VILLAGE OF LAKE BLUFF
JOINT PLAN COMMISSION & ZONING BOARD OF APPEALS REGULAR MEETING

Wednesday, June 21, 2023 - 7:00 P.M.

Members of the public may view and participate in the meeting via:
- In person at the Village Hall Board Room, 40 E. Center Ave.
- Online: lakebluff.org/VirtualPCZBA
- Dial-in: (312) 626-6799. Enter meeting ID 851 1676 1132. Press # when prompted for a Participant ID.
- The meeting will be live-streamed at lakebluff.org/Channel19

AGENDA

1. Call to Order and Roll Call

2. Non-Agenda Items and Visitors (Public Comment Time)
   The Joint Plan Commission & Zoning Board of Appeals allocates fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Board on any matter not listed on the agenda. Each person addressing the Joint Plan Commission & Zoning Board of Appeals is asked to limit their comments to a maximum of three (3) minutes.

3. Consideration of the May 17, 2023 PCZBA Regular Meeting Minutes

   The petition seeks to construct a second story addition on the existing detached garage (“Improvements”) on the Petitioner’s single-family property located at 618 Maple Avenue (PIN 12-21-210-013), a locally landmarked property. The subject property is zoned R-4 Residence District. In order to construct the Improvements, the Petitioner seeks the following variations from the Zoning Regulations: (a) Maximum accessory structure height (Section 10-5-4); (b) Daylight plane regulations (Section 10-5-5); (c) Maximum floor area ratio (Section 10-5-6); (d) Minimum rear yard setback (Sections 10-5-9 and 10-5G-2); (e) Requirement that an accessory building be located at least five feet from the principal building (Section 10-5-9); and (f) Any other zoning relief as required to fully grant the petition and construct the Improvements. (PCZBA May Recommend to Village Board)

5. Staff Report

6. Commissioner’s Report

7. Adjournment

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act. Individuals with who require accommodations in order to allow them to observe and/or participate in this meeting, may contact Clara Gable, Assistant to the Village Administrator, at (847) 283-6889 or TDD number (847) 234-2153 in advance to allow the Village of Lake Bluff to make reasonable accommodations.
1. Call to Order & Roll Call
Chair Peters called to order the meeting of the Joint Plan Commission and Zoning Board of Appeals (PCZBA) of the Village of Lake Bluff on Wednesday, May 17, at 7:00 p.m.

The following members were present:

Members: Jill Danly
          Debora Fischer
          Elliot Miller
          George Russell
          Anne Sorensen (via zoom)
          Gary Peters, Chair

Absent: Aaron Towle

Also Present: Courtney Willits, Village Attorney
              Drew Irvin, Village Administrator (VA)
              Clara Gable, Assistant to the Village Administrator (AVA)

Chair Peters said a notice was received from Member Sorensen in accordance with the Village’s Electronic Attendance Policy and that, unless there is an objection, Member Sorensen will be authorized to attend the meeting electronically. There were no objections from the PCZBA. Chair Peters announced that the request was approved and that Member Sorensen is present and entitled to vote on any matter as if she was physically present.

2. Non-Agenda Items and Visitors (Public Comment Time)
Chair Peters stated the PCZBA allocates 15 minutes during this item for those individuals who would like the opportunity to address the PCZBA on any matter not listed on the agenda. Each person addressing the PCZBA is asked to limit their comments to a maximum of three (3) minutes.

There were no requests to address the PCZBA.
3. Consideration of the April 19, 2023 PCZBA Regular Meeting Minutes
Member Miller moved to adopt the April 19, 2023 PCZBA Regular Meeting Minutes as amended. Member Danly seconded the motion. The motion passed on a unanimous voice vote with Chair Peters abstaining.

4. Continued Public Hearing – Residential Variation – 525 East Center Avenue
Chair Peters introduced the item then opened the public hearing. Wells Wheeler, Project Architect came forward and said at the April 19 PCZBA meeting the Applicant (Tim Noffke) gave a presentation regarding variations pertaining to floor area ratio (FAR) and impervious surface coverage to construct a storage shed in the rear of the subject project. The PCZBA continued the public hearing to allow the Applicant an opportunity to address concerns regarding the shed height, tree preservation, drainage, etc. Since that meeting the Applicant has revised the plans decreasing the shed size (from 176 square feet to 154 square feet), height (from 14’ to 12’), impervious surface (from 58.5% to 58.2%) and hired Bleck Engineering to address the drainage concerns.

In response to the comment regarding overland flow and/or swale, Mr. Wheeler reviewed the sketch which illustrated how a swale could be done if desired. He also noted there is a trench between the lawn and landscaping that borders the existing driveway and could be used as a drainage path for stormwater overflow. Mr. Wheeler commented on the handout showing proposed drainage for the new shed if needed. Lastly, Mr. Wheeler reviewed the site plan depicting the revised shed in relations to the existing fence then noted an Open Lands representative recommended that the existing shrubs be removed and replaced with emerald green arborvitaeas around the south/east sides of the shed. A discussion followed.

In response to a question from Chair Peters, Mr. Noffke shared his knowledge of drainage issues related to the property. Member Russell noted there was an anonymous complaint received regarding drainage then he commented on why he thinks overland flow would be the best drainage remedy for large rain events. Member Russell said the proposed drainage solution should be sufficient as long as the stormwater flows to the north of the property. Member Russell commented on why the approximately 850 square feet of penalties assessed is not as impactful as the math indicates and said he is comfortable with the request because this is a unique situation. A discussion followed.

As requested, Mr. Noffke addressed the standards for variation then responded to the questions from Chair Peters stating the plan is to screen the 5’ setback between the shed and fence which is located on the property line. A discussion ensued.

In response to a comment from Member Fischer, Mr. Wheeler commented on the Bleck Engineering drainage plan which could be done in addition to the swale concept.
Member Danley said she does not have any concerns provided the applicant screens the area and there is not negatively impact on impervious surface.

Member Miller asked how much extra square footage of the house is affected by things which the applicant can not control. Member Russell replied approximately 850 square feet as a result of overhang, floor height, rear deck, etc.

Member Sorensen said it is her understanding that the intent is to bring the overall shed down to grade and remove the limestones. Mr. Wheeler replied yes. Member Sorensen asked if there was any discussion regarding underground water management systems as well as the above ground swale. Mr. Wheeler said the plan is to drain the roof runoff from the proposed shed by tying the gutters into the existing storm sewer system and he stated there are no plans to construct a stormwater holding tank. In regarding to landscaping, Mr. Wheeler confirmed that the plan included planting some deep-rooted native plants.

In response to a comment from Chair Peters, Mr. Wheeler said the proposed landscape plan specified 5 arborvitaes, height to be determined, to replace the existing trees. A discussion followed.

As there were no further questions, Chair Peters closed the public hearing.

Member Russell made a motion to recommend to the Village Board to approved the proposal with inclusion of the supplemental materials provided this evening and the installation of landscaping to screen the existing fence. Member Fischer seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Danly, Fischer, Miller, Russell, Sorensen, Chair Peters
Nayes: (0)
Absent: (1) Towle

5. Staff Report
AVA Gable reported that the Village Board, at its April 24 meeting, approved professional services agreements with Teska Associates, Inc. and Opticos Design, Inc. regarding the Village’s Comprehensive Land Use Plan Update, including a Diverse Housing (“Missing Middle”) report. She said Staff will be meeting with the perspective firms to begin the planning process and will provide an update at a future meeting.

AVA Gable reported that Morton Arboretum has awarded the Village a forestry grant then she commented on the requirements associated with the grant. As requested by Member Danley, AVA Gable shared information regarding surrounding communities’ "heritage
tree” regulations which could be incorporated in the Village’s Tree Ordinance if desired, then she commented on the next steps in the process. AVA Gable said the Sustainability and Community Enhancement Ad Hoc Committee has requested to see the type of species that will or will not be allowed and she noted Staff will provide the PCZBA with a more substantial update in the future. A discussion ensued.

In response to a question from Member Fischer, AVA Gable expressed her understanding that the tree ordinance allows removal of existing trees for new construction but a fee or tree replacement plan could apply. A discussion followed.

Member Russell said he is hopeful that the Village will proactively engage a tree expert to care for the Village’s tree canopy and that nourishment should be included in the tree regulation. AVA Gable said the grant also requires an urban forest management plan which has different requirements regarding long term tree maintenance. A discussion ensued.

Member Russell expressed his concern regarding “volcano mulching” which is basically mulch and/or wood chips piled against tree trunks as this can be damaging to trees. A discussion followed.

6. Commissioner’s Report

Member Russell shared his appreciation for the recently adopted ordinance imposing a seasonal ban on gas powered leaf blowers and stated it has made a noticeable different in his neighborhood. A discussion followed.

In response to a question from Member Miller, VA Irvin shared information regarding discussions with State and Illinois Department of Transportation (IDOT) Representatives regarding the deep tunnel project, reconstruction of Sheridan Road and the bridge which are under the State jurisdiction. He noted that Sheridan Road is currently not a high priority on IDOT roadway repair list.

In response to a question from Member Fischer, VA Irvin said quite a few surrounding communities have imposed a seasonal ban on gas powered leaf blowers and are considering expanding their policies. The Regional Leaf Blower Working Group had recommended a homogeneity set of rules for each community that administers these regulations but that goal has not been accomplished. A discussion followed.

In response to a comment from Chair Peters, VA Irvin said the Route 41/176 Interchange project is on the State’s multi-year plan then he commented on the circumstances delaying construction such as land acquisition and federal procurement regulations.
7. Adjournment
As there was no further business to come before the PCZBA, Member Fischer moved to adjourn the meeting. Member Miller seconded the motion. The meeting adjourned at 7:54 p.m.

Respectfully submitted,

Clara Gable
Assistant to the Village Administrator
VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Peters and Members of the Joint Plan Commission & Zoning Board of Appeals
FROM: Clara Gable, AICP Assistant to the Village Administrator
DATE: June 16, 2023
SUBJECT: Agenda Item #4 618 Maple Avenue

Applicant Information: ("Applicant")
Charles F Clarke III and Vanessa Clarke

Purpose:
To construct a second story addition on an existing detached garage

Public Notice:
Lake County News-Sun  June 5, 2023
Property Owner Letter  June 1, 2023

Requested Variations:
(a) Maximum accessory structure height (Section 10-5-4)
(b) Daylight plane height restrictions (Section 10-5-5)
(c) Maximum floor area ratio (Section 10-5-6)
(d) Minimum rear yard setback (Sections 10-5-9 and 10-5G-2)
(e) Requirement that an accessory building be located at least five feet from the principal building (Section 10-5-9)

Summary and Background Information
On September 16, 2022, the Village received an application from Charles and Vanessa Clark to designate the single-family residence (building) located at 618 Maple Avenue as a Historic Landmark. According to the application, this Prairie School style residence was originally constructed for Annie and Marie Sherman and designed by Webster T. Tomlinson, who designed Lake Bluff Village Hall and was briefly Frank Lloyd Wright’s only partner. This home features wide, overhanging eaves and a low-pitched, as well as intricate Prairie-style stained glass windows. At its October 27, 2022 meeting, the HPC conducted a public hearing and unanimously recommended that the property be landmarked; the Village board landmarked the property on May 8, 2023. This spring, the Village Board approved ordinances that allow: 1) a one-time floor area bonus of up to 10% for locally landmarked homes, not to exceed 110% of the maximum floor area ratio that would otherwise apply (618 Maple Avenue already exceeds this); and 2) special consideration for landmarked property variances. Specifically, the adopted “Special Considerations for Historic Properties” language is below:

If an applicant applies for a variation for a property that contains, or a building that is, a Protected Feature designated pursuant to the Village’s Historic Preservation Regulations, as codified in Title 9, Chapter 14 of this Code, the Joint Plan Commission and Zoning Board of Appeals and Village Board shall consider the historical nature of the Protected Feature as part of its review of an application for a variation in accordance with standards set forth in Subsection 10-2C-15.F, provided that the historical nature of the Protected Feature is relevant to the application for a variation.
Also at its October 27, 2022 meeting, the HPC also approved an Initial Advisory Review of plans for a proposed garage addition (adding a second story); the garage plans have not changed since they were presented to the HPC. The Village received a variation application for relief necessary to construct the proposed second story addition on the existing detached garage (see above requests a-f). Below is a summary of the requested variances.

(a) **Maximum accessory structure height (Section 10-5-4)**

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<thead>
<tr>
<th></th>
<th>Maximum Allowed</th>
<th>Actual</th>
<th>Non-Conformity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>17.0 ft.</td>
<td>16.5 ft.</td>
<td>Meets Code</td>
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<tr>
<td>Proposed</td>
<td>17.0 ft.</td>
<td>20.0 ft.</td>
<td>3.0 ft. (17.6%)</td>
</tr>
</tbody>
</table>

(b) **Daylight plane height restrictions (Section 10-5-5)**

While the proposed two-story detached garage would mostly meet the daylight plane height restrictions, the eaves (2 ft.) and gutters (approximately 4.5 inches) would encroach into the daylight plane further than the 2 ft. maximum allowed (20% greater than allowed). The edge of the gutters would be approximately 6 inches from the rear property line.

(c) **Maximum floor area ratio (Section 10-5-6)**

The existing garage is 713.6 sq. ft. and the proposed renovation would bring it to a total of 1,573.6 sq. ft., meaning the detached garage would increase in size by 859 sq. ft. (164.0 sq. ft. of which is due to detached garage eaves that are greater than 2 ft.).

<table>
<thead>
<tr>
<th></th>
<th>Maximum Allowed (Total FAR)</th>
<th>Actual (Total FAR)</th>
<th>Non-Conformity</th>
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<tbody>
<tr>
<td>Existing</td>
<td>4,459.3 sq. ft.</td>
<td>5,228.0 sq. ft.</td>
<td>768.7 sq. ft. (17.2%)</td>
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<tr>
<td>Proposed</td>
<td>4,459.3 sq. ft.</td>
<td>6,088.0 sq. ft.</td>
<td>1,628.7 sq. ft. (36.5%)</td>
</tr>
</tbody>
</table>

(d) **Minimum rear yard setback (Sections 10-5-9 and 10-5G-2)**

The existing garage is non-conforming as it is located 2.9 ft. from the rear property line and it is required to be at least 5 ft. away. The renovated garage would be over 1,000 sq. ft. in floor area, so it would now have to meet the required principal structure setback (18.7 ft.). Also of note, the fact that the detached garage would be over 1,000 sq. ft. also triggers the requirement for a sprinkler system (garage only).

<table>
<thead>
<tr>
<th></th>
<th>Minimum Allowed</th>
<th>Actual</th>
<th>Non-Conformity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>5.0 ft.</td>
<td>2.9 ft.</td>
<td>2.1 ft. (42.0%)</td>
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<tr>
<td>Proposed</td>
<td>18.7 ft.</td>
<td>2.9 ft.</td>
<td>15.8 ft. (84.5%)</td>
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</table>
(e) Requirement that an accessory building be located at least five feet from the principal building (Section 10-5-9)
The existing garage is non-conforming as it is located less than 5 ft. from the principal building (main wall is 6.7 ft. and chimney is approximately 4.4 ft., or 12% less than the minimum requirement). While the proposed addition does not increase this non-conformity, the Village typically tries to clean up related non-conformities when other variances are being requested.

The applicant has submitted 13 letters from nearby property owners in favor of the Clarke’s requests. The letters are attached.

Village Code - Variations - Standards for Variations
The Applicant has provided statements addressing the standards for variation in the attached application. The PCZBA should consider if the Applicant’s statements and submitted materials satisfy the standards for variation prescribed by the Zoning Regulations.

10-2-4 VARIATIONS

B. Standards For Variations: Notwithstanding any other provision of this section, no variation shall be granted pursuant to this section unless the applicant shall have established that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the following standards:

1. Unique Physical Condition: The subject property or structure is exceptional as compared to other lots and structures subject to the same provision by reason of a unique physical condition, including: a) presence of an existing use, structure, or sign, whether conforming or nonconforming; b) irregular or substandard shape or size; c) exceptional topographical features; or d) other extraordinary physical conditions peculiar to and inherent in the subject property or structure that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot or structure rather than the personal situation of the current owner of the lot or structure.

2. Not Merely Special Privilege: The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the granting of an authorized variation.

3. Code Purposes: The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this code and the provision from which a variation is sought were enacted.

4. Public Health And Safety: The variation would not: a) impair an adequate supply of light and air to adjacent property; b) increase the congestion in public streets unreasonably, or increase parking requirements on public streets unreasonably; c) increase the hazard of fire; d) endanger the public safety; e) diminish or impair the value of property within the area surrounding the subject property; or f) in any other respect impair the public health, safety, comfort, morals, and welfare.

Village Code - Variations – Protective Conditions
The PCZBA may also impose protective conditions and limitations tied to the relief. The PCZBA may also give special consideration to historic properties.
C. Conditions On Variations: The PCZBA or the village board, whichever body has the final authority to grant the variation pursuant to subsection A of this section, may impose, and the PCZBA, if it is a recommending body pursuant to subsection A2 of this section, may recommend the imposition of such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this title upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Such conditions shall be expressly set forth in the resolution or ordinance granting the variation. Violation of any such condition or limitation shall be a violation of this code and shall constitute grounds for revocation of the variation.

H. Special Consideration for Historic Properties: If an applicant applies for a variation for a property that contains, or a building that is, a Protected Feature designated pursuant to the Village’s Historic Preservation Regulations, as codified in Title 9, Chapter 14 of this Code, the Joint Plan Commission and Zoning Board of Appeals and Village Board shall consider the historical nature of the Protected Feature as part of its review of an application for a variation in accordance with standards set forth in Subsection 10-2C-15.F, provided that the historical nature of the Protected Feature is relevant to the application for a variation.

Action on Request

The Applicant has provided statements addressing the relevant standards for relief in the attached application. The PCZBA should consider if the Applicant’s statements and submitted materials satisfy the established standards.

The PCZBA is a recommending body in this matter. After commencing the public hearing on the requested variation, the PCZBA should take one of the following actions:

<table>
<thead>
<tr>
<th>Action</th>
<th>Example Motion</th>
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<tbody>
<tr>
<td>Continuation (need more info)</td>
<td>“I move to continue this hearing to the next regular meeting of the PCZBA.”</td>
</tr>
<tr>
<td>Approval</td>
<td>“I move to recommend the Village Board approve the requested relief.”</td>
</tr>
<tr>
<td>Approval with Conditions</td>
<td>“I move to recommend the Village Board approve the requested relief, conditional upon: […]”</td>
</tr>
<tr>
<td>Denial</td>
<td>“I move to recommend the Village Board deny the requested relief.”</td>
</tr>
</tbody>
</table>

Attachments

- Draft approval Ordinance.
- A copy of the Applicant’s application with supporting documentation.
- Letter from 13 nearby property owners.
General Information

The Village, similar to many communities, has a system of zoning and land use regulations that reasonably restrict how land owners may use and improve their property. However, no set of regulations can anticipate each and every situation that may arise. The variation process allows a property owner to seek relief from the strict letter of these regulations when obeying them would create “a particular hardship or a practical difficulty.” These conditions are based on the circumstances of the property or structure, and not those of the owner.

The Village’s Plan Commission and Zoning Board of Appeals (“PCZBA”) is a body of seven residents that reviews variations (among other requests). Your application for a variation will be considered at a public hearing before the PCZBA, and the PCZBA will evaluate your application based on the standards for variation relief. The burden of proof is on the Applicant to demonstrate that they meet the standards.

The variation process differs for minor and major variations. A variation request is subject to fewer steps when it only requests one or more variations that differ less than 25% from the allowable standard (as if the structure were built new). When only minor variations are requested, the PCZBA has the authority to directly approve, approve with conditions, or deny the relief requested. In all other cases, the PCZBA makes a recommendation to the Village Board for final action.

Process and Public Notice

- **>25 days before meeting:** Applicant submits application.
- **30-15 days before meeting:** Village publishes notice in the Lake County News-Sun. Village mails notice to all owners within 300 feet of subject lot.
- **Friday before meeting:** Meeting packet available online and at Village Hall, including application materials and staff memorandum.
- **Day of meeting:** PCZBA meets at 7 p.m. in the Village Hall Board Room (40 E. Center Ave.) Applications are generally considered in the order they were first received. Staff will provide an overview of the request, and the Applicant will give a brief presentation. Members of the public will be invited to comment, and then the PCZBA will discuss the application’s merits under the standards. **IMPORTANT:** You must participate in this meeting. Mark your calendar as soon as you apply. If you or your representative do not appear, your application may be continued or denied.

**Only Minor Variations:** The PCZBA may approve, approve with conditions, or deny the relief sought.

**All Other Variations:** The PCZBA may recommend that the Village Board approve, approve with conditions, or deny the relief sought.

**Continuation:** The PCZBA may also choose to continue the hearing at the PCZBA’s next meeting date if they require more information from the Applicant or a third party.
Village of Lake Bluff, Illinois
Zoning Relief Application
Instructions for Variation (Page 2 of 2)

Process and Public Notice (Continued)

- **Monday after meeting:** Village Board performs first reading; there is discussion, but no final action. Applicant may request immediate approval for cause (e.g., economic loss; construction timeline; etc.)

- **2nd Monday of next month:** Village Board performs second reading, votes.

Fee and Escrow

You will be initially required to provide an escrow of to cover (in advance) the Village’s costs of considering your application. Some common costs charged to escrow include:

- Legal and public notice
- Recording (e.g., of real estate instruments)
- Printing and reproduction
- Attorney fees paid by the Village
- Architectural site plan & signage review
- Utility connections
- Health department inspections

From this escrow, the Village will also collect its application fee (do not provide two payments). This fee is due whether your application is approved or denied. Any remaining balance in your escrow account will be refunded after all costs are actually paid by the Village, which is generally 60 to 90 days after your last hearing. When only minor variations are sought, an escrow deposit of $1,500 and an application fee of $500 applies. In all other cases, a deposit of $3,000 and an application fee of $750 applies.

Other Regulatory Review

Applying for and obtaining a special use permit is in addition to other steps you may be required to undertake to complete your project or open your business. Other common steps include:

- Building plan review
- Architectural site plan & signage review
- Utility connections
- Health department inspections

Checklist

You must include the following with your application:

**Attached Forms:**

- Applicant Information (signed)
- Response to Variation Standards
- Residential Bulk Calculations (for residential zoned property)
- Regulatory Floor Area Worksheet (If floor area to be affected by work)
- Escrow agreement (signed)

**Provide:** Plat of survey including legal description

**Provide:** Evidence of title or contractual interest (e.g., a lease)

**Provide:** Scale plans of proposed work (e.g., site plan, floor plan; elevations)

You may also consider including:

- Photographs of the subject property and nearby area
- Written testimony from nearby neighbors

Rev. Jan. 2022
<table>
<thead>
<tr>
<th>Month</th>
<th>Deadline to Apply (Close of Business)</th>
<th>Date of Hearing (7 p.m.)</th>
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<tbody>
<tr>
<td>Feb 2022</td>
<td>Fri, Jan 21, 2022</td>
<td>Wed, Feb 16, 2022</td>
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<tr>
<td>Mar 2022</td>
<td>Fri, Feb 11, 2022 (Rescheduled)</td>
<td>Thu, Mar 10, 2022 (Rescheduled)</td>
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<td>Apr 2022</td>
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<td>Wed, May 18, 2022</td>
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<td>Oct 2022</td>
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<td>Wed, Oct 19, 2022</td>
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<td>Nov 2022</td>
<td>Fri, Oct 21, 2022</td>
<td>Wed, Nov 16, 2022</td>
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<tr>
<td>Dec 2022</td>
<td>Fri, Nov 18, 2022 (Rescheduled)</td>
<td>Thu, Dec 15, 2022 (Rescheduled)</td>
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**For months not listed above:**
Meetings are typically on the third Wednesday of each month. The deadline is 25 days prior to the meeting date. Please contact us if you need to confirm a specific date.

Rev. Jan. 2022
## Village of Lake Bluff, Illinois
### Zoning Relief Application
#### Applicant Information (Page 1 of 2)

<table>
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<th><strong>Subject Property</strong></th>
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<tbody>
<tr>
<td><strong>Address:</strong></td>
<td>618 Maple Avenue</td>
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<tr>
<td><strong>PIN:</strong></td>
<td>12-21-210-013</td>
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<tr>
<td><strong>Current Use:</strong></td>
<td>Residential</td>
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<table>
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<tr>
<th><strong>Owner / Title Holder</strong></th>
<th><strong>Joint Ownership (if applicable)</strong></th>
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<tbody>
<tr>
<td>Charles F Clarke III</td>
<td>Vanessa Clarke</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Name:</strong></th>
<th><strong>Address:</strong></th>
<th><strong>Phone:</strong></th>
<th><strong>E-mail:</strong></th>
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<tr>
<td></td>
<td>618 Maple Ave</td>
<td></td>
<td><a href="mailto:cclarke@kinzierealty.com">cclarke@kinzierealty.com</a></td>
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<tr>
<td></td>
<td>Lake Bluff, IL 60044</td>
<td>(cell) 847/609-8428</td>
<td><a href="mailto:vbalbach@comcast.net">vbalbach@comcast.net</a></td>
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If ownership is other than individual or joint, check below and attach additional information:

- [ ] Corporation
- [ ] Partnership
- [ ] Land Trust
- [ ] Trust

### Applicant (If Different)

<table>
<thead>
<tr>
<th><strong>Name:</strong></th>
<th>Lake Effect Architects, Robert D. Douglass</th>
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<tbody>
<tr>
<td><strong>Address:</strong></td>
<td>P.O. Box 155, Lake Bluff, IL 60044</td>
</tr>
<tr>
<td><strong>Relationship to Property:</strong></td>
<td>Architect</td>
</tr>
<tr>
<td><strong>Phone:</strong></td>
<td>(O) 847/234-4688, (C) 847/987-1000</td>
</tr>
<tr>
<td><strong>E-mail:</strong></td>
<td><a href="mailto:rob@leffect.com">rob@leffect.com</a></td>
</tr>
</tbody>
</table>

Are all real estate taxes, special assessments, and other obligations paid on the subject property in full? If no, explain.

- [ ] Yes
- [ ] No

Rev. August 2019
Narrative of Request / Proposed Work:

The first phase of the Sherman sisters’ house was completed by 1911. 618 Maple Avenue features a Prairie design, with wide, overhanging eaves and a low-pitched roof. The most outstanding architectural elements of the home are the intricate Prairie-style stained glass windows, four large casement windows with subdivided leaded glass transoms, numerous doors providing great flexibility for the floor plan, and two grand staircases, each with its own contextual window. A birch staircase with Prairie-style elements — simple appliqued wood pieces that echo the patterns in the stained glass window on the north side of the staircase leads to the second floor. The 1912 addition to 618 Maple Avenue, built to accommodate Annie and Willard’s marriage, includes a billiard room (present-day living room) on the south side of the first floor, with a separate staircase leading to a master bedroom.

With the current day work environment the home owners would like to have a home office. The best solution without impacting the original house is to build out a second floor over the existing garage. This will require the removal the existing hip roof on the garage and replace it with a Prairie style design, with wide overhanging eaves and a low-pitched roof to match the existing house. This will require three variations: (1) FAR variation. (2) A variation from the 17'-0" height restriction for the garage structure resulting in an encroachment of 3'-0" in height, and due to the garage addition the garage has to conform to the setbacks of the primary structure. Therefore the pre-existing non-conformance of 2'-1.5" will now be a 15'-10" encroachment into the setback.

Printing - Choose One:

The PCZBA requests that all drawings be produced no larger than 11" x 17" whenever possible. In addition to printed copies, submit digital copies of all materials to gcob@lakebluff.org.

I request that the Village produce any necessary copies of my application and any attachments. I understand that my application escrow will be charged the cost of printing. For architectural sized plans, costs may be significant and include delivery fees.

I will provide 9 printed copies of my application and any attachments to Village Hall (40 F. Center Ave.) and will ensure they are received no later than 15 days prior to the meeting.

Signatures
The undersigned hereby represent, upon all of the penalties of the law, for the purpose of inducing the Village of Lake Bluff to take the action herein requested, that all statements herein and on all related attachments are true and that all work here mentioned will be done in accordance with the ordinances of the Village of Lake Bluff and the laws of the State of Illinois. The owner must sign the application.

Owner

Applicant

Date: 5/31/23

Date: 5/31/23

Rev. Jan. 2022
The PCZBA is required to base their recommendations on the following standards. It is the burden of the Applicant to establish that they meet each standard. Each standard is printed below. You should provide a statement as to how your application satisfies each standard. You may respond to the questions below on this sheet, or attach a separate typed sheet.

**Practical Difficulty or Hardship:** No variation shall be granted pursuant to this section unless the applicant shall have established that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

The house was built in 1911 designed by Henry Webster Tomlinson who is also the architect of Village Hall. In the early 2000’s the Vliet Museum identified and awarded the property the Distinguished Home Award of Lake Bluff History. Just recently the HPC has landmarked the property with the HPC Landmark status.

The restoration by the homeowners has preserved the Prairie Style on both the interior and exterior of the house. Due to the changing workplace environment a home office is needed. To achieve the proposed improvements to the livability of the house and maintaining the historic character requires the variance as requested. By adding a second floor to the existing garage will create 695 s.f. of additional space. Due to the Prairie Style eaves with overhangs greater than 2’-0” the historic building is being pentalized with an addition 870 sf added to the FAR. The new roof which mirrors the roof on the house will require a variance on the ridge height of three feet. As depicted in the drawings the addition will aesthetically blend the garage into the context of the main house.

**Unique Physical Condition:** The subject property or structure is exceptional as compared to other lots and structures subject to the same provision by reason of a unique physical condition, including: a) presence of an existing use, structure, or sign, whether conforming or nonconforming; b) irregular or substandard shape or size; c) exceptional topographical features; or d) other extraordinary physical conditions peculiar to and inherent in the subject property or structure that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot or structure rather than the personal situation of the current owner of the lot or structure.

In the past the building was awarded a Vliet Museum Distinguished Home Award of Lake Bluff History. Most recently the HPC has landmarked the home. This categorizes the building with extraordinary physical conditions peculiar to and inherent in the specific property as a great example of Prairie Style architecture.
The PCZBA is required to base their recommendations on the following standards. It is the burden of the Applicant to establish that they meet each standard. Each standard is printed below. You should provide a statement as to how your application satisfies each standard. You may respond to the questions below on this sheet, or attach a separate typed sheet.

**Not Merely Special Privilege:** The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the granting of an authorized variation.

In the past the building was awarded a Vliet Museum Distinguished Home Award of Lake Bluff History. Most recently the HPC has landmarked the home. There is no special privilege the owner is requesting but rather relief to the FAR calculations and the garage height restrictions. The request for the variances will enhance the garage facade contributing to the improvement of the streetscape.

**Code Purposes:** The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this code and the provision from which a variation is sought were enacted.

The FAR variance and the garage height variance will be in harmony with it's historic character and will be consistent with the general and specific purposes to the code.

**Public Health And Safety:** The variation would not: a) impair an adequate supply of light and air to adjacent property; b) increase the congestion in public streets unreasonably, or increase parking requirements on public streets unreasonably; c) increase the hazard of fire; d) endanger the public safety; e) diminish or impair the value of property within the area surrounding the subject property; or f) in any other respect impair the public health, safety, comfort, morals, and welfare.

The variance request will not adversely impact light and air, not affect traffic, will not endanger public safety, and will not diminish property values.
Village of Lake Bluff, Illinois  
Zoning Relief Application  
Residential Bulk Calculations

618 Maple Avenue, Lake Bluff, IL 60044

Address or Lot #:

(“Left” and “Right” are relative to standing on the addressed street and looking towards the property.)

For subdivisions involving existing structures, complete every line.  
For variation requests, complete only those lines affected by the proposed work.

<table>
<thead>
<tr>
<th>Description</th>
<th>Existing</th>
<th>Proposed</th>
<th>Conforms or Variation Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width</td>
<td>106.96 ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(as measured at front setback line)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot Area</td>
<td>13,296.6 sq ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Building Setback</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20.0 ft</td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>Side (Left)</td>
<td>10.7 ft</td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>Side (Right)</td>
<td>21.4 ft</td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>Side (Combined – Sum Sides)</td>
<td>32.1 ft</td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>Rear</td>
<td></td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>Accessory Building Setback</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulatory Floor Area</td>
<td>4,459.3 sq ft</td>
<td>592 sq ft</td>
<td>Variation</td>
</tr>
<tr>
<td>Impervious Surface Coverage</td>
<td>5,125.5 sq ft</td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>Front Yard Impervious Surface</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Coverage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height (Garage)</td>
<td>16.5 ft</td>
<td>20'-0''</td>
<td>Variation</td>
</tr>
<tr>
<td>Daylight Plane Height Restriction</td>
<td></td>
<td></td>
<td>Conforms</td>
</tr>
<tr>
<td>(Start at 12’ at the lot line. Add one foot “up” for each one foot “in” from the lot line. Note if any building elements exceed the height plane.)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Rev. May 2019
### Village of Lake Bluff, Illinois
#### Zoning Relief Application
#### Regulatory Floor Area Worksheet

618 Maple Avenue Lake Bluff, IL 60044

Address or Lot #:__________________________

The full rules for calculating Floor Area Ratio can be viewed here.

Allowances vary depending on the size of your lot.

Staff can help calculate your eligibility for these, which adjust your total floor area (grey areas).

You should provide scale plans or drawings to justify your figures.

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Existing (Applicant Completes)</th>
<th>Proposed (Applicant Completes)</th>
<th>Allowance (Staff Completes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>13,296.6 sq ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>4,522.0 sq ft</td>
<td>6,088.0 sq ft *</td>
<td></td>
</tr>
</tbody>
</table>

(Include all floors, basements, and detached structures)

| REMOVE | Attics less than 6’ in height | 0 sq ft | 0 sq ft |
| REMOVE | Attics greater than 6’ in height not readily usable for living space | 0 sq ft | 0 sq ft |
| REMOVE | Basements, window wells, and stairwells protruding less than 3’ from grade to first floor elevation | 0 sq ft | 0 sq ft |
| REMOVE | Detached structures in rear 27’ or 25% of lot (whichever is greater) | (714 sq ft) | 0 sq ft |
| REMOVE | Stoops and decks less than 42” in height | (24.0 sq ft) | (24.0 sq ft) |
| REMOVE | Covered porches less than 42” in height | (75 sq ft) | (75 sq ft) |
| ADD | Undereaves protruding more than 2’ from exterior wall | 706 sq ft | 870.0 sq ft |
| ADD | Penalty for areas greater than 10’ ceiling height | | |

### REGULATORY FLOOR AREA
(Staff Completes)

Non-Conformance / Required Variation
(Staff Completes)

* Due to the proposed garage addition exceeding 1,000 sf, the entire structure is considered apart of the primary structure

Rev. May 2019
THIS AGREEMENT ("Agreement") is made and entered into as of ________________ , 20__ , by and between THE VILLAGE OF LAKE BLUFF ("Village") and Charles & Vanessa Clarke ________________________________ ("Applicant").

IN CONSIDERATION OF the recitals and mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Applicant has submitted to the Village for its review and consideration an application seeking zoning relief necessary to commence a proposed use at or to construct proposed improvements of the real property located at: 618 Maple Avenue ________________, Lake Bluff, Illinois ("Proposal") that requires one or more of the following actions by the Village:

i. Approval or amendment of zoning relief pursuant to Title 10 of the Municipal Code, including without limitation: a variation, special use permit, site plan approval, planned residential development, planned commercial development, planned mixed use development, RIO development plan, and/or amendment to the text of Title 10;

ii. Approval or amendment of a plat of subdivision pursuant to Title 11 of the Municipal Code;

iii. Approval pursuant to the Village's Watershed Development Ordinance, as adopted by reference in Title 12 of the Municipal Code; or

iv. The preparation and consideration of amendments to the Village's liquor regulations, contained in Title 3, Chapter 2 of the Municipal Code.

B. Pursuant to Section 1-12-3 of the Village Comprehensive Fee Schedule and Section 10-2-6 of the Village Zoning Regulations ("Escrow Regulations"), applications for approval of a variation and a site plan and/or an amendment to a site plan and/or a text amendment to the Village’s Zoning Regulations and other zoning relief must be accompanied by the applicable application fee and the applicant is responsible for payment of any additional costs incurred by the Village, including consultant costs and attorneys’ fees, but not including normal operating activities such as internal staff time ("Reimbursement Costs").

SECTION 2. CASH DEPOSIT.

Pursuant to the Escrow Regulations, and in connection with the application for the Development, the Developer agrees to provide a cash escrow deposit to the Village in the amount of $3,000 ("Escrow") to be used towards Reimbursement Costs incurred by the Village in processing the application for approval of the Proposal.

Rev. August 2019
SECTION 3.  REPLENISHMENT.

Pursuant to the Escrow Regulations, the Village Administrator shall periodically review the Escrow to ensure that adequate funds are available to satisfy the Reimbursement Costs relating to the Development. The Village Administrator shall notify the Applicant at such times when draws are made against the Escrow towards Reimbursement Costs. Subject to the terms of this Agreement, in the event that the Village Administrator determines that sufficient funds are not available, the Village Administrator shall so notify the Applicant and request a further amount to defray the anticipated additional costs. The Village Administrator shall determine the further amount due based on the nature of the Proposal, its complexity, the anticipated need for additional legal and other consultant services, and the amount of time remaining before the completion of the Proposal. The Applicant shall be given fourteen (14) days to deposit the additional funds. In the event that the funds are not deposited, the Village shall take no further action on the Proposal and shall so advise the Applicant.

SECTION 4.  FINAL DISBURSEMENT.

Pursuant to the Escrow Regulations, at the completion of the Proposal and after all outstanding Reimbursement Costs incurred by the Village related to the Proposal have been satisfied in full, the Village Administrator shall remit the balance of the Escrow, if any, to the Applicant.

SECTION 5.  DESIGNATED CONTACTS.

The designated contact persons for the Applicant and the Village concerning this Agreement are as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>For Village</th>
<th>For Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Asst. to the Village Administrator</td>
<td>Charles &amp; Vanessa Clark</td>
</tr>
<tr>
<td>Organization</td>
<td>Village of Lake Bluff</td>
<td>Owner</td>
</tr>
<tr>
<td>Address</td>
<td>40 East Center Avenue</td>
<td>618 Maple Avenue</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Lake Bluff, IL 60044</td>
<td>Lake Bluff, IL 60044</td>
</tr>
<tr>
<td>Phone Number</td>
<td>(847) 283-6889</td>
<td>(cell) 847/609-8428</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:gcole@lakebluff.org">gcole@lakebluff.org</a></td>
<td><a href="mailto:vbalbach@comcast.net">vbalbach@comcast.net</a></td>
</tr>
</tbody>
</table>

Rev. August 2019
IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date first above written.

ATTEST
By __________________________
Its __________________________

APPLICANT
By __________________________
Its __________________________

ATTEST:
By __________________________
Its __________________________

VILLAGE OF LAKE BLUFF
By __________________________
Its Village Administrator
SITE RESTRICTIONS

Zoning                                           R-4

Allowed

Existing

Front Yard Setback              20.0'            24'  
Rear Yard Setback              18.7'          
East Side Yard Setback       21.4'          
West Side Yard Setback      10.7'          
Lot Size (100%)                  13,296.6 s.f.
Lot Coverage (30%)             3,989.0 s.f.    2,829.5 s.f.  
Impervious Surface             6,648.3 s.f.     3,929.5 s.f.

BUILDING RESTRICTIONS

Max. Bldg. Height                                         34'-0"  
Max. Open -Air Porch Bonus        226 s.f.  
(3.5% of total lot)  
Max Floor Area      6476.5 x 0.4  =       2,590.6 s.f.  
Impervious Surface Coverage  50% =    3,238 s.f.  
Accessory Structures (Garage)

ACTUAL BUILDING CALCULATIONS

First Floor                                            2,021.2 s.f.  
Second Floor                                       1,787.2 s.f.  
Total                              4,090.8 s.f.  
Eave Projections in excess of 2'=0" 282.4 s.f.  
Subtotal                              4,804.4 s.f.  
Garage                                                713.6 s.f.  
Total                                                4,804.4 s.f.  
Exceeds Allowable Bulk        +345.1 s.f.  
Max. Bldg. Height 28'-10"  
Front Entry                  36 s.f.  
Remaining Open Air Bonus.                      429 s.f.

"Clarke Residence"

Remodel of the Clarke Residence

North Avenue

Maple Avenue
Garage Second Proposed Roof

Roof Plan - Existing

Proposed Eave Projection in Excess of 2'-0"
(Total Area - 237.8 s.f.)

Existing Eave Projection in Excess of 2'-0"
(Total Area - 285.8 s.f.)
AN ORDINANCE GRANTING VARIATIONS TO CONSTRUCT A SECOND STORY ADDITION ON AN EXISTING DETACHED GARAGE
(618 Maple Avenue)

Passed by the Board of Trustees, ______, 2023
Printed and Published, ______, 2023

Printed and Published in Pamphlet Form
by Authority of the
President and Board of Trustees

VILLAGE OF LAKE BLUFF
LAKE COUNTY, ILLINOIS

I hereby certify that this document was properly published on the date stated above.

__________________________
Village Clerk
ORDINANCE NO. 2023-__

AN ORDINANCE GRANTING VARIATIONS TO CONSTRUCT A SECOND STORY ADDITION ON AN EXISTING DETACHED GARAGE
(618 Maple Avenue)

WHEREAS, Charles F Clarke III and Vanessa Clarke (jointly, “Applicant”) is the owner of 618 Maple Avenue within the Village's R-4 Residence District, which property is legally described in Exhibit A to this Ordinance (“Subject Property”); and,

WHEREAS, Applicant has requested variations from Sections 10-5-4 (accessory structure height), 10-5-5 (daylight plane height), 10-5-6 (floor area ratio), and 10-5-9 and 10-5G-2 (accessory structure setbacks) of the Zoning Regulations (collectively, the “Variations”) in order to construct a second story addition on an existing detached garage (“Improvements”); and,

WHEREAS, the Village Board of Trustees, upon receipt of a positive or negative recommendation from the Village Joint Plan Commission and Zoning Board of Appeals (“PCZBA”), has final authority to grant or deny the Variations pursuant to Section 10-2-4(A) of the Zoning Regulations; and,

WHEREAS, a public notice describing the Variations was duly advertised on June 5, 2023 in the Lake County News-Sun, and the PCZBA held a public hearing on June 21, 2023 for the purpose of considering the Variations, and upon the close of said hearing the PCZBA recommended that the Village Board grant the Variations; and

WHEREAS, at the close of the public hearing on __________, 2023, the PCZBA recommended that the Village Board grant the Variations; and,

WHEREAS, the Village Board of Trustees has determined that it would be in the best interest of the Village to grant the Variations in accordance with, and subject to, the conditions, restrictions, and provisions of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals.

The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the President and Board of Trustees of the Village.

Section 2. Public Hearing.

A public hearing to consider the Applicant’s request for the Variations was duly advertised on June 5, 2023, in The News-Sun, and was held by the PCZBA on June 21, 2023. On __________, 2023, the PCZBA recommended approval of the Variations.
**Section 3. Variation Approval.**

Pursuant to the standards and procedures set forth in Section 10-2-4 of the Zoning Regulations and subject to and contingent upon the conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, the Applicant is hereby granted the following Variations to permit the construction of the Improvements on the Subject Property:

A. A 3.0 foot (17.6%) variation from the maximum accessory structure height limitation of Section 10-5-4 of the Zoning Regulations;

B. A .4 foot (20.0%) variation from the requirement in Section 10-5-5 of the Zoning Regulations that states eaves and gutters can project a maximum of 2 ft. into the daylight plane.

C. A 1,628.7 square foot (36.5%) variation from the maximum floor area ratio limitation of Section 10-5-6 of the Zoning Regulations;

D. A 15.8 foot (84.5%) variation from the accessory structure rear yard setback limitation of Sections 10-5-9 and 10-5G-2 of the Zoning Regulations.

E. A .6 ft. (12%) variation from the requirement, in Section 10-5-9 of the Zoning Regulations that states an accessory building be located at least 5 ft. from the principal building.

**Section 4. Conditions.**

The Variations granted in Section 3 of this Ordinance is expressly subject to and contingent on each of the following conditions, restrictions, and provisions:

A. **No Authorization of Work.** The approvals granted pursuant to this Ordinance do not authorize the development, construction, reconstruction, alteration, demolition, or moving of any buildings or structures on the Property, but merely authorize the preparation, filing, and processing of applications for any permits or approvals that may be required by the codes and ordinances of the Village, including without limitation demolition and building permits.

B. **Compliance with Application.** The Subject Property must be developed, used, and maintained in substantial accordance with the zoning application and related documents submitted by the Applicant and attached to this Ordinance as Exhibit B.

C. **Compliance with Plans.** The Subject Property must be developed, used, and maintained in substantial compliance with the plans submitted by the Applicant to the Village, which consist of 6 total sheets prepared by Lake Effect Architects; all of which are attached as Group Exhibit C, (collectively "Plans"); and

D. **Compliance with Applicable Law.** In addition to the other specific requirements of this Ordinance, the Subject Property, the Improvements, and all of the Applicant's operations and activities conducted on and in the Subject Property, must comply at all times with all applicable federal, state, and Village statutes, ordinances, resolutions, rules, codes, and regulations.
Section 5. Failure To Comply With Conditions.

Upon failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, the approval granted in Section 3 of this Ordinance will, at the sole discretion of the Board of Trustees, by ordinance duly adopted, be revoked and become null and void.

Section 6. Binding Effect.

The privileges, obligations, and provisions of each and every section and provisions of this Ordinance are for an inure to the benefit of and run with and bind the Subject Property, unless otherwise explicitly set forth in this Ordinance.

Section 7. Effective Date.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

i. Passage by the Board of Trustees of the Village of Lake Bluff in the manner required by law; and

ii. Publication in pamphlet form in the manner required by law; and

iii. The filing by the Applicant with the Village Clerk, for recording in the Office of the Lake County Recorder of Deeds, of an unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance. The unconditional agreement and consent must be executed by the Applicant. The unconditional agreement and consent must be substantially in the form attached hereto and incorporated herein as Exhibit D.

B. In the event that the Applicant does not file with the Village Clerk the unconditional agreement and consent required by Paragraph 7.A(iii) of this Ordinance within 60 days after the date of final passage of this Ordinance, the Board of Trustees of Trustees will have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect.

[Signature page follows.]
PASSED this __ day of ___, 2023, by vote of the Board of Trustees of the Village of Lake Bluff, as follows:

AYES: (0)
NAYS: (0)
ABSTAIN: (0)
ABSENT: (0)

APPROVED this __ day of ___, 2023.

______________________________
Village President

______________________________
Village Clerk

FIRST READING:

SECOND READING:

PASSED:

APPROVED:

PUBLISHED IN PAMPHLET FORM:
Exhibit A

Legal Description of the Subject Property

LOT 14 AND 15 AND EAST 10 FEET OF LOT 16 IN BLOCK 33 IN NORTH ADDITION TO LAKE BLUFF, IN SECTION 21, TOWNSHIP 44, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS.

Commonly known as 618 Maple Avenue, Lake Bluff, Illinois
Exhibit C

Plans
EXHIBIT D
Applicant’s Unconditional Agreement and Consent

TO: The Village of Lake Bluff, Illinois (“Village”):

WHEREAS, Charles F. Clarke III and Vanessa Clarke (jointly, “Applicant”) are the owners of 618 Maple Avenue within the Village’s R-4 Residence District, which property is legally described in Exhibit A ("Subject Property"); and,

WHEREAS, Applicant requested variations from Sections 10-5-4 (accessory structure height), 10-5-5 (daylight plane height), 10-5-6 (floor area ratio), and 10-5-9 and 10-5G-2 (accessory structure setbacks) of the Zoning Regulations (collectively, the “Variations”) in order to facilitate the renovation of an existing non-conforming garage to resolve structural issues and finish the second floor (“Improvements”); and,

WHEREAS, Ordinance No. 2023-__, adopted by the President and Board of Trustees of the Village of Lake Bluff on ______________, 2023 ("Ordinance"), grants the Variations for the Subject Property, subject to certain modifications, conditions, restrictions, and provisions; and

WHEREAS, Subsection 7.B of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant files with the Village Clerk, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each of the terms, conditions and limitations set forth in said Ordinance.

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of the Ordinance.

2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village’s issuance of any permits for the Improvements or for the use of the Subject Property, including, without limitation, the Variations granted in the Ordinance, and that the Village’s insurance of any such permits does not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant agrees to and does hereby hold harmless, indemnify and defend the Village, the Village’s corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all injuries, damages, claims, liabilities, demands, causes of action, losses, suits, expenses, liabilities, and judgments of any and all nature and kind whatsoever, including without limitation costs, expenses, and attorneys’ fees, arising out of, occasioned by, connected with, or in any way attributable to, the operation and use of the Subject Property, the Improvements, or the Village’s adoption of the Ordinance.

ATTEST:  
Charles F Clarke III

By:____________________  
By:____________________

ATTEST:  
Vanessa Clarke

By:____________________  
By:____________________

ATTEST:  

By:____________________  
By:____________________
Exhibit A to Unconditional Agreement and Consent

Legal Description of the Subject Property

LOT 14 AND 15 AND EAST 10 FEET OF LOT 16 IN BLOCK 33 IN NORTH ADDITION TO LAKE BLUFF, IN SECTION 21, TOWNSHIP 44, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF LAKE BLUFF, LAKE COUNTY, ILLINOIS.

Commonly known as 618 Maple Avenue, Lake Bluff, Illinois
-----Original Message-----
From: Rosemary Logue <rosetologue@comcast.net>
Sent: Friday, June 9, 2023 12:11 PM
To: Village of Lake Bluff <vlb@lakebluff.org>
Subject: 618 Maple Avenue

To whom it may concern~

my husband Scott and I have been residents of Lake Bluff for 28 years, 20 of them in our home at 569 Maple, just three houses away from the property under consideration.

We believe that Vanessa and Charlie Clark have done an excellent job of maintaining their historic arts and crafts home, and we have no issue with them adding a room above their detached garage. Assuming that structure would not exceed the height of the main house.

Thank you.
Rose and Scott Logue

Sent from my iPhone
Mr. Gary Peters, Chairman of the PCZBA
Village of Lake Bluff
40 E. Center Avenue
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 615 Maple Ave, in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke's effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

6-13-23
Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at [Lea Maple Ave], in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Historic Preservation Commission.

Sincerely,

[Signature]

6/14/2023
Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 548 E. Searlton Ave, in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

6/10/23
Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 535 E North Ave, Lake Bluff, IL, in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

[Date: 6/10/23]

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 962 N. Sheridan Rd. in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA
Village of Lake Bluff
40 E. Center Avenue
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at [Fill in Maple Ave.], in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke's effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

6/10/23
Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044  

Re: Variance requests at 618 Maple Avenue  

Dear Mr. Peters,  

I, the undersign, who lives at 609 Maple Ave, in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.  

Sincerely,  

[Signature]  

6-14-23  
Date  

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 235 North Ave, in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

6-12-2023

Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA
Village of Lake Bluff
40 E. Center Avenue
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 600 E Center Ave, in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke's effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

6/11/23

Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 545 S. Scranton Ave. in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke's effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

6.10.23

Date

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA
Village of Lake Bluff
40 E. Center Avenue
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at 546 E. Searlton Ave in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke’s effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

[Date]

cc: Clara Gable, Assistant to the Village Administrator
Mr. Gary Peters, Chairman of the PCZBA  
Village of Lake Bluff  
40 E. Center Avenue  
Lake Bluff, Illinois 60044

Re: Variance requests at 618 Maple Avenue

Dear Mr. Peters,

I, the undersign, who lives at [601 E. Center Ave], in Lake Bluff have reviewed the drawings of the proposed variance requests for the Clarke residence located at 618 Maple Avenue. We thoroughly understand the request for the variance and support the Clarke's effort to remodel the existing garage with a second floor. With the second floor addition, the reconstruction of the roof will now reflect the historic character of the Landmark status of their home designated by the Lake Bluff Historic Preservation Commission.

Sincerely,

[Signature]

[Name]

Date

6/10/23

cc: Clara Gable, Assistant to the Village Administrator
To whom it may concern—

my husband Scott and I have been residents of Lake Bluff for 28 years, 20 of them in our home at 569 Maple, just three houses away from the property under consideration.

We believe that Vanessa and Charlie Clarke have done an excellent job of maintaining their historic arts and crafts home, and we have no issue with them adding a room above their detached garage. Assuming that structure would not exceed the height of the main house.

Thank you.
Rose and Scott Logue

Sent from my iPhone