

Item #2:

Report Of September 4, 2012 PCZBA Meeting:

- Reconsideration Of Amendments To CCE Setbacks



**MEETING AGENDA OF THE
PLAN COMMISSION & ZONING BOARD OF APPEALS
REGULAR MEETING**

Tuesday, September 4, 2012 at 7:00 P.M.

Village Hall, 3110 OLD MCHENRY ROAD LONG GROVE, ILLINOIS

1. **Call to Order.**
2. Reconsideration 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.
3. **Approval of Minutes; August 7, 2012**
4. **Other Business;**
5. **Adjournment:**

**Next Regular Meeting – October 2, 2012 - Village Board
Representative; (9/11) Commissioner Cohn.**

The Village of Long Grove is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to phone David Lothspeich, Long Grove Village Manager at 847-634-9440 or TDD 847-634-9650 promptly to allow the Village of Long Grove to make reasonable accommodations for those persons.

**MEETING
PROCEDURES**

Plan Commission meeting follow the procedures outlined below. In the spirit of fairness to all parties, any of these procedures may be modified for a particular item at the discretion of the Chair.

1. Introduction of item by the Chair.
2. Village Staff's summary of Petition.
3. Presentation by the Petitioner.
4. Public Testimony and Comment.
5. Cross-Examination.
6. Response by the Petitioner.
7. Questions by the Commission.
8. Commission Discussion and Deliberation.
9. Commission Action.



MEMORANDUM

TO: Village of Long Grove Planning Commission & Zoning Board of Appeals
FROM: JAMES M. HOGUE, Village Planner
DATE: August 30, 2012
RE: Ordinance Amendment – Minimum Yard Setbacks in a portion of the R-2 Zoning District; Country Club Estates – Front Yards.

History

At the August 2012 PCZBA Meeting the Commission considered an amendment to the zoning code regarding the setbacks in the Country Club Estates Subdivision. The Village Board had previously referred a general ordinance amendment for the reduction of setbacks in portions of the R-2 Zoning District, specifically Country Club Estates (C.C.E.), to the PCZBA.

As the PCZBA is aware confusion and inconsistencies have arisen over time with regard to the setbacks, particularly the side and rear yard setbacks, in the development. Administration of the setback regulations in this area has been inconsistent as well. This has led to variation requests, in some instances to remodel or rebuild to the established building line.

The PCZBA made the following recommendation to the Village Board at their August Meeting:

Commissioner Rubin motioned to recommend (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 it exists as of August 7, 2012, 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.

Discussion also occurred regarding the front yard setbacks. The subdivision plats and many plats of survey (held by residents) indicate a 50' front yard setback. The Zoning Code mandates a 75' front yard setback in the R-2 District. Upon conclusion of the discussion the consensus of the PCZBA with regard to the front yard setback was as follows:

Chairman Phillips called for a straw vote for (front yard) setback requirements: Commissioners Dvorak, Peltin, Kazmer, and Parr stated preference of 75 ft. Commissioner Rubin voted for 50 ft uniformly.

At the Village Board meeting of August 14th the front yard setback issue was discussed further. The Village Board asked that research be done into the existing front setbacks in Country Club Estates and this issue (front yard setbacks) be remanded back to the PCZBA for further consideration.

Staff has prepared two exhibits (attached). One depicts the configuration of Country Club Estates with the “golf course” lots highlighted. The other provides front yard setback data on a lot by lot basis. The methodology for measuring the setbacks was determined as indicated below.

Setback Determination Methodology

Staff principally utilized “google earth” to identify the setbacks of residences in the Country Club Estates subdivision. The Lake County GIS was also used mostly for reference purposes.

As “google earth” does not provide lot lines on their aerial photography the following data was used in determining front yard setbacks.

- 1). Rights-of way are platted at 66’ in the subdivision.
- 2). Per the Long Grove Roads Commissioner, pavement width is 24’ feet in the subdivision.
- 3). The half width for right-of-way and pavement is 33 feet and 12 feet respectively.
- 4). Subtracting the pavement half-width from the right-of-way half-width is as follows; $33' - 12' = 21'$.
- 5) Setbacks were measured to the edge of the pavement as identified in the “google earth” aerial photography and the measurement tool provided by “google earth”
- 6). Twenty-one feet (being the half width of right-of way remaining w/o pavement) was subtracted from the “google earth” number to determine the setback of each residence. This gives the setback to the right-of-way line and **not** to the middle of the street. Setbacks are currently measured to the “right-of-way” line and not the centerline of the street or right-of-way.
- 7). Setbacks were measured to the pavement edge from the point of the structure nearest the pavement.
- 8). Only the closest point was measured for corner lot as opposed to a measurement on both street frontages.
- 9). This methodology assumes the pavement is located in the middle of the right-of way.

Analysis & Conclusions

As was mentioned by staff at the August PCZBA meeting front yard setbacks vary widely in the development. 264 lots were identified. 6 lots remain vacant (one "vacant lot" contains only a tennis court in private ownership). The smallest setback calculated was 22 feet; the largest was 186 feet. Overall setbacks in the development are follows;

Setbacks:

Less than 30'	6 dwellings or 2%
30' to 40'	41 dwellings or 15%
41' to 50'	68 dwellings or 26%
51' to 60'	71 dwellings or 27%
61' to 70'	36 dwellings or 14%
Over 70'	36 dwellings or 14%
<u>Vacant</u>	<u>6 lots or 2%</u>
Total	264 100%

The attached exhibit labeled "setbacks" identifies the geographic distribution of setbacks within the development. Again setbacks vary widely and more or less randomly within the development. 113 (43%) lots are adjacent to the golf course and entitled to 30' front yard setback per the blanket variation granted as part of the approval of the development. However, only 41 lots were identified as having a setback within this range and of these only 33 are actually adjacent to the golf course. This appears to indicate a preference to locate structures further back from roadways in the development and closer to golf course property. This is likely a result of the golf course function as open space in the development and may reflect a desire of property owners to be closer to the open space rather than roadways (i.e. a larger front yard and smaller rear yard) in the development.

As stated at the August Meeting staff has concerns with a blanket reduction of the front yard setbacks with the development. Staff suggested that the current standard of 75 feet be maintained for front yards and that any variation of this standard be subject to the variation/public hearing process. After conducting research into front yard setbacks in C.C.E. staff maintains this position for the following reasons;

- 1). **Character of the Area** - As noted in the Planner's Advisory Service Report # 528, "**Too Big, Boring and Ugly**" written by Lake Kendig and published in 2005, staggered building setbacks are preferable to "lining up buildings on the front setback line". Staggered setbacks allows for differing perspectives of structures which alter building scale, hide similarities in structures and allow landscaping to be more effective in the development. A blanket reduction of the front yard setbacks may have a negative effect on the existing "random" pattern of setbacks in C.C.E. thus affecting the character of the area.
- 2). **Wide variation in setbacks** - As illustrated on the "Setbacks" exhibit prepared by staff setbacks vary widely from lot to lot within the development. Due to the wide differences in setbacks noted from lot to lot, impacts to abutting property owners in terms of view, air circulation and sunlight, among others, may be experienced with expansion of structures particularly toward the street. Staff maintains these issues are better addressed through the variation process (which may be conditioned) rather than an additional "blanket" variation to the subdivision.

3). **Trend of Development** – As noted in the research conducted by staff and illustrated in the “Setbacks” exhibit most lots which were granted the 30’ setback as part of the approval ordinance have developed with a deeper setback (i.e. larger front yard) than allowed by the “blanket variation”. This appears to reflect a desire by property owners to be located closer to the open space provided by the golf course rather than roadways in the development. The previously considered reductions in the side and rear yard setback requirements support this trend.

4). **Lack of requests for front yard variation** - Research into this issues was prompted by three recent requests for variation of the side and rear yards in the C.C.E. development. These variation requests were all very similar in nature. In general, when multiple requests for variation on similar or identical issues are received review of the zoning code is warranted as the zoning restriction in place may not be in line with the trend or character of development in a certain area. The amendments as proposed and approved by the PCZBA at the August Meeting setback for the side and rear yards, address the issues which have been raised with the most recent requests for variation in the area.

Front yard setbacks have not been an issue for those seeking to remodel or additions to the existing structures in the development. As such there have not been any recent petitions for front yard setback variations. As such, is there a need to further reduce the front yard setback requirement in the development from the current 75’ standard?

Furthermore, such a reduction in the front yard setback would appear to be opposite of the trend of development in the area which would be for a larger front yard and smaller rear yard.

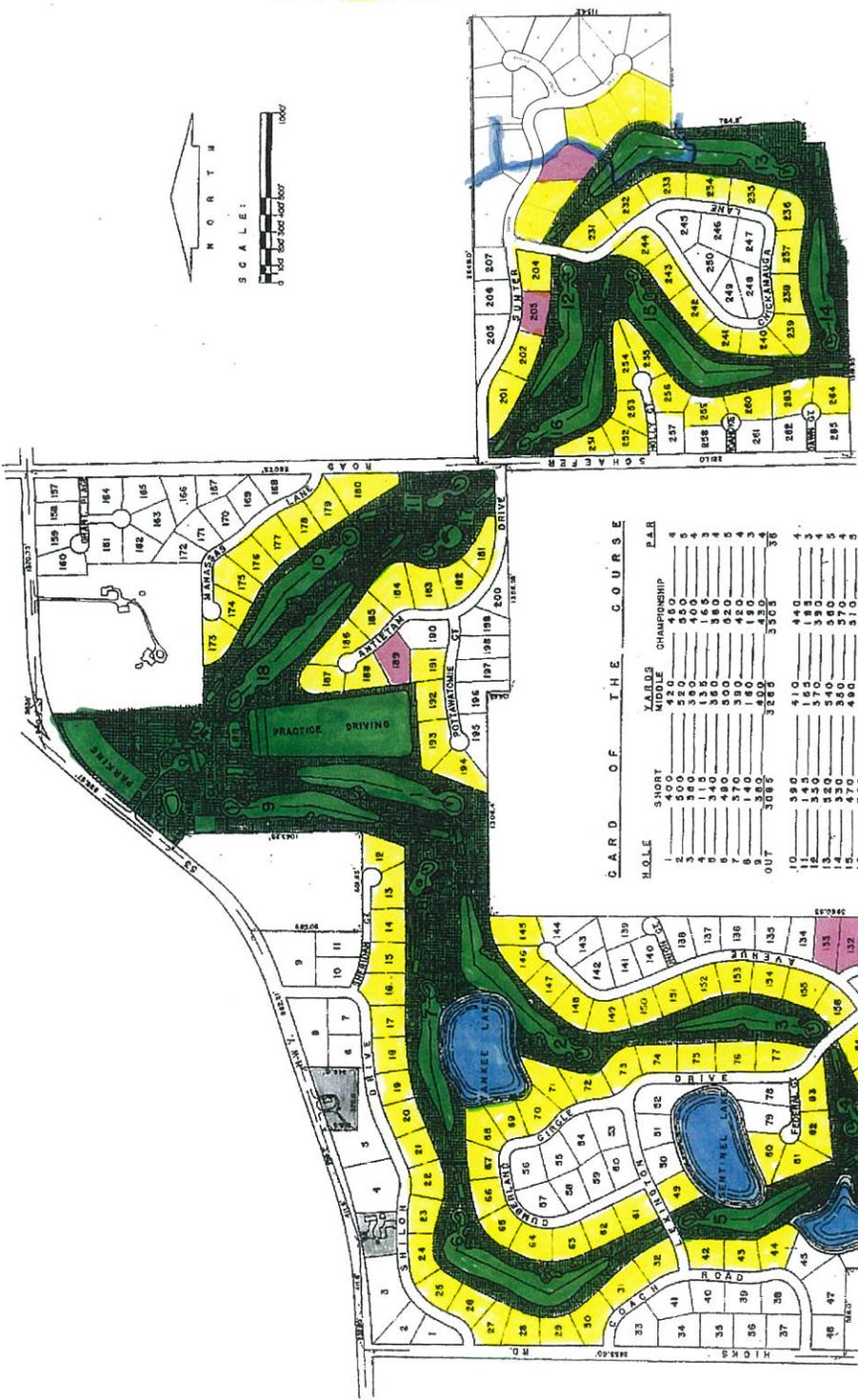
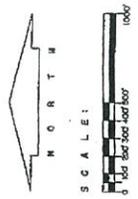
PCZBA ACTION

The Village Board at their meeting of August 14th remanded the front yard setback issue back to the PCZBA for further consideration. This request also included that research be done into the existing front yard setbacks in Country Club Estates and this data be considered by the PCZBA with regard to the reduction of the setbacks to 50’ as indicated on plats of survey held by residents and plats of subdivision recorded for the development. Presently the development is zoned R-2 and requires a front yard setback of 75’ feet per the zoning code. Outside of the blanket variation of a 30’ front yard for lots abutting the golf course no proof or further variation of the front yard setback has been found for the development. As previously noted confusion and inconsistencies have arisen over time administration of the setbacks in the development and in particular the side and rear yard setbacks.

At August meeting the consensus of the PCZBA, although not unanimous, was to maintain the 75’ foot setback in the development. The PCZBA should determine if that is still their position on the issue or if the data collected and presented for consideration warrants further discussion and a reduction of the front yard setback to the 50’ standard as previously discussed. The PCZBA should make a recommendation to the Village Board accordingly.

Should you have any questions or concerns feel free to contact me at (847) 634-9440.

GOLF COURSE
 ABUTTING LOTS
 VACANT



GARD OF THE COURSE

HOLE	SHORT	MIDDLE	CHAMPIONSHIP	PAR
1	400	420	450	4
2	500	520	550	5
3	380	390	400	4
4	340	350	360	4
5	480	500	520	5
6	140	150	160	4
7	380	400	420	4
8	380	400	420	4
9	380	400	420	4
10	390	410	430	4
11	145	155	165	3
12	350	370	390	4
13	320	340	360	4
14	470	490	510	5
15	470	490	510	5
16	350	370	390	4
17	410	430	450	4
18	410	430	450	4
IN	3110	3290	3570	36
OUT	3082	3262	3542	36
TOTAL	6192	6552	7012	72

FINAL PRELIMINARY PLAT

LONG GROVE COUNTRY CLUB ESTATES

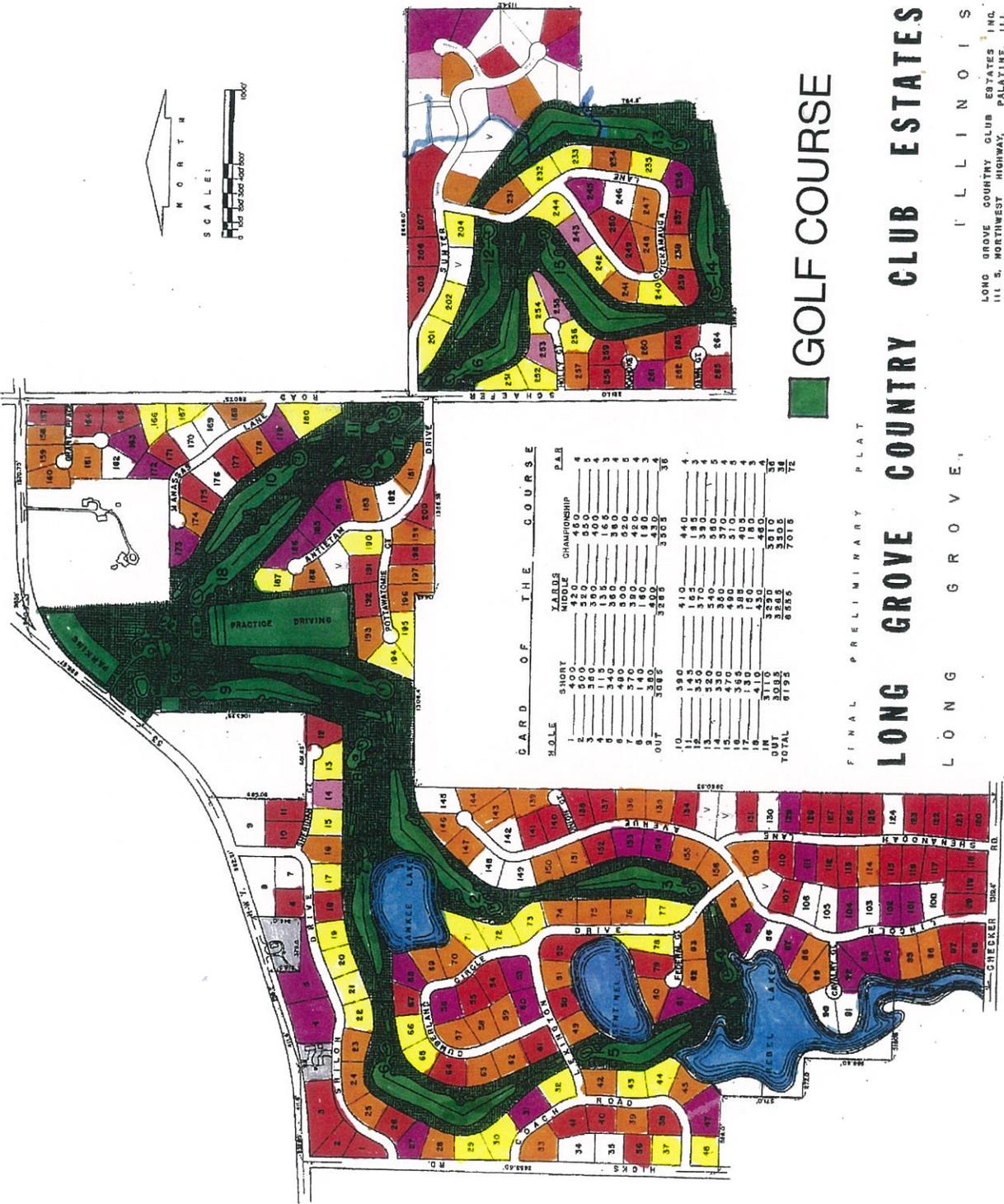
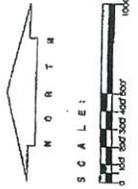
LONG GROVE,

ILLINOIS

LONG GROVE COUNTRY CLUB ESTATES INC.
111 S. NORTHWEST HIGHWAY, PALATINE, ILL.
PL 9-0192

SETBACKS

- LESS THAN 30 FEET
- 30 TO 40 FEET
- 41 TO 50 FEET
- 51 TO 60 FEET
- 61 TO 70 FEET
- ABOVE 70 FEET
- V VACANT



GARD OF THE COURSE

HOLE	SHORT	MIDDLE	CHAMPIONSHIP	P.A.B.
1	500	420	450	4
2	580	500	550	5
3	560	500	550	5
4	515	435	465	4
5	480	360	380	4
6	480	360	380	4
7	570	390	420	5
8	570	390	420	5
9	580	400	430	4
10	580	400	430	4
11	550	370	390	4
12	550	370	390	4
13	520	340	360	4
14	520	340	360	4
15	520	340	360	4
16	520	340	360	4
17	520	340	360	4
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30	520	340	360	4
31	520	340	360	4
32	520	340	360	4
33	520	340	360	4
34	520	340	360	4
35	520	340	360	4
36	520	340	360	4
37	520	340	360	4
38	520	340	360	4
TOTAL	8195	6255	7018	72

GOLF COURSE

FINAL PRELIMINARY PLAY

LONG GROVE COUNTRY CLUB ESTATES

LONG GROVE, ILLINOIS

LONG GROVE COUNTRY CLUB ESTATES, INC.
111 S. NORTHWEST HIGHWAY, PALATINE, ILL.
FL 8-0192

MEMORANDUM

TO: Chairman Phillips and Members of the Long Grove PCZBA
FROM: Marlo Del Percio
DATE: September 4, 2012
RE: Optional Motions

Country Club Estates Text and Map Amendment

Should the PCZBA wish to recommend the text and map amendments to amend the setback requirements in the Country Club Estates Subdivision, either of the following motions would be appropriate:

Motion to recommend (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, ___ feet, except for lots that abut the golf course, as identified in the recorded documents establishing the Subdivision, 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.

OR

Motion to recommend: (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 side yards, 30 feet; for rear yards, 30 feet; and for front yards ___ feet, except that existing residences with a lesser front yard setback shall be considered lawful nonconformities and additions or modifications to the existing residences are authorized without further variation, so long as such additions or modifications do not further encroach into the front yard setback or any side yard setbacks; and (ii) an amendment to the Zoning Map to identify the Country Club Estates Subdivision and note the preceding exception.