

## VILLAGE OF GLENCOE

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

www.villageofglencoe.org

#### **Virtual Meeting Information**

As the Village of Glencoe and its partner agencies continue to follow social distancing requirements and Governor Pritzker's *Restore Illinois* Plan, July 13, 2020 meeting will be held virtually via telephone and video conference (individuals may participate either by telephone or by video conference). Individuals may call the following to participate in the meeting:

#### **By Telephone:**

Phone Number: (312) 626-6799 Webinar ID: 975 2320 2217

#### **By Zoom Video Conference:**

Zoom video conference link: Click here

Video conference participants using a computer will be prompted to install the Zoom client; participants using smart phones or tablets must download the Zoom app from their app store.

#### **Public Comment Submittal Options**

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

Public comments can be submitted in advance of the meeting by e-mail to <a href="mailto:glencoemeeting@villageofglencoe.org">glencoemeeting@villageofglencoe.org</a>. Public comments received by 6:30 p.m. or one hour before the start of the Zoning Board of Appeals meeting will be read during the ZBA meeting under Public Comment. Any comments received during the meeting may be read at the end of the meeting.

All e-mails received will be acknowledged. Public comment is limited to 400 words or less. E-mailed public comments should contain the following:

- The Subject Line of the e-mail should include the following text: "July 13<sup>th</sup> ZBA Meeting Public Comment"
- Name of person submitting comment (address can be provided, but is not required)
- Organization or agency person is submitting comments on behalf of, if applicable
- Topic or agenda item number of interest, or indicate if the public comment is on a matter not listed on the ZBA meeting agenda

#### **Option 2: Submit Comments by Phone Prior to Meeting**

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



# AGENDA VILLAGE OF GLENCOE ZONING BOARD OF APPEALS REGULAR MEETING

Virtual Meeting
July 13, 2020 – 7:30 P.M.

#### 1. CALL TO ORDER AND ROLL CALL

Howard Roin, Chair Deborah Carlson Sara Elsasser David Friedman Alex Kaplan Scott Novack John Satter

- 2. CONSIDER ADOPTION OF THE MAY 11, 2020 ZONING BOARD OF APPEALS MEETING MINUTES.
- 3. PUBLIC HEARING TO CONSIDER ONE VARIATION REQUEST AT 210 HAZEL AVE. TO ALLOW A NEW ROOF ON AN EXISTING GARAGE TO ENCROACH INTO THE REQUIRED SIDE SETBACK.
- 4. 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

Village Hall Council Chamber 675 Village Court Monday, May 11, 2020 – 6:00 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 the Chairman, at 6:00 p.m. on the 11<sup>th</sup> day of May 2020, held virtually via Zoom web video conference.

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

#### 2. CONSIDERATION OF MINUTES OF THE MARCH 2, 2020 ZBA MEETING

RESULT: ACCEPTED [UNANIMOUS]

AYES: Roin, Carlson, Elsasser, Friedman, Kaplan, Satter, Novack

NAYS: None ABSENT: None

#### 3. APPROVE MERKIN APPEAL AT 587 GREENWOOD AVENUE

Chairman Roin stated that the purpose of this portion of the meeting was to conduct a virtual public hearing on the appeal by Joel Merkin, homeowner of 587 Greenwood Avenue, of a decision by the Development Services Manager in denying a permit to reduce the front yard setback from 50 feet to 40 feet (20% variation), reduce the rear yard setback from 30 feet to 24 feet (20% variation), reduce the north side yard setback from 8 feet to 6.4 feet (20% variation).

variation), and to increase the allowable encroachment into the south setback plane from 0 feet to 25 feet and 10 inches to allow for the construction of a new single-family residence. The variations are authorized by Section 7-403-E-1 of the Zoning Code.

The Chair reported that notice of the public hearing was published in the April 16, 2020 Chicago Tribune and neighbors were notified of the public hearing by mail. Taylor Baxter then swore in those in attendance who were expecting to testify.

#### **SUMMARY OF TESTIMONY**

Chairman Howard Roin asked Development Services Manager Taylor Baxter to begin the presentation. Mr. Baxter gave an overview of the variances requested, stating:

- 1) Homeowners are seeking four variations;
- 2) To reduce the required front yard setback from 50 feet to 40 feet.
- 3) To reduce the required rear yard setback from 30 feet to 24 feet.
- 4) To reduce the required north side yard setback from 8 feet to 6.4 feet.
- 5) To reduce the required setback plane on the south side of the lot.
- 6) Applicants are seeking variances and flexibility due to the unique shape of the existing lot.

Applicant and homeowner Joel Merkin then proceeded with a PowerPoint presentation to highlight the existing and proposed conditions, stating:

- 1) The lot is unique in the sense that it is shallow and has an irregular rear lot line.
- 2) Mr. Merkin spoke with neighbors at 395 Hawthorn Avenue and 595 Longwood Avenue and they did not have any objections.
- 3) The rear side of the proposed home is not near livable space at 395 Hawthorn Avenue.
- 4) The north side yard setback is being requested due to the requirement for 10 feet between structures.
- 5) 395 Hawthorn Avenue has a non-buildable area where the proposed setback plane would interfere with.

Chairman Roin then asked the Applicant's Architect, Daniel Lesus, for the square footage of the proposed home's bedrooms. Mr. Lesus stated that the second floor of the proposed home is approximately 1,500 square feet and that he confirmed it was under the allowable limit.

Mr. Lesus mentioned it is a difficult lot to build on due to the existing deep setbacks along Greenwood Avenue. He then proceeded with the presentation highlighting the existing and proposed structures.

Chairman Roin questioned the requested variance for the front yard and stated that he understood the other three requested variances. Mr. Roin stated it is not typical for the Board to allow the Applicants the maximum variances for a new single-family residence.

Board Member Scott Novack thanked the applicant and Architect for their presentation and agreed with Chairman Roin that it is not typical for the Board to allow applicants the maximum variances for new single-family residences, but disagreed with Chairman Roin regarding the requested variance for the front yard because of the existing front setbacks on Greenwood Avenue heading south. He mentioned that since 395 Hawthorn Avenue is not buildable on the south end of the property, the proposed variances could improve the streetscape from Hawthorn Avenue.

Board Member Deborah Carlson stated that she agreed with Mr. Novack, and that she is inclined to vote yes.

Board Member David Friedman asked Mr. Lesus if he is flexible with the front yard setback. Mr. Lesus explained that it would make the proposed home less than the required ten feet from the proposed detached garage. Mr. Friedman then mentioned he is inclined to vote yes without wiggle room on the requested variances.

Board Member Alex Kaplan then stated he is inclined to vote yes despite flexibility for maximum allowable variances.

Board Member John Satter asked Mr. Baxter about staff reviews for foundation surveys and proposed tree removals. Mr. Baxter confirmed that it is rare that there are discrepancies between the foundation surveys and approved plans, and that the applicants must follow the tree ordinance and will have to pay applicable deposits. Mr. Satter then stated that he agrees with most of the Board and sees this proposed residence as an improvement.

Board Member Sara Elsasser stated that she agrees with majority of the Board and does not have any comments to add at this time.

Chairman Roin then asked Mr. Lesus if there is a graphic depicting the proposed front yard setback and mentioned that he felt as though it may be more significant with the impact on the streetscape. Mr. Baxter then pulled up an aerial image of the block and explained the existing the front yard setbacks and proposed front porch. Mr. Lesus then clarified that the requested font yard variance is to incorporate the front porch portico. Mr. Roin then stated he would give approval for "as plans submitted".

#### **PUBLIC COMMENT**

Chairman Roin asked the audience if anyone had a public comment.

Skip Shade of 375 Hawthorn Avenue stated that he understood the requested variances and recognized the lot is a unique shape. He stated he did not have any objections to the requested variances.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for variances be granted per the drawings presented, making findings and resolving as follows:

#### **FINDINGS**

- 1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
- 2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
  - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
  - b. There are practical difficulties and there is a particular hardship in the way of carrying out the strict letter of Section 7-403-E-1 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 front yard setback, reduce the rear yard setback, reduce the north side yard setback, and to reduce the required setback plane to allow for a new single-family residence at 587 Greenwood Avenue, be granted as shown in the drawings or plans submitted by the owner and made part of the record.

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

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

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

RESULT: ACCEPTED [UNANIMOUS]

AYES: Roin, Carlson, Elsasser, Friedman, Kaplan, Satter, Novack

NAYS: None ABSENT: None

#### 4. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:23 p.m.



# 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:** July 1, 2020

**TO:** Zoning Board of Appeals

**FROM:** Taylor Baxter, AICP, Development Services Manager

Rich McGowan, Planner

**SUBJECT:** Consideration of variation to reduce side yard setback at 210 Hazel Avenue

**Background:** Applicants are requesting a variation from the Zoning Code to reduce the side yard setback at 210 Hazel Avenue. 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(C)(2) – To reduce the side yard setback from 12.0 feet to 10.01 feet, a variation of 16.7%.

The existing home has a side yard setback of 10.01 feet to the attached garage on the west side of the property. While the proposed new roof would not result in any increase in the horizontal encroachment into the setback, it would increase the bulk of the already nonconforming structure within the setback, requiring a variation. The ZBA may grant variations to decrease the required side yard setback by up to 20%.

	Existing	Allowed	Proposed
Side Yard Setback (min.)	10.01'	12.0'	10.01'

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 they are requesting the variation due to the existing flat roof of the attached garage accumulating water, resulting in leaking and water damage to the home. The applicants suggest a sloping roof will resolve this issue.

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 fact that the existing home encroaches into the side setback is a unique physical condition on the property. The proposed garage would not decrease the distance from the garage to the property line.

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 home was not built by the current owners, per Village records.

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. However, the right to reduce the required side yard setback is not a right available to other property owners without the approval of a variance.

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 single-family additions appear to be in harmony with the general and specific 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 proposed variations would not have a significant impact on the essential character of the area.

The June 25, 2020 Chicago Tribune 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 <u>accepted or denied</u>.

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

Move to <u>accept/deny</u> the request for a variation to reduce the side yard setback for a sloped roof on an existing garage and single-family residence at 210 Hazel Avenue.

### **Notice of Appeal**

Date: 6/4/2020
Property Address: 210 HAZEL PIN#: 05-07-214 · 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:
ADD A SLOPED CLAY BARREL TILE ROOF TO AN
EXISTING FLAT ROOF GARAGE.
I require a zoning variation reducing theSIDE_YARDyard setback fromfeet to
feet and
1) THE EXISTING FLAT ROOF GARAGE IS A CONSTANT SOURCE OF LEAKING AND WATER DAMAGE TO THE HOME.
A SLOPING ROOF WOULD SOLVE THE ISSUE
THE FLAT ROOF IS A HARDSHIP.
2) THE HOME WAS BUILT IN 1920, THE ESISTING
NON- CONFORMING SIDE YARD SETBACK OF 10'
PRE EXISTS THE CURRENT ZONING REQUIREMENT/CODE
PRE EXISTS THE CURRENT ZONING REQUIREMENT/CODE
PRE EXISTS THE CURRENT ZONING REQUIREMENT/CODE  OF 12'. THIS IS A PRE EXISTING CONDITION,  THE CURRENT ZONING CODE CREATED THIS

3)	
3)	
<u> </u>	
4)	
	15
The Zoning Board of Appeals, after a hearing, may auth	horize this variation because it does not exceed the maximum
variation permitted in Article VII, Section 4 of the Ordinar	nce.
I understand that the Zoning Board of Appeals may aut	chorize a variation only where there are practical difficulties or
where there is particular hardship in the way of carrying of	out the strict letter of this ordinance.
10114 400-400-41	Flizabeth Cmajoli Elimanle
JOHN KRASNODEBSKI	Flizabeth Cmaroli Elimanle
Owner's Agent Printed Name	Owner's Printed Name and Signature

#### Please deliver this form with any supporting material to:

773 - 991 - 2902

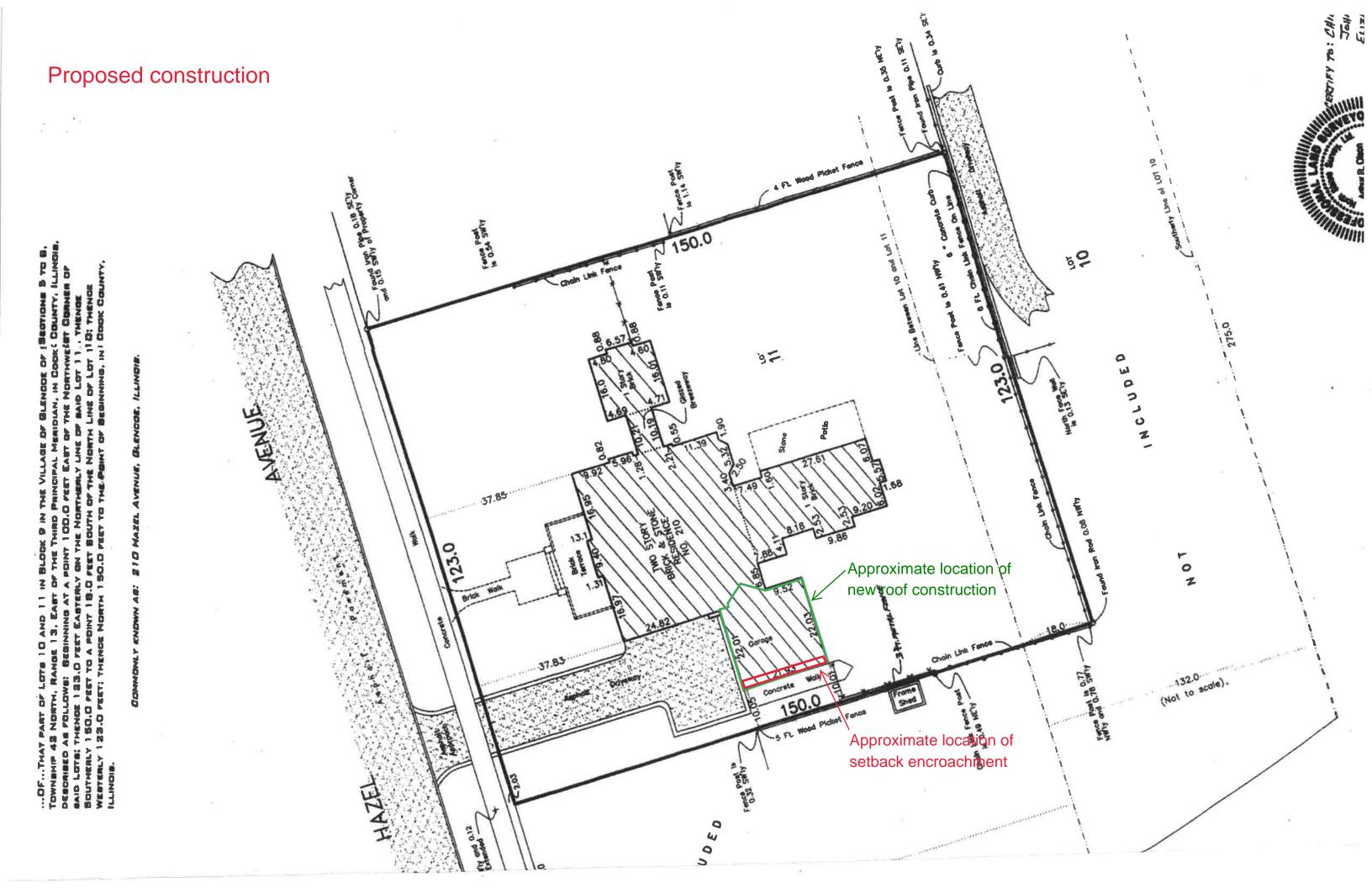
Owner's Telephone

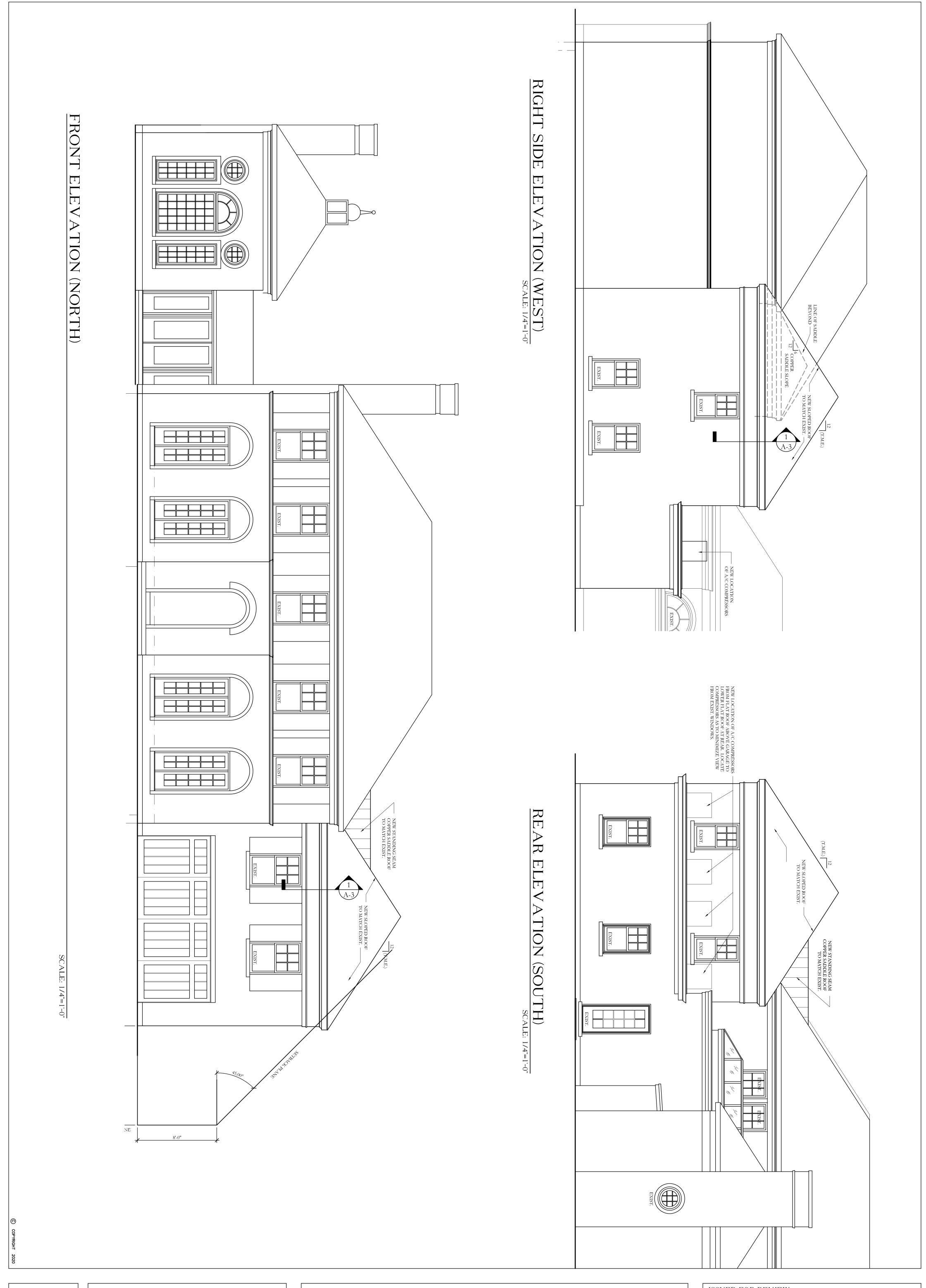
847. 812.9906

Agent's Telephone

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





L A K E F O R E S T

L A N D M A R K

D E V E L O P M E N T C O M P A N Y

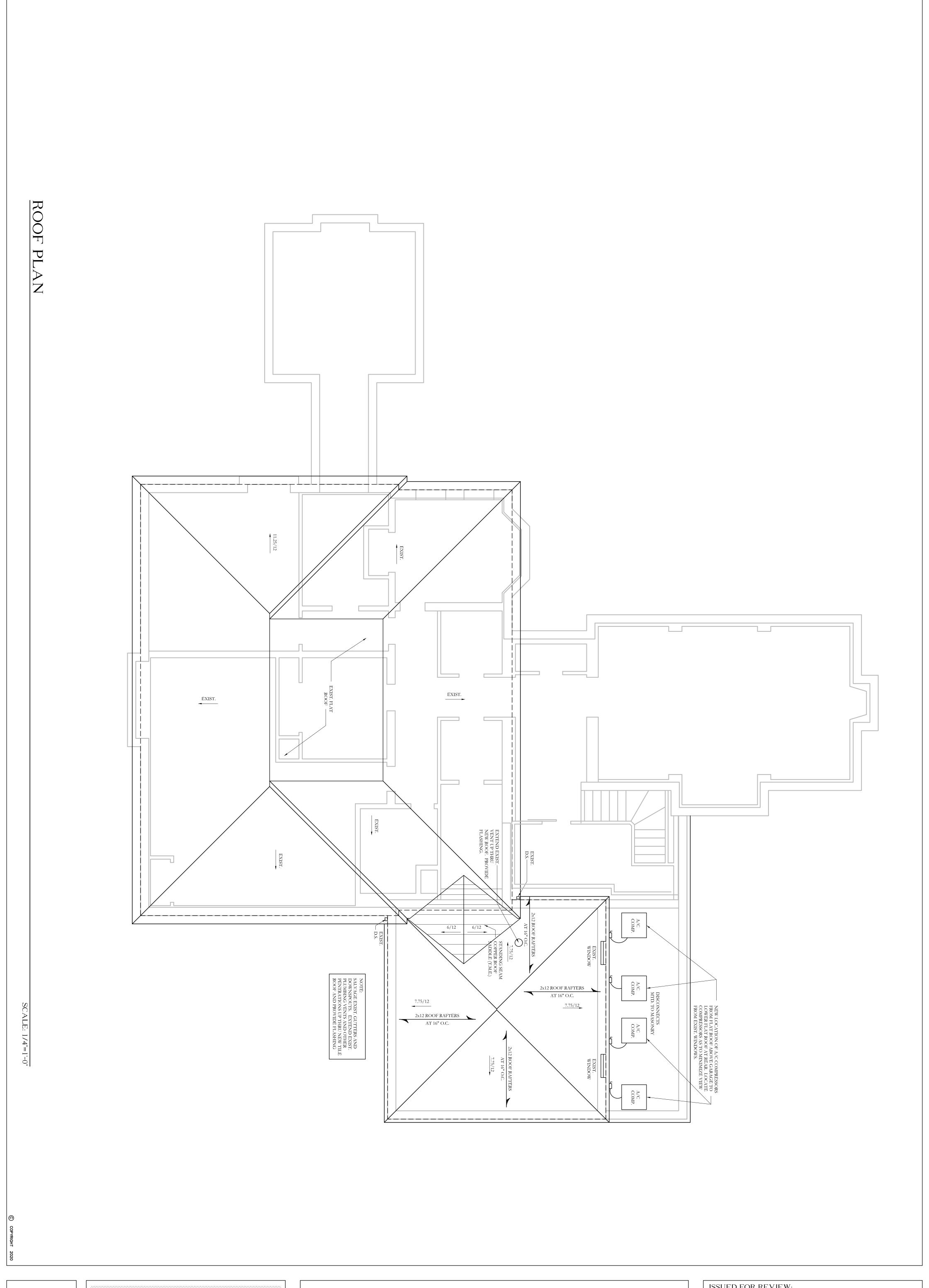
2 7 2 D E E R P A T H R D. L A K E F O R E S T, I L

T E L: 8 4 7. 6 1 5. 0 6 3 7 F A X: 8 4 7. 6 1 5. 9 1 1 6

## THE CIMAROLI RESIDENCE

210 HAZEL AVENUE GLENCOE, ILLINOIS 60022

ISSUED FOR REVIEW:	
ISSUED FOR PERMIT:	
ISSUED FOR BID:	
ISSUED FOR CONSTRUCTION:	
REVISED:	



L A K E F O R E S T

L A N D M A R K

D E V E L O P M E N T C O M P A N Y

2 7 2 D E E R P A T H R D. L A K E F O R E S T, I L

T E L : 8 4 7 . 6 1 5 . 0 6 3 7 F A X : 8 4 7 . 6 1 5 . 9 1 1 6

## THE CIMAROLI RESIDENCE

210 HAZEL AVENUE GLENCOE, ILLINOIS 60022 ISSUED FOR REVIEW:

ISSUED FOR PERMIT:

ISSUED FOR BID:

ISSUED FOR CONSTRUCTION:

REVISED:

## Neighbor notification mailing list

Address number	Street name	City	State	ZIP code	PIN	Property owner	Mailing address
180	Hazel	Glencoe	IL	60022	05-07-214-028-0000	Joshua Karp	180 Hazel Ave., Glencoe, IL 60022
187	Hazel	Glencoe	IL	60022	05-07-208-013-0000	187 Hazel LLC	187 Hazel Ave., Glencoe, IL 60022
199	Hazel	Glencoe	IL	60022	05-07-208-012-0000	Steven P Buckman	199 Hazel Ave., Glencoe, IL 60022
200	Hazel	Glencoe	IL	60022	05-07-214-003-0000	Jeffrey G Kraft	200 Hazel Ave., Glencoe, IL 60022
213	Hazel	Glencoe	IL	60022	05-07-208-011-0000	North Shore United Methodist Church	213 Hazel Ave., Glencoe, IL 60022
220	Hazel	Glencoe	IL	60022	05-07-214-001-0000	Christopher Zadina	220 Hazel Ave., Glencoe, IL 60022
611	Greenleaf	Glencoe	IL	60022	05-07-214-008-0000	Stephen Kohl	611 Greenleaf Ave., Glencoe, IL 60022
615	Greenleaf	Glencoe	IL	60022	05-07-214-006-0000	Mark Rather	615 Greenleaf Ave., Glencoe, IL 60022



# 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

June 26, 2020

Re: Zoning Board of Appeals Variation Public Hearing - 210 Hazel Avenue

Dear Resident,

The enclosed legal notice provides information on a Zoning Board of Appeals Public Hearing on Monday, July 13, 2020 at 7:30 p.m. You are being contacted because your property is located within 200 feet of 210 Hazel Avenue. This virtual hearing is open to the public and interested parties may attend and/or participate by:

- 1. Attending via the Zoom app at <a href="https://zoom.us/j/97523202217">https://zoom.us/j/97523202217</a>
- 2. Listening to the meeting by calling (312) 626-6799 with Webinar ID #975 2320 2217
- 3. Submitting comments by phone or email:
  - Public comments can be emailed in advance of the meeting, up to an hour before the start of the meeting to glencoemeeting@villageofglencoe.org or by left in a voicemail can be left at (847) 461-1100.
  - Public comments should be limited to 400 words if e-mailed or a three-minute voicemail.
  - Public comments submitted before the meeting will be read by staff during the public comment portion
    of the agenda.
  - Public comments submitted during the meeting by email (glencoemeeting@villageofglencoe.org) may be read at the end of the meeting.

The applicants are requesting the following variation from the Village's zoning ordinance to allow for a sloped roof on an existing attached garage and single-family home:

1. To reduce the side yard setback from 12.0 feet to 10.01 feet.

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

745E

tbaxter@villageofglencoe.org | (847) 461-1118

### TVILLAGE OF GLENCOE GLENCOE, ILLINOIS

#### **ZONING BOARD OF APPEALS**

#### NOTICE OF PUBLIC HEARING JULY 13, 2020

Notice is hereby given that a public hearing is to be conducted on Monday, July 13, 2020 at 7:30 p.m., before the Zoning Board of Appeals of the Village of Glencoe, Cook County, Illinois, to consider requests for variations from the Zoning Code.

This hearing will be held virtually by videoconference. For instructions on how to access and participate in this hearing, visit the Zoning Commission/Board of Appeals page at <a href="https://www.villageofglencoe.org">www.villageofglencoe.org</a>, email <a href="mailto:glencoemeeting@villageofglencoe.org">glencoemeeting@villageofglencoe.org</a>, or call (847) 461-1118.

The ZBA will consider a request for one variation from the Zoning Code by applicants John Krasnodebski and Elizabeth Cimaroli to permit a new expanded roof on their existing home and attached garage at 210 Hazel Avenue, Glencoe, Illinois, in the RA Single-Family Residential Zoning District (Permanent Real Estate Index Number 05-07-214-002-0000).

Legal Description: THAT PART OF LOTS 10 AND 11 IN BLOCK 9 IN THE VILLAGE OF GLENCOE OF SECTIONS 5 TO 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 100.0 FEET EAST OF THE NORTHWEST CORNER OF SAID LOTS: THENCE 123.0 FEET EASTERLY ON THE NORTHERLY LINE OF SAID LOT 11, THENCE SOUTHERLY 150.0 FEET TO A POINT 18.0 FEET SOUTH OF THE NORTH LINE OF LOT 10, THENCE WESTERLY 123.0 FEET: THENCE NORTH 150.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

The applicant requests the following variation from the Zoning Code:

1. To reduce the required side yard setback from 12 feet to 10 feet.

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