



APPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Thursday, October 10, 2019 in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL

PRESENT: Chairman Bichkoff and Members Kalina, Udoni, Hersh, Curtin, Josephson, Kelly, and Trustee Harms Muth

STAFF PRESENT: Ben Gilbertson, Assistant Village Manager/CED Director (AVM/CED) and Michael Jesse, Building Official (BO)

ABSENT: None

CALL TO ORDER: **Chairman Bichkoff** called the meeting to order at 7:02 P.M.

1.0 ROLL CALL

The roll was called by **AVM/CED Gilbertson**. **Chairman Bichkoff** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held on Tuesday, June 25, 2019.

Member Udoni moved, seconded by **Member Curtin**, to amend the minutes for a scrivener's error on page 4, as well as to correct spelling of Member Udoni's last name throughout the document.

Motion passed unanimously by voice vote.

Member Kalina moved, seconded by **Member Udoni**, to approve the minutes as amended for the June 25, 2019 Zoning Board.

The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Public Hearing regarding Text Amendments to Single-Family Residential Bulk Regulations in Title 6, Chapters 5A (R1, R2 and R3 Single-Family Residence Districts) and 5B (R2A Single-Family Residence District) of the Lincolnshire Village Code (Village of Lincolnshire)

Chairman Bichkoff recessed the Zoning Board meeting, convened the Public Hearing, and reviewed the procedures for the public hearing.

AVM/CED Gilbertson introduced **Mike Jesse, Building Official** for the Village of Lincolnshire. **Building Official Jesse** stated he has been with the Village since 2008, taking over a responsibilities as Building Official in 2011.

AVM/CED Gilbertson summarized the background of the request before the Zoning Board. He stated over the course of several meetings in 2017, the Village Board considered a number of potential changes to the Lincolnshire Village Code to address single-family residential bulk regulations given new construction of a few large homes, as well as a trend of tear downs and new construction in older areas of the Village. The Village Board had previously requested staff to investigate floor area ratio (FAR) requirements to determine if they were appropriate. He noted this matter had been previously presented to the Zoning Board on three separate occasions with the Zoning Board making a non-favorable recommendation to the Village Board in January 2019. **AVM/CED Gilbertson** stated the Village Board requested staff perform additional research to refine the original recommendations and share them with the Zoning Board.

AVM/CED Gilbertson stated staff conducted additional research on Lincolnshire residential building activity which included analyzing data from the Lake County Chief County Assessor's Office for square footage of single-family residences and the impact code revisions would have on existing homes.

Chair Bichkoff inquired about earlier staff research and discussions. **Building Official Jesse** stated he provided data to the previous CED Director at that time, but did not participate in the discussion regarding the recommendations made to the Zoning Board. **AVM/CED Gilbertson** stated previous recommendations would have resulted in a substantial number of homes becoming non-conforming structures, and that the Zoning Board was not comfortable with this. **Trustee Harms Muth** inquired if something in the code is not working to properly regulate single-family residential bulk.

Building Official Jesse presented a PowerPoint presentation on current bulk regulations, adopted in 2007, which detailed the tools and regulations utilized by staff during permit review process. He further provided photos of recently constructed houses in Lincolnshire illustrating the role of architecture in the perceived size of a structure. He concluded his presentation with possible opportunities for code amendments based on staff research to include revisions to FAR, as well as possible introduction of square footage caps. **AVM/CED Gilbertson** added staff recommendations include FAR reductions in R1 and R2 zoning districts as well as building square footage cap requirements for homes in the R1, R2, R2A, and R3 zoning districts. He also noted possible revisions the Zoning Board could direct staff to evaluate further, including a reduction to the building side setback plane and an increase to the garage square footage credit of 400 sq. ft. **Building Official Jesse** stated staff's recommendations for FAR amendments and implementation of square footage caps was based on identifying the largest homes in each residential zoning district and setting the maximums for square footage cap for those homes. This was intended to eliminate the potential for the creation of non-conforming structures, though some homes might become non-conforming depending on the validity of the Lake County data.

Member Josephson inquired about the difference between the FAR and the square footage cap. **AVM/CED Gilbertson** stated that the lower of the two values would be used to determine maximum home size, and is based on the size of a lot.

Member Kalina asked to staff to recap the issue the Village Board has in regards to teardowns. **AVM/CED Gilbertson** replied the change in character of the neighborhood has become a concern, and that market is demanding larger homes than were originally constructed. He noted one recommendation would be to utilize revised FAR as a means to preserve character, adding the Architectural Review Board (ARB) are considering the design elements of homes and incorporation of requirements for landscaping.

Member Josephson asked what is driving this issue, as he does not hear concern from residents. **Member Kalina** stated his opinion that the current code is sufficient. **Member Josephson** said he does not see a trend in disruption of neighborhood character. **Chairman Bichkoff** noted the recommendations the Zoning Board is currently presented with are more palatable than the previous recommendations, but the Zoning Board still needs to determine if it is necessary to institute square footage caps and reduce the FAR values. **Member Kelly** noted his concern regarding the number of homes that may become non-conforming and the impact these changes might have on future homes sales. **Member Hersh** stated the new recommendations presented tonight would result in far fewer homes becoming non-conforming. Discussion ensued regarding the rationale for FAR changes and square footage caps.

Chair Bichkoff opened the floor to public comment.

Jeffrey Green, Arthur Greene Construction, was sworn in. He stated he is a home builder in Lincolnshire, noting building trends have evolved over time. He added the existing code does adequately control the bulk of homes. He further questioned the Lake County data, as the data does not account for garage square footage credit space or two-story open foyer space. **Mr. Green** stated the Village must consider the impact on existing homes; the potential impact on future home sales if more restrictions are put in place, and instituting new restrictions for the entire Village based on a few anomalies. **Mr. Green** clarified the lot in question with the large house was always one lot; he tried to get it subdivided into two lots but the Village Board denied the request.

Member Curtin asked staff about the recommended changes and, if adopted, would a property owner be able to seek a variation. **AVM/CED Gilbertson** stated both the Village Board and Zoning Board would provide the opportunity to seek approvals for variances, but that it may difficult to show hardship specific to a particular property. **Member Josephson** commented board memberships will change and may be more or less restrictive in the future.

Member Udoni stated her concern about the R3 District, as this is where the most of the teardown activity takes place, and that the Village may be placing too many restrictions impacting home values and sales. **Member Kalina** emphasized his position that current codes are sufficient to prevent a drastic change in established neighborhoods. **AVM/CED Gilbertson** summarized the proposed changes in FAR are in R1/R2 districts only and institution of a maximum square footage cap would apply in R1, R2, R2A and R3 districts.

Trustee Harms Muth stated there are concerns from some Village Board trustees about what is occurring in certain neighborhoods. However she believes there are sufficient code requirements in place, and that she is not in favor of the

proposed changes.

There being no further comments, **Chair Bichkoff** closed the public hearing.

Member Udoni moved, seconded by **Member Curtin**, having conducted and concluded a public hearing on October 10, 2019, the Zoning Board moved to approve and recommend amendments to the Lincolnshire Village Code regarding bulk regulations in Title 6, Chapters 5A and 5B as presented by staff in the presentation packet.

Roll Call:

Ayes: None

Nayes: Hersh, Udoni, Kalina, Curtin, Josephson, Bichkoff

The motion failed unanimously by a roll-call vote.

AVM/CED Gilbertson stated the non-favorable recommendation will go to the Village Board for further consideration.

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS.

AVM/CED Gilbertson noted Boo Bash is set for October 25, 2019 and encourage Zoning Board members to attend.

6.0 CITIZENS COMMENTS (None)

7.0 ADJOURNMENT

There being no further business, **Chairman Bichkoff** requested a motion to adjourn. **Member Udoni** moved, seconded by **Member Josephson**, to adjourn the meeting. The meeting adjourned at 7:59 p.m.

Minutes submitted by Carol Lustig, Administrative Assistant, Community & Economic Development Department