

**MINUTES OF A SPECIAL MEETING OF THE BUILDING, PLANNING AND ZONING  
COMMITTEE OF THE VILLAGE OF KENILWORTH HELD AT THE KENILWORTH  
VILLAGE HALL, 419 RICHMOND ROAD AT 7:30 P.M. ON  
WEDNESDAY, JULY 16, 2008**

Chairperson Bossu called the meeting to order at 7:40 p.m. Attendance was as follows:

Present:	Jackie Bossu	Chairperson
	Robert Smietana	Member
	James Hughes	Member
Others Present:	Susan Criezis	Community Development Director
	Tom Terrill	122 Woodstock Avenue

There was informal discussion of the recently codified Zoning Ordinance. Copies of the Zoning Ordinance were given to the Committee to review. They were happy to see the zoning code updated with all amendments and surprised it was done by staff.

Member Smietana recommended the Zoning Ordinance not be printed in quantity until the fence and sign amendments are adopted.

The minutes of the June 25, 2008 Building, Planning and Zoning Committee meeting were placed before the Committee. Several corrections were made. Member Smietana made a motion to approve the minutes with corrections. Member Hughes seconded the motion, and the minutes as corrected were unanimously approved.

Chairperson Bossu introduced the business to be discussed at tonight's meeting which was draft amendments to the fence and sign regulations in the Zoning Ordinance. She thanked Village Manager Burke for the guidance provided in the memo issued with the Building, Planning and Zoning Committee meeting packet.

Chairperson Bossu introduced the proposed amendment to construction regulations for fence notification. She agreed with the revision and the consensus of the Committee was to recommend Village Board approval of the proposed amendment.

Member Smietana made a motion to recommend the Village Board approve the proposed amendment to construction regulations pertaining to notification for fence permits. Member Hughes seconded the motion which was approved unanimously.

Chairperson Bossu introduced proposed changes to the Zoning Ordinance fence regulations. She said she agreed with the draft amendment and did not have any questions. Members Smietana and Hughes were in agreement with the proposed changes.

Chairperson Bossu asked if staff recommended any additional changes to the fence regulations. Community Development Director Criezis responded that staff recommends a permitted deviation section to be added to the regulation for matching the height of a new fence next to an existing fence. She said staff recommended a deviation be permitted of up to 3 inches in 10% of the fence.

The Committee was in agreement with this recommendation and Member Smietana proposed inserting the staff suggested deviation provisions at the end of paragraph (E) Fences Inside Of Rear Yards in the same manner as the deviations listed in paragraph (F) Height Determined.

Member Hughes made a motion to recommend the proposed Zoning Ordinance amendments pertaining to fences as discussed at this meeting be forwarded to Village Board with a request for a public hearing. Member Smietana seconded the motion, which was unanimously approved.

Chairperson Bossu introduced proposed changes to the Zoning Ordinance for sign regulations. She asked if sign regulations for name plates are part of the existing code. Community Development Director Criezis said they are, and no changes are proposed at this time. Community Development Director Criezis explained the Village Attorney organized the existing sign regulation language into a more readable format, rather than one continuous paragraph.

The discussion moved on to political signs. Member Smietana said he does not understand how an election sign can become a message sign and noted the definitions clearly distinguish between the two types of signs. Member Smietana expressed his opinion the last line of the proposed amendment, "(vii) Nothing In This Section Precludes The Relocation Of An Election Sign So That It May Remain As A Message Sign" be deleted. Member Smietana said the last line is in conflict with the definitions. He did not want election signs to remain in yards for a year or longer. A discussion by the Committee of current candidate signs that appear to be permanent signs in some front yards in Kenilworth and other nearby Villages followed.

Chairperson Bossu agreed the definition of each sign is distinctive and she agreed there was a conflict with the last line. Member Hughes said he wanted legal counsel to look at removal of the last line.

A motion was made by Member Smietana to recommend the proposed sign regulations with corrections as discussed pending review by legal counsel to the Village Board, with a request to take the issue to a public hearing. Member Hughes seconded the motion, which was unanimously approved.

Chairperson Bossu then said she wanted to introduce her Chairperson Report. She said the Committee had previously discussed and agreed to amendment changes to the Building Review Commission ordinance which was prepared into a draft amendment for review by the Building, Planning and Zoning Committee.

Member Smietana asked why the Building Review Commission amendments had not moved forward and been presented to the Village Board. Chairperson Bossu said she didn't know, but that staff had worked with legal counsel to develop the draft amendment. Community Development Director Criezis said it had not moved forward due to focus on the historic district nomination. There was concern with the impact of addressing Building Review Commission amendments at the same time as the historic districts.

Member Smietana said the amendments were a compromise between the Building Review Commission's recommendations and those arrived at by the Building, Planning & Zoning Committee. Member Smietana indicated it was still his opinion the purchasers of a property already know what they plan to do, and whether it will be a tear down or renovation. Chairperson Bossu said the committee had decided the additional 3 month delay period will provide more time to explore alternatives to demolition.

Member Smietana asked if there were any new demolition applications submitted to the Village. Community Development Director Criezis said two had been submitted recently: 40 Devonshire Lane and 159 Kenilworth Avenue.

There was discussion about the 40 Devonshire property and if it was one lot or two lots, with one escrow or two escrows. Community Development Director Criezis said it is one zoning lot, with one application and one escrow. Staff is currently meeting with architectural historians to do a research report for that property.

Member Smietana made a motion to forward the proposed amendments to the Building Review Commission Ordinance to the Village Board with a request to take the recommended amendments to public hearing. Member Hughes seconded the motion, which was unanimously approved.

Chairperson Bossu requested staff to email the proposed Building Review Commission amendments to the Building, Planning and Zoning Committee prior to submission to the Village Board.

Next, there was a discussion by the Committee about the next regular Building, Planning and Zoning Committee meeting on August 27, 2008. The Committee anticipated that meeting to be the public hearing for the proposed amendments approved at this meeting.

Member Smietana asked for a work list of items to be addressed by the Building, Planning and Zoning Committee after the public hearing is finished. Chairperson Bossu said she had provided it to Members Hughes and Smietana previously, but would transmit it again to them.

Chairperson Bossu said the next item on the work list is Design Guidelines. She said following Design Guidelines are first floor height above grade and atrium spaces. She said the Building, Planning and Zoning Committee has discussed that the last two items may be addressed by Design Guidelines. Chairperson Bossu said she will provide the work list for staff to review and transmit to the Building, Planning and Zoning Committee.

Member Hughes noted the August 27 public hearing would not be a working meeting and asked if other items could be discussed.

The Committee had a general discussion about electric generators which was brought up at the recent Village Board meeting.

Chairperson Bossu reviewed the Building, Planning and Zoning Committee meeting schedule for the remainder of 2008. She said the next meeting is August 27, followed by September 24, October 22, November 20, and December 17. The Committee confirmed they are available for these meeting dates.

Discussion returned to the upcoming public hearing.

Member Smietana made a motion to adjourn the meeting. Member Hughes seconded the motion, which was unanimously approved, and the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Susan Criezis