or privation; something (as a loss or injury) that is hard to bear; a state of misfortune or affliction.*

Trust that many of the questions and concerns I shared above are addressed during the meeting. Thank You!

Respectfully Submitted,

Chiqui Johnson