



VILLAGE OF GLENCOE

675 Village Court, Glencoe, Illinois 60022
p: (847) 835-4114 | info@villageofglencoe.org | Follow Us: @VGlencoe

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Virtual Meeting Information

The November 1, 2021 Zoning Board of Appeals and Fence Board of Appeals meetings will be held virtually via telephone and videoconference (individuals may participate either by telephone or by video conference) pursuant to Governor Pritzker's Executive Order 2021-27. In addition, at least one representative from the Village will be present at Village Hall in compliance with Section 7(e) of the Open Meetings Act.

Individuals may call the following to participate in the meeting:

By Telephone:

Phone Number: (312) 626-6799
Webinar ID: 891 0931 3671

By Zoom Video Conference:

Zoom video conference link: [Click here](#)

Public Comment Submittal Options

Option 1: Submit Comments by E-Mail Prior to Meeting

Public comments can be submitted in advance of the meeting by e-mail to glencoemeeting@villageofglencoe.org. Public comments that are received by 5:30 p.m. or one hour before the start of the meeting will be read during the meeting under Public Comment. All e-mails received will be acknowledged. Public comments that are read during the meeting are limited to 400 words or less. E-mailed public comments should contain the following:

- The Subject Line of the e-mail should include the following text: "November 1st Zoning Board of Appeals/Fence Board of Appeals Meeting Public Comment"
- Name of person submitting comment (address can be provided, but is not required)
- Organization or agency person is submitting comments on behalf of, if applicable
- Topic or agenda item number of interest, or indicate if the public comment is on a matter not listed on the meeting agenda

Option 2: Submit Comments by Phone Prior to Meeting

Individuals without access to e-mail may submit their comments through a voice message by calling (847) 461-1100. Verbal public comments will be read aloud during the meeting and will be limited to three minutes.



FENCE BOARD OF APPEALS REGULAR MEETING

**Virtual Meeting
November 1, 2021
6:30pm**

1. CALL TO ORDER AND ROLL CALL

*Scott Novack, Chair
Sara Elsasser
Alex Kaplan
Michael Kuppersmith
Debbie Ruderman
John Satter*

2. CONSIDER ADOPTION OF THE FEBRUARY 22, 2021 FENCE BOARD OF APPEALS MEETING MINUTES

3. CONSIDERATION OF A REQUEST FOR ONE VARIATION FROM THE BUILDINGS AND CONSTRUCTION CODE TO ALLOW A NEW FENCE TO EXCEED THE MAXIMUM HEIGHT REQUIREMENT AT 325 LINCOLN AVENUE

4. PUBLIC COMMENTS ON NON-AGENDA ITEMS

5. ADJOURN

The Village of Glencoe is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend the meeting who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact the Village of Glencoe at least 72 hours in advance of the meeting at (847) 835-4114, or the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.



**MINUTES
VILLAGE OF GLENCOE
FENCE BOARD OF APPEALS
SPECIAL MEETING**

Village Hall Council Chamber and Videoconference
675 Village Court
Monday, February 22, 2021 – 7:30 PM

MI1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Fence Board of Appeals of the Village of Glencoe was called to order by the Chairman, at 7:30 p.m. on the 22nd day of February 2021, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
Fence Board of Appeals		
Howard Roin	FBA Chairman	Present
Sara Elsasser	Member	Present
David Friedman	Member	Present
Alex Kaplan	Member	Present
Scott Novack	Member	Present
John Satter	Member	Present
Village Staff		
Taylor Baxter	Development Services Manager	Present
Rich McGowan	Planner	Present

2. CONSIDERATION OF MINUTES

Village Staff informed the Board that there were no previous Fence Board of Appeals minutes to approve.

3. CONSIDER VARIATION REQUEST AT 391 SHERIDAN ROAD

Taylor Baxter then swore in the applicants presenting. Rich McGowan then gave a brief overview of the case, stating that the applicants are seeking three variations from the zoning code to allow for a taller and opaquer fence on a single-family residential lot:

1. Section 9-75(a)(2): To increase the maximum allowable fence height from four feet to six feet in a front yard (along Sunrise Circle);
2. Section 9-75(a)(4): To increase the maximum allowable fence height from five feet to six feet in a corner side yard (along South Avenue); and

3. Section 9-76(b): To increase the maximum fence density for a fence above four feet in in a front and corner side setback from 25% to approximately 95%.

Mr. McGowan stated that 391 Sheridan Road is a unique lot as it is considered a “corner lot” and a “through lot” according to the Village code definitions. A through lot means that it has two front yards – one abutting Sheridan Road and the other abutting Sunrise Circle – which also means the fence height is generally limited to four feet in both front yards.

Erin Canterbury, the homeowner’s Landscape Designer with “Rocco Fiore & Sons”, stated that it is a unique lot, whereas the back of the home faces Sunrise Circle, and all the other homes on Sunrise Circle have front yards that face Sunrise Circle.

Mr. Rocco Fiore then gave details of the existing landscaping at 391 Sheridan and stated that he has not seen a lot with restrictions like this before. He stated that due to the proximity to Sheridan Road and the shade on the property, a lot of the existing trees are dying. Mr. Fiore continued, stating that since the property is on a hill, a four-foot fence (permitted outright by code) would not do anything for the homeowner’s privacy and screening. Mr. Fiore concluded that this fence will not even be noticeable in a few years as it will be far enough from the street and will be complimented by additional landscaping.

The homeowner, Meredith Katz, stated that even though she is a Real Estate Attorney, she had assumed that her lot had a rear yard like most Glencoe residents. She mentioned that she grew up in Glencoe and plans on living in this home for many years, and the original plan was to have arborvitaes in the areas where the fence is proposed, however, the conditions are not suitable for the reasons Mr. Fiore had mentioned.

Chairman Howard Roin thanked the applicants and stated that he is hesitant to approve the variance and is leaning towards voting in opposition. Chairman Roin then asked the Board Members if they had any questions. No questions were asked at this time.

PUBLIC COMMENT

Chairman Roin then asked if Village Staff received any comments from the public. Mr. McGowan then proceeded to read the two letters of support the Village received in response to the requested variances:

Gary Ruben of 356 Sunrise Circle e-mailed Mr. McGowan on February 17, 2021, stating:

“Rich, it was nice speaking with you this afternoon. This will confirm that we (my wife and I) are the neighbors immediately to the south of the subject property and we support our neighbors' request for the variances needed to erect the proposed privacy fence. If you need anything else from us, please just let us know. Please share this with the board.”

Jessica and Ryan Turf of 350 Sunrise Circle e-mailed Mr. McGowan on February 18, 2021, stating:

"I wanted to reach out to let you know that Ryan and I are completely fine with the fence variance for the Katz Residence at 391 Sheridan Road! I am sure what the Katz Family is doing will be a great improvement to the way it is now."

Chairman Roin then asked if anyone in the audience would like to comment on the requested variances.

Mr. Warren Katz of 130 Wentworth Avenue stated that as a neighbor and longtime resident of Glencoe, he is in full support of the requested variances. No additional public comments were made at this time.

Chairman Roin then asked the applicants why a four-foot fence would not work.

Joey Katz, the other homeowner of 391 Sheridan Road, stated that a four-foot fence would not work because of the slope/hill of this lot, and that the homeowners attempted to do this without obtaining a variance before realizing the fence would not make much of a difference. Mr. Katz continued, stating that the lot directly south is the lot that is most affected by the proposed variances, and they are in support. Meredith Katz added that anyone driving by this fence would not even think twice about it.

Chairman Roin then asked the applicants about the area along South Avenue. Ms. Katz stated that she is O.K. with a five-foot fence on the side yard along South Avenue.

Board Member Scott Novack then stated that he understands Chairman Roin's concerns and added that he thinks this is a unique circumstance. Mr. Novack continued, stating that the reality of this lot is that the yard abutting Sunrise Circle is the backyard to the home, and people like to enclose their backyards for several reasons. Mr. Novack stated that he does not believe this will create a snowball effect and is supportive of the requested variances as is.

Chairman Roin stated that he understands it is a unique circumstance and he is not worried about precedent, but he is worried about fences in general. Chairman Roin continued, stating that he believes a four-foot fence would be just fine, and that four feet to six feet is a huge increase and more than what our code typically allows. Chairman Roin then clarified that he is not in support of the requested variances, and the Fence Board of Appeals has seven members, so the applicants need four votes to win, and the votes now appear to be 1-1.

Board Member John Satter then asked how far the fence will be off the lot line. Ms. Canterbury then confirmed that it is proposed to be at least 18 feet off South Avenue and about four feet west of the lot line along Sunrise Circle. Board Member Satter then stated that he sees the hardships and that he is more in favor of the variance along Sunrise Circle rather than South Avenue because of the sightlines and for people driving and walking in the area.

Board Member Sara Elsassner stated that she agrees with Board Member Novack and that the proposed variance along Sunrise Circle from four feet to six feet may seem like a lot, but it is different due to the elevation of the lot at 391 Sheridan Road.

Board Member David Friedman stated that he has a difficult time determining what is considered a front yard or a backyard, and that he does not generally come to these meetings as a part of a negotiation. Board Member Friedman stated that he is inclined to vote “no” but the applicants could also come back at a later date.

Chairman Roin then clarified that it appears as though the vote is currently 2-2.

Board Member Alex Kaplan stated that he is in Board Member Elsassner’s and Board Member Satter’s camp. Board Member Kaplan added that he has some reservations, but he does not see the proposed variances as a huge burden to the neighbors, and that the proposed fence appears classy and non-obtrusive –he concluded that he would be inclined to vote in favor of the requested variances.

Chairman Roin then clarified that it appears as though the vote is currently 3-2, leaning in favor of the requested variances.

Chairman Roin added that in light of a unique situation of the property, and because a five-foot fence is allowed along South Avenue, that he would be O.K. with granting a five-foot fence height variance along Sunrise Circle, but the applicants do not have to agree with that. Chairman Roin clarified that he will drop his objection if they decrease their requested variance from six-foot fence height along Sunrise Circle to a five-foot fence height along Sunrise Circle. Board Member Satter added that he would support this as well. Chairman Roin added that it does not make sense for a fence to change height along a street.

Mr. and Ms. Katz appeared to partially agree with Chairman Roin’s most recent comments. The homeowners added that they want to be good neighbors and will make sure the fence looks as though it had been there all along.

Chairman Roin stated that it appears as though the applicants are backing off the six-foot fence height request along South Avenue and are sticking with their proposed six-foot fence height along Sunrise Circle and along the side yard abutting Mr. Ruben’s property at 356 Sunrise Circle.

Board Member Novack then made a motion to:

1. To allow the applicants to increase the maximum allowable fence height from four feet to six feet in a front yard (along Sunrise Circle);
2. To not allow the applicants increase the maximum allowable fence height from five feet to six feet in a corner side yard (along South Avenue); and
3. To allow the applicants to increase the maximum fence density for a fence above four feet in in a front and corner side setback from 25% to approximately 95%.

Following consideration of the testimony and discussion, the motion seconded, that the variance request be granted per the drawings presented, making findings, and resolving as follows:

FINDINGS

1. The requested variation is within the jurisdiction of the Fence Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Fence Board determines that:
 - a) The variation if granted will not alter the essential character of the locality;
 - b) The variation will be in harmony with the general purpose and intent of the fence ordinance;
 - c) The variation will set no unfavorable precedent either to the immediate neighborhood or to the village as a whole; and
 - d) The variation will not affect public safety.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the requests to increase the maximum allowable fence height from four feet to six feet in a front yard and to increase the density of a fence at 391 Sheridan Road be granted as shown in the drawings or plans submitted by the owner and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager 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.

RESULT:	ACCEPTED
AYES:	Elsasser, Kaplan, Novack, Satter
NAYS:	Roin, Friedman
ABSENT:	None

5. ADJOURN

Chairman Roin asked if there was any further public comment. Hearing none, the meeting was adjourned at 8:45 p.m.



VILLAGE OF GLENCOE MEMORANDUM

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Fence Board of Appeals Memorandum

DATE: October 21, 2021

TO: Fence Board of Appeals

FROM: Taylor Baxter, AICP, Development Services Manager
Rich McGowan, Planner

SUBJECT: Consideration of a fence variation to increase maximum allowable fence height at 325 Lincoln Avenue

Background: The applicant is requesting one variation from the following section of the Buildings and Construction code:

1) Section 9-75(a)(5): To increase the maximum allowable fence height from six feet to eight feet along the rear lot line;

	Existing	Allowed/Required	Proposed
Rear yard fence height	6 ft.	6 ft.	8 ft.

The applicant has requested an eight-foot-high fence along their rear lot line along the north side of the property, which abuts 840 Glencoe Drive. The existing fence has several sections that are in disrepair and have fallen over, leaving significant gaps between the two properties. Although the Village has attempted to have this fence repaired, there is no definitive evidence for who owns the fence, resulting in a private matter between 840 Glencoe Drive and 325 Lincoln Avenue. 325 Lincoln Avenue has stated that the requested variation would address a long-running conflict with the occupant of the neighboring property to the north. There is documented history of the neighboring owner making unfounded criminal complaints against the petitioner, all of which have been disproven after inquiry by Glencoe Public Safety. In addition, the neighboring property apparently has, on multiple occasions, directed spot/floodlights into the 325 Lincoln Avenue's windows, in violation of Village code.

Analysis: The Buildings and Construction code includes the following standards for the consideration of fence variation requests:

(a) *The variation if granted will not alter the essential character of the locality;*

Per the applicant, the requested fence is a continuation of the current style of fence that is along the west side of 325 Lincoln Avenue that abuts the alley. Due to the location of the fence and

consistent fence materials, it is unlikely that it will significantly impact the essential character of the locality.

(b) The variation will be in harmony with the general purpose and intent of the fence ordinance;

The intent of fence height limits in the fence ordinance is likely to prevent excessively tall fences from having negative visual impacts on nearby properties and the public right-of-way. The proposed fence would not be highly visible from the street and would be most visible from the neighboring property at 840 Glencoe Drive. Nearby properties at 319, 331, and 335 Lincoln may also be able to see the fence.

(c) The variation will set no unfavorable precedent either to the immediate neighborhood or to the village as a whole; and

The applicant has a long-running conflict with a neighbor, which this variation proposes to help alleviate. It is unlikely that this variation will set a favorable precedent to the immediate neighborhood or to the Village as a whole.

(d) The variation will not affect public safety.

The west end of the proposed fence extends along the southern edge of 840 Glencoe's driveway, and could potentially affect sightlines for people exiting that driveway. However, a six-foot-high fence would be allowed in this same location without a variation.

This variation request received printed public notice at least 15 days prior to the public hearing. Additionally, owners of properties within 200 feet of the subject property were notified.

Recommendation: Based on the materials presented and the public hearing, it is the recommendation of staff that the variation request of be accepted or denied.

Motion: The Fence Board of Appeals may make a motion as follows:

Move to accept/deny the request for a variation to increase the maximum allowable fence height along the rear lot line at 325 Lincoln Avenue.



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FORMS & APPLICATIONS

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Zoning Board of Appeals (ZBA) Application

Section A: Application Information

Check all that apply:

☐ Request for variation(s) from the zoning code

☐ Appeal of an order, determination, or decision made by Village staff based on the zoning code

Subject property address: _____

Applicant name: _____ Applicant phone: _____

Applicant email: _____

Owner name (if different from applicant): _____

Owner phone: _____ Owner email: _____

Brief description of project:

Variation request(s):



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Section B: Standards for Variations

For applications for variations, provide a brief response to the following prompts. Use this form or attach a separate letter to this application. The full text of the standards for the approval of variations can be found in [Sec. 7-403\(e\) of the zoning code](#).

1. Why are the requested variations necessary? What hardship or practical difficulty would result if they are not approved? Include a description of any exceptional physical characteristics of the property (for example, unusual size, shape, topography, existing uses or structures, etc.), if applicable.



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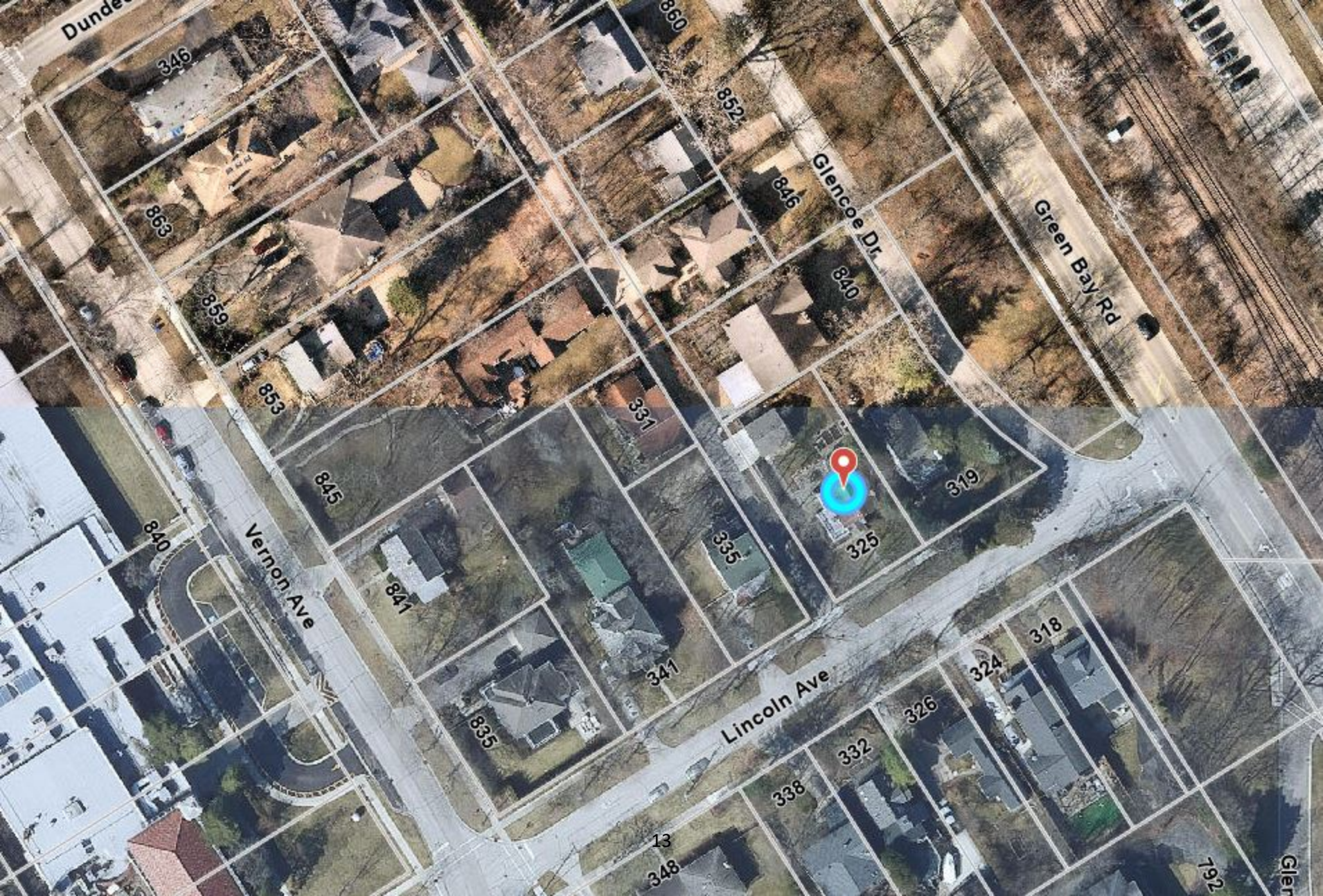
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2. Describe how the proposed variations would result in a development that is not detrimental to adjacent or nearby properties or the public good.

3. Describe any efforts the applicant has made to solicit feedback on the proposed variations from neighboring or nearby property owners or residents. What was the result of these efforts?

Section C: Petition for Appeal

Provide a separate letter describing the order, determination, procedures, or failure to act being appealed. Applicants only applying for variations from the zoning code do not need to provide this letter.



Dundas St

346

863

859

853

845

840

Vernon Ave

841

835

341

335

331

846

840

Glencoe Dr

852

13

348

338

332

326

324

318

319

325

Green Bay Rd

192

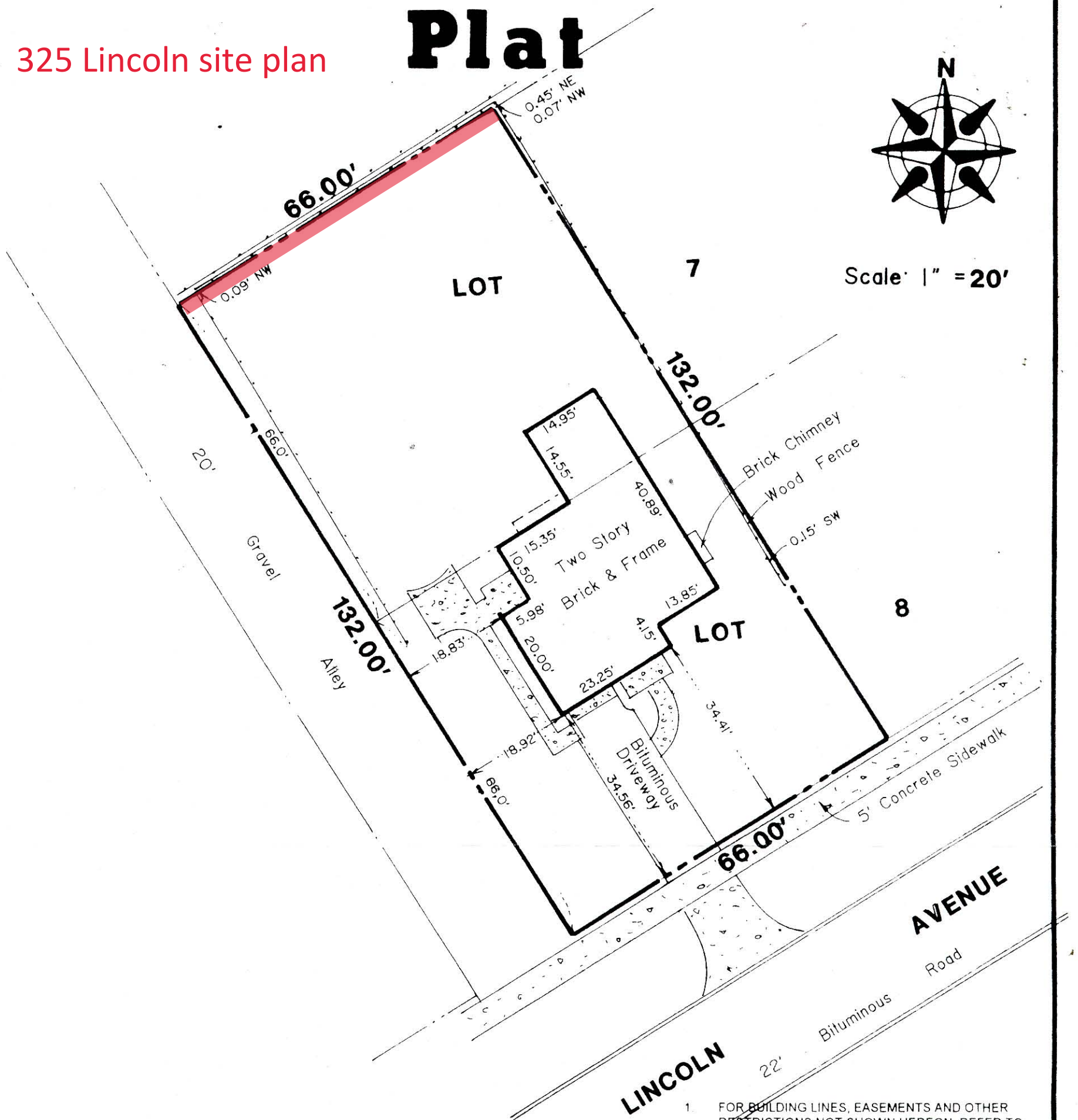
Glen

325 Lincoln site plan

Plat



Scale: 1" = 20'



1. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, ABSTRACT CONTRACT AND LAND DEVELOPMENT ORDINANCES
2. CAUTION; BUILDING TIE DIMENSIONS SHOULD NOT BE USED TO DETERMINE LOT LINE LOCATIONS WHEN BEING USED FOR CONSTRUCTION PURPOSES ALONG LOT LINES. REFER TO ACTUAL LOT CORNERS FOR CONSTRUCTION
3. SCALING FROM REPRODUCTIONS IS NOT RECOMMENDED
4. THE LEGAL DESCRIPTION SHOWN HEREON IS THAT PROVIDED TO THE SURVEYOR

THE SOUTHWESTERLY 66 FEET OF LOTS 7 AND 8 IN BLOCK 44 IN GLENCOE, A SUBDIVISION IN SECTIONS FIVE TO 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Ordered by Advanced Survey Inc.

Job no. 447-24

STATE OF ILLINOIS)
COUNTY OF COOK) 5-42-13

I, KEITH E. LACY, HEREBY CERTIFY THAT I HAVE PREPARED THE ABOVE MORTGAGEE'S INSPECTION IN ACCORDANCE WITH THE STANDARD ADOPTED BY THE AMERICAN CONGRESS ON SURVEYING AND MAPPING AND THE ILLINOIS REGISTERED LAND SURVEYORS ASSOCIATION AND THAT THE DRAWING SHOWN HEREON IS A CORRECT REPRESENTATION OF SAID INSPECTION.

DATE 08-26-99

KEITH E. LACY
PROFESSIONAL LAND SURVEYOR
ILLINOIS NO. 1776

325 LINCOLN AVENUE, GLENCOE, ILLINOIS

BARRINGTON ENGINEERING 132-B S. NORTHWEST HWY. BARRINGTON, ILLINOIS 60010 (847)382-6337

LINCOLNWOOD OFFICE:
3915 W. TOLUAY AVENUE
LINCOLNWOOD, ILLINOIS 60645
(708) 675-3000
FAX: (708) 675-2167

PROFESSIONALS ASSOCIATED

Property - Condo - Mortgage Surveys

Plat of Survey

OF

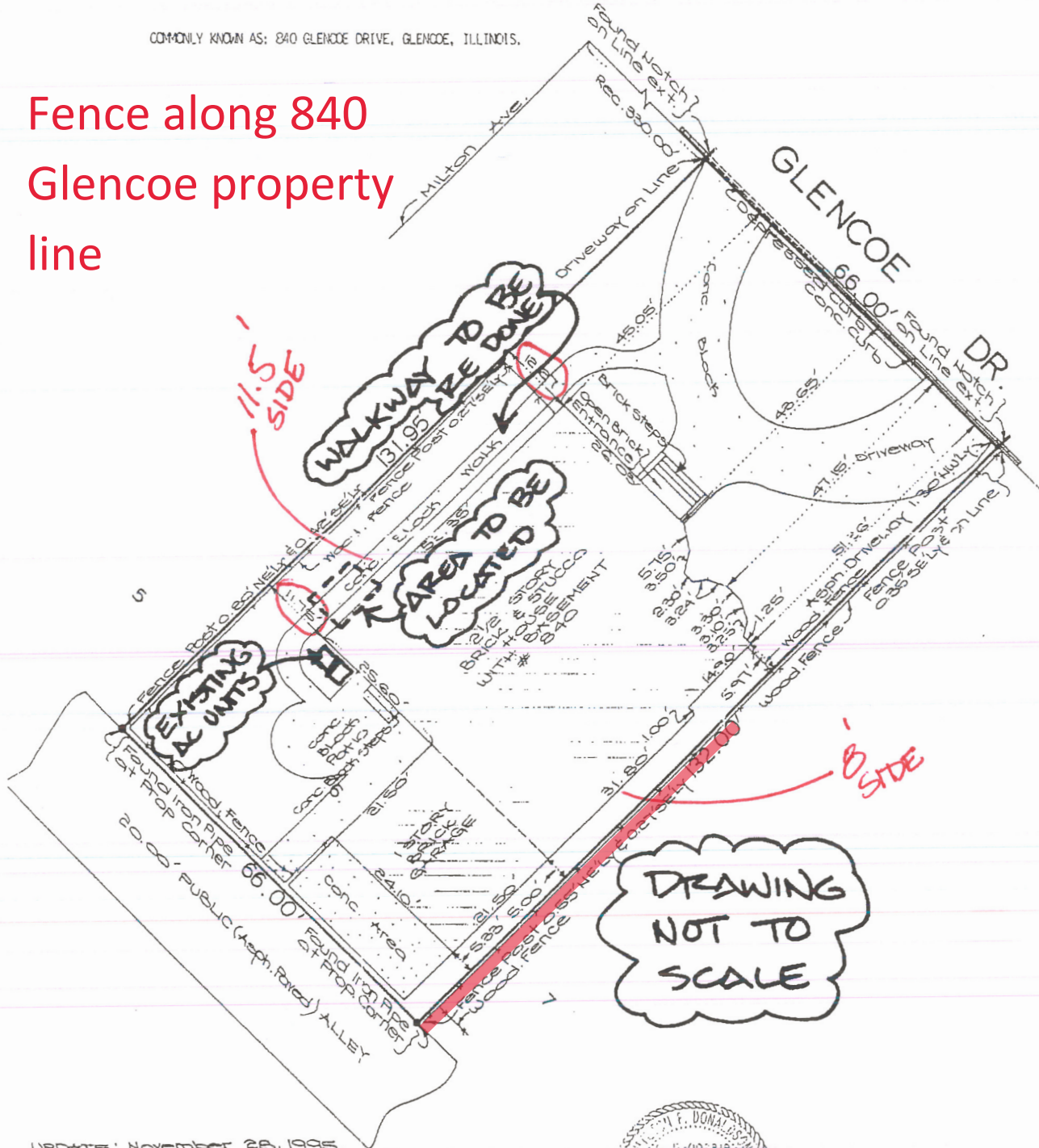
HIGHLAND PARK OFFICE:
1510 OLD DEERFIELD ROAD
HIGHLAND PARK, ILLINOIS 60035
(708) 831-1200



ALL THAT PART OF LOT 6 IN BLOCK 44 IN GLENCOE, A SUBDIVISION IN SECTIONS 5, 6, 7, AND 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTHWESTERLY OF AND ADJOINING A ROADWAY AS SHOWN ON A CENTER PLAT OF SURVEY RECORDED JANUARY 17, 1939 AS DOCUMENT NUMBER 12260878, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 840 GLENCOE DRIVE, GLENCOE, ILLINOIS.

Fence along 840
Glencoe property
line



UPDATE: November 28, 1995
ORDERED BY: George R. Kito
Attorney at Law

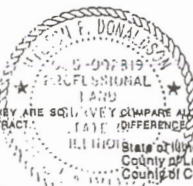
C.C. () IN BOX MEANS THAT SURVEY HAS BEEN
MADE FOR USE IN CONNECTION WITH A REAL ESTATE OR
MORTGAGE LOAN TRANSACTION AND IS NOT TO BE USED
FOR CONSTRUCTION.
DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SURVEYED OR POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY
RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

State of Illinois
County of Lake ss.
County of Cook

We, PROFESSIONALS ASSOCIATED, do hereby certify that we
have located the building on the above property.

Hilton E. Donalson
PROF. IL. LAND SURVEYOR



We, PROFESSIONALS ASSOCIATED, do hereby certify that we
have surveyed the above described property and that the plat hereon
drawn is a correct representation of said survey.

Hilton E. Donalson
PROF. IL. LAND SURVEYOR

Existing fence



Existing fence



Existing fence



Existing fence



Existing fence



Proposed fence style

