

VILLAGE OF GLENCOE
ZONING BOARD OF APPEALS

REGULAR MEETING
August 13, 2012

1. CALL TO ORDER

A meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order at 7:30 P.M. Monday, August 13, 2012 in the Council Chamber of the Village Hall, Glencoe, Illinois.

2. ROLL CALL.

The following were present:

Barbara Miller, Chair

Members: James Clark, Ed Goodale, Jim Nyeste, Howard Roin and Steve Ross

The following were absent:

David Friedman

The following Village staff was also present:

John Houde, Building and Zoning Administrator

3. APPROVAL OF APRIL 9, 2012 MINUTES.

The minutes of the April 9, 2012 meeting as amended were approved by unanimous vote.

4. APPROVED POWERS APPEAL AT 457 GROVE.

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Marion Powers of a decision by the Building and Zoning Administrator in denying a permit to construct a 18 foot by 20 foot detached garage at her home at 457 Grove in the "R-B" Residence District. An existing 10.5 foot by 20 foot one-car garage would be demolished.

The proposed garage requires a 20% reduction in the required south corner side yard from 25 feet to 20 feet. The 20% corner side yard variation is the maximum variation which the Zoning Board can grant.

The Chair reported that notice of the public hearing was published in the June 29, 2012 GLENCOE NEWS and 10 neighbors were notified of the public hearing by mail and that no letters or verbal inquiries had been received. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chair then asked Marion Powers to proceed. That person noted:

1. There is a large oak tree located north of the proposed garage which would be better protected if they can move the garage 5 feet to the south.
2. They are already planning to build a smaller, less wide garage (18 feet versus 20 feet wide) in an effort to lessen the possible negative impact on the oak tree.
3. The garage they propose to build is substantially more attractive and architecturally appealing than the existing garage.
4. The demolition of the old garage would eliminate a north 1-foot 9³/₄ inch nonconformity from the north lot line where a 4 foot setback is required. The old garage removal would also eliminate a 2 foot – 8 inch east nonconformity from the east lot line where a 5 foot setback is required. The old undersized one-car garage was built around 1919, prior to the Village's first 1921 Zoning Code

The Chair made part of the record, as additional testimony the Agenda Supplement which the Secretary was directed to preserve as part of the record in this matter.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for a variance in the south corner side yard be granted per the drawings presented, making findings and resolving as follows:

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
 - b. There are practical difficulties and there is a particular hardship in the way of carrying out the strict letter of Section 7-403-E-1-(a) of the Glencoe Zoning Code as applied to the lot in question.
 - c. The plight of the owner is due to unique circumstances.
 - d. The requested variation will not alter the essential character of the locality.
 - e. The requested variation will not set a precedent unfavorable to the neighborhood or to the Village as a whole.
 - f. The spirit of the Zoning Code will be observed, public safety and welfare will be secured, and substantial justice will be done if the requested variation is granted.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request for a 20% reduction in the required corner side yard from 25 feet to 20 feet for the property at 457 Grove be granted as shown in the drawings or plans submitted by the owner and made part of the record and with the previously noted conditions;

BE IT FURTHER RESOLVED that the decision of the Building and Zoning Administrator is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

BE IT FURTHER RESOLVED that this variation shall expire and be of no further force or effect at the end of twelve (12) months unless during said twelve-month period a building permit is issued and construction begun and diligently pursued to completion; and

BE IT FURTHER RESOLVED that this resolution shall be spread upon the records of the Board and shall become a public record.

Adopted by the unanimous vote of all the Zoning Board members present:

AYES: Clark, Goodale, Nyeste, Roin, Ross and Miller (6)

NAYS: None (0)

ABSENT: Friedman (1)

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:50 p.m.

Secretary
John Houde