

**VILLAGE OF LAKE BLUFF  
RESIDENTIAL BUILDING AD HOC COMMITTEE  
MEETING**

**November 16, 2017**

**APPROVED MEETING MINUTES**

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

The Village of Lake Bluff Residential Building Ad Hoc Committee (RBC) met on November 16, 2017 in the Village Hall Board Room (40 E. Center Avenue) at 7:00 p.m. and the following members were present:

Present: Brad Andersen  
Jennifer Beeler  
Leslie Bishop  
Deb Fischer  
Matthew Kerouac  
George Russell  
Scott Streightiff  
Jim Moss, Chair

Absent: Cheri Richardson

Also Present: Drew Irvin, Village Administrator (VA)

**2. Consideration of the September 26, 2017 RBC Meeting Minutes**

Member Fischer moved to approve the September 26, 2017 RBC Meeting Minutes as amended. Member Russell seconded the motion. The motion passed on a unanimous voice vote.

**3. Non-Agenda Items and Visitors**

Chair Moss stated the RBC allocates 15 minutes for those individuals who would like the opportunity to address the RBC on any matter not listed on the agenda.

There were no requests to address the RBC.

**4. Continued Discussion Regarding Committee Work Plan**

Chair Moss asked for comments regarding the comparison of bulk regulations in peer communities' memorandum.

Member Andersen said he found it interesting that the R-4 District has a minimum lot size of 7,500 sq. ft. when the majority of the homes in that area are 6,250 sq. ft. lots. He said he would like to understand when the lot size was changed to 7,500 sq. ft. because it seems to him this action caused a good portion of the homes in the R-4 District to become existing non-conforming structures. VA Irvin said it is not uncommon, for better or worse, to have undersized lots within a given district. He said he would have to review the records to find out when the lot size was changed.

Chair Moss asked if there were activities on smaller lots during this timeframe that drove the change. Member Russell said the zoning regulations were established before the east side rebuild phenomena which occurred in the late 1980s in the Village.

Member Andersen said he would look at it from a planning perspective as a tool to prevent dividing larger lots into two buildable lots. A discussion ensued.

In response to a question from Chair Moss regarding the zoning standards, Member Bishop said currently the Joint Plan Commission and Zoning Board of Appeals (PCZBA) has a “full plate” and is having a difficult time keeping up with everything that is required. The PCZBA is in the midst of drafting an update to the Comprehensive Land Use plan that will apply more to planning areas as opposed to zoning. She feels there are definite changes that needs to be made but with additional information and time to thoughtfully consider these items. Member Bishop said she was surprised how close the floor area ratio (FAR) was throughout the communities. There are some tweaks that could be made within the zoning regulations that could make a difference when determining FAR and she think it is important to consider front porches and garages.

Member Fischer said the graph shows Wilmette and Winnetka as the communities that appears to be the most permissive and noted the two communities are the fastest selling in terms of numbers. She asked the architects which issues they consider to be a struggle. Member Kerouac said it is difficult to make general comments because he deals with each community individually. He said every change made will impact something else, except for his pet peeve, the basement window which does not affect anyone and is decreasing the quality of life. He said the code protects neighboring properties and he feels it is unfair to penalize property homeowners for unjustly impacting adjacent properties. Member Kerouac said Lake Forest’s code pushes a quality issue for design whereas most codes look at bulk and he would prefer not to pursue that route. The Architectural Board of Review (ABR) is attempting to create a level of expectation in regards to new homes or tear downs. He think the simpler the code it would be easier for builders to fully understand the code.

Member Russell said there needs to be careful analysis whenever rule changes are being proposed. He would not want to draw a conclusion that Lake Bluff needs to be more permissive or restrictive based on the materials presented because there are many ways to calculate various zoning aspects. He commented on the graph noting that Lake Forest regulations would not appear more restrictive if you were to calculate a specific lot and specific size home. Member Russell said if he was to make a decision on what to change in Lake Bluff it would be based on what he wants to see in town. It is important that the focus be on what we see in our community and make judgement based on our lot sizes and regulations. He said by not understanding the various “wants”, things can be calculated in a manner that creates huge swings. In response to PCZBA Member Collins letter he did a sample attic floor space calculation for 216 East Center Avenue. It was actually 360 sq. ft. of floor space that would have been counted in the attic calculation which is currently not counted in Lake Bluff. He said that would be a huge change on a 2,500 sq. ft. lot and the Village needs to be very careful when making any changes. In his opinion, the Committee proposing any changes needs to demand that Staff provide a whole range of calculations so we can understand what is being proposed.

Member Streightiff asked why swimming pools are included in FAR. Member Russell said this was the result of someone desiring a swimming pool. It was decided that the water containment area should count toward the FAR based on the intensity of use.

Member Streightiff said we need to take a closer look at attic space because it is odd to him that you can build a volume on a house but not be allowed to build out. He thinks there should be a bonus for attic space. A discussion regarding attic space followed.

Chair Moss said he did not have a good take away from this. Also, he was surprised by the lack of impervious surface coverage rules in some of the other towns which could make people wonder why their needed in Lake Bluff. The conversation breaks down into two concepts: 1) very prescriptive rules

or 2) principal based rules and after hearing feedback it seems more thought should be given to bulk versus capital concept. Chair Moss said he understand why the regulations are designed to protect neighboring properties. The homeowner can rest knowing that something unusual will not appear next door and impact their property value or quality of life. As attic space does not hurt anyone, he thinks maybe there should be a rule that allows homeowners to do whatever they want within the footprint as long as the footprint is acceptable on all other elements. He does not have the right answer on how that would apply to the rule but believe it could be a conceptual recommendation. In response to a question from Chair Moss, Member Bishop explained why she thinks all the information from the RBC should be shared with the PCZBA and Village Board.

Member Bishop said she does not understand the daylight plane regulations because it seems to her this is forcing homes to have a peaked roof. She asked if a modern home could be designed without a front peaked roof. A discussion regarding daylight plane followed.

Member Bishop asked if there were any height restrictions for garages. Member Russell said it is 17 ft. for a detached garage. VA Irvin said towns have been known to give additional height bonuses for accessory structures set back further from the property line. Member Russell said the Village give bonuses of this type for larger lots, but not the smaller lots. A discussion regarding corner/unique lot configuration followed.

Chair Moss said based on the discussion thus far there appears to be some rules that we may want to further review. The FAR, setbacks, side yard or impervious surfaces does not seem to be unreasonable or subjects we would want to further study. Member Andersen said he thinks it is where an exception maybe appropriate. He is hearing there is somewhat of a consensus that maybe there should be an adjustment. He stated that he does not think there is anything wrong with the daylight plane because it is something that protects the neighbors. The overall FAR appears to be reasonable it is most punitive on the smaller lots and maybe it should be because of their close proximity.

VA Irvin said heritage lots could also be considered.

Member Kerouac asked if there were any other municipalities that consider swimming pools as FAR. A discussion followed and the committee expressed interest in changing the regulation with the inclusion of swimming pool or sport.

VA Irvin said desire to presenting this information in ways that make sense and a simple, straight forward manner can be difficult. He asked if a consultant should be hired to do 3-D Modeling. The swimming pool FAR and basement windows are simple recommendations to the PCZBA but attic space is more complex. There was no consensus on this matter.

Member Bishop shared information regarding a request from a new home owner for additional space. Member Bishop stated she was concerned with construction methods that could be easily modified after final inspections by the Village. She noted a that the issue was resolved by adding a drop ceiling in the attic, the space was no longer counted, and they were able to add the additional bulk to the lot. Member Fischer asked if there could be one rule for an existing home and one for a new structure moving forward. A discussion regarding attic space followed.

Member Kerouac said the ABR have similar experiences with sign variance and he said something must be wrong with the code if everyone is pursuing the same variance. Member Bishop said she think we need rules that we can live by and feel good within the community and are fair to all the citizens.

Member Bishop asked at what point on a lot is daylight plane figured. Member Streightiff said daylight plane restrictions extend 12 ft. vertically up from side yard and then towards the interior of the lot at the property line at a 45 degree angle. Member Bishop said from where the house is built to the property line do we want the land to slope so there is drainage. The angle is started at a lower level on the property line than the base of the house and she asked if this is forcing more peaked roofs. A discussion followed.

In response to a comment from Member Fischer, Member Kerouac said architects struggle with the current code in regards to attic space and corner lots.

Member Fischer asked if exterior basement accesses create any concern. Member Andersen said the area use to count as part of the side yard setback, if it was a basement stair, now it does count as part of the structure going into the side yard and this impact homes on smaller lots that desire an exterior entrance to the basement.

Member Kerouac said he feels like attic space and basement rules minimize the quality of life within the house. Member Russell said it is not a good idea to encourage exterior stairwells because these could create a huge problem as stormwater accumulates in the drain tile.

Member Bishop said she think all bonuses should be reviewed to ensure their accomplishing the right thing. A discussion regarding bonuses followed.

Member Russell said the RBC is tasked with identifying perceived problems not make a recommendation for the PCZBA to review the entire code. Member Andersen expressed his agreement with Member Russell and said it is not possible for one commission to rewrite the zoning ordinance and draft a long range plan. He said the RBC should prioritize any recommendations made so the PCZBA will have a more management task.

Member Bishop said she think there are specific things that needs to be changed but she is not sure if it is a good idea to cherry pick them and start making little tweaks without considering how they will affect each other.

Member Streightiff said there is a general consensus that the current formula for FAR, at the base mark are okay, but once we get pass that what we analysis as bonuses or exclusions to raise concern. A discussion regarding FAR/relief variance followed.

Member Russell said it seems we are making a list of items for the PCZBA to review and he does not believe the committee has discussed heritage lots yet this evening. There may have been previous discussions about tiny lots receiving a break because you cannot replace what is currently there today on a 25 ft. lot. Chair Moss said people felt the standard lot size rules of 7,500 sq. ft. did not allow much flexibility for heritage or smaller lots. He asked if further consideration should be given to more flexibility on these smaller lots. Member Russell said the rule keeps any new lots under 7,500 sq. ft. from being created in the R-4 District. He said he is happy with the FAR rules for the regular 50 ft. lots in the Village, 6,250 and 7,500 sq. ft. lots.

Member Andersen commented on how he understood the discussions regarding tearing down a house to building a new structure. He asked would it be appropriate for them to be able to recreate the size of the existing structure rather than force them to rebuild a home with the current setback and FAR requirements. This would basically preclude any redevelopment of an existing heritage type home to the same size. He thought there was a consensus that those homeowners should not be penalized and that

they should be allowed to recreate or rebuild the same size structure. A discussion regarding lot size followed.

Chair Moss asked if there were any topic restrictions. VA Irvin said he have not heard anything that would go against the initial directive from the Village Board.

In response to a comment from Chair Moss regarding multi-family in the R-5 District, VA Irvin said the PCZBA has been pondering the R-5 District regulations.

Member Kerouac asked if a resolution had been reached regarding heritage lots. Chair Moss said the discussion list needs to be narrowed down to the issue that will be further evaluated and heritage lots are prominent on that list. VA Irvin said there are two issues associated with heritage lots: 1) what can be rebuilt on those lots and to protect the lot and 2) authorize some new pathway to construct functional/usable structures on those lots.

In response to a question from Member Bishop regarding zoning restrictions on how small a structure could be built, Member Russell replied the minimum lot size requirement, which vary with the district, exceeds the tiny house trend. A discussion followed.

Chair Moss asked if there were any other topics that have not been discussed. Member Fischer suggested the 50 year standard for demolitions be reviewed.

Member Bishop said a resident recently asked the PCZBA to be careful when considering tear downs and flooding issues but these issue are not within their purview. She asked if the code requires additional drainage on subdivided lots. Member Russell said there are storage requirements for individual single family lots. The two new buildable lots would have to have a stormwater storage facility. He said to his knowledge there have been no discussion regarding drainage requirements for individual lots.

In response to a comment from Member Bishop regarding flooding, VA Irvin provided an update on the stormwater studies and Village's long term goals for flooding throughout the Village. The stormwater infrastructure does not have a defined revenue stream so alternative revenue is often created to fund those type of activities. He said the Village is fortunate not to have a single structure in the flood zone.

In response to a question from Chair Moss, Member Russell explained the various ways that the Government is pursuing flood plain boundaries. A discussion followed.

Member Bishop asked if there was enough water retention in the code to modify the flooding for the Terrace Subdivision. She questioned if the stormwater retention requirements had increased over the years. Member Russell said stormwater regulations have become very vigorous. The problem is that most of the Village infrastructure was constructed decades ago and it was not built to current storm water standards. A discussion followed.

## **5. Village Staff Report**

VA Irvin said as a result of tonight's discussion his plan is to work with Member Kerouac to redefine the basement window issue and attic issue, and Member Russell on the "Heritage Lot" issue. The swimming pool issue should be simple to review. He commented on a community in Southern California that has very small lots and said he would prefer to provide additional information regarding heritage lots, 50 year demolition standard and possible language about saving lots for consideration. A discussion followed.

**6. Chair's Report**

Chair Moss commented on future RBC meeting dates. Member Andersen said he would like for there to be a goal, after the New Year, for the committee to meet monthly so as not to lose momentum or recollection of the previous meeting.

VA Irvin said based on the comments he may be able to provide the RBC with something to react in the form of a recommendation. Member Kerouac asked if the RBC should be providing a solution or raising awareness. VA Irvin said what he envision would be to frame it in such a way that you can nibble around the edges, giving them something to think about based off the RBC discussions.

In response to a comment from Member Russell, Chair Moss said he was told the RBC was being formed to discuss issues that other Advisory Boards did not want to discuss, but he has since learned that most of the topics are being discussed to some degree. He stated that the RBC should be directional when providing feedback and how much of that discussion has taken place at another Advisory Board that may determine how specific we get with recommendations.

Member Andersen and VA Irvin confirmed, the RBC recommendations will be provided to the Village Board for further consideration. The RBC should be very specific with the recommendations provided to the Village Board so they will have some specific guidelines to consider.

Member Fischer asked if landscaping was included on the list. VA Irvin said there was not a consensus to move that issue forward. Member Bishop said she feel like landscaping and tree scape is a very important community character issue and worth discussing. A discussion regarding landscaping followed.

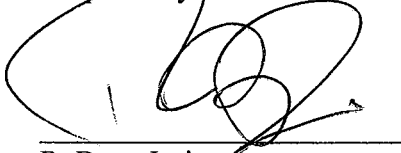
**7. Committee Member's Report**

There was no report from any members.

**8. Adjournment**

There being no further business to consider and upon a motion duly made and seconded, the meeting was adjourned.

Respectfully Submitted,



R. Drew Irvin  
Village Administrator