



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

675 Village Court
November 7, 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 OCTOBER 3, 2022 ZONING BOARD OF APPEALS MEETING MINUTES

3. CONSIDERATION OF A REQUEST FOR A VARIATION TO ALLOW A POOL AT AN EXISTING SINGLE-FAMILY RESIDENCE WITHIN THE REQUIRED FRONT SETBACK ON A CORNER LOT AT 1085 BEINLICH COURT

4. CONSIDERATION OF A REQUEST FOR A VARIATION TO ALLOW AN ADDITION AND DECK AT AN EXISTING SINGLE-FAMILY RESIDENCE TO ENCROACH INTO THE REQUIRED SIDE SETBACK AT 364 JACKSON AVENUE

5. CONSIDERATION OF A REQUEST FOR A VARIATION TO ALLOW A PERGOLA ATTACHED TO A NEW SINGLE-FAMILY RESIDENCE TO ENCROACH INTO THE REQUIRED FRONT SETBACK AT 707 BLUFF STREET

6. PUBLIC COMMENTS ON NON-AGENDA ITEMS

7. 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, October 3, 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 October 3, 2022, held in the Finance Conference Room at Glencoe Village Hall.

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

2. CONSIDERATION OF MINUTES OF THE AUGUST 1, 2022, ZBA MEETING

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

3. CONSIDERATION OF A VARIATION REQUEST AT 980 GREEN BAY ROAD

Taylor Baxter gave a brief overview of the case, stating that the applicants are proposing to install rooftop solar panels that would encroach into the required front yard setback:

1. *Section 3-111(C)(1) – To reduce the required front setback from 42 feet to 30.42 feet, a variation of 27.57%.*

Mr. Baxter then clarified that typically, the ZBA cannot grant setback reductions of more than 20%, however, this limit does not apply to the vertical expansion of non-conforming structures since the existing home appears to be within the required front yard setback.

Mr. Baxter noted that the Village received a note from the neighbor directly south of the subject property at 977 Vernon Avenue, who did not state support or opposition, but did have concerns regarding the visual and reflectivity impacts, as well as snow melt runoff from the panels.

Richard McGowan then swore in the applicant, Mr. Noah Rothschild with Fresh Coast Solar. Mr. Rothschild stated that the hardship is that they cannot move the house, which is a non-conforming structure, and that the only other place to install the panels would be on the north side of the roof, which would not make sense with relation to the sun.

Mr. Baxter then provided Google Streetview examples of the neighbor's proximity to the existing residence and proposed solar panels at 980 Green Bay Road.

Chairman Novack asked Mr. Rothschild to address the neighbor's concerns. Mr. Rothschild stated that the solar panels are not like a ramp where the snow would shoot off of them and land on their driveway, and in all likelihood, they would melt and drip directly onto the subject property's roof since they do not cross the eaves or gutters. Chairman Novack asked Mr. Rothschild if he's ever had complaints of snow shooting off of panels when it melts and Mr. Rothschild confirmed he has not. Board Member Sara Elsasser asked about the reflectivity from adjacent properties and Mr. Rothschild noted that the panels have a gloss and are designed to absorb light and not reflect it.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments. No public comments were made.

Chairman Novack asked the ZBA if they had any additional questions or comments. No additional comments or questions were made at this time. A motion was made and seconded to deny the requested variance as submitted.

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.

- b. There are practical difficulties and there is a hardship in the way of carrying out the strict letter of Section 3-111(C)(1) of the Glencoe Zoning Code as applied to the lot in question.
- c. The plight of the owner is due to unique circumstances.
- d. The requested variation will not alter the essential character of the locality.
- e. The requested variation will not set a precedent unfavorable to the neighborhood or to the Village as a whole.
- f. The spirit of the Zoning Code will be observed, public safety and welfare will be secured, and substantial justice will be done if the requested variation is granted.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request to reduce the required front yard setback at 980 Green Bay Road be granted in substantial conformity with the drawings or plans submitted by the owner, and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

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

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

RESULT:	APPROVED
AYES:	Novack, Elsasser, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	None

4. CONSIDERATION OF A VARIATION REQUEST AT 152 OLD GREEN BAY ROAD

Mr. Baxter gave an overview of the case, stating that the applicants are seeking a gross floor area variation to construct a new pergola at an existing single-family residence at 152 Old Green Bay Road:

1. *Section 3-111(E) – To increase the allowable gross floor area from 4,083.22 feet to 4,116.47 square feet, a variation of 0.81%.*

. Baxter noted that the pergola is proposed to meet the setback requirements, with a proposed size of 307.5 square feet, whereas the applicants are allowed a 275.22 square-foot pergola without a variation. Mr. Baxter noted that most pergolas are eligible for a 250-square-foot gross floor area exclusion, and even with the exclusion, they would still exceed the allowable limit.

Mr. Baxter stated that the Village received one letter of support from a neighbor directly across the street at 186 Woodlawn Avenue, and the Village has not received any letters of opposition.

Chairman Novack noted that this request seems straightforward. Mr. McGowan then swore in the applicant, Gina Giannetti with O'Brien Landscape. Ms. Giannetti stated that the proposed location conforms with the existing architecture and usability of the outdoor patio seating area. Ms. Giannetti also noted that an alternative location further south would block the homeowner's windows, and that they have not heard of any opposition.

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. No comments were made at this time.

Chairman Novack asked the ZBA if they had any additional questions or comments. No additional comments or questions were made at this time. A motion was made and seconded to deny the requested variance as submitted.

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
 - b. There are practical difficulties and there is a hardship in the way of carrying out the strict letter of Section 3-111(E) of the Glencoe Zoning Code as applied to the lot in question.
 - c. The plight of the owner is due to unique circumstances.
 - d. The requested variation will not alter the essential character of the locality.
 - e. The requested variation will not set a precedent unfavorable to the neighborhood or to the Village as a whole.

- f. The spirit of the Zoning Code will be observed, public safety and welfare will be secured, and substantial justice will be done if the requested variation is granted.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request to increase the gross floor area at 980 Green Bay Road be granted in substantial conformity with the drawings or plans submitted by the owner, and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

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

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

RESULT:	APPROVED
AYES:	Novack, Elsasser, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	None

5. CONSIDERATION OF A VARIATION AT 120 OLD GREEN BAY

Mr. Baxter gave an overview of the requested variation, explaining that the applicants are proposing to encroach into the required side yard setback to replace an existing detached garage in the exact same footprint:

1. *Section 3-111(C)(2) – To reduce the required side setback from 12 feet to 1.77 feet, a variation of 85.25%.*

Mr. Baxter clarified that typically the ZBA cannot grant setback reductions of more than 20%, however, this limit does not apply to the replacement of an existing non-conforming structure within the same footprint and/or the vertical expansion of such a structure. Mr. Baxter noted that the proposed roofline has changed from the existing garage, but the footprint will remain the same. Mr. Baxter then shared pictures of the existing garage and its location with relation to the neighboring property, and noted that the Village only received letters of support, including the neighbor directly south at 112 Old Green Bay Road, closest to the garage.

Chairman Novack noted that it's very helpful and important that the neighbor closest to the garage is in support, there is no opposition, and that it will help replace a dilapidated structure.

Mr. McGowan then swore in the applicant, Healy Rice, who is the Architect speaking on behalf of the homeowners at 120 Old Green Bay Road. Ms. Rice noted that because of existing water issues, it makes the most sense to leave the garage where it currently sits.

Chairman Novack asked what the primary use of the garage will be. Ms. Rice stated that it would be a flexible storage space and potentially a garage for vehicles in the future, but there is currently no access for vehicles.

Chairman Novack thanked staff and asked the ZBA Members if they had any questions. No questions were asked at this time.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments. No public comments were made.

Chairman Novack asked the ZBA if they had any additional questions or comments. No additional comments or questions were made at this time. A motion was made and seconded to deny the requested variance as submitted.

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
 - b. There are practical difficulties and there is a hardship in the way of carrying out the strict letter of Section 3-111(C)(2) of the Glencoe Zoning Code as applied to the lot in question.
 - c. The plight of the owner is due to unique circumstances.
 - d. The requested variation will not alter the essential character of the locality.
 - e. The requested variation will not set a precedent unfavorable to the neighborhood or to the Village as a whole.
 - f. The spirit of the Zoning Code will be observed, public safety and welfare will be secured, and substantial justice will be done if the requested variation is granted.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request to reduce the required side yard setback at 120 Old Green Bay Road be granted in substantial conformity with the drawings or plans submitted by the owner, and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

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

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

RESULT:	APPROVED
AYES:	Novack, Elsasser, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	None

6. CONSIDERATION OF A VARIATION AT 413 ADAMS AVENUE

Mr. Baxter explained that the applicants are seeking a variation to reduce the required front yard setback to allow for the construction of a new single-family residence at 413 Adams Avenue:

1. *Section 3-111(C): To reduce the required front setback from 39.89 feet to 33 feet, a variation of 17.28%.*

Mr. Baxter explained that the applicants are proposing to match the existing front setback of the home at 413 Adams; it currently is 32.68 feet from the front lot line, and the applicants are proposing it to be 33 feet from the front lot line. Mr. Baxter then explained how the front setback is determined, by calculating the average existing front setbacks between Greenwood Avenue and Vernon Avenue and noted that the homes directly east and west of 413 Adams have front setbacks between 32.68 feet and 33.51 feet.

Chairman Novack then asked for clarification on the front porch. Mr. Baxter explained that the front porch is too large to encroach into the required front setback, so the front setback is measured from the front lot line to the front porch, not the exterior wall of the proposed residence. Mr. McGowan then swore in the applicant, Magdalena Rechul with Northern

Developers, LLC, based out of Schaumburg, Illinois. Ms. Rechul stated that they would like to build the new home in a similar location to where it currently sits. Chairman Novack asked Ms. Rechul if she is the owner or builder and Ms. Rechul stated that she is the owner and the builder and that she is planning on selling it, but is unsure if that will be the case.

Board Member Dena Fox asked if the variation request is for the front porch and Mr. Baxter confirmed that is technically correct since the home itself meets the setback requirements. Board Member Alex Kaplan asked if the front porch would span across the entire front of the house and staff confirmed that is correct. Chairman Novack noted that the new home may actually feel more open than neighboring homes because of the front porch, and that without any opposition, he is inclined to say that this is a good application. Chairman Novack then asked if the neighboring homes have front porches and staff confirmed from a Google Streetview that they both have front porches. Board Member Michael Kuppersmith asked if any attempt was made by the applicant to contact neighbors. Mr. McGowan then swore in the other applicant, David Rechul of Northern Developers, LLC. Mr. Rechul stated that he has spoken to a neighbor saying that he'll be seeking a variation and he did not receive any opposition. Mr. Rechul added that they just finished building 409 Jackson Avenue in just about 9 months.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments. No public comments were made.

Chairman Novack asked the ZBA if they had any additional questions or comments. No additional comments or questions were made at this time. A motion was made and seconded to deny the requested variance as submitted.

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
 - b. There are practical difficulties and there is a hardship in the way of carrying out the strict letter of Section 3-111(C) of the Glencoe Zoning Code as applied to the lot in question.
 - c. The plight of the owner is due to unique circumstances.
 - d. The requested variation will not alter the essential character of the locality.

- e. The requested variation will not set a precedent unfavorable to the neighborhood or to the Village as a whole.
- f. The spirit of the Zoning Code will be observed, public safety and welfare will be secured, and substantial justice will be done if the requested variation is granted.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request to reduce the required front yard setback at 413 Adams Avenue be granted in substantial conformity with the drawings or plans submitted by the owner, and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

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

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

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

7. CONSIDERATION OF A VARIATION EXTENSION AT 551 MONROE AVENUE

Mr. Baxter explained that the applicants are once again seeking a variation to increase the gross floor area to build an addition to an existing single-family residence at 551 Monroe Avenue:

1. *Section 3-111(E) – To increase the maximum gross floor area from 4,428.58 sq. ft. to 4,977 sq. ft., a variation of 11.02%.*

Mr. Baxter clarified that the applicants were previously granted a gross floor area variation in June of 2021 for this exact same project, and there are no changes from what was previously approved. Mr. Baxter stated that re-approval is required because construction had not begun within one year of the variation that was granted in June 2021. Mr. Baxter noted that the Village did not receive any letters of opposition, and then shared elevations of the proposed addition.

Mr. McGowan then swore in the applicant and homeowner, John Collins of 551 Monroe Avenue. Chairman Novack asked Mr. Collins if the neighbors are the same as they were when his variation was granted in June 2021. Mr. Collins stated that he believes most of them are the same with the exception of one property who he gets along with. Chairman Novack noted that the proposed addition does not appear to be closest to the new neighbors and asked for clarification on the construction delays. Mr. Collins stated that his contractor dragged the project along and he was not aware that the variation expired after one year. Board Member Fox asked to confirm that it's a screened in porch and Mr. Collins confirmed that's correct, and it will go in place of an existing patio.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments. No public comments were made.

Chairman Novack asked the ZBA if they had any additional questions or comments. No additional comments or questions were made at this time. A motion was made and seconded to deny the requested variance as submitted.

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
 - b. There are practical difficulties and there is a hardship in the way of carrying out the strict letter of Section 3-111(E) of the Glencoe Zoning Code as applied to the lot in question.
 - c. The plight of the owner is due to unique circumstances.
 - d. The requested variation will not alter the essential character of the locality.
 - e. The requested variation will not set a precedent unfavorable to the neighborhood or to the Village as a whole.
 - f. The spirit of the Zoning Code will be observed, public safety and welfare will be secured, and substantial justice will be done if the requested variation is granted.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request to increase the allowable gross floor area at 551 Monroe Avenue be granted in substantial conformity with the drawings or plans submitted by the owner, and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Development Services Manager is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

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

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

RESULT:	APPROVED
AYES:	Novack, Elsasser, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	None

8. PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Novack asked the audience if there were any public comments on non-agenda items. no public comments were made.

8. ADJOURN

The meeting adjourned at 7:46 p.m.

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



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Board of Appeals Memorandum – 1085 Beinlich Ct.

DATE: October 28, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Consideration of variation to reduce the required front yard setback to construct an in-ground pool at an existing single-family residence

Background: The ZBA approved a front setback variation for a pool on this property in August 2021, before the approval of a Zoning Code amendment allowing the ZBA to consider greater front setback reductions for corner lots and through lots. At that time, the applicants requested to reduce the required front setback from 50 feet to 40 feet, and to allow for an accessory structure to be nearer to the street than one-half of the lot depth. After plans were approved by Village Staff, the homeowners of 1085 Beinlich determined that the location of the approved pool was not ideal, so they are now seeking a greater front setback exclusion, which was not an option when their original variance was approved in August 2021.

As a result of a recent amendment to the Glencoe Zoning Code related to accessory structure setbacks, homeowners on corner lots and through lots may request a front setback reduction for accessory structures to no less than 12 feet. The intent of this ordinance change was to allow greater flexibility for properties on which what is functionally the lot's only rear yard, is technically a "front" yard as defined by the Zoning Code.

The applicants are still seeking to reduce the required front setback to allow for the construction of an in-ground pool, with a greater setback reduction. The requested variation is from the following standard in the Zoning Code:

1. *Section 3-111(C)– To reduce the required front yard setback from 50 feet to 15 feet.*

	Required	Proposed	Variation %	Previously Approved (2021)
Front Yard Setback	50 ft.	15 ft.	70%	40 ft.

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.*

This is a unique lot with existing conditions that significantly limit where an accessory structure can be constructed without a variance. The applicant is looking to construct an in-ground pool in the rear of their home, however, per the definition of a “corner lot”, the front lot line is along Dundee Road and the rear lot line is the northernmost lot line from Dundee Road, abutting 1091 Beinlich Court. The applicant has stated that the proposed variations would allow the pool to be constructed in the rear of their home and would allow them to maximize their yard space. Additionally, the applicant has noted that the corner lot and existing conditions limit their ability to construct a pool without a variance.

- 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 lot meets the minimum lot width and lot area requirements for the RB district. However, it is a corner lot where what is technically the front yard is in the rear of the home which leads to much greater setback requirements for an accessory structure compared to a typical lot where the front yard is usually in the front of the home. Additionally, the location of the existing structures limits the ability to construct an in-ground pool without a variance.

- 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 lot size and width are not self-created.

- 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 purpose of the variations is not based exclusively on a desire to make more money from the property. Because of the unique physical conditions on the lot, it is unlikely that the granting of the variations would be considered a special privilege.

- 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 purpose of the front setback requirement is to provide relatively uniform appearance along a block frontage. The subject property is located on a corner lot where the rear of the home is oriented towards what is technically the front yard. Given the orientation of the four homes on Beinlich Court and existing screening at 1085 Beinlich Court, the variation is unlikely to be out of harmony with the purposes of the 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 proposed variation is unlikely to result in a development that would be detrimental to the public welfare in any of the above-listed ways.

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

Recommendation: Based on the materials presented and the public hearing, it is the recommendation of staff that the variation request of be accepted or denied. The Board may include conditions of approval, including the requirement for installation and/or maintenance of screening for the pool, as determined to be appropriate.

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 front yard setback at 1085 Beinlich Court, per the plans submitted with this application.



VILLAGE OF GLENCOE

FORMS & APPLICATIONS

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Zoning Board of Appeals (ZBA) Application

Section A: Application Information

Check all that apply:

☒ 4

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: 1085 Beinlich Ct

Applicant name: Brad Friedman Applicant phone: 312-550-5927

Applicant email: btfriedman@gmail.com

Owner name (if different from applicant): _____

Owner phone: _____ Owner email: _____

Brief description of project:

Inground swimming pool.

Variation request(s):

We respectfully request that the setback from the south property line be reduced to 15 feet.



VILLAGE OF GLENCOE

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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 additional setback we can put in a more reasonably sized pool and also position it in a much better area. Without the variance, the pool will be much smaller (12x19) and need to go in a narrower part of the yard making it less appealing.



VILLAGE OF GLENCOE

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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.

All proper planning and engineering will be done to ensure that there is no negative impact to the nearby properties.

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?

I have spoken to our neighbors. It is worth noting we already have a permit for a pool, we are simply adjusting it given the change in the variance rules that recently occurred.

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

4 I hereby acknowledge that all information provided in this application is true and correct. By signing this application I also understand that approved variations expire one year from the applicable Zoning Board of Appeals meeting date.

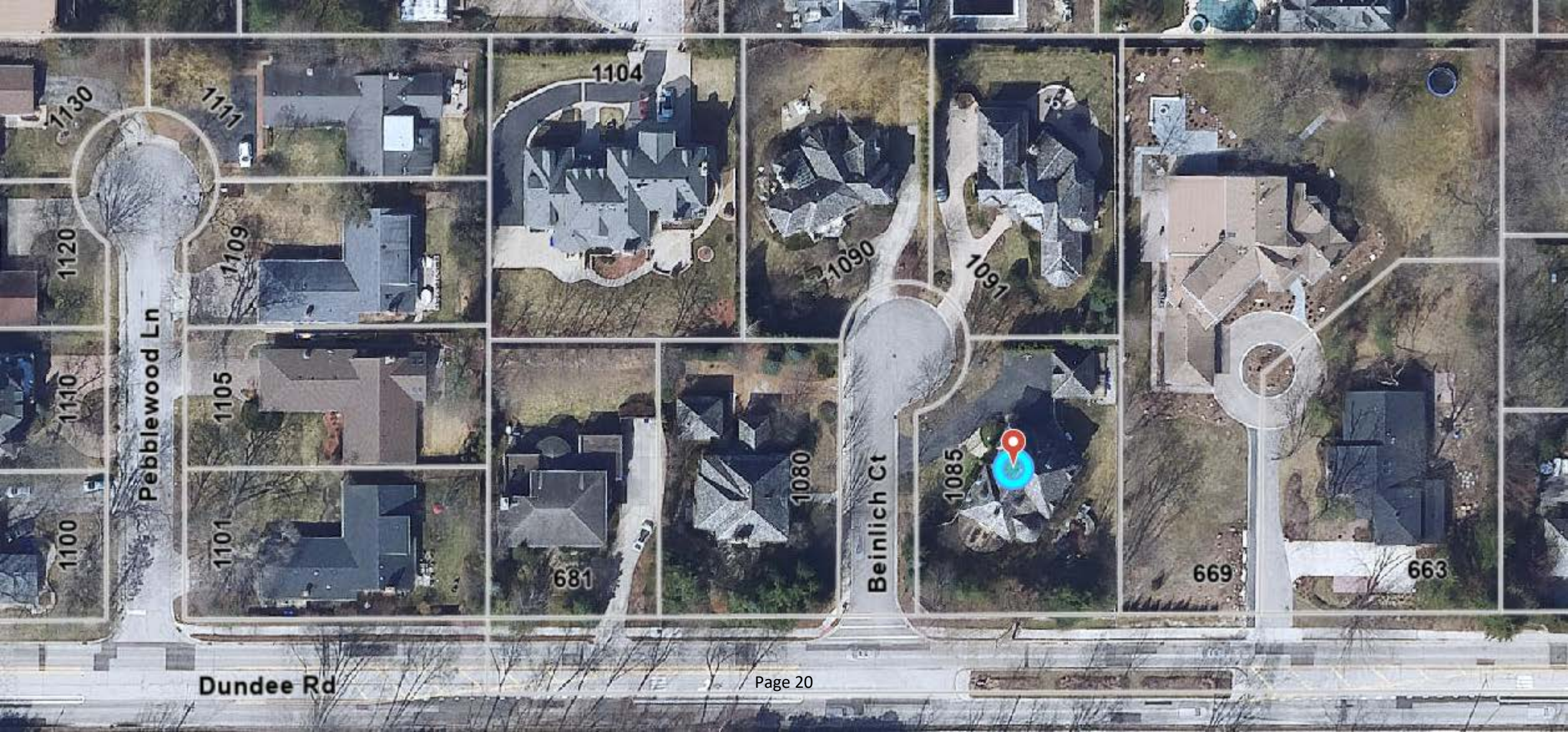
Applicant's signature

9/28/2022

Date

Owner's signature (if different than applicant)

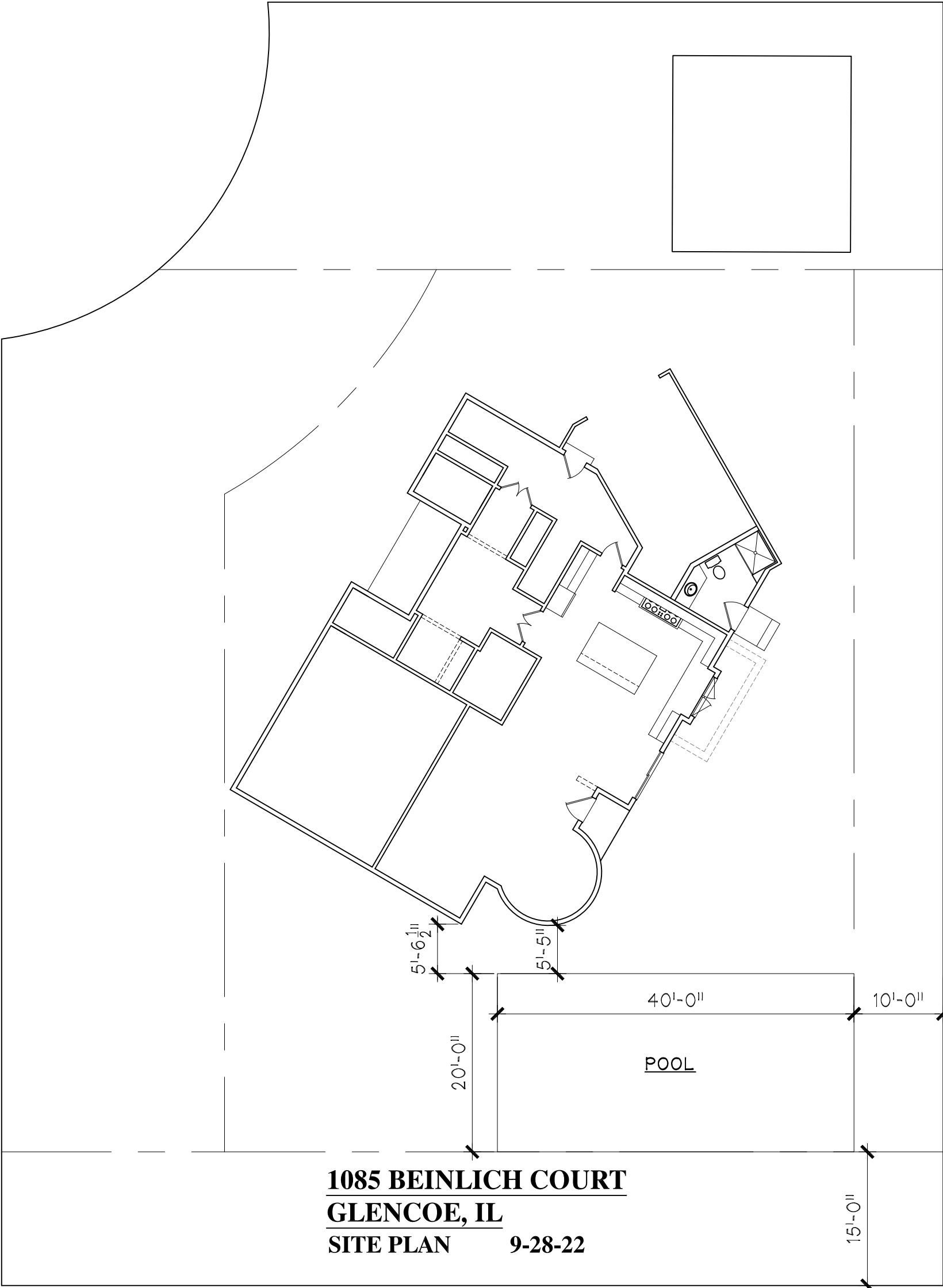
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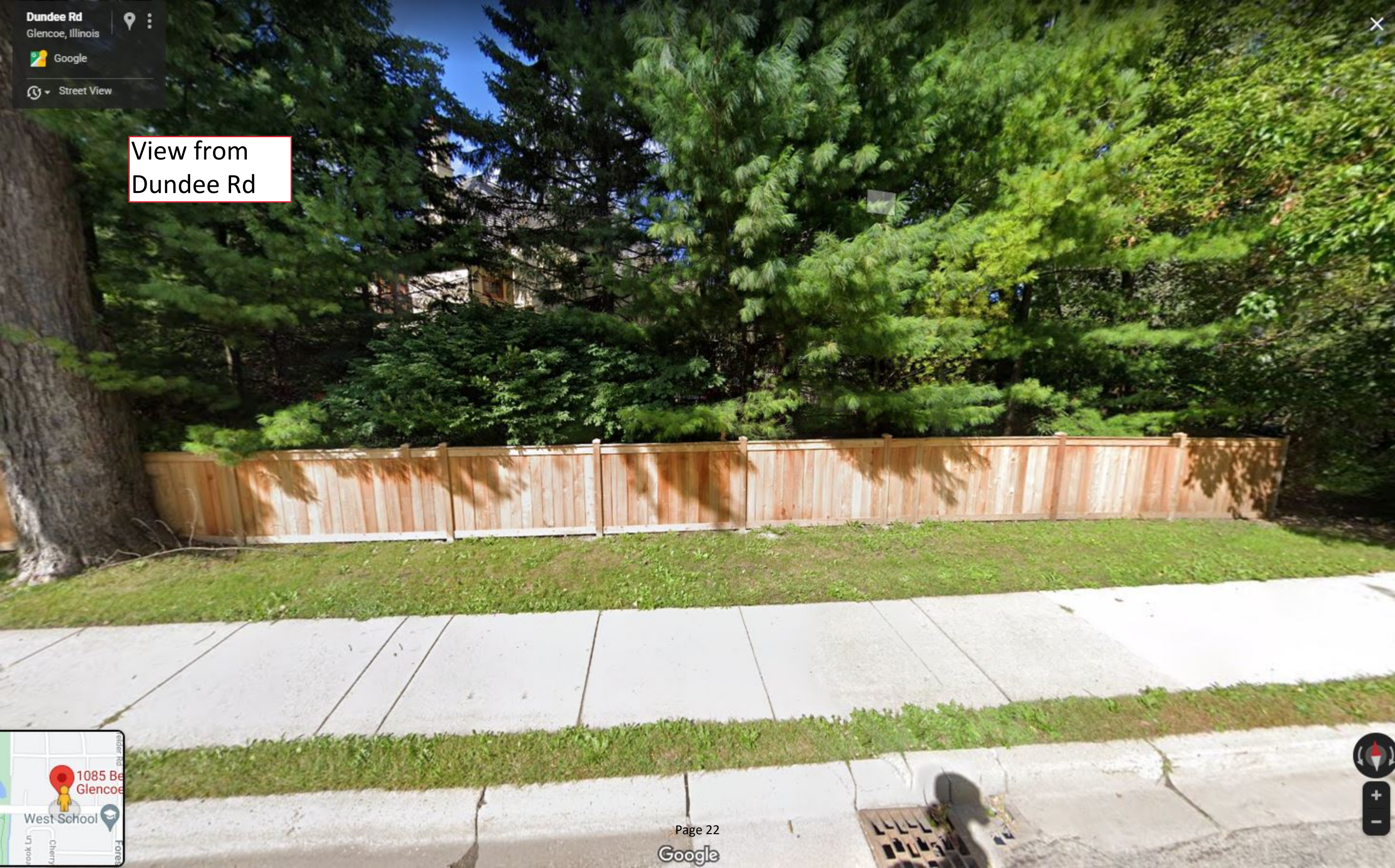
Dundee Rd

Beinlich Ct

Pebblewood Ln



View from
Dundee Rd





VILLAGE OF GLENCOE MEMORANDUM

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Zoning Board of Appeals Memorandum – 364 Jackson Ave.

DATE: October 28, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Consideration of variation to reduce the required side yard setback to construct a deck and an addition at an existing single-family residence

Background: The applicants are seeking to reduce the required side yard setback to allow for the construction of an approximately 155-square-foot deck and a 239.8-square-foot addition to an existing single-family residence at 364 Jackson Avenue. The required side setback in the RB zoning district is 10 feet. The existing house encroaches into this setback to a distance of approximately 4.25 feet from the side property line. The proposed addition would be 8.65 feet from the side property line and would be behind the existing structure as viewed from the street.

Requested Variation:

The requested variation is from the following standard in the Zoning Code:

1. *Section 3-111(C)– To reduce the required side yard setback from 10 feet to 8.65 feet.*

	Existing	Required	Proposed	Variation %
Side Yard Setback	4.25 ft. (approx.)	10 ft.	8.65 ft.	13.5%

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 applicants have stated that the requested variation is necessary to create a reasonable addition to expand the kitchen space, and that the home is already an existing nonconforming structure. This lot is undersized for the RB Zoning District in terms of lot width and lot area. Although the applicants

are proposing to encroach into the required side yard, the new addition and deck will be further away from the side lot line than the existing home.

- 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.*

This lot is undersized for the RB Zoning District in terms of lot width and lot area, and the home itself is a legal nonconforming structure as it encroaches into the required side yard setback. The minimum lot area for the RB Zoning District is 15,000 square feet, whereas this property is approximately 7,000 square feet, and the minimum lot width in the RB District is 80 feet whereas this property has a lot width of approximately 50 feet.

- 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 lot size and width and the nonconforming location of the house are not self-created.

- 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 purpose of the variations is not based exclusively on a desire to make more money from the property. Because of the unique physical conditions on the lot, it is unlikely that the granting of the variations would be considered a special privilege.

- 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.*

One of the purposes of a side yard setback requirement is to provide a buffer between homes and properties. This home already encroaches into the required side yard setback, at approximately 4.3 feet away from the side lot line – the new addition and deck are proposed to be 8.65 feet away from the side lot line. Given that there are several homes on this block that already encroach into the required side yard setbacks and the existing conditions of this lot, it is unlikely that this variation would not be in harmony with the code. At the same time, the applicant could construct an addition and deck that are 1.35 feet narrower than those proposed without requiring a variation.

- 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 proposed variation is unlikely to result in a development that would be detrimental to the public welfare in any of the above-listed ways.

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

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

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

Move to accept/deny the request for a variation to reduce the required side yard setback at 364 Jackson Avenue per the plans submitted with this application.



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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

9/29/22
Date

x J.P.
Owner's signature (if different than applicant)

9/29/22
Date



Jackson Ave

Lake St

372

368

364

362

360

350

346

340

199

Linden Ave

190

389

381

375

371

367

361

357

353

Woodlawn Ave

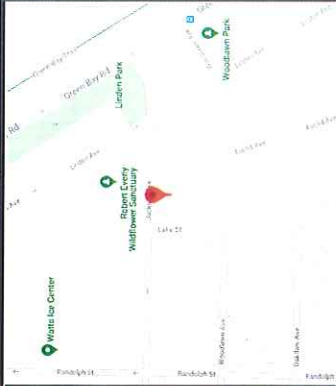
Page 30

Euclid

344



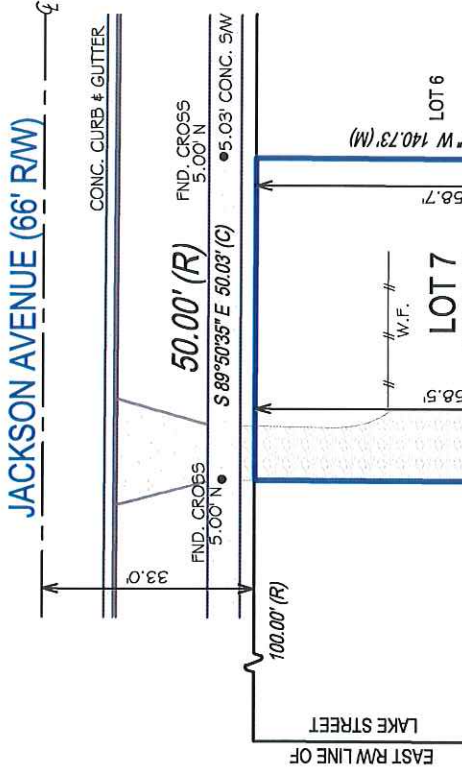
www.exactaland.com | office: 773.305.4011



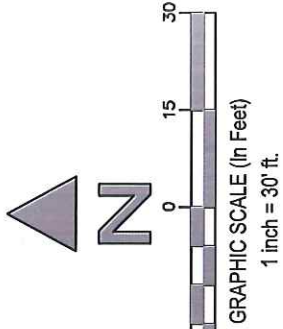
PROPERTY ADDRESS: 364 JACKSON AVENUE, GLENCOE, ILLINOIS COOK

SURVEY NUMBER: IL2102.4089

IL2102.4089
BOUNDARY SURVEY
COOK COUNTY



LOT 7, IN KINGS RESUBDIVISION OF LOTS 1 TO 5 AND LOT 11 IN HUBBARD WOODS VILLAS, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



STATE OF ILLINOIS
COUNTY OF LASALLE } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

W. D. Johnson



ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2022
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

DATE OF SURVEY: 03/06/21
FIELD WORK DATE: 3/5/2021
REVISION DATE(S): (REV.1 3/6/2021)

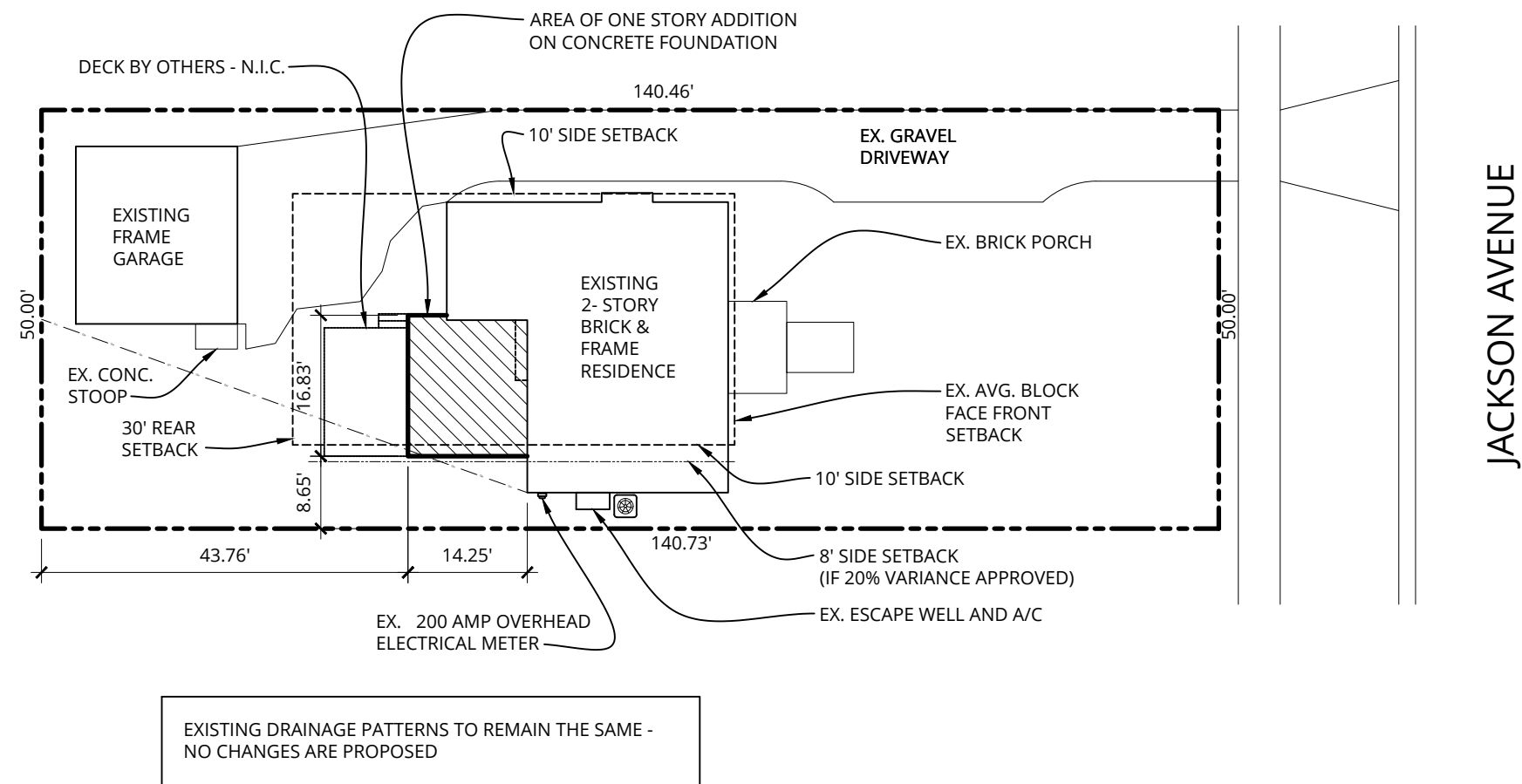
POINTS OF INTEREST:



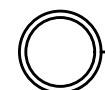
Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450



SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



ONE STORY ADDITION FOR THE
PIERCE RESIDENCE
364 JACKSON
GLENCOE, IL

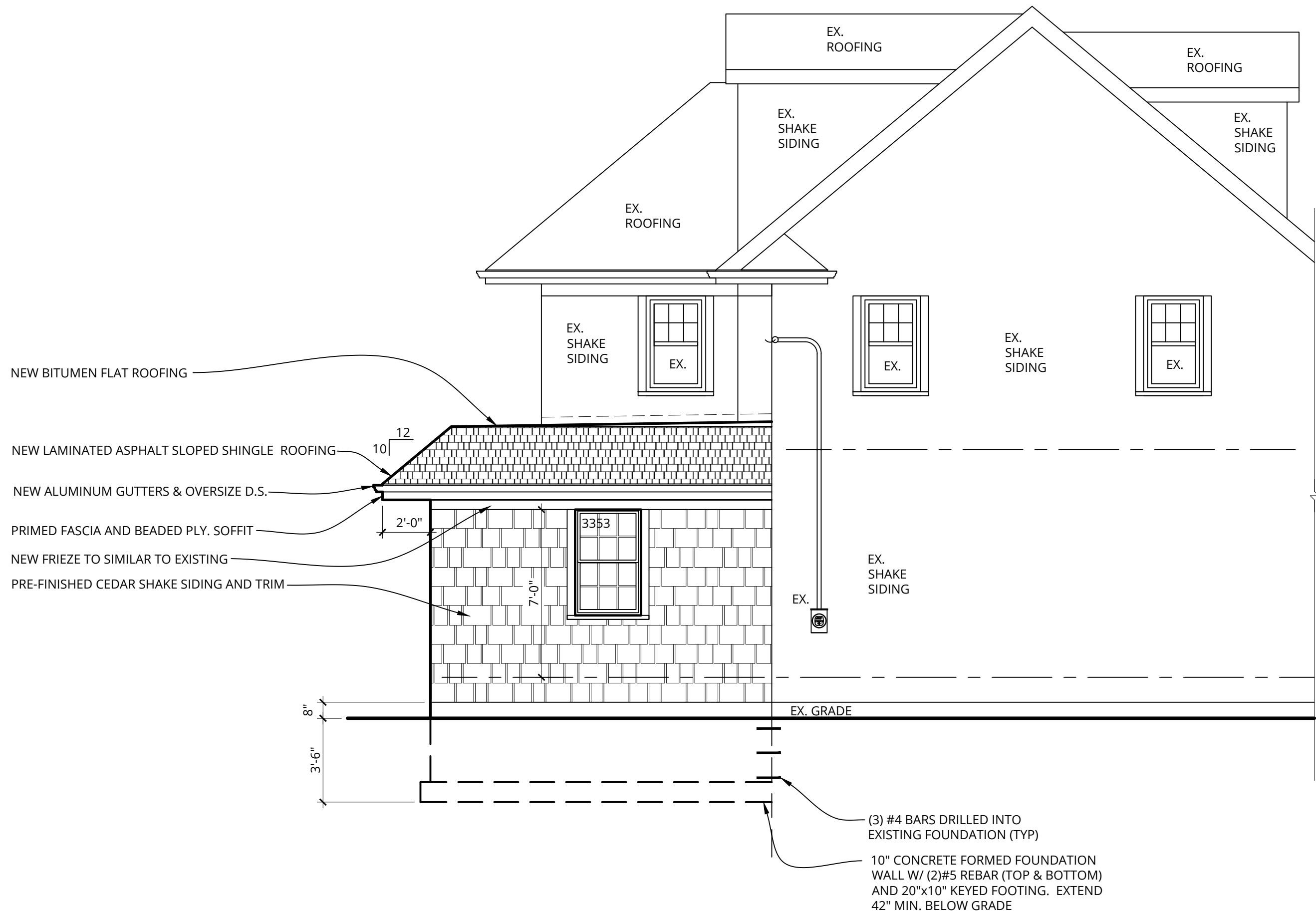


SITE PLAN
SCALE: 1" = 20'



GENERAL OFFICE
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440 E. OGDEN AVE.
HINSDALE, IL 60521
630-455-5600

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EAST ELEVATION
1/4" = 1'-0"

Revisions	By

KITCHEN ADDITION FOR THE
PIERCE RESIDENCE
364 JACKSON AVENUE
GLENCOE, IL 60022

GENERAL OFFICE
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440 E. OGDEN AVE.
HINSDALE, IL 60521
630-455-5600



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Designer
VINCE WEBER

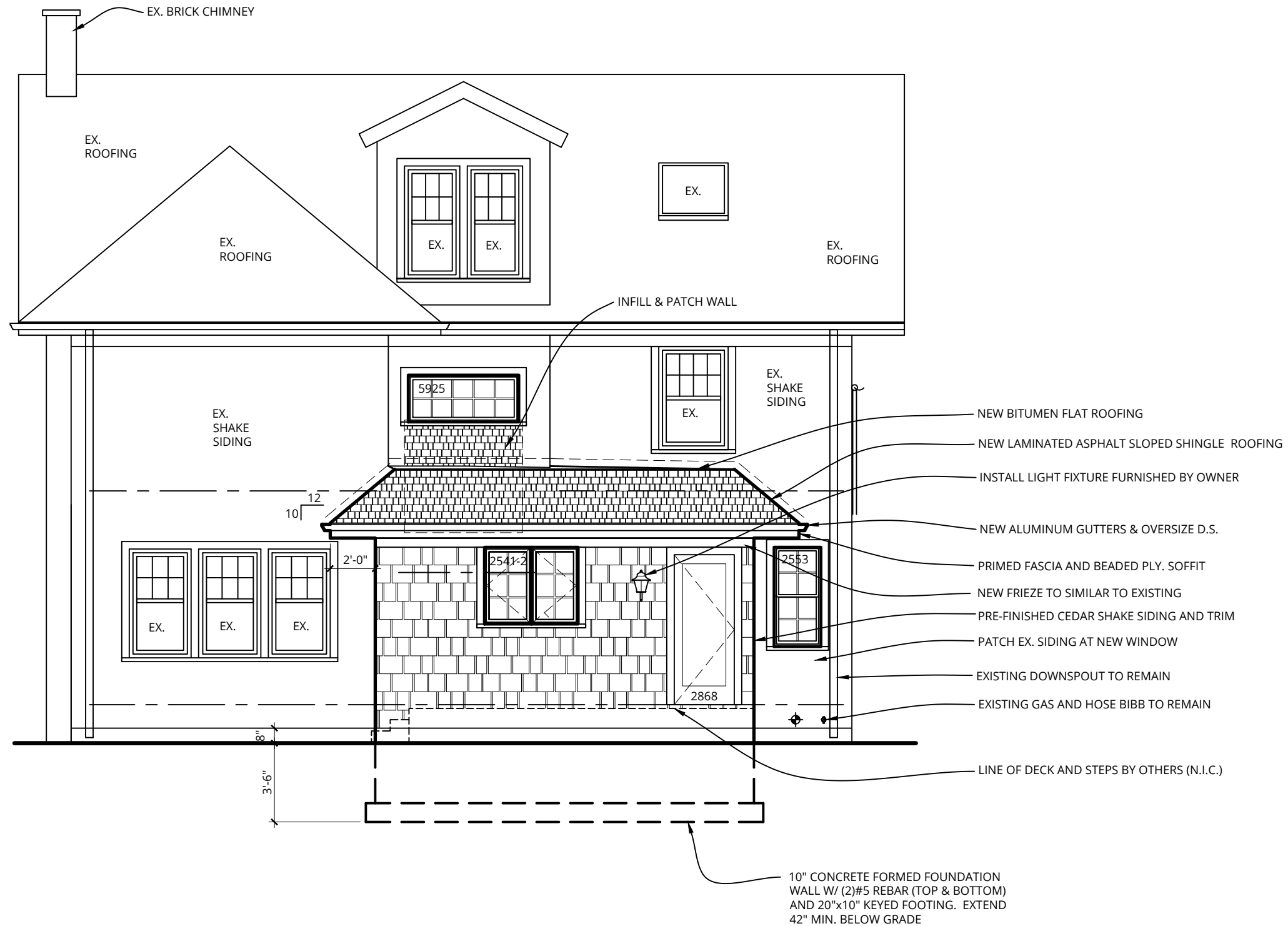
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12 AUG 2022

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10-9-22

Sheet
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of 15 Sheets



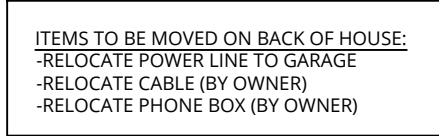
PROPOSED SOUTH ELEVATION

3/16" = 1'-0"

ONE STORY ADDITION FOR THE
PIERCE RESIDENCE
364 JACKSON
GLENCOE, IL



GENERAL OFFICE
NORMANDY ARCHITECTS, INC.
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HINSDALE, IL 60521
630-455-5600





VILLAGE OF GLENCOE MEMORANDUM

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Zoning Board of Appeals Memorandum – 707 Bluff Street

DATE: October 27, 2022

TO: Zoning Board of Appeals

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

SUBJECT: Consideration of variation to allow a pergola attached to a new single-family residence to encroach into the required front setback at 707 Bluff Street

Background: The applicant is proposing the demolition of the existing house at 707 Bluff Street and the construction of a new house on the property. While the front door of the new house will face Bluff Street, the zoning code defines the front lot line as the shorter of the two street-abutting lot lines, which at 707 Bluff is the lot line along Park Avenue. In the RC Single-Family Zoning District, the required front setback is the average of the existing front setbacks along the block, which in this location is 41.4'. The applicant has proposed an attached pergola that would encroach 4.08 linear feet into this required setback (37.32' proposed front setback), with a footprint within the setback of 63.9 square feet. The closest wall of the house would have a front setback of 49.1'. The front setback of the existing house on the property is 29.15'.

Per Village records, the other front setbacks on the block frontage are:

436 Park: 43.02'
473 Park: 50.02'
483 Park: 40'
487 Park: 32.5' (adjacent house to the east)

Variation Request:

The requested variation is from the following standard in the Zoning Code:

1. *Section 3-111(A) – To reduce the required front setback for an attached pergola from 41.4' to 37.32', a variation of 9.9%.*

The ZBA may grant variations to reduce required setbacks by up to 20%.

	Existing	Required	Proposed	Variation %
Front setback	29.15' (to be demolished)	41.4'	37.32'	9.9%

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 applicants have stated that what is technically the front yard of the property per the zoning code will function as the “main yard” for the newly constructed house. The applicant is proposing fencing and evergreen screening to give this yard along Park Avenue a “back yard” feel.

- 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 a corner lot in the RC zoning district that conforms to the requirements of the zoning code for minimum size and width. The lot is not unusual in size or shape. The applicant is proposing the demolition of the existing house, removing any non-conforming structures. As a corner lot for which the rear property line is the side property line of an adjacent lot, the zoning code encourages the placement of a detached garage where proposed by the applicant, reducing the usability of what is technically the rear yard as yard space. While corner lots have more restrictive setback requirements than interior lots, this condition is found throughout the Village.

- 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 lot does not have unique physical conditions other than its rear property line being the side property line of an adjacent lot, which results in additional rear and side setback requirements. This condition is not the result of any action 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 applicant has stated that the proposed variation is intended to increase the usability of what will be designed as the “main” yard 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 addition would not result in a development significantly out of harmony with the purpose of the code. The house itself would exceed the required front setback and the proposed pergola has a relatively small footprint within the setback. The pergola would be set back further from the street than the existing house on the property and the two closest houses to the east.

- 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 proposed variation would be unlikely to have a significant impact on the essential character of the area.

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

Recommendation: Based on the materials presented and the public hearing, it is the recommendation of staff that the variation request of be accepted or denied. The Board may consider conditions of approval, including fencing and screening requirements.

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 front setback for a pergola attached to a new single-family house at 707 Bluff Street, in accordance with the plans provided with this application.



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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: 707 Bluff St.

Applicant name: Steven Aisen Applicant phone: 713-505-2556

Applicant email: Steve@newgardhomes.com

Owner name (if different from applicant): 707 Bluff LLC

Owner phone: 713-505-2556 Owner email: Steve@newgardhomes.com

Brief description of project:

Demo existing house and detached garage and construct new SFR + detached garage

Variation request(s):

Variation to required "Front yard" set back for a pergola that will function as the "main yard" for the newly constructed house. Current front yard setback requirement is 41' 4 3/4". We are requesting that a Pergola be 37' 3 3/4" from the "Front" property line. Requesting a 9.85% reduction only for this pergola structure



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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.

Given the corner property here, the "Front yard" will ~~be~~ practically be used as the "main" yard of the newly built property. Fencing, screening (evergreens) are planned to be added to create this "back yard" Feel of this area, and a properly sized pergola will enhance the private area near the exterior fireplace (which will be located on the ^{right} side of the new home). See illustrations



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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.

Would not impact any neighbors, but would only enhance the ~~privacy~~ privacy of this property's outdoor spaces.

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?

Attempted to stop by neighbor to the east a few times. Owners were not home. I will try to stop by again before the hearing.

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



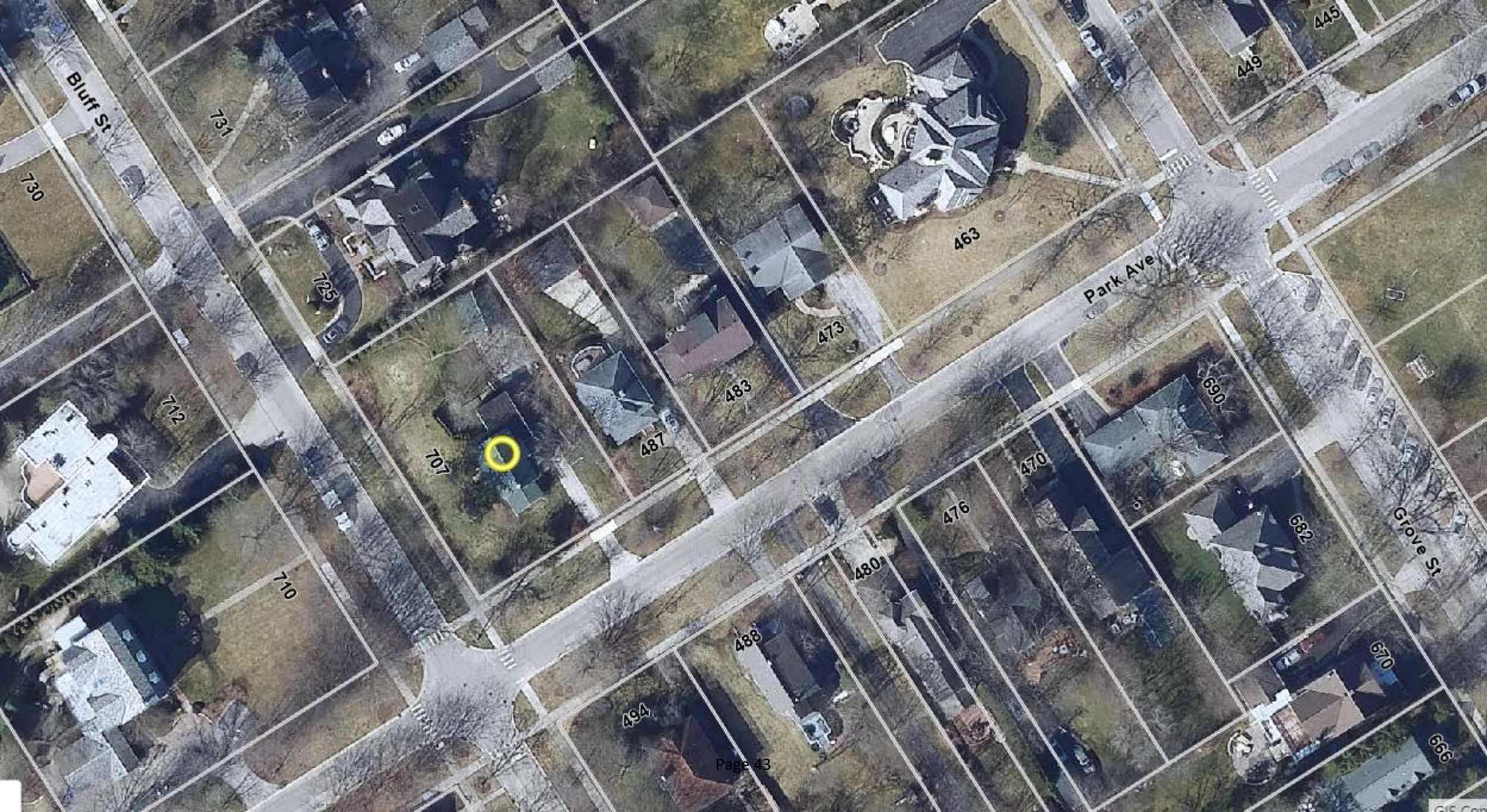
I hereby acknowledge that all information provided in this application is true and correct.


Applicant's signature

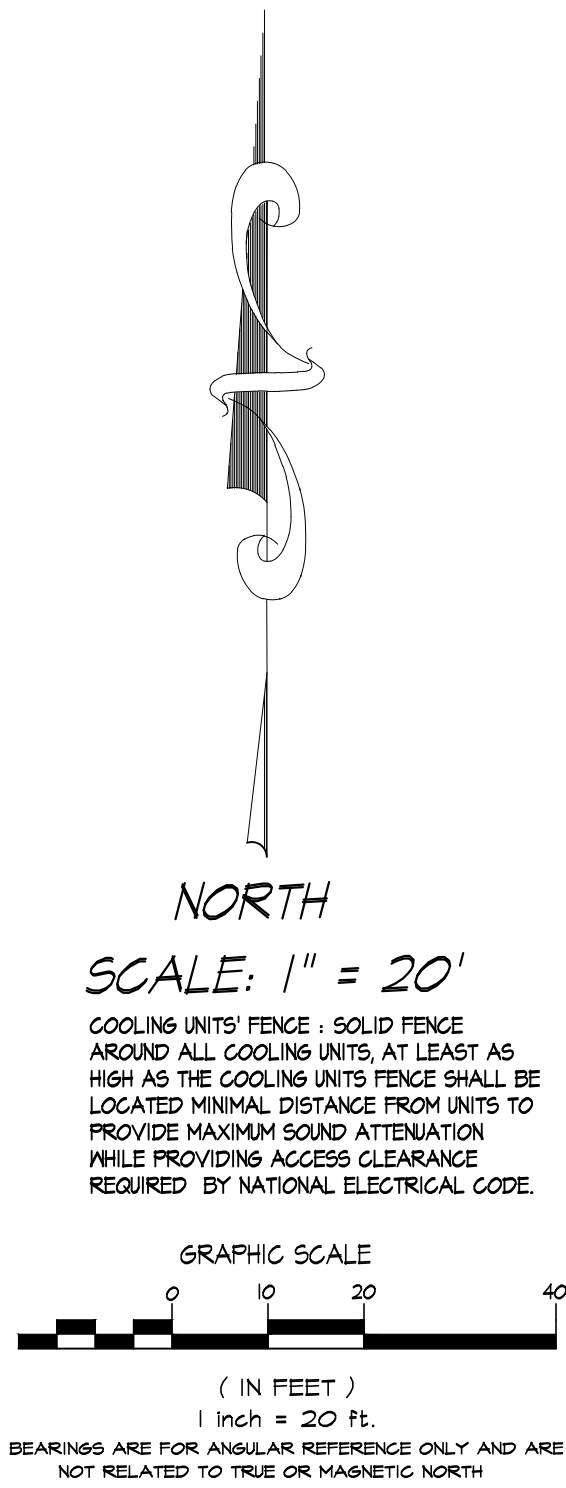
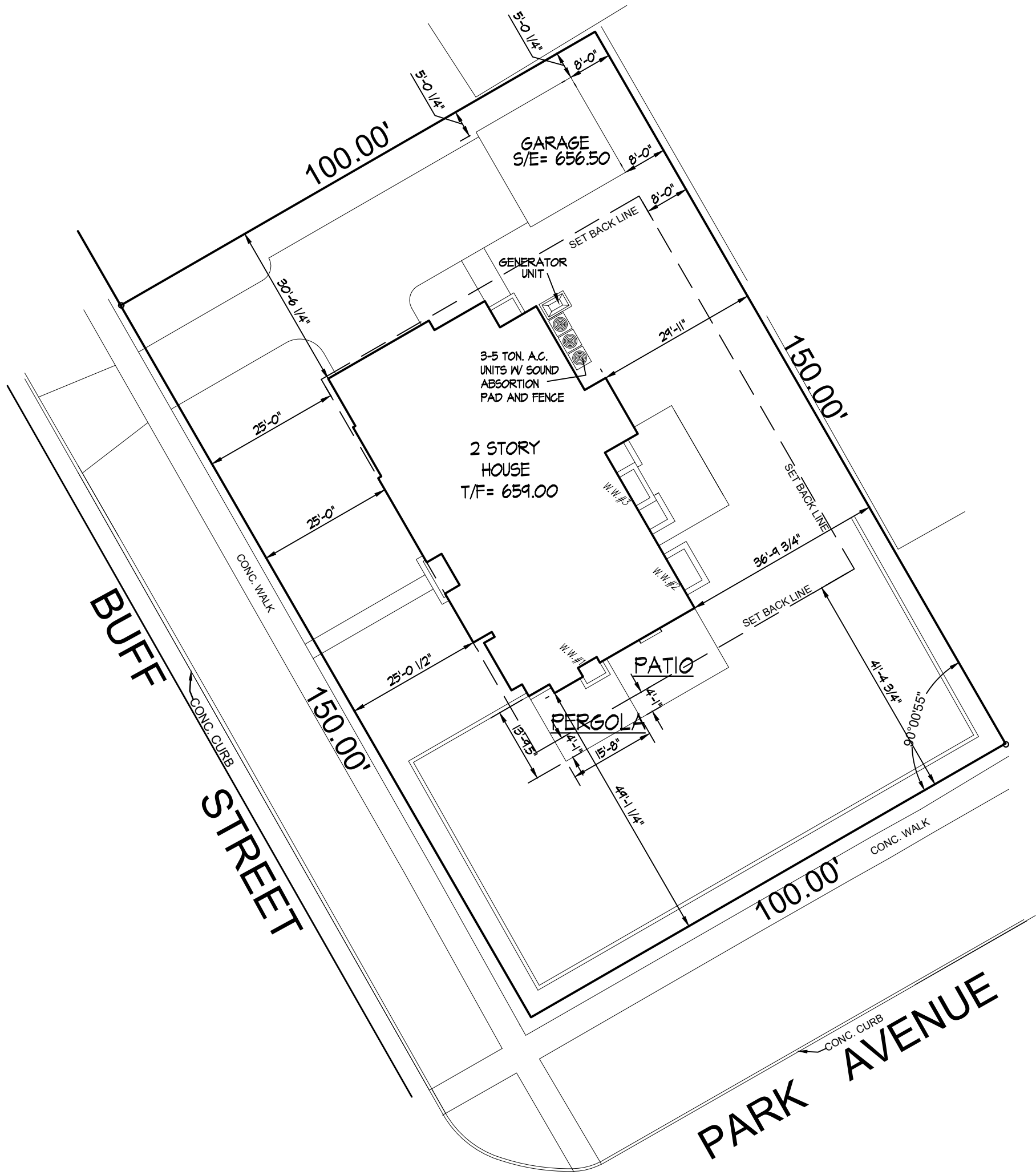

Date

Owner's signature (if different than applicant)

Date







IMPERVIOUS AREA CALCULATIONS:

TOTAL LOT AREA : 15000.00 SF

PROPOSED

HOUSE AREA	=	2645.04 SF
WINDOW WELL AREA	=	90.33 SF
PATIO AREA	=	750.12 SF
DRIVEWAY AREA	=	1255.87 SF
DETACHED GARAGE AREA	=	400.00 SF
WALKWAY AREA	=	298.80 SF
AC./GENERATOR AREA	=	36.00 SF
WALL AREA	=	140.08 SF
IMPERVIOUS TOTAL	=	5616.24 SF
PERVIOUS TOTAL	=	9383.76 SF

PROPOSED C-VALUE=0.668

EQUIPMENT AND APPLIANCES INSTALLED AT GRADE LEVEL SHALL BE SUPPORTED ON A LEVEL CONCRETE SLAB OR OTHER APPROVED MATERIAL EXTENDING NOT LESS THAN 3-INCHES ABOVE ADJOINING GRADE. IMC 504.10

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ARCHITECTS (DESIGN FIRM REGISTRATION #184-001-0363)
DESIGNER (SBBDO EXHIBITION REGISTRATION #001-010695)
1074 RIM CREEK DR. BLOOMSBURY IL 60008 (630) 707-7374

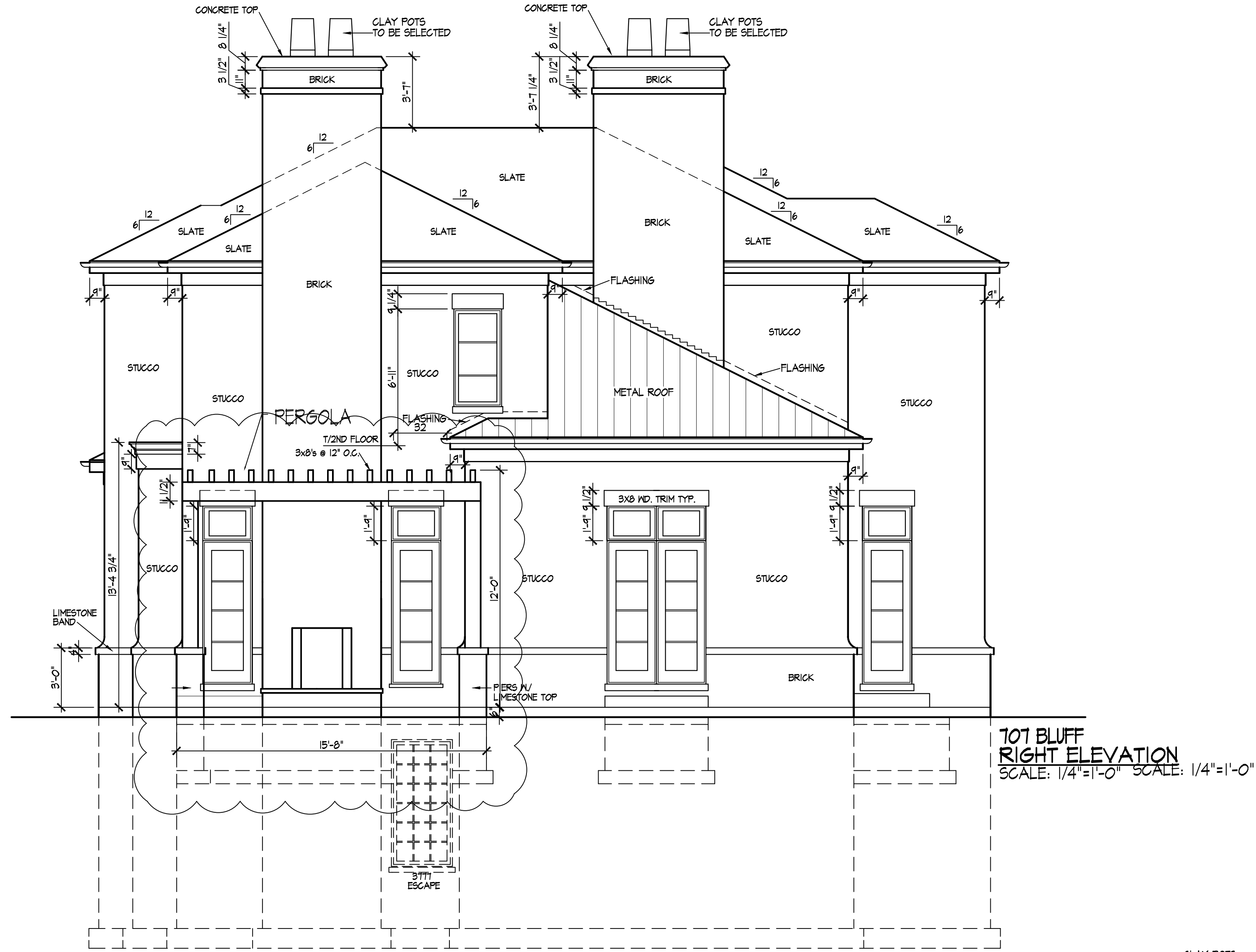
Newgard Custom Homes

107 BEACH RD.
GLENCOE, IL 60022

712-505-2556

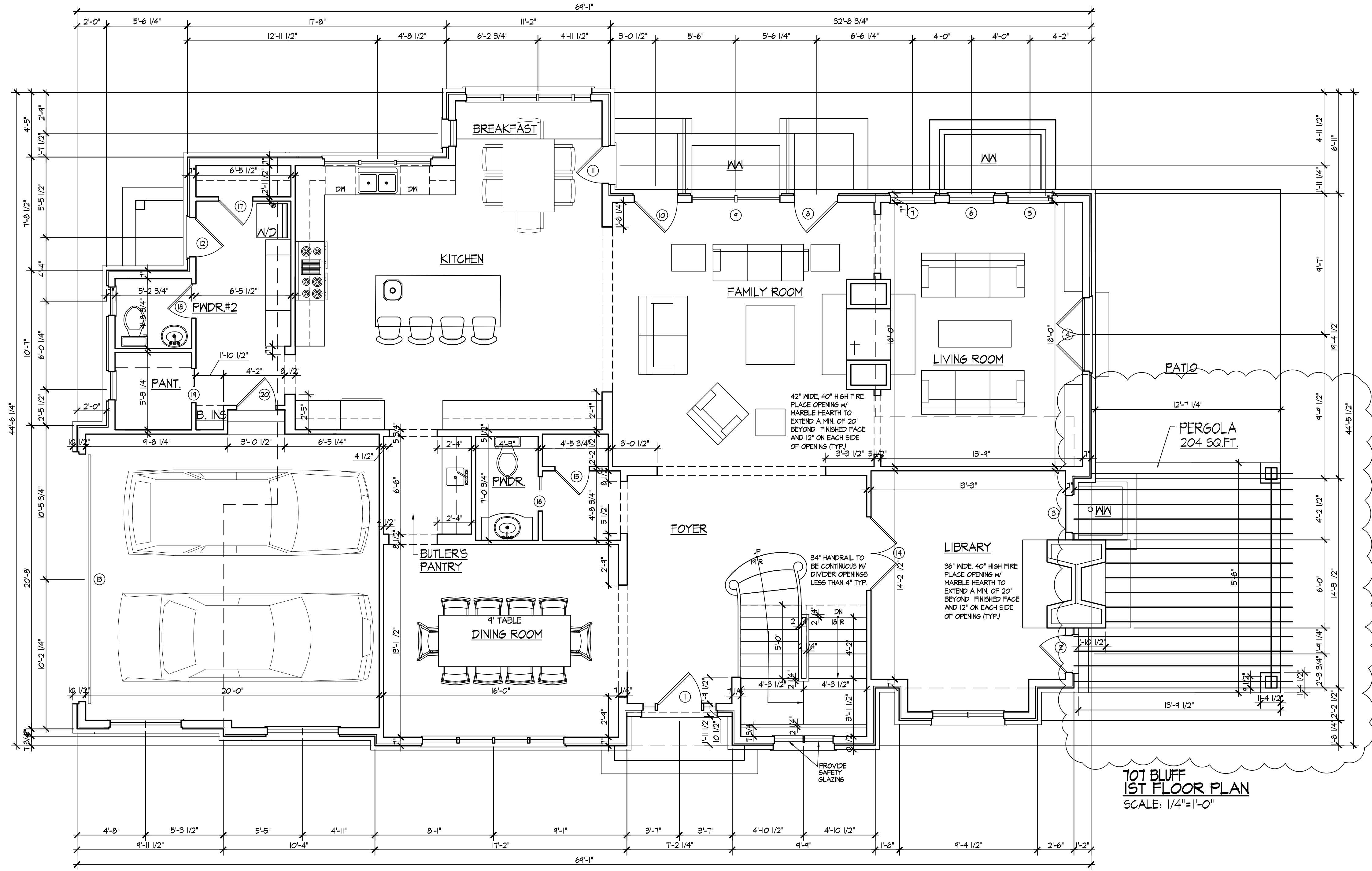
GLENCOE, ILLINOIS

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Original:	08-11-22
Date:	08-11-22
Issued For Permit:	
Issued For Court:	

Looking east from
Bluff



Looking north from
Park



Looking northwest from
property to the east

