

Item #13:
Village Planner Hogue



MEMORANDUM

TO: Village President and Village Board
FROM: James M. Hogue, Village Planner
DATE: August 9, 2012
RE: Board & Commissions Report for 8/4/12

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; - 8.7.12 (1 Action Item)

PUBLIC HEARING; Consideration of a proposal for amendment(s) to Title 5 of the Village Code and the Zoning Map for the Village of Long Grove, regarding setbacks and other zoning regulations affecting properties located in the subdivision commonly known as Country Club Estates, currently located in the R-2 residential zoning district.

Planner Hogue explained the history of the Country Club Estates Development indicating the development was granted preliminary approval in October of 1962. As part of that approval blanket variations permitting lot sizes of not less than 40,000 square feet and a reduction of the front yard setbacks for lots abutting the golf course from the required 75 feet down to 30 feet were granted. The golf course was also figured into site density also as it was noted at the time of approval the average lots size of the development was 1.83 acres. This made it "very close" to the established 2 acre zoning. The development has occurred in phases during the early and mid- 1960's and is largely built-out.

In short, while not a PUD the development functions like a PUD given the reduction in lot size, the site density considerations and the front yard setback variation. As this development is not a PUD however and the setback standards of the zoning code would trump any platted setback lines other than those to which the approved blanket variations apply. This situation appears to have contributed to the inconsistencies in zoning administration in the development as well.

Additionally, the covenants to the subdivision note that "no building shall be erected closer than 30 feet to any lot line. This also appears to have added to the confusion over setbacks and particularly in the case of side and rear yard requirements.

He noted the zoning map for the Village will also need to be modified to reflect the "overlay" district regulations created by this amendment. This will likely be some sort of shading and map notation delineating the "Country Club Estates Overlay District". This will likely occur during the annual zoning map certification process for 2013.

Mr. George Yeager, president of the Country Club Estates HOA, indicated an appreciation of the efforts of the Village in rectifying the setback situation in C.C.E. He was concerned that front yard setbacks were not included as part of the amendment however. He noted that lots in the "back 9" (which was re-subdivided in 1983 as C.C.E. Units 5 & 7) had developed with 50 foot front yard setbacks (shown on the plat) instead of the 75 foot setback noted in the Village Code and indicated a few vacant lots still existing in the area . He asked if the ordinance amendment could include the 50 foot front yard setback as noted on subdivision plat as well as resident's plats of survey and could this be done by lot number or phase of the development.

Two other residents of Country Club Estates were also present but did not speak at the hearing.

Staff noted that if 50' front yards had been allowed those properties would be considered non-conforming (absent any approved variations allowing such a reduction in setback). This is not an issue unless an addition was contemplated to the front of the structure. Recent variations, previously considered in Country Club Estates, have been predominately for side and rear yard setbacks and not for front yard setback requirements.

If an amendment were to be considered for front yards as well, structures built further back would now have the ability to move closer to the street, as a matter of right, up to an additional 25 feet from the 75 foot standard. This may impact the "established building line" in some instances. Staff suggested that a variation on the front yard requirements may be a better alternative as public notice and public hearing may be desirable with regard to front yard setback alterations.

On the other hand, the variations granted as part of the subdivision approval, which allowed the minimum lot size of 40,000 square feet essentially created an "R-3" subdivision. The setback for the side and rear yards, as proposed in this amendment are consistent with the R-3 Standards. A reduction of the front yard setback to 50 feet would be consistent with the R-3 standards as well.

After discussion Commissioner Rubin made a motion, seconded by Commissioner Kazmer, recommending approval of (i) an amendment to Section 5-3-12 of the Zoning Code to add an exception that establishes the setbacks in the Country Club Estates Subdivision to be; for front and corner side yards, 75 feet, except for lots that abut the golf course (as presently configured), which shall be 30 feet; for side yards, 30 feet, and for rear yards, 30 feet and (ii) an amendment to the Zoning Map to identify the Country Club Estates Subdivision and note the preceding exception.

The motion passed on a voice vote of 5 ayes, 1 nay and 1 absent. Commissioner Rubin, the lone dissenting vote, indicated the 50 front yard setback should be included in the proposed amendment to the zoning code as well.

AC; Next Regular Meeting 8.20.12

CSCC; - Next Regular Meeting; 8.22.12