



**AGENDA
VILLAGE OF GLENCOE
ZONING BOARD OF APPEALS
REGULAR MEETING**

675 Village Court
August 1, 2022
7:00pm

1. CALL TO ORDER AND ROLL CALL

*Scott Novack, Chair
Sara Elsasser
Dena Fox
Jake Holzman
Alex Kaplan
Michael Kuppersmith
Debbie Ruderman*

2. CONSIDER ADOPTION OF THE JULY 11, 2022 ZONING BOARD OF APPEALS MEETING MINUTES

3. CONTINUATION OF CONSIDERATION OF A REQUEST FOR VARIATIONS FROM THE ZONING CODE TO ALLOW A STRUCTURE TO INTERSECT WITH THE SETBACK PLANES TO AN EXTENT GREATER THAN ALLOWED BY THE ZONING CODE, TO REDUCE THE FRONT AND SIDE SETBACK REQUIREMENTS, AND TO INCREASE THE ALLOWABLE GROSS FLOOR AREA FOR AN ADDITION TO AN EXISTING SINGLE-FAMILY HOME AT 150 LAKE STREET

4. CONTINUATION OF CONSIDERATION OF A REQUEST FOR A VARIATION FROM THE ZONING CODE TO REDUCE THE REQUIRED SIDE SETBACK TO ALLOW AN ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE AT 1060 OAK RIDGE DRIVE

5. CONSIDERATION OF A REQUEST TO INCREASE THE ALLOWABLE ACCESSORY BUILDING GROUND COVERAGE FOR A DETACHED GARAGE AT A NEW SINGLE-FAMILY RESIDENCE AT 332 ADAMS AVENUE

6. CONSIDERATION OF AN APPEAL OF A STAFF DETERMINATION REGARDING FRONT SETBACK REQUIREMENTS FOR THE REPLACEMENT AND ENLARGEMENT OF A FRONT STOOP AND STEPS AT AN EXISTING SINGLE-FAMILY RESIDENCE AT 391 ADAMS AVENUE

7. CONSIDERATION OF A REQUEST FOR A VARIATION TO REDUCE FRONT SETBACK REQUIREMENTS FOR THE REPLACEMENT AND ENLARGEMENT OF A FRONT STOOP AND STEPS AT AN EXISTING SINGLE-FAMILY RESIDENCE AT 391 ADAMS AVENUE

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS

9. 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
ZONING BOARD OF APPEALS
REGULAR MEETING**

Council Chambers at Glencoe Village Hall
675 Village Court
Monday, July 11, 2022 – 7:00 PM

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order by Chairman Scott Novack at 7:00 p.m. on July 11, 2022, held in the Council Chambers at Glencoe Village Hall.

Attendee Name	Title	Status
Zoning Board of Appeals		
Scott Novack	ZBA Chairman	Present
Sara Elsasser	Member	Absent
Alex Kaplan	Member	Present
Debbie Ruderman	Member	Present
Michael Kuppersmith	Member	Present
Jake Holzman	Member	Present
Dena Fox	Member	Present
Village Staff		
Stewart Weiss	Village Attorney	Present
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

2. CONSIDERATION OF MINUTES OF THE JUNE 6, 2022, ZBA MEETING

RESULT:	ACCEPTED WITH CONDITIONS
AYES:	Novack, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Elsasser

The June 6th, 2022, meeting minutes were approved with two conditions. Board Member Debbie Ruderman noted that she abstained from the approval of the May 2nd, 2022, meeting minutes since she was not present for that meeting. Board Member Michael Kuppersmith noted a grammatical error for the word “landscaper” in the middle paragraph. Both notes have been reflected in the revised June 6th, 2022 meeting minutes.

3. CONSIDER VARIATION REQUEST AT 150 LAKE STREET

Richard McGowan gave a brief overview of the case, stating that the applicants are seeking approval for four variations to allow for an addition to a single-family home at 150 Lake Street:

1. *Section 3-111(C) – To reduce the required front yard setback from 35 feet to 28.96 feet.*
2. *Section 3-111(C) – To reduce the required corner side yard setback from 15 feet to 7.92 feet.*
3. *Section 3-111(E) – To increase the allowable gross floor area from 2,813.9 sq. ft. to 3,061.8 sq. ft.*
4. *Section 3-111(G)(14) – To allow a structure to intersect with the setback planes to an extent greater than allowed by the Zoning Code.*

Mr. McGowan explained that part of the existing home was constructed in the early 1900s and an addition was built onto the home in 1985, and that the applicants have noted that the older portion of the home has a failing foundation and they are looking to address the needs of a growing family. Mr. McGowan also noted that the lot appears to be relatively undersized for the RC Zoning District, with a lot width of approximately 50 feet, whereas the minimum lot width is 60 feet in the RC District, and a lot area of approximately 7,034.7 square feet, whereas the minimum lot area in the RC District is 10,000 square feet. Mr. McGowan also noted that the setback plane encroachment on the west side of the home may impact the light to the neighboring property.

Chairman Scott Novack asked Mr. McGowan for north and south elevations for the front and rear elevations of the proposed addition, and then Mr. Taylor Baxter swore in the applicants. David Brown, the homeowner of 150 Lake Street, noted that he and his family recently moved to Glencoe and found their dream home. Mr. Brown noted that they have attempted to square off and simplify the structure to keep with the existing character of the home and neighborhood. Chairman Novack asked if the front setback will be further than what it is currently, and Mr. Brown confirmed it will be. Chairman Novack then asked if staff had heard from any neighbors and staff confirmed they did not. Chairman Novack also asked if they are currently encroaching in the setback plane and staff stated that they are, though they are allowed to encroach 20 linear feet due to their 50-foot lot width. Board Member Dena Fox asked the applicants if they had reached out to the neighbor to the west at 440 Drexel Avenue, and Mr. Brown said he believed so. Chairman Novack noted that he is concerned about the setback plane encroachment on the west side of the home, due to its proximity to 440 Drexel Avenue. The Architect for 150 Lake Street, Michael Aiello explained that because of the way the floor plan works, they could not build to the south because there are existing areas the homeowners want to keep while the structure is nonconforming, and that the interior ceilings proposed to be approximately 8.5 feet tall. Board Member Fox asked Mr. Aiello if they considered dormers, and Mr. Aiello said that they did but they did not match the existing rooflines, so it would not be aesthetically pleasing or practical.

Chairman Novack thanked the applicants for their effort in exploring different options to renovate the home and noted that it may be a good sign that no neighbors are here to oppose. Chairman Novack then asked the Board if there were any questions. Board Member Jake Holzman asked the applicants if the costs are too much for rehabbing this area rather than tearing it down and building a new addition. Mr. Brown responded that they have explored rehabbing and it would not make sense financially. Mr. Aiello noted that it has a stone

foundation, the floor joists are warped, and so rehabbing the existing structure would not be the smartest solution. Mr. Brown also noted that they would hate to demolish the portion of the home that was constructed in 1985 as they like the layout and farmhouse character, and they explored several options to mimic the existing look and maximize its potential. Board Member Michael Kuppersmith asked if it was possible to build a new portion and meet the gross floor area requirements. The applicants had previously noted a need to address a growing family. Board Member Fox asked if there would be a basement area and Mr. Brown noted it would have an unfinished basement area primarily for utilities. Board Member Fox asked if the basement area is currently useable and if it is proposed to change and Mr. Brown said it would not be useable for living space as it would primarily be used for utilities, though they could potentially explore finishing the basement later. Board Member Novack noted that sometimes a finished space can be used an area for gross floor area exclusions, and Mr. Brown clarified that they are requesting variations for space above the basement as it is more so for financial reasons. Chairman Novack stated that his suggestion to Mr. Brown is to table this and see what they can come up with, as he does not get the sense that the Board Members inclined to vote in favor, and to potentially reduce the scope of the requested variations. Board Member Alex Kaplan noted that he thinks the proposed addition looks nice and that it is difficult to balance the zoning code with an older home. Board Member Kaplan added that it is a nice sized addition, but not abnormally big, and if he was his neighbor he would support it, so he is inclined to vote in favor. Board Member Fox asked Mr. Brown if any questions regarding variations were asked during the sale process, and Mr. Brown responded that they were very set on this house and Glencoe as a whole, that he knew there were issues with the existing foundation, that he did not think he was mislead during the sale, and that he worked with Mr. Taylor Baxter to keep the structure as low as possible, without changing the look of the house. Board Member Fox noted that it would be helpful to get more details on the existing and proposed floor plans, and more pictures of the exterior. Board Member Holzman asked if the applicant comes back and runs into issues, would the ZBA be in a different position. Mr. Baxter clarified that the ZBA can add conditions to requested variations that they deem appropriate, and that they may approve some variations and not others.

Mr. Aiello noted that the setback plane and gross floor area seem to be areas of concern from the ZBA, but he is concerned that if they come back in a month with revised plans and less gross floor area and other areas have not changed, so he requested clarification to know what the ZBA is looking for. Chairman Novack also noted that he is struggling with a decision without seeing different options and that it is hard to picture what is proposed, but his instinct is gross floor area and he would be more conducive to hearing that out. Board Member Fox noted that gross floor area is less of a concern than the setback plane encroachment to the west. Board Member Debbie Ruderman noted that she agrees with Board Member Fox that the western edge of the proposed addition is closest to 440 Drexel Avenue and that she is also concerned about the proximity. Chairman Novack asked if the only way to solve the west side setback plane encroachment would be to shrink the house and Mr. Brown confirmed that is correct. Chairman Novack asked staff if the west side of the home is already encroaching into the setback plane greater than what is allowed by the zoning code and Mr. McGowan confirmed that it is currently encroaching by approximately 2.5 feet. Board Member Kuppersmith noted that he is a little concerned about the gross floor area. Board Member Holzman noted that he is a bit torn because of the thoughtful research and options the

applicants have considered and appreciates how they are looking to match the existing structure. Chairman Novack asked staff if the applicants could defer the requested variations and Mr. Baxter confirmed that is correct.

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. Michael Daniels of 1087 Hohlfelder Road noted that it would be a lot more helpful to see 3-D renderings of the proposed addition rather than the drawings and elevations that were presented. Mr. Aiello noted that it could be done, and then asked if each variation would be a separate vote. Chairman Novack noted that the renderings could help the ZBA be more to equipped to make a decision and to better visualize what is proposed. Mr. Brown stated that he would be happy to explore more options, but it would not be helpful to vote on the requested variations separately as it would just cause confusion, and that perhaps him and Mr. Aiello can go back and provide a better depiction. Chairman Novack noted that his recommendation is for a deferral so that the applicants can come back with more information and details.

A motion was made and seconded to defer the requested variance as submitted, and for the applicants to seek approval for the requested variation(s) at the next ZBA meeting, August 1st, 2022.

RESULT:	MOTION TO DEFER
AYES:	Novack, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Elsasser

4. CONSIDER VARIATION REQUEST AT 1060 OAK RIDGE DRIVE

Mr. Baxter gave an overview of the case, stating that the applicants are seeking two variations to increase the gross floor area and to reduce the required side yard setback to allow for the continued construction of an addition at an existing single-family residence at 1060 Oak Ridge Drive:

1. *Section 3-111(C)(1) – To reduce the required side yard setback from 10 feet to 8 feet, a variation of 20%*
2. *Section 3-111(E) – To increase the allowable gross floor area from 4,171.78 to 4,425.94 square feet, a variation of 6.1%.*

Mr. Baxter stated that the property is in the RB Zoning District, and then gave a background of the requested variations, noting that the applicant brought a request for a rear setback variation to the ZBA in 2020. After objections from neighbors at the public hearing, the applicant withdrew the request and submitted plans for an addition that met zoning requirements. A building permit was issued for the addition in 2021. Revisions were approved for interior changes and to add a chimney on the west side of the addition. Mr. Baxter continued with the background, explaining that in the spring of 2022, the Village received notice that the partially

construction chimney may be encroaching into the required 10-foot side setback. Upon inspection, staff discovered that the addition was being built larger than what was shown on approved plans. Plans were revised during the permit review process to meet zoning requirements, and it appears that the addition as constructed did not take all of these revisions into account.

Mr. Baxter clarified that the addition is approximately three feet wider and longer than what was approved, and that required minimum side setback is 10 feet. At its closest point, the addition, which is not parallel to the property line, has a setback of 9.55 feet at its southwest corner. Mr. Baxter added that the addition angles away from the property line, with a setback of 10.65 feet at its northwest corner. The chimney attached to the addition has a setback of 7.53 feet. Because the ZBA cannot reduce the side setback by more than 20%, the applicant has requested a variation to reduce the size of the chimney but allow it to remain in place with a setback of 8.0 feet.

Chairman Novack asked to clarify if it was three feet longer than what was approved to the north and the west, and Mr. Baxter confirmed that is correct, and clarified that the chimney was shown on the plans as being consistent with zoning requirements.

Mr. Baxter then swore in applicants for 1060 Oak Ridge Drive. Paul Kolpak, the Attorney representing Mr. Paul Elia and Pauline Atou of 1060 Oak Ridge, noted that he has spoken with staff and the plans for the addition were inspected and the measurements were made with the plans on site, not the approved plans. Mr. Elia noted that the Building Inspector was going off of the plans on site, approving them, and that Mr. Elia was under the impression that everything was fine until the project was nearly complete when the project was stopped. Mr. Elia added that it was an honest mistake by both parties, they are not trying to flip the house, and that they are unfortunately having a hard time with some of the neighbors. Mr. Elia also noted that since it is under construction and cannot proceed at this time, there is no air conditioning on the second floor where his daughter sleeps, they are living with temporary plywood doors, and that he has added about \$15,000 worth of trees to give his neighbors more privacy. Mr. Kolpak asked Mr. Elia if he estimated it would cost about \$20,000 to remove the chimney, and Mr. Elia stated that with everything tied to removing the chimney, such as the slab foundation, revising the constructed addition and chimney could add up to about \$90,000. Board Member Kaplan asked where the plans without a stamp came from if the Village approved a different set of plans. Mr. Kolpak stated that they came from an Architect who they are currently in litigation with. Mr. Baxter clarified that the Building Inspector was reviewing the plans at the construction site and there were at least four revisions to the original set of approved plans. Mr. Kolpak clarified that the contractor on site assumed that the plans on site were approved and he does not know how he got ahold of them. Chairman Novack stated that this is a very difficult discussion as it is a corner lot that abuts another corner lot, and the home is much closer to its neighbor to the west at 590 Sunset Lane than a typical backyard because the zoning code defines the west side of the property as a side yard. Chairman Novack added that the ZBA has already seen Mr. Elia and Ms. Atou when they had requested variations in 2020, though the proposed addition did not request relief for the side yard setback, and clarified that the ZBA's job is to not be a judge of historic events or disputes between neighbors, but the ZBA has to evaluate what is in front of them, the variation percentage, neighbor input, and knowing

that there were strong neighbor opinions expressed when the applicants previously requested variations.

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. Mr. Baxter swore in those looking to speak on this case.

Sandra Officer, one of two homeowners of 590 Sunset Lane, provided and read a letter of opposition to the ZBA which read:

"Hello! I'm Sandy Officer. My husband Lawrence and I have been residents of Glencoe for 31 years...we raised two boys here, and hopefully the ZBA will not let builders come into our beloved village and build whatever they please, and then ask for variations!"

My question is, why allow any variances when the building plans, approved by our village, say one thing, and the builder to it upon himself to do what he wants and intrude even more on our property.

Paul Elia, the homeowner, is a professional builder...how could he make such mistakes? He is known for flipping houses and we'll probably be here long after he sells his house.

Contrary to Mr. Elia's statement in his appeal application, he never told us he was going to build anything, let alone the chimney...we never spoke to him about the addition or the chimney until after the work stoppage – he came pleading to us to allow his 'mistakes'. Contrary to what Mr. Elia wrote, that nearby property owners were notified of the variations in person, that's totally false. We never gave positive feedback, let alone had a chance to object, because we were never notified about variations.

When I questioned Mr. Elia a few years ago, he told me he was taking down all of the dozens of beautiful trees because they were dead, never anything about an addition.

On April 22, I informed the village officials that the addition and the chimney looked way too close to our property line and pleaded with them to come over and take measurements...it took until May 9 to get a response that the chimney is very likely too close! It turned out that, even without the chimney, the construction intrudes on the property to 9.5 feet rather than the allowable 10 feet.

We don't care about more construction, because we've lived through two years of intermittent building and a little longer wouldn't matter to us if you vote against his variations...after all, the construction will be temporary...if you allow the variations, it's a permanent fixture and an eyesore. We are the neighbors most affected, and we wouldn't mind more construction if you vote against the variations!

Either way, our property value has been reduced, especially when the Village determined Mr. Elia could build 10 feet from the property line rather than 30...as the construction site was

pronounced a side yard rather than the rear (or backyard), even though it's opposite of the front door!

It seems to us this is a no brainer...that you will deny the variations and not put up any more with this nonsense! How would you or your parents like living under these conditions? Thank you!"

Lawrence Officer, the other homeowner of 590 Sunset Lane, stated that he too would like to provide comment. Mr. Officer noted that he knows the economic aspects of this situation, but not the legal aspects. Mr. Officer noted that he and his wife, Sandra, were first aware of the proposed addition in 2020, and then they learned that the backyard is the side yard, but it is actually called the 'rear' in Mr. Elia's application. Mr. Officer explained that when he spoke with staff, they told him to suggest an Appeal, so he and his wife then sent a memorandum to the Village President requesting that the 30' rear yard setback for this area, where they were then told what they were requesting would take too long. Mr. Officer stated that the approved plans should be the only plans that are used and that they were given no notice and it's a significant distance between the two homes, and added that this addition has been against their interests from the beginning. Mr. Officer noted that it is unfair that the Officers were not given a chance to appeal when Mr. Elia is here tonight, and that Mr. Elia noted it was a small variation but half a foot is significant. He added that he believed that the variation percentage given by staff was smaller than the actual variation, as it should be calculated based on the approved plans rather than on the minimum allowable setback. Mr. Officer asked the ZBA if they believe the construction error was a mistake, because they have seen Mr. Elia on the roof. Mr. Officer stated that Mr. Elia is a builder. Mr. Officer stated that landscaping would not alleviate his or his wife's concerns, and that if perfume is thrown into a cesspool, that cesspool does not turn into 'Chanel Number 5'. Mr. Officer then added that they did not object to the variation, but they did not state support either, so if Mr. Elia lied on his ZBA application document, then he may not be truthful otherwise. Mr. Officer asked the ZBA to pay attention to his family's needs and that the existing approved plans be complied with. Chairman Novack thanked the Officers and said that he understands this is not easy to discuss.

Michael Daniels of 1087 Hohlfelder Road stated that he has never had any contact or reason to criticize the construction at 1060 Oak Ridge regarding the setbacks and dimensions, and that he is sympathetic to the way it matches the existing home. Mr. Daniels continued, stating that the arborvitae in the area of the new addition is very dense, he does not think the addition is an eyesore, that there may be a material difference in the sale through compensations, and they are not opposed to the addition if it's denied and takes more time to finish, but if it is approved then he also will be seriously opposed.

Bob Strauss of 1097 Hohlfelder Road stated that he is a longtime resident and is familiar with working with regulations, so he is concerned because if a different plan was approved for a smaller home then he would've done everything possible to get what was intended and approved. Mr. Strauss added that he understands all the factors that come into play for construction, and he does not understand how the homeowner is not upset for something being built larger than was approved.

Matthew Koukios of 1111 Hohlfelder added that he was hoping this discussion tonight would not be a character assassination as some things were said about the applicant that he was not pleased with. Mr. Koukios stated that this should have been fixed early on when the footings were poured, and that Mr. Elia has lost 30 pounds because of stress, and that multiple parties made a mistake. Mr. Koukios added that changes to the partially constructed addition will not make a significant difference and that we live in a world where there's no compromise and we ought to have a bit more compromise. Mr. Koukios also noted that he is tired of seeing police in front of the Elia's house due to construction complaints.

Paulina Atou, one of two homeowners at 1060 Oak Ridge, stated that since the construction began, they haven't had adequate space, rain has been coming into their home, they have been sleeping in different places, and they haven't been able to enjoy their yard. Ms. Atou also noted that there has been a lot of hatred from the neighbors, and she wishes they could talk in normal way instead of arguing and getting the middle finger from them. Ms. Atou added that the applicants also received four letters of support.

Stacey Birndorf of 1115 Oak Ridge Drive stated that she is a longtime resident and a commercial real estate broker, so she understands a lot about construction and knows what a good construction team is. Ms. Birndorf added that she does not think this is something anyone here would want to live by as it is a huge addition. She has seen people working at inappropriate times, and the construction has been going on far more than 14 months.

Judie Freilich of 1052 Oak Ridge Drive stated that she lives directly south of 1060 Oak Ridge, she is a longtime resident, and that all homes around them have done something that annoys her family, but it's more important that we have good neighbors, and that it's hard to sit here and listen to this, and that she hopes we can move ahead and enjoy our neighbors because although it is Glencoe, things are not perfect.

Dave Sach of 1069 Hohlfelder said that he and his wife introduced themselves to the Elias because they wanted to build a relationship, but the issue for him is that the Elias did not follow the rules and questioned the precedent that would set. Mr. Sach clarified that the issue is not about personalities but rather about following requirements.

Edyssa Elia, the daughter of Paul Elia and Pauline Atou and resident of 1060 Oak Ridge Drive, provided and read a letter of support to the ZBA which read:

"My name is Edyssa Elia, the daughter of Paul and Pauline, and I currently reside in 1060 Oak Ridge Dr., the property in question. Initially, I was excited to be a part of a tight knit community and a wonderful school district. The Village of Glencoe is filled with beautiful properties, many of which have been remodeled to meet today's trends, and scenic beauties that cannot be found in other parts of Illinois. Many residents talk of how thrilling it is to have new neighbors, and how the love they have for Glencoe has only grown with its developments.

We have been trying to build this house into a home, renovating it to modern standards, and put our own personal touches to the neighborhood. Nearby homeowners have come to us and expressed their happiness that a family is finally settling into this property, and because of the value increasements their homes now have.

At this point, living in Glencoe has not been how I imagined it to be, I do not feel accepted. Our house should have been completed, and I should have had a bedroom by now. I am graduating from New Trier High School in 3 years instead of 4, and I must admit that having to study for tests and do my homework in the dining room has been extremely hard. But the dining room is not just my place for schoolwork, it has also become the area where I sleep.

I do not understand why the Officer family has been so adamant on not allowing us to complete this project when, with every inspection, we have been approved, and every concern that was made, we addressed. Mrs. Officer has continuously harassed the workers and us, screaming and yelling at them for no reason and throwing up middle fingers when I smile and say hi. My family and I have been nothing but respectful to them and all our neighbors, but this lady just is plain rude. I really do not understand why they are so concerned with our property and us, as a family. They have expressed their hatred over us being in this neighborhood, saying we should sell, when all we have been trying to do is make ourselves comfortable.

We have been working for around 14 months, and our lives have been flipped upside down with the many stop work orders. I do not think the neighbors that have been complaining understand the financial troubles we have been and would be put in. I have been witnessing how much this has affected my parents, the stress overtaking them and causing illness. If this addition must be adjusted and taken down, I do not know how we would find the financial means and be able to recover to complete this project."

Emma Elia, a niece of the applicants, stated that she frequently visits 1060 Oak Ridge Drive and has noticed how much anxiety the issue with the partially constructed addition has caused Paul and Pauline, and that she knows that they would never do this intentionally, that it was an honest mistake, and that they are trying to finish the addition as soon as possible.

Board Member Fox asked if there was a way for everyone to see a comparison of the required variations versus what was approved and what is allowed. Mr. Baxter noted an approximation from memory, that the approved side yard setback was around 13 feet, but the required side yard setback in this location is 10 feet. Board Member Fox then asked for clarification on how neighbors are notified, and Mr. Baxter noted that in addition to the public notice published in the paper, neighbors within 200 feet of the property are notified for proposed variations, but not for revisions to approved plans without a variation. Chairman Novack then asked about the existing rear setback at 590 Sunset Lane, and Mr. Baxter noted that it appears to be within the 30-foot required rear yard setback.

Board Member Holzman asked the Officers if there was anything that could be done here in the spirit of compromise. Ms. Officer noted that it would be nice for them to put back the trees that were there and since the chimney is a giant, she would love for the chimney to come down. Chairman Novack noted that at the very least the chimney will need to be shrunk. Brad Alshup, the contractor who built the chimney, then shared pictures from his phone with some ZBA Members and said it is not a monstrosity, especially compared to other chimneys in the area. Board Member Fox asked what the process would be to make the chimney slimmer, and Mr. Alshup stated that it would have to be completely demolished and the flue would need to be relocated. Board Member Kaplan asked what the repercussions would be for the rest of the

home if the variation is granted for the chimney and Mr. Alshup stated that the chimney would need to be moved inside of the house. Chairman Novack noted that this case is not tied to any other case, however, gross floor area is a sensitive topic, so if this were a fresh application without neighbor support, I do not think any of us would support this. Board Member Fox asked if the two-story addition has anything below it and Mr. Alshup stated that the addition is on a slab and the chimney is tied to the foundation and everything inside. Board Member Ruderman expressed concerns about setting a precedent, and asked if the chimney has to be reduced no matter what, and Mr. Baxter confirmed that is correct.

Ms. Officer noted that if this were approved, it would be a “free-for-all” for builders in Glencoe. Mr. Kolpak stated that he respects everyone’s views and that he wants to come up with a solution that works and noted that they could adjust their plans to be 10 feet (away from the side lot line) and they would be approved. Chairman Novack noted that there would still be about 250 square feet of gross floor area that would need to be approved. Mr. Kolpak agreed, and noted that from what he’s seen, the ZBA has approved gross floor area variations for greater percentages than what is being requested. Chairman Novack added that the precedent bothers him and that he’s never seen a case like this, in addition to a neighbor who has expressed their concerns from the beginning in 2020. Board Member Fox asked if there was an opportunity to make gross floor area adjustments of the chimney is removed or altered, and Mr. Baxter clarified that the chimney was added as part of revisions to approved plans. Mr. Kolpak asked if the Board is saying that the chimney is what affects the neighbors the most, and added that the distinction is the uniqueness of the lot, where the rear yard is actually a side yard.

Chairman Novack stated that this is a unique situation for the applicant and a unique situation for the neighbor, and noted that he is having a difficult time accepting the additional square footage. Ms. Atou asked if changes in the attic would help subtract gross floor area. Board Member Kuppersmith added that if the applicants met the gross floor area requirements then it wouldn’t add to the bulk of the structure. Board Member Ruderman noted that a lot of the ZBA Members were not yet Members at the time the applicants originally applied for variations in 2020, and Chairman Novack noted that the applicants previously withdrew their application during the ZBA meeting. Mr. Elia clarified that they were requesting relief for an addition in a different location, further south and further away from the Officers. Board Member Kuppersmith added that he agrees with Chairman Novack with regards to precedent and gross floor area.

Board Member Kaplan added that he is not concerned with precedent because you can find the uniqueness in each case, but he is concerned about the gross floor area, and that it’s an unfortunate situation and he feels horrible for the applicants, but ultimately they have more control over the situation than their neighbors, and noted that he thinks the remedy is to apply the code, and then proceed with conversations with the architect and contractors that are allegedly responsible.

Mr. Koukios stated that he wants to hear from the Village about how the inspection went wrong, and how the footings passed their inspection. Board Member Kaplan noted hypothetically, even if it is the Village’s mistake, it does not remedy the concerns with the neighbors, and this is not necessarily the place to discuss that.

Board Member Ruderman added that she appreciates all the comments from the neighbors and that the ZBA has to figure out how we can move forward from here. Board Member Kaplan asked if there is a way for the applicants to come to an agreement on the discussion with the neighbors, noting that it does not have to be now, and noted that it is possible that the changes to gross floor area or setbacks may not be significant visually, and it could even potentially look the same. Mr. Kolpak stated that they are happy to meet with the neighbors and discuss. Mr. Elia added that he has met with the Officers and has planted 16 Arborvitaes between 1060 Oak Ridge and the Officers, and that he has planted 36 more on the other lot line. Mr. Elia also noted that if these variations are denied, it is going to put a large financial debt on him. Mr. Elia also clarified that he has a snow removal company and that he is not a builder and does not flip houses. Mr. Officer noted that the trust is not there and they would not be comfortable having a discussion with Mr. Elia.

Chairman Novack noted that this hearing has now been open for over two hours, and the ZBA can lay out options before a motion, and that it is unlikely the ZBA Members will be in favor of the chimney or gross floor area. Mr. Baxter noted that approving one variation and denying the other may change the outcome of both requested variations. Chairman Novack stated that he recommends deferral on the request to reduce the required side yard setback, and that he would be opposed on the chimney and gross floor area.

A motion was made and seconded to defer the request to reduce the required side yard setback, to deny the chimney in the required side yard setback, and to deny the request to increase the allowable gross floor area in order to allow for the continuation of the construction of the addition at 1060 Oak Ridge Drive. Village Attorney Stewart Weiss stated that if the request for the reduced side yard setback is deferred, then that would put the applicants on the August 1, 2022, meeting if the applicants decide to proceed at that time.

RESULT:	MOTION TO DEFER SIDE YARD SETBACK, DENY CHIMNEY IN SIDE YARD SETBACK, DENY GROSS FLOOR AREA
AYES:	Novack, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Elsasser

5. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Novack asked the audience if there are any public comments on non-agenda items. No additional questions or comments were made.

6. ADJOURN

The meeting adjourned at 10:26 p.m.

RESULT:	ACCEPTED
AYES:	Novack, Kaplan, Ruderman, Koppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Elsasser

DRAFT



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Board of Appeals Memorandum

DATE: July 22, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Continued discussion of consideration of variations to increase the allowable gross floor area, reduce the required front and corner setbacks, and to allow a structure to intersect with the setback planes to an extent greater than allowed by the Zoning Code to allow for an addition to an existing single-family residence at 150 Lake Street.

Background: The applicant requested four variations to allow for an addition to an existing single-family residence at 150 Lake Street at the July 11, 2022 ZBA meeting and there was a motion to defer the requested variations to the August 1, 2022 ZBA meeting.

At the July 11, 2022 ZBA meeting, the applicant requested the following variations (“Option A”):

1. Section 3-111(C) – To reduce the required front yard setback from 35 feet to 28.96 feet.
2. Section 3-111(C) – To reduce the required corner side yard setback from 15 feet to 7.92 feet.
3. Section 3-111(E) – To increase the allowable gross floor area from 2,813.9 sq. ft. to 3,061.8 sq. ft.
4. Section 3-111(G)(14) – To allow a structure to intersect with the setback planes to an extent greater than allowed by the Zoning Code.

For the August 1, 2022 ZBA meeting, the applicant is requesting the following variations (“Option B”):

1. Section 3-111(C) – To reduce the required front yard setback from 35 feet to 28.96 feet
2. Section 3-111(C) – To reduce the required corner side yard setback from 15 feet to 7.92 feet
3. Section 3-111(E) – To increase the allowable gross floor area from 2,813.9 sq. ft. to 2,962.2 sq. ft.
4. Section 3-111(G)(14) – To allow a structure to intersect with the setback planes to an extent greater than allowed by the Zoning Code.

The difference between “Option A” and “Option B” is that the applicants have reduced their gross floor area request and the setback plane encroachment on the west side of the proposed addition. A comparison of the requested variations between “Option A” and “Option B” are listed in a table on the following page.

A comparison of the requested variations from the July 11, 2022 ZBA meeting (“Option A”) with the August 1, 2022 ZBA meeting (“Option B”) for the proposed addition at 150 Lake Street are listed in the table below:

Summary of Requested Variations: “Option A” and “Option B”							
Variation	Allowed	Estimated Existing	“Option A” Proposed 7/11/22	“Option B” Proposed 8/1/22	“Option A” Variation %	“Option B” Variation %	Max. Allowable Variation %
Front setback	35’	28’	28.96’	28.96’ (same)	17.3%	17.3% (same)	20%
Corner side setback	15’	7.06’	7.92’	7.92’ (same)	47.2%	47.2% (same)	N/A
Gross Floor Area	2,813.9 sf	2,744 sf	3,061.8 sf	2,962.2 sf (reduced)	8.8%	5.27% (reduced)	15%
Setback Plane	20’	East: 17.92’	East: 25.5’	East: 25.5’ (same)	East: 27.5%	East: 27.5% (same)	N/A
		West: 22.5’	West: 42.9’	West: 39.16’ (reduced)	West: 114.5%	West: 95.8% (reduced)	

The difference between “Option A” and “Option B” is that the applicants have reduced their gross floor area request and the setback plane encroachment on the west side of the proposed addition.

In an effort to reduce the original gross floor area request (“Option A”), the applicants noted:

1. They shifted the main stairwell into the home by 3 feet. This allowed them to cut out about 21 square feet over 2 floors (42 total square feet reduced) near the stairwell.
2. On the first-floor mudroom/bathroom/pantry area, they shifted the exterior wall inward, removing significant portions of the mudroom, bathroom and pantry. This adjustment reduced the gross floor area by approximately 33 square feet.
3. On the second floor, they adjusted the exterior wall inward at what is now the laundry room. This reduced approximately 25 square feet of gross floor area.

These changes resulted in a reduction of 99.6 square feet of gross floor area from Option A.

In an effort to reduce the original setback plane request (“Option A”), the applicants noted that they were able to design a double gable roof on the west side of the home, stepping back the larger portion of the roofline. This reduced the setback plane request by 3.74 linear feet from “Option A” and made the plane’s intersection with the roof end higher and further from the neighboring property.

Although the front yard setback and corner side yard setback requests remain the same, the bulk of the home on the west side of the property has been reduced with the double gable roof and gross floor area reductions from “Option A”.

As noted in the ZBA Memorandum dated July 1, 2022, the current structure includes an early 1900s home connected to an addition from the 1980s. The applicant has proposed the partial demolition of the original home while keeping the addition in place. The property is a corner lot located in the RC zoning district.

Typically, the ZBA may approve an increase to gross floor area by up to 15%, reduce setbacks up to 20%, and may grant any variation for a setback plane encroachment. However, this structure is already nonconforming with regards to setbacks and the setback plane. Per code, a nonconforming structure may be rebuilt or replaced so long as it does not create any new nonconformity or increase the degree of the existing nonconformity. The proposed encroachment into the corner side setback has a smaller footprint than what is currently in place, is slightly further from the property line, and any height increase is directly above what is currently in place. Because of this, the ZBA can grant a setback reduction beyond 20%.

The required front setback for the property is based on the average of the existing front setbacks on the block. Per Village records, these are:

150	Lake	35.87
440	Drexel	38.97
444	Drexel	28.25
450	Drexel	30.06
454	Drexel	40
456	Drexel	30.46
462	Drexel	45.5
466	Drexel	31.88
470	Drexel	30.38
474	Drexel	31.82
478	Drexel	34.4
179	Randolph	40.47

Analysis: The Zoning Code includes the following standards for the consideration of variation requests:

- 1.) *General Standard. No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection.*

Per the applicants, the existing home consists of two joining structures, one of which was built in the early 1900's with and an addition subsequently built in the 1980's. The applicants have noted that the older portion of the home has a failing foundation and several issues with the existing conditions and may need to be demolished. The proposed home will have a similar size and look to the original home built in the early 1900's.

- 2.) *Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.*

The home is on an undersized corner lot and already has multiple nonconformities with regards to the setbacks. The minimum lot area for the RC Zoning District is 10,000 square feet, whereas this property is approximately 7,034.7 square feet in area. Additionally, the minimum lot width the in RC

Zoning District is 60 feet, whereas this property has a lot width of approximately 50 feet. The existing house is also within the required front setback.

- 3.) *Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.*

The existing house's non-conformity does not appear to have been created through the action of the current owner. A previous owner built a 2-story addition and detached garage in 1985, both of which did not require any variations at that time.

- 4.) *Not Merely Special Condition. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.*

Per the applicants, the purpose of the requested variations is not based exclusively on a desire to make more money from the property. The applicants have stated that their foundation is failing and the home is too small for their growing family.

- 5.) *Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted.*

The applicants have stated that this addition would allow their family to grow into the home while fitting in with the look and feel of the neighborhood. The purpose of the code's gross floor area regulation is to limit the visible bulk of residential structures, which have been slightly reduced with "Option B" compared to the requested variations in "Option A". While the proposed addition would increase the visible bulk of the structure, neither a 2,962-square-foot home nor an 5.27% gross floor area would be unique in the Village. The Board should consider whether the proposed variations meet the stated code purpose to "protect the scale and character of existing development from the encroachment of incompatible uses and structures having excessive bulk or providing inadequate open space" (Sec. 1-102(B)).

- 6.) *Essential Character of the Area. The variation would not result in a use or development on the subject property that:*
- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
 - (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
 - (c) Would substantially increase congestion in the public streets due to traffic or parking; or*
 - (d) Would unduly increase the danger of flood or fire; or*
 - (e) Would unduly tax public utilities and facilities in the area; or*
 - (f) Would endanger the public health or safety.*

There are a variety of homes in the area that appear to be of similar size to what is proposed. Since this home is on a corner lot, the bulk of the structure would be more highly visible than one on an interior lot, though this is not uncommon for corner lots. With a proposed encroachment for the setback plane to the west, it is possible that it may affect the supply of light to the neighbor directly west. Due to the motion to defer the requested variations to the August 1, 2022 ZBA meeting, the applicants have reduced their proposed encroachment for the setback plane to the west.

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 be accepted or denied. The Board may include conditions of approval as determined to be appropriate.

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

Move to approve/deny the request for variations to increase the allowable gross floor area, reduce the required front and corner setbacks, and to allow a structure to intersect with the setback planes to an extent greater than allowed by the Zoning Code to allow for an addition to an existing single-family residence at 150 Lake Street, per the plans provided with this application. The Board may include conditions of approval as determined to be appropriate.



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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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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.



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Section D: Acknowledgement and Signature

☐ *I hereby acknowledge that all information provided in this application is true and correct.*

Applicant's signature

Date

Owner's signature (if different than applicant)

Date

July 22th, 2022

Village of Glencoe Zoning Board,

RE; 150 Lake Street Variance Requests;

Below is a Summary list of Changes made between Option A (presented on July 11th) and Option B;

- 1) In an effort to shrink the home / minimize the FAR Variance Request;
 - A) We shifted the main Stairwell into the home by 3 feet. This allowed us to cut out about 21 SF feet, over 2 floors that comes out to 42 total of reduction of SF at the stairwell.
 - B) At the first floor mudroom / bathroom / pantry area, we shifted the exterior wall inward, essentially cutting out a large chunk of the mudroom, bathroom and pantry. This adjustment gained back approximately 33 SF at this first floor location.
 - C) At the second floor we also adjusted the exterior wall inward at what is now the Laundry Room. This reduction removed an additional 25 SF of floor area.

The total reduction of the above FAR came in at 100 SF. All areas of reduced SF area depicted in a shaded area at these locations.

- 2) In an effort to reduce the Setback Plane Request;
 - A) We were able to create a Double Gable roof at the West face of the home, stepping back the larger portion of the roofline at the West face effectively reducing the total Setback Plane footage. This cut about 3 linear feet out of the Setback Plane variance request.
- 3) The home went from a 5 bedroom home, to a 4 bedroom home. There was simply no way to keep a 5th bedroom when reducing the Setback Plane and SF. So the 5th bedroom became a 2nd floor laundry room. We initially were discussing (as a family) a design to have the laundry in the Mudroom, but with the above changes, moving the laundry upstairs to the now unusable bedroom made the most sense.
- 4) The home still sits on the Setbacks put forth in Option A, however with these reductions noted above, the home steps back further off of the front setback as depicted in the Option B site plan.

Again, Thank you for all of your time, and considerations, and I look forward to our next meeting on August 1st, 2022.

Best,

David Brown and Family

In closing, while there still are 4 total variance requests, requested, two of which are existing conditions to remain, and 2 of which we have done our absolute best to take into consideration all of the points made by the board without jeopardizing the family growth capacity or functionality of our forever home.

Please take in consideration all of the notes above and grant us the Approvals required to move forward on constructing our Forever Home at 150 Lake Street. As stated previously, our intent is to perform the work through the Winter with the hopes of being able to being at or near completion by next Spring.

Thank you for your time and consideration on this matter,

Sincerely,

David, Toni, Juno, (August baby #2), Ella (Puppy #1) and Cash (Puppy #2) Brown;

The Brown Family

Village of Glencoe Zoning Board,

First, I would like to thank everyone for their time and efforts in reviewing my plans and providing constructive feedback as we not only value your input but it is important to us as well, that any new structure in our neighborhood not feel out of place or outside the wonderful historic nature of the already existing Glencoe Neighborhoods.

As discussed at the July 11th Zoning Meeting, we have gone back to the Drawing Board with our Architect, Aiello Architecture Design, to revisit the Plans for 150 Lake Street and address the concerns raised by the Board.

Attached you will find 'Option B' for discussion and Approval. Option B is our best attempt to sharpen our pencils and address the concerns presented.

The main concerns / take aways from the July 11th meeting as I understand it were as follows;

- 1) The Variation Request exceeds the typical ask in terms of overall number of Variances requested. In this instance, the ask is for 4 Variances.
- 2) The total FAR Variance ask is at 8.8% over the allowable Square Footage. And further thought and review should be taken to try and minimize or eliminate this ask.
- 3) The Setback Plane Variance request raises some concerns as it relates to the new structure height and the neighboring property to the West, 440 Drexel.

To address the concerns one by one, in addition to the updates to the drawings, Hereto defined as Option B, please find the following narrative for your considerations as to address the concerns raised;

- 1) It is understood that the Variance requests are at 4 and that is more than the typical ask. It should be noted that as with many Corner lots, setbacks are sometimes a bit of a challenge and often fall outside of the typical code guidelines. As this is a smaller than standard corner lot (7,000 SF) with an existing structure, two of the 4 Variance requests are Setback variances requested as a formality as Both of the Setback Variance requests are actually less than the existing Setbacks in place by the current structure. So while the concern of 4 variance requests is more than the norm by all accounts, it must be noted that 2 of the 4 variance requests are simply to put the new structure within the same footprint of the existing structure (with some modifications).
- 2) Regarding the FAR concerns of the property, Option A (July 11th Proposed Plan) outlined a modest 8.8% over the allowable Floor Area ratio, of which up to 15% is allowed (to be requested as a Variance). With Option B, we have spent a good amount of time trying to trim down the new structure while still keeping with the look and feel of the existing, as well as holding the line of what is a necessity for my growing family – The main points of which are 4 bedroom, 3.5 bath, and some room to grow. Plan A had 5 bedrooms, which we were able to cut down to 4 by utilizing 1 of the bedrooms as a laundry room which allowed us to shrink the sizing down at this area of the home. We also shifted the stairwell into the home to further shave off as much

square footage as possible (Shaded areas were previously SF included within the footprint of the home). The total reduction in home square footage is 100 square feet from the previous plan. So the revised variance request is for 2,961 total SF, which comes out to 148 SF or 5.4% over the total FAR.

- 3) To help address the 3rd concern, which is the Setback Plane variance request, In conjunction with note 2 above, we were able to cut back the proposed roofline at the West of the property to allow for a smaller setback plane variance request. The setback plane variance request has been reduced by 3'-7" from Option A (West Face). It should also be noted (and depicted below) that the neighboring property at 440 Drexel is considerably taller than the existing or proposed structure. And we are pulling the house further away from the neighbor than the existing structure currently sits – allowing further 'breathing room' between the homes.

Below are some pictures of the existing conditions of the home at 150 Lake Street;



Current Lake Street Frontage view. To the left is the structure built in the 1980's. with the connecting front entrance also built as part of the 80's addition. The structure to the right, is the original farm house constructed in the early 1900's.



Similar to the above, this picture shows the Lake Street frontage (looking North West).



Current view of the Drexel facing frontage (north face). This depicts the original farmhouse structure with the existing front porch and 4 season addition to the West.



This picture depicts a view of the West / North face of the property as well as the neighboring property at 440 Drexel. This picture was taken looking South East from Drexel Ave and shows the 440 Drexel Ave property height being taller than the existing farmhouse structure at 150 Lake. And it should be noted that the height proposed height increase for the new structure is just 3' taller than the existing.

140.69'

50.00'

50.00'

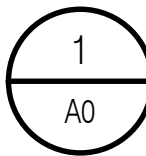
140.71'

LAKE STREET

DREXEL AVENUE

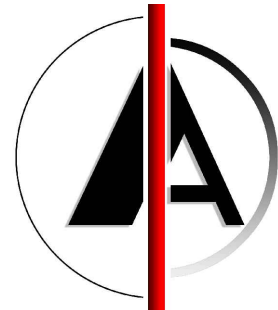
BROWN RESIDENCE
SINGLE FAMILY RESIDENCE ADDITION

150 LAKE STREET, GLENCOE, ILLINOIS



PROPOSED SITE PLAN

SCALE: 3/16" = 1'-0"

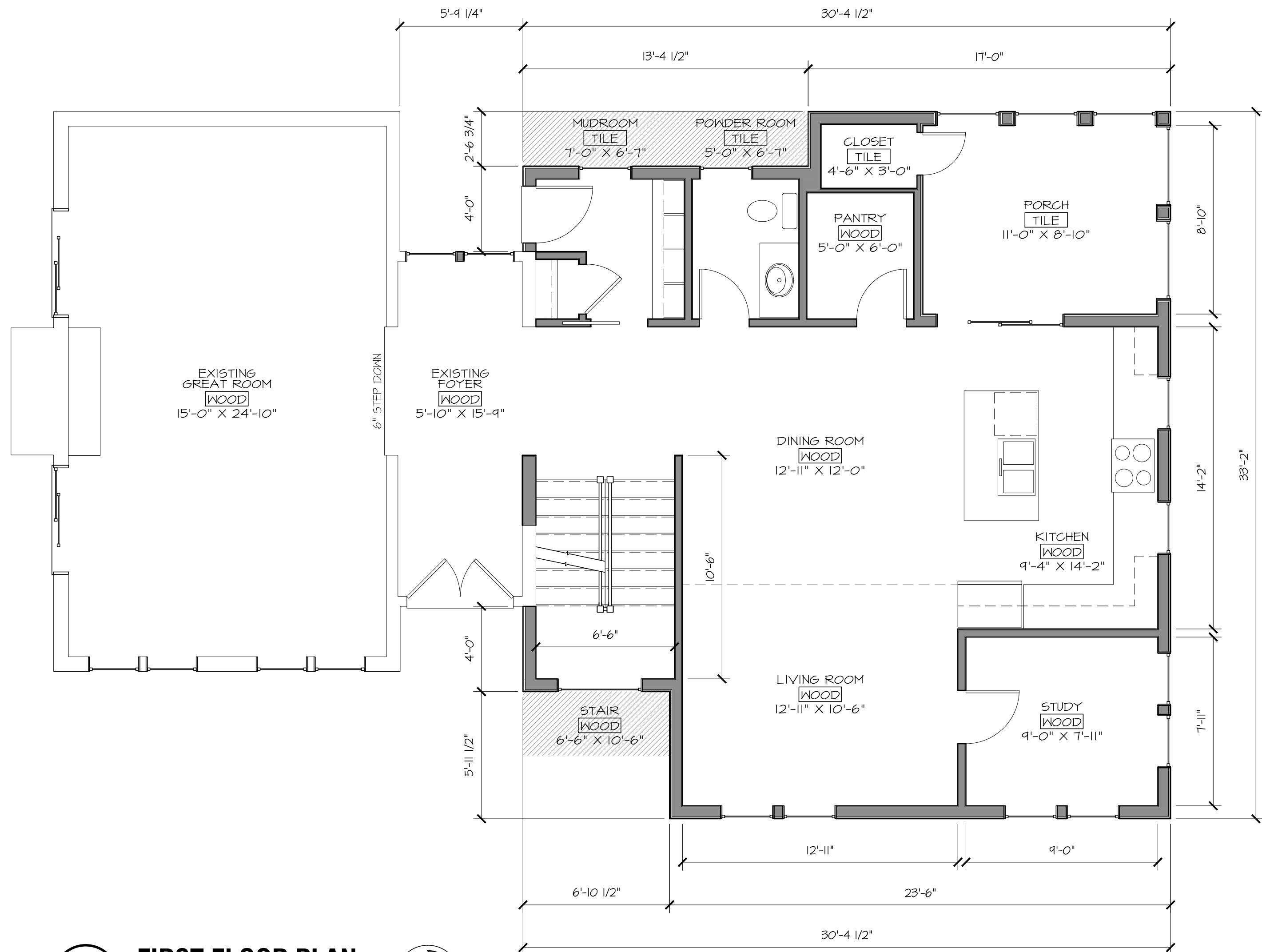


AIELLO ARCHITECTURE DESIGN

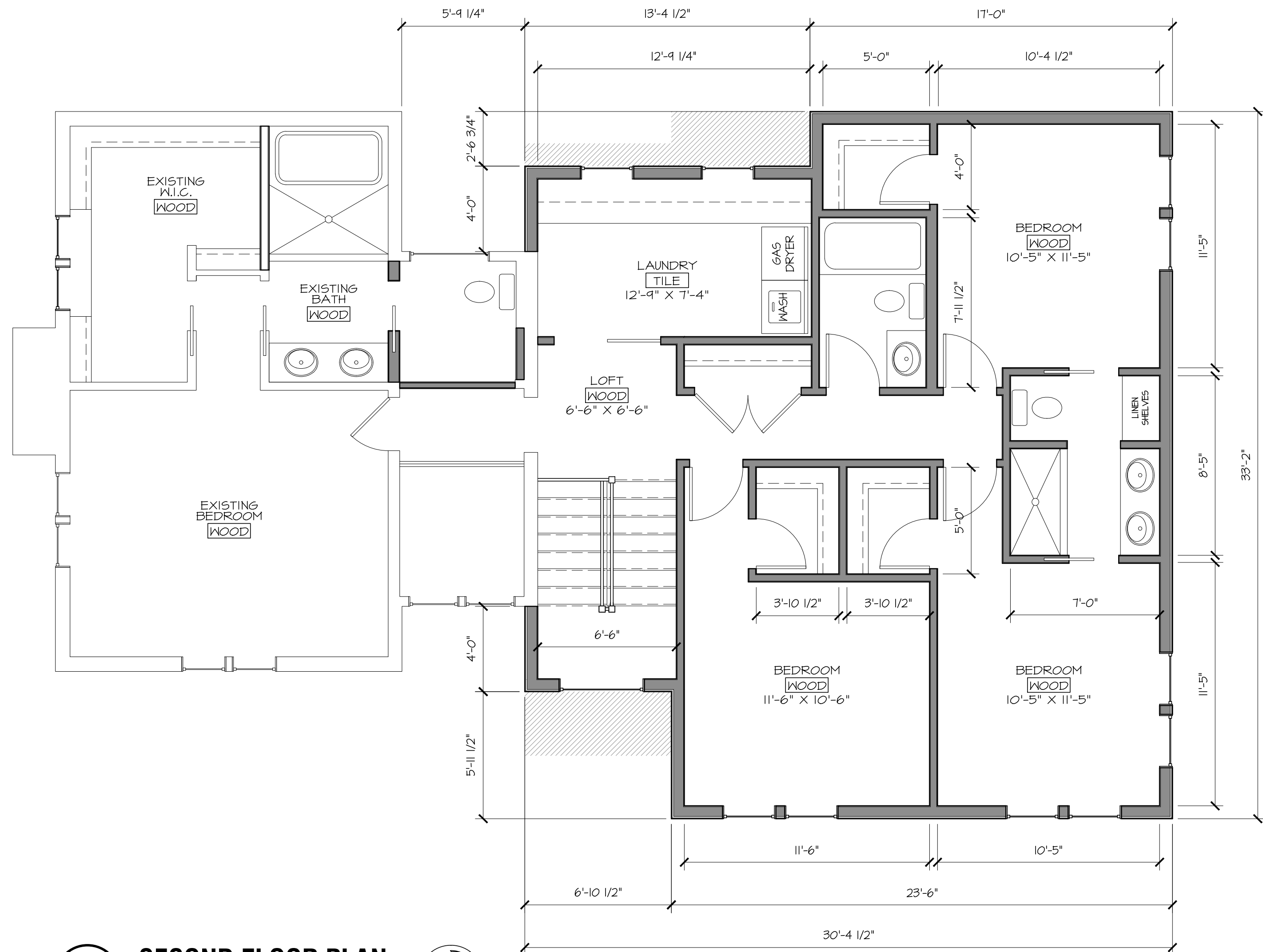
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			Drawn By:	MA
No.	Date	Issue / Revision	Checked By:	MA

PROPOSED
SITE PLAN

A0



1
A1
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

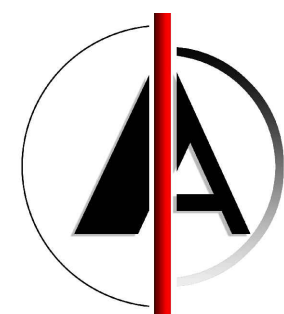


1
A1
SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



BROWN RESIDENCE SINGLE FAMILY RESIDENCE ADDITION

150 LAKE STREET, GLENCOE, ILLINOIS



AIELLO ARCHITECTURE DESIGN

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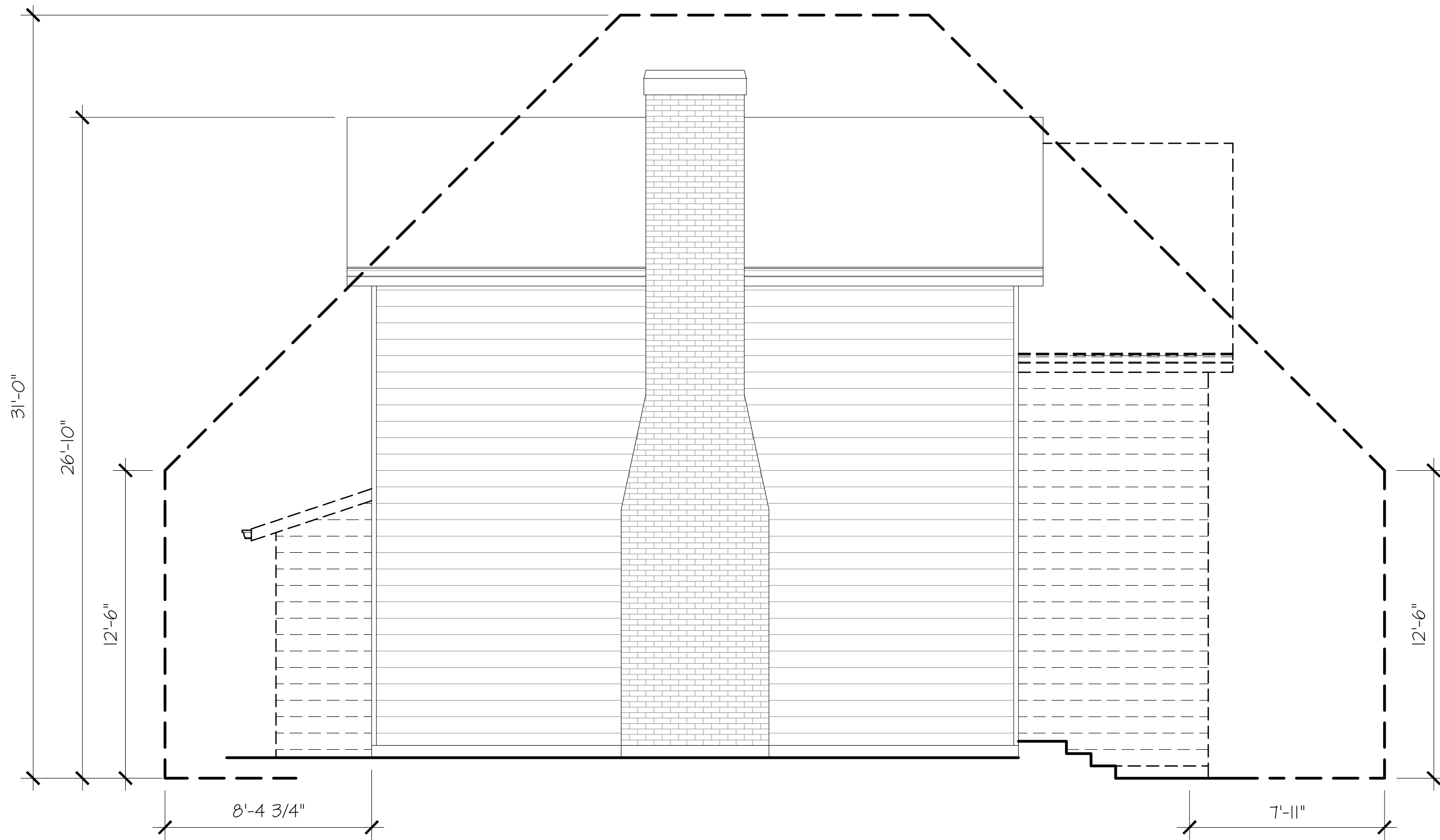
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			Drawn By:	MA
			Checked By:	MA
No.	Date	Issue / Revision		

PROPOSED PLANS

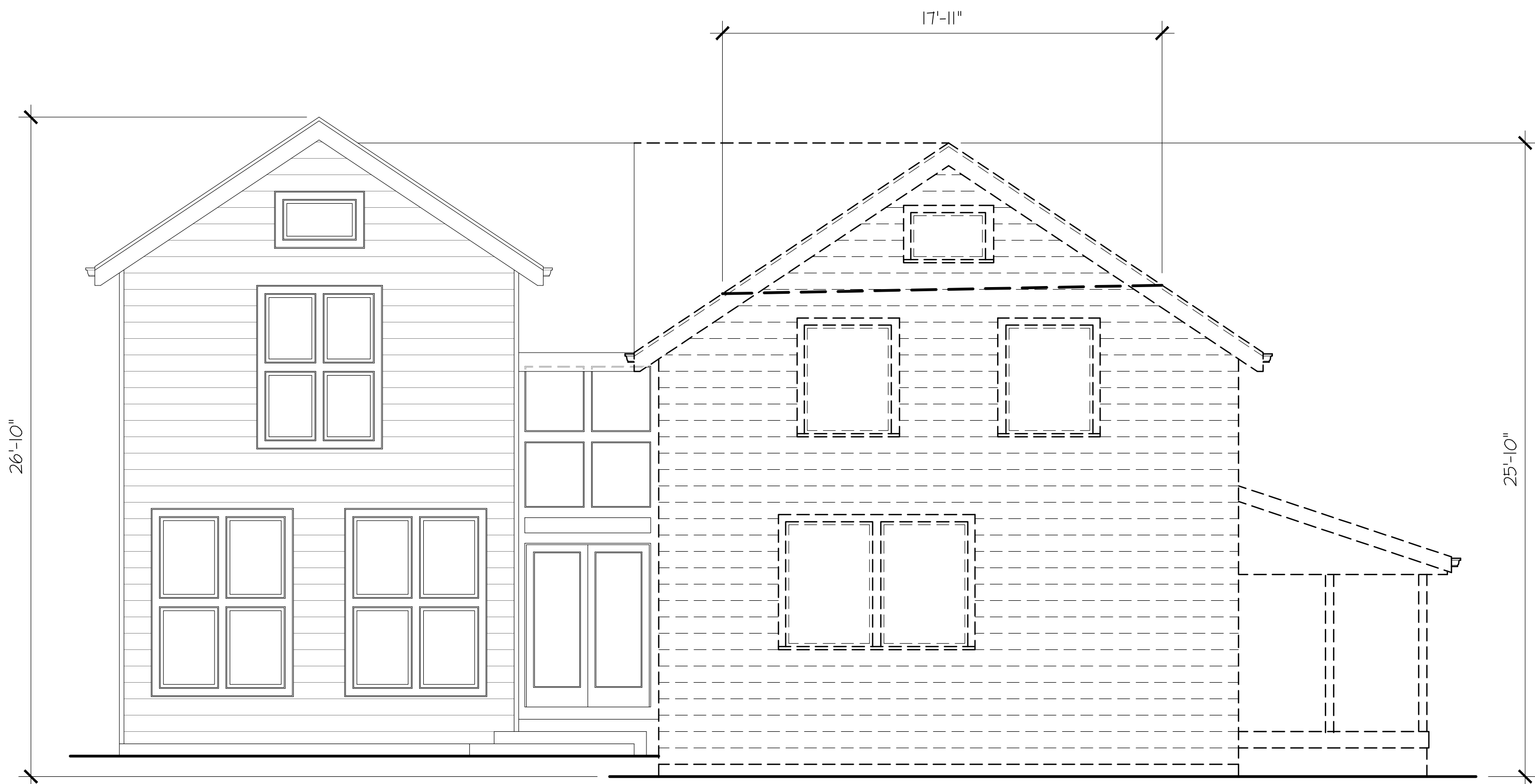
Sheet Title:

A1

Sheet:



1
A2
EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



2
A2
EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"



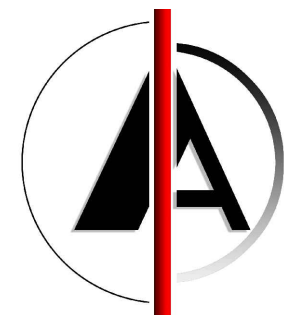
3
A2
PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



4
A2
PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"

BROWN RESIDENCE
SINGLE FAMILY RESIDENCE ADDITION

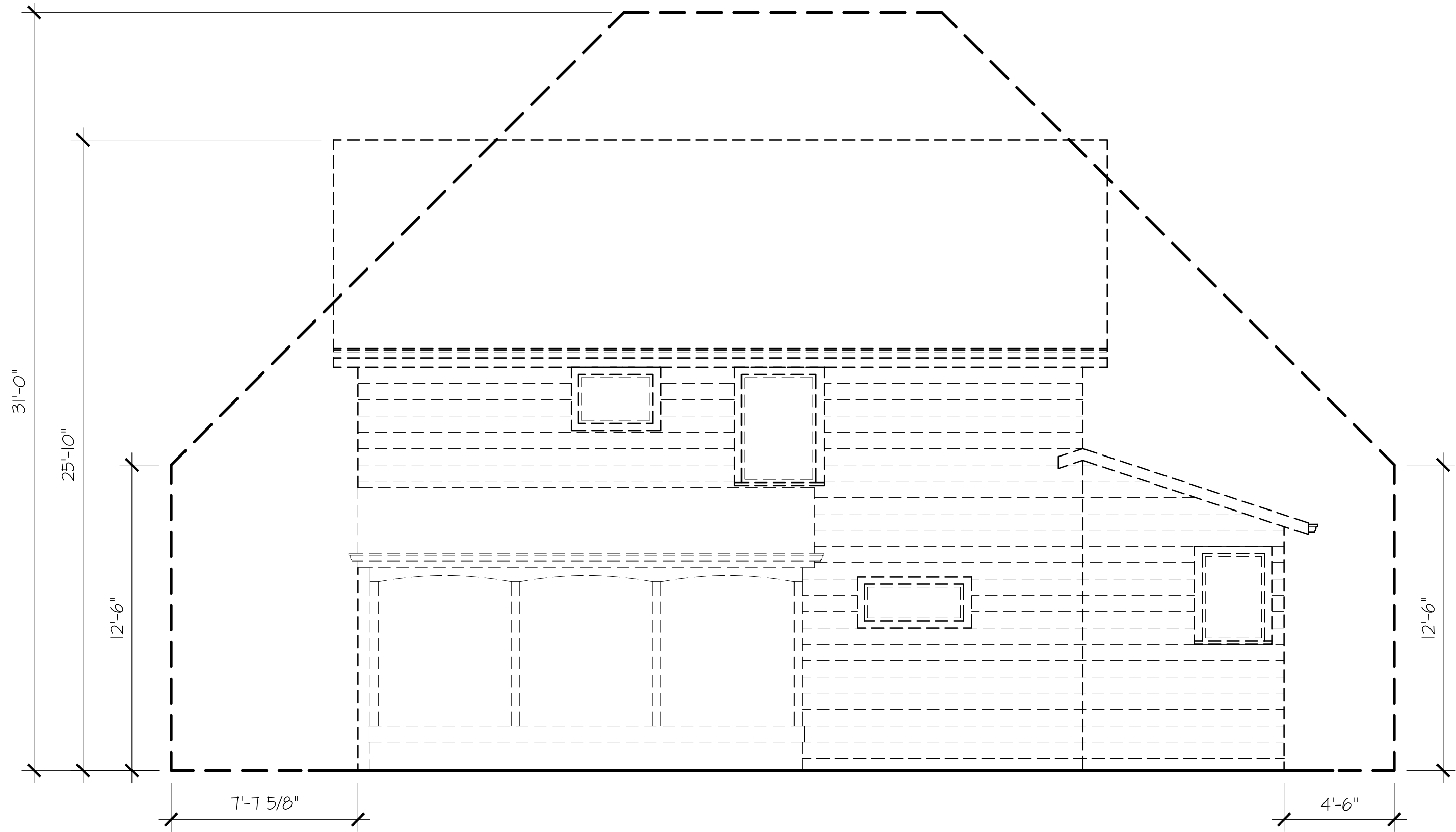
150 LAKE STREET, GLENCOE, ILLINOIS



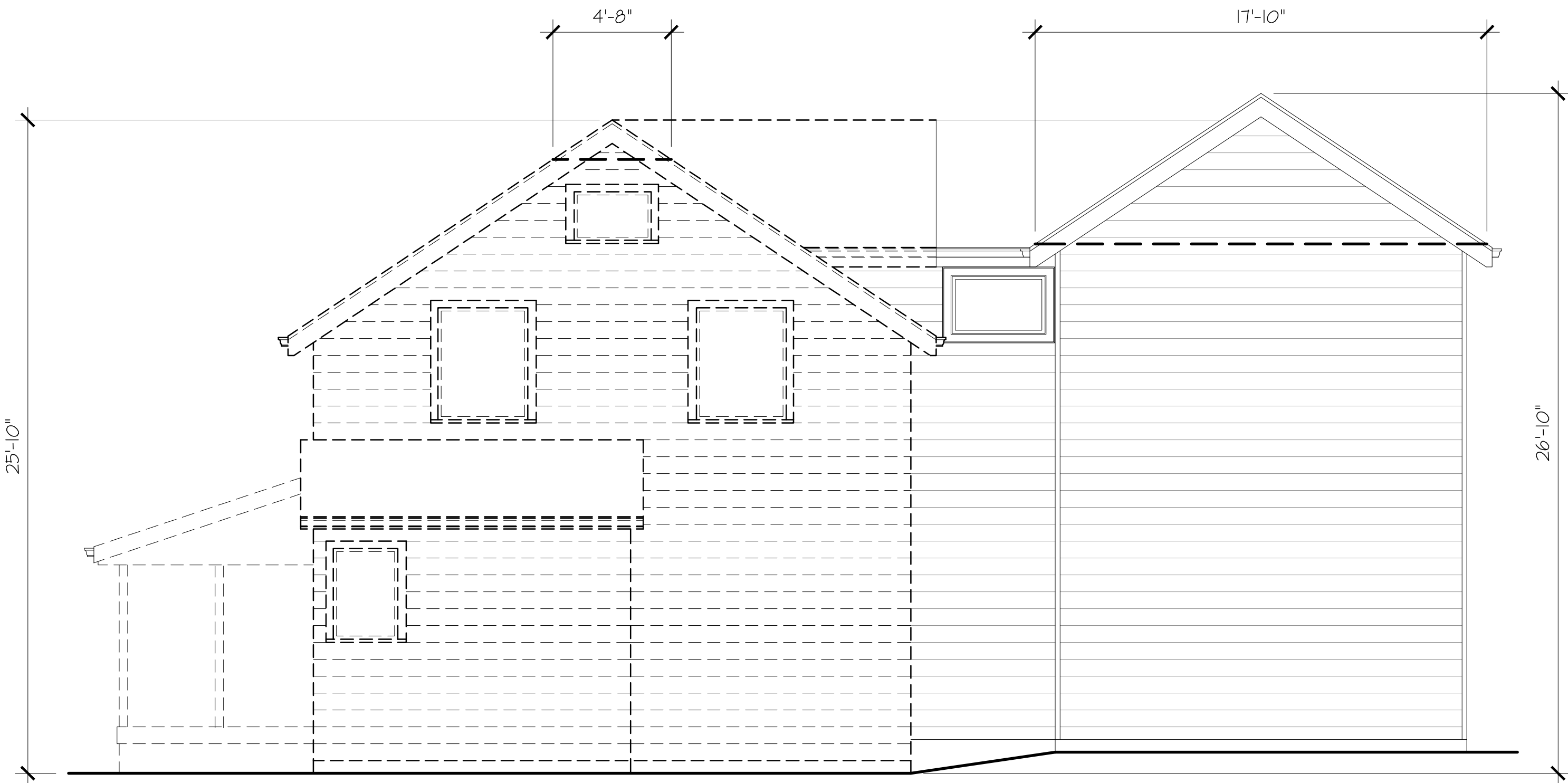
AIELLO ARCHITECTURE DESIGN

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1	07/19/22	DESIGN DEVELOPMENT	Project No.	2218	ELEVATIONS	A2
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			Drawn By:	MA		
			Checked By:	MA		
No.	Date	Issue / Revision	Checked By:	MA	Sheet Title:	Sheet:



1
A3
EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2
A3
EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"



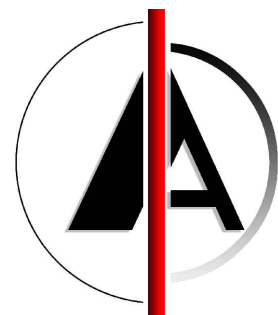
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A3
PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



4
A3
PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"

BROWN RESIDENCE
SINGLE FAMILY RESIDENCE ADDITION

150 LAKE STREET, GLENCOE, ILLINOIS



AIELLO ARCHITECTURE DESIGN

1800 GLENVIEW ROAD GLENVIEW, ILLINOIS 60025 WWW.AADGROUP.COM 847 . 767 . 0779 PHONE 847 . 730 . 3317 FAX

1	07/19/22	DESIGN DEVELOPMENT	Project No.	2218	ELEVATIONS	A3
			Drawing File:	2218_plan_05.dwg		
			Drawn By:	MA		
			Checked By:	MA		
No.	Date	Issue / Revision	Checked By:	MA	Sheet Title:	Sheet:

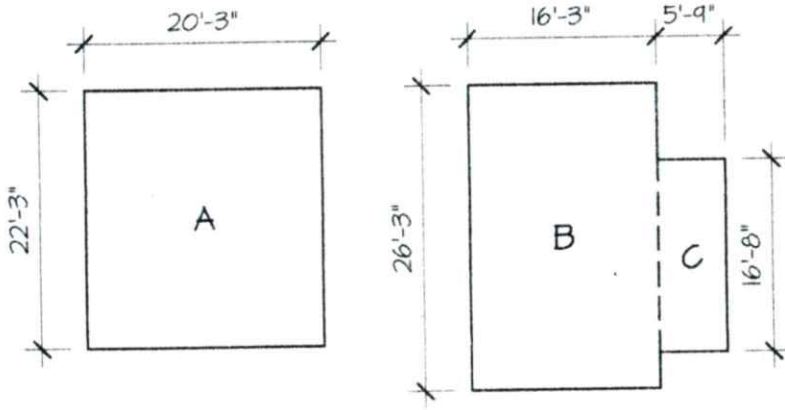
Floor Area Ratio Calculations | Summary | Page 1

1	Address: <u>150 LAKE STREET</u>		
2	Drawing and calculations to determine lot area: <div style="display: flex; align-items: center; justify-content: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">50.00'</div> <div style="border: 1px solid black; width: 500px; height: 150px; position: relative;"> <div style="position: absolute; top: 0; right: 0;">140.69'</div> <div style="position: absolute; bottom: 0; right: 0;">140.71'</div> </div> <div style="writing-mode: vertical-rl;">50.00'</div> </div>		
3	Lot Area Total Sq. Ft.:	<u>7034.7</u>	Sq. Ft.
4	Proposed First Floor Total:	<u>1906.3</u>	1906.3 Sq. Ft.
5	Proposed Second Floor Total:	<u>1455.9</u>	1500.8 Sq. Ft.
6	Proposed Third Floor Total:	<u>0</u>	Sq. Ft.
7	Proposed Third Floor, Attic, and Basement Total:	<u>0</u>	Sq. Ft.
8	Subtotal (Add Lines 4 through 7):	<u>3362.2</u>	3407.1 Sq. Ft.
9	Total Exclusions (From Exclusion Calculation Form):	<u>400</u>	Sq. Ft.
10	Total Proposed Sq. Ft. (Subtract Line 9 from Line 8):	<u>2962.2</u>	3007.1 Sq. Ft.
11	Total Allowed Sq. Ft. (Apply correct formula from Table A to Lot Area from Line 3):	<u>2813.9</u>	Sq. Ft.
12	If Line 11 exceeds Line 10 the plans comply with FAR requirements		Yes <input type="radio"/> No <input checked="" type="radio"/>

Prepared By:	<u>MICHAEL AIELLO</u>	
Architect Printed Name, Signature, & Stamp		
Staff Contact Name	<u>MICHAEL AIELLO</u>	
Telephone Number	<u>847-767-0779</u>	
Checked By:		
Development Services Manager		Date

Address: 150 LAKE ST.

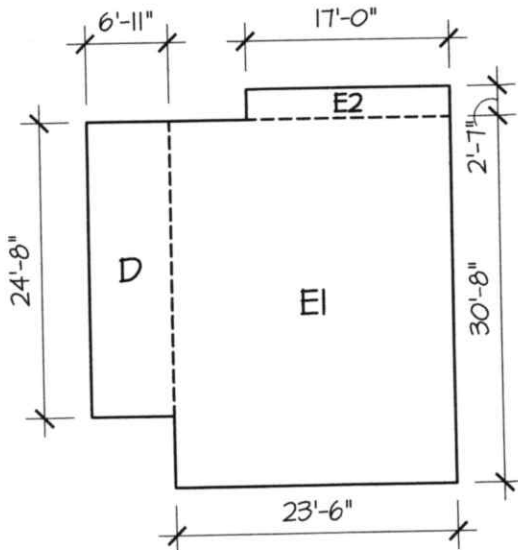
First Floor Area (Existing)



Piece #	Dimensions	Area (sq. ft.)
A	20'-3" x 22'-3"	450.4
B	16'-3" x 26'-3"	426.6
C	5'-9" x 16'-8"	96.0
Existing Total Sq. Ft.		973

* For homes on ravines or lakefront bluffs count 50% of those areas below rear decks/balconies that are over cellar/basement patios.

First Floor Area
(New Construction or Proposed Additions)



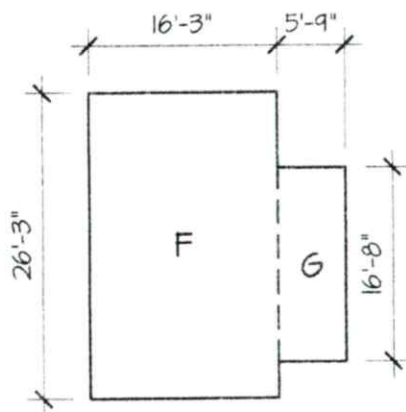
Piece #	Dimensions	Area (sq. ft.)
D1	14'-11" x 14'-8"	218.12
D2	11'-11" x 14'-8"	174.68
D	6'-11" x 24'-8"	169.5
E1	23'-6" x 30'-8"	720.2
E2	17'-0" x 2'-7"	43.6
Total Additions Sq. Ft.		933.3 946.8

Proposed First Floor Total Sq. Ft.

1906.3 ~~1946.8~~

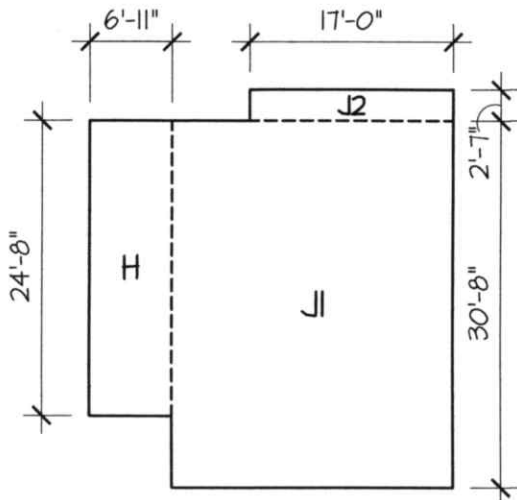
Address:

Second Floor Area (Existing)



Piece #	Dimensions	Area (sq. ft.)
F	16'-3" x 26'-3"	426.6
G	5'-9" x 16'-8"	96.0
Existing Total Sq. Ft.		522.6

**Second Floor Area
(New Construction or Proposed Additions)**



Piece #	Dimensions	Area (sq. ft.)
J1	16'-11" x 23'-9"	391.1
J2	17'-0" x 2'-7"	45.5
H	6'-11" x 24'-8"	169.5
J1	23'-6" x 30'-8"	720.2
J2	17'-0" x 2'-7"	43.6
Total Additions Sq. Ft.		933.3

Proposed Second Floor Total Sq. Ft.

1455.9

~~1560.1~~



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Board of Appeals Memorandum

DATE: July 29, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Consideration of variations to allow a partially construction addition to an existing single-family home to exceed the allowable gross floor area and to encroach into the required side setback at 1060 Oak Ridge Drive.

August 1, 2022 ZBA meeting update: At the July 12, 2022 meeting, the ZBA denied the requested variation for gross floor area. The ZBA also indicated that it would deny the variation request to allow the chimney to remain within the required side setback. The ZBA deferred making a decision on allowing the addition itself, not including the chimney, to encroach into the side setback, pending plans from the applicant to reduce the gross floor area on the property. The applicant has provided draft plans showing the conversion of interior space into attic space within the existing addition. Although these plans have not yet received formal approval, it appears that the applicant may be able to reduce the gross floor area on the property to meet zoning requirements without reducing the size of the addition, other than the removal of the chimney.

The applicant has also provided an exhibit showing the location and dimensions of the existing encroachment into the required side setback, which has a footprint of 2.01 square feet, not including the to-be-removed chimney.

August 1, 2022 recommendation: Based on the materials presented and the public hearing, it is the recommendation of staff that the variation requests of be accepted or denied.

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

Move to accept/deny the request for a variation to reduce the required side setback for an addition to an existing single-family residence at 1060 Oak Ridge Drive, per the plans submitted with this application and conditioned to the removal of the chimney from the required setback.

Original July 12, 2022 Staff Memo:

Background: The applicants are requesting two variations from the Zoning Code to allow a partially constructed addition to an existing single-family home to exceed the allowable gross floor area and to encroach into the required side setback. The subject property is in the RB Single-family Residential Zoning District.

The applicant brought a request for a rear setback variation to the ZBA in 2020. After objections from neighbors at the public hearing, the applicant withdrew the request and submitted plans for an addition that met zoning requirements. A building permit was issued for the addition in 2021. Revisions were approved for interior changes and to add a chimney on the west side of the addition.

In the spring of 2022, the Village received notice that the partially construction chimney may be encroaching into the required 10-foot side setback. Upon inspection, staff discovered that the addition was being built larger than what was shown on approved plans. Plans were revised during the permit review process to meet zoning requirements, and it appears that the addition as constructed did not take all of these revisions into account. The addition is approximately three feet wider and longer than what was approved.

The required minimum side setback is 10 feet. At its closest point, the addition, which is not parallel to the property line, has a setback of 9.55 feet at its southwest corner. The addition angles away from the property line, with a setback of 10.65 feet at its northwest corner. The chimney attached to the addition has a setback of 7.53 feet. Because the ZBA cannot reduce the side setback by more than 20%, the applicant has requested a variation to reduce the size of the chimney but allow it to remain in place with a setback of 8.0 feet.

The addition as partially constructed causes the property to exceed its allowable gross floor area by 278.17 square feet. The applicant has requested a variation to allow the completion of construction as currently underway.

The requested variations are from the following standard in the Zoning Code:

1. *Section 3-111(C)(1) – To reduce the required side yard setback from 10 feet to 8 feet, a variation of 20%*
2. *Section 3-111(E) – To increase the allowable gross floor area from 4,171.78 to 4,425.94 square feet, a variation of 6.1%.*

Variation	Existing/Proposed	Required/Allowed	Variation %	Max. Allowable Variation %
Side setback (addition)	9.55 ft	10 ft	4.5%	20%
Side setback (chimney)	7.53 ft/8.0 ft	10 ft	20%	20%
Gross floor area	4,790.03 sq ft	4,511.86 sq ft	6.1%	15%

Analysis: The Zoning Code includes the following standards for the consideration of variation requests:

- 1.) *General Standard. No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection.*

The variations are being requested to allow a partially built addition that has not been constructed per the approved building permit to remain and be completed as currently underway.

- 2.) *Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.*

The existing house on the lot sits well within the required rear setback, which is measured from the south property line. This limits the area of the lot that could reasonably accommodate an addition. The fact that the addition is partially constructed is another unique physical condition on the property.

- 3.) *Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.*

The addition has been under construction for approximately 14 months. Its size exceeds that which was shown on the approved building permit plans. A structure built per the approved plans would not need the requested variations.

- 4.) *Not Merely Special Condition. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.*

The property owner has stated that the construction of the addition in violation of the zoning code was a mistake, rather than an attempt to make more money from the property or to gain a special privilege not available to other property owners.

- 5.) *Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted.*

A 6.1% increase in allowable gross floor area would not be unusual within the Village. Likewise, a setback reduction of approximately five inches for the addition would in itself be unlikely to result in a development that is not in harmony with the general and specific purposes of the code. A 20%

setback reduction may be more out of keeping with the purposes of the code, especially in light of the fact that the two properties to the west (590 Sunset and 1069 Hohlfelder) have houses that are unusually close to their rear property lines, which make up the west side property line of 1060 Oak Ridge. These neighboring houses are significantly closer to the property line than would be allowed by the zoning code if they were built today, resulting in their being unusually close to the addition on the subject property.

- 6.) *Essential Character of the Area. The variation would not result in a use or development on the subject property that:*
- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
 - (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
 - (c) Would substantially increase congestion in the public streets due to traffic or parking; or*
 - (d) Would unduly increase the danger of flood or fire; or*
 - (e) Would unduly tax public utilities and facilities in the area; or*
 - (f) Would endanger the public health or safety.*

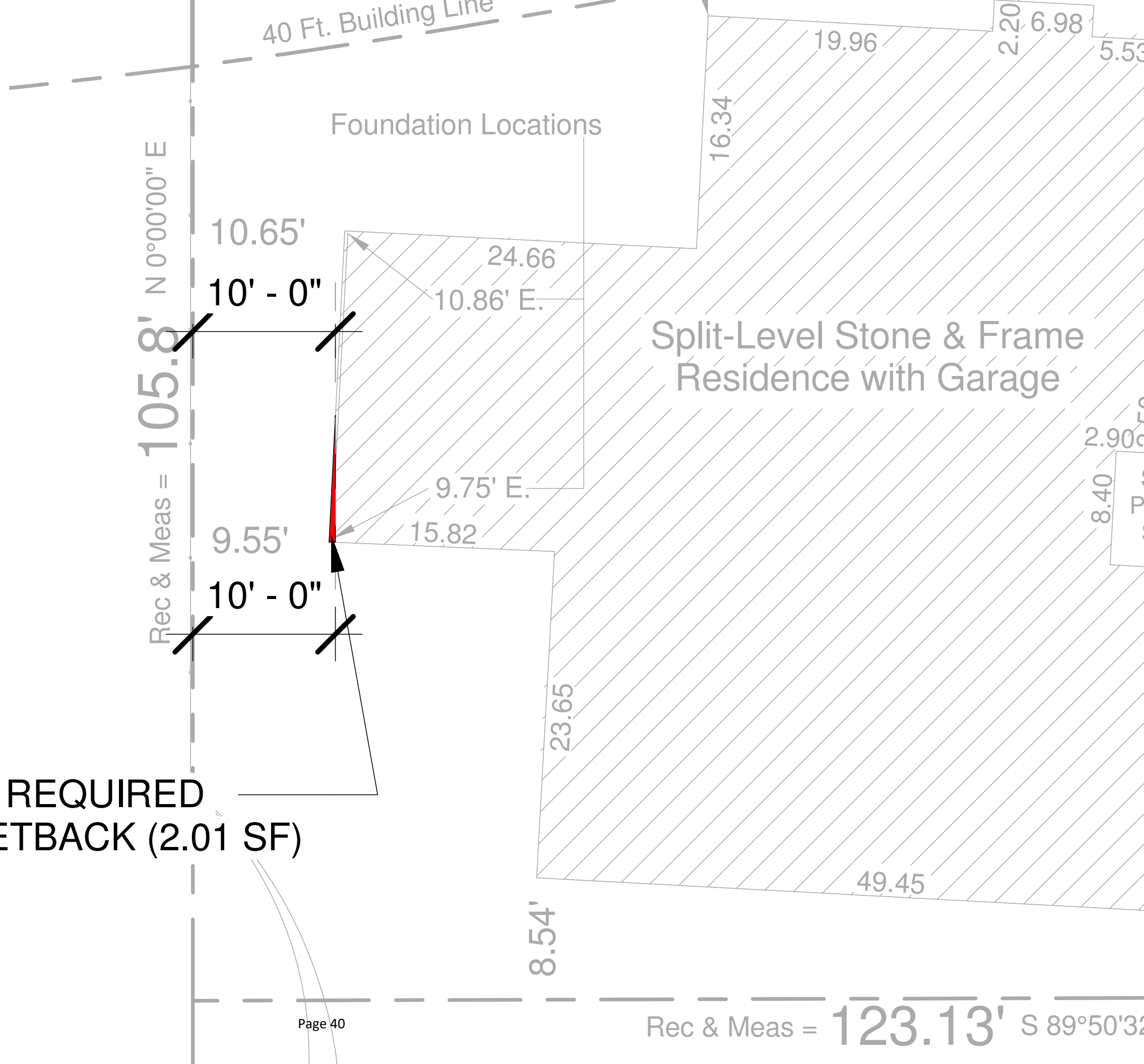
A slight setback reduction and a 6.1% increase in gross floor area would not be unusual within the Village. At the same time, the addition as constructed may have a negative visual impact on the properties to the west.

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 requests of be accepted or denied.

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

Move to accept/deny the request for a variations to reduce the required side setback and increase the allowable gross floor area for an addition to an existing single-family residence at 1060 Oak Ridge Drive.



40 Ft. Building Line

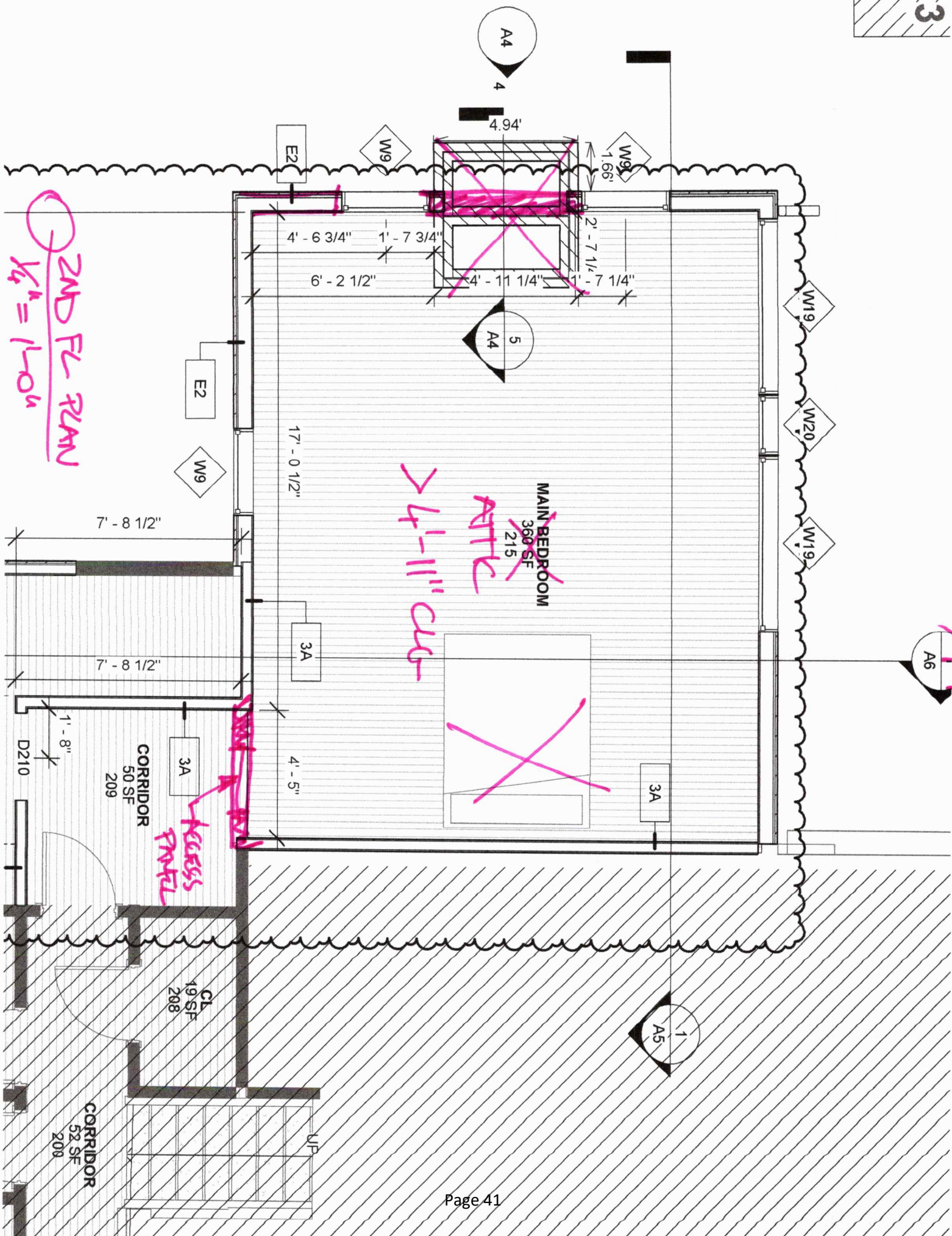
Foundation Locations

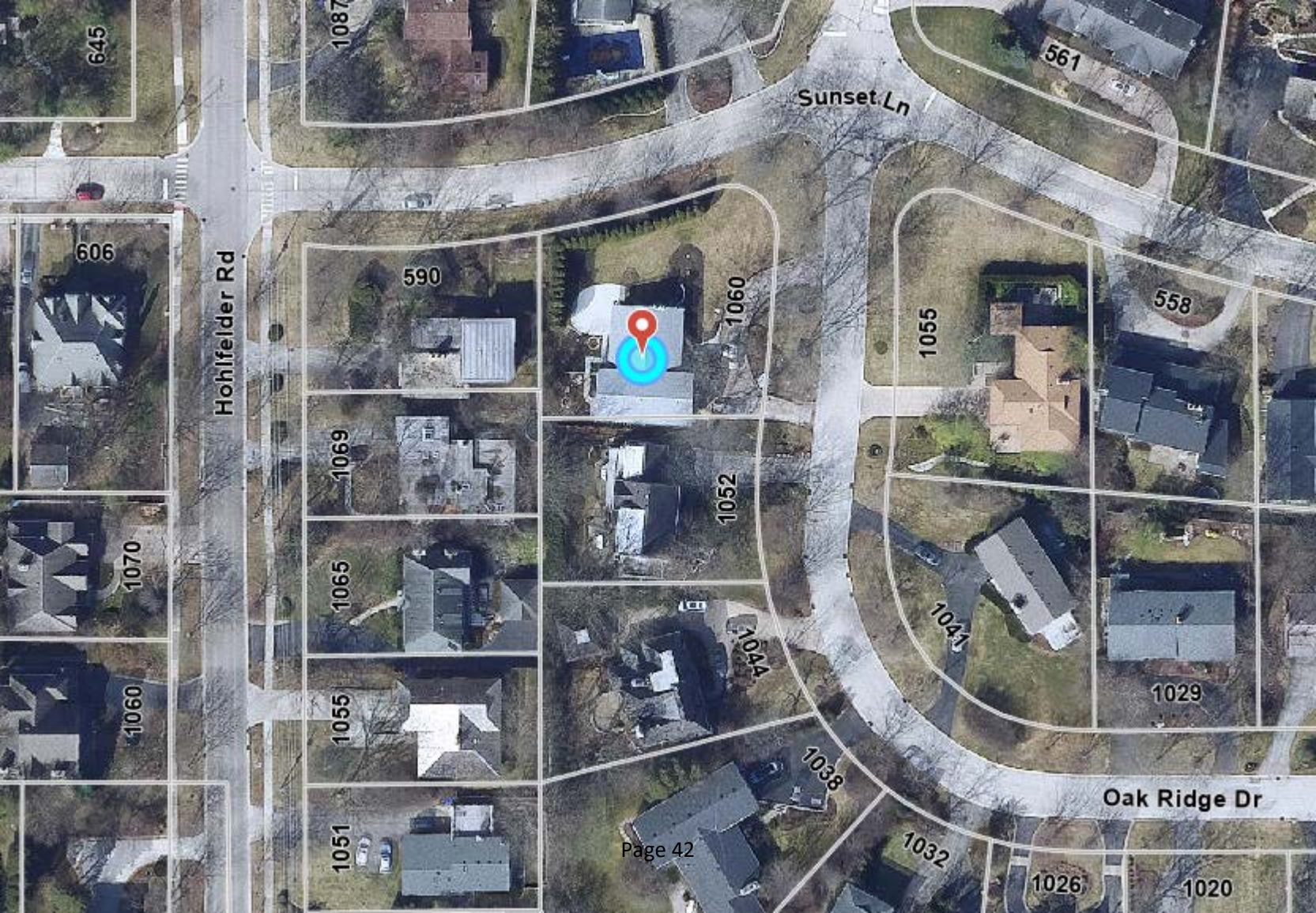
Split-Level Stone & Frame
Residence with Garage

AREA IN REQUIRED
YARD SETBACK (2.01 SF)

Rec & Meas = 105.8' N 0°00'00" E

Rec & Meas = 123.13' S 89°50'32"





Hohlfelder Rd

Sunset Ln

Oak Ridge Dr



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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: 1060 OAK RIDGE DR GLENCOE IL 60022

Applicant name: Paul Elia Applicant phone: 847.338.3009

Applicant email: paulineatou@hotmail.com

Owner name (if different from applicant):

Owner phone: Owner email:

Brief description of project:

NEW REAR ADDTION TO EXISTING SPLIT LEVEL SINGLE FAMILY RESIDENCE

Variation request(s):

- SIDE SETBACK VARIATION TO ALLOW THE STRUCTURE TO BE 9.55 FEET FROM THE SIDE OF PROPERTY LINE, RATER THEN THE REQUIRED 10 FEET
- GROSS FLOOR AREA (FAR) VARIATION



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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.

- VARIATIONS ARE NECESSARY TO KEEP THE ALREADY BUILT BUILDING- FUTHER MODIFICATIONS WILL EXTEND CONSTRUCTION TIME AND DISTURBANCE ON SITE/ STREET
- IMPACT NEIGHBORS MORE TIME
- THE CONDITION IS ALREADY EXISTING / BUILT
- IF NOT GRANTED IT WILL REQUIRE SOME DEMOLITION OF NEW CONSTRUCTED PORTIONS OF THE BUILDING
- EXISTING LOCATION AND CORNER LOT REQUIRED SETBACKS CREATE LIMITATIONS TO EXPANSION OF THE BUILDING
- EXISTING POSITION OF THE BUILDING ON SITE DID NOT LEAVE MUCH ROOM FOR THE CODE ALLOWED ADDITION
- THE EXISTING STUCTURE IS A SPLIT LEVEL, ONLY BACK ADDITION WAS POSSIBLE
- DUE TO CODE REQUIRED FRONT SETBACKS ON BOTH SIDES OF PROPERTY THERE IS LITTLE AREA LEFT FOR PRIVATE YARD AREA IN BACK



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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.

- THE REQUESTED FAR VARIANCE IS ONLY AN INCREASE OF 6%, SUCH A SMALL INCREASE IN AREA OF A BUILDING WILL NOT BE NOTICABLE FROM OUTSIDE ON A STRUCTURE THAT IS SET BACK FAR FROM BOTH STREETS
- THE BACK SETBACK DECREASE WILL BE ADDRESSED BY ADDITIONAL HEAVY LANDSCAPING IN THE BACK THEREFORE THE OVERALL PRIVACY FOR BOTH PROPERITES WILL BE UPGRADED AND THE ADDITION WILL MOSTLY NOT BE VISIBLE FROM THE ADJECENT PROPERTY

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?

- NEARBY PROPERTY OWNERS WERE NOTIFIED OF THE VARIATIONS IN PERSON BY OWNER
- THE FINAL OVERALL FEEDBACK WAS POSITIVE WITHOUT MAJOR OBJECTIONS

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.



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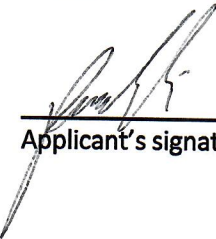
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Section D: Acknowledgement and Signature

☒ I hereby acknowledge that all information provided in this application is true and correct.


Applicant's signature

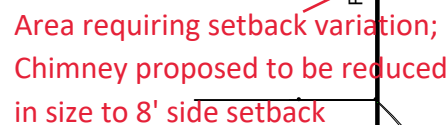

Date

Owner's signature (if different than applicant)

Date

Phone (773) 631-5285
Fax (773) 775-2071
www.Centralsurvey.com

Lot 153 in Baird & Warner's Skokie Ridge Subdivision of part of the East ½ of the Southeast ¼ of Section 1, Township 42 North, Range 12 East
of the Third Principal Meridian, according to the plat thereof recorded March 23, 1927 as Document 9589408, in Cook County, Illinois
Commonly Known as: 1060 Oak Ridge Drive, Glencoe, Illinois
Area of Land Described: 14.981 Sq. Ft.



Scale: 1 Inch equals	20	Feet.
Ordered By:	Pauline Atou-Elia	.
Order Number:	1060B	.

Central Survey LLC does hereby certify that an on the ground survey per record description of the land shown hereon was performed on June 4, 2022 and that the map or plat hereon drawn is a correct representation of said survey. When bearings are shown the bearing base is assumed. Dimensions are shown in feet and hundredths and are correct at a temperature of 68° Fahrenheit.

William R. Webb P.E. S. #2190 (exp.11/30/2022) Professional Design Firm Land Surveying LLC (#184.005417)



This professional service conforms to current Illinois minimum standards for a boundary survey.

William R. Webb



CURRENT WEST ELEVATION



CURRENT SOUTH ELEVATION



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Zoning Board of Appeals Memorandum – 332 Adams Avenue

DATE: July 22, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Consideration of a variation to allow a detached garage at a new single-family residence to exceed the allowable accessory building ground coverage at 332 Adams Avenue

Background: The applicant is requesting one variation to allow a 400-square-foot two-car detached garage at a new single-family residence to exceed the allowable 6% accessory building ground coverage limit. The subject property is in the RC Single-family Residential Zoning District.

Accessory buildings are allowed to have a footprint totaling not more than 6% of a property. At 5,912.2 square feet, the maximum footprint of a detached garage on the subject property is 354.73 square feet. The applicant is also the owner of adjacent property at 409 Randolph Street. In 2019, prior to construction of a new home at 409 Randolph, the applicant transferred part of the 332 Adams lot to 409 Randolph, reducing the size of 332 Adams. Prior to this transfer, 332 Adams was large enough to accommodate the garage as proposed.

The requested variations are from the following standard in the Zoning Code:

1. *Section 3-111(D)(2) – To increase the allowable accessory building ground coverage from 6% (354.73 square feet) to 6.8% (400 square feet), a variation of 11.3%.*

Variation	Proposed	Required/Allowed	Variation %	Max. Allowable Variation %
Ground coverage	6.8% (400 sq ft)	6% (354.73 sq ft)	11.3%	15%

Analysis: The Zoning Code includes the following standards for the consideration of variation requests:

- 1.) *General Standard. No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular*

hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection.

The variations are being requested to allow a 20' by 20' detached, single-story, two-car garage at a new single-family residence. The garage as proposed meets height, setback, and gross floor area requirements, and the property as a whole meets the 30% total ground coverage limit. However, the garage does not meet the 6% accessory building ground coverage limit.

- 2.) *Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.*

The subject property is approximately 59% the size of a minimally conforming 10,000-square-foot RC-zoned lot.

- 3.) *Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.*

The size of the property was reduced by the property owner in 2019 prior to the construction of a house on the neighboring property at 409 Randolph. Before this transfer, 332 Adams was large enough to accommodate the garage as proposed without a variation.

- 4.) *Not Merely Special Condition. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.*

The applicant has stated that the variation is needed to allow for a standard 20' by 20' garage, which is a typical detached garage size found throughout the Village. The zoning code encourages detached garages of up to 400 square feet in size by allowing them to be excluded from gross floor area totals.

- 5.) *Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted.*

A purpose of the accessory building ground coverage limit is to help prevent excessively large accessory buildings. While the proposed garage has a larger footprint than allowed without a variation, it is no larger in size than a typical detached garage in Glencoe.

- 6.) *Essential Character of the Area. The variation would not result in a use or development on the subject property that:*
- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
 - (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
 - (c) Would substantially increase congestion in the public streets due to traffic or parking; or*
 - (d) Would unduly increase the danger of flood or fire; or*
 - (e) Would unduly tax public utilities and facilities in the area; or*
 - (f) Would endanger the public health or safety.*

A 400-square-foot, single-story detached garage in the rear yard of this site would be unlikely to have a significant materially detrimental effect on nearby property.

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 requests of be accepted or denied.

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

Move to accept/deny the request for a variation to increase the allowable accessory building ground coverage for a detached garage at 332 Adams Avenue.



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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: 332 Adams Ave, Glencoe

Applicant name: Bryan LAMMERS

Applicant phone: (309)696-4492

Applicant email: lammebg@comcast.net

Owner name (if different from applicant):

Owner phone:

Owner email:

Brief description of project:

A new house with detached garage is to be built on 332 Adams. The plan for the garage is the subject of this request.

Variation request(s):

The plan for the garage depth was reduced to 17.74 feet to meet a provision in the code that limits accessory structure size. This came up as a result of the unusually narrow lot (36.5' wide) causes the overall surface area of the lot to be small enough to cause a restriction. The request is to allow a standard garage dimension of 20' by 20'. This is a 12.7% increase. (The owner wants the Board to know that this lot was set up and when it was, the depth(s) were chosen to what was believed to be good at 173.17' on the east and 148.30' on the west. This lined up with the west neighbor's property and continued that line west to east. The owner acknowledges the Board may wish to have a discussion on this.)



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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.

With the popularity of today's family SUVs, garage depth is seen as too short at 17.74' exterior dimension for practical everyday use. Family SUVs commonly measure 16' to 16.5'. Garage doors sit inside the wall surface and with the two wall thicknesses and garage ribs, many cars will not fit. The request is made so that most families could have a typical and practical garage.



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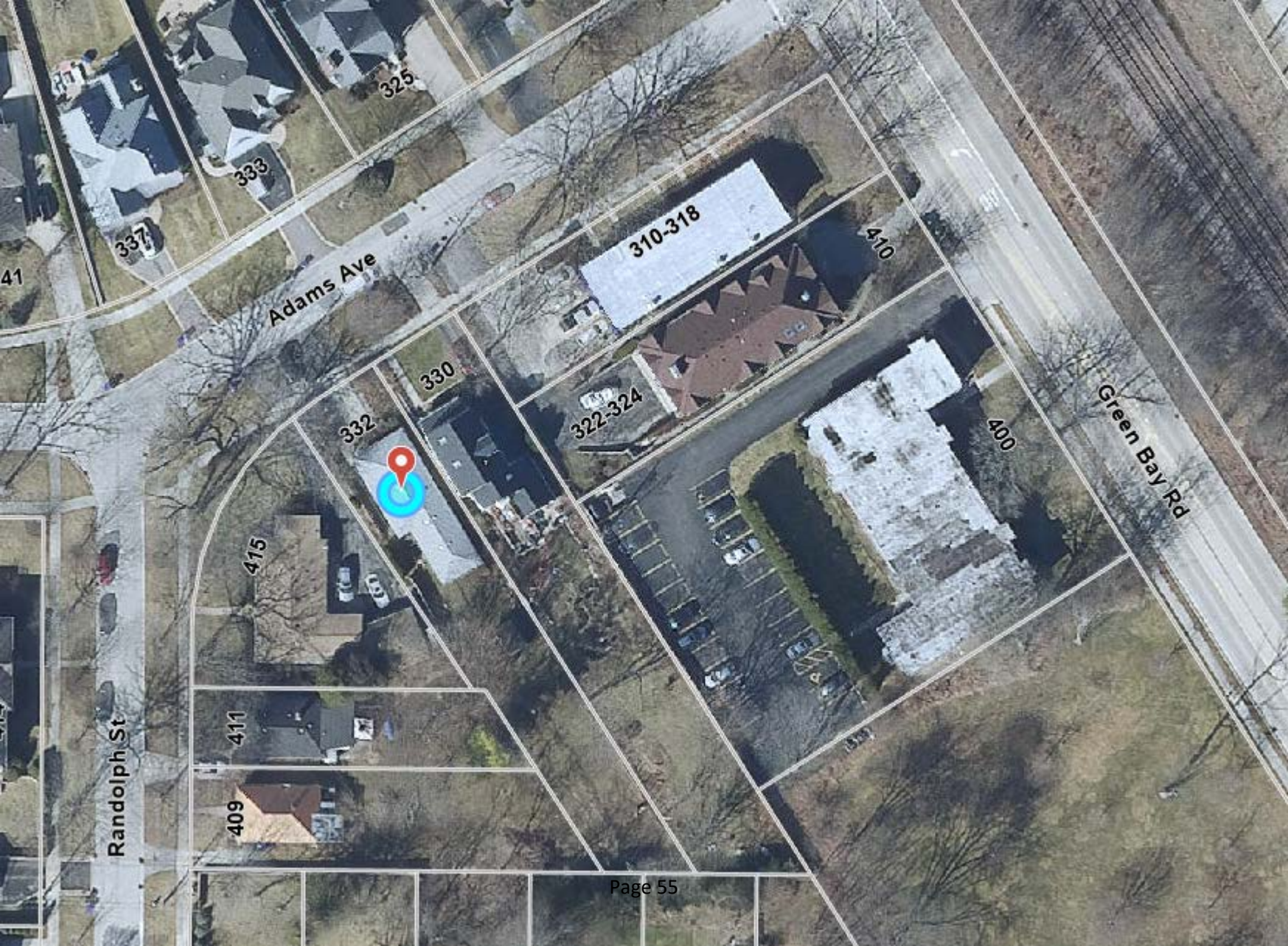
www.villageofglencoe.org

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

This request will not change the east setback which meets requirements. The south setback will also be unchanged, meeting requirements. The front of the garage would move forward 2.25'. There is no neighboring structure along that east setback on 330 Adams. We welcome any comments from the owners of 330 Adams.

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



Adams Ave

Green Bay Rd

Randolph St

310-318

322-324

410

400

330

332

415

411

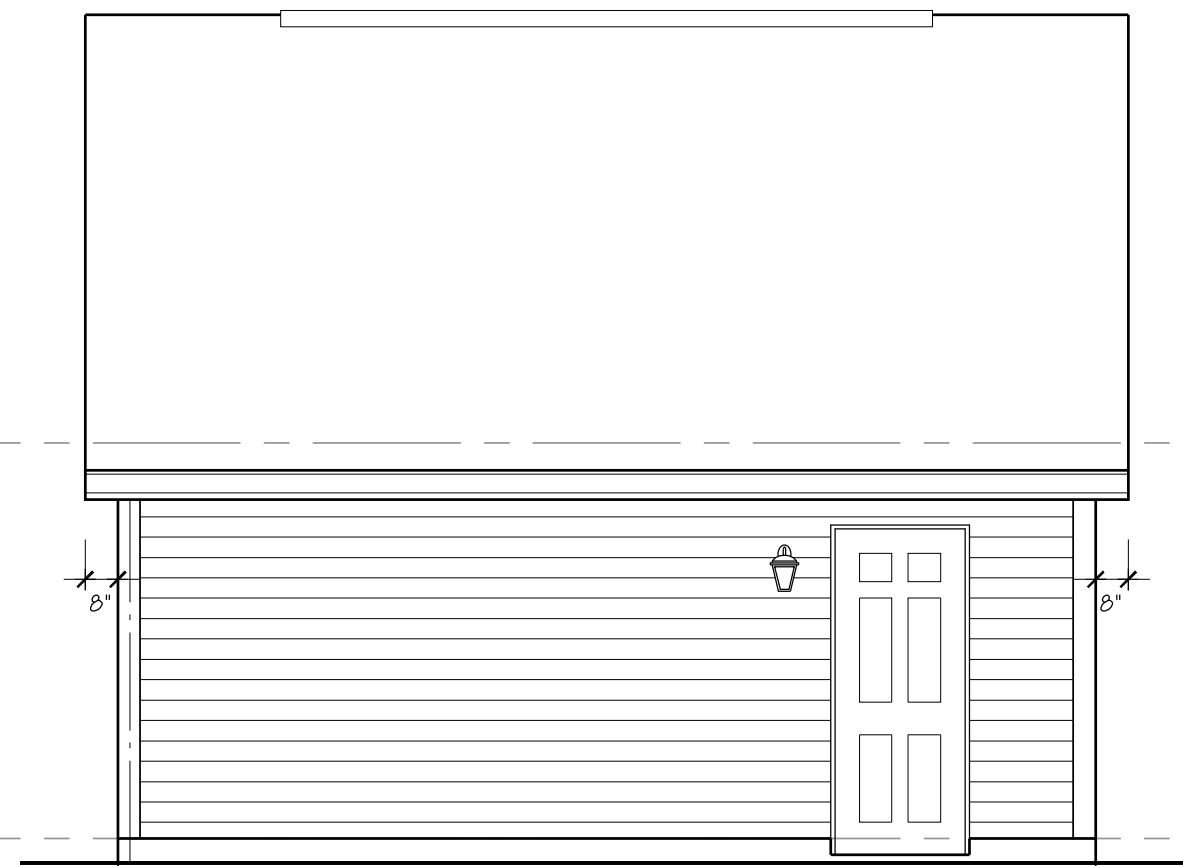
409

325

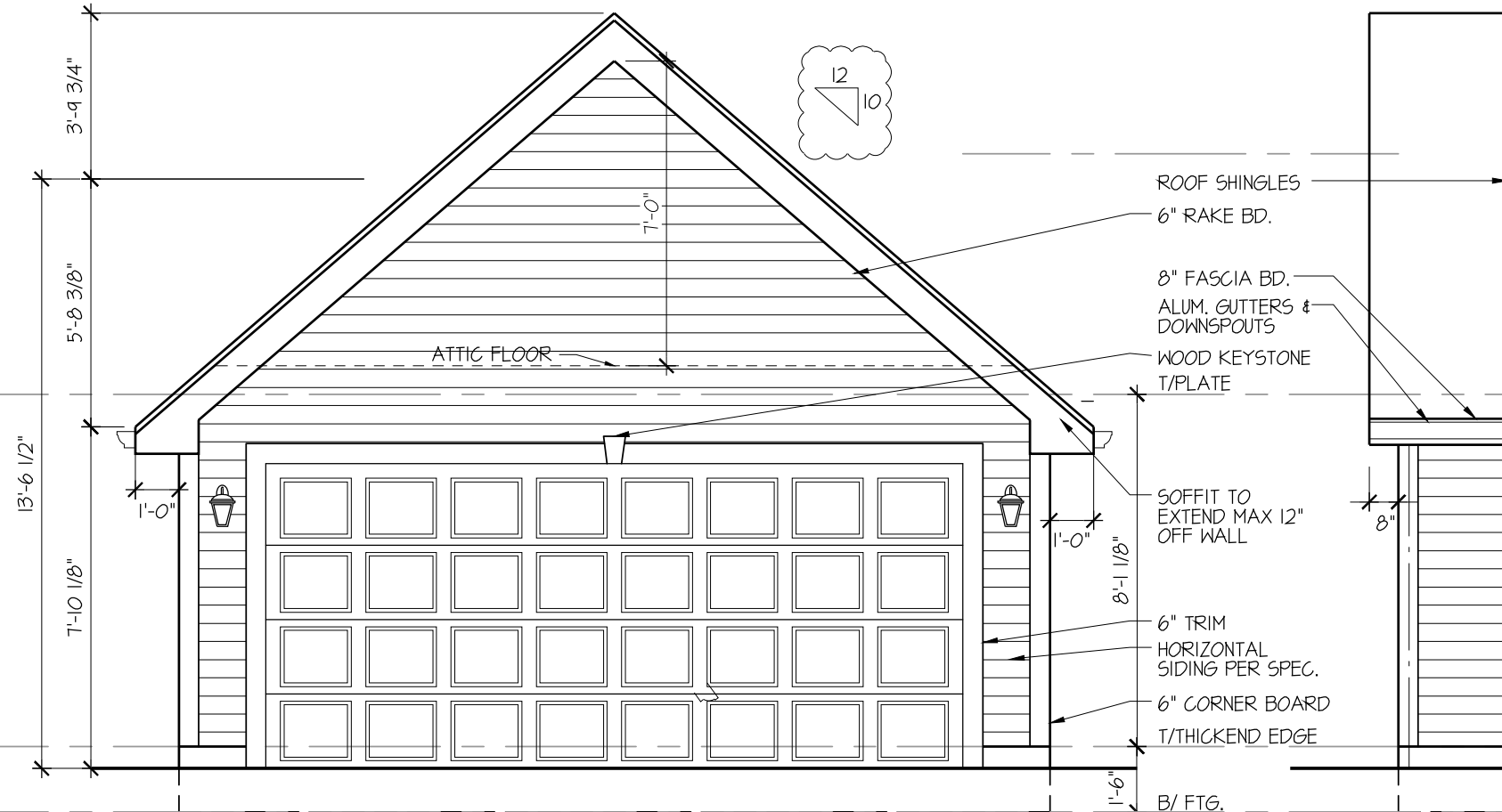
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337

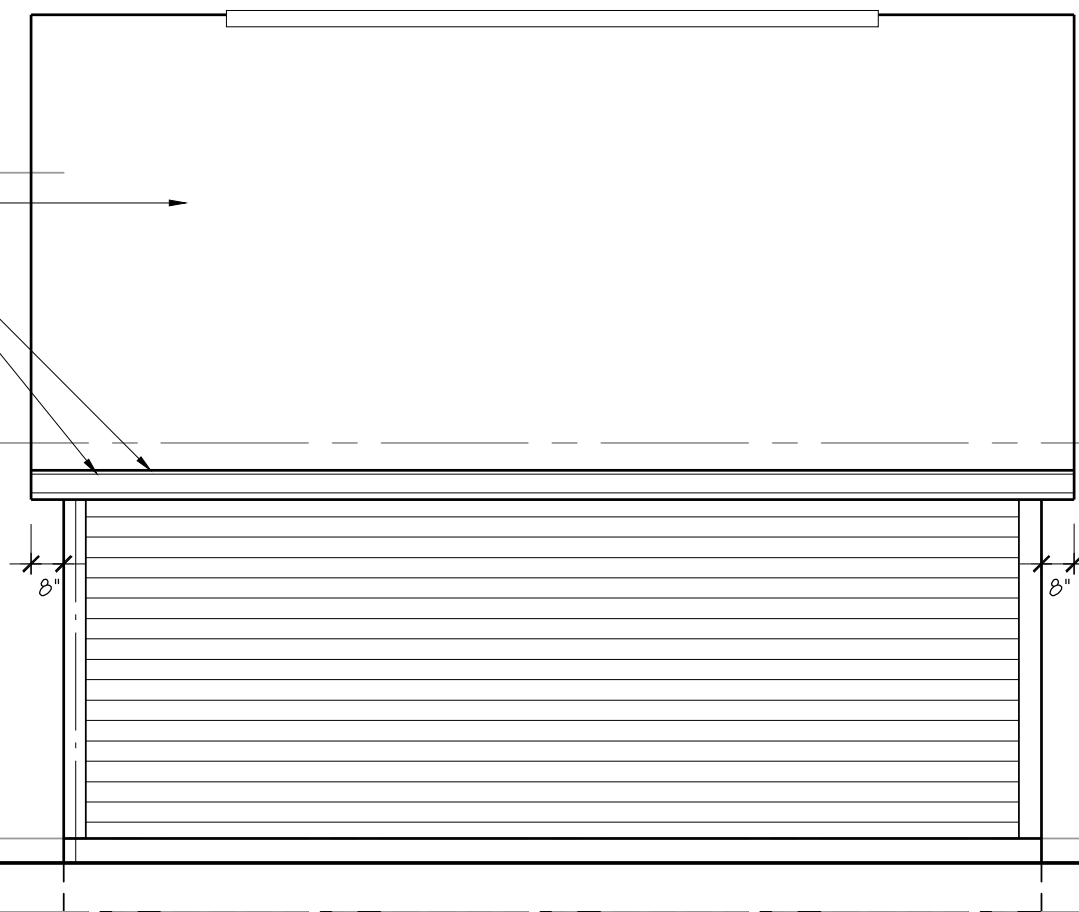
41



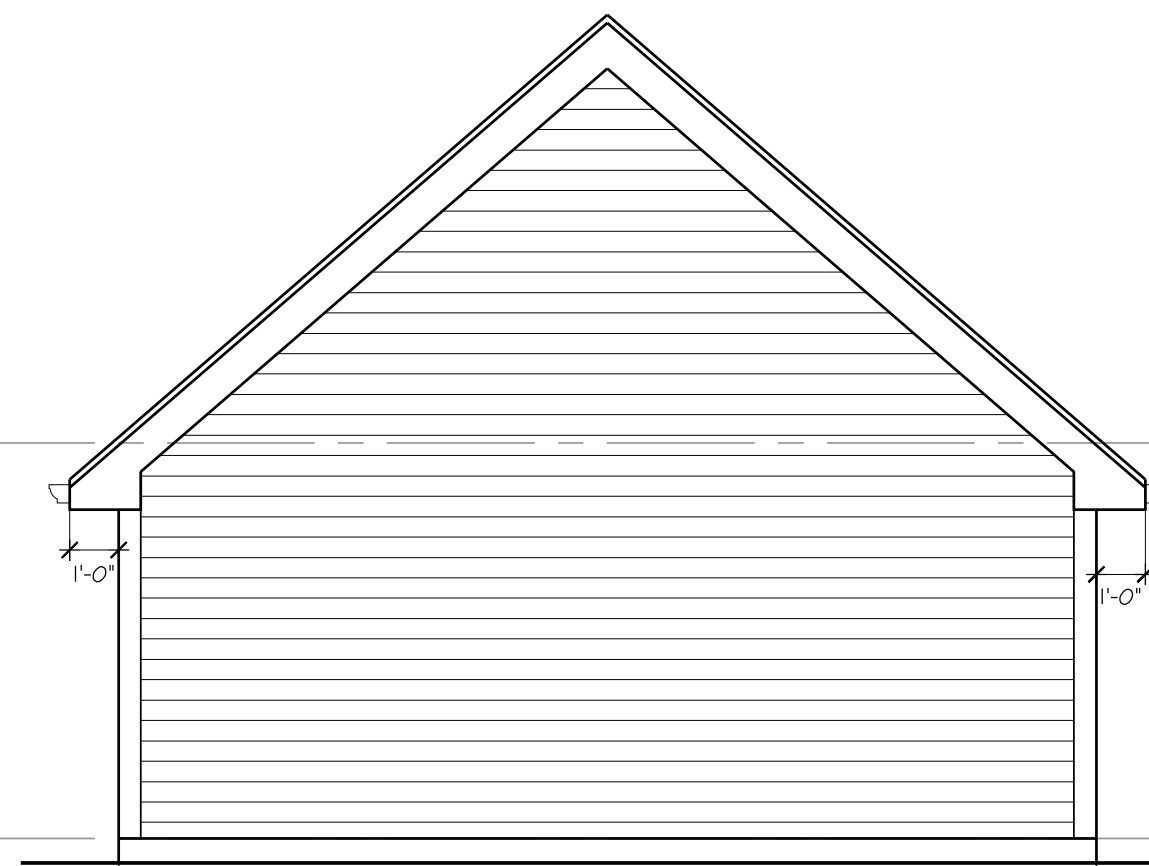
LEFT SIDE ELEV.
SCALE: 1/4" = 1'-0"



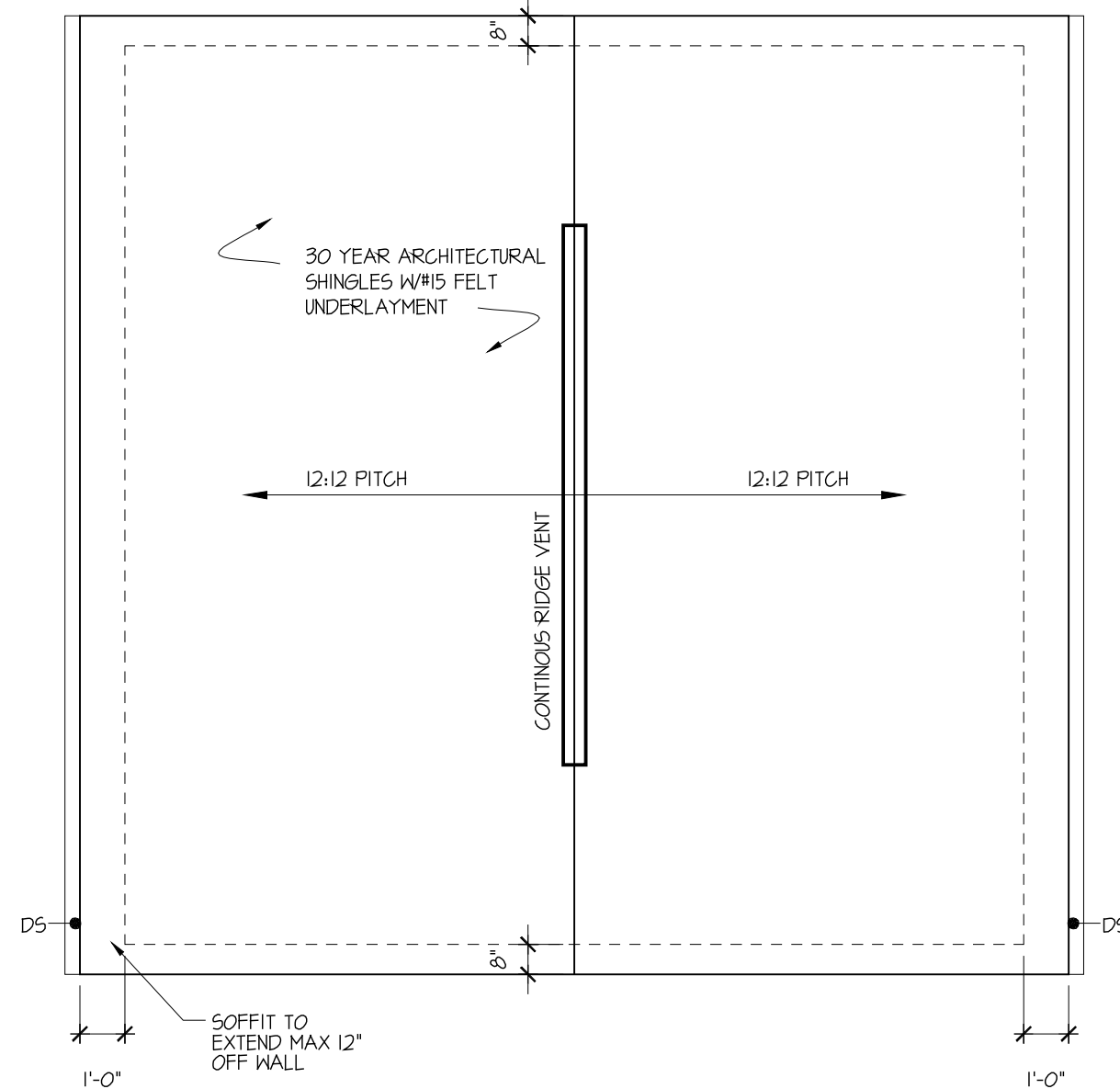
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



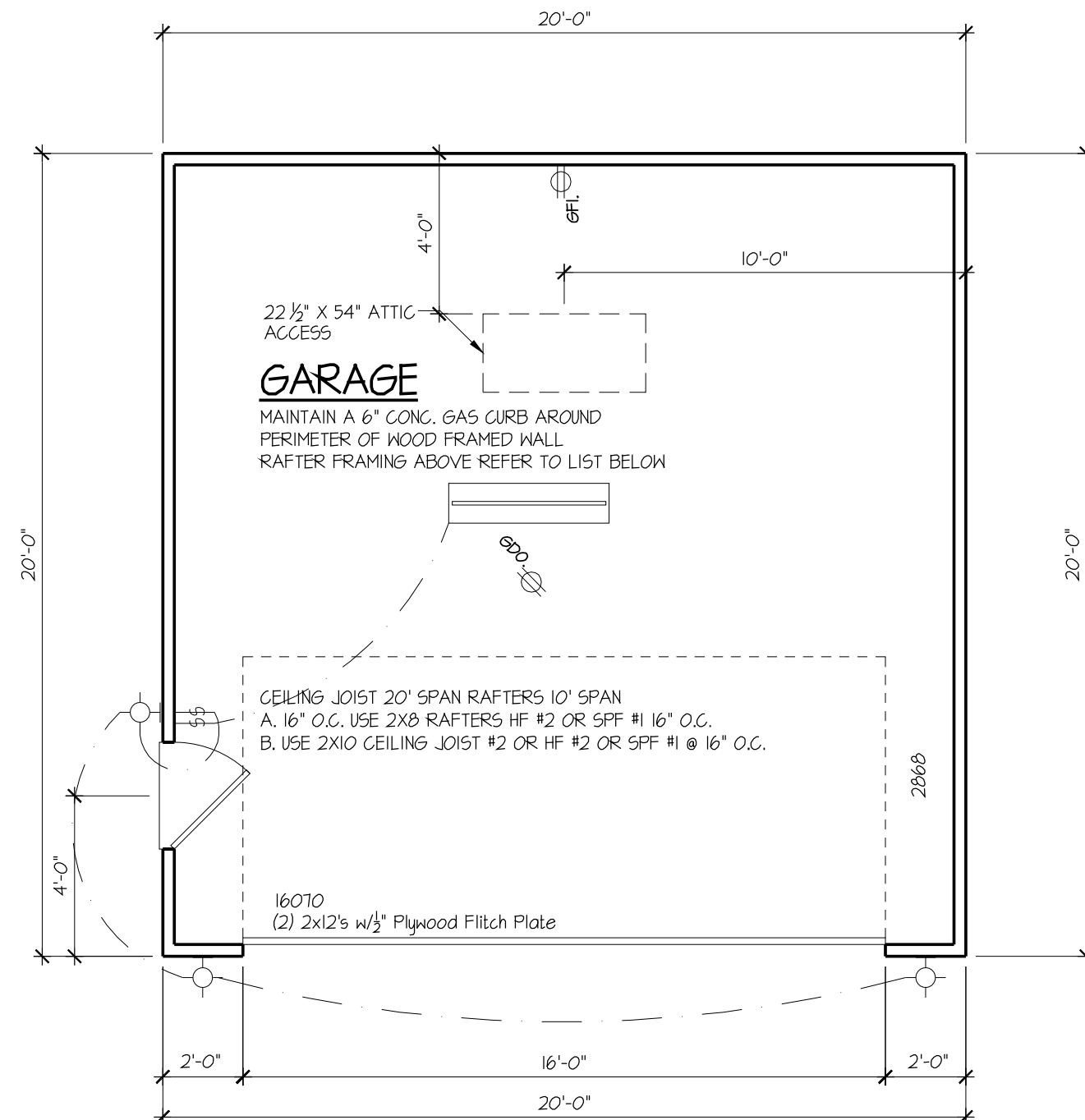
RIGHT SIDE ELEV.
SCALE: 1/4" = 1'-0"



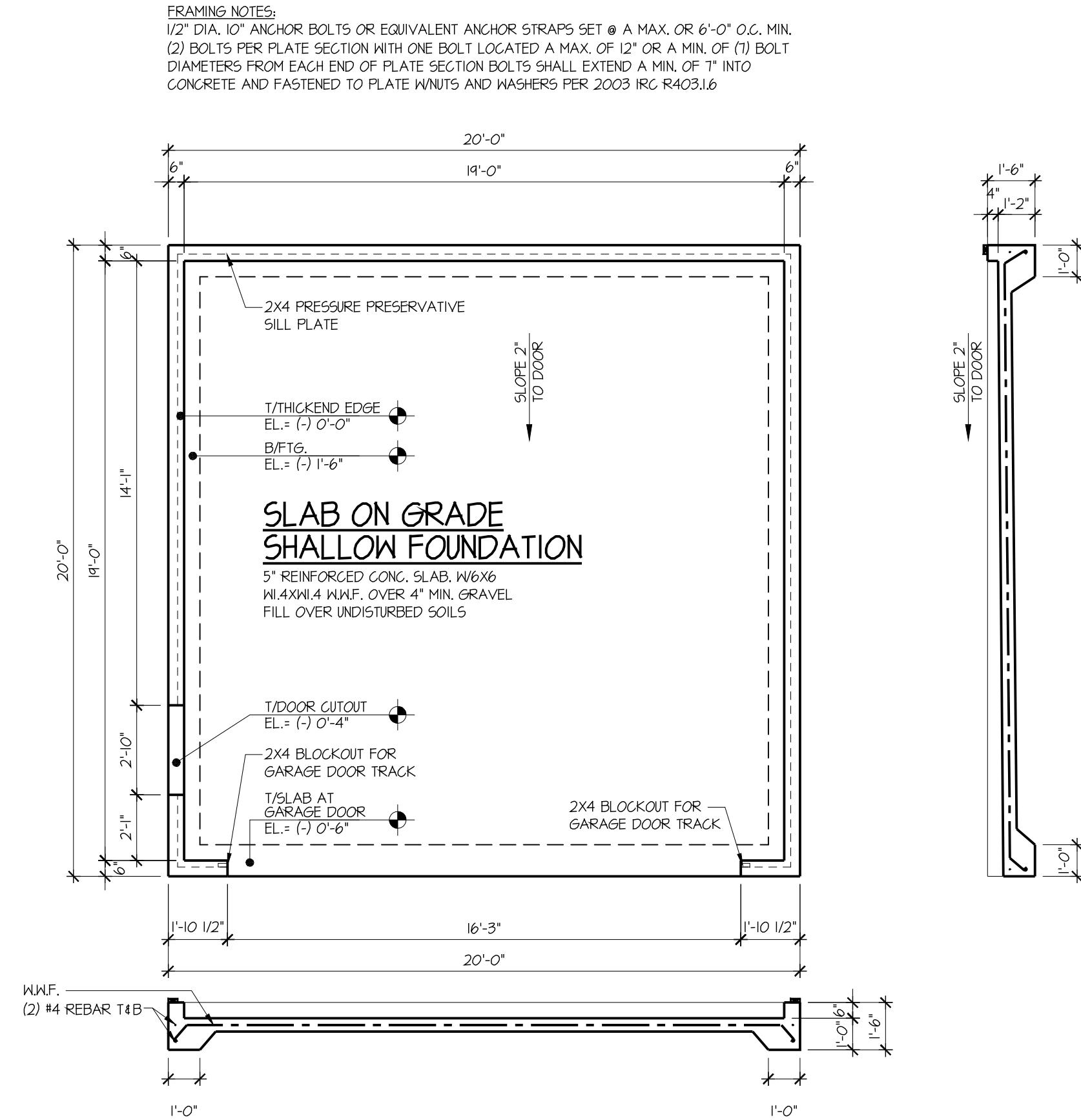
REAR ELEVATION
SCALE: 1/4" = 1'-0"



ROOF PLAN
SCALE: 1/4" = 1'-0"
NOTES:
REFER TO FIRST FLOOR PLAN LIST FOR RAFTER FRAMING SIZE AND SPACING OPTIONS



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"
NOTES:
ROOF INFORMATION
REFER TO ROOF FRAMING LIST ABOVE FOR RAFTER FRAMING
WALL INFORMATION
GARAGE WALL: 12 3/4" 2X4 #2 SPF GRADE OR BETTER @ 24" O.C.
PLAN INFORMATION
ALL DIMENSIONS ARE TO FACE OF STUD TO FACE OF STUD
THE CONDITIONS LISTED HERE ARE STANDARD FOR THIS PLAN ELEVATIONS.
EXCEPTIONS ARE NOTED IN THE PLAN



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"
NOTES:
FOUNDATION WALLS
GARAGE SLAB ON GRADE W/INTEGRAL 6"x6" CONCRETE CURB: 8" 3000 PSI POURED CONCRETE

LANDMARK
BUILDING GROUP

Winnetko, IL
(239) 839-1855

Design Firm License # 184.008073
TLH ARCHITECTS &
DEVELOPERS LTD.
THOMAS L. HICKMAN
ARCHITECT
LONG GROVE, ILLINOIS
PH: (847) 772-8443

NO.	DATE	BY	ISSUED FOR
01	9/15/21	TH	RESPONSE TO 5/27/21 REVIEW
02	10/22/21	TH	RESPONSE TO 9/15/21 REVIEW
03	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

BL-DL SPEC. RESIDENCE
332 ADAMS
GLENCOE, ILLINOIS
* Garage Plan

DATE:	03/01/21
DRAWN:	T.H.
CHECKED:	T.H.
PROJECT NO.	--

Sheet No.

G1.1

--



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Board of Appeals Memorandum – 391 Adams Avenue

DATE: July 22, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Appeal and variation requests regarding front setbacks for the replacement and enlargement of front stoop and steps at 391 Adams Avenue

Background: The applicant is appealing a determination by staff to deny a building permit for the replacement and enlargement of front steps at a single-family residence at 391 Adams Avenue in the RC zoning district. If the appeal is granted, the applicant will be able to construct the steps as proposed. If the appeal is denied, the applicant has requested a variation from the zoning code to reduce the required front setback for the proposed stoop and steps. However, the steps as proposed would reduce the required setback more than can be granted by the ZBA. If the ZBA grants the requested variation, the applicant can construct a modified version of the proposed stoop and steps.

Appeal of staff determination

With a front setback of 31.10 feet to its front wall, the existing house is non-conforming per the front setback requirement on the property, which is the average of the others on the block frontage. Staff does not have surveys of all existing properties on the block, but estimates the required setback to be approximately 38 feet. There are existing front steps within the setback, which could be replaced without a variation, provided that they are not expanded or brought any closer to the front or side property lines. The steps as currently constructed and as proposed extend approximately 12 feet into the required front setback and slightly into the required side setback.

The applicant has proposed replacing the front stoop and steps and expanding them to the west, away from the side property line. This larger footprint within the front setback would constitute an increase in the existing non-conformity and would not be allowed without a variation. However, as discussed below, the required variation for the steps as proposed would exceed what can be granted by the ZBA.

Stoops and steps can be within a required front setback if certain conditions are met. Sec. 3-111(G)(5) lists allowable structures in required yards, including “outside stairways and ramps to first floors; provided that any platforms therefor shall not project more than four feet from an exterior wall, exceed four feet in height, or extend more than one foot on either side of the door opening; provided further

that no stairways or ramps shall be wider than such platform.” Because the steps as proposed are wider than the platform, they would not be allowed within the setback under this provision.

Additionally, Sec. 3-111(G)(21) includes “Special Front Yard Setbacks for Certain Covered Entryways”:

21. Special Front Yard Setback for Certain Covered Entryways.

Notwithstanding the setback requirements otherwise applicable to structures accessory to a single family dwelling, not more than one covered entryway may be erected and maintained in the required front yard on a zoning lot, but only in accordance with the terms and conditions of this Paragraph.

(a) The covered entryway shall be open on three sides, except for column supports.

(b) The covered entryway shall be one-story; shall not exceed 13 feet in height, nor 12 feet in width, nor 6 feet in depth; and shall consist of no more than 72 square feet in area.

No variation shall be permitted from any of the foregoing conditions. Any covered entryway constructed in accordance with the reduced front yard setback authorized pursuant to this Paragraph shall not subsequently be eligible for a variation with respect to such front yard setback.

The steps as proposed meet all these requirements, except for the fact that they are not covered. Staff has determined that to be granted this front setback allowance, the stoop and steps must be covered. In consultation with the Village Planner, staff concluded that the code’s inclusion of the word “covered” may have been the result of the Village trying to encourage the social aspects of front porches, rather than for providing accommodations for steps and entry platforms.

As noted in the attached letter, the applicant is appealing the determination that entryways must be covered to be allowed in the front setback if the other criteria listed above from Sec. 3-111(G)(21) are met. Staff agrees that the lack of a cover over the steps may be constitute what could be considered a less substantial encroachment into the front setback than a covered entryway, but has determined that a cover is required per the text of the code.

If the applicant’s appeal is approved, the steps could be built as proposed under the provisions of Sec. 3-111(G)(21). If the appeal is denied, new steps could be built under the provisions of Sec. 3-111(G)(5), which would not allow the expansion of the steps as proposed. The steps could not be wider than the landing platform.

Variation request

If the appeal described above is denied, the applicant is requesting a variation from the zoning code to reduce the required front setback for the replacement and expansion of a front stoop and steps. The maximum setback reduction allowed on this property is to not less than 25% of lot depth, or 26.19 feet.

The requested variations are from the following standard in the Zoning Code:

- 1. Section 3-111(C)(1) – To reduce the required front setback from approximately 38 feet to 26.19 feet, a variation of approximately 31%*

Variation	Existing	Allowed	Proposed	Variation %	Max. Allowable Variation %
Front setback	30.1’ (to front wall)	38’ (approx..)	26.19’ (to expanded steps)	25% lot depth	25% lot depth

Analysis: The Zoning Code includes the following standards for the consideration of variation requests:

- 1.) *General Standard. No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection.*

The applicant is requesting a variation to allow for replacement steps to expand an existing encroachment into the front setback. The steps would not be closer to the front property line, but would expand the footprint of the structure within the front setback. The proposed steps would not expand the footprint of the structure within the required side setback. The ZBA cannot grant a variation to less than 25% of lot depth, or 26.19 feet, which means that the plans proposed by the applicant would need to be modified if a variation is granted.

- 2.) *Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.*

The subject property is approximately 52% the size of a minimally conforming 10,000-square-foot RC-zoned lot. The 50-foot-wide property also does not meet the minimum 60-foot minimum lot width in the district. It is also exceptionally shallow at 104.75 feet, which does not meet the minimum 125-foot depth for new lots. The location of the existing house is also an unusual physical condition, as it is already approximately eight feet into the required front setback, with steps extending further toward the front property line. The fact that the house has one of the smallest, if not the smallest, front setbacks on the block frontage presents an exceptional hardship. Due to these physical conditions, the ZBA's ability to grant a front setback variation is limited.

- 3.) *Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.*

None of these physical characteristics are the result of any actions by the property owner.

- 4.) *Not Merely Special Condition. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.*

The proposed variation is not merely due to an inability to make more money from the use of the property.

- 5.) *Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted.*

The proposed project would likely be in keeping with purposes of the zoning code.

- 6.) *Essential Character of the Area. The variation would not result in a use or development on the subject property that:*
- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
 - (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
 - (c) Would substantially increase congestion in the public streets due to traffic or parking; or*
 - (d) Would unduly increase the danger of flood or fire; or*
 - (e) Would unduly tax public utilities and facilities in the area; or*
 - (f) Would endanger the public health or safety.*

The project as proposed would be unlikely to have a significant negative impact on nearby properties.

This variation and appeal 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 appeal and variation requests of be accepted or denied. The Board should first consider the appeal request, followed by the variation request.

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

Move to accept/deny the request for an appeal to the staff determination that the project as proposed is not allowed within the required front setback.

Move to accept/deny the request for a variation to reduce the required front setback, per the plans submitted with the application, at 391 Adams Avenue.



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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: 391 Adams Ave

Applicant name: Jason Handelman Applicant phone: 312-305-2232

Applicant email: Handelman.Jason@Gmail.Com

Owner name (if different from applicant): _____

Owner phone: _____ Owner email: _____

Brief description of project:

Rebuild Front Steps

Variation request(s):

We would like to redesign the steps to not only come straight down toward the front of the house, but to also come down to the West towards our front patio in order to create more of a front porch atmosphere.



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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.

The variation is necessary because the code currently allows for such a structure that we are proposing if it was covered. We believe a variation is necessary because the structure of the front steps we are proposing we believe to be less intrusive than if it was covered, and also that our proposed structure will enable the goal of creating a more inviting front porch area in which to gather as the code allowing the covered structure was designed to enable.

The mathematical equation that is calculated to show the percentage for which we propose to enlarge the structure is affected by the one house on our street that is set back far more than the others (365 Adams Ave.). We would like to note that the structure of this house is not in line with the rest of the houses on our block and is likely to be torn down and rebuilt, in which case is not at all likely to be rebuilt with the same distance to the sidewalk. If this house were not in the equation, I do not believe that the percentage increase proposed would be nearly as significant. Furthermore, there are several houses and vacant lots on our street that pose much more of unusual state than what we are proposing to increase the appearance of our house.



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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.

The proposed variation, to allow our front steps to come both forward and to the West would improve our curb appeal by creating a more inviting front porch area. This will better enable gatherings in the front of our house by creating usable space in an otherwise unusable area to connect the front door to the front patio area.

Again, this is less intrusive than if the structure was covered, as is currently allowed in the code.

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?

We have discussed our plans with many of our neighbors and they do not understand why the Village of Glencoe would have an issue with our proposed structure. We have many neighborhood gatherings at our house and this would definitely be a positive improvement to not only our house, but the sociability that these improvements would enable.

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.



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Section D: Acknowledgement and Signature



I hereby acknowledge that all information provided in this application is true and correct.


Applicant's signature

6/9/22

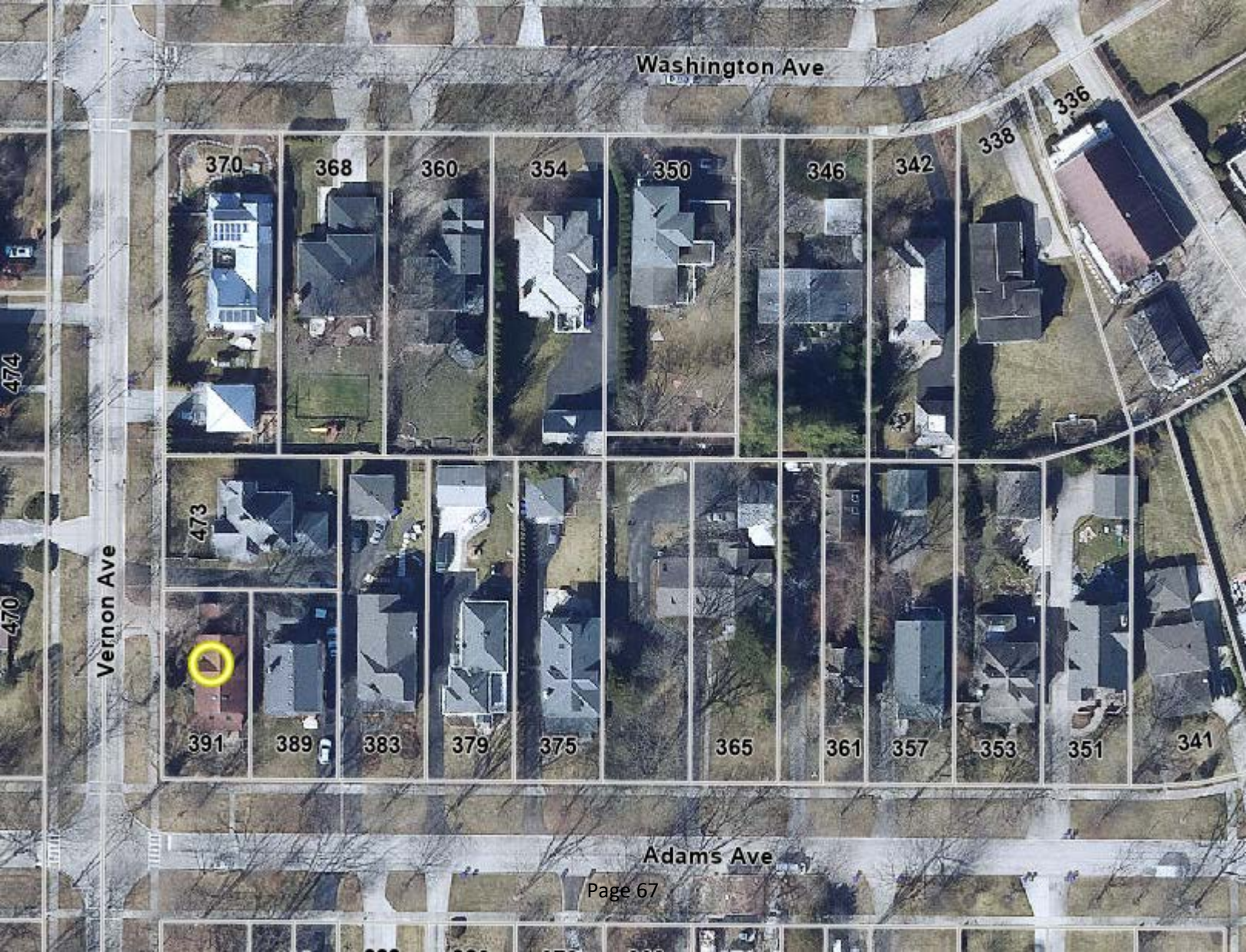
Date

Owner's signature (if different than applicant)

Date

Appeal description from applicant

We are appealing this decision because we believe that the staff's interpretation of the code should be different for the following reasons. We believe that our front steps should be able to be built as proposed in the plans laid out here under the covered entry section. Our plans, as written, do align with the intention of this section of the code to promote front area community activities and promote socialization in the front area of the house and neighborhood. We acknowledge that if our plans included a covered structure we would not need to file this appeal, and further note that if the structure was covered it would be more obtrusive to neighbors and would detract from the purpose of this section of the code in which is to promote community activity. Thank you in advance for your consideration of this appeal.



Washington Ave

370

368

360

354

350

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361

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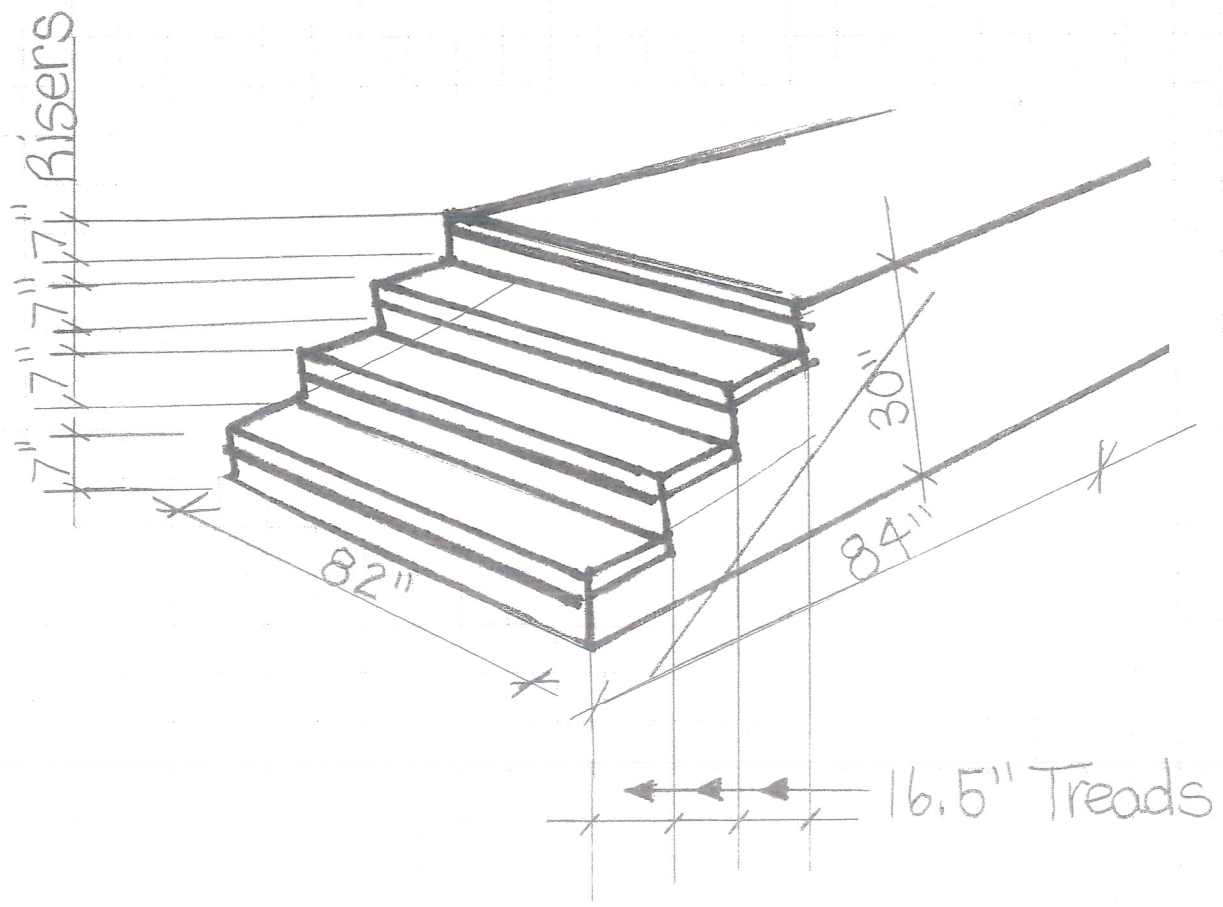
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341

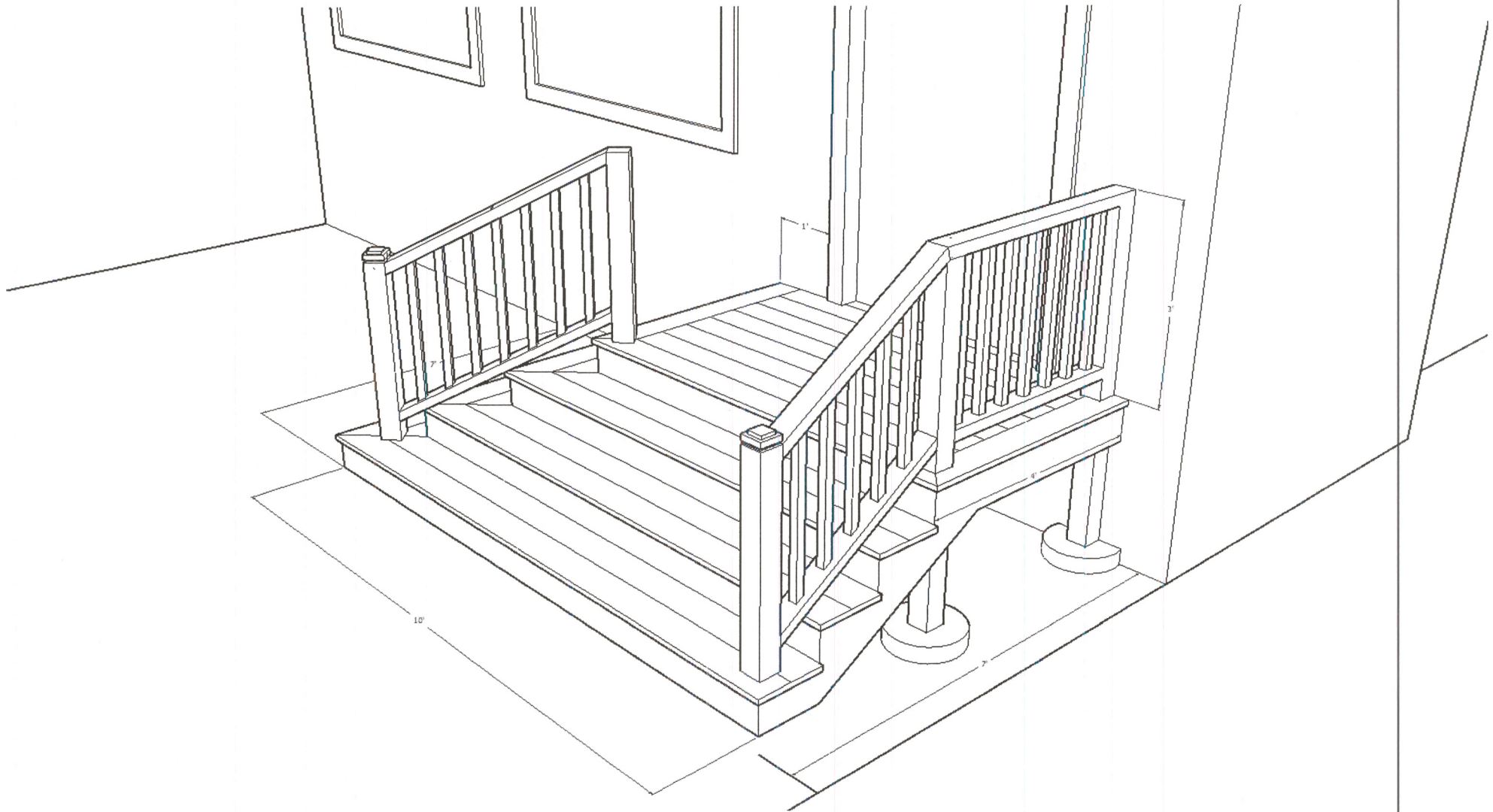
Vernon Ave

Adams Ave

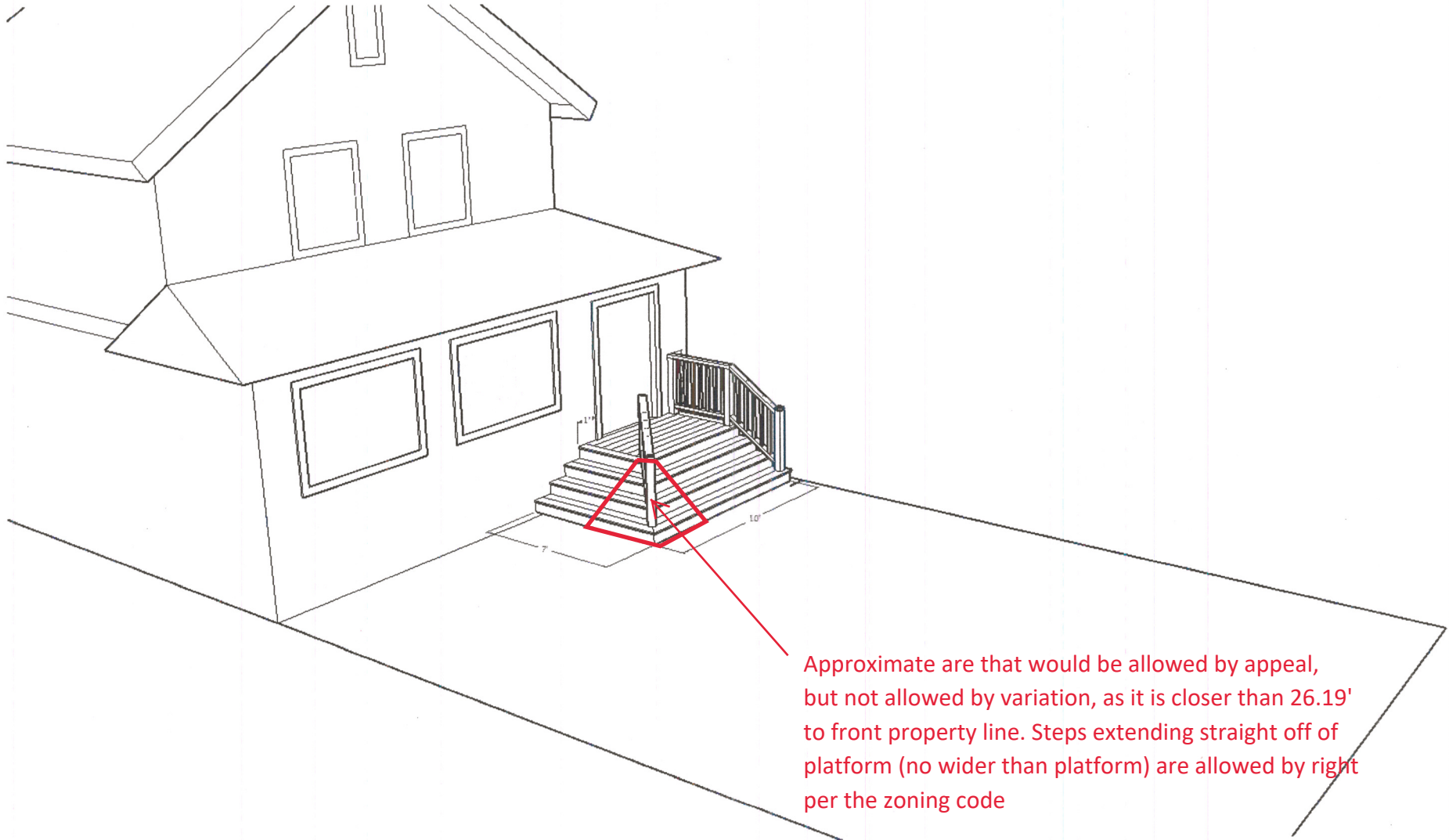
Existing Front Stairs



Proposed



Proposed



MORRIS
ENGINEERING, INC.

5100 S. LINCOLN LISLE, ILLINOIS 60532
MAIN PHONE: (630)271-0770 SURVEY DEPT. PHONE (630)271-0599
EMAIL: SURVEY@ECIVIL.COM WEBSITE: ECIVIL.COM

PLAT OF SURVEY



BASIS OF BEARING:
NORTH LINE OF ADAMS AVENUE AS FOUND
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION PLAT.
N90°00'00"E (A)

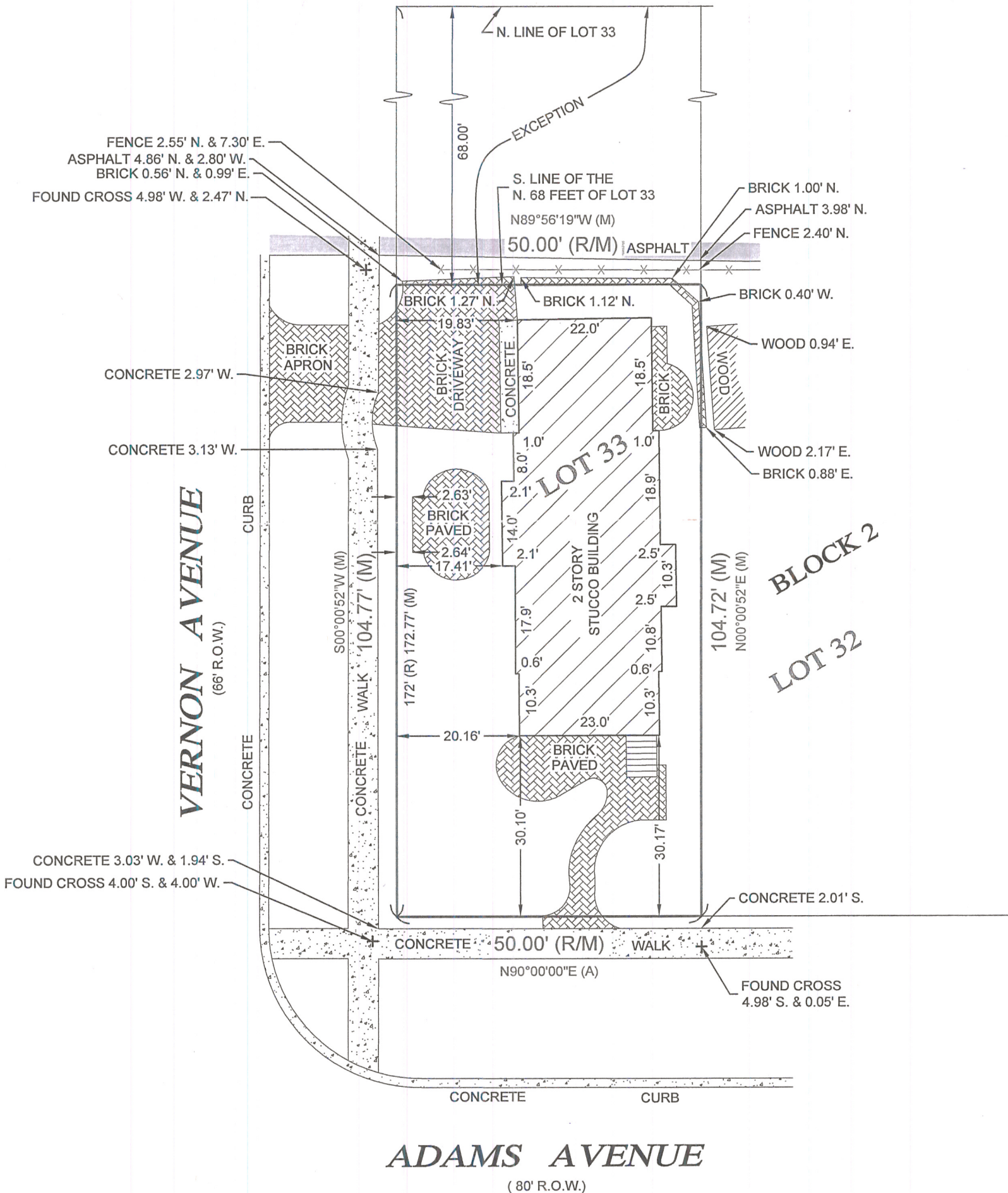
LEGEND
A = ASSUMED
BL = BUILDING SETBACK LINE
C = CALCULATED
C.E. = CITY EASEMENT
CH = CHORD
CL = CENTERLINE
D = DEED
D.E. = DRAINAGE EASEMENT
E = EAST
F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
FT. = FEET/FOOT
L = ARC LENGTH
M = MEASURED
N = NORTH
NE = NORTHEAST
NW = NORTHWEST
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.U. & D. E. = PUBLIC UTILITY & DRAINAGE EASEMENT
R = RECORD
RAD = RADIUS
R.O.W. = RIGHT OF WAY
S = SOUTH
S.I.P. = SET IRON PIPE
S.I.R. = SET IRON ROD
SE = SOUTHEAST
SW = SOUTHWEST
V.E. = VILLAGE EASEMENT
W = WEST
X = FENCE
= EASEMENT LINE
= SETBACK LINE

AREA OF SURVEY:

"CONTAINING 5,237 SQ. FT. 0.12 ACRES MORE OR LESS"

LOT 33 (EXCEPT THE NORTH 68 FEET) IN BLOCK 2 IN HARTWELL'S ADDITION TO GLENCOE SECTION 7
TOWNSHIP 42 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

20' PUBLIC ALLEY



STATE OF ILLINOIS
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREDON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 27th DAY OF NOVEMBER, A.D., 2012, AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2181
LICENSE EXPIRATION DATE NOVEMBER 30, 2014
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



NOTE:

- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.

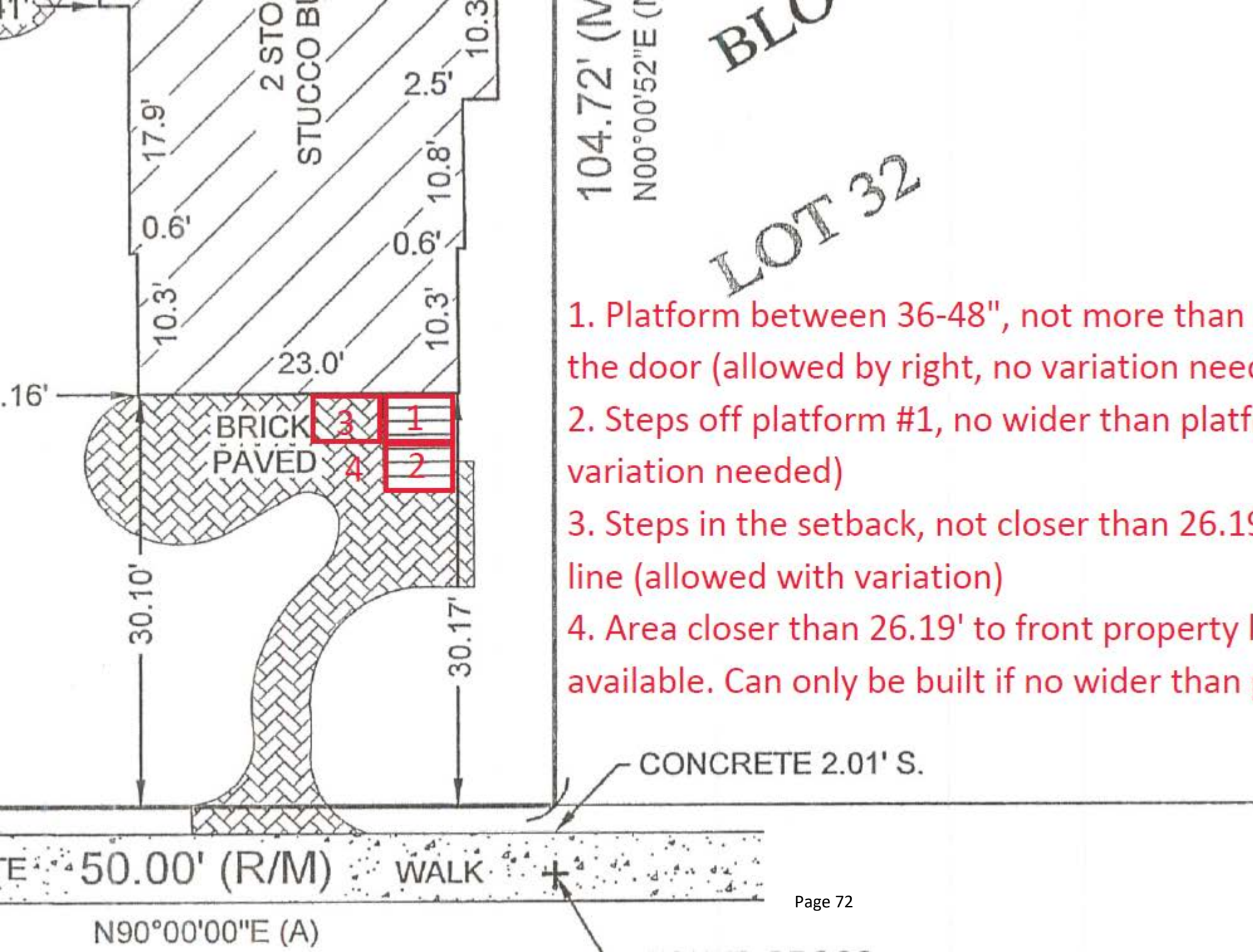
ADDRESS COMMONLY KNOWN AS 391 ADAMS AVENUE
GLENCOE, ILLINOIS

CLIENT SIMON, LAPIDOS & UHLER, LLC

JOB NO. 12-11-0082

FIELDWORK DATE/CREW CHIEF 11/19/12 DS/MM

DRAWN BY: OZ REVISED:



1. Platform between 36-48", not more than 1' beyond either side of the door (allowed by right, no variation needed)
2. Steps off platform #1, no wider than platform (allowed by right, no variation needed)
3. Steps in the setback, not closer than 26.19' to the front property line (allowed with variation)
4. Area closer than 26.19' to front property line; No variation available. Can only be built if no wider than platform #1