



1200 Wilmette Avenue
Wilmette, Illinois 60091-0040

MEETING MINUTES

ZONING BOARD OF APPEALS

WEDNESDAY, OCTOBER 21, 2015

7:30 P.M.

COUNCIL CHAMBERS

Members Present: Chairman Patrick Duffy
Bill Merci
Lynn Norman
Reinhard Schneider
Bob Surman

Members Absent: Mike Boyer
John Kolleng

Staff Present: Lisa Roberts, Assistant Director of Community Development

I. Call to Order

Chairman Schneider called the meeting to order at 7:31 p.m.

II. 2015-Z-51 1195 Wilmette Avenue

See the complete case minutes attached to this document.

III. 2015-Z-50 1519 Washington Avenue

See the complete case minutes attached to this document.

IV. 2015-Z-49 930 Greenleaf Avenue

See the complete case minutes attached to this document.

V. Approval of the September 16, 2015 Meeting Minutes

Mr. Surman moved to approve the September 16, 2015 meeting minutes.

Ms. Norman seconded the motion and the voice vote was all ayes and no nays. Motion carried.

VI. Public Comment

There was no public comment.

VII. Adjournment

The meeting was adjourned at 9:17 p.m.

Respectfully submitted,

Lisa Roberts
Assistant Director of Community Development

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Ms. Carla Connett, applicant
1195 Wilmette Avenue

3.12 Mr. Jason Walker, contractor

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a special use for a carry-out restaurant (Trendy Taco). The Village Board will hear this case on November 10, 2015.

3.22 The applicant said that her contractor, Jason Walker, was at the meeting. She explained the concept which is to provide a simple menu, fresh ingredients and good quality food. The atmosphere is trendy and upbeat. She is confident that the community is excited about this business. It will be a nice fit with surrounding businesses and will increase traffic flow in the Village Center.

3.23 Chairman Duffy said that he is excited. What are hours of operation? Will there be seating?

The applicant said that hours of operation 11:00 a.m. to 8:30 p.m. seven days a week. There will be limited seating; the focus is on carry out. Maybe 6 to 7 people will be inside at the maximum.

3.24 Mr. Surman asked if they expected to do delivery.

The applicant said that there is no delivery, only carry out.

3.25 Ms. Norman said that Wilmette Avenue is busy and the corner is busy. How will traffic circulate? Will they guide people to the parking in back?

The applicant said there is a lot of parking in the back and there is street parking. They do not anticipate parking problems.

3.26 Chairman Duffy asked how much seating Hotcakes had at that location.

The applicant said there were about 25 seats in Hotcakes.

3.27 Ms. Norman said that Hotcakes was primarily morning traffic.

3.28 The contractor said he has been to the property often. There is ample parking in the rear and 8 to 10 spots in front of the building. There is a lot of public parking so parking is not an issue.

3.29 Chairman Duffy asked if parking was immediately behind the building or if the contractor meant the parking that is about a half-block away.

The contractor said there is also parking immediately behind the building

3.30 Ms. Norman said she goes past this intersection four times a day. She worries about traffic.

3.31 There was no one in the audience to speak on this case. There was no additional communication on this case.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Schneider said this is a welcome addition to the Village Center. It replaces another restaurant facility. The more of this in the Village Center, the better. He can support the request.

5.2 Mr. Merci said he can support the proposal. It is a good addition to the Village Center.

5.3 Mr. Surman concurred with the above.

5.4 Ms. Norman voiced concerns about traffic but noted that if people have trouble parking for carry out, they won't come to the business.

5.5 Chairman Duffy supports this request and is a quick alternative for downtown dining.

6.0 DECISION

6.1 Mr. Schneider moved to recommend granting a request for a special use for a carry-out restaurant (Trendy Taco) in accordance with the plans submitted. The use shall run with the use.

6.11 Mr. Merci seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Not Present
John Kolleng	Not Present
Bill Merci	Yes
Lynn Norman	Yes
Reinhard Schneider	Yes

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Chad Boomgaarden, architect
1315 Central Avenue

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for an 845.91 square foot (10.57%) total floor area variation, 0.83' front yard setback variation, a 4.1' side yard setback variation, a 2.89' front yard porch setback variation, a 0.93' side yard porch setback variation, a 7.12' front yard porch step setback variation, and a 23.29 square foot (1.55%) front yard porch coverage variation to permit the construction of a two-story addition, two second-story additions, and replacement front porch and steps on the legal non-conforming structure. The Village Board will hear this case on November 10, 2015.

3.22 The architect said that the applicants moved to the Village in 2012 and bought a home built in 1893. It is on a nice block and is in close proximity to specific amenities. The location of the house on the lot is causing the requests.

He is sensitive to FAR regarding contextual bulk and scale. The basement counts for this project because the first floor height is over 5' above grade. The neighbor to the east and the neighbor to the west and one more house to the west, all have the same first floor plan. The house that was next door and the front yard setbacks and look at two houses down, they all have a similar side yard setback issue. His client's house is the closest to the side lot line at 0.9', which is about 8".

When the owners of the homes to the west went for their permits, they did not count the basement for FAR. The overall building height is not noticeable to any other house on the block. One is very dramatic, but the lot is double wide.

3.23 Mr. Schneider asked about the basement height.

The architect said that they marked it as 5'5" on the architectural drawings. He will have a civil engineer come out at some point to verify, and it could be closer to 5'3". There is no full attic in the house. There is a roof pitch within the second floor ceiling structure. They are not adding an attic. There is no livable space up there. They would have to tear off the roof and go up to make the space habitable. This house has a lower profile than other houses on the block that are slightly taller.

If they did not count basement square footage, they do not need to talk about FAR. But the basement counts. The proposed addition is 12' x 14', which is for a family room and powder room. The addition is small.

The front porch and front porch stair variations are due to where the house is located. Everything crosses the front yard setback. This house sets the front yard standard for the whole block.

The house sits across the setback line. If he could move the house back, they would not be at this meeting.

- 3.24 Chairman Duffy asked him to speak about proposed versus existing.

The architect said what they are renovating is within the existing perimeter of the house. They are building straight up. They are not asking to come out further with the porch stairs. They are rebuilding them exactly. It is currently an enclosed porch that will be opened up and make it like a more traditional front porch.

There are two existing dormers along the west side. They are taking the two and connecting them to make use of ceiling height to put in another bathroom.

He showed the area where the house goes past the house line. Everything else is built over the existing perimeter.

- 3.25 Ms. Norman understands the setback issue. Is the basement usable?

The architect said that per building code the basement is considered to be a crawl space. The clear head height is 6'4" to the underside of the ceiling. But because of duct work and steel beams it is less than 6'. Down the center part of the basement is duct work. It is not a livable space. They need to crack the slab to get new plumbing, water service and sump pump. It counts against them for zoning, but they get no benefit from the building code side.

- 3.26 Ms. Norman asked if they could use the portion that did not have ductwork.

The architect said they cannot use that section and he explained specific dimensions and why they could not use that section. They poured the slab over mud and the slab is cracked and the brick is exposed. There is seepage. It is not a livable space.

- 3.27 Ms. Norman clarified that there is nothing in the basement.

The architect said that at some point there will be laundry down there.

- 3.28 Mr. Merci said that using the ordinance formula and calculation, the allowable FAR is 3,813 square feet and their increase is 845 square feet. Would that not be an over twenty-percent increase in floor area than the 10.57% indicated?

Ms. Roberts said that they take the allowable percentage which is 47.67% and subtract proposed coverage, which would be 58.24% and the difference is 10.57%.

- 3.29 Mr. Merci said if the allowable is 3,800 square feet and the increase is 845 square feet, isn't the variation 845 square feet divided by 3,800 square feet to get 22%.

Ms. Roberts clarified that she calculates the percentage variation on lot area not on the allowable.

- 3.30 There was no one in the audience to speak on this case. There are two letters at Board members' places.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

- 5.1 Mr. Merci said that the addition is in context with neighboring mass and structure of adjoining residences. It is not an overwhelming increase of mass or volume and conforms with the scale and mass of the neighborhood.

- 5.2 Mr. Surman said he was a little surprised when he initially read the request and there is a 10.57% increase. This happens due to the height of the first floor. He looked at the drawings and saw that the roof peak is at 30'11" so it is much lower than allowed. He can support the request.

- 5.3 Mr. Schneider said the basement is not really usable. The other variations are because of the way the house is now and they want to replace what is there. He can support the proposal.

- 5.4 Ms. Norman said that it would have helped if they had put in their letter about the basement and the floor area request. But she can support the application. She is opposed in increases in FAR in large houses but she understands the reason for the request.

- 5.5 Chairman Duffy said that standards of review are met and the basement is the hardship. His initial concern was that they were going to add more bulk to the house. But when he walked down the street he realized that the house to the west could be impacted, but they are a whole lot away. He had no concerns once he learned about the basement. The letters from the neighbors also helped.

6.0 DECISION

- 6.1 Mr. Merci moved to recommend granting a request for an 845.91 square foot (10.57%) total floor area variation, 0.83' front yard setback variation, a 4.1' side yard setback variation, a 2.89' front yard porch setback variation, a 0.93' side yard porch setback variation, a 7.12' front yard porch step setback variation, and a 23.29 square foot (1.55%) front yard porch coverage variation to permit the construction of a two-story addition, two second-story additions, and replacement front porch and steps on the legal non-conforming structure at 1519 Washington in accordance with the plans submitted.

6.11 Mr. Surman seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Not Present
John Kolleng	Not Present
Bill Merci	Yes
Lynn Norman	Yes
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Ms. Norman moved to authorize the Chairman to create the report and recommendation for the Zoning Board of Appeals for case number 2015-Z-50.

6.21 Mr. Surman seconded the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F of the Zoning Ordinance. The physical conditions of the property, the location of the house on the lot and the height of the first floor, impose upon the owner a particular hardship. The plight of the owner was not created by the owner and is due to the unique circumstances of the lot and house. The difficulty is peculiar to the property in question. The difficulty prevents the owner from making reasonable use of the property with improvements to the existing home. The proposed setbacks match the existing and do not increase any non-conformity. The proposed variations will not impair an adequate supply of light and air to adjacent property. The variations, if granted, will not alter the essential character of the neighborhood.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for an 845.91 square foot (10.57%) total floor area variation, 0.83' front yard setback variation, a 4.1' side yard setback variation, a 2.89' front yard porch setback variation, a 0.93' side yard porch setback variation, a 7.12' front yard porch step setback variation, and a 23.29 square foot (1.55%) front yard porch coverage variation to permit the construction of a two-story addition, two second-story additions, and replacement front porch and steps on the legal non-conforming structure at 1519 Washington in accordance with the plans submitted.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

- 3.11 Mr. Chris Canning, attorney
representing the Women's Club of Wilmette
- 3.12 Ms. Edie Rowell, Chairperson, Women's Club, Rebuilding Committee
1625 Sheridan Road
- 3.13 Mr. Timm Martin, architect
2615 Chesapeake Lane, Northbrook

3.2 Summary of presentations

- 3.21 Ms. Roberts said that this is a request for a variation from the requirement that when a non-conforming structure is damaged to the extent of less than 50% of the replacement value at that time, it may be repaired and reconstructed provided that a building permit is obtained and the construction work begun within 180 days to permit the reconstruction of the principal structure. The Village Board will hear this case on November 10, 2015.
- 3.22 Mr. Canning introduced Kay Malm and Barb Bischoff, co-presidents of the club; Edie Rowell, chairperson of the rebuilding committee; Steve Fields, public adjuster; Tim Martin, architect.

Mr. Canning thanked Ms. Roberts, Mr. Adler and Corporation Counsel for their work. There are no precedents to this request. There is an analogous situation.

They are asking for an extension of time. The code does not provide a mechanism for an extension of time in this situation. There is a 180-day deadline in the code, which requires permitting and construction to begin within that time period. There is no possibility of an extension and they are requesting a variation from that 180-day requirement.

On February 17, 2015, the Women's Club had a devastating fire. Section 17.4f of the ordinance sets forth the process to be followed if rebuilding a non-conforming structure. The club was non-conforming. It was built before the zoning code was adopted.

There has to be an analysis performed to determine how much of the structure was damaged and then determine replacement value. There are several methods outlined in the code as to how to do this. The method they chose was to use a public adjuster, Mr. Fields, who negotiated with the insurance company regarding the loss, but also prepared a report in Board packets. Messrs. Canning, Fields and

Martin met with Ms. Roberts and reviewed this so that the Village understood Mr. Fields' methodology. There was an understanding of what happened, how the loss was being adjusted, how the calculations were made and how they were reflected in the report.

There is the benefit of Mr. Fields analysis and they met the requirement under the code that they fall into paragraph B, which allows the Club to rebuild if it gets its permits and commences construction in 180 days. That was not done. He met with Mr. Adler after he, Mr. Canning, was retained at the end of July and reached the conclusion that they would not make the August 17th date (180 days), but was most important was that the Club will not be able to make it through another winter if there is not a roof on the club to protect it from the elements and allow the Club to dry out. They wanted to get before the Village Board in November 2015 and that meant they had to be before the ZBA in October 2015 and for notification, they had to file an application in September.

The main goal for the Club is to get the roof on as quickly as possible. The foundation cannot take another winter without it and they need to dry out the Club.

3.23 Mr. Schneider asked if the roof was temporary.

Mr. Canning said that the roof was not temporary and Mr. Martin will discuss this in detail. The initial permit will be to put the roof structure up. Interior work will be done later.

Mr. Canning said that the June 1, 2016 date was picked out of an abundance of caution. He explained all of the steps they had to go through in this process. They are trying to do most of this in the middle of winter. The reason for this date was to take different variables into account. They did not want to ask for a second extension of time.

Mr. Martin will say that if the Board wants to condition the date to be earlier than June 1, 2016 and tie it to the fact that they will get a permit for the roof before then, they would agree to this.

Mr. Canning talked about analogous situations. The only analogous situation is in 2003, the Terrace Restaurant and clubhouse of the golf club burned. In looking at Village records, the Park District did not come before the Board because they are building on a big piece of property. They did not pull construction permits until September 2004, about 13 months after the fire. In a Wilmette Life article of April 8, 2004, 9 months after the fire, the headline talks about insurance company negotiations and rebuilding. Mr. Canning said that from their perspective, those negotiations had just concluded. The matter has been settled. This gives perspective of how this goes and the Women's Club is ahead of where the Park District was in a similar situation of the fire.

- 3.24 Ms. Rowell has lived in the Village for 40 years. She is also head of the membership committee of the Club.

She thanked the Board and the neighbors. The neighbors have been patient. The club met with their nearest neighbor and are acting on that person's suggestions.

Ms. Rowell said that they are as anxious as the neighbors to rebuild the club and the goals are in sync. The variance will allow them to complete rebuilding plans, submit request for permits and allow them to rebuild. It is their hope and need to have the building roofed before winter starts. They will rebuild the clubhouse on its existing footprint following the pre-fire exterior design, where appropriate.

She gave a brief background about the Club. She joined the Club in 2013. The Club is a 124 year-old not-for-profit service-oriented organization dedicated to helping community needs through the community service of members, through funding for community based initiatives, and by offering the clubhouse for community events and to other not-for-profit organizations. Their mission is to advance philanthropic, educational and cultural activities and to offer opportunities to women of all ages to share common interests and concerns. They are privately supported, they receive no tax dollars. In the last 10 years, members raised and donated over \$400,000 in cash, goods and meeting space to various not-for-profits and community organizations. She gave examples of their philanthropy. Many events have taken place at the Club.

She talked about the fire and showed a picture of the building interior pre-fire. The day of the fire was very cold. The fire was devastating and raced across the roofline. It burned so hot and so long that the steel beams weakened and collapsed. Six neighboring departments poured over 1.5 million gallons of water on the fire. It smoldered to the next day. The clubhouse was encased in ice. No one was hurt in the fire. Neither house on the north or the east side of the structure were damaged by the fire. She is not minimizing the amount of disruptions neighbors have experienced.

They worked with their insurance company and the Village to secure the site and brought in a structural engineer. The masonry walls and chimney were stable. The front entrance was untouched. But there was tremendous damage to the dining area and auditorium. She showed a view of the auditorium.

They needed to determine what could be saved, what had to be changed and would there be enough money to do what was needed and wanted. She explained how they brought in a multitude of experts to assess the costs of replacements. They knew they needed additional expertise and they interviewed insurance adjuster Steve Fields, as well as others, and hired him. During March, Board members itemized many, many pages of business personal property.

They could not adequately assess building damage due to bad weather and the amount of debris. There was more than 5' of water in the basement and it froze at one point. They removed debris to complete a more detailed analysis. Many firms declined because this was a complex situation. By mid-April they worked with the Village on a surgical site cleanup. They wanted to rebuild in a way that would prepare them for the 21st century. Village staff provided so much support.

Village staff found out that they club needed to comply with county permitting, which added time and more testing. The entire cleanup was to have taken 3 to 4 weeks. They had to find a demolition firm and an architect. There were a lot of steps to the process.

Tim Martin's practice is focused on historic preservation. Tim is a Wilmette native. He wanted to save the clubhouse to the extent possible. What could they do about the building? They had to take a good look at the club, itself, and the future of the club and the role the clubhouse would play. They needed to be realistic. One possibility was tearing down the building and selling the property. They had to determine what the club would be without the building.

They met with other women's clubs and visited community centers. They explored what changes they would need to make to continue the club. In May 2015 they identified two potential demolition firms and finalized the contract with Hennigan. They were in a position to then go out to membership and poll them on their thoughts on rebuilding.

They then learned three key things. Based on preliminary calculations, the clubhouse walls and foundation were 58% to 60% intact. Estimates for insurance proceeds indicated rebuilding costs should be covered. The Romona School second graders asked if they could donate the full proceeds of their in-house store, about \$1,200 to rebuild the clubhouse.

When they finished with the tests, they were ready to start demolition in June. The Village forester approached them. Demolition involved selective tree trimming and he asked that the work be delayed until after July 4th to ensure the health of the trees. The club agreed to do this.

The surgical clean up began the week after July 4th and was done ahead of schedule by the end of July. The floor of the auditorium was so sturdy that they could bring in a bulldozer to remove debris. She showed a photo post cleanup. They removed all debris, plucked out steel so the architect and structural engineers could go back into the building and confirm the preliminary assessment. Membership had voted to rebuild the clubhouse. They started the architect search. Tim Martin was selected and began his work in earnest.

The Village completed a more detailed review of the building codes and brought the 180 rule to their attention, which is what brought the club before the Board tonight. They knew they would need to request an extension.

Mr. Martin has been working on the plans. The membership is strongly behind this and they developed a new business model that will help them go forward into the 125 years. They conducted needs assessments with non-profits and community organizations. They will conduct focus groups in the community starting with their neighbors. They are eager to get started on the clubhouse and under roof before winter. They are approaching their 125th anniversary year and look forward to continuing to offer their programs, services and support to the Village.

- 3.25 Mr. Martin is a Village native. His mother was a frequent visitor to the club. He has designed and built about 100 projects from Wilmette through Glencoe. He went to the University of Illinois School of Architecture and graduated at the top of his class. He wanted to preserve the building from the exterior and the club agreed to this. He wanted to help the club and worked for no pay at the start of the project. He found Hennigan to do the surgical clean up. They managed the demolition, put up fencing, took trees down and did this for love of the building and the club.

The homeowners to the east had some suggestions about reducing the scale/volume of the elevation on east side and they agree to do this. He showed a rendering and elevations. The front looking to the west is largely intact. There were several additions that were poorly done and they are cleaning those up. The roofline will now make more sense.

On the south side there is a new gable end and will provide a wheelchair entrance. The building is not ADA compliant at this time.

On the east elevation, there is a two-story area that the neighbors to the east would see. They took it down to one story and pushed back the ribbon of windows to let light and air go to neighbors to the east. It was not an attractive elevation with several poor additions.

On the alley side, it is largely intact.

They will be building through the winter and the roof will not be on before winter. No one can predict the first snow. Snow will need to be taken out of the building. They cannot do a temporary structure. They are several weeks away before going out for bids. They will use 100% non-combustible materials.

- 3.26 Chairman Duffy asked Mr. Martin to speak specifically about when they can start if approvals are granted.

Mr. Martin said they are using open web bar joists. The construction industry is busy and they are going to pull some favors. He does not have structural drawings

at this time. It could take 4 to 8 weeks to get joists on site. They have to rebuild the masonry wall on the north elevation.

- 3.27 Chairman Duffy asked if it would be about 10 weeks from permit to when they will start working.

Mr. Martin said this is correct. They are hoping to work on the north wall in December and get ready for trusses when they arrive.

- 3.28 Chairman Duffy clarified that masonry work will start prior to any structural work.

Mr. Martin said they have drawings and permitting issues that have to get done.

- 3.29 Chairman Duffy said that the Board is trying to address site activity.

Mr. Martin said that no activity will be on site until they start masonry reconstruction and that should start in December. They are working hard to get this done.

- 3.30 Mr. Surman clarified that the goal is to get the roof on right away. Then do they start windows?

Mr. Martin said they need to order windows and sent windows out for bidding today. The intent is to get walls up, the roof on, and start the drying process and then go back and pop in windows.

- 3.31 Mr. Surman asked when the work would be focused on the interior and exterior might be done.

Mr. Martin said he does not know the extent of structural engineering component. He does not know how long it will take to get the roof on.

- 3.32 Mr. Surman asked if the first phase goal was to get it fully enclosed.

Mr. Martin said that was the first phase goal. Stone has to be cut. They will do concrete block on the north wall so they can raised the north wall and he can then get the structure on. They can return in the spring with the facing stone and limestone. They cannot put in windows without facing and limestone.

- 3.33 Mr. Surman asked if all bracing was evaluated by structural engineer. Safety around site is also a concern.

Mr. Martin said structural engineer evaluated bracing. The Village structural engineer also evaluated bracing.

- 3.34 Mr. Merci referenced the timeline for various activities. Are they able to say what extension limit they are requesting?

Mr. Martin said he thought they were requesting an extension to June 1, 2016.

Mr. Canning said that the code notes they have to be permitted and begin construction. If by construction that means just the masonry wall, that is a shorter time period. If it means permitting, and construction of the masonry wall and roof, that will be a longer time. The April 1st date is construed as construction and they are fine with that. But more likely than not, if they are just focused on the masonry, it could start as early as December, but they have to go through permitting and bidding and they should not be held to a January 1 date because they might need to extend beyond this time. He does not want to come before the Board again on the same issue.

- 3.35 Mr. Surman said they cannot set masonry when it is that cold unless they enclose it and heat it. Would the goal be that by June 1, 2016 they would have all permits.

Mr. Canning said that the code speaks to permits and start of construction. They can begin construction on masonry walls and on the roof. If they have to do all that and the interior.

- 3.36 Mr. Surman referenced neighbors and asked if their goal would be to at least be in for permit for all work by June 1, 2016.

Mr. Martin is willing to commit to that. They have talked with staff. They will first permit the envelope, but they need time to work with the club membership on interiors. They have a budget. There will be multiple permit requests.

Mr. Canning said that Mr. Martin thinks that it is possible to get all permits by June 1st.

- 3.37 Mr. Merci asked about number of construction phases.

Mr. Martin said it will be a continuous phase and they will not start and stop. First is masonry, then roof structure, then roofing materials and windows. These are individual bid packages.

They took suggestions from neighbor to the east and finished drawing this morning. It has gone as a bid packet to three window companies.

Mr. Canning wants to build in sufficient time into the request.

- 3.38 Mr. Merci said that neighbors are looking for something more definitive in terms of a timeline, a schedule and some dates.

Mr. Martin needs that as well. He is the design builder. He will be working with sub-trades.

- 3.39 Mr. Merci asked if the Village was satisfied with the cost replacement estimate and approved same.

Ms. Roberts said they were satisfied.

- 3.40 Mr. Merci asked about the consequence if the variation was not granted.

Ms. Roberts said that the Women's Club could not rebuild as the building exists. They would need to decide if they wanted to remove the structure and attempt to build something conforming or do something else with the property.

- 3.41 Mr. Merci asked if they looked into above as an alternate.

Mr. Martin has not looked into this because he is a preservationist. He has done numbers with Hennigan. The entire first floor of the auditorium is concrete. The chimney goes up 60'. He could take it down one brick at a time. They have scaffold all the way up to protect the house to the south.

Mr. Canning said it would be a delicate demolition due to neighbor's proximity. Demolition would be similar to that of the Berlin Wall. He talked about complying with regulations and how expensive it would be to do and it would take a long time to get to the dirt surface.

- 3.42 Mr. Schneider said that some neighbors wrote to the Board asking if they could provide a safer more opaque construction fence around the property. Could they reopen the sidewalk to public use?

Mr. Martin said that the fence is 6' high. They reopened the sidewalk today. Regarding the fence, the building is so tall that the fence will not block any more than 6'.

- 3.43 Mr. Schneider said that downtown construction sites have an opaque screen on the chain link fence.

Mr. Martin said that those fences are much taller. The fence up right now is 6'.

Mr. Canning asked if opaque fences were allowed.

Ms. Roberts said that she does not think that there is anything in the code that prohibits an opaque construction fence.

Mr. Canning noted that sight lines have to be clear. He said that there was a meeting with the neighbor to the east and one of the items on the to-do list was to move the fence back from the sidewalk.

- 3.44 Mr. Surman said he initially thought it would be good to have a screened in site, but after it is screened, any activity can be hidden. It should be open and visible to the public versus enclosed.

Mr. Canning said that the Village has worked with the club. The code enforcement officer has been working with the club. The forester is working with the club. Safety is an important part of the project and they will do what the Village says. Their presentation is done.

(AFTER SECTION 4.0)

- 3.45 Mr. Canning said that part of the delay and the perception that there is a lack of urgency is one of the realities in dealing with this process, which takes time. There are benefits and they know they have the funds to move forward with this building. They also want to wrap this up.

He asked the Board to grant their request. They are open to another date than June 1st, but he picked this date because there are variables in this type of process. There are code interpretations. Construction and permitting could be more complex. They want to have a date certain and they will say they can get it done by that date. But he wants to make sure that they do not come back asking for another extension. He does not want to pick a date that is too short and they might not hit.

- 3.46 There was no one else in the audience to speak on this case. A number of letters were at the board members' place.
- 3.47 There was discussion about the June 1st date being in the motion.
- 3.48 Chairman Duffy asked Ms. Norman to read the action as written. The date is understood.

4.0 INTERESTED PARTIES

4.1 Persons speaking on the application

- 4.11 Mr. Jim Braband
924 Greenleaf Avenue

4.2 Summary of presentations

- 4.21 Mr. Braband does not oppose the variance request. They are at the meeting to voice concerns and opinions and some have been recognized. He thanked the co-

presidents of the club for meeting with him and his wife. They live to the east and he has been in the Village for 57 years. They lived in their house for 40 years. They are model neighbors. They knew they were buying their house next to the club. In that time period, he can remember that he called the Village only one time when a party had gone on for too long. They have been patient. Any former club presidents will say they are model neighbors. The club has been respectful of their concerns and observations. The line of communication has been good, but has fallen apart in the past year. There is a sense of frustration by many neighbors. They have not been sufficiently engaged. They have tried to get the dialog going with the club. Only recently was that accepted.

They made great progress when they met for two hours about a week ago and they have already seen results. Mr. Martin looked at the design of the roof structure, which is a big deal for him and his wife. The physical property is 3' from his lot line. The building is an additional 10' from that. They were the ones who reported the fire. They sat across the street for six hours while the fire department saved his house. He described the scene at the time of the fire. They have a real stake as to what takes place at the club. They like having the club there. They like the privacy and it accords them a nice backyard environment. They learned to screen out the chimney and the wall and have put in Linden trees.

On behalf of most neighbors, most bought their properties with the club there. They knew that when they sold their properties the club would be there. There is a sense of acceptance of the club and everyone wants to see a vibrant successful organization. They have concerns as to whether this can be done and sustained over a long time period. The co-presidents have talked to successful women's clubs and ones that were not successful.

He cannot second guess the decision to rebuild the clubhouse versus other options, which they probably debated with their membership. They are excited about having a new attractive building next to them and that the building can be maintained. They want to see more organizations use the club facility.

In a lot of the letters from the neighbors there is the need to create a sense of urgency about moving forward. They want them to move forward with the plans. The site as it currently is, is an eyesore. The fence is also not pretty. It will be prettier when cranes and trucks are on the site because that is a sign of progress.

He is concerned about the proposed deadline. They want to create a sense of urgency. Enclosing the building should occur long before June 1st. They need to get commitments, show progress and get the appearance fixed as soon as possible. He talked about getting the roof on and the stone installed, which will improve the appearance.

He wishes the Women's Club well. He is not in opposition but wants the project to start. He saw an email from 1004 Greenleaf and the email said if it's worth doing

get it done. That is how he also feels. He is not averse to anything that is approved. The June 1st date and its interpretation is something he did not appreciate, but if there is a commitment to the progress discussed tonight, the appearance will improve.

Chairman Duffy clarified that the neighbor appears to be encouraged by what he heard at the meeting and he accepts the timeline, which satisfies a previous objection.

The neighbor is concerned about the roofline and it is now more acceptable to him. There is another issue – fence and screening. People walking by and driving by and the longer it looks like it does, it will be difficult for someone to sell their property. There is no clear site line at this time. 1001 Greenleaf is actually on the market. He is empathetic to those trying to sell their house.

It is important to screen that site for the time being. Some sites use a green mesh material for screening. Putting a tarp over the fence on his side took away the sight of loose debris. The post-demolition roof line would be visible.

Mr. Surman said that the mesh can make the site look abandoned. He recommended putting together a construction sign with a rendering. It would say coming in 2016 or something like that.

Chairman Duffy talked about screening and this will be solved between staff and the Women's Club. There is a question about safety since it is on a corner. They will work through that the best that they can. The club will take some action the best that they can.

From tonight's discussion, it appears as if many of the neighbor's concern were addressed and the neighbor agreed with this statement.

The neighbor said that the snow will cover a lot of the debris on the ground.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

- 5.1 Ms. Norman said that all standards of review are met. This is a unique property with a unique situation. She understands the neighbors concern. She loves having the club in that location. The building is beautiful. She can support the request.
- 5.2 Mr. Surman said he appreciates the time going through the process. It takes a long time for all inspections and demo. He is glad that they will remain in the Village so he can support the application.
- 5.3 Mr. Schneider will also support the request. The key issue is that the zoning ordinance did not provide any mechanism for extending that date and that should be available and in this case the date needs to be extended.

- 5.4 Mr. Merci said that he can support the variation provided that there is an identified date in the approval. That date being June 1st or another date.
- 5.5 Chairman Duffy said it is in their application, which is what the Board is approving. The date is June 1st. The application is part of 'plans submitted.' They need to permit and show demonstration of on-site construction.
- 5.6 Chairman Duffy also can support this request. This was a straight forward decision. He has clients who had fires and the adjustment process can take a very long time. People wait for money to start work on their place of business or investment property but they are handcuffed to waiting for a decision to be reached. He said that everyone can take out of this case the importance of communication. A letter or some sort of outreach could have avoided stress for the neighbors. He supports the requests. He appreciates the detail that Mr. Canning went into and the neighbors understand the process. There is a timeline although it can vary. This has been an enlightening meeting for the project.

6.0 DECISION

- 6.1 Ms. Norman moved to recommend granting a request for a variation from the requirement that when a non-conforming structure is damaged to the extent of less than 50% of the replacement value at that time, it may be repaired and reconstructed provided that a building permit is obtained and the construction work begun within 180 days to permit the reconstruction of the principal structure at 930 Greenleaf Avenue in accordance with the plans submitted.

- 6.11 Mr. Surman seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Not Present
John Kolleng	Not Present
Bill Merci	Yes
Lynn Norman	Yes
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

- 6.2 Ms. Norman moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2015-Z-49.

- 6.21 Mr. Surman seconded the motion and the voice vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F of the Zoning Ordinance. The particular physical conditions of the property impose upon the owner a particular hardship. The building is non-conforming in many ways. The plight of the owner was not created by the owner and is due to unique circumstances. The building was constructed before zoning regulations were in place. The building was damaged by a fire. The time it has taken to begin restoration work has largely been due to factors outside of control of the property owner. The plight of the property owner was not created by the owner is due to the unique circumstances of the building and the occurrence of the fire. The hardship of not permitting the property owner more time to restore the property prevents the owner from making reasonable use of the property. The proposed variation allows the property owner to restore the building. It is the owner's intention to improve light and air to the east property to the extent possible with the reconstruction. The variation if granted will allow the building to be restored, resulting in no change to the essential character of the neighborhood.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a variation from the requirement that when a non-conforming structure is damaged to the extent of less than 50% of the replacement value at that time, it may be repaired and reconstructed provided that a building permit is obtained and the construction work begun within 180 days to permit the reconstruction of the principal structure at 930 Greenleaf Avenue in accordance with the plans submitted.