



VILLAGE OF GLENCOE MEMORANDUM

675 Village Court, Glencoe, Illinois 60022

p: (847) 835-4111 | info@villageofglencoe.org | Follow Us: @VGlencoe

www.villageofglencoe.org

Zoning Board of Appeals Memorandum

DATE: November 22, 2019

TO: Zoning Board of Appeals

FROM: Taylor Baxter, Development Services Director

SUBJECT: Consideration of variations to increase allowable gross floor area and encroach into front yard setback

Background: Property owners Jason and Julie Feldman are requesting two variations from the Zoning Code to demolish the existing single-family residence and replace it with a new two-story home. The subject property is in the RA Single-family Residential Zoning District. The requested variations are from the following standards in the Zoning Code:

1. *Section 3-111(E)(3) – To increase the allowable gross floor area from 4,674.29 square feet to 4,807.3 square feet, a variation of 2.8%.*
2. *Section 3-111(C)(1) – To allow a new single-family residence to encroach 9.25 feet into the required 50-foot front setback, a variation of 18.5%.*

The existing home encroaches 14.98 feet into the required front setback, 5.73 feet more than the proposed residence. The house and detached garage on the neighboring property to the northeast (816 Bluff Street) are also located closer to Lincoln Avenue than the proposed house, although these structures are in a corner side yard, as this property faces Bluff Street. Other houses along Lincoln Avenue to the southwest have larger front setbacks, with the two nearest the subject property being set back 50.4 and 51.1 feet.

The applicant has also stated that the proposed setback encroachment would allow the preservation of a nine-inch crabapple tree in the back yard. A photo of this tree is included in this packet.

Regarding the requested increase in allowable gross floor area, the 15,767-square-foot lot does not meet the 20,000-square-foot minimum lot size in the RA district. Many other nearby RA lots are similarly undersized.

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 has stated that the particular hardship created by carrying out the setback provisions of the Zoning Code would be that it necessitates the removal of trees in the back yard. The applicant has not stated that carrying out the Code's FAR requirements would create a particular hardship or practical difficulty.

- 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, like many other RA-zoned lots nearby, does not meet the minimum size requirement for the zoning district. While the proposed house would not be unusually large for its district, other new RA houses the same size or larger are constructed on larger lots.

The lot is not significantly shallower than other nearby RA lots. The proposed house could be moved toward the back of the lot to meet the front setback requirement without encroaching into the rear setback. However, this would reduce the amount of usable space in the rear yard.

- 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, along with its non-conforming size, was not created by the applicants.

- 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 variation is not based exclusively on a desire to make more money from the property. The proposed floor area variation would allow for a house that would be permitted on a lot meeting the minimum 20,000-square-foot RA standard, but would not be permitted on the many other undersized RA lots nearby. Other RA properties in the area, including those along the subject property's block face, have similar lot depths while meeting front setback requirements.

- 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 use as a single-family home is in harmony with the general and specific purposes of the Zoning Code.

Setback requirements are, in part, intended to ensure somewhat regular setbacks along a block face. While the homes to the southwest of the subject property meet the 50-foot setback requirement, the house and garage immediately to the northeast are closer to Lincoln Ave than the proposed new construction.

FAR requirements are intended to limit the size of new construction to that appropriate for each zoning district and lot. While the proposed house's size would be permitted without a variation on a lot meeting the minimum RA size requirement, it does not meet the Code's intended limits for a lot of this size.

- 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 variations would not have a significant impact on the essential character of the area.

The November 14, 2019 Glencoe Anchor contained the Notice of 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 exceed maximum allowable ground coverage for a new single-family residence at 530 Lincoln Avenue.

Notice of Appeal

Date: 10/30/2019

Property Address: 530 Lincoln Avenue

PIN #: 05-07-109-002-0000

Zoning Board of Appeals
Village of Glencoe
Glencoe, IL 60022

Dear Zoning Board of Appeals Member:

I have been aggrieved by the Officer charged with the enforcement of the Glencoe Zoning Ordinance.

It is my desire to:

build a new construction home to replace the existing non-conforming home with respect to the front yard setback. The property is within the RA Residential Single Family district.

I require a zoning variation reducing the front yard setback from 50.00 feet to 40.75 feet and yard setback from feet to feet.

Therefore, I desire a variation in the application of the regulations of this ordinance and there are the following practical difficulties or particular hardships in carrying out the strict letter of the Glencoe Zoning Ordinance in that:

1)

The proposed location of the new construction home will improve the existing non-conforming front yard set back. The existing home is located at 14.98 ft. within the required 50 ft. front yard setback. The proposed location improves the encroachment to only 9.25 ft. This is an improvement of 38.25% over the existing condition. The southwest corner of the front of the home is in conformity of the 50 ft. front yard setback.

2)

The existing non-conforming detached garage of the neighbor at 816 Bluff Street is located closer to the property line on Lincoln Avenue as it is considered a side yard to this residence. This unique location of 530 Lincoln Ave next to this corner lot creates a streetscape that has a large setback difference for these 2 homes located next to each other. The front yard encroachment will not negatively impact this neighbor's property.

3)

The proposed new construction home is 133.11 square feet, or 2.85% in excess of the calculated Floor Area Ratio (FAR) requirement.

4)

The proposed location additionally allows for the mature and beautiful crab apple tree to remain in the backyard and not be removed. The crab apple tree is rated by the arborist a 4 out of 6. (For reference, the scale has 1 = best and 6 = dead.) We are prepared to provide routine pruning and treatment and to monitor the health of the tree in collaboration with our landscape architect. We hope to maintain as many of the trees as possible and the landscape architect suggested that the proposed ten feet would get the house out of the root zone/drip line.

The Zoning Board of Appeals, after a hearing, may authorize this variation because it does not exceed the maximum variation permitted in Article VII, Section 4 of the Ordinance.

I understand that the Zoning Board of Appeals may authorize a variation only where there are practical difficulties or where there is particular hardship in the way of carrying out the strict letter of this ordinance.

Edward Deegan

Owner's Agent Printed Name

847-906-4110

Agent's Telephone

Jason and Julie Feldman

Owner's Printed Name and Signature

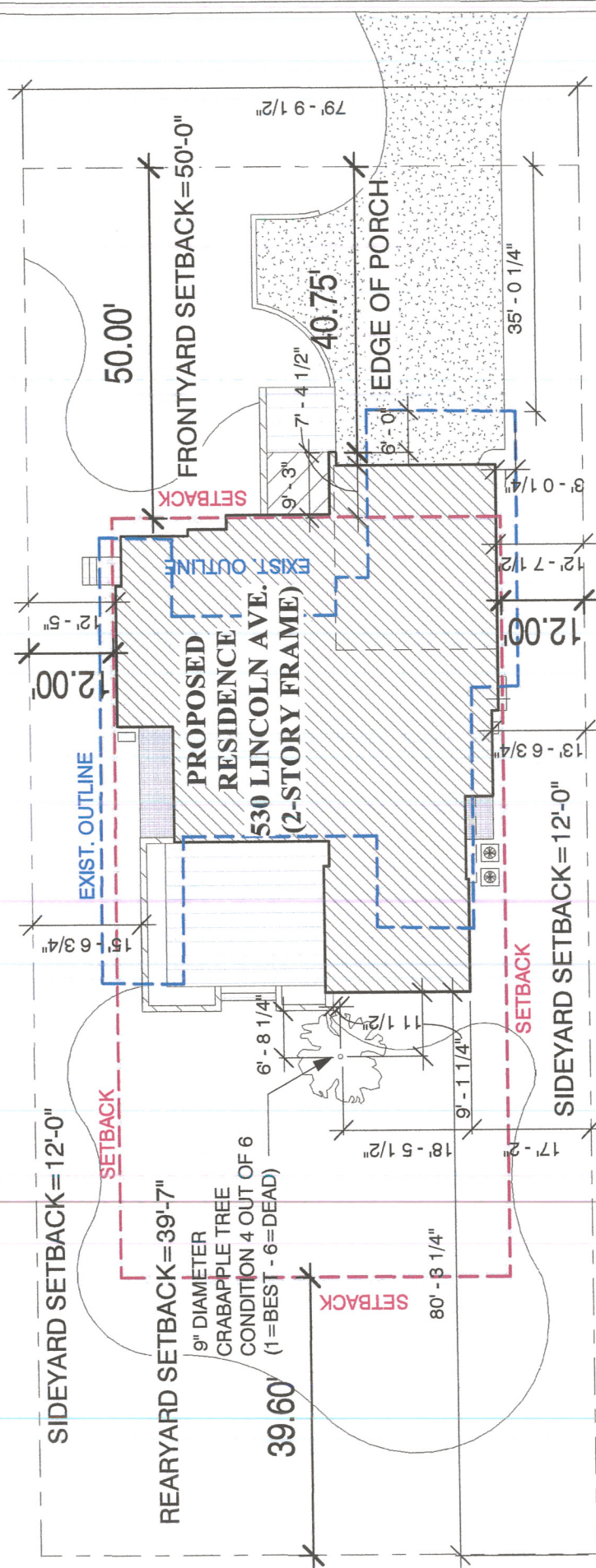
773-677-0097

Owner's Telephone

Please deliver this form with any supporting material to:

Public Works Department
Village of Glencoe
675 Village Court
Glencoe, Illinois 60022

Phone: (847) 835-4111 | Fax: (847) 835-4234 | E-mail: publicworks@villageofglencoe.org



**VILLAGE OF GLENCOE
GLENCOE, ILLINOIS**

ZONING BOARD OF APPEALS

**NOTICE OF PUBLIC HEARING
DECEMBER 2, 2019**

Notice is hereby given that a public hearing is to be conducted on Monday, December 2, 2019, at 7:30 p.m., before the Zoning Board of Appeals of the Village of Glencoe, Cook County, Illinois, in the Council Chambers of the Village Hall, 675 Village Court, Glencoe, Illinois to consider a request for variations from the Zoning Ordinance by applicants Jason and Julie Feldman to permit the construction of a single-family residence at 530 Lincoln Avenue, Glencoe, Illinois, in the RA Single Family Residential Zoning District (Permanent Real Estate Index Number 05-07-109-002-0000).

Legal Description: THAT PART OF LOTS 32, 33, 34 IN BLOCK 36 IN GLENCOE AND SOUT WESTERLY HALF OF VACATED ALLEY LYING NORTH EASTERLY AND ADJOINING SAID LOTS TAKEN AS A TRACT LYING NORTH EASTERLY OF A LINE DRAWN PARALLEL TO AND 163.47 FEET NORTH EASTERLY OF CENTER LINE OF VACATED VALLEY STREET AS MEASURED ALONG SOUTH EASTERLY LINE OF LINCOLN AVENUE IN SECTION 7, TOWNSHIP 42, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The applicant requests two variations from the Zoning Ordinance:

1. To increase the allowable gross floor area from 4,674.29 square feet to 4807.3 square feet.
2. To allow a new single-family residence to encroach 9.25 feet into the required 50-foot front yard setback.

All persons interested are urged to be present and will be given an opportunity to be heard.

Taylor Baxter, AICP
Development Services Manager

November 8, 2019



VILLAGE OF GLENCOE

PUBLIC WORKS DEPARTMENT

675 Village Court, Glencoe, Illinois 60022
p: (847) 835-4111 | publicworks@villageofglencoe.org | Follow Us: @VGlencoe

www.villageofglencoe.org

November 15, 2019

Re: Zoning Board of Appeals Variation Public Hearing – 530 Lincoln Ave

Dear Resident,

The enclosed legal notice provides information on a Zoning Board of Appeals Variation Public Hearing for Monday, December 2, 2019 at 7:30 p.m. at Village Hall. The hearing is open to the public and you are welcome to attend should you have any questions or comments on this matter. You are being contacted because your property is located within 200 feet of 530 Lincoln Avenue.

The applicant is requesting two variations from the Village's zoning ordinance to allow for the construction of a new single-family residence:

1. To increase the allowable gross floor area from 4,674.29 square feet to 4,807.3 square feet
2. To allow an encroachment of 9.25 feet into the required 50-foot front yard setback.

Please feel free to reach out to me with any questions prior to the hearing.

Sincerely,

Taylor Baxter, AICP
Development Services Manager
Village of Glencoe
675 Village Court | Glencoe, Illinois 60022
dmau@villageofglencoe.org | (847) 835-4111

Address	Street name	Property owner	Mailing address
552	Lincoln Ave	Ireland J Stewart	552 Lincoln Ave Glencoe IL 60022
790	Bluff St	Willard Boris	790 Bluff St Glencoe IL 60022
800	Bluff St	E & T Latinik	800 Bluff St Glencoe IL 60022
816	Bluff St	Howard & Debra Buckner	816 Bluff St Glencoe IL 60022
789	Valley Rd	David&kimberly Metrick	789 Valley Rd Glencoe IL 60022
540	Lincoln Ave	D & J Novack	540 Lincoln Ave Glencoe IL 60022
785	Valley Rd	Peter Rossiter	785 Valley Rd Glencoe IL 60022
787	Valley Rd	Mark & Rachel Stein	787 Valley Rd Glencoe IL 60022
783	Valley Rd	Artur Rama Raviv	783 Valley Rd Glencoe IL 60022
828	Bluff St	Jonathan S Feld	828 Bluff St Glencoe IL 60022
533	Lincoln Ave	Djv Projects An Illino	533 Lincoln Ave Glencoe IL 60022
541	Lincoln Ave	Jonathan M Skelly	541 Lincoln Ave Glencoe IL 60022
780	Bluff St	Ctltc 008002378758	780 Bluff St Glencoe IL 60022
521	Lincoln Ave	Julie Hokin	521 Lincoln Ave Glencoe IL 60022
530	Lincoln Ave	530 Lincoln Llc	530 Lincoln Ave Glencoe IL 60022

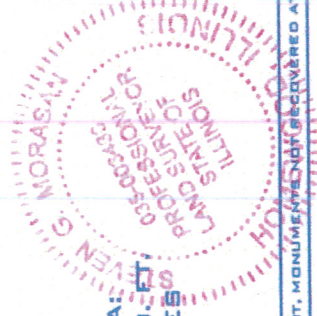
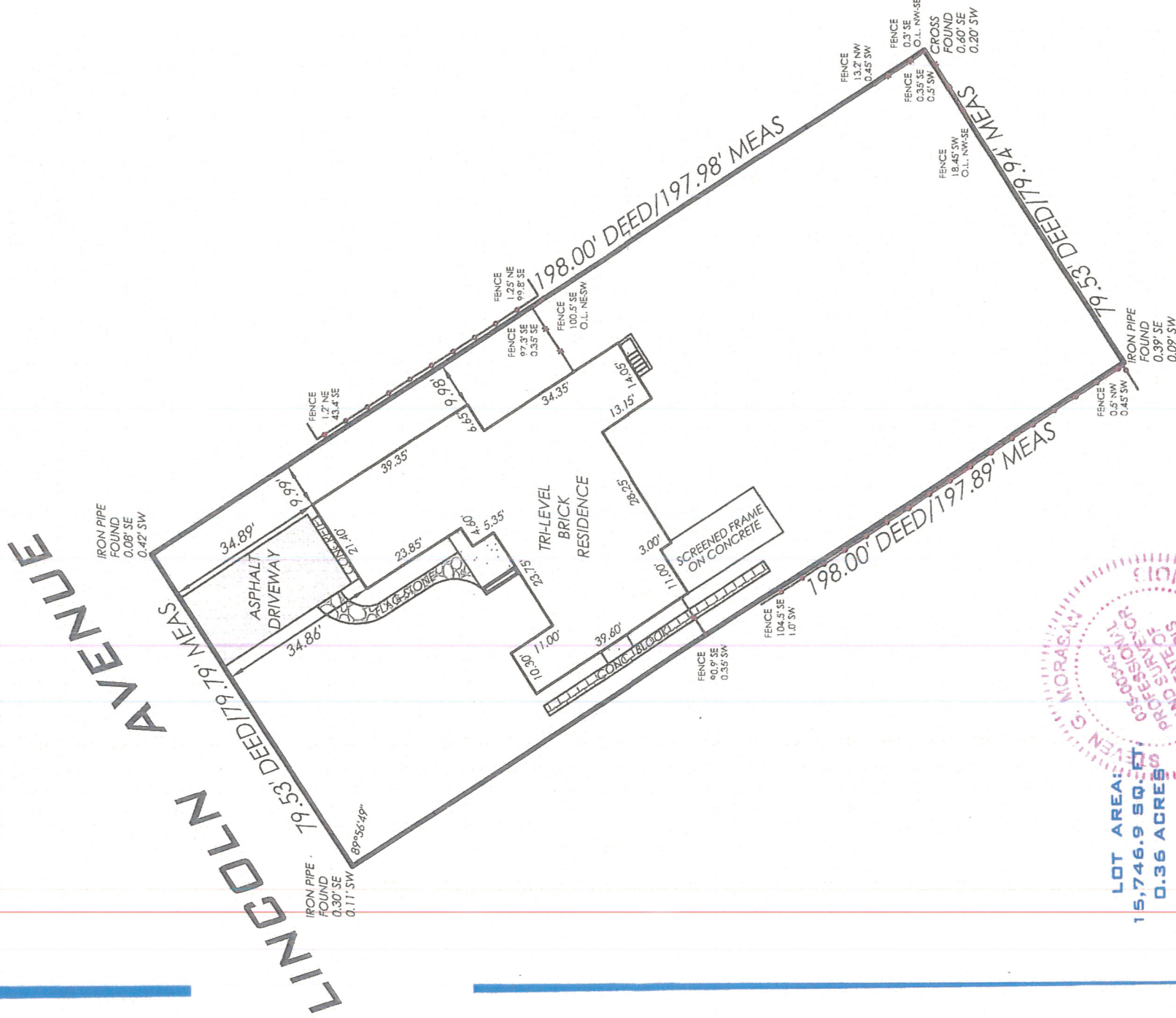
EXISTING



PLAT OF SURVEY E

18148 S. MARTIN AVE. HOMEWOOD, IL 60430 708-1-SURVEY (478-7839) 708-478-4076 FAX

THAT PART OF LOTS 32, 33, 34 IN BLOCK 36 IN GLENCOE AND SOUTH WESTERLY HALF OF VACATED ALLEY LYING NORTH EASTERLY AND ADJOINING SAID LOTS TAKEN AS A TRACT LYING NORTH EASTERLY OF A LINE DRAWN PARALLEL TO AND 163.47 FEET NORTH EASTERLY OF CENTER LINE OF VACATED VALLEY STREET AS MEASURED ALONG SOUTH EASTERLY LINE OF LINCOLN AVENUE IN SECTION 7, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



LOT AREA:
15,746.9 SQ. FT.
0.36 ACRES

☐ AS PER CLIENT/AGENT, MONUMENTS NOT RECOVERED AT THE TIME OF THIS SURVEY WERE NOT RESET.

STATE OF ILLINOIS
COUNTY OF COOK

ON BEHALF OF STREAMLINE SURVEY, INC., I HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STREAMLINE SURVEY, INC.

DATE OF FIELD WORK COMPLETION: NOVEMBER 30, 2020 DATED: 12-21-2018

DATE OF LICENSE EXPIRATION: NOVEMBER 30, 2020

REVIEW YOUR DESCRIPTION AND PHYSICAL EVIDENCE WITH THIS PLAT AND REPORT ANY DIFFERENCES YOU MAY FIND.

VISIT US AT STREAMLINESURVEY.COM

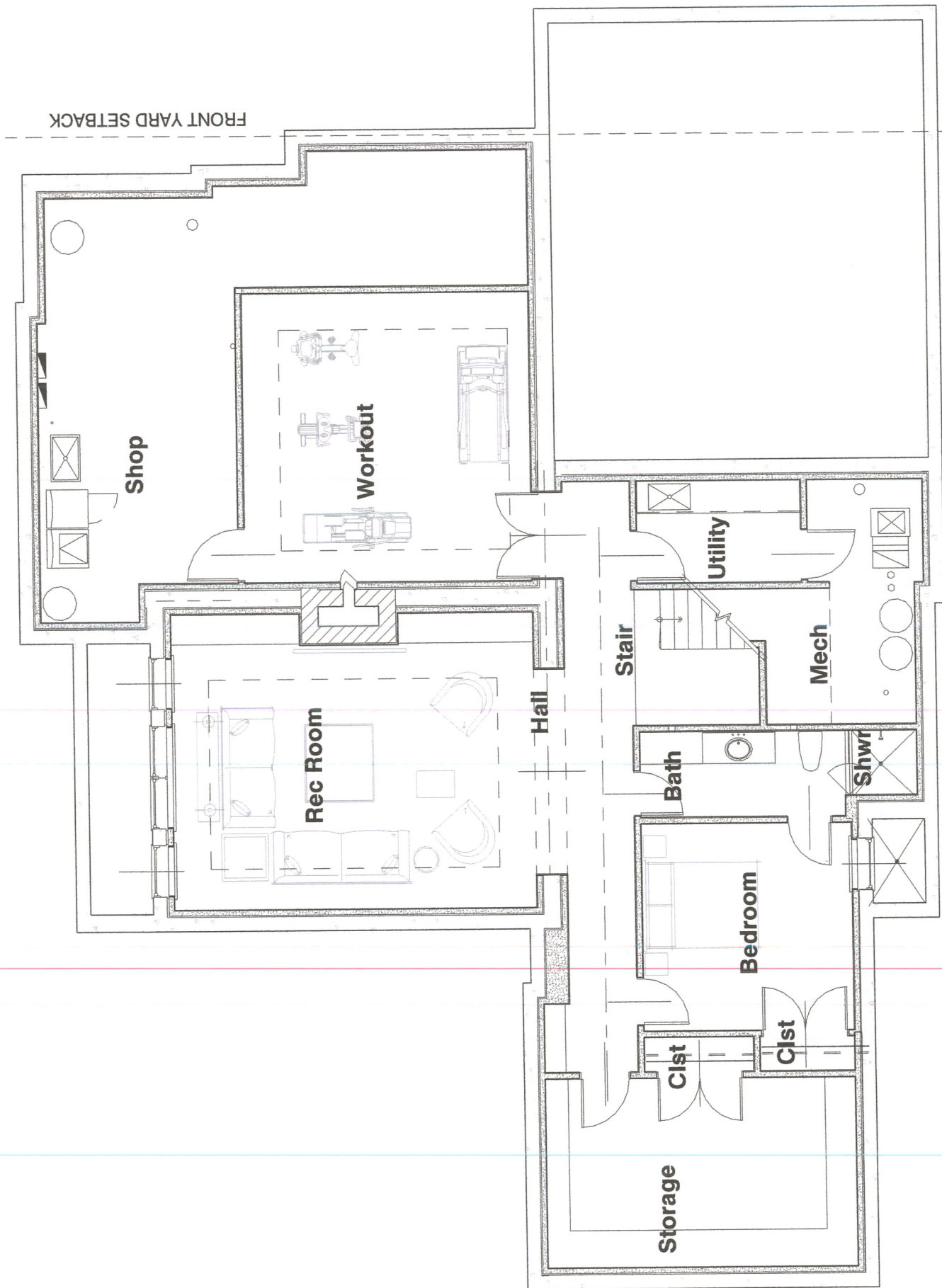
ALL DISTANCES AS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. NO ANGLES OR DISTANCES ARE TO BE DETERMINED BY SCALING.

SCALE: 1"=30'
JOB NO.: 18-2150
ADDRESS: 530 LINCOLN AVE.
P.I.N.: 05-07-109-002
TOWNSHIP: NEW TRIER
ORDERED BY: JULIE LEHRMAN

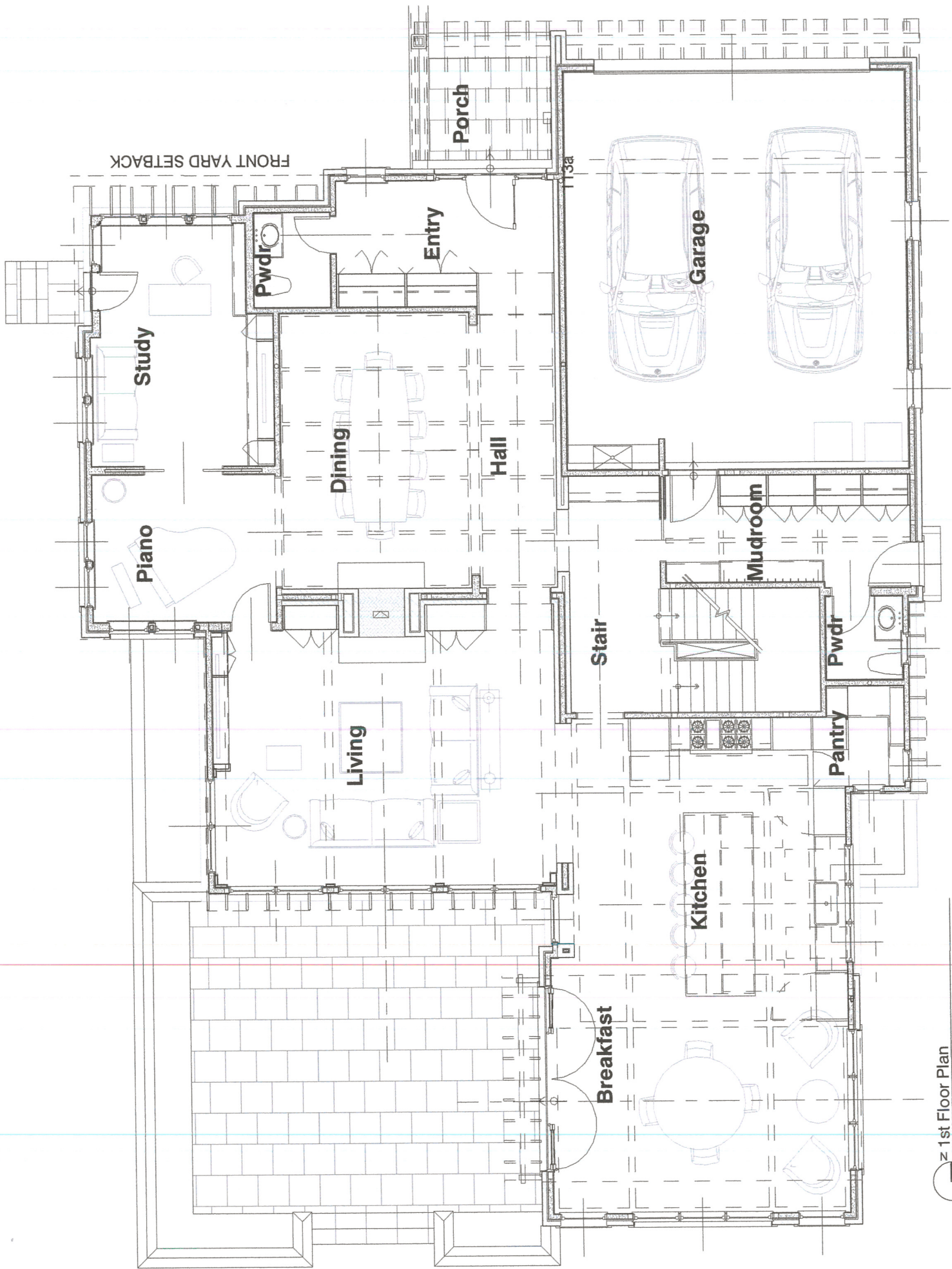
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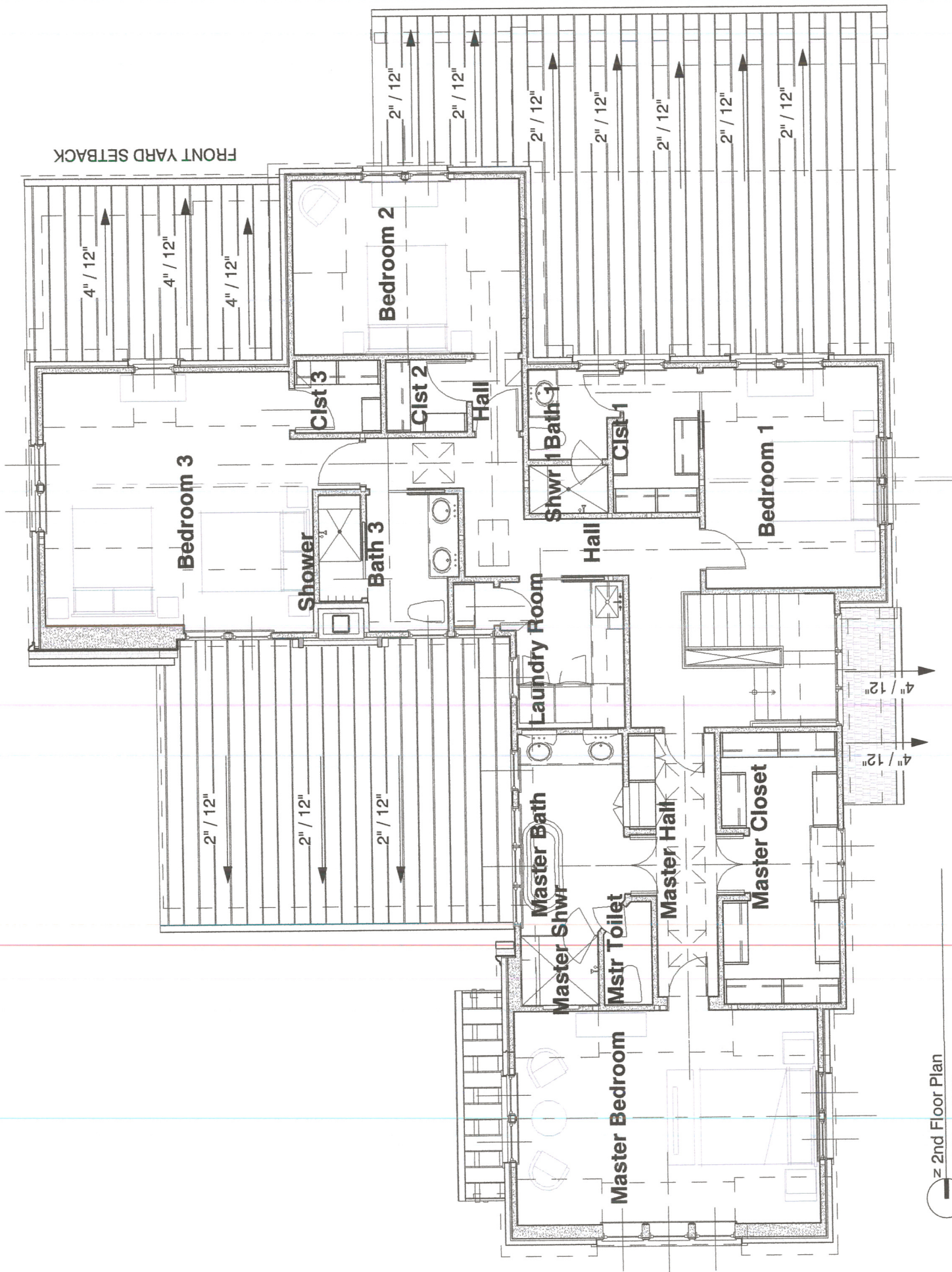
z Site Plan
3/64" = 1'-0"




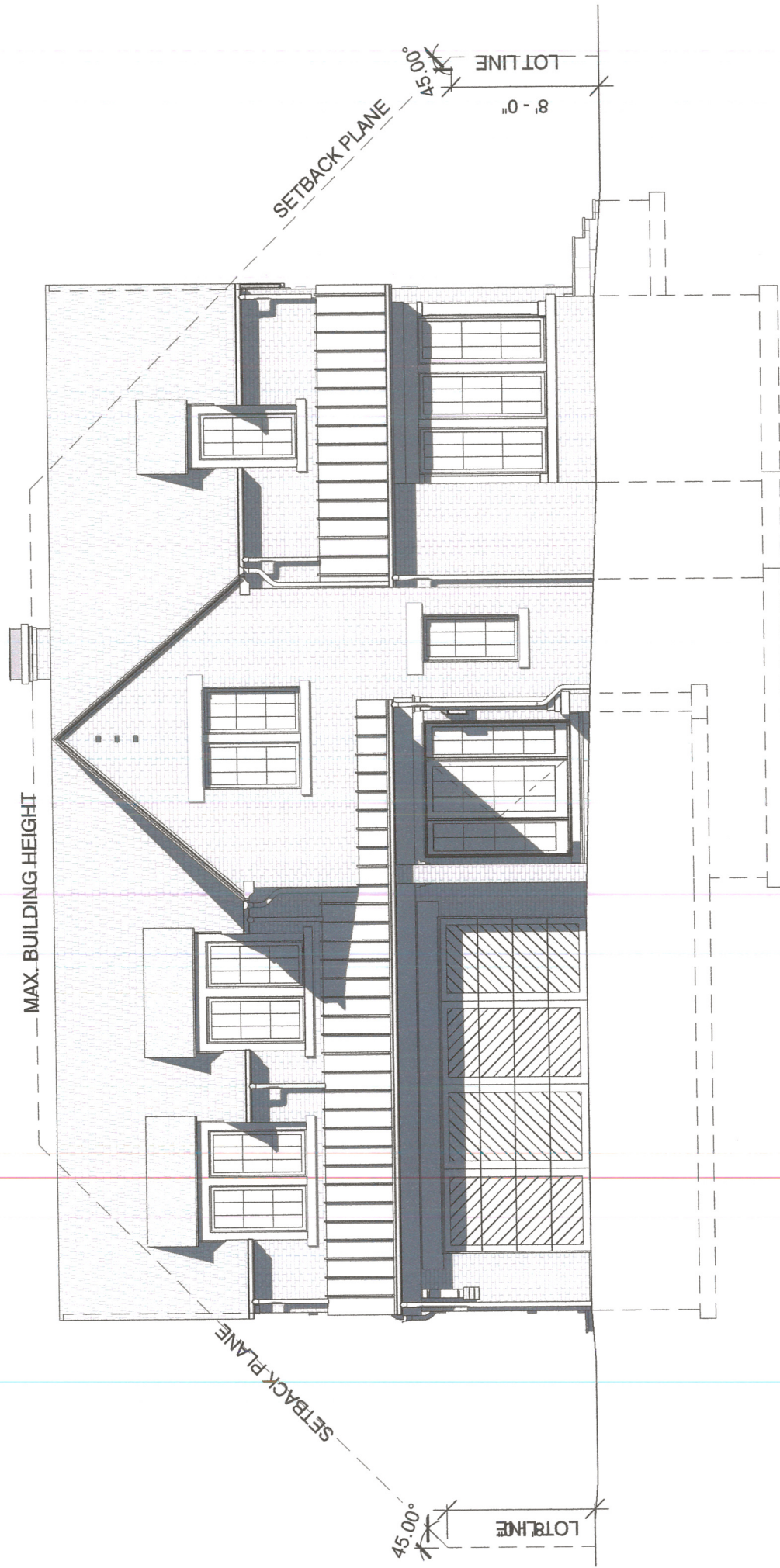
z Basement Plan
1/8" = 1'-0"



1st Floor Plan
1/8" = 1'-0"




 z 2nd Floor Plan
 1/8" = 1'-0"



North Elevation
1/8" = 1'-0"

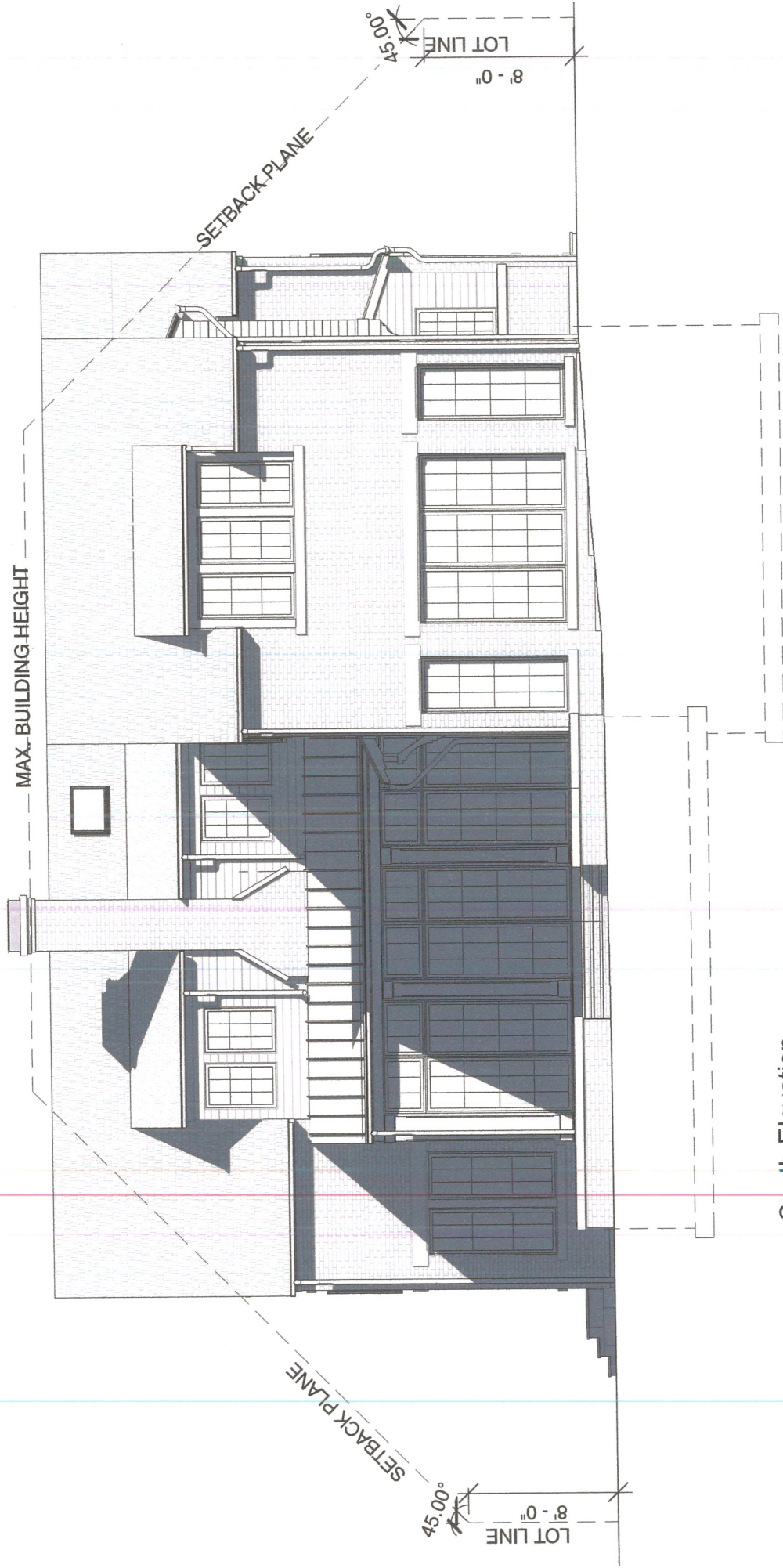
TOTAL SETBACK PLANE ENCROACHMENT ALLOWED 30.00'
TOTAL SETBACK PLANE ENCROACHMENT PROPOSED 20.99'

6.61'

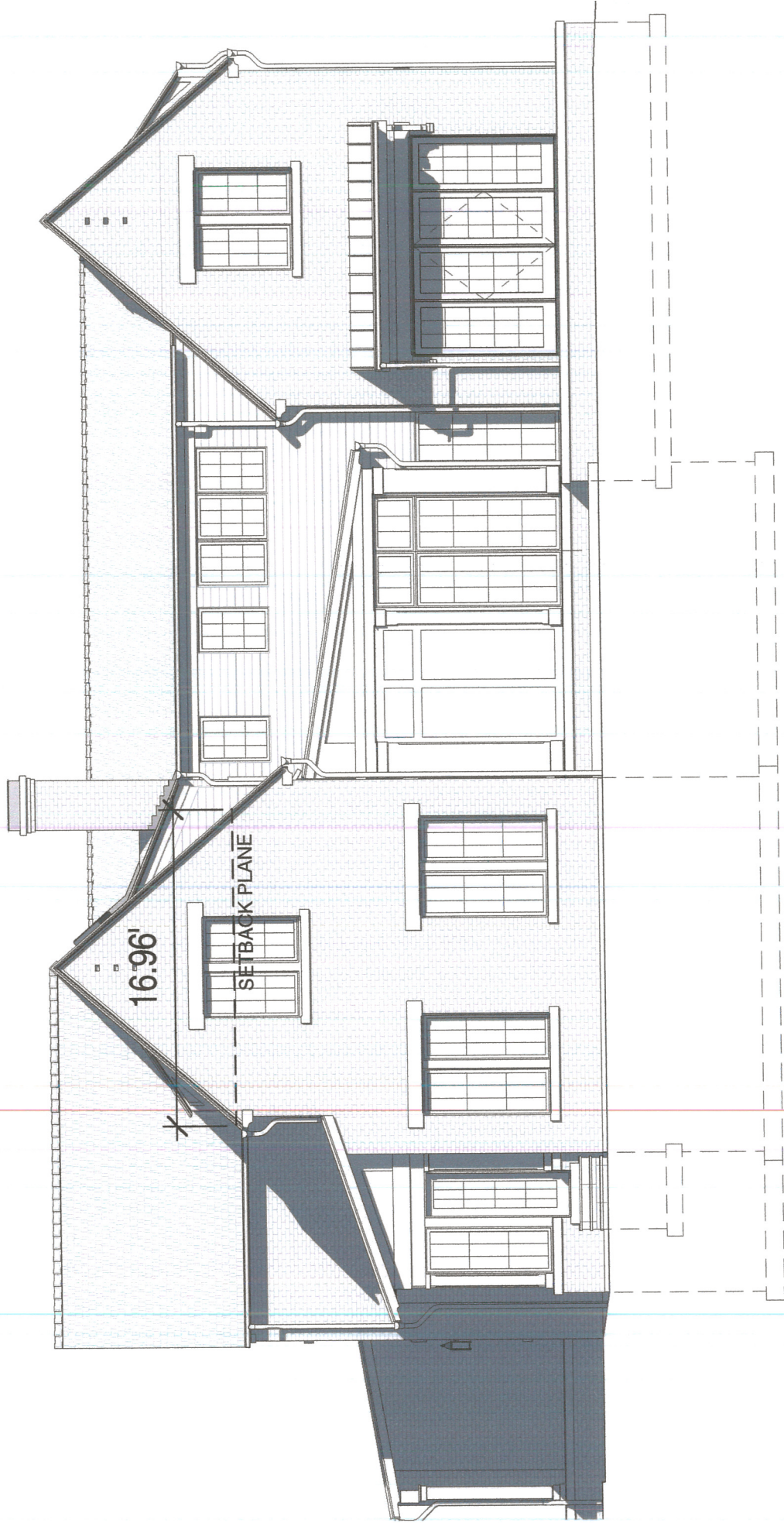
14.38'



East Elevation
1/8" = 1'-0"



South Elevation
1/8" = 1'-0"



West Elevation
1/8" = 1'-0"

