

**SUMMARY NOTES
OF THE MEETING OF THE
ZONING BOARD OF APPEALS
WEDNESDAY, JULY 7, 2021
VILLAGE OF NORTHFIELD**

On Wednesday, July 7, 2021, the Zoning Board of Appeals met at 7:00 p.m. in the Village Hall first floor Board Room located at 361 Happ Road to consider three (3) issues

Members in Attendance:

Richard Crotty, Chairperson
Cheryl Charnas
Christine Geraghty
Ronald Cohen

Members Absent:

Robert Hayward
John Goodwin

OTHERS PRESENT: Building Commissioner Ron Johnson.

Chairperson Richard Crotty called the meeting to order at 7:15 p.m. by introducing the Zoning Board of Appeals members.

Chairperson Crotty requested a motion on the consideration of the May 5, 2021, summary notes. A motion was made by Member Cheryl Charnas and seconded by Member Christine Geraghty to approve the May 5, 2021, summary notes.

The following vote was taken:

AYES: 4

Richard Crotty, Chairperson
Cheryl Charnas
Christine Geraghty
Ronald Cohen

NAYS: 0

ABSTAIN: 0

ABSENT: 2

Robert Hayward
John Goodwin

Motion Carried

1) **1898 ABBOTT COURT** - Consideration of a request for a variation from Appendix A, Article VIII, Section 8.4 of the Village of Northfield's Zoning Code:

A) **An east side yard 4.00 foot variation from the required 7.00 feet resulting in a 3.00 foot east side yard setback to allow for a one story addition.**

Ms. Jennifer Andrew was present and is the architect for the petitioner, Sarah Generes. Ms. Andrew outlined their request for a variation for an east side yard setback to allow for a one story addition to the existing single family residence.

Ms. Andrew explained the pandemic has tremendously impacted the petitioner's lives. Ms. Generes purchased the house in 2017. There are currently four people living in less than 1,500 square feet which is close quarters even in non- pandemic times. Ms. Generes is a professional fundraiser and has frequently sensitive conversations with donors around the globe outside of normal working hours. She needs a private office with a door to ensure confidentiality and a quiet space for these conversations. This need will continue as she plans to work from home in

the foreseeable future. The proposed addition would add approximately 400 square feet in order to accommodate additional private areas for working.

Once it was decided more square footage was needed, they considered several options to add the space. Given the split level design and the current property setbacks, there were not a lot of options available. They looked at adding on to the front of house, but an addition would encroach on the front yard setback and drastically change the look of the house as compared to the neighbors. Adding a second story over the front portion of the house was another option, but in addition to another drastic change to the look of the house compared to the neighbors, they determined this option was not viable due to both the magnitude of the project and it would require them to move out of the home for significant period of time during construction. They also considered adding on to the rear of the house, but given the split level design, it would have negatively impacted the current living areas.

The current patio area on the east side of the house quickly became the most viable choice. The only drawback was the space would be extremely narrow if they stayed within the side yard setback. Therefore, they are requesting an east side yard setback to create an addition for added living space to their home that will function and serve their family needs to enjoy for many years.

A letter of support from Sean and Sara Halvorsen, the neighbors to the east at 1892 Abbott Court, was submitted and included with the application. They would have the most impact from the proposed addition.

Chairperson Crotty questioned if the proposed addition will be confined to the perimeter of the existing concrete patio.

Ms. Andrew said it would be placed over the existing patio.

Chairperson Crotty reiterated the neighbors to the immediate east expressed support for the project.

Chairperson Crotty asked if anyone in the audience would like to speak. No one wished to speak.

Member Charnas said they did a good job of presenting the various options and feels the design is compatible with the neighborhood.

Member Geraghty agreed the presentation was great and has no issues with the variance request.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Member Christine Geraghty, seconded by Cheryl Charnas to approve the following:

- 1) Consideration of a request for a variation from Appendix A, Article VIII, Section 8.4 of the Village of Northfield's Zoning Code:

An east side yard 4.00 foot variation from the required 7.00 feet resulting in a 3.00 foot east side yard setback to allow for a one story addition to the existing single family residence for the property located at 1898 Abbott Court consistent with the site plan and Architectural exhibits received on June 2, 2021.

Subject to the following development conditions:

- 1) An approval pursuant to any requested review by a Village consultant, staff member, Board or Commission shall be an approval of only those items specified in any motion, resolution, ordinance or written report. Under no circumstances shall such an approval be deemed to be the approval of any other matter by virtue of the fact that those other matters may appear on the supporting documents such as a site plan, engineering plan, or plat that was the subject of the review. Neither shall any such written approval be deemed to be an approval of any matter, which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.
- 2) The petitioner shall comply in all respects with the ordinances of the Village of Northfield and nothing in this variance shall be construed as a waiver of any of those requirements.
- 3) This variation will be in effect until July 7, 2022. Any variation granted hereunder for any purpose shall lapse and be of no further force and effect unless a building permit has been issued by the Village for such purpose within one year after the effective date of the variation.

The following vote was taken:

<u>AYES: 4</u> Richard Crotty, Chair Cheryl Charnas Christine Geraghty Ronald Cohen	<u>NAYS: 0</u>	<u>ABSTAIN: 0</u>	<u>ABSENT: 2</u> Robert Hayward John Goodwin
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Motion Carried

- 2) 192 LAGOON DRIVE - Consideration of a request for an extension of time to complete construction from Appendix C, Article IV, Section C-8.1, paragraph (1), of the Village of Northfield's Safety Code and extension of a minimal relief variation from Appendix A, Article VIII, Section 8.4 of the Village of Northfield's Zoning Code:

A) An encroachment of .10 foot into the north side yard setback from the required 7.00 feet resulting in a 6.90 foot north side yard setback; and

B) An encroachment of .01 foot into the east front yard setback from the required 30.00 feet resulting in a 29.99 foot east front yard setback

for the construction of a two story single family residence on the existing foundation.

The petitioner, Mr. Hyungsig Sonn, was present along with his attorney, Kerry Garesche. Ms. Garesche outlined their request for an extension to the expired building permit and the minimal relief variation.

Ms. Garesche explained she has been working closing with the Village Attorney, Buzz Hill. She has been working directly with him since January and was surprised he was not present. In their conversations around June 15, 2021, it was mentioned there would unfortunately only be four members present at this hearing and she could request a continuance until the September meeting. She felt it was a good idea. Then Attorney Hill wrote back on July 1, 2021, and said it will not be the case and she will have to present to discuss the six items requested to be completed prior to this hearing. The first item on the list was the grass and the grading. There was a contract dispute with the grass and it has since been planted. She understands it is looking brown now, but it is being watered. The driveway is completed and it was one of the other six items. The parkway has been restored to the original condition. The other issues not completed are the landings outside the home.

Building Commissioner Ron Johnson said there are two landings and a 3 x 3 platform out the service door of the garage at the back of the residence need to be installed.

Ms. Garesche said the form for the landings has been completed. The material ordered is commercial grade.

Commissioner Johnson mentioned the landing was not approved by the Village. It needs to be done by an engineer. Unistrut does not qualify for what originally was to be installed.

Ms. Garesche said her client contacted his engineer to give the Village the specifications. His engineer is going to satisfy the qualifications of the Village. He is planning to have the two landings and platform installed by July 28, 2021. The other issue was the survey. Her client is hoping to have this provided by July 28, 2021. She is disappointed the survey has not been completed before today.

Ms. Garesche recently found out about the sidewalk squares which need to be replaced. Commissioner Johnson stated it was brought to his attention by the Public Works Department and he was not sure how many squares needed to be replaced.

Ms. Garesche said Attorney Hill suggested all the items to be done by September since there is no August meeting. There has been a tremendous hustle to get these items finished.

Commissioner Johnson said there is no meeting scheduled in August. Chairperson Crotty added as of this moment there is no August meeting.

Commissioner Johnson said a meeting in August could be added if the Board desires to do so.

Ms. Garesche said in terms of the interior work to be done they will need to ask for an extension.

Member Charnas said they met on this issue last September and laid out a schedule of interim deadlines to have been met. She wanted to know which items have been met.

Ms. Garesche said she is not sure which items have been met, but it is fair to say she became involved after the January 31, 2021, deadline. She can't speak for what happened before then. The rough inspections have been completed. Everything is done on the exterior except for the survey, landings and sidewalk which she recently found out about.

Member Geraghty asked how much of the bond is left.

Commissioner Johnson stated the \$20,000.00 has been forfeited.

Member Charnas wanted to know what they are being asked to do.

Ms. Garesche said to evaluate where this is going. They would like to ask for a continuation. Mr. Sonn is showing intent to get the project done. The contractors have been paid to get the project done instead of doing it himself.

Member Geraghty asked when he started engaging contractors instead of taking on the work himself.

Mr. Sonn said he has hired contractors to do the plumbing, electric and hvac work.

Chairperson Crotty said the building permit was issued 31 months ago. Building permits are good for 18 months. During the first 18 months the petitioner did very little. He walks by this property almost weekly with his dog since it is in his neighborhood. The petitioner is trying to build this house by himself while also working for the City of Evanston Building Department. When the Board granted an extension at the meeting in September it was subject to certain conditions. The petitioner was given six different deadlines. None of the deadlines have been met. The exterior work is almost complete and what is left is deminimis. He understands the delay with the interior work due to COVID-19 with getting subcontractors and obtaining materials. Counsel has requested this to be continued to September. He has a problem with that. He feels the Board needs to stay on top of this to get the project completed. The neighbors have suffered because the outside was not completed by the October 31, 2020, deadline granted by the Board at the September meeting. It was completed basically on July 4, 2021.

Ms. Garesche assured the Board between her discussions with Attorney Hill he told her as long as the exterior siding and scaffolding work was done by April. It is unfortunate the Board was not aware of the communications with her and the Village Attorney.

Chairperson Crotty added it has been eight months beyond the deadline to get the exterior work. He understands the petitioner is working hard to complete this project. It has been to the

detriment of the surrounding properties for an incredible amount of time and now the Board needs to figure out a way to get this project finished.

Member Cohen said he was not here at the September 2, 2020, meeting. He understands there was an additional bond required to be paid and it has been since forfeited. He would like to know what prevents the petitioner from getting the project completed if deadlines are provided at this time.

Ms. Garesche said the petitioner has worked diligently to get the exterior work completed. It is almost completed. The rough inspections on the interior have been completed. It has been difficult to complete due to COVID-19.

Chairperson Crotty asked if anyone in the audience would like to speak.

Anne Olk, 195 Latrobe Avenue, said she has reviewed the minutes from the September 2, 2020, meeting. On June 15, 2021, the permit was to be terminated if the work was not completed. Since Mr. Sonn works for the City of Evanston would this be allowed to happen to the people of Evanston. It is taking a long time to get this project done and it is not good. He works past the regular construction hours. She would like to ask the Board to make this hurt financially.

Commissioner Johnson said it serves no purpose to stop the construction.

Ben Van Amerongen, 196 Lagoon Drive, is the next door neighbor to the north of the property. He has been living in Northfield for 20 years. He is beyond frustrated. The driveway has loosely packed gravel and is a complete disaster. There is a house nearby under construction and it is almost done after six months. He just wants to see this project done since it has been going on for 31 months.

Member Charnas said they talked about this in September and tried to come up with a schedule that was achievable taking COVID-19 into consideration. The reason there were penalties was to try to get the project completed and it did not work so she is not sure what they need to do now.

Member Cohen added he feels the petitioner is not capable of completing this project. So that is why a completion bond should be posted. He should post a bond and if it is not completed by the deadline, then a construction crew should go in and finish the work.

Chairperson Crotty asked counsel what she suggests the Board should do.

Ms. Garesche said she is surprised Attorney Hill was not a part of the discussions with the Board so they are not all on the same page. It was her understanding up until July 1, 2021, the issue would be continued. If there is going to be a meeting in August just for this purpose, then it would be to complete the exterior of the project. She feels the petitioner is capable of the completing the project. There has been an extreme amount of work done.

Member Geraghty mentioned the Board set out timelines and had open discussions with the petitioner on what was achievable and issues he was running into with COVID-19 at the

September meeting. Just because Ms. Garesche was not a part of it, the petitioner was and he was aware of what needed to be done.

Ms. Garesche understands and what they would like to do is get the exterior finalized in order to respect the neighbors. The interior should not have an effect on the neighbors.

Chairperson Crotty asked if what has been installed as a driveway now meets code.

Commissioner Johnson said there is mesh to be imbedded into it to make it more stable so after the mesh is installed it would meet code.

Ms. Garesche said there were limitations during the last several months with COVID-19.

Chairperson Crotty asked if the meeting room would be available on Wednesday, August 4, 2021. Commissioner Johnson said the room would be available.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Chairperson Richard Crotty, seconded by member Ronald Cohen, a conditional extension to the building permit is granted as follows:

A building permit extension for 192 Lagoon Drive is granted until Wednesday, August 4, 2021, subject to the petitioner posting a \$10,000.00 completion bond for the exterior to be completed by August 4, 2021. If the exterior work is not completed and passed inspection by August 4, 2021, the bond shall be forfeited.

Chairperson Crotty also added at the August 4, 2021, meeting, the Board will address the final interior work for the project. Chairperson Crotty stated it would be a good idea to get someone in the house who knows residential construction in order to get a better handle on what needs to be completed on the interior of the home. Also noted if Mr. Sonn is doing work outside of the posted construction hours, it will be enforced by our Police Department.

The following vote was taken:

<u>AYES: 4</u>	<u>NAYS: 0</u>	<u>ABSTAIN: 0</u>	<u>ABSENT: 2</u>
Richard Crotty, Chair			Robert Hayward
Cheryl Charnas			John Goodwin
Christine Geraghty			
Ronald Cohen			

Motion Carried

- 3) 24 MEADOWVIE DRIVE – Consideration of a request from Appendix C, Article IV, Section C-8.1, paragraph (1) - Permits, Time Limitations - of the Village of Northfield’s Safety Code for an extension of time to complete construction of a three car attached garage and second floor addition to the existing single family residence.**

Mr. Todd Luetkemeyer and Courtney Wells, petitioners, were present. Ms. Wells outlined their request for an extension to the expired building permit. The building permit was issued March 14, 2018, and extended to May 31, 2021, is now expired.

Ms. Wells explained there are a number of factors which have contributed to the ongoing duration of their project. They have been working diligently and continue to utilize multiple subcontractors to complete the project. The subcontractors include plumbing, electric, hvac, insulation, drywall, stone fabrication, tile installation, hardwood flooring installation, exterior stone masonry, landscaping and carpentry crews.

Some of the delays were due to a crew member with the plumbing contractor who contracted COVID-19 in January 2021 which delayed the crew's ability to start rough plumbing work for more than three weeks in January/February.

The general contractor and rough carpenter, Keith Wells, contracted COVID-19 in early February 2021 resulting in delays in multiple facets of the project for approximately three weeks.

These delays resulted in a two-week gap between finish of the rough plumbing and start of the rough electrical. The pandemic has caused a surge in home improvement projects, which has left subcontractors over-committed, causing them to stretch their crews across multiple jobs simultaneously. Their project has been heavily affected by these issues. The start of drywall was delayed for approximately one week due to crew availability. They expected the drywall to take 3-4 weeks, but as of today the crew is on the seventh week due to a shortage of workers.

Work to apply stone to the exterior of the home began last fall of 2020, but additional stone was required to finish in early winter 2020. The quarry from where the stone was ordered was shut down at that time and did not reopen until spring 2021.

The pandemic has caused unusually long lead times for items such as interior doors, certain electrical and plumbing fixtures, appliances, fireplaces, in-wall and in-ceiling speakers, stair railings and cabinetry. They were recently notified by the cabinet supplier, the bathroom cabinets ordered in April 2021 are not scheduled to ship until August 23, 2021, impacting their ability to complete installation of countertops, backsplash tile and final plumbing and electrical fixtures.

They have done everything possible to comply with the May 31, 2021, deadline. No one would like this renovation completed more than their family. Due to the factors mentioned and continued commitment to complete the project, they ask the Board to respectfully consider their request for an extension to the building permit.

Member Charnas asked how much more time do they need to finish.

Ms. Wells said the contractors are working diligently and will hopefully have most of the work completed by the end of September.

Chairperson Crotty mentioned Member Charnas is their neighbor and asked if there were any problems with them working outside of construction hours.

Member Charnas said none that she is aware of.

Chairperson Crotty added there were a few items that bothered him when he drove past the house. There is a picker type equipment and dumpster sitting on the property. There is also a shoot coming down from the window. He considered the picker and dumpster an eyesore on a beautiful piece of property. He is sure the neighbors are probably tired of looking at that.

Ms. Wells said there is still one window to be installed on the second floor and need the shoot. The lift is needed to finish the siding.

Chairperson Crotty asked how long before the siding will be installed.

Ms. Wells stated approximately two weeks.

Member Crotty asked if anyone in the audience would like to speak. No one wished to speak.

Member Charnas said it seems like they are trying to get the work done and appreciate it. In December at the Zoning Board of Appeals meeting, it was discussed the siding would be done in January. The neighbors are tired of looking at Tyvek.

Ms. Wells said with covid-19 and lack of workers, unfortunately the siding was delayed.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Chairperson Richard Crotty, seconded by Member Cohen, a conditional extension to the building permit is granted as follows:

A building permit extension for 24 Meadowview Drive is granted until Wednesday, August 4, 2021, to complete the construction and is not limited to, but shall include all the siding must be installed, the dumpster must be removed, the plywood on the second floor window must be removed and the window installed and the lift currently stored on the property must be removed.

Member Charnas asked about the \$200.00 per day being forfeited from the completion bond granted by the Board at the December 2, 2021, meeting.

Building Commissioner Ron Johnson stated the petitioners have currently forfeited \$7,400.00 from the \$10,000.00 bond.

Chairperson Crotty added to the motion the \$200.00 per day forfeited from the \$10,000.00 completion bond as of June 1, 2021, will stop as of July 7, 2021.

The following vote was taken:

AYES: 4

Richard Crotty, Chair

NAYS: 0

ABSTAIN: 0

ABSENT: 2

Robert Hayward

**Cheryl Charnas
Christine Geraghty
Ronald Cohen**

John Goodwin

Motion Carried

There being no further discussion, a motion was made by Member Cheryl Charnas and seconded by Member Christine Geraghty, the Zoning Board of Appeals adjourned their meeting at 8:40 p.m.

Approved 8/4/21